Name of petitioner
Richard Morris

Petition title
Adult Consensual Incestuous Relationships and Marriage

Petition summary
Calling on the Scottish Parliament to urge the Scottish Government to decriminalize incest between persons of legal age of consent, and grant people in adult consensual incestuous relationships (CIAO people) the same right to marry as all other consenting adults.

Action taken to resolve issues of concern before submitting the petition
I have written letters to several government officials in the United Kingdom about this matter to try and have the law reformed.

I wrote two petitions to the Scottish Parliament.

I wrote to the Head of the Anglican Church, her Majesty the Queen, and the Archbishop of Canturbury. And I wrote to the head of the BBC about a new documentary on this subject, to be a counter to the Stephen Fry's documentary about the persecution of gay people in Russia and several other countries.

I wrote to several university law professors who have written theses on this matter. They also argue for the decriminalization of ACI.

I have written a petition to the European Parliament, where already 11 of the 28 member countries have decriminalised ACI asking that the EU harmonise their legal systems so that CIAO people are free to move in all of those countries without fear of persecution and arrest, and for the law to allow CIAO marriage.

Petition background information
Essentially, I am writing this to the Members of the Scottish Parliament, to tell you all how wrong you are about us, how badly people like us are misunderstood, and how ignorance and prejudice are effecting our lives. I do this because although many respond to us with disgust and fear, I believe we are a valid and essential contribution towards understanding human sexuality. We are a small minority with much to offer, as members will soon see.

Furthermore, I have seen the devastation that prejudice and incestophobia have on peoples lives first hand. These laws are destroying lives, breaking up loving families, and creating a breeding ground for hate and fear to be perpetuated. In a free and democratic society, this is nothing short of intolerable, inexcusable, and unacceptable.
Democratic society, this is nothing short of intolerable, inexcusable, and unacceptable. When it boils down to it, the question is: do we believe in the principle of ‘equality for all’, or don’t we? Equality cannot be called equality unless it applies to ALL consenting adults, rather than just some, otherwise it is inaccurate and misleading to call it equality. It should be, in the modern world, safe to be unpopular. Love is love, and all expressions of love between consenting adults should be regarded as equal.

I have broken down this petition into multiple parts, that you may more easily digest the information without facing a run-on letter.

Arguments from Harm

It is often said, quite incorrectly, that incestuous relationships must necessarily cause harm. The usual forms that such arguments take are as follows:

- False conflation with paedophilia
- Preservation of the family unit
- Maintaining the integrity of the gene pool
- It is offensive to many people

Now, I will demonstrate that such arguments are either incorrect, or that there is one rule for incestuous people and one rule for everybody else.

False Conflation with Paedophilia

As should be obvious to anybody with functioning neurones, there is the world of difference between sexual activity between two consenting adults, and an adult forcing themselves on a child. Essentially, it is the difference between sex and statutory rape.

Offentimes in the media, when there is a story about incest, it often involves an adult who has forced him or herself onto a child. Now, this abhorrent behaviour would be equally abhorrent even if the adult and the child are unrelated. It is the paedophilia that is wrong, not the fact that they are related.

Conflating what two consenting adults who happen to be related do in bed, with these disgraceful and disgusting activities is extremely offensive and upsetting to us, as well as wholly inaccurate. To compare us to paedophiles who molest their own kids, as opposed to the kids next door, is akin to comparing the paedophile priest who molests his alter boys with the average gay man. Nobody would argue that because some paedophilia is same-sex molestation that it has anything to do with homosexuality...so why would somebody assume that same family molestation has something to do with incest? Seriously, this is the level of ignorance and stupidity we’re facing as a community. It’s got to stop.

Laws already exist to protect minors from sexual predation and grooming by adults. Presumably, this legislation also covers adults who are related to the child. There is no reason for double criminalization when doing so also criminalizes people who are harming nobody.

The appropriate solution would be to discard the laws against incest, and to significantly increase the penalties for child molestation and sexual abuse. This would act as a deterrent, and furthermore it would help to keep those who are a proven danger to youngsters off the streets for more substantial amounts of time. Just as importantly, it would prevent innocent people from being locked up simply for loving each other.

