



# The Phyllis Schlafly Report

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## The Top Conservatives of 2019

Senator Josh Hawley (R-MO) was the conservative of the year in the Senate, despite being its youngest member in his rookie year. His landslide defeat of the entrenched liberal favorite Claire McCaskill was the biggest victory of the midterm elections, and Sen. Hawley then exceeded all expectations.

He earned a coveted seat on the Senate Judiciary Committee, and quickly became its strongest member. Rather than rubber-stamp nominations as his colleagues had been doing, Sen. Hawley went to work.

He blocked the confirmation of a liberal nominated to the federal bench, despite intense pressure to stand down. Michael Bogren, who compared religious liberty by a Catholic farmer to views of the KKK, had been nominated for a lifetime position in the Western District of Michigan.

Other Senate Republicans seemed just fine with this nomination, even after Bogren aggressively defended his extreme view under questioning by Senator Hawley during a Senate Judiciary Committee hearing. But once Hawley led on this, other Republicans felt compelled to follow.

Bogren ultimately withdrew, enabling Hawley to set the precedent that similar future nominees will not be confirmed. Too many nominees by Presidents Reagan and the two Bushes sailed through the U.S. Senate despite being closet liberals.

Democratic candidates for president should take note also. When Ruth Bader Ginsburg was nominated for the Supreme Court despite a track record of supporting abortion and even opposing laws against statutory rape of underage girls, Republicans failed to ask her a single meaningful question and voted almost unanimously for her.

Hawley also took on Big Tech, while other senators were afraid to. He sponsored legislation against censorship by internet giants, which exclude or marginalize conservative speech.

Hawley promoted the America First agenda of Donald Trump, while other Republican senators wasted their time and ours by talking about impeachment. In one of

the finest speeches of the year, Hawley declared that we should adopt pro-America policies and reject the failed globalism approach of the past.

Many others also deserve recognition for standing strong for conservative principles in 2019. President Donald Trump himself, of course, has taken an inhuman amount of abuse by the Left, yet he finished 2019 with numerous impressive achievements, from the economy to the courts.

Rep. Jim Jordan (R-OH) and other House Republicans were so vigorous in their defense of President Trump that liberals could merely obtain impeachment articles which are not worth the paper they were written on. The only history that was made by Nancy Pelosi and her crew was in withholding their bogus impeachment from the Senate.

Attorney General Bill Barr did a splendid job in cutting off the gravy train that Robert Mueller and his political hacks rode for two years. Barr published reports that thoroughly discredited the false allegations by liberals against President Trump concerning the 2016 presidential election.

Barr delivered a speech at Notre Dame in October in which he criticized the mandatory LGBT curriculum which is being imposed on New Jersey public schools. He lamented “the steady erosion of our traditional Judeo-Christian moral system and a comprehensive effort to drive it from the public square.”

Barr is fighting that erosion in a case pending before the U.S. Supreme Court, on appeal from a liberal decision by the Montana Supreme Court. That state court prohibited allowing state scholarships to go to students who are attending religiously affiliated schools, a ban that undermines religious liberty.

A “shout-out” also belongs to those who stood against the Never-Trumpers in the Republican Party while they continued to nitpick and betray our president. Nikki Haley, who served as Trump’s ambassador to the United Nations, exposed a scheme in the White House to go around him, which she rejected.

And let's not forget the ordinary people who deserve recognition for their conservative actions this past year. Special thanks are warranted to the lifelong British Labour Party voters who repudiated their own political party as it lurched leftward, thereby burying it in a landslide loss not seen since before World War II.

On the other side of the world, there were the courageous protesters in Hong Kong who successfully stood against tyrannical demands by Communist China. They forced China to withdraw its extradition legislation which would have snuffed out remaining freedoms in Hong Kong by enabling China to punish Hong Kong residents through the use of the corrupt Chinese justice system.

Finally, there were liberals who also made 2019 a special year. Jeffrey Epstein did everything liberals like Bill Clinton could have asked for, including protecting him in the end.

