

Religion, Culture and Gender Guides



The purpose of the Guides is to showcase the work of Manchester students on the theme of Religion, Culture and Gender in Britain, and provide creative, informative and critically informed resources on this theme.

The Guide

Gay adoption law in Northern Ireland

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Within this guide one aims to:

- Introduce a case study that deals with the issue of gay adoption in Northern Ireland which can be utilized as an example throughout the guide.
- Display the gay adoption law in NI; demonstrate how this law has recently been uplifted; how this change has come about and how it compares with the rest of the UK.
- Outline controversy which may have arisen amongst various parties due to this recent uplift and present their views on the matter at hand, using external sources to elucidate their perspectives.

Case study:

Within 2013 John Davis and Jason Scorer, a gay couple living in County Antrim, had hoped to adopt children from NI. However, they could not do so due to confusion over the gay adoption laws.¹ They were advised to consider other options i.e. adopting in England where no such law exists.²

Past and present laws for gay adoption in Northern Ireland:

Previously in NI a gay couple in a civil partnership could not adopt children; however single gay or lesbian individuals can adopt, which was deemed to be discriminative against those in civil partnerships breaching their human rights according to the Court of Appeal.³ There has been controversy in regards to this issue for many years which has been questioned and protested by gay activists around the country.⁴ However, since June 2013 the law on gay adoption has been lifted in NI and is now in line with the rest of the UK.⁵ A Department of Health spokesperson stated that: "Following the Court of Appeal judgement in June 2013, unmarried couples, including same sex couples and those in a civil partnership may apply to adopt. The final decision regarding the granting of an adoption order will lie with the court."⁶ This displays the laws on gay adoption in NI in chronological order and examines briefly how they have changed over time. From extensive research it is evident that there is little media coverage in accordance to the recent uplift of the gay adoption law in NI i.e. most of the media coverage is from the BBC News online for England and NI and gay activist websites.

How this change was received by various Political parties in NI:

When delving into the recent uplift in NI for the gay adoption law it is evident that the Health Minister Edwin Poots is the most controversial figure due to his challenging views.⁷ He states that whether one believes in God or evolution, it is for a man and a woman to have a child; therefore, it should be a man and woman that raise a child.⁸ Subsequently, Poots disagrees with the recent change in the law; therefore, he would have displayed no empathy towards the gay couple in the case study.⁹

¹ BBC News, accessed 06 January 2014, www.bbc.co.uk/news/uk-northern-ireland-24416338.

² Ibid.

³ BBC News Northern Ireland, accessed 06 January 2014, www.bbc.co.uk/news/uk-northern-ireland-25332917.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ BBC News Northern Ireland, accessed 06 January 2014, www.bbc.co.uk/news/uk-northern-ireland-24918026.

⁸ Ibid.

⁹ Ibid 1.

Similarly, Poots has also been questioned about recent statements where he had labelled homosexuality as a treatable illness and an abomination.¹⁰ This ideology can be seen as outdated according to John Spong, he argues beforehand homosexuality was diagnosed as a mental sickness; therefore, according to Spong, Poots ideology needs to progress to amalgamate with modernity.¹¹ Moreover, Poots displays a biased view in accordance to gay adoption, as from referring to the case study Poots would refute the option for the gay couple to adopt due to their sexuality and not because they have been deemed unfit parents.¹²

Church responses to the recent change in NI:

There are a number of passages in the Bible that are directed against homosexuality, for instance; in Leviticus 18:22 it states: "You must not have sexual intercourse with a man as you would with a woman; it is a detestable practice."¹³ From a non-bias stance it is understandable where the Church derives its teachings and beliefs due its strong emphasis on scripture. However, passages such as Leviticus 18:22 reflect the epoch that they were composed could prove to be outdated. Therefore, it is clear as to why such Churches (mainly the Roman Catholic Church) rejects gay adoption as they still reject homosexuality.

