CONSULTATION QUESTIONS

The registration of civil partnerships

Question 1  (Paragraphs 2.12 and 2.13)

Do you agree that legislation should be changed so that civil partnerships could be registered through religious ceremonies?

Yes  [ ]
No  [X]
Don’t know  [ ]

Please give reasons for your answer.

Comments

Our view is that there should be a fundamental separation of church and state on this issue: registration of civil partnerships should remain in the civic sphere allowing religious organisations of all forms the freedom to bless what they choose to bless without fear of state interference.

Question 2  (Paragraphs 2.14 to 2.19)

Do you think that the proposals in England and Wales on registration of civil partnerships in religious premises would be appropriate for Scotland?

Yes  [ ]
No  [ ]
Don’t know  [X]

If you have answered no, please explain what elements of the proposals in England and Wales you consider inappropriate for Scotland.

Comments
### Question 3  (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in religious premises?

- **Yes** □
- **No** ☒
- **Don’t know** □

Please give reasons for your answer

**Comments**

Our present guidelines for accredited Baptist ministers would not permit this. We would fear future limitations regarding religious freedom if this was to be permitted. Again we would state our ideal is that the state and the religious organisations should remain separate on this.

### Question 4  (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in other places agreed between the celebrant and the couple?

- **Yes** □
- **No** ☒
- **Don’t know** □

Please give reasons for your answer

**Comments**

Reference comments to question 1
Question 5  (Paragraph 2.25)

Do you agree that religious bodies should not be required to register civil partnerships?

Yes [x]  
No [ ]  
Don’t know [ ]

Please give reasons for your answer

Comments
This is fundamental to religious freedom in the nation, an issue for which many of our Baptist forefathers died. We would fear that promises made by this government would not be upheld by another government. Therefore, maintaining separation between faith communities and state on this issue would reduce the threat to religious freedom in our nation.

Question 6  (Paragraphs 2.26 and 2.27)

Do you consider that religious celebrants should not be allowed to register civil partnerships if their religious body has decided against registering civil partnerships?

Yes [x]  
No [ ]  
Don’t know [ ]

Please give reasons for your answer

Comments
Our understanding is that religious celebrants are in a covenantal relationship with their religious body and fellow celebrants. To be in such a relationship is their free choice. It is our belief that they should conform to
the order and practices of their religious body if they have freely chosen to belong.

Question 7 (Paragraphs 2.28 to 2.30)

Do you agree that individual religious celebrants should not be required to register civil partnerships?

Yes ☒
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

Question 8 (Paragraphs 2.31 to 2.35)

Which of the options do you favour to ensure that religious bodies and celebrants do not have to register civil partnerships against their will?

Do you favour:

Option 1 ☐
Option 2 ☐
Neither ☒

If you have another option, please describe it.
Our option of keeping the two completely separate as mentioned in response to question 5 is a safer response, thus protecting religious bodies and religious celebrants.

Question 9  (Paragraphs 2.36 to 2.40)

Religious bodies may not wish their premises to be used to register civil partnerships. Do you agree that no legislative provision is required to ensure religious premises cannot be used against the wishes of the relevant religious body?

Yes  □
No  □
Don’t know  ✗

Please give reasons for your answer

There is a credible fear that in the future churches or celebrants will be sued for refusing to carry out a marriage against their conscience. Therefore we would simply ask the government’s legal advisors to ensure that this freedom is protected at this time and if not, that legislative protection be given.
Same sex marriage

Question 10  (Paragraphs 3.11 and 3.12)

Do you agree that the law in Scotland should be changed to allow same sex marriage?

Yes  No  Don’t know

Please give reasons for your answer

Comments

As you will see from the extra comments enclosed the predominant view within the Baptist Union of Scotland is that marriage can only be between one man and one woman. Any move to redefine marriage would not be consistent with that view. We believe it would remove a basic building block of society, the consequences of such are unknown to the government but in our Biblical world view would be detrimental to the whole of Scottish society.

It is widely recognised that marriage is the bedrock of a stable society. It is already under threat in our nation, and the social fragmentation and instability that we already experience is detrimental and costly to our nation.