Hunter Biden was a gift to conservatives in 2019 who keeps on giving. His dad Joe wants to defy any subpoena by the Senate to avoid explaining how the notorious Hunter ended up living in a multimillion-dollar mansion in posh Hollywood Hills, California.

## **Cert Denied!**

In a stunning reversal of fortune for the abortion industry, the Supreme Court on December 9 let stand a Kentucky law that requires abortion clinics to provide ultrasounds to women seeking an abortion. This may be the first time in 50 years that the Supreme Court has refused to review a significant lower court decision against the interests of abortion providers.

The pattern since *Roe v. Wade* is that abortion clinics and Planned Parenthood are nearly always successful in getting their petitions granted by the Supreme Court, even though only about 1% of other petitions are granted. There have always been at least four votes on the Court to rule in favor of abortion, and only four votes are needed to grant certiorari, or "cert."

Kentucky passed the Ultrasound Informed Consent Act, known as "H.B. 2," which requires an abortionist to display an ultrasound and amplify the heartbeat of the unborn child for the patient prior to performing an abortion. An abortion clinic challenged this law as somehow being a violation of the First Amendment, even though no one can dispute that every required disclosure is factual and true.

As nearly always happens in these cases, the abortion clinic obtained an injunction in 2017 by a federal district court to block the law from going into effect. From there it went on appeal to the U.S. Court of Appeals for the Sixth Circuit, which presides over Kentucky, Tennessee, Ohio and Michigan.

President Trump has appointed six judges to that appellate court, in a shining example of how important his presidency

has been. A random assignment of a three-judge panel then heard this case.

One of the panelists was Judge John K. Bush, who was nominated by Trump and confirmed by a narrow party-line vote of 51-47 in the summer of 2017. He made the difference, as he wrote the decision for a panel that was evenly divided between the other two judges.

He ruled that the Kentucky law "requires the disclosure of truthful, non-misleading, and relevant information about an abortion." Therefore "it does not violate a doctor's right to free speech under the First Amendment."

But H.B. 2 "should be subjected to heightened scrutiny and deemed unconstitutional, lest our constitution dissolve, and tyranny be erected on its ruins. I dissent!" declared the Obama-appointed panelist, using even an exclamation point to punctuate her outvoted objection.

The new Democrat governor of Kentucky, Andrew Beshear, has his name on this case but he was unhelpful and the court found that he was not a proper party, in *EMW Women's Surgical Center v. Beshear*. The pro-life governor Matt Bevin, who recently lost narrowly to Beshear, was the one who fought for this victory, and the continuing GOP majority in the legislature will prevent its repeal.

The abortion clinic next filed for a rehearing *en banc*, but the six new Trump judges held strong in defense of the panel's initial decision. From there the abortion clinic filed a petition for cert with the Supreme Court, where petitions have been granted virtually every time that the pro-abortion side wants.

Then the big surprise: cert denied. Multiple justices on the High Court surely disagree with the Sixth Circuit decision upholding the ultrasound law, but decided not to take this case and risk a 5-4 affirmance of the law.

The Fourth Circuit, which sits in Richmond, had invalidated another ultrasound law nearly identical to the one that the Sixth Circuit upheld. That means there was a clear split among the circuits, which ordinarily compels the Supreme Court to take a case by granting cert.

Moreover, the Supreme Court has never ruled on the constitutionality of state laws requiring an ultrasound before performing an abortion. So this case would be a perfect vehicle for the Court to bring clarity to the issue.

But ironically the circuit split might have caused the four justices who vote with abortion clinics to deny their petition this time. Had cert been granted and the Court then upheld the Kentucky law by a 5-4 vote, then that would have overturned the Fourth Circuit decision and opened the door to North and South Carolina requiring ultrasounds.

No one knows better than the Supreme Court Justices themselves where they stand on the contentious abortion issue. This denial of cert suggests that there is a 5-4 majority to uphold ultrasound laws, and other pro-life laws.

Many women who see an ultrasound then decline to have an abortion which they had previously planned to

have. A picture is worth a thousand words, which abortion clinics do not want their victims to see or hear.

