

Britain: Government seeks compromise with Church over same-sex adoption

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A damaging row between the Labour government, the Catholic and Anglican churches and other religious groups over homosexual equality legislation has produced what Prime Minister Tony Blair described as a “sensible” compromise.

The media has in large measure portrayed the government as having stood by its legislative commitment. But in reality an unprincipled compromise was made by Labour in holding off on enforcing measures contained in the Sexual Orientation Regulations, which prevent businesses from discriminating on the grounds of sex or sexual orientation. And there are already signs that the churches intend to demand further concessions.

The regulations were due to have been introduced last year as part of the Equality Act 2006, but were delayed until April after a storm of protests by religious organisations that they constituted an attack on “freedom of conscience.”

These claims are without any foundation. The Equality Act in fact permits discrimination by religious groups concerning sexual orientation if it is in keeping with the doctrine of the organization. Charities are also exempt. But those groups which receive state funding to provide public services—such as education or adoption agencies—are not allowed to discriminate.

In response, the Catholic Church threatened to close down its seven adoption agencies if they were forced to enable same-sex couples to adopt children. In a letter to Blair, Cardinal Cormac Murphy-O'Connor demanded an exemption for Catholic adoption agencies. Complaining that the “homosexual lobby” was bringing undue pressure to bear, Murphy-O'Connor protested that preventing discrimination against same-sex couples would lead to the banning of the Church from public life.

Murphy-O'Connor's complaints won the support of the right-wing news media. For weeks, they repeated his claim that the regulations represented an attack on freedom of religious beliefs.

There was a large element of stage-management in the row. The handful of Catholic adoption agencies account for just 4 percent of total adoptions. There are no figures on the numbers of same-sex couples that currently apply to Catholic agencies for help in adopting, but one can safely assume they are slim to non-existent.

The protests of the Catholic Church against the regulations were part of an ongoing offensive by the Vatican—spearheaded by the appointment of the ultra-conservative Cardinal Joseph Ratzinger as Pope Benedict XVI—to use issues such as abortion and homosexuality to promote the most reactionary political and social nostrums.

Writing in the *Independent*, Dominic Lawson explained that the Catholic Church had mounted a similar campaign against measures facilitating same-sex adoption in Boston in the United States. The

Vatican had reminded Boston Catholics “that Cardinal Ratzinger, then head of the Congregation for the Doctrine of the Faith, had declared such legislation as the state of Massachusetts had enacted to be ‘the legalisation of evil.’”

With Ratzinger now Pope, “I would not be surprised to learn that Cardinal Murphy-O'Connor's letter had been composed in the Vatican; I would be amazed if it had not been insisted upon by the Vatican,” Lawson said.

The campaign in Britain also won the support of the Anglican Church, despite the fact that the Church of England's agency allows gay adoption. Rowan Williams, Archbishop of Canterbury and head of the worldwide Anglican Church, co-authored a letter to the prime minister with the Archbishop of York, John Sentamu. Backing Murphy-O'Connor protests, they argued that “In legislating to protect and promote the rights of particular groups” the government threatened the “rights of conscience”.

Internationally, the Anglican Church is riven with divisions over homosexuality and abortion rights. Within Britain, it is competing with a number of vocal Christian religious groups that are spearheading a campaign to overturn what they regard as the evils of secularism. These include the Evangelical Alliance, which played a prominent role in the campaign to demand British Airways allow staff to openly display Christian Cross necklaces, and the Christian Peoples Alliance (CPA).

CPA council member Andrew McClintock recently presented himself as a Christian Martyr when he resigned as a magistrate in family courts in protest that he would have to deal with adoption cases involving same-sex couples. McClintock had taken his case to an employment tribunal, claiming that he was being discriminated against on the grounds of his religious beliefs. He was represented at the tribunal by lawyer Paul Diamond, who had handled the employment tribunal of Nadia Eweida, the woman whose refusal to conceal her Christian cross necklace beneath her uniform had prompted the BA row.

The *Independent* revealed that one of former Prime Minister Margaret Thatcher's closest political allies is behind another religious coalition assembled to oppose the equality legislation. Lord Mackay of Clashfern, a former lord chancellor during the Thatcher government, heads the Lawyers' Christian Fellowship. According to the newspaper, the LCF is working with the black Christian umbrella group, Coherent and Cohesive Voice (CCV), which took out a full-page advert in the *Times* urging Christians to lobby the government for an exemption on religious service providers.

What made the campaign by the religious groups so explosive was the sympathy extended to them by leading members of the

government.

Ruth Kelly, secretary of state for communities who was officially responsible for piloting the legislation, is a member of Opus Dei, the right-wing Catholic sect aligned to Ratzinger.