Preservation of the family unit

There is a perception that incestuous relationships somehow undermine the family unit. There are several flaws and inconsistencies within this argument which I am about to explain:

This does not apply at all to incestuous couples, some of which did not meet at all until they were adults. This is called Genetic Sexual Attraction, and around 50% of people who are reunited with their relatives whom they did not see since early childhood experience GSA feelings to some degree, although not all of them act upon it. These people already have an adoptive or foster family who function as a traditional family, their biological family are therefore essentially strangers who they just met. In this
their biological family are therefore essentially strangers who they just met. In this regard, GSA couples have more in common with regulars than you might imagine.

In the instance of non-GSA couples, which are incest couples who were never separated and reunited, these couples build their romance on top of the existing family relationship. It is not the confusion of roles and types of love that you imagine. If anything, this serves to strengthen the family bond, not weaken it.

In the instance of relationship breakdown, there are a variety of outcomes which mirror their regular counterparts. The couple will either break up and leave the family relationship intact, or break up and go their separate ways. This, much like with exogamous relationships, depend upon the reasons for the breakup and the people involved. I may add here, that in my personal observation over the years, the majority of breakups have been down to the stress of having to keep a secret, coupled with unnecessary guilt induced by internalized societal prejudice.

I must also note, that even if it were true that incest destabilizes the family unit, there are many things which do the exact same thing which are not illegal. For instance, nobody is trying to outlaw divorce or adultery. These can destabilize a family unit quite easily, but it is left to the individual to decide for themselves, the state does not regulate these things, and nor should it. The same, therefore, should be true of incest.

Current legislation may break apart existing and functional family units. For instance, if two persons enter a relationship who are related, and they have children from previous marriages (or even their own biological children), how does it serve family cohesion to split this couple up and remove the children from what is a loving home? It doesn’t. The same rule should apply to incest couples that apply to everyone else: all children must be provided with a stable, supportive and loving home environment, in which they can thrive and become the happy, healthy and productive members of society that they should be.

The traditional family unit is not erased from existence by acknowledging our existence and accepting us. Exogamy will still be the norm, it is not as if half the population will suddenly turn incestuous if the laws against it are lifted. No, this only appeals to a small percentage of the population. This same asinine argument was raised with regards to homosexuality, and yet accepting gay marriage has not resulted in the downfall of traditional marriages, nor has it resulted in vast swathes of the population turning gay. So if you can, take a lesson from modern history, and do not repeat the same mistakes in considering this petition.

The preservation of the gene pool

This argument is one of the most common, but also one of the most inconsistent. We do not deny in any way that incest does increase the risk of a child being born with some congenital abnormality. You may believe that it is necessary to prevent all instances of preventable abnormalities. HOWEVER, consider this:

- Would you tell somebody with an inheritable illness that they are not allowed to have a relationship in case they get pregnant (or get somebody pregnant)?
- Would you insist that all pregnancies in which an abnormality is detected should be aborted?
- Would you outlaw sex for women who are pre-menopausal but over 40?
- Would you outlaw sex for drug or alcohol addicts?
- Would you insist that everyone take a genetic test before having sex in case their genes are incompatible?

I'd wager that the answer to the above questions is no. You would not interfere ordinarily with the personal and sexual lives of the population. Such things are rightly and widely recognized as unnecessarily intrusive, and against human rights.

For a start, having intercourse and producing a baby are two very different things. It does not even apply to homosexual incest for a start, for obvious reasons. However, contraception is widely available, cheap (sometimes even free), reliable, and safe for use by heterosexuals who do not wish to procreate.

The risks of abnormalities in some of the groups I have mentioned, are the same as, or
even greater than the risks for incestuous procreation. So singling out and persecuting
incestuous couples is discriminatory, unnecessary, and creating the very double
standard I have mentioned.
In short, we are being denied our human rights. Surely you can see this now? It
should not take an Einstein to figure it out.

*It is offensive to many people*

There are a great many things to be offended about in our world, but the real question
is: should people be protected from offence? Does any person in the world have the
right not to encounter things that may offend? I would argue no. Here is the reason
why; People often have differing views on a variety of things. They may be political,
religious, economic, and yes, views also differ on human sexuality. Somebody at some
point is going to be offended by any given viewpoint or way of being, that is inevitable.

