

Faith in Marriage Equality for Same- Sex Couples in Northern Ireland

A submission to Members of the Northern Ireland Assembly
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Dr Richard O'Leary, Canon Charles Kenny, Mr Gerry Lynch

EXECUTIVE SUMMARY

Faith in Marriage Equality (FiME) strongly supports the extension of civil marriage to same-sex couples.

As a faith body FiME supports marriage equality not despite its faith background, but because of it, believing marriage and stable relationships to be one of the bedrocks of society.

Allowing churches and other faith groups to 'opt in' to registering same-sex marriages, while protecting them from any attempt at compulsion, is the best way to respect the religious freedoms of both those who support and those who oppose same-sex marriage.

1. About Faith in Marriage Equality

Faith in Marriage Equality is campaigning for the legislation of civil marriage for same sex couples in Northern Ireland. It previously worked for the introduction of equal marriage in the Republic of Ireland. We believe:

1. We are all equal under God, whether we are heterosexual or gay. Faith leaders should not marginalise or exclude people who are gay rather they should promote equality and inclusion.
2. People of faith understand that marriage is based on the values of love and commitment. This is the case for heterosexual and same sex couples, whether the marriage involves children or not.
3. Faith institutions already distinguish between civil and religious marriage. While it is proper that faith leaders govern their members' access to religious marriage, they should not seek to prevent access to civil marriage.
4. People of faith in Northern Ireland can exercise their freedom of conscience to allow civil marriage for same sex couples as has been done to allow civil divorce for heterosexual couples.

2. The Importance of Marriage

Marriage is one of the foundation stones of our society, encouraging selflessness, sacrifice, commitment, stability and community. Marriage is undergirded by the willingness of each spouse to sacrifice his or her own individual interests for the common good of the marriage, for any children being brought up in it, and for any other dependents reliant on it. Marriage is an essential part of the social glue which enables us to live together as one society, not just a random collection of individuals.

Those of us who are Christian see the values lived out by Jesus reflected in the values which couples aspire to live in marriage. As such, a good marriage, regardless of the faith or gender of the spouses, reflects key Christian values, not least a willingness to 'love our neighbours as ourselves'.

We believe that civil marriage being available to couples who, irrespective of their gender, wish faithfully to commit themselves to each other for life would also support sexual desire to be rightly located in a loving, stable, relationship.

3. Why civil partnerships are not enough

Most people can't tell what the difference between being married and being in a civil partnership is – the love and commitment in each are the same. Yet, contrary to popular conception, there are a range of legal differences between civil partnerships and civil marriages in Northern Ireland. Civil partners do not have the same pension rights as married couples, as the pension a surviving partner is entitled to is measured differently depending on whether they have been civil partnered or married. Official forms often require a declaration of marital status. This often means that civilly partnered people are forced to state their sexuality, ticking a separate box that says 'civil partnership' rather than 'marriage'. Civil partners who travel or emigrate are denied the rights enjoyed by same-sex married couples in the growing number of countries and states where these are legal.

Furthermore, for Christians, as for most others, marriage is about more than a specific bundle of legal rights. Marriage is one of the foundation stones of our society, encouraging commitment, stability and self-sacrifice, and need not be the preserve of heterosexuals.

Equality should be not be ambiguous. Rosa Parks, the Black civil rights heroine, wasn't satisfied by being told that she must settle for simply being on the bus but could only sit at the back of the bus, not the front. Similarly, same sex couples should not have to settle for a cold and legally defined contract, civil partnership weaker than marriage, while the full equality of civil marriage, with its rights and responsibilities, is denied to them.

Same-sex relationships are now a visible reality in our society. In contrast to the silence that surrounded the subject of homosexuality a generation ago, there are now few people in Northern Ireland who don't know at least one LGB family member, workmate, fellow student, teammate or regular at the pub. As same-sex relationships have become more visible, the majority of the population have come to value the contribution they make to the good of our society, encouraging those within them to faithfulness and mutual support, and helping create a more cohesive society.

A growing number of children are already being raised by same-sex couples. Regardless of whether one approves or disapproves of the nature of their parents' relationships, surely all would agree that they do not deserve to be disadvantaged as a result. By denying their parents the right to marry, we deny them all the benefits which marriage brings to the raising of children.

4. Northern Ireland is out of step with mainstream British and Irish society

Marriage equality already exists in the rest of the United Kingdom, having been passed by large majorities in the Westminster Parliament and in the Scottish Assembly. The Republic of Ireland has also extended civil marriage to same sex couples, the measure passed by a large majority in a referendum. Northern Ireland is the only part of these islands where civil marriage for same-sex couples remains prohibited. Court cases to challenge this discrimination in Northern Ireland are already under way.

As a vulnerable, peripheral, region fighting for its economic life in the teeth of a global depression, the message we risk sending out about Northern Ireland is that it is a region stuck in the past, out of touch with the cutting edge of global society. We should be honest – our history and the religious roots of our communal divisions mean we already suffer from a serious image problem. It is entirely possible that within a few years, Northern Ireland could find itself the last significant jurisdiction in Western Europe where same-sex marriage remains prohibited and on the "wrong side of history".

5. Protecting minority faith groups

Historically on this island, laws on marriage have often been a cause for grave concern to religious minorities and more recently to those of no religious affiliation. We must not repeat these past injustices. The root of this problem is that in Ireland, politically or numerically dominant religious groups have tried to impose on everyone else, through the civil law, their particular understanding of marriage.

For example, up to the mid nineteenth century, when the Church of Ireland was politically dominant, it imposed its view of marriage on those of other denominations in an exclusivist way. Thus only marriages conducted by clergy of the Church of Ireland were legally valid, with those of both Roman Catholics and other Protestant denominations treated by the state as non-marriages. In the twentieth century when the Roman Catholic Church was politically and numerically dominant in the Republic of Ireland it used its canon law, especially the *Ne Temere* decree, and influence to discriminate against mixed Catholic-Protestant marriages and non-religious marriages. *Ne Temere* was also used to put pressure on couples in mixed marriages in Northern Ireland in making decisions about the religious upbringing of their children, with Protestant Churches often responding in kind. Far from being valued as the bedrock of society, marriages were often used as a religious battleground.

In the Northern Ireland of 2015, increasingly multi-faith and increasingly comfortable with its own diversity, our laws around the family must be based on what is good for society as a whole, rather than the precepts of any one faith or group of faiths.

6. Religious Freedom means Faiths must be able to ‘opt in’

At the time of the introduction of civil partnerships, all religious bodies were prohibited from registering them, despite the desire of some Churches and other faith groups to celebrate their members’ love and commitment to one another by registering their civil partnership in the context of a religious service. In effect, the religious freedom of smaller religious bodies to determine their own views on the validity of blessing same-sex relationships was voided to appease the largest Christian churches. This should not be repeated in any introduction of marriage equality. Churches and other religious bodies who are permitted to register heterosexual civil marriages must be absolutely free to decide whether or not to extend that permission to same-sex couples.

We recognise that many religious bodies will not wish to register same-sex marriage at this time, although we note that many of these may well change their approach in the near future. There is absolutely no suggestion in Northern Ireland, from any quarter, that they should be compelled to do so. The right of religious bodies to refuse to solemnise same-sex marriages is absolutely agreed upon by all. This is the obvious compromise to balance two competing sets of “rights”.

There has been no move to compel religious bodies to solemnise same sex marriages in any of the countries where there is already some provision for them in civil law. In the European Union member states where equal marriage has been introduced, it has not resulted in any attempts to force churches to solemnise same-sex marriage through the European Courts. Nor, for example, has any serious attempt been made anywhere in the world to compel the Roman Catholic Church to remarry divorcees.

Worries that schoolteachers would have to instruct children in a meaning of marriage that teachers could not conscientiously bring themselves to impart are also exaggerated. The teaching profession has never had any problems teaching that marriages may not in practice be permanent but may end in divorce and remarriage.

7. The definition of marriage is constantly evolving

Those opposed to civil marriage equality often express the view that marriage has been an eternally unchanging institution, and would be threatened by any developments. They speak as if there were a fixed form of this institution from the dawn of time that has been changeless until now.

Viewers of Downton Abbey will have noticed how much marriage has changed in the last century, and probably think it has changed largely for the better! History records that some Christians argued that the basis of society and the wellbeing of children would be threatened if married women could own property, if they could have their own bank account, if they could divorce an abusive husband, or if wives were not contracted before God to obey their husbands. Shockingly, only in 1991 did it become a crime in the UK for a man to force sexual intercourse on his wife.

The Christian Churches teach that marriage is in its purpose a union permanent and life-long, for better or worse, till death do them part. While permanence is still the ideal, the Churches support the availability to heterosexuals of civil divorce.

The Church of Ireland's marriage services hold that the foremost sacred ingredient of marriage is the "comfort and help" each spouse has for the other, "living faithfully together in plenty and in need", whereas previous Church of Ireland liturgies had stated the main purpose of marriage to be procreation. Similarly, until recent decades, a wife had to promise to 'obey' her husband in the Church of Ireland's marriage service – few regret that this has been confined to history, although this was undoubtedly a radical change in the understanding of marriage.

We are particularly puzzled to hear many Christians argue that the definition of marriage has been a given since the days of Adam and Eve, and claim the Bible provides grounds for doing so. The Old Testament's great heroes from Abraham, Isaac and Jacob to David and Solomon are all recorded as polygamists. Indeed Solomon is recorded as having 700 wives and 300 concubines!

8. Isn't Christianity opposed to equal marriage?

While most of the larger Christian denominations in Ireland are formally opposed to civil marriage equality, many of their members are not. During the referendum in the Republic of Ireland two serving Church of Ireland bishops and two retired Archbishops of Dublin spoke in favour of extending civil marriage to same sex couples. Some of the strongest voices in Northern Ireland in favour of marriage equality come from practising Christians.