Kelly, who has refused to state whether she regards homosexuality as a sin, had signalled that she was looking for the churches to be exempted from the equality legislation by requiring them to refer same-sex couples to other agencies.

This, it has now transpired, was the deal stitched up last year by the executive of the Scottish Parliament by which the Catholic Church continues to run several adoption services with the agreement that they will not be forced to give gay couples the right to adopt children.

Blair is known to be sympathetic to the churches' protests. His wife, Cherie, is a committed Catholic and it is thought that the prime minister, who is presently an Anglican, will convert to Catholicism when he leaves office. The *Daily Mail* reported speculation that a Catholic chaplain regularly leads the Blairs in mass "in the drawing room of Chequers, their official country residence."

Earlier, Blair's official spokesman had argued that the Sexual Orientation legislation was "not a straightforward black-and-white issue. This is an issue where there are sensitivities on all sides and we have to respect those, but equally find a way through."

The Conservatives were equally at sea. Whilst Conservative leader David Cameron maintained a silence on the issue until he belatedly supported the legislation, Shadow Home Secretary David Davis—the darling of the Tory right—and Andrew Tyrie, shadow attorney general, gave their support to a compromise with the Church.

The issue has served to expose the Islamophobia that has provided a major ideological tool of the government and its apologists in whipping up support for its military adventures in Iraq and Afghanistan. For months, Labour and the Conservatives have conducted a provocative campaign against Islam, singling out Muslim women wearing the veil as an affront to "secularism" and "equality."

Only in December, Blair made a keynote speech in which he argued that whilst all religions have a "perfect right to their own identity and religion," "equality of respect and treatment for all citizens" was a key British value. Speaking on the Muslim veil, Davis had insisted there could be "no special treatment" for any religion.

From the very beginning, this pose of a secular and enlightened approach—backed by numerous liberal commentators—coexisted happily with more overtly right-wing propaganda asserting that Islam was a threat to Britain's Christian cultural heritage and values—epitomised by the official status of the Anglican Church.

But when it comes to the crunch, it transpires that the Catholic and Anglican Churches are not required to conform to democratic norms and are entitled to privileged treatment. According to reports, Catholic adoption agencies are to be given a "period of transition" to make the necessary adjustments in the practices of their adoption agencies. No specific deadline has been set, but it is thought that this could be anything up to two years.

Even then, the issue is far from settled—especially as the participation of religious groups in public provision is central to both Labour and Conservative proposals for the dismantling of social welfare services.

Under Labour, 200 new faith-schools have been established as the government has sought to encourage private capital into education. A recent report by the Conservative Party on social welfare stressed the role of voluntary and community groups, especially those with a religious ethos, in providing essential services.

Guardian, January 31, 2005, Madeline Bunting

example of Steve Chalke, a Baptist minister, whose organisation Oasis is involved in five of the government's privately sponsored school "academies." "Already involved in youth work and social work training," Chalke's next ambition, she wrote "is to get involved in healthcare—and he even wants to run a prison."

The postwar 1945 welfare state had left the Church "redundant," Chalke told the *Guardian*. Prior to that, "my church had nine medical staff and ran a clinic, but the state took off churches their welfare role," he said, opining that a new political consensus meant this was now changing. Bunting noted that in addition to offering "highly motivated staff" Chalke "proudly claims that many of them are working for considerably lower wages than they would command in other jobs, and working longer hours."

Despite government assurances, there is still no guarantee that religious groups involved in such provision will have to conform to democratic principles. According to reports, an independent panel of experts is to be established to advise on how Catholic adoption agencies can cooperate with the new regulations. There is speculation that it could "find a way for Catholic agencies to be reconfigured with other adoption agencies and so survive, possibly in a consortium, but no concrete details exist at present."

What is certain is that the deliberate encouragement of the Church into service provision, paid for at public expense, has emboldened religious zealots.

In Scotland, for example, there is apoplexy amongst some that the passage of the Sexual Orientation Regulations through Westminster threatens the deal struck in the 2006 Adoption and Children (Scotland) Act, whereby Catholic adoption agencies can refuse to deal with same-sex couples provided they refer them to another agency.

The Scottish National Party—which is expected to win the majority in May's upcoming elections to the Scottish Parliament—is positioning itself as the champion of the country's 600,000 Catholics against what it presents as English meddling. It faces competition. The CPA has revealed that it has been in talks with the Scottish Christian Democratic Party, and the Scottish Evangelical Alliance over plans to run candidates in the May election. According to a CPA press release, a meeting of the CPA and CDP was attended by leading Archbishops.

Archbishop Mario Conti, vice-president of the Bishops' Conference in Glasgow, has threatened Labour that the Church intends to make the equality legislation an electoral issue.



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