

Scotland votes for same sex marriage



MSPs applauded after plans to allow same-sex marriages passed by 105 votes to 18
Scotland is set to stage its first gay weddings later this year after a “momentous day for equality” saw new laws passed at Holyrood this week.

SUMMARY

The subject has been one of the most bitterly fought in the Scottish Parliament’s 15-year history, with widespread opposition among religious groups who fear it will undermine marriage and traditional values.

Gay and lesbian couples are allowed to marry in sixteen countries around the world.

That includes England & Wales where the first same-sex weddings are due to take place at the end of March.

In Scotland, the government says it wants ceremonies to become available "as soon as possible".

The BBC understands that it will be October - at the earliest - before this happens.

By the end of 2014, Northern Ireland is expected to be the only part of the UK that does not allow same-sex marriage.

Critics fear the Scottish legislation could lead to those with a traditional view of marriage facing discrimination.

But the Scottish government insists that freedom of expression is fully protected.

It has yet to decide whether or not to open civil partnerships to mixed sex couples.

NEWS REPORTS

Scotland's same-sex marriage bill is passed

The Scottish Parliament voted to legalise same sex marriage, making it the 17th country in the world to do so.

Key measures in the Scottish government's bill include:

- Religious and belief bodies opt in to perform same-sex marriage.
- Civil marriage ceremonies can take place anywhere agreed by the registrar and the couple, other than religious premises.
- Celebrants who are part of an organisation which has not opted in would not be allowed to conduct same-sex marriages.
- Individual celebrants who felt it would go against their faith to carry out same-sex weddings would be protected.
- Establishing belief ceremonies, such as humanist ceremonies as a "third form of marriage", alongside religious and civil events.
- Authorising Church of Scotland deacons to solemnise opposite sex marriage.
- Possible tests for religious and belief bodies to meet when solemnising marriages or registering civil partnerships, in light of increasing concerns over sham and forced marriages.
- Introducing religious and belief ceremonies to register civil partnerships.
- Allowing transgender people to stay married, rather than having to get divorced, when obtaining a Gender Recognition Certificate.
- Provision making it clear that the introduction of same-sex marriage has no impact on existing rights to freedom of speech and that it is possible to oppose same-sex marriage "without being homophobic".
- Amended guidance on the teaching of the issue in schools.
- And an intention to recognise same-sex marriages registered elsewhere in the UK and overseas.

The Marriage and Civil Partnership (Scotland) Bill passed easily with 105 votes in favour and 18 against. There were no abstentions

The bill's primary proponent, Cabinet Secretary for Health and Wellbeing Alex Neil, said: "Today is a momentous day for the history of equality in our nation."

He said the law would make it clear that the country was: "A Scotland where we all believe in 'live and let live'."

MSP Jim Eadie described the law as a "decision that Scotland can rightly be proud of".

Scottish LGBT advocacy group, the Equality Network, said the vote was "a milestone for LGBT equality in Scotland".

The supporters of the bill often defined equality in a very binary form, with MSP Jackie Baillie saying "we don't pick and mix, we either have equality or we do not".

Dissenting MSPs pointed to the possibility of abuse and potential discrimination against religious groups, as well as those who oppose same-sex marriage on principle.

The bill's supporters made repeated assurances during debate of the opt-in nature of the law for religious organisations, promising that free speech was protected and that no religious body would be compelled to conduct same-sex weddings.

"There are robust protections for religious bodies," said Mr Neil.

However Mr Neil also said: "The bill does not include a specific opt out for civil registrars."

Some MSPs took an aggressive view towards those who opposed the bill, with MSP Patrick Harvie questioning whether opposition to gay marriage was a necessarily homophobic opinion.

Highland MSP John Finnie equated opposing gay marriage to religious groups who throw goats off towers to their death.

MSP Mary Fee also made claims that the Bible should not be used to attack same-sex marriage because the "Bible also supports slavery", and prohibits cutting hair.

Despite the fact that several MSPs acknowledged the fact that feedback to the public consultation was overwhelmingly negative against allowing same sex marriage, the views expressed in Parliament were overwhelmingly positive.

MSP Jackie Baillie claimed that support for the bill was equal across religious and social backgrounds, and stated that gay marriage was supported by 50% of Presbyterians, 66% of those in deprived backgrounds, and 63% of those in the most affluent communities.

