The Phyllis Schlafly Report

SCOTUS Victory for Trump as Lawfare Worsens

By John and Andy Schlafly

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A 6-3 Supreme Court win for Trump's ban on transgender soldiers came on Tuesday just as the deluge of liberal lawsuits was worsening. Improper court injunctions have been piling up like cars crashing in a fog on a crowded highway.

Under Trump's order that the Court just allowed to go into effect, "service members who have a current diagnosis or history of, or exhibit symptoms consistent with, gender dysphoria will be processed for separation from military service." This reverses the disastrous pro-transgender policy of Biden.

Lower courts had blocked Trump's ban on transgenders in the military, just as liberal judges have been enjoining nearly every other initiative by Trump. "By allowing single, unelected federal judges to co-opt entire executive-branch policies at the drop of the hat, they create needless interbranch friction and perpetrate a truly lupine encroachment by the Judiciary on the President's Article II authority," Solicitor General John Sauer told the High Court.

By "lupine" the brilliant Sauer, who alone signs many Trump Administration briefs, refers to wolf-like behavior while disguised in sheep's clothing. The victim of the overreaching judiciary is the American people trying to redirect our country toward prosperity.

John Sauer alerted the Supreme Court that there was "a dramatic upsurge in 2017, followed by an explosion in the last three months" of nationwide injunctions by solitary federal judges against Trump. These injunctions were nearly unheard of for the first 170 years of American history, Sauer points out.

In the short month of February alone, there were 15 nationwide injunctions entered by Democrat-appointed judges against the Trump Administration. This stymies the will of American voters who gave Trump his mandate last November to Make America Great Again.

On Monday, nearly two dozen Democrat state attorneys general filed three new lawsuits against Trump. Despite how these states span our country from coast-to-coast, they filed all of their lawsuits in federal district courts in New England where the district and appellate judges

are nearly entirely Democrat-appointed, making this the most one-sided legal venue in our Nation.

The northeast venue is even more partisan than the San Francisco-based Ninth Circuit, where at least Trump was able to appoint ten of its 29 appellate judges during his first term. The lower district courts in all the Left Coast states are still reliably Democrat, but the Ninth Circuit could reverse them in up to a third of cases filed there against Trump.

One of the Democrats' recent lawsuits is to block Trump's executive orders protecting our environment against clanky offshore windmill boondoggles. While Democrat states refuse to allow offshore drilling for oil, as California has banned for decades, Democrats insist on constructing hundreds of wind turbines within sight of our beaches in the false promise they will produce efficient energy.

Maryland and other liberal states want to construct ugly wind turbines off their coasts, which blight the beautiful views and become a giant killing machine for birds. Trump's executive order wisely suspends permits for these inefficient monstrosities pending review as to their high costs compared with their dubious benefits.

Twenty Democrat states filed suit in Rhode Island to block the Secretary of Health and Human Services, RFK Jr., from downsizing HHS and laying off federal employees. Rhode Island is hundreds of miles away from where the HHS employees work, and the Democrats' selection of this court is blatant forum-shopping by the Left.

Federal workers are overwhelmingly Democrat and there is no constitutional or other right for them to be immune from layoffs common in the private sector. If laid-off federal workers cannot find another job, then it raises questions as to why taxpayers were being required to pay them to do nothing productive.

The Fourth Circuit, which presides over states including Maryland and Virginia, has issued four recent rulings in favor of Trump, each of which blocked an anti-Trump order by a separate Democrat-appointed district judge. Two of the district court judges were appointed by Obama and two by Biden.

These hopeful appellate decisions restored Trump's power to fire probationary workers at 20 federal agencies, terminate federally funded teacher and contractor DEI programs, and reinstate much-needed oversight of USAID programs by Elon Musk and DOGE.

An Obama-appointed judge was assigned to a new lawsuit brought by Harvard University in Boston against Trump to unfreeze $2 billion in federal funds that were flowing to

that institution. Harvard requested and received the appointment of this judge to its case, by citing her role in what Harvard asserted was a similar matter.

The third new case brought by many Democrat states on Monday was to block Trump's executive order improving election integrity. Trump properly ordered that federal funding be withheld from states that count mail-in ballots not received until after Election Day, which delays counting and reporting of election results.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) and lead the continuing Phyllis Schlafly Eagles organizations with writing and policy work.