

MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) BILL

SUBMISSION FROM NATIONAL SYNOD OF SCOTLAND OF THE UNITED REFORMED CHURCH, CHURCH & SOCIETY COMMITTEE

How would you characterise your views on the Bill in general?

In support

In general, and within the limits of the work of the Church & Society Committee (given that the national Synod of Scotland, taken as a whole, has not expressed a view) we are content with the permissive, rather than prescriptive approach. It is difficult to see what further measures could reasonably have been taken to ensure that those not disposed to be party to the solemnisation of same-sex marriages were not compelled to do so, without completely undermining the intent and effectiveness of the bill

How would you characterise your views on the introduction of same sex marriage, so that same sex couples can marry each other?

Neither

Our church includes opinions both for and against the legal recognition of the marriage of same-sex couples. We have not come to a policy decision for or against, but it is reasonable to note that members or ministers have already been party to the religious blessing of civil partnerships. A number of ministers have openly declared that they would want to be nominated to solemnise same-sex marriages.

How would you characterise your views on putting belief celebrants on the same footing as religious celebrants?

From a legal point of view, I don't think we can have any objections. It is an expression of religious freedom, which we support.

How would you characterise your views on the arrangements for authorising celebrants to solemnise opposite sex and same sex marriage (including the opt-in procedures)?

In support

The arrangements do continue a level of discrimination against same-sex marriage, which should be acknowledged, because of the opt-in procedures, which could be seen as cumbersome (with two systems of prescription and nomination for different 'brands' of marriage), and there may need to be some emphasis of a full equality of status in law to compensate for this bureaucratic discrimination, but we would accept that this is part of the extreme measures which are being taken to ensure that there is no compulsion upon faith bodies or individuals to act against their conscience. There is no cause for objection on the part of those opposed to equal marriage.

How would you characterise your views on civil partnerships changing to marriages?

In support

From a pastoral point of view, it must be acknowledged that people of faith who are already living in civil partnerships often regard and refer to their relationships as marriages, thus this would be a matter of the law catching up. It is wise and welcome that the date of the 'marriage' will be regarded as being that of the original civil partnership. But of course, no compulsion should be involved here.

How would you characterise your views on allowing civil marriage ceremonies to take place anywhere, other than religious premises, agreed between the couple and registrar?

In support

We already solemnise marriages in locations agreed by the celebrant and the couple. Maybe there might be more support for the discretion of the celebrant, though!

How would you characterise your views on allowing the religious and belief registration of civil partnerships?

Neither

Given the above comments, we could find no reason to oppose this development of the law.

How would you characterise your views on allowing transgender persons to stay married when obtaining a full Gender Recognition Certificate, which provides legal recognition in the acquired gender?

In support

We firmly support this compassionate measure.

Would you like to comment on the wider issue of protections for those in society who may have concerns about same sex marriage?

These protections as so far described and planned, seem more than adequate. What protection is envisaged for those who, in conscience wish to solemnise same-sex marriages, under pressure from those opposed?

Would you like to comment on the wider issue of freedom of speech?

Freedom of speech here is more than safeguarded, leaning heavily in the direction of the protection of those opposed to same-sex marriage. Maybe it needs to be made clear that homophobia as such (discrimination without compelling religious or philosophical grounds) is completely unacceptable.

Would you like to comment on any other wider issues in relation to the Bill that are not mentioned above?

Are you responding as...

a celebrant a faith/belief-based organisation a private individual

Rev David J M Coleman

10 July 2013