Additionally, there has been controversy in accordance to Pope Francis's views on the recent change in adoption laws in NI. Some have argued that Pope Francis is moving towards an amendment in Church doctrine on homosexuality due to his recent comment in July 2013 "If a person is gay and seeks God and has goodwill, who am I to judge them?"¹⁴ However, on several occasions Pope Francis states that he is a "son of the Church" who agrees with the moral teachings of the Church i.e. placing strong emphasis on scripture. Therefore, he does not concur with the recent gay adoption laws in NI.¹⁵ Again, referring to the case study, Pope Francis would display compassion and empathy for the gay couple in their frustration due to the past laws in NI; nonetheless, he would ultimately disagree with the couples desire to adopt due to their sexuality.¹⁶

Human rights responses to the recent change in NI:

The Human Rights Commission bestowed positive response in regards to the lift on gay adoption laws in NI, claiming that they were delighted with the outcome.¹⁷ The Commission made it their paramount aim to protect the interest of all children and stated that due to the high numbers of in care in NI that need a family, sexuality is irrelevant.¹⁸ The contemporary change also demonstrates that politicians are compartmentalizing homosexuality as equivalent to heterosexuality. Previously according to Theresa Murray et al., selected politicians regarded homosexuals as a 'special interest group' who seek some sort of privilege, when this is not the case which is progress to modernity and change.¹⁹ Again, in

¹⁰ Ibid 7.

¹¹ John Shelby Spong, *Living in Sin? A Bishop Rethinks Human Sexuality*, (San Francisco: Harper and Row Publishers, 1988), p.68.

¹² Ibid.

¹³ BibleGateway, accessed 06 January 2014, www.biblegateway.com/passage/?search=Leviticus%2018:22&version=CEB. (Common English Bible).

¹⁴ CNA, accessed 06 January 2014, www.catholicnewsagency.com/news/pope-encouraged-malta-bishop-to-speak-out-against-gay-adoption-bill/.

¹⁵ Ibid.

¹⁶ Ibid 1.

¹⁷ Northern Ireland Human Rights Commission, accessed 06 January 2014, www.nihrc.org/index.php/news/item/646.

¹⁸ Ibid.

¹⁹ Ibid.

relation to the case study the recent change would allow John Davis and Jason Scorer to adopt fully in NI without prejudice.²⁰

Gay activists' responses to the recent change in NI:

From a gay activists point of view the veto on gay adoption in NI would have been frustrating due to the many years of protesting for its approval, as they believe that they can be equally virtuous parents identical to heterosexual couples, which is supported Jennie Clarke et al.²¹ Clarke et al., states that this issue has been prolonged due to the ideology of homosexuality being a threat to the nuclear family, believing it to be ludicrous as sexuality does not define a good parent i.e. there are records of heterosexual couples being ill-equipped parents.²² Consequently, Clarke et al., argues that the mentality of opposing gay adoption reflects the fear of those who have not been correctly educated and those who do not understand.²³

Unsurprisingly, gay activists stated that they were delighted with the recent uplift of the law, however conflict remains.²⁴ According to GayBelfast, Edwin Poots visited a Londonderry/Derry hospital and was disgusted by the sight of a rainbow flag.²⁵ Shá Gillespie, a local LGBT activist and former chairperson of Foyle Pride was appalled by his response naming Poots a bigot and stating her outrage as his protest against gay adoption.²⁶

referring to the case study it is evident that opinions posed by gay activists i.e. Shá Gillespie would be supported by the majority of gay couples such as John Davis and Jason Scorer who have had to deal with the frustration in their longing to adopt, which is only made worse by characters like Edwin Poots.²⁷ However, it is evident that this is a substantial step forward in terms of progress. Davis and Scorer, for instance can now adopt in NI and will not have to journey to England, which is a positive circumstance even if there are individuals like Edwin Poots who are challenging this new law.²⁸

Judith Plaskow believes that every individual's sexuality should be liberated i.e. expressing ones sexuality enjoyably without prejudice or discrimination.²⁹ To repress ones sexuality due to being homosexual is ridiculous as if ones sexuality is liberated then one should be able to use how they wish i.e. to adopt.³⁰ The case study presented links in with Judith Plaskow's ideology as they wish to adopt to make a child's life better regardless of sexuality, without prejudice or discrimination, which a heterosexual couple would not experience.³¹

Glossary:

Word	Definition
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²⁰ Ibid.

²¹ Jennie Clarke, Ruth Ford and Diana Nobbs Ed., *Unfinished Business: Confronting Issues of Christian Sexuality and Policies*, (Melbourne: ASCM Publications, 1985), p.28.

