

ECHR ruling exposes the GEO's SSM proposals as unworkable

Written by J. B. Waddell
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In the recently published Government Equalities Office (GEO) document 'Equal Civil Marriage: a consultation', the government states in the Executive Summary (p3):

*"1.7 We have listened to those religious organisations that raised concerns about the redefinition of religious marriage. We are aware that some religious organisations that solemnize marriages through a religious ceremony believe that marriage can only be between a man and a woman. That is why this consultation is limited to consideration of civil marriage and makes no proposals to change the way that religious marriages are solemnized. **It will not be legally possible under these proposals for religious organisations to solemnize religious marriages for same-sex couples.***

There will therefore be no obligation or requirement for religious organisations or ministers of religion to do this.

It will also not be possible for a same-sex couple to have a civil marriage ceremony on religious premises. Marriages of any sort on religious premises would still only be legally possible between a man and a woman

."

(Emphasis added)

So the government is trying to steer a path between religious marriages on religious premises for heterosexual couples and civil marriages for same sex couples, but not on religious premises. The document avoids all the social, cultural and family implications of equating the term marriage to cover Same Sex Marriage (SSM) and concedes that the GEO are clueless on how a SSM will be consummated, same-sex-consummation (SSC), and same-sex-adultery (SSA) will apply in law.

"2.16 Specifically, non-consummation and adultery are currently concepts that are defined in case law and apply only to marriage law, not civil partnership law. However, with the removal of the ban on same-sex couples having a civil marriage, these concepts will apply equally to same-sex and opposite-sex couples and case law may need to develop, over time, a definition as to what constitutes same-sex consummation and same-sex adultery. "(p10)

The [Daily Mail \(20 March 2012\)](#) now reports that the European Court of Human Rights has ruled that same-sex marriages are not a human right.

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Their decision shreds the claim by ministers that gay marriage is a universal human right and that same-sex couples have a right to marry because their mutual commitment is just as strong as that of husbands and wives.

The ruling was made by judges of the European Court of Human Rights in Strasbourg following a case involving a lesbian couple in a civil partnership who complained the French courts would not allow them to adopt a child as a couple.

In [The Telegraph \(22 March 2012\)](#) more detail is given. *The judges in Strasbourg said: "The European Convention on Human Rights does not require member states' governments to grant same-sex couples access to marriage."*

"With regard to married couples, the court considers that in view of the social, personal, and legal consequences of marriage, the applicants' legal situation could not be said to be comparable to that of married couples," the judges added.

*On the issue of gay unions, the judges said: "Where national legislation recognises registered partnerships between same sex, **member states should aim to ensure that their legal status and their rights and obligations are equivalent to those of heterosexual couples in a similar situation.**"*

The ruling is likely to have an impact on David Cameron's drive to allow gay marriages.

So how will the government implement its new proposed legislation and not allow SSM (civil marriages) to be undertaken on religious premises?

The whole concept of SSM is anathema to true Christians and revolting to many unbelievers. The GEO's SSM proposals should be abandoned as unworkable, socially divisive, discriminatory to religious people, offers no benefits to the vast majority of the population who are heterosexual and is one of the best examples of an equality oxymoron.