Would it be acceptable to ban a political party because somebody takes exception to
it? Would it be okay to ban a religion because a lot of people hated it? Would it be
okay to ban political parties which believe in capitalism, socialism, communism, or even
anarchism just because somebody complained? Of course not. People vote with their
feet on what is popular and what isn’t. Likewise, it is not wise to ban an expression of
human sexuality just because a lot of people just don’t get it, fear it, or hate it.

Homophobes still exist, but do we cave into them and let them deny homosexual
persons their full equal rights? No, of course we don’t, we let them know that their
intolerant attitude is not tolerated. I am suggesting that the same should apply to us.

People have every right to feel offended by our existence, just as we have every right
to exist. Such is the nature of human life, we are not all the same and the inherent
differences within different communities must be accepted and respected, even if not
necessarily agreed with.

All in all, none of these reasons supply sufficient basis for outlawing incest.

**Arguments from morality**

Now here is where the waters get even more murky, and much necessary questions
must be raised with regards to how exactly we define morality, and whether indeed the
law has a role to play in that. With regards to consensual adult incest, there are a few
schools of thought which would like to outline for you:

- Should incest be illegal on the basis that it is against religion?
- Should incest be illegal on the basis that its against nature (supposedly)?
- Should incest be illegal on the basis that it may set a bad example to future
generations?

**Religious arguments**

Religion is often seen by some people as the arbiter of right and wrong. Many people
use their faith as a guideline in life, a rudder to steer them in generally the right
direction. For the most part, it appears to fulfil this purpose. However, we must
remember that Scotland is a DEMOCRACY, not a THEOCRACY. Huge difference right
there. Of course the state should accommodate the private practice of religion and not
interfere with religion. HOWEVER, nor should religion be influencing the state.

Therefore, to say that incest should be illegal because it is against ones religion would
be to attempt to impose a theocracy.

The state would, for instance, never seek to ban the sale of pork because it is against
Jewish and Islamic law to consume it, nor would it ban the banks from charging interest
on loans despite usury being prohibited by all three Abrahamic faiths. We do not ban
Halloween because it’s a pagan holiday and not a traditional Christian festival. Why?
Because we live in a multifaith democracy where all views are respected, and we live
under ONE law.

So, how do we choose our laws? We appeal to secular thought, and in general the
rule is that there should be a good reason for prohibiting something before it becomes
against the law. For instance, there is a good reason for prohibiting murder, therefore
deliberately taking a life is illegal. However, when it comes to incest, the reason
appears to be disgust, not religion that is involved. Religion is not, and should not be the reason for any act of legislation. Rather, in modern society it is a smokescreen to disguise the real reason: disgust and discomfort with the idea.

Nature arguments

It is often said that incest is 'against nature' because 'animals avoid it'? Really? You sure about that? 100% of the time, wild and domesticated animals never mate within their bloodline? The truth is far more complex, MOST animals have a small percentage of their population who mate with a close relative. It is never a significant proportion of the population, nevertheless, it exists. For this reason, it cannot be said that incest is unnatural. On the contrary, it exists in nature, and are we as human beings not a part of nature?

Furthermore, EVEN IF IT WERE TRUE that it's unnatural, I may point out that we daily enjoy things which are not natural. Our electronic devices, our cars, even our pre-packaged and chemical laden foodstuffs. In the face of that reality, 'unnaturalness' cannot possibly be used as a valid reason for making incest illegal.

Bad example arguments

Quite naturally, we human beings worry about the precedent we set for future generations. What examples do we set for them to follow? What values are we handing down? These things matter a great deal to be sure. Nobody likes to think that society is going to encourage or allow something which is harmful becoming the norm.

People raised these exact same concerns with regards to the legalization of homosexuality. It has not lead to mass debauchery, rather it has lead to a greater understanding of the human experience of love.

I would ask you how would a bad example be set by allowing two consenting adults who love each other but happen to be related settle down and get married? How is that in any way negative? It is no different from any other couple!

http://www.parliament.scot/GettingInvolved/Petitions/CIAORelationshipsMarriage

The following articles support the arguments made in my petition—


Bergelson, Vera. (2013). Vice is Nice But Incest is Best: The Problem of a Moral Taboo. Criminal Law and Philosophy. 7. 10.1007/s11572-012-9158-9. Available online at: https://www.researchgate.net/publication/257695702_Vice_is_Nice_But_Incest_is_Best_The

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NO
| **How many signatures have you collected so far?** | 0 |
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