This bodes well for another case which the Court will decide in 2020, concerning the constitutionality of a Louisiana law prohibiting abortion unless the physician has nearby hospital privileges, which are necessary for handling complications.

## Not Just Brexit

The political earthquake in the election across the Atlantic, where conservatives won in a landslide, has sent shock waves to the Democratic candidates for president here. Voters in the United Kingdom embraced Brexit and rejected socialism in handing the British Labour Party its worst defeat since before World War II.

But it is dubious that Brexit, which stands for Britain exiting the European Union, caused lifelong Labour Party voters to abandon the party of their ancestors for the first time. Rather, it is more likely that social issues are what drove the working class voters to send their elected officials to an early retirement.

Like the Democratic Party here, the Labour Party has become controlled by the university elite and by big cities. Neither party represents the working class anymore, and by abandoning these voters the politically beneficial realignment became possible.

As in the presidential election in 2016, the new ideological split is based on level of education and the starkly different social views which come from that. University professors supported Jeremy Corbyn with enthusiasm, just as they have supported the unjustified impeachment of President Trump.

Corbyn's platform called for six years of free education for every adult, plus paid time in order to take courses. His pandering to universities and to students enrolled in them sounded similar to what leading Democratic presidential candidates have proposed here.

But this and other proposals come at the expense of Britain's working class, and they punished Corbyn for it. He lost the election in rural England and Wales, away from the university towns.

Adopting positions popular among the over-educated, Corbyn decried what he perceived as a lack of progress on LGBT+ issues. At the so-called PinkNews Awards ceremony, he thrilled the audience by emphasizing the pronouns by which he would like to be referred, and making that seem as important as his name itself.

A candidate's serious announcement of which pronouns to use in referring to him or her could have been a joke a few years ago in a Saturday Night Live skit. But Corbyn was completely serious, as was Elizabeth Warren in doing the same thing here.

All the Democratic presidential candidates have endorsed the Equality Act, which would render it illegal to use the wrong pronoun in the workplace. This has support among higher education, but not in rural areas where Corbyn lost his election and where Trump wins big over here.

Corbyn went on to say at the PinkNews event that "the cuts since austerity came in have disproportionately affected LGBT communities, especially sexual and mental health services. That has to change," he declared.

While Jeremy Corbyn is often compared to Bernie Sanders, the more accurate comparison may be with progressives like Pete Buttigieg and Elizabeth Warren, who also announced "my pronouns" on Twitter. Rhodes Scholar "Mayor Pete," son of a leftwing university professor, recently attended a lavish fundraiser in billionaire-rich Napa Valley from which leaked photos outraged many Democratic voters.

Issues of transgenderism and abortion can cause a voter to abandon the party of his parents and grandparents. Churchgoing voters, of whom there are still many in Britain outside of the big cities, heard from their clergy that Corbyn was going too far in his calls for abortion-on-demand.

Even the Church of England, which has historically been reluctant to wade into the abortion issue, pushed back on the extremism demanded by the Labour Party leaders running in this election. The Catholic Church in England also spoke out against the consequences if voters were to cast their ballots for the Labour Party.

A public letter on behalf of the Church of England Bishops promised that they would "vigorously challenge any attempt to extend abortion provision beyond the current 24-week limit." Catholic bishops in Wales told voters to make respect for human life their top priority, after Labour Party leaders pledged to repeal current laws and replace them with unlimited access to abortion.

In Wales alone, the Welsh Conservative Party took six seats in Parliament which had been held by the Labour Party. Gender politics played so often by Democrats in the United States was disproven in Wales, where three of the victorious conservative challengers were women.

A 14-year-long leftwing incumbent in Wales, Madeleine Moon, was less than gracious about her defeat by another woman who is a political newcomer. She decried that her parliament district "Bridgend now has an MP with no political experience, other than three years on a parish council. We're in a huge mess in Bridgend."

The Democratic presidential candidates here who parrot the social stances of Corbyn may feel the same angst amid their rejection by voters. The real "mess" is in liberal political parties which have allowed themselves to be taken over by university elites.

