



Statement of Joint Bars on So-Called “Religious Freedom” Executive Order

On behalf of the National LGBT Bar Association (LGBT Bar), Capital Area Muslim Bar Association (CAMBA), Muslim Bar Association of New York (MuBANY), National Bar Association (NBA), New Jersey Muslim Lawyers Association (NJMLA), and National Asian Pacific American Bar Association (NAPABA), we object to last Friday’s instructions by Attorney General Jeff Sessions regarding religious exemptions to federal laws, rules, and regulations.

This guidance provides a license-to-discriminate using taxpayer funds. Federal agencies, government employees, and contractors can all cite religious beliefs as an excuse for sanctioned discrimination. Attorney General Sessions stated that “to the greatest extent practicable and permitted by law, religious observation should be reasonably accommodated in all government activity.” The guidance goes far in ignoring the Establishment Clause, which allows for freedom from religion. It prevents the federal government from ensuring that anti-discrimination measures are placed in contracts. A follow up memorandum essentially instituted a “religious freedom” test for all government agencies, further ensuring that religion is put before the rights of individuals. This decision comes just one day after the Department of Justice announced that it would no longer protect transgender individuals under Title VII. This is a concerted effort to strip rights and protections away from LGBT Americans.

The freedom of religion is an important aspect of American life. The words of the First Amendment are sacred in our nation. No individual, however, should be able to take away the rights and protections of another in the name of religion. This is not who we are as a nation. The United States heralds itself as a country that protects its citizens – all of its citizens – and treats them with dignity and respect.

This guidance flies in the face of all that we hold dear. We cannot stand idly by as the rights of any minority are stripped away. Regardless of sexual orientation, gender identity/expression, race, religion, gender, ethnicity, or ability, we should feel safe in the workplace. This guidance does not embody the values that we hold and we must unite in rejecting everything that it represents.