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After Marriage Equality: LGBT Rights and Religious Freedom

By Jonathan Coley

Following the Supreme Court's recent decision legalizing same-sex marriage nationwide, what are the next steps for the LGBT rights movement?

Over the past few weeks, scholars, activists, and politicians alike have begun pondering the path forward for the LGBT movement. In a recent symposium over at *Contexts* for example, a group of sociologists considers several possibilities for the LGBT rights movement, including renewed focuses on employment and housing discrimination, youth homelessness, violence against the trans community, and intersectional justice. While a small number of activist organizations such as Freedom to Marry have announced that they will now shut down as a result of marriage equality being achieved, most LGBT rights organizations have signaled that they will continue to fight for legal and cultural equality in other social realms – although they don't yet agree on what their priorities should entail.

If scholars and LGBT activists remain uncertain about the next steps for the LGBT rights movement, social conservatives now seem laser focused on what they see as the potential threat of the LGBT rights movement to religious freedom (most often, the freedom of Christians). The signs are everywhere: the new state laws allowing government officials to refuse to perform same-sex marriages on the basis of their religious beliefs; recent executive orders allowing businesses to deny services to same-sex couples on the basis of religion; the many warnings that Christian churches will face pressure to perform same-sex weddings; and a proposed federal law protecting religious colleges and universities' ability to discriminate against LGBT students and faculty.

Such a focus on religious freedom has the potential to put the LGBT rights movement on the defensive, just as it had been in the 1970s when the religious right led campaigns to roll back local ordinances protecting gays and lesbians from employment discrimination (Fetner 2008). This fear of losing control over the movement is legitimate, but the 2010s are not the 1970s. There are reasons to believe that, by taking issues of religion and LGBT rights head-on, the LGBT movement could not only win many of these proposed "battles" over religious freedom but also tangibly improve the lives of sexual and gender minorities nationwide.

Why might the LGBT rights movement win these confrontations over religion and LGBT rights? First, regarding the rights of religious business owners or government officials in secular society, the writing may already be on the wall. In more conservative states where "religious freedom" laws have been proposed or initially passed (such as Indiana and Arkansas), LGBT rights activists have successfully mobilized alongside seemingly odd bedfellows such as Walmart to effectively neutralize such laws. In those few states where such laws have been passed, civil liberties organizations are working to block their implementation through the courts.

Regarding the rights of LGBT individuals in faith communities more properly, at first glance social conservatives seem to be on firmer ground: Americans have long understood the “separation of church and state” to mean that religious organizations can operate as they choose.

Yet, proclamations regarding the supposed threats of the LGBT rights movement to faith communities are often presaged on the belief that persons of faith (especially Christians) are united in their beliefs about LGBT rights and the morality of same-sex relationships. In fact, not only are Christians of multiple minds regarding LGBT rights, a [2013 survey by the Public Religion Research Institute](#) shows that strong majorities of some of the largest religious groups (including Catholics and white mainline Protestants) support LGBT rights such as same-sex marriage. Even among the most conservative religious groups (white evangelical Protestants), there are signs of change – the [same survey](#) showed that 43% of millennials who identify as white evangelical Protestants support same-sex marriage.

While the leadership of Christian denominations sometimes disagrees with their members on LGBT rights, the trend line here is also clear: denominations including the Disciples of Christ, the Episcopal Church USA, the Evangelical Lutheran Church in America, the Presbyterian Church USA, and the United Church of Christ now support membership and ordination rights for LGBT Christians, and denominations such as the United Methodist Church seem poised to change their policies in the coming years.

Finally, a data point drawn from my own ongoing research on LGBT rights at Christian college and universities in the U.S. is perhaps the most telling: today, most Christian colleges and universities have adopted non-discrimination policies inclusive of sexual orientation (if not gender identity), and just under half officially sponsor Gay-Straight Alliances. This is “telling” because most of these colleges and universities are actually affiliated with religious groups that officially consider same-sex relationships to be “sinful” (such as the Roman Catholic Church, the United Methodist Church, and even some Baptist colleges). In other words, Christians seem increasingly willing to treat LGBT rights as a tertiary issue over which faithful Christians can disagree, rather than as a basis for exclusion from faith communities (see, e.g., Coley 2014, my analysis of a conservative Christian university’s changing approach to LGBT rights). Fewer Christians see the LGBT movement as something from which they need to be “protected.”

So, there is reason to believe the LGBT rights movement will be able to make further inroads into faith communities, thereby not only blocking some of the proposed religious freedom laws but also further changing hearts and minds. The potential benefits for those with minority sexual and gender identities are many: because conservative religious beliefs are often invoked to defend heterosexist attitudes and discrimination, working to change those beliefs could pay dividends in efforts to end workplace discrimination, youth homelessness, etc.

While working to open up religious communities to LGBT people is only one of many possible “next steps” for the LGBT rights movement – and while it may not be a “battle” of LGBT activists’ choosing – it’s a confrontation that LGBT activists could win.

References

Coley, Jonathan S. 2014. "Social Movements and Bridge Building: Religious and Sexual Identity Conflicts." *Research in Social Movements, Conflicts, and Change* 37: 125-151.

Fetner, Tina. 2008. *How the Religious Right Shaped Lesbian and Gay Activism*. Minneapolis: University of Minnesota Press.