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Trump and Cabinet Nominees Seek to Restrict Muslim Rights, Break Down the Wall Between Church and State

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A new document issued by the Public Rights/Private Conscience Project (PRPCP) at Columbia Law School outlines the numerous areas in which the Trump administration will seek to advance particular conservative Christian tenets, restrict the rights of religious minorities, and break down the barrier between church and state. Enactment of the administration's policy priorities would call into question the careful balance that currently exists between the First Amendment and other fundamental rights guaranteed under the Constitution. The report, entitled *Church, State & the Trump Administration*, highlights the ways in which the new administration's early executive actions and cabinet nominations, as well as his campaign rhetoric and proposed policies, indicate hostility toward religious liberty guarantees of the First Amendment and an intentional disregard for other fundamental rights guaranteed by the Constitution. The report will continue to be updated in the coming weeks as the administration takes further action.

Despite his stated commitment to religious freedom, during his first week in office President Trump has issued an Executive Order that clearly expresses an official State preference for Christianity, and disapproval of Islam. Furthermore, Trump has consistently demonstrated that his policies will be grounded in the concerns of certain conservative Christian groups. His Executive Order reinstating a significantly expanded version of the anti-choice global gag rule, an expected Executive Order sanctioning anti-LGBTQ discrimination, and his selections for cabinet appointments all point to an administration that will seek to further particular religious ideals while breaking down the barrier between church and state.

President Trump and cabinet appointees appear to hold a deeply flawed understanding of the First Amendment, and particularly the Establishment Clause, which prohibits the government from favoring or disfavoring any religious group or belief. If confirmed, many of his appointees are likely to implement policies that will harm the rights of religious and other minorities, particularly Muslim communities, LGBTQ people, and communities seeking access to adequate healthcare and protection of their reproductive rights. A recently released report by PRPCP also highlights the ways in which communities of color are particularly harmed by the religious

exemptions that President Trump, Vice President Pence, and others in his cabinet have championed.

"Despite his insistence that the protection of religious liberties is a top priority, Trump has made clear, through executive orders and cabinet appointments, that he seeks only to prioritize a version of white Christian nationalism and supremacy, that, if left unchecked, would create tangible harms to many marginalized communities—and violate fundamental liberty and equality guarantees under the Constitution," said Ashe McGovern, Associate Director of PRPCP.

"Religious freedom is fundamentally inconstant with the State's endorsement of particular religions or religious beliefs," said Elizabeth Reiner Platt, PRPCP's director. "Anyone committed to free exercise rights should be deeply concerned with Trump and his cabinet's apparent distain for the separation of church and state."

"The new administration has shown a disturbing commitment to write the First Amendment out of the U.S. Constitution," said Katherine Franke, Sulzbacher Professor of Law and Faculty Director of PRPCP. "In its first week in office the Trump White House has been remarkably aggressive in both embracing a particular religious agenda in violation of the Establishment Clause and discriminating against people whose faith it disfavors in violation of the Free Exercise Clause of the First Amendment," Franke continued.

Read the full report <u>here</u>.