

## A U.S. Supreme Court that Vouches-Safe Democracy

**Whereas** the U.S. Supreme Court overstepped the authority of the Congress to legislate a responsive and dynamic government in *West Virginia v. EPA* (2022) by stripping the EPA of authority to regulate carbon emissions, the key cause of the greatest threat facing our civilization at this time; and in *National Federation of Independent Business v. Department of Labor* (2022) by striking a mandate that employers require employees to be vaccinated for COVID-19 or be tested regularly; along with other cases that delegitimized the administrative state; and

**Whereas** the U.S. Supreme Court harmed women's rights to privacy and equality under the law in *Dobbs v. Jackson Women's Health Organization* (2022) by reversing half a century of precedent safe-guarding the liberty of women to make reproductive decisions in the private sphere without government restriction; and

**Whereas** the U.S. Supreme Court harmed citizens' free speech and ability to prevent corruption of public officials in *Citizens United v. FEC* (2010) by equating corporate speech with individual speech; in *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett* (2011) by prohibiting States from fixing the outsized influence of private money in elections through matching public financing; and in *FEC v. Ted Cruz for Senate* (2022) by permitting candidates to have campaign loans be paid back by third-party contributions made after the election has happened; and

**Whereas** the U.S. Supreme Court harmed citizens' right to vote in *Shelby County v. Holder* (2013) by repealing portions of the Voting Rights Act; in *Brnovich v. Democratic National Committee* (2018) by further weakening the Voting Rights Act; in *Rucho v. Common Cause* (2019) by denying the federal government's interest in barring States from drawing electoral districts for partisan purposes; and in orders for both *Merrill v. Milligan* (2022) and *Ardoyn v. Robinson* (2022) by allowing racially biased districting to proceed in violation of the Voting Rights Act; and

**Whereas** the U.S. Supreme Court unbalanced the state's responsibility to protect religious practices without endorsing any, most recently in *Kennedy v. Bremerton School District* (2022) by forcing school districts to allow public religious rituals be performed on school property and at school events, and in *Carson v. Makin* (2022) by forcing States to fund religious schools in new circumstances; and

**Whereas** the U.S. Supreme Court blocked preventative measures to address gun violence in *New York State Rifle & Pistol Association v. Bruen* (2022) by striking down a law requiring a person to show a need for self-protection in order to carry a concealed firearm; and

**Whereas** the U.S. Supreme Court diminished States' allowance for organized labor in *Cedar Point Nursery v. Hassid* (2021) by blocking union representatives from speaking with workers; and

**Whereas** the defining common factor across these anti-democratic rulings are the set of justices in the majority or concurring with such; and

**Whereas** these anti-democratic rulings serve a political purpose; and

**Whereas** the U.S. Supreme Court since 2017 increased the frequency and scope of emergency docket orders, and since 2022 started treating emergency docket orders as precedential, all of which combine to reduce transparency of the Court's decision making and its legitimacy; and

**Whereas** Justice Clarence Thomas behaved unethically by ruling on cases in which his spouse is a party; and

**Whereas** Justice Brett Kavanaugh and Justice Neil Gorsuch behaved unethically in their rulings that contradicted sworn testimony from their confirmation hearings; and

**Whereas** the people of the United States of America lack any direct electoral method to redress these grievances;

**Therefore, be it resolved** that we call on all of our representatives in the U.S. Congress to (1) expand the number of justices serving on the Supreme Court; (2) impeach justices credibly accused of failing to maintain Good Behavior while in office; and (3) restructure the Supreme Court to make its members more reflective of the people's will, more responsive to democratic demands, and less open to minority packing.

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