



Reclaiming Religious Freedom

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“Which do you support more: religious freedom or LGBTQ+ rights?”

This question has been posed to me more times than I can count by well-intentioned but deeply misinformed friends and family.

I am a staunch advocate for religious freedom. I believe religious liberty and freedom of conscience are essential to a diverse democracy and have dedicated a considerable part of my career to studying and upholding the First Amendment. I am also a queer woman.

For some folks reading this piece, these statements may appear to live in tension. And I understand that initial reaction.

The Religious Right has been profoundly successful—in both our legal system and cultural rhetoric—in equating “religious freedom” with policies of exclusion and harm. Particularly in the last decade, the First Amendment has been repeatedly utilized to justify discrimination against LGBTQ+ individuals within the workplace, classroom, and public sphere. Plaintiffs repeatedly argue that their right to religious freedom protects them from actions such as making a website for a same-sex wedding, allowing a queer family to adopt a child, or simply using someone’s correct pronouns. Our current Supreme Court makeup has a record of favoring religious freedom claims, meaning we are likely to continue to see similar cases make their way to Washington, D.C. For many queer—and especially Trans—communities, it is a frightening time. And there is no denying that religious freedom protections are one of the weapons being used to harm these vulnerable communities.

But is this interpretation of religious

freedom the only one? Can we not reimagine religious freedom as a legal protection that prioritizes diversity, love, and liberation? Are we, as people of faith committed to a just world for all, comfortable in allowing ignorant voices to monopolize the conversation about religious freedom?

Religious freedom does not solely belong to the communities that have dominated the narrative for so long. It belongs to people of all faiths and none.

Religious freedom is also Indigenous communities [defending sacred land](#) from industrial development. Religious freedom is Jewish and Christian leaders [guarding the God-given right](#) of pregnant people to make choices about their own bodies. Religious freedom is individuals on death row having access [to pray with clergy](#) before the unthinkable. Religious freedom is [Christian communities taking a stand against white Christian Nationalism](#), a movement that seeks to legislate a single interpretation of Christianity into public policy in order to dictate the lives of millions.

And yes, religious freedom is a queer person—raised in a tradition grounded in radical love and embrace of the LGBTQ+ community—practicing her faith by openly living her life and [loving out loud](#).

I believe there is a missed opportunity when we cede ground in the conversation about religious freedom. Amidst our silence, the definition of religious freedom pushed by the Religious Right only grows more powerful. We must reclaim this rhetoric as our own. Supporting religious freedom and supporting policies of love and inclusion does not need to be an “either/or” question.

And reconsidering the narrative between religious freedom and LGBTQ+ rights is only the beginning. Brilliant [scholars](#), [lawyers](#), and [religious leaders](#) are doing the hard work to reconsider narratives of religious freedom in relation to communities of color, religious minorities, and nonreligious people. I urge us all to join in this work—, through conversations at both our dinner tables and congregations. It’s time for people of faith to reclaim religious freedom as a tool for love.

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