If the law were to be changed and marriage redefined in this nation, many of our ministers have already indicated that they would no longer wish to be associated with the new definition and would remove themselves from the registered list of celebrants.

Others have indicated that they feel that in years to come they would be forced to carry out all weddings or none, as the promises suggested in this consultation are not promises that can be guaranteed 100% by any government.

Question 11  (Paragraph 3.13)

Do you agree that religious bodies and celebrants should not be required to solemnise same sex marriage?
Question 12  (Paragraphs 3.14 to 3.18)

Do you agree with the introduction of same-sex **civil** marriage only?

- Yes
- No
- Don’t know

Please give reasons for your answer

Comments

Question 13  (Paragraph 3.19)

Do you agree with the introduction of same-sex marriage, **both** religious and civil?

- Yes
- No

Comments
Question 14  (Paragraphs 3.23 and 3.24)
Do you agree that religious bodies should not be required to solemnise same sex marriage?

Yes ☒
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

Question 15  (Paragraphs 3.25 and 3.26)
Do you consider that religious celebrants should not be allowed to solemnise same sex marriages if their religious body has decided against solemnising same sex marriage?

Yes ☒
Our understanding is that religious celebrants are in a covenantal relationship with their religious body and fellow celebrants. To be in such a relationship is their free choice. It is our belief that they should conform to the order and practices of their religious body.

**Question 16 (Paragraphs 3.27 and 3.28)**

Do you agree that individual religious celebrants should not be required to solemnise same sex marriage?

Yes ☒

No ☐

Don’t know ☐

Please give reasons for your answer

**Question 17 (Paragraphs 3.29 to 3.33)**

Which of the options do you favour to ensure that religious bodies and celebrants do not have to solemnise same sex marriage against their will?
Do you favour:
Option 1 [ ]
Option 2 [ ]
Neither ☒
Don’t know [ ]

Please give reasons for your answer and if you have another option, please describe it.

Comments
If the government were to continue on its stated course to bring equality in the area of marriage to all couples regardless of gender, we regard the most secure way to ensure that religious celebrants do not have to solemnise same sex marriage would be to create equality at a civic level, thus giving freedom to religious bodies and celebrants to bless what their conscience allows them to bless. This would protect celebrants and religious organisations against future government changes in policy.

Question 18 (Paragraphs 3.34 to 3.39)
Religious bodies may not wish their premises to be used to solemnise same sex marriage. Do you agree that no legislative provision is required to ensure religious premises cannot be used against the wishes of the relevant religious body?
Yes [ ]
No [ ]
Don’t know ☒

Please give reasons for your answer

Comments
There is a credible fear that in the future churches or celebrants will be sued for refusing to carry out a marriage against their conscience. Therefore we would simply ask the government’s legal advisors to ensure that this freedom is protected at this time and if not, that legislative protection be given.
Question 19  (Paragraph 3.41)

If Scotland should introduce same-sex marriage, do you consider that civil partnerships should remain available?

Yes          ☐
No           ☐
Don’t know   ☒

Please give reasons for your answer

Comments

We recognise that the direction the government proposes would automatically lead to inequality for Christian people who no longer wished to be associated with the new definition of marriage and would seek a specifically Christian understanding of marriage. We believe the government’s proposed direction may lead to Christians being joined together in the eyes of God and the Church but having no legal status in the nation. This would be detrimental to them, their children and the wider community.

The only way we can imagine this inequality being addressed, if the government is not convinced to maintain the present definition of marriage, is through the introduction of civil partnership for all, with the option for religious organisations to bless that which their religious conscience allows.

This is the position in much of continental Europe and protects religious freedom for all.

There would be an inherent inequality in providing two routes to register your partnership if you are homosexual and only one route if you are heterosexual.
**Question 20** (Paragraph 4.19)

Do you have any other comments?