A number of amendments to the bill designed to protect the Church and other religious institutions from potential legal action or discrimination were all rejected.

This included amendments to confirm "respect for the view that marriage can only be between one man and one woman", a protection for the possibility of adoption decisions being denied for those who oppose same-sex marriage, protections for those who might suffer discrimination on the basis of beliefs, and protections for charitable status for organisations that do not support same-sex marriage.

Many supporting MSPs however argued that it was not possible to provide specific legal defence for the view that marriage is something only between a man and woman as it would mean that other beliefs would also need to receive protection, such as opposition to divorce.

The Parliament also rejected possible amendments to provide a review of the legislation in five years.

Questioning the need for such a provision, and dismissing the possibility of serious negative unintended consequences, Mr Neil said: "If we turn out to be wrong, which would be highly unlikely in this matter, we would bring forward corrective legislation."

MSP Richard Lyle said of those who opposed the bill that "they are not bigots, they are fearful", referring to potential discrimination based on a negative opinion of same-sex marriage.

MSP John Mason, who proposed many of the amendments that would have provided extra protections said: "The Scottish Parliament should send a signal that intolerance of those who disagree with gay marriage will itself not be tolerated.

"Will Christians be squeezed out of working in the public sector? We are not sure," he said, as he pointed to the problems faced by religious registrars in England, where same-sex marriage was legalised last year.

MSP Richard Lyle highlighted the example of one Gordon Wilson, who was voted off the committee of his Citizens Advice Bureau for his opposition to gay marriage.

The case of Gary McFarlane, the relationships councillor who lost his job for saying he would not in conscience be able to provide sex therapy to same-sex couples, was also brought up in the debate. He was sacked by his employer, Relate, and lost his appeal against the dismissal.

In a statement, the Church of Scotland raised similar concerns about protections for those who do not support gay marriage.

"We are also concerned that public servants, particularly registrars and teachers, who do not support same sex marriage, may find themselves disadvantaged in the workplace," it said.

MSP Alex Johnstone dissented from the general view in Parliament, questioning the lack of support for further safeguards. "It remains a concern that there will be an ongoing effect. [Same-sex marriage law] changes many things we will not be able to predict."

Mr Johnstone also pointed out that the lack of protection for charitable status could be dangerous, pointing to the case of the Catholic charity St Margaret's Adoption and



Family Care Society, which almost lost its charitable status for refusing to place children with same-sex couples.

While the charity has managed to hold onto its charitable status, the case cost several thousand pounds. Mr Johnstone argued: "A small church or a small charity cannot possibly afford the legal costs to battle this issue."

MSP Margaret Mitchell said she was disappointed that none of the amendments had been accepted.

"This bill will elevate the views of one group of society over another," she said.

Mr Neil dismissed suggestions that Parliament had not listened to dissenting views, saying: "No bill in this Parliament has had more consultation than this one."

The first same-sex marriages are expected to take place later this year after the Scottish Government pledged to speed up the implementation of the bill. Members of the Scottish parliament have voted to legalize gay marriage, after several attempts to introduce protection for religious celebrants who opposed the new law were rejected.

NEWS SOURCES

<http://www.scotsman.com/news/politics/top-stories/same-sex-marriage-msps-pass-gay-marriage-bill-1-3293300>

<http://www.thetimes.co.uk/tto/news/uk/scotland/article3995915.ece>

<http://www.theguardian.com/society/2014/feb/04/scottish-parliament-vote-legalise-gay-marriage>

<http://www.bbc.co.uk/news/uk-scotland-scotland-politics-25960225>

EVANGELICAL ALLIANCE RESPONSE

The passing of the Marriage and Civil Partnership (Scotland) Bill today is a blow for society as we know it, as it will result in inevitable

consequences that will forever change the landscape of the Scottish society in the years to come, according to the Evangelical Alliance, the largest and oldest body representing more than 750 Christian organisations and two million evangelical Christians across 79 denominations and 3,500 churches in the UK.

"Marriage and the family are the bedrock of society and we should be celebrating and encouraging them, but this legislation does neither. It has redefined marriage into a fluid, gender-neutral institution defined by consumer demands and political expediency, and destroys the God-ordained nucleus for a well functioning society," said Fred Drummond, director of Evangelical Alliance Scotland.

