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.

We do not agree that legislation should be changed to allow civil partnerships to be registered through religious services.

Civil partnerships were created in 2004 to provide legal recognition to same-sex partners and ensure equality in law with marriage. In arguing against a religious ceremony, we are not arguing against fairness and equality. Rather we are protecting the institution of marriage. Introducing a religious element to the actual ceremony will necessarily blur the important distinction between civil partnerships and marriage, fundamentally changing civil partnerships. Indeed it will lead inevitably to same-sex marriage over time.

We refer to our answers to question 10 regarding our opposition to same-sex marriage.

The proposed change to civil partnerships is political correctness arising from a vocal minority in Scotland. As the consultation document states, there are fewer civil partnerships each year, with only 465 in 2010. This level of uptake does not suggest that there needs to be the proposed fundamental shift in the established historic, Christian system of marriage.

Allowing a religious element to civil partnerships may lead to other consequences. Denominations, ministers or members not willing to participate in religious civil partnership will face accusations of discrimination and intolerance. This is already evidenced in political and general society on the issue of same-sex relationships. The proposed legislation is likely therefore to reduce religious freedom in the future.

Any protection in the proposed legislation on these issues could easily be lost by future legislation, whether in Scotland, a higher legislature or by court ruling.
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    [X]
Don’t know   [ ]

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

See comments under question 1.

Question 3  (Paragraphs 2.20 to 2.24)

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

Yes   [ ]
No    [X]
Don’t know   [ ]

Please give reasons for your answer

See comments under question 1.

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    [X]
Don’t know   [ ]

Please give reasons for your answer

See comments under question 1.
Question 5  (Paragraph 2.25)
Do you agree that religious bodies should not be required to register civil partnerships?
Yes ❌
No ☐
Don’t know ☐

Please give reasons for your answer

See comments under question 1.

In addition, religious freedom would be fundamentally restricted if religious bodies were required to register civil partnerships. It also questionable whether the Scottish Government has the authority to do this.

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 ❌
No ☐
Don’t know ☐

Please give reasons for your answer

See comments under question 1.

In addition, this would be an unjustified, and possibly unlawful, intrusion into the beliefs and workings of religious bodies.

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

See comments under question 1.
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.

Neither option can be favoured as we are against any religious element being introduced to civil partnership ceremonies.

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

We believe that legislative protection for religious bodies in this regard would provide the best solution. This would ensure continuing religious freedom in being able to determine the use of religious buildings.
<table>
<thead>
<tr>
<th>Question 10  (Paragraphs 3.11 and 3.12)</th>
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<tr>
<td>Do you agree that the law in Scotland should be changed to allow same sex marriage?</td>
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<tr>
<td>Yes ☐</td>
</tr>
<tr>
<td>No ☒</td>
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<tr>
<td>Don’t know ☐</td>
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Please give reasons for your answer

We do not agree that marriage should be redefined to include those in same-sex relationships.

Marriage is an institution that is recognised across many cultures throughout time. It is not created and defined by legislation and governments. Marriage is one of the basics of the Christian faith that underpins and benefits Scottish society.

Marriage is almost universally defined as the complementary union of one man and one woman for fellowship, procreation and the caring of children*. This cannot encompass same-sex partnerships.

Marriage is therefore not something that can or should be redefined by political correctness.

We note again the small and decreasing number of civil partnerships in Scotland (2010: 465), and it is estimated that only a small proportion of these would have opted for marriage.

The government is proposing a fundamental and detrimental societal change at the instigation of a small but vocal minority.

Our opposition to redefining marriage should not be seen as disadvantaging same-sex partners. Civil partnerships carry the same legal and financial privileges as marriage. It is also not about meeting human rights legislation as this recognises marriage as between a man and a woman. Our opposition is to uphold the traditional family as the natural and fundamental unit in society.

There are other important consequences that would arise from the proposal that we also disagree with:
- The same arguments put forward for redefining marriage to include same-sex relationships could equally apply to, for example bisexuals or polygamists.
- Any redefinition of marriage will be promoted by public bodies, not least in taught in schools, with significant impact on society.
- Many religious believers who hold to the traditional view of marriage will be marginalised and viewed as intolerant. Although there is
some protection proposed, there is historical precedence for this being overturned by future legislation or court rulings.

* There is overwhelming evidence that a mother and father provide the best stable environment for bringing up children.

**Question 11** (Paragraph 3.13)

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

Yes ☒
No ☐
Don’t know ☐

Please give reasons for your answer

See comments under question 10.

**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

See comments under question 10.

In addition, we do not believe that marriage can be split between civil and religious marriage.

**Question 13** (Paragraph 3.19)

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

Yes ☐
No ☒
Don’t know ☐

Please give reasons for your answer
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

In addition, religious freedom would be fundamentally restricted if religious bodies were required to solemnise same-sex marriage. It also questionable whether the Scottish Government has the authority to do this.

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 [ ]  No [ ]  Don’t know [ ]
Please give reasons for your answer

In addition, this would be an unjustified, and possibly unlawful, intrusion into the beliefs and workings of religious bodies.

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.

Neither option can be favoured as we are against any same-sex marriages.

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

We believe that legislative protection for religious bodies in this regard would provide the best solution. This would ensure continuing religious freedom in being able to determine the use of religious buildings.

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

We have no view on this question given our opposition to same-sex marriage.
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).

None