CONSULTATION QUESTIONS

Introductory Statement:

We note that the leaders of all the main political parties seem to have indicated their commitment to the introduction of same-sex marriage in Scotland; and consider that the consultation questions have been drafted for this end. We think that there should be a referendum on whether a majority of the Scottish people do wish such a change in the definition and institution of marriage should be held so that their views be heard.

It is not homophobic to believe and teach that homosexual practice is contrary to God’s guidance for individuals and for the good order of society. The Church should no less condemn greed, injustice, selfishness, promiscuity, falsehood, hate, the hoarding of riches etc. We all fall far short of God’s standards and depend on His Grace but the Church cannot bless what is clearly condemned. There seems to be a lack of understanding or respect by politicians for this faith stance. The Minister and elders of this congregation promised on ordination to accept the Authority of Scripture as our supreme rule for faith and conduct – even when this is difficult or unpopular.

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
Some other religious groups may consider it right to provide a blessing service for those entering a civil partnership but we do not, as we hold to the historic and biblical understanding of same-sex relationships.

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.

Comments

The approved premises system of regulation used in England has never been used in Scotland.

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

Comments

This seems an attempt to blur the distinction between marriage and the registration of civil partnerships, which were introduced as a civil procedure only.

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 X

Please give reasons for your answer

Comments

We do not believe that Christian celebrants should conduct civil partnerships although some faith groups may wish to do so.

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

The freedom to practise religion would be violated by any state requirement to register civil partnerships in violation of religious belief and conscience.
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

Anything else would be an attempt to interfere and undermine the sole responsibility of a church to determine its doctrine and practice.

Question 7 (Paragraphs 2.28 to 2.30)

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

- Yes  X
- No   
- Don’t know

Please give reasons for your answer

Comments

As comments on questions 5 and 6

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  X
- Neither   

If you have another option, please describe it.

Comments

Option 2 is preferable if the Scottish Government do push through this legislation because it affords some measure of protection for religious celebrants. What measure of protection is envisaged for those who do not “opt in”? 
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 X
Don’t know □

Please give reasons for your answer

Comments

*Given the litigious nature of society and the progressive weakening of religious safeguards in the equalities agenda, specific legislative protection for religious bodies, who do not “opt-in”, would be necessary.*
**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**
- **X** **No**
- **Don’t know**

**Please give reasons for your answer**

**Comments**

*Marriage as the union of one man and one woman, intended to be life-long, and based on mutual love, commitment, trust and respect, is a prime building block of society. The consistent teaching of the Bible, not just in the Old Testament but in the Gospels and Apostolic writings, confirms that, and nowhere allows same-sex marriage. Marriage is marriage, whether conducted in religious or secular contexts. Governments cannot redefine its meaning.*

**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**

*Any other response would allow a breach of the European Declaration of Human Rights, Article 9 re. Freedom of Religion and the freedom to practice our faith.*

**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**

*Marriage is marriage, religious or civil. See answers to questions 10 and 11. We are concerned about the lack of protection for registrars forced to conduct what they may believe to be false marriages against their conscience and faith beliefs.*
**Question 13** (Paragraph 3.19)
Do you agree with the introduction of same-sex marriage, both religious and civil?

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Please give reasons for your answer

**Comments**

See answers for questions 10-13.

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

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Please give reasons for your answer

**Comments**

Anything else would contravene the spiritual independence of the Church of Scotland and religious freedom, cf. Church of Scotland Act 1921 (UK) Equality Act 2010 European Convention of Human Rights, Article 9

**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?

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Please give reasons for your answer

**Comments**

Anything else would be an intrusion into the internal decision-making authority of religious bodies. Over past century, governments have legislated to interfere in the life and teaching of churches in Nazi Germany, Communist China and Apartheid South Africa. Those who have not conformed have been vindicated.
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
Scottish politicians and civil servants should not even have considered forcing ministers to marry same-sex couples against their conscience and religious convictions.

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
We do not agree that there should be same-sex marriage solemnised by religious celebrants. However, if the Scottish Executive and Parliament is minded to press ahead, Option 2 would offer some protection.

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   X
Don’t know □

Please give reasons for your answer
Comments
Given the haste and vehemence of those pressing for same-sex marriage and considering forcing religious compliance, approval and cooperation, specific statutory protection would be necessary for those who dissent and do not go along with these basic redefinition of marriage on grounds of religious conviction.

Question 19  (Paragraph 3.41)
If Scotland should introduce same-sex marriage, do you consider that civil partnerships should remain available?

Yes  X
No
Don’t know

Please give reasons for your answer

Comments
Some in same sex relationships may wish the legal protection, rights, benefits and public commitment of civil partnerships without claiming an equivalence to marriage.

Question 20  (Paragraph 4.19)
Do you have any other comments?

Yes  X
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
We do not see that the proposed changes will do anything to protect transgender people. 
MSPs act for the best of intentions but they must recognise a responsibility to protect the vulnerable and ensure the health and well-being of the wider community. All the evidence confirms that stable, loving marriage between a man and a woman provides the best context for the birth and care of children, where they can flourish and thrive. Where such an understanding of marriage and its institution as outlined above is further undermined by its proposed redefinition, Scotland will suffer. That is why we have responded in these terms.