

Debate Role Of ACLU At Biennial Conference

Debate between "traditionalists and activists" began early in the six-day national Biennial Conference of the American Civil Liberties Union (ACLU). The quoted phrase was used during the conference's first plenary session by a midwestern delegate to summarize speeches and audience reactions on the subject "Should certain groups properly be limited in their exercise of civil liberties?"

The groups under consideration in this regard were military personnel, youth, the mentally ill and retarded, prisoners and ex-convicts.

DIFFERENCES in attitudes were evident in the three brief formal speeches at the opening session.

Spencer Cozz, executive director of the Pennsylvania ACLU, urged "new approaches," such as "lobbying for adequate facilities for mental hospitals. The ACLU has not gone into this field of supporting appropriations."

On the other hand, he urged the ACLU to continue concentrating on its "traditional, noble role" of challenging and seeking to limit the exercise of

power by government.

He observed that in present American society, "repression is not just by government, but by society itself." He replied, "I think not" to his own question: "Should we involve ourselves in lack of democracy in churches, and discrimination in private organizations?" The ACLU should continue concentrating on "what the ACLU can do well -- harassing government," he concluded.

David Isbell, vice chairman of the Washington, D.C., ACLU, said persons in the groups under discussion undoubtedly "should" have a narrower range of possibilities for exercising civil liberties. He added that their present range is "obviously" too narrow.

The "hard question," he said, is "where should the line be drawn?"

THAT VIEW was contested by Arthur Kobler of the Washington state ACLU.

He urged the ACLU to take a "clear libertarian position," by opposing, for example, argument in favor of involuntary commitment to mental institutions, and by supporting the concept that "people must ex-

perience freedom in the schools."

"We are the only institution that has the authority and the position to present a clear and consistent freedom position," he added.

Views similar to Kobler's proved the most numerous in a workshop session on civil liberties of military personnel conducted after the conference's plenary session.

By a vote of 17 to 6, delegates at that workshop endorsed a position paper written by Ira Glaser, associate director of the New York ACLU, that is sharply critical of the Uniform Code of Military Justice and the techniques of military courts martial. The endorsement does not make Glaser's views official ACLU policy, however.

GLASER'S PAPER states that "the military has made it quite clear that it has the right and the power to suspend the First Amendment wherever it wants to," on grounds of "discipline."

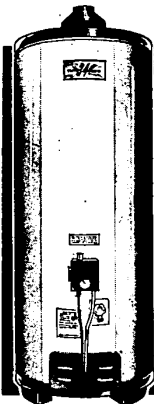
He urges the ACLU to take the position, regarding military justice, that "the Bill of Rights means what it says without exception and without qualification; that any limitation on its protections must be preceded by the most severe, immediate threat to the very life of the nation or a subdivision thereof; that nothing short of such a threat can ever justify the suspension of liberty; and that, while it may not be possible to specify or predict such situations, the burden of proof must always and without exception be on the government . . . the way to be for civil liberties is to be against militarism."

The workshop session rejected, by voice vote, a paper written by retired Brigadier Gen. Frederick Rothchild contending that military organizations, by nature, cannot tolerate individual arguments against plans and decisions of command officers.

After the vote, Rothchild, a former official of the Arizona ACLU, commented: "I feel very strongly that you have a far better chance of getting justice in a military court than in a civilian court." He suggested that the ACLU "picked on the exceptions" rather than generalizing, and added: "You people are completely overlooking the importance of the military in your lives."

The workshop's approval of Glaser's paper, will be recommended, along with decisions from workshops on other subjects, for approval by the full conference here.

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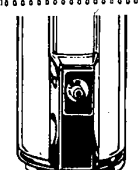
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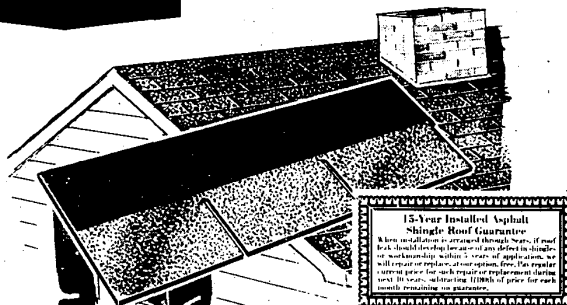
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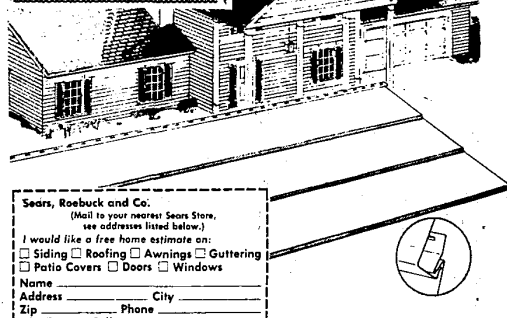
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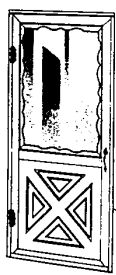
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