

SPECIAL ORDER OF BUSINESS

AFT CONDEMNS RECENT SUPREME COURT DECISIONS ATTACKING OUR FREEDOMS AND RIGHTS

1 WHEREAS, in the design of our nation’s Founders, the Supreme
2 Court was established as one of three co-equal branches of our national
3 government, with the power to strike down as unconstitutional laws and
4 acts of governments. The Founders gave the Court this power for the
5 express purpose of safeguarding the rights and freedom of the American
6 people and protecting against abuses of government power; and

7 WHEREAS, in its most recent set of decisions in 2022, the extremist
8 majority of the Supreme Court has struck down long-standing precedents
9 and long-enduring laws, with the elimination of guarantees for many of our
10 rights and freedoms:

- 11 • It has eliminated the right to choose when and if to bear children
12 and restricted reproductive freedom;¹
- 13 • It has undercut public safety, striking down a century-old law
14 regulating the carrying of firearms in public venues at a time when
15 Americans going about their daily lives—in schools, in places of worship,
16 and in stores and shopping centers—are dying in a national scourge of
17 gun violence;²
- 18 • It has dismantled what Thomas Jefferson called the wall of
19 separation between church and state, allowing for the use of government
20 to promote religious beliefs and rituals in education;³
- 21 • It has damaged the federal government’s capacity to address
22 climate change and abate environmental pollution, and the government’s
23 capacity to regulate business more generally, by appointing itself the judge
24 of the appropriateness of policy in a power grab that violates the
25 constitutional separation of powers;⁴

26 WHEREAS, even before these recent rulings, extremists on the
27 nation’s high court have been undermining some of our basic freedoms:

- 28 • They have allowed unlimited “dark money” spending by
29 corporations and the wealthy in our elections;⁵
- 30 • They have eviscerated the Voting Rights Act, eroding voting rights,
31 permitting voter suppression tactics, and turning a blind eye to extreme

¹ *Dobbs v. Jackson Women’s Health Organization* (2022), reversing *Roe v. Wade* (1972) and *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992).

² *New York State Rifle & Pistol Association Inc. v. Bruen* (2022).

³ *Espinoza v. Montana Department of Revenue* (2020), *Carson v. Makin* (2022), *Kennedy v. Bremerton School District* (2022), reversing *Lemon v. Kurtzman* (1971).

⁴ *West Virginia v. Environmental Protection Agency* (2020).

⁵ *Citizens United v. Federal Election Commission* (2010), reversing *McConnell v. Federal Election Commission* (2003).

32 racial and partisan gerrymandering;⁶
33 • They have undermined the right of public sector workers to
34 organize in unions and bargain collectively;⁷
35 • They have sanctioned discrimination against minority religions and
36 anti-LGBTQIA+ discrimination:⁸

37 **RESOLVED, that the American Federation of Teachers affirms**
38 **our deep conviction that the essential purpose of the Supreme Court**
39 **in our system of constitutional government is to guarantee the rights**
40 **and freedoms of the American people and to check abuses of**
41 **government power; and**

42 **RESOLVED, that the AFT strongly condemns the decisions of the**
43 **current extremist majority of the Supreme Court that depart from its**
44 **constitutional role as the guardian of rights by undermining and**
45 **eliminating guarantees of the fundamental rights and freedoms of the**
46 **American people. In particular, the AFT condemns the court's**
47 **decisions enumerated above; and**

48 **RESOLVED, that the AFT will work to reverse both these**
49 **decisions of the court and their impact abridging Americans' basic**
50 **freedoms.**

⁶ *Shelby County v. Holder* (2013), *Husted v. A. Philip Randolph Institute* (2018), *Rucho v. Common Cause* (2019), *Brnovich v. Democratic National Committee* (2021), reversing *Davis v. Bandemer* (1986).

⁷ *Janus v. AFSCME* (2018), reversing *Abood v. Detroit Board of Education* (1977).

⁸ *Trump v. Hawaii* (2018), *Masterpiece Cakeshop v. Colorado Civil Rights Commission* (2018), *Fulton v. City of Philadelphia* (2021).