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We are particularly interested in your views on:

- potential implications of the proposals for transgender people (paragraph 3.42)
- possible transitional arrangements (paragraphs 3.43 and 3.44);
- recognition of Scottish same sex marriages elsewhere (paragraphs 3.45 to 3.49);
- any comments on forced marriage (paragraphs 3.51 and 3.52)
- any comments on sham marriage (paragraph 3.53)
- potential financial implications (paragraphs 4.01 to 4.08);
- potential equality implications (paragraphs 4.09 to 4.14).

**Comments**

We would like to share with the Scottish Government the resolution agreed by the delegates attending our annual Assembly and the resolution agreed by the European Baptist family the previous year.

**The Baptist Union of Scotland adopts the EBF resolution on marriage dated 22-25 September 2010**

In doing so, and with reference to the consultation asked of us by the government, we...

1. Believe the current proposal from the government is unwise and ask that before they seek to introduce legislation for same sex marriage they commit to a further conversation with Christians in Scotland for us to discuss our serious concerns.
2. Affirm the authority and beauty of Scripture as it points toward true and wholesome human sexuality, expressed in the words of Genesis 2:24
3. Accept the testimony of Scripture that our relationship with God, our Creator, is broken and is expressed in rejection of His ways and pursuit of our own.
4. Resolve to be, as the EBF resolution invites us to be, pro-active for the wellbeing and good of all in our society.

**European Baptist Federation Council**

**Mondo Migliore, Rome, Italy**

**22–25 September 2010**

**The European Baptist Federation Council:**
Rejoices in the mutually loving and selfless relationship of God the Father, Son and Holy Spirit and the demonstration of this through the life, death and resurrection of Jesus Christ.

Gives thanks to God for creating man and woman in his image and seeks to follow the witness and teaching of scripture for any expression of human sexuality.

Urges Baptists to model, value and teach that marriage is the creational and biblical setting of any sexual relationship between a man and a woman, as expressed in Genesis 2:24 “Therefore a man leaves his father and his mother and clings to his wife, and they become one flesh.”

Shares in the brokenness of human relationships and acknowledges the pain and difficulties this brokenness causes for people in our churches and society.

Affirms our responsibility to share the Good News of Jesus Christ in word and deed with all people irrespective of their way of life or convictions.

Recognises the need to encourage, support and pray for married people, offering pastoral and spiritual care for the strengthening of healthy and vibrant Christian communities in relationship with Jesus Christ and each other.

Further Comments

The Baptist Union of Scotland is a Union of Churches and not a denomination with an authority based hierarchy. Therefore this submission cannot be seen to supersede or have more worth than that of our local churches who have made their own independent free submissions which have not been directed by the Union centre.

As the General Director of the Baptist Union of Scotland I write this consultation response reflecting what I believe to be a majority position in our churches based on the Assembly resolution and my 27 years’ membership of local Baptist Churches.

The request for more time to consult is a serious request not simply for a few more weeks or months. The action of redefining marriage in society cannot be taken lightly and should be part of a long and considered process. In particular, the Scottish Government should seek to report to the nation the results of any impact study into such a dramatic change. We do not wish to see our nation used as “guinea pigs” in an experiment in social change regarding this fundamental building block. We believe it is in the interest of our nation for the government to explore fully and publish their findings from history and our present time, giving the examples that show that such a change is beneficial to society. In our own understanding of history the Bible teaches and demonstrates that nations that depart from such societal foundations find themselves in decline.
Our desire is for the prosperity of the nation, the health and well being of its people and protection for the vulnerable and the visitors to our land. We do not believe this will be enhanced by the proposed changes. We pray as a church daily for our governments, parliamentarians and local leaders, for wisdom and courage. We state clearly that we believe the redefinition of marriage is unwise.

As a people who have invested heavily in marriage, encouraging marriage over cohabitation, preparing many couples for marriage in carefully ordered programmes, supporting couples struggling to remain married, because we believe it to be the most stable basis for society and the rearing of children, we would clearly state that we do not wish to see marriage redefined in our nation.

However if the government should decide to continue on this path of redefinition then we plead for more time for consultation and for full consideration and consultation on the issue we raise of separation of state and church in the area of marriage. We strongly believe this is only way to ensure religious freedom for churches and celebrants in the future if the government should choose to continue in its stated path.