The Federalist Society: An Extremist Institution

<u>The Federalist Society</u> is one of the largest and most influential conservative legal organizations in the U.S. Leonard Leo, the organization's longtime vice president and current <u>co-chairman</u>, has used his position in the Federalist Society to reshape federal and state courts to advance his far-right agenda. The organization has wielded its power and Leo's influence to appoint a conservative majority on the Supreme Court that has stripped Americans of their rights and promoted an extreme, unpopular ideology. In recent years, the Federalist Society and its conservative majority on the Supreme Court have successfully overturned the right to an abortion and gutted affirmative action while expressing anti-democratic sentiment, advocating against sensible gun laws, and working with anti-LGBTQ extremists.

Core Ideology

- The Federalist Society promotes a once "<u>fringe</u>" <u>strict interpretation</u> of the Constitution called "<u>originalism</u>."
 - Originalism informed the Supreme Court's controversial reversal of <u>Roe v. Wade</u>, and, as some of Justice Clarence Thomas's previous rulings suggest, could be used to overturn <u>federal child labor</u> laws.

Ties to Leonard Leo

- The Federalist Society became known for its role in cultivating conservative judges under the leadership of <u>co-chairman and former executive vice president</u> Leonard Leo, known as the "<u>architect</u>" of the conservative federal judiciary,
- Leonard Leo <u>used a Federalist Society contact</u>, electronics magnate Barre Seid, to obtain an <u>unprecedented \$1.6 billion donation</u> to fund Leo's right-wing network.

Anti-Abortion

- The Federalist Society emerged as part of the "40-year plot to undo Roe v. Wade."
- The Federalist Society's Leonard Leo was "<u>the man who helped build</u>" the conservative Supreme Court majority that <u>overturned</u> Roe v. Wade in June 2022.
- The Federalist Society had a significant role in shaping the nominations of influential far-right judges, such as <u>Robert Bork</u>, <u>Antonin Scalia</u>, and <u>William Rehnquist</u>, who held anti-abortion views.

Affirmative Action

- Federalist Society members were extensively involved with the <u>Parents Involved in Community</u> <u>Schools v. Seattle School District No. 1</u> ruling, where the Supreme Court struck down voluntary desegregation plans in several jurisdictions.
- Federalist Society lawyers who have argued <u>against affirmative action</u> have asserted that the "<u>real victims</u>" of racial discrimination are white males.
- In 2023, the Federalist Society <u>achieved</u> its longstanding goal of overturning affirmative action with its conservative majority on the Supreme Court.

Anti-Democratic Beliefs

- After voters "<u>soundly rejected hard-line positions on abortion</u>," even in several conservative-leaning states, the Federalist Society began debating "<u>the wisdom of deferring to democratic majorities as a matter of principle</u>."
- At a 2023 Federalist Society <u>symposium</u>, professor <u>Daniel Lowenstein</u> argued against majority rule in democracies, arguing it would lead to "<u>tyrannical domination of the minority by the</u> <u>majority</u>."

Supreme Court Ties

• Six of the nine sitting Supreme Court Justices are current or former Federalist Society members.

- Four of the five justices who voted to overturn *Roe v. Wade* attended and <u>were applauded at the Federalist Society's 40th anniversary black-tie dinner</u>. The 2,000-person crowd gave Justice Samuel Alito, who wrote the Court's majority opinion, a "<u>long, loud ovation</u>."
- Justice Alito <u>critiqued the Obergefell v. Hodges decision</u> that legalized gay marriage in a virtual address to the Federalist Society. Alito complained that opposing same-sex marriage was "<u>considered bigotry</u>" after the ruling.
- During the Trump presidency, <u>all but eight judicial appointments</u> to the federal appeals court had ties to the Federalist Society.

Anti-Gun Reform Beliefs

- In an amicus brief for a Supreme Court gun control case, five U.S. senators noted that the Federalist Society's then-executive vice president Leonard Leo was "<u>linked to a million-dollar</u> <u>contribution</u>" to the lobbying arm of the National Rifle Association (NRA).
- The Federalist Society <u>gave a presentation</u> explaining how "gun control harms minority communities" despite Americans of color supporting stricter gun control laws at <u>much higher rates</u> than white people.

Anti-LGBTQ & College Campus Activity

In 2022, Federalist Society student chapters planned events at the <u>University of Virginia</u> (which was later <u>canceled</u> amid controversy) and the <u>University of Kansas</u> with the Alliance Defending Freedom, a far-right legal group that has been designated as a <u>hate group</u> by the Southern Poverty Law Center.