



**FIVE REASONS AAUW OPPOSES
THE NOMINATION OF ROBERT H. BORK
TO THE U.S. SUPREME COURT**

The American Association of University Women, a national organization of 150,000 college graduates in every state, opposes the nomination of Judge Robert H. Bork. His extensive Constitutional opinions show a disposition against protections for individual citizens. AAUW believes that Judge Bork must not hold the deciding vote on the Supreme Court for five reasons:

1. **INDIVIDUAL LIBERTIES:** Bork's appointment would jeopardize a continuing Supreme Court role in civil rights progress. His legal actions have opposed fair housing, school desegregation and affirmative action remedies. He objected to rulings which banned poll taxes and voter tests for literacy.
2. **EQUAL PROTECTION:** Bork states that Congress can enforce only those rights explicitly declared in the Constitution. He has challenged Court assertions of rights under the Fourteenth Amendment's equal protection clause for prisoners, illegitimate children, and non-custodial parents. In the absence of an Equal Rights Amendment (which Bork also opposes), legal rights for American women depend largely upon Congressional action and the Court's interpretation of the Fourteenth Amendment.
3. **RIGHT TO PRIVACY:** Bork rejects the principle of a Constitutional right to privacy and would permit government to intrude into the private lives of Americans. He condemned as "unprincipled" and "specious" the Court's declaration that private use of contraceptives must be legal. He called the decision on reproductive choice "unconstitutional." AAUW believes the right of private individual choices must be guaranteed.
4. **ACCESS TO THE COURTS:** AAUW supports an individual's fundamental right to seek judicial redress. A 1986 law review survey found that Bork denied access to individual plaintiffs in 10 out of 11 cases involving Constitutional questions. When recourse to the courts is restricted, all Americans are vulnerable.
5. **JUDICIAL BALANCE:** This appointment will establish either ideology or balance on the U.S. Supreme Court. Last year's Rehnquist and Scalia confirmations ensured a strong conservative viewpoint. Replacement of the centrist Powell by an ideological activist would provide the swing vote to reverse progress and precedent in civil rights. AAUW believes the Senate must protect Supreme Court balance by defeating the Bork nomination.

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**FIVE ACTIONS YOU CAN TAKE
IMMEDIATELY**

The Senate has a co-equal, constitutional responsibility in the selection of Supreme Court Justices. One fifth of all Supreme Court nominees has been rejected by the Senate, several on ideological grounds. The Bork nomination CAN be defeated, but only if Senators hear from you! Encourage your Senators to assert their proper role in government by opposing the Bork nomination.

CONTACT your two U.S. Senators at the Senate Office Building, Washington, D.C 20510 to express our concern and opposition to the Bork appointment. (Send copies of responses to the AAUW Program and Policy Department).

VISIT or call your Senators in your home state during the Congressional recess. Most Senators are home during the month of August. Arrange meetings with their district staff for AAUW members and representatives of other civil rights groups to express concern.

INFORM your community of AAUW's position opposing the Bork nomination. Contact local newspapers, write letters to the editor, and make announcements at branch and community meetings. See the media guide from the AAUW Week March '87 branch mailing. Use the opinion column from the September '87 mailing to branch presidents.

ORGANIZE or attend a Constitutional "teach-in" celebrating the bicentennial of the Constitution. Discuss the importance of protecting individual liberties, the constitutional design for an independent judiciary, and the threat of the Bork nomination. Tie into the September 16-17 national observance using material from the 9/87 branch presidents mailing.

WATCH FOR the branch presidents mailings and the September/October issue of AAUW's Graduate Woman for more analysis of Bork's judicial record, writings and public comments, as well as ways your branch can become involved. Stay tuned to Action Alert, AAUW's legislative newsletter, which will also carry up-to-date information about the confirmation process.

BUT DON'T WAIT TO ACT! The Senate Judiciary Committee begins confirmation hearings in mid-September. Senators need to hear from AAUW members today!

**AAUW IS WORKING IN COALITION WITH OTHER ORGANIZATIONS OPPOSING THE BORK
NOMINATION**
(Partial listing)

- Mexican-American Legal Defense Fund
- National Association for the Advancement of Colored People
- National Education Association
- National Organization for Women
- National Women's Political Caucus
- People for the American Way
- Planned Parenthood Federation of America
- United Church of Christ