²² Ibid.

²³ Ibid.

²⁴ GayBelfast, accessed 06 January 2014, www.gaybelfast.net/news.htm.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid 1.

²⁸ Ibid1.

²⁹ James B. Nelson and Sandra P. Longfellow Ed., *Sexuality and the Sacred: Sources for Theological Reflection*, (Westminster: John Know Press, 1994), p.219.

³⁰ Ibid.

³¹ Ibid.

Activist	One who follows a policy of vigorous action in a cause?
Homosexuality	Feeling sexually attracted to people of the same sex.
Gay Adoption	A homosexual couple taking an individual into one's family as a relation, especially as one's child with legal guardianship.
Civil Partnership	A legal union or contract, similar to a marriage, between two people of the same sex.
Department of Health	A department of the government of the United Kingdom concerned with governmental policy relating to health in England but not elsewhere in the United Kingdom.
Court of Appeal	A branch of the Supreme Court of Judicature that hears appeals from the High Court in both criminal and civil matters and from the county and crown courts.
Health Minister	A person appointed to head the government department of health.
Heterosexuality	A person who is attracted to the opposite sex.
Prejudice	To have a preconceived opinion, like/dislike to something/someone.
Nuclear Family	A primary social unit consisting of parents and their offspring.
Liberation	To be open-minded and not prejudiced.
Human Rights	<i>Human rights</i> are basic rights which many societies believe that all people should have.
Controversy	A prolonged argument or dispute.
Evolution	The origination of species by development from earlier forms, not by special creation.
Empathy	The power of identifying oneself mentally with a person or object of contemplation.
Modernity	Of present and recent times.
Sexuality	A person's <i>sexuality</i> is their sexual feelings.
Refute	To prove (a statement, theory, charge, etc) of (a person) to be false or incorrect.
Goodwill	Kindly feeling.
Compassion	A feeling of pity inclining for one to be helpful or show mercy.
Privilege	A special right, advantage, immunity belonging/granted to a person or group.
Ideology	The ideas at the basis of an economic or political theory or a system, or characteristic

	of some class.
Ill-equipped	Without the skills, qualities or equipment necessary (for something).
Gender	A person's <i>gender</i> is the fact that they are male or female.
Rainbow Pride/Rainbow Flag	A multi-coloured flag used as a symbol of peace; to represent gay and lesbian pride.
LGBT	An abbreviation for lesbian, gay, bisexual, and transgender.
Bigot	An obstinate and intolerant adherent of a creed or view.
Discrimination	To distinguish unfairly against someone/something on the grounds of sex, race, colour etc.

Bibliography:

- BBC News Northern Ireland, accessed 06 January 2014, www.bbc.co.uk/news/uk-northern-ireland-24416338.

This citation comes from the BBC NI website which is aimed at the public informing individuals about a case study involving a gay couple who had hoped to adopt children from NI, however could not do so due to confusion over the gay adoption laws. This website proves authoritative as the BBC provides information that is accurately sourced which is trustworthy. Subsequently, this case study can be used as a continuous example throughout the guide i.e. to link in with different opinions on the uplift of the gay adoption laws in NI.

- BBC News Northern Ireland, accessed 06 January 2014, www.bbc.co.uk/news/uk-northern-ireland-24918026.

This citation comes from BBC News NI website informing the public of NI about the Health Minister Edwin Poots recent defence in his opposition to uplift of the gay adoption laws and to gay men donating blood. This website proves authoritative as the BBC provides information that has been vastly researched rendering it trustworthy. Additionally, this news story is useful in my guide as it was the only strong opinion I could find about gay adoption laws that has caused controversy.

- BBC News Northern Ireland, accessed 06 January 2014, www.bbc.co.uk/news/uk-northern-ireland-25332917.

This citation comes from the BBC News NI website informing the NI public about the recent uplift in the gay adoption laws, what they were beforehand, how this has come about and who enabled the laws to be uplifted. This website proves authoritative as the BBC provides information that is accurately sourced which is trustworthy. Moreover, this news story is very useful as it provides me with the information I need in order to make a detailed analysis of what the laws on gay adoption were like beforehand in NI, how they were uplifted and what they are now.

