

A Short History of Quaker Marriage

Fairly early in Quaker history, the Religious Society of Friends organized itself into monthly meetings. Within each meeting, people could become members, entitling them to the common procedures and protection of their meeting. Since Friends did not have ministers, when a couple wanted to marry, they would appeal to the entire meeting for approval through the posting of bans. Eventually, the custom of a clearness committee developed to guide a couple through the decision to marry.

George Fox defended Quaker process, writing in 1669, "For the right joining in marriage is the work of the Lord only, and not the priests' or the magistrates'; for it is God's ordinance and not man's; and therefore Friends cannot consent that they should join them together: for we marry none; it is the Lord's work, and we are but witnesses."

But without clergy to officiate at a Quaker wedding, married Friends were – and in some areas still are – widely misunderstood. Outsiders claimed that Quakers were living in adultery because they married each other directly, with no priests or ministers. For about the first hundred years of Quakerism, persecution around this issue was common.

In England and Wales, special laws passed in 1753 exempted Friends – and Jews – from the requirement that weddings must take place in Anglican churches and be performed by ordained Anglican priests. In Pennsylvania, originally a Quaker colony founded by William Penn, a "self-marrying" law was passed. Other states have a wide variety of laws accommodating Quaker practice.

As we try to discern our path into the future, to achieve equality and integrity for our celebrations of same-sex marriage, we would be wise to stay in touch with the struggle in our history to establish our rights as a 'peculiar people.'

Janet Hilliker

LGBT Rights Denied

Right now, gays and lesbians are actually denied 1138 rights given to heterosexuals. Here are some of the ways in which GLBT people are not equal under the eyes of the law:

Marriage: In all but four states, same sex partners cannot legally wed.

Protection from Discrimination: In many states, you do not have the right to protection from harassment and discrimination based on sexual orientation.

Joint Taxes: GLBT couples cannot file taxes jointly; as a result, taxes for a GLBT couple can be significantly higher.

Hospital Visitation: GLBT couples have no legal right to visit a spouse in the hospital and can be barred from entering the room by medical personnel.

Estate Taxes: GLBT couples cannot pass their estate to a spouse tax-free, which creates a huge tax burden that can result in the loss of a spouse's home or business.

Job Security: In a majority of states, employees can be fired just for being gay.

Immigration: GLBT partners are denied special consideration for the immigration of a spouse, often resulting in a painful separation when a loved one is from a foreign country.

Property Taxes: GLBT partners must pay property tax when transferring property between spouses.

Social Security: GLBT partners are not eligible to receive a spouse's Social Security pension or many other government benefits.

Medical Decisions: During a medical crisis, GLBT couples cannot legally make treatment decisions for their partners.

Domestic Violence: GLBT people cannot get domestic violence protection orders against a partner or former partner.

from <http://gayteens.about.com>

Wisconsin State Constitution: Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state and a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.

Minute for Marriage Equality

Approved by Twin Cities Friends Meeting, Nov. 13, 2009

Holding to our longstanding Testimonies of equality and integrity as they relate to justice for all peoples, we recognize the discomfort we feel when we provide civil marriage for straight couples but are unable to do the same for same-sex couples within the state of Minnesota.

The Quaker tradition is one of Spirit-led activism on behalf of civil rights and justice. Given that a foremost civil rights issue today concerns the right for all couples to marry, regardless of gender, Twin Cities Friends Meeting (TCFM) unites with a growing number of Quaker and other faith communities who are working for marriage equality.

We affirm the right for all caring couples to marry religiously and civilly. TCFM is not against the right of the state to give legal sanction to marriage. Rather we are called to witness against the injustice of the system as currently practiced.

In light of this searching, and because we often learn God's Truth base on direct experience, we recommend a period of testing the following actions.

That TCFM:

1. Choose to lay aside for a period of three years—**while still retaining**—its legal right to perform the **civil** part of marriage.