## Dems Exploit Digital Advantage

Republicans continue to be right on the issues, but Democrats are leveraging their digital advantage to win elections. With Big Tech in their corner, they expect to run over the GOP in 2020.

Consider the fortune that Mike Bloomberg has reportedly spent on social media ads, through a secretive firm called Hawkfish and other organizations. His gun control group spent more on the Virginia election than the NRA did, and Democrats scored landslides there in its recent elections.

“In God we trust. Everyone else bring data,” is a slogan used by Bloomberg, who became one of the wealthiest in the world by selling terminals to process stock market data.

He announced that he would spend more than \$100 million on digital ads against President Trump. Already Bloomberg’s campaign has spent \$13 million on Facebook and Google ads.

Swing voters who decide elections are more likely to be using the internet than watching television. Young voters, who were credited with electing Obama in 2008 and 2012 but then did not turn out to vote as much for Hillary Clinton, obtain their information almost exclusively online.

The viewers of cable television are senior citizens who grew up watching the tube, rather than YouTube. Relatively few elderly voters are undecided about the upcoming election, or any election, and outcomes are determined instead by the voter turnout of young people who don’t watch cable news.

Obama used digital media to turn out young voters in record numbers to elect and reelect him. Hillary Clinton, though flush with more campaign dollars than she could spend, was much less effective with this group.

President Trump knows the significance of digital communications and uses it daily through his Twitter account. He gave a boost to Republican candidates in 2019 and the outcomes would have been better if other Republicans tried as hard online as Trump does.

Bloomberg’s Hawkfish has no public website but is the “primary digital agency and technology services provider for the campaign” of Bloomberg for president, its campaign spokeswoman Julie Wood said to CNBC. It will also assist races by other Democrats in the future.

So far, the results of this digital push have been extraordinary. Dems racked up victories in conservative strongholds of Kentucky and Louisiana, winning the governorships in both in 2019, and rolled up a sweep of the statehouse in Virginia.

They have made gun control their top priority, and the Equal Rights Amendment #2, in their legislative agenda in Virginia starting on January 8th. Gun control in particular has long been the defining issue for Bloomberg since he

was mayor of New York City for three terms, from 2002 to 2013, where he overcame his term limit.

He’s running for the Democratic nomination for president now, which few give him any chance of winning. But he is pouring some of his unfathomable wealth into this digital push for other Democratic candidates, and this could have a terrible impact on the 2020 elections.

His news outlet, Bloomberg News, gives all the Democratic candidates an additional advantage. Bloomberg News has promised not to cover its founder’s campaign for president, but will continue to bash President Trump for the benefit of all the Democrats.

It does not help that Big Tech is also on the side of the liberal candidates, and has nearly monopolized key parts of the internet such that conservatives are impeded from getting their message out. The ineffectiveness of the GOP in responding to Big Tech is partly due to disagreements about how to react.

Some advocate that Republicans form their own digital platforms to rival the liberal Silicon Valley leviathans. At a minimum, a GOP rival to Hawkfish should be formed, and before it is too late.

Bloomberg is hiring from the ranks of predominantly liberal high-tech companies. Former Facebook Chief Marketing Officer Gary Briggs has become the digital director of Mike Bloomberg 2020, and the former Foursquare CEO Jeff Glueck has joined Hawkfish.

The Hawkfish employees are working hard, as Bloomberg expects for all his companies. Glueck posted on Twitter that “this is a seven-day-a-week workplace through Super Tuesday and beyond.”

There is plenty of cash and enthusiasm on the Republican side to compete with the Left for the support of young people online. But it is less clear if GOP party officials will focus on young voters as necessary to win.

In the past, party consultants have soaked up millions of dollars for themselves by placing ineffective ads on television while pocketing enormous commissions for themselves. A GOP rival to Hawkfish would be better.

Many young voters do not agree with the extreme positions on abortion, the Second Amendment, and transgenderism taken by the Democratic candidates for president. But will Republicans ensure that this key voting bloc sees the GOP message online?

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