- BibleGateway, accessed 06 January 2014, www.biblegateway.com/passage/?search=Leviticus%2018:22&version=CEB. (Common English Bible).

BibleGateway is an online search engine which is used to look up Bible reference's to use in essays, person use, exams etc. Consequently, the reference used demonstrates the Bibles view towards homosexuality which explains the Churches attitude in accordance to homosexuality due to there being a strong emphasis on scripture within the Church.

- Clarke Jennie, Ford Ruth and Nobbs Diana Ed., *Unfinished Business: Confronting Issues of Christian Sexuality and Policies*, (Melbourne: ASCM Publications, 1985), pp.1-212.

This book deals with the issues of sexuality in the Church and delves into why sexuality may be such a problem within the Church. The audience for this book is for any persons who wishes to look at the issues of sexuality in the Church and why it can be such an issue. This is diverse to the work presented by Spong which looks at homosexuality throughout all walks of life around the world in different eras. This book is useful as it has enabled me to link particular information to opinions posed by gay activists.

- CNA, accessed 06 January 2014, www.catholicnewsagency.com/news/pope-encouraged-malta-bishop-to-speak-out-against-gay-adoption-bill/.

CNA (Catholic News Agency) offers free access to its news items to Catholic Dioceses, parishes, and websites in order to increase awareness of the activities of the universal Church and further create a Catholic culture in the life of each of the faithful. The CNA has been running since 1980 which demonstrates its validity and loyalty to its readers. Again, this proves useful as it enables me to attain a diverse opinion on the recent uplift of the gay adoption laws in NI in comparison to the LGBT views on the matter at hand.

- GayBelfast, accessed 06 January 2014, www.gaybelfast.net/news.htm.

The Gay Belfast website is popular amongst LGBT community from NI and those visiting, informing them about recent events and news. This website is authoritative as it has been running for over ten years proving extremely popular for the Belfast LGBT community. Consequently, this website is useful for my guide as it demonstrates diverse opinions from a LGBT point of view about Edwin Poots recent challenge in regards to the uplift of the gay adoption laws.

- Murray Theresa and McClure Michael, *Moral Panic: Exposing the Religious Rights Agenda on Sexuality*, (London and New York: Cassell, 1995), pp.1-58.

This book looks into the fears that religious institutions place into society about sexuality and how this has affected societies view on sexuality. Subsequently, this appeals to people who wish to delve into truth behind the fears that religious institutions instil into society. This was useful within the Human rights section which enabled me to present the prejudice that homosexuals have had to deal with i.e. not being allowed to adopt and how this has changed. This is diverse to the work of James B. Nelson et al, which deals with sexuality from a theological and sacred perspective, while also using external sources with diverse oppositions.

- Northern Ireland Human Rights Commission, accessed 06 January 2014, www.nihrc.org/index.php/news/item/646.

The NIHRC gives legal effect in the UK to certain fundamental rights and freedoms contained in the European Convention on Human Rights. In this citation Human Rights give their opinion about the recent uplift of the gay adoption laws in NI which is useful in my guide as it enables me to provide another point of view about the matter at hand for my audience. Again, this is a replicable source as it is inline with the government which has to provide the public with trustworthy and correct information.

- Nelson B. James and Longfellow P. Sandra Ed., *Sexuality and the Sacred: Sources for Theological Reflection*, (Westminster: John Know Press, 1994), pp.1-406.

This source looks at sexuality from a theological and sacred perspective, while also using external sources with diverse oppositions. Subsequently, I was able to use the external oppositions in order to display how sexuality should be liberated, regardless of sexuality which links in with the gay activists opinions on the recent uplift in the law. This is diverse to the work of Murray et al., which looks at fears that religious institutions place into society about sexuality and how this has affected society's view of sexuality.

- Spong Shelby John, *Living in Sin? A Bishop Rethinks Human Sexuality*, (San Francisco: Harper and Row Publishers, 1988), pp.1-256.

This book deals with sexuality and how it is conceived across the world by different parties/societies, within diverse eras, aimed at those who wish to look at diverse opinions regarding sexuality. Consequently, this book has been useful as it has allowed me to look at how sexuality was perceived in the past, which links in with Edwin Poots argument against gay adoption. This is diverse to the work of Clarke et al., which deals with the issues of sexuality within the Church.