Question 4: How would you characterise your views on the Bill in general?

I am writing to request you actively consider safeguards in drafting of the ‘Marriage and Civil Partnership (Scotland) Bill’, particularly in regard to those who hold a traditional view of marriage as being that between a man and a woman.

Question 5: How would you characterise your views on the introduction of same sex marriage so that same sex couples can marry each other?

Marriage has been long established as between a man and a woman with encouragement and care being given naturally to the children within such a family. Marriage between a man and a woman in this form has stood for centuries. Changing its meaning after so long is a majorly radical step too far. Children should have the right to be in a family with two parents as a male and female role model.

Dismantling the traditional view of marriage as between a man and a woman only could lead to a three way relationship or other combinations being recognised. The legal definition should not be left so loose that such a variety of combinations in marriage becomes allowable.

Question 12: Would you like to comment on the wider issues for protections for those in society who may have concerns about same sex marriage?

My concern is for those celebrants (currently allowed to marry couples) who hold a view that same sex marriage is wrong will be compelled to marry same sex couples by being sued or by their right being withdrawn as a celebrant, who can marry couples.

Similarly teachers should be allowed to express their view on same sex marriage as a matter of conscience. They are likely to be gagged from expressing any view in fear of losing their job. If an atheist teacher is not compelled to teach religious education on the grounds of conscience, or lack of belief, surely a Christian teacher, holding a traditional view of marriage, should not be debarred from expressing his or her view on the grounds of their conscience and their beliefs.

Such a stance could extend to those charities who also hold a similar view with their charitable status being withdrawn. Much good is done by very many of these charities. It could become ‘publicly myopic’ in the sense that these charities have to accede to a view on same sex marriage that leads to a whole raft of good charitable work being positively discouraged. Effectively through the new legislation's drafting insufficient room will have been allowed for conscience in these matters. Grants may then be withdrawn where they once were given freely, thereby failing to recognise and support the good work being done by them in society.

Those working in the public sector, who express a similar view in favour of marriage as defined between a man and a woman, may find they are gagged or, if they express a view in good conscience, they could suffer by losing their jobs. This may even be extended to those individuals in private sector companies who conduct work for government or local government in that they find they are similarly restricted or threatened with dismissal.

Parents similarly who hold a view that marriage should be between a man and a woman should be allowed to uphold this view as a family, if necessary by being permitted to withdraw their children from a class in school.
Question 13: Would you like to comment on the wider issue of freedom of speech?

In a democratic society, there should be protections for freedom of speech. Religion and belief should be properly protected under equal equality law.

To express a view in public which supports a traditional view of marriage, as that between a man and a woman, should not lead to that person being in fear of being sued. Drafting of the legislation on same sex relationships should not open the door to a situation where a climate of fear comes in to play where to express a view publicly could lead to public vilification or to being sued in the courts.

Dr. Nigel R Mansfield
23 August 2013