While the four main Churches tend to dominate the public policy debate on marriage equality, the position of smaller churches and minority faith groups have to be taken into consideration. Some smaller churches (Non-Subscribing Presbyterians) and other faith groups (liberal Jews and Buddhists) have taken a considerably more positive attitude to celebrating faithful same-sex relationships. We are aware of representatives and/or members of these groups who are in favour of the extension of civil marriage to same sex couples. Internationally, a number of Christian denominations support equal marriage, notably the Episcopal Church in the USA, a sister Anglican denomination of the Church of Ireland. The Lutheran Churches in Sweden, Denmark, Norway and Iceland, all solemnise same-sex marriages. In Great Britain, the Unitarian Church, the Quakers and the liberal Jewish faith council have all strongly argued in favour of extending civil marriage to same sex couples.

The argument against homosexuality from Scripture depends on just half a dozen isolated verses out of over 30,000. These exist in only two types of Biblical literature, the early Hebrew purity code, which also dismisses eating shellfish as an abomination, and a few lines in St. Paul's letters where the subject of homosexuality is addressed only in passing. This tiny selection of verses contains obscure Greek and Hebrew terms which are interpreted by many scholars in a more humane way.

In any case, the Christian Churches have no monopoly on the concept of marriage. Marriage is common to all human cultures, and exists in the context not only of the Christian faith, but all major world religions as well the traditional religions of Africa, the Americas and the Pacific. Both within and between and within these traditions, there are considerable differences in how marriage is understood, and in who may contract a marriage. This includes, in some traditional religious cultures of the Americas and the Pacific, a long tradition of marriage being permissible between people of the same gender.

Marriage also exists outside any religious context, and Northern Ireland has always made provision for those who wish to have a civil marriage in an entirely secular context. The number of purely civil marriages in Northern Ireland has grown strongly over recent decades.

9. Churches have always led the charge against the acceptance of lesbian and gay people on this island

Christianity has long been marked by a particular hostility to lesbian and gay people and their relationships. Often it has been those of no faith or Christians acting in opposition to the official policy of their own denominations, indeed often derided and dismissed by Church hierarchies, who have led the journey from hostility to respect for LGBT people.

As recently as the early 1980s at the time of the decriminalisation of homosexuality in Northern Ireland, a majority of Irish Churches supported continued criminalisation. An active political campaign was launched to oppose decriminalisation, and 26 district councils supported a motion opposing the move.

Religious attitudes have been moving rapidly on the subject of homosexuality in recent decades, although they have tended to be at all times somewhat more homophobic than those across society as a whole. The opposition of the largest Christian Churches to marriage equality must be understood in that context.

Evidence gathered by Changing Attitude Ireland (CAI) shows that churches remain deeply complicit in poor treatment of lesbian, gay, bisexual and transgender people at present. While accounts like that of 'Mary and Jane' show the continuance of homophobia among some congregations, other stories like that of 'Henry and Charles' show how other church congregations are embracing fully their same sex couple members (*Share Your Story: Gay and Lesbian Experiences of Church*, CAI, 2010). Sadly, at a leadership level, there has been an unwillingness by Churches to challenge the worst practice of parish or congregational level, or to examine attitudes and doctrines that are profoundly damaging to the wellbeing of young LGBT people.

Former President McAleese, a supporter of equal marriage, highlighted the psychological damage caused to young gay men by official Roman Catholic teaching on homosexuality, an issue she explicitly linked to the high rate of suicide among gay teens and young adults. Too many young gay people take their lives because they have been taught that their sexuality is disgusting and shameful. Apart from removing the discrimination in law faced by couples in civil partnerships, the key benefit of introducing marriage equality is the message it sends to young people in this position – that there is nothing wrong with being attracted to people of the same gender, and that Northern Ireland society values and celebrates the contribution that same-sex relationships and the people in them make to making our society a better place for all.

ENDS

Dr. Richard O’Leary is a social researcher and campaigner. He was formerly a lecturer in sociology at Queen’s University of Belfast. He has published extensively on religion, minorities and equality. He is a co-founder of and spokesperson for Faith in Marriage Equality.

Canon Charles Kenny was head of Religious Education in Grosvenor High School in Belfast and Vicar Choral at St. Anne’s Cathedral, Belfast from 1995-2000. He is a former Secretary of Changing Attitude Ireland and is a spokesperson for Faith in Marriage Equality.

Gerry Lynch works as a Director of Communications. He is a former Executive Director of the Alliance Party of Northern Ireland. He is an Anglican and is a former Vice Chair of Changing Attitude Ireland

CONTACT DETAILS

Faith in Marriage Equality
1st Floor
Memorial Building
9-13 Waring Street
Belfast
BT1 2DX

E-mail: info@fime.ie
+44 (0)28 90890202
10:00 a.m.–5.30 p.m. Monday to Friday:

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