UNQUALIFIED & UNACCEPTABLE

JOSHUA DIVINE

ALLIANCE FOR JUSTICE

Joshua Michael Divine, currently the Solicitor General of Missouri, has built a legal career advancing hardline conservative positions that threaten to significantly undermine core constitutional protections related to civil rights, reproductive freedom, LGBTQ+ equality, environmental protections, and immigrant rights. Now nominated for a lifetime seat on the U.S. District Courts for both the Eastern and Western Districts of Missouri, Divine's legal record and public commentary provide a clear window into the ideological framework he is likely to bring to the federal bench, and the harm he could cause if confirmed.

GUN SAFETY

Divine has promoted an extreme interpretation of the Second Amendment that undermines federal firearm regulations and threatens public safety. In ***Missouri v. United States***, he defended a Missouri law that barred state and local officials from enforcing federal gun laws that the state unilaterally deemed unconstitutional. These included laws related to firearm registration and prohibitions on gun possession by felons. Divine argued that Missouri had the authority to interpret the Second Amendment independently of federal law, effectively endorsing nullification of national gun safety standards.

DEMOCRACY AND VOTING RIGHTS

Divine's writings reveal not only a narrow view of voting rights and democratic participation, but also a concerning loyalty to Donald Trump. He has defended voter ID laws as neither discriminatory nor burdensome, despite extensive evidence of their **disproportionate impact** on voters of color. Even more troubling, he has expressed support for requiring literacy tests as a voting prerequisite — a practice historically used to disenfranchise Black Americans and long deemed unconstitutional.

During the 2024 election cycle, Divine **filed a lawsuit** seeking to allow Missouri to interfere in New York's criminal prosecution of Donald Trump, for state crimes committed wholly within New York. The Supreme Court rejected the attempt, dismissing Missouri's claims outright.

CIVIL RIGHTS, RACIAL JUSTICE, AND IMMIGRATION

Divine has supported restrictive immigration policies and efforts to limit civil rights protections. He played a leading role in ***Missouri and Texas v. Biden***, challenging the administration's decision to halt construction of the southern border wall, arguing that the executive branch must carry out spending on the wall even after policy shifts. He also spearheaded Missouri's involvement in ***Missouri v. Biden***, a case opposing federal student loan debt relief designed in part to reduce racial disparities in the financial burden of higher education.

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ENVIRONMENTAL JUSTICE

Divine has sought to weaken key environmental protections through legal challenges. In ***Oklahoma v. EPA*** and ***Ohio v. EPA***, he joined multi-state lawsuits opposing Clean Air Act regulations. These challenges reflect a broader hostility towards federal environmental oversight, even where rollbacks would endanger public health and undermine our right to a clean environment.

LGBTQ+ RIGHTS

Divine has consistently taken positions opposing LGBTQ+ rights in both the courtroom and his public commentary. He led the legal defense of Missouri's ban on gender-affirming care for minors in ***Noe v. Parson***, a law widely denounced by medical associations and human rights organizations. In published articles, Divine argued that same-sex marriage is not about equality but about "additional rights and reclassifications," and claimed that marriage equality contributes to the erosion of traditional family structures. This rhetoric undercuts decades of legal and social progress toward LGBTQ+ equality.

REPRODUCTIVE AND GENDER JUSTICE

Divine has consistently attacked reproductive freedom and obstructed access to essential health care. He defended Missouri's **near-total abortion ban** in ***Blackmon v. Missouri*** and supported anti-abortion groups in ***FDA v. Alliance for Hippocratic Medicine***, a case seeking to revoke the FDA's approval of mifepristone — a safe and effective abortion medication.

Additionally, Divine unsuccessfully litigated to maintain various abortion restrictions in defiance of Missouri voters' approval of **Amendment 3**, which enshrined reproductive freedoms in the state's constitution. Divine has also written that insurance should not cover contraception or abortion pills, characterizing these essential health services as "lifestyle decisions" that endanger religious freedom. He has further asserted that human life begins at fertilization, signaling alignment with fetal personhood theories and extreme efforts to eliminate abortion access entirely.