"Marriage has now been effectively privatised to privilege adult choice and the changes have stripped husband and wife of their obvious meaning. At a time in Scotland when we are considering what kind of nation we want to live in, this legislation sends all the wrong signals about the place of marriage and family in modern day Scotland.

"As Christians working in communities across Scotland we will continue to support the true meaning of marriage, as the voluntary union of one man and one woman for life, and the fundamental building block that is for the good of the whole of Scottish society," he added.

Dr Dave Landrum, director of advocacy at the Evangelical Alliance, said that now that the politicians have failed society in this respect, it is up to the Church to model marriage to a society which has forgotten what it is.

"With this state redefinition of marriage we can be sure that Christians and others will face many legal and cultural challenges in coming years. Even so, the new legal context also gives us an opportunity and a responsibility to model and preach what



marriage really is.

"Although the law has changed, real marriage is and will always be exclusively a lifelong union between a man and woman. We can acknowledge the fact that the legal definition has changed but we should also understand that we do not need to approve of the legal fiction created.

"We also know that God is not fazed by this, and as Christians we should have confidence to speak and teach the truth with grace and love. And we should help each other sustain marriage as a covenant before God."

OTHER RESPONSES

Glasgow church leader welcomes 'historic' same-sex marriage vote **A senior church figure in Scotland has welcomed the passing of the Marriage and Civil Partnership Bill by 105 to 18 votes in Holyrood.**

The news came out as early evening news programmes were transmitting. It was promptly welcomed by Quakers in Scotland, the leader of the Iona Community, and the Very Rev Kelvin Holdsworth, Rector and Provost of the Cathedral Church of St Mary the Virgin, Glasgow, in the Scottish Episcopal Church.

Writing on his weblog, the leading Anglican priest declared: "Today is a great day. It is a day when things have changed forever.

"I used to campaign quite actively for gay rights in the church. Some time ago I came to the conclusion that the right thing to do was to throw my efforts into changing the law. I was right to do so. Though many who love me greatly were sympathetic, many of them told me I was mad and that it would never happen in my lifetime. It hasn't just happened in my lifetime. The possibility that I could marry has come in in time for there to be the possibility that I might one day benefit from it. That great legal change is now accomplished.

Now, today, a huge thing has happened. I can now get married, should someone want to have me. Inevitably, my view of marriage and relationships has been coloured by being formed in a world where I was excluded from the possibility. I never got to think or dream about what I'd wear, where it would be or who I would be standing next to. I never got to imagine being with someone through thick and thin, for good and for bad, 'til death us do part.

And I still can't imagine what it would be like to hear and feel the full acceptance and love of the world around me should I ever be able to stand at an altar and declare that I want to be with someone forever.

For some of the silences still remain. For the last three years I've been named on the Pink List as one of the most influential gay people in the UK.

Were I to achieve national recognition in any other area, I could probably expect my bishop and other leaders in the church to contact me privately, congratulate me publicly and the institution that I work for to be proud of me. Instead of that, at the moments when friends have been cheering me on as a national newspaper recognised some of what I've done, I've heard from the institution I work for that same silence that I know all too well.

However, I'm hopeful. I've seen the military change. I've seen the police change. I've seen newspapers change. I'm seeing schools change. And as it has happened, I've changed. I've become more of the person I really am. Like others who identify as gay or lesbian, I've become more whole.

<http://thurible.net/2014/02/04/marriage-civil-partnership-bill-passes/>

[Free Presbyterian submission *same-sex marriage* - Hebrides News](#)

Free Presbyterian *Church of Scotland* submission to the. *Scottish* Government Consultation on the Registration of Civil Partnerships and on *Same Sex Marriage*.

www.hebrides-news.com/free-presbyterian-submission-same-sex-marriag...

[Gay marriage in Scotland 'inevitable', Church ... - The Tablet - News](#)

The *Catholic Church* in *Scotland* has continued to lobby against *same-sex marriage* but its parliamentary officer believes that it is likely to be ...

www.thetablet.co.uk/.../gay-marriage-in-scotland-inevitable-church-warn...

[Churches' responses on *same-sex marriage* - Christians Together](#)

The following are responses from the Roman Catholic *Church* in *Scotland* and the *Church* of ... *Scottish* Government consultation on *same-sex marriage*.

www.christianstogether.net

<http://www.catholicnews.com/data/stories/cns/1400503.htm>