In addition, TCFM will:

2. Continue to provide clearness committees for all couples who request one for marriage.

3. Continue to witness religious weddings in the manner of Friends, that is, bearing witness to God's marriage of two people.
4. Continue to take under its care all relationships and marriages that exist within the community.
5. Continue to support all couples who seek civil marriage, regardless of the gender of the partners.
6. Seek opportunities to bear witness outwardly until equal treatment under the law exist for all couples.

We search for ways to expand the rights of some couples without restricting the rights of others. In the midst of wrestling within our meeting and in our state, we support marriage equality for all caring, committed couples. We trust that by TCFM's action and witness, we will help hasten progress toward marriage equality for all.

Nov. 4-5, 2010 Northern Yearly Meeting Executive Committee minutes: Twin Cities Friends Meeting (TCFM) reminded Executive Committee that TCFM no longer executes the Minnesota Marriage License for marriages held under the care of TCFM. They are comfortable with assisting a couple in making their commitment before God and the persons attending the Meeting in which the marriage occurs but, since participating in the secular processes of marriage for some couples, but not all couples, is recognized by TCFM as a form of discrimination, they do not feel led to participate in the secular marriage and couples are free to appear before a magistrate or judge for the civil service. TCFM is in the process of preparing another draft of the letter sent earlier explaining this policy and asking recipient Meetings for their reflective feedback on the issues. We should see a copy soon.

Twin Cities Friends Meeting's Minute for Marriage Equality

Notes: Janet Hilliker in conversation with Paul Landskroener, May 29, 2010

When a couple requests marriage under care of a Friends Meeting, there are two separate parts. Marriage under care of a Meeting requires a process, usually involving a clearness committee to meet with the couple; that committee recommends the marriage to a Ministry and Counsel Committee or similar committee, followed by approval by Meeting for Worship with Concern for Business. A separate part is the civil marriage, in which the couple applies for a license from the government, brings that license to the wedding, and has members of Meeting (usually but not always including the clerk) sign as witnesses to the wedding.

In Great Britain and much of Europe, this is not the norm. A couple will have a religious wedding and also a separate civil wedding. Churches, temples, and other religious congregations are not responsible for the civil union.

In Minnesota, Friends have written legislators, lobbied, written to newspapers, gone on radio shows, and otherwise used every opportunity to witness for equal treatment of same-sex marriage. They have united with other denominations in an ecumenical attempt to change the government's discrimination against same-sex marriage.

This has not been done as a political goal, but because of a perceived loss of internal integrity concerning the unequal treatment of marriage.

Twin Cities Friends Meeting (TCFM) struggled with this concern over a period of three years. Their Ministry and Counsel Committee first addressed the issue and was not clear on how to proceed.

Could TCFM, by taking a stand, lose its right to marry couples in future? Would such a stand discourage couples from taking on the responsibility of marriage?

An ad hoc group, the 'Point 6' Committee, followed up. Most of its members were not gay or lesbian, but were allies; opinions of homosexuals varied across the spectrum. They gathered facts. They made presentations at adult religious education sessions and Meeting for Worship with Attention to Business. After three years of dialogue, the 6 points of the minute were approved at their first presentation to Meeting for Business (Nov., 2009).

Many questions came up. Is a Friends Meeting an agent of the state? Have churches handed over too much power to the state to legitimize our marriages? Should straight couples stop having legal marriages in protest? Do the 6 points go far enough? What happens after the three years of the minute? What is the next step? It's not clear yet.

To be effective, TCFM feels that this minute involves the willingness to suffer. It is not based on morality, on facts, or on being smart.

One suggested alternative to the minute was a lawsuit. The challenge with that is that if you lose in the courts, that would close doors. Friends wanted doors to remain open. The state can no longer criminalize homosexual behavior between consenting adults; that would have to happen at the federal level. The long-term hope is that if a religious group decided same-sex marriage is ok, the state can't discriminate. In the future, there would be no preference for a 'straight' marriage over a "gay" one.