



## The Burning Bush - Online article archive

### **DUP ENDORSES THE VALIDATION OF HOMOSEXUALITY AS 'NORMAL SEXUAL ACTIVITY'!**

**Traditional Unionist Voice MLA, Jim Allister received no support whatever from any professing Christian in the Assembly and therefore his amendment to the Bill fell.**

I read with dismay the reports of the debate in Stormont on the Bill brought forward by the Executive to posthumously pardon sodomites convicted of violations of the law in the past.

I was particularly saddened that it would appear that Jim Allister, the Traditional Unionist Voice leader, was the only voice raised in opposition to this iniquitous proposal. The failure of Christians to stand with Mr Allister, and I am thinking of Free Presbyterians in particular, is heart-breaking for one who recalls the various statements and protests that the Presbytery of the Free Presbyterian Church issued in the past and of the witness borne within our Province and much wider afield to the condemnation of God upon this wickedness and the warnings of the dire consequences on any people or nation which embraced and endorsed this evil.

Through the efforts of the DUP in Stormont, that which God has repeatedly condemned and manifested His wrath against, has been legitimised and validated. Sodomy is now accepted by the DUP and all its members, including Free Presbyterians, through this decision which validates sodomy, thereby shaking a fist in God's face and wickedly defying Him and His holy Law.

When I issued the first edition of "The Burning Bush" back in 1970, I would never have believed the day would come when I should have to write such words!

**"Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter!" Isaiah 5:20.**

Here is an edited record of Mr Allister's speech in the Assