

Same Sex Marriage

Background material for considering the proposed changes

It seems to me a bit late to let you have this with the next documents-in-advance, as it deserves more than a quick private read before our next Area Meeting. Getting it now will, I hope, encourage you to ponder it and talk about it to each other, so that in September, we can come to a well considered sense of the Meeting, as we send our response to Friends House. I hope our Recording Clerk's Summary of where we got to by the time of Yearly Meeting is a useful start: I have made only very minor cuts.

Same sex marriage update
by Gillian Ashmore, Recording Clerk, 31 May 2010

At Yearly Meeting last year in York you asked Meeting for Sufferings both for a change to *Quaker Faith and Practice* to introduce equality between same sex and opposite sex couples in Quaker marriage and also to engage with our governments to seek a change in the relevant laws so that Quaker same sex marriages could be recognised as legally valid, without further process, in the same way as opposite sex marriages celebrated in our meetings. At that stage we did not know what might be possible or how long it would take to achieve legal change.

Very soon after Yearly Meeting we learnt that Waheed Ali, a Muslim peer with a track record of campaigning for gay rights, was proposing to introduce amendments to the Equality bill to enable civil partnerships to take place in religious premises. He was not seeking to impose this on all faiths but simply to allow those who wished to host civil partnership ceremonies to do so. For him it was a matter both of gay rights and of religious freedom, a principle which proved vital in the debates.

I asked Meeting for Sufferings whether they wished to support those amendments which would be a step towards equality between same sex and opposite sex couples, but would not achieve exactly what Yearly Meeting had asked. Meeting for Sufferings agreed to support the amendments.

At that stage, back last October, our aim was simply to grasp an opportunity to air in debate, to get on the record the Quaker position on same sex marriage. We were not thinking the amendments would succeed in a cautious House of Lords where the bishops and the religious right appeared to hold sway.

But we set about our Quaker campaign with energy and persistence. We gained support from the Unitarians and Liberal Judaism, the Clerk of Meeting for Sufferings and staff met the Minister, we met civil servants, we approached individual peers.

Sometimes efforts like this go straight in the bin. It was not less than thrilling to listen to the debates and hear from speaker after speaker in a quite full House supporting the amendments and referring to the Quaker position. Government and Opposition moved from rejection at Committee Stage to allowing a free vote at Report Stage which secured a very large majority in favour of the amendments. The permissive nature of the amendments - not forcing anything on faiths who were opposed - was crucial to success.

What is the position now? Nothing is ever straightforward in legislation! The Equality Act 2010 contains an amendment to the Civil Partnership Act 2004 creating a new power to make regulations enabling the registration of religious premises for civil partnerships. The provision only applies in England and Wales. Meeting for sufferings last December asked General Meeting for Scotland to take action in Scotland on the Yearly Meeting minute and they have formed a group to take matters forward in Scotland.

The last government promised a wide consultation of draft regulations which we hope will still happen later this year. This will require our continuing attention so that we can influence the way civil partnerships will be performed in meetings so that we can come as close as possible to full equality for same sex and opposite sex Quaker marriages. And beyond that, of course, will come the longer wait to seize opportunities to achieve full legal equality for same sex marriages.

By now the Church Government Advisory Group has completed the first stage of redrafting our Chapter 16 on Quaker Marriage and is inviting Meeting for Sufferings to respond to some remaining questions. (To see the draft text for Chap 16, website users can click [here](#) and then click on the link to Chapter 16 revision - near the bottom of the page.) Meeting for Sufferings in October is expected to decide on the finalised draft, Friends and Local Meetings will then have until YM in July 2011 to consider it. It will be up to that YM to either accept the revised draft or ask for further changes.

In the meantime, our representatives on Meeting for Sufferings are meant to “sound out” their Area Meetings” and the Area Meeting could also send in minuted comments - by 31 August - which is a bit difficult, as our next Area Meeting is in September! If our considerations should be too late to be taken into account for the final redraft, they could at least serve as a good preparation for responding to it at the Yearly Meeting next July.

Now, at last, for the actual questions that will come before us:

I won't bore you with the first one, which is on the harmonisation of time and place for marriages throughout Great Britain. There is no reason why we should not take this opportunity to give up a previous restriction, which Scotland already does without.

The wording of the marriage declaration, however, might touch on strongly held feelings. The recommendation is that “spouse” be the new term for husbands, wives and civil partners having a Q marriage. If that were not acceptable, the alternatives offered are to allow a couple to choose,

First whether to use “spouse”
 or “husband” and “wife” in the case of opposite sex couples only,
 or “partner” for both members in same sex or opposite sex couples.

Second whether to require opposite sex couples to use “husband” and “wife” and to require
 same sex couples to use either “spouse” or ‘partner’.

Elsewhere in the existing marriage declaration there is a choice of saying either
 “through divine assistance” or “with God’s help”.

Some Friends have trouble with this theistic language, and some meetings have asked to
include a third choice:

 “through the assistance of the Light”.

Do Devon Friends agree that this choice should be offered as well?

SIMPLICITY is not easy to achieve it seems, when it gets in the way of clarity (TRUTH) and EQUALITY! I hope, even so, that the discussion of these possibilities will generate more light than heat!

Sylvia Hilken
Registering Officer for Devon Area Meeting