

ARCHDIOCESE OF GLASGOW



ACT OF SETTLEMENT ARTICLE BY CARDINAL THOMAS J. WINNING FOR THE SCOTTISH CATHOLIC OBSERVER

Scotland's Catholic community has come a long way from the days when employers put up the sign "Catholics need not apply" in the window.

Of course pockets of bigotry remain. One letter I received recently proclaimed loudly "We will never surrender our faith to Rome" and went on to warn darkly of "a bloodbath the like of which this land has never seen".

Given that such depth of enmity remains in some hearts and minds, I do not go as far as to say that the age of anti-Catholic bigotry is dead. Nevertheless I am reasonably hopeful that over the next decade or two, the question "which school did you go to?" will be seen as increasingly irrelevant at job interviews.

Yet, while day to day life improves for Scotland's Catholics, an irritant remains.

I would put it no stronger than that, yet it is an irritant which irks insofar as it institutionally discriminates against Catholics as such.

I refer, of course to the Act of Settlement.

It was former Scottish Secretary, Michael Forsyth, who best described the 300 year old legislation as "the grubby little secret of the British Constitution."

The act, passed by the narrowest of margins 300 years ago and absorbed into Scots Law under the Act of Union contains words of bigotry directed against those of the "Popish" persuasion, which would make all but the most intransigent of bigots blush with shame.

Yet three centuries on, the act remains on the statute book, untouched and almost forgotten had it not been for the determination of a group of parliamentarians from all parties to push for change. Among the heroes of the day on this issue special mention must be made of Lord James Douglas Hamilton who has made this something of a personal crusade.

In fact the whole Scottish Parliament showed an admirable sensitivity and unanimity on the issue when every single MSP who voted, came down against the offensive elements of the act in a vote last year.

Official responses to these MSPs concerns have fallen into one of three categories.

First there was the "not a current priority" reply.

Then came the "it's all unbearably complex and thus not worth the bother of amending" reply.

And finally what might be best summed up as the "tea and sympathy" response, using words of empathy and understanding in the hope that these would be an acceptable alternative to action.

The fact that these three approaches have failed is clear in the current renewed interest in the issue.

In the middle of this debate stands the Catholic Church. While it has never been the top priority for the Bishops of Scotland, nevertheless, Scottish Catholics would be almost universally in favour of change to omit the offensive articles.

I am on record many times for having called the act of settlement "an embarrassing anachronism," and pointed out that no person of good will could justify the terms of an act which discriminates against Catholics as such.

I would not want to see the Royal family embarrassed by a constitutional crisis emerging over Princes William or Harry's choice of marriage partner. Yet that is very possible unless something is done sooner rather than later.

That is why at the start of a new year, and an election year at that, I should like to ask the politicians to keep the issue in mind.

When I visited the Scottish Parliament last year for the time of reflection I was asked about the Act of Settlement. I said then, and I still believe: "We've put up with it for three hundred years, another short wait won't make much difference."

But how short will the wait be?

The question is whether there is enough of a will among politicians preparing their general election manifestos to include within them a commitment to repeal the "grubby little secret" which shames our nation.

Call me an optimist if you like, but I dare to hope they will have the courage and the wisdom to remove this badge of shame which does no credit to our nation or its institutions.

