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  
Don't know

Please give reasons for your answer.

Comments
The civil rights of individuals are already provided for through the Civil Partnership legislation. No one has a civil right to any religious ceremony. The State should not introduce legislation in order to bring pressure on the Church to change its doctrine and practice (or even which would have that unintended effect).

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

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

Comments
They come from a completely different background. In Scotland it is the authority of the celebrant, not the premises, which is the key issue, and the celebrant only has authority as given by his church.
**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**

As far as Christian Churches are concerned, we are governed by Scripture, and the vast majority of Scottish Churches are against anything which would equate homosexual partnerships with marriage. It would be entirely wrong to introduce legislation which some might be prepared to exploit to sue Churches who refused to grant them "their right" to a religious ceremony.

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**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**

The place has no relevance either in Biblical or Scottish cultural terms.
### Question 5  (Paragraph 2.25)
Do you agree that religious bodies should not be required to register civil partnerships?

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<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
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Please give reasons for your answer

**Comments**
We find it outrageous that such a proposal was even contemplated. Religious bodies are not required to register marriages. It is entirely the prerogative of the celebrant to decide who he will marry. (Of course he must register those he has conducted, which is a different issue!)

### 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?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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Please give reasons for your answer

**Comments**
The only authority which a celebrant has is that delegated to him by his religious body or denomination. If he has no such authority to register civil partnerships, the State cannot allow him to register such partnerships.
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

Again, we find this astonishing – that the Government would even contemplate legislating such a requirement. What has happened to the concept of religious freedom, if the State were to compel a minister to perform a religious ceremony against his conscience? It shows either a complete ignorance of, or disregard for, the history of the hard won spiritual freedom in Scotland.

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.

Comments

We favour neither, because we are not in favour of the religious registration of civil partnerships in any case. And, because of the way the question is framed, we do not want to give the impression that we are. However, if the Government were, against the will of the vast majority of the churches, to introduce legislation, Option 2 would be preferable, as registration would be seen as the exception, not the rule.
<table>
<thead>
<tr>
<th>Question 9  (Paragraphs 2.36 to 2.40)</th>
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<tr>
<td>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?</td>
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<table>
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<th>Yes</th>
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<tr>
<td>Don’t know</td>
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</table>

Please give reasons for your answer

**Comments**

This is purely a matter of civil property law. Surely each proprietor has the right to decide what activities are allowed and which are not in their own property?
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  X
Don’t know  

Please give reasons for your answer

Comments
Such a change would involve a major redefinition of marriage which is completely counter to the historic Christian heritage of Scotland. That understanding is exactly the same as that of the Conventions on Human Rights which say "Men and women... have the right to marry..." If anything other than traditional marriage had been meant, the wording would have been "Human beings... have the right to marry..."
The State has no right to redefine marriage.

Question 11  (Paragraph 3.13)

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

Yes  X
No  
Don’t know  

Please give reasons for your answer

Comments
See reasons given at Q.7.
Question 12  (Paragraphs 3.14 to 3.18)
Do you agree with the introduction of same-sex civil marriage only?

Yes  [ ]
No   [X]
Don’t know  [ ]

Please give reasons for your answer

Comments
Marriage is the union between one man and one woman for mutual comfort and support and for the procreation and upbringing of children. There is something Alice in Wonderland about trying to make it mean something else. Given the evidence that traditional marriage is the basis of a good and strong society, we would have thought that the Government would be trying to do all it its power to strengthen marriage and not undermine it.

Question 13  (Paragraph 3.19)
Do you agree with the introduction of same-sex marriage, both religious and civil?

Yes  [ ]
No   [X]
Don’t know  [ ]

Please give reasons for your answer

Comments
See reasons to Q.12 above.
**Question 14** (Paragraphs 3.23 and 3.24)

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

- Yes [X]
- No
- Don’t know

Please give reasons for your answer

**Comments**

Again it is breathtaking that such an infringement of Church-State relations and of religious liberty should be even contemplated! What tends to be forgotten in the Government's whole position is that Marriage was a religious and a private institution long before the State got involved.

**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 [X]
- No
- Don’t know

Please give reasons for your answer

**Comments**

Same as Q6.
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 [X]  
No  
Don’t know  

Please give reasons for your answer

Comments

Same as Q7.

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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 [X]  
Don’t know  

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

Comments

Same as Q.8.
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  [x]  No  [ ]  Don’t know  [ ]

Please give reasons for your answer

Comments

Same as Q.9.

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

It is a matter of no consequence to us.
Question 20  (Paragraph 4.19)

Do you have any other comments?

Yes  ☒
No  ☐

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

It does seem extraordinary that the Government has expressed the view that it is in favour of "same sex marriage" and religious ceremonies for civil partnerships, when only a minuscule percentage of the population has taken up civil partnerships. The "gay rights" lobby is very small but seemingly very influential. What has happened to democracy? Why should the vast majority of married couples have what their marriage means suddenly redefined by the State?