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

In opposition

Overall, Mothers' Union in Scotland is not in favour of this Bill and the redefinition of marriage. However, we welcome the 'opt in' approach for religious and belief bodies, and their celebrants, in solemnising same sex marriages. We also welcome the provision for same sex couples to divorce on the grounds of adultery as the exclusion of this would have been a significant inequality. However, we note the inconsistency of equality in maintaining civil partnerships for same sex couples only. We also maintain concerns about the implications of this Bill on the freedom to express the view that marriage is inherently between a man and a woman and believe this will be eroded over time.

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

In opposition

Overall, Mothers' Union in Scotland is not in favour of the introduction of same sex marriage. Whilst some members welcome the opportunity for all couples to be able make their relationship a legally recognised lifelong commitment, most of our members believe that marriage is inextricably between a man and a woman and that a different word should be used for same sex couples. Many members feel that civil partnerships offer same sex couples the same legal rights, protections and significance of commitment as marriage does for opposite sex couples and that therefore marriage does not need to be redefined.

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

In support

Mothers' Union welcomes the opportunity for those of non-religious beliefs to have their marriage solemnised in a ceremony meaningful to them and hope that such ceremonies will support and encourage these couples. However, we are keen that there is clarity and guidance on the interpretation of 'belief' body to help ensure that bodies aren't formed or celebrants authorised for the purposes of solemnising 'sham' or forced marriages.

7. 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)?

Neither in support or opposition

Mothers' Union is very supportive of the opt in approach and we believe it is essential to maintain this in order to allow religious and belief bodies to solemnise marriages in accordance with their own doctrine. The regulations need to be clear and directive enough to protect individual celebrants who do not wish to solemnise same sex marriages whilst
their governing body has chosen to do so; and we are interested in the effect this may have on recruitment requirements in years to come.

8. How would you characterise your views on civil partnerships changing to marriage?

Neither in support or opposition

We would query why a same sex marriage converted from a civil partnership should be treated as marriage from the day the couple formed the civil partnership. There may be couples who wish for their civil partnership to be recognised and not deleted from history, and for their marriage to begin on the day of the wedding ceremony. We wonder if this suggests the Government is placing a higher importance on same sex marriage than on civil partnership.

9. 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

 Mothers’ Union members in Scotland are, on the whole, content with the proposals on allowing civil ceremonies to take place at a venue of the couple’s choosing. This is especially welcome in cases where a couple would otherwise have been put off getting married. Again, we hope guidance on appropriate venues will ensure that the solemnity of marriage is recognised and that ‘sham’ or forced marriages are prevented from taking place.

We feel there may also need to be clarification on whether those who own (non-religious) premises in which marriages are solemnised will be required to also permit same sex weddings, and whether failing to do so would be unlawful.

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

Neither in support or opposition

 Mothers’ Union members in Scotland share a diverse range of feelings about the religious and belief registration of civil partnerships, with some viewing it as akin to a marriage blessing in a church of a marriage solemnised elsewhere; and others believing it to be inappropriate to register civil partnerships on religious premises. Again, we very much welcome the opt in approach and believe this should remain integral to the Bill.

11. 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?

Neither in support or opposition

 We have no specific comment on those undergoing gender reassignments in connection to marriage. However, there needs to be greater clarity in the wording of the Bill in relation to gender reassignment and civil partnership to prevent any ambiguity - for example “The
continuity of a protected Scottish civil partnership is not affected by the issuing of full gender recognition certificates to both civil partners" does not specifically state that a civil partnership WILL be affected if only one partner is gender reassigned. There also needs to be clear reference to the legal consequences of both parties failing to obtain gender recognition certificates in this instance.

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

Mothers’ Union welcomes the clauses in the Bill that offer protection to freedom of thought, conscience, religion and expression. However, we do have concerns that in practice the freedom to exercise the belief and express the view that marriage is between man and woman only will be limited. As the public and political narrative on marriage changes, it is likely that individuals and organisations who hold to the current definition of marriage will face pressure and challenges to either withhold or change their views; and we are concerned that this may become coercive, for example through employment dismissal, withdrawal of organisational funding or legal action.

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

Many Mothers’ Union members commented on the importance of being responsible with freedom of speech and highlight the importance for all to consider the impact of their words on others in relation to the issue of same sex marriage. Whilst we strongly oppose homophobic speech, we are concerned at what point it might be considered homophobic or even a hate crime to express the belief that marriage is inherently between a man and a woman. This has important implications for places of worship, the workplace, schools, the media and many other public spaces.

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

A group of Mothers’ Union member in Scotland made the comment that they were "unhappy about any kind of compulsion for registrars, in situ, whose job description has effectively changed by introducing a new meaning for the word 'marriage'." Another member commented on the importance for faith groups to remember the tenets of their faith that encourage love and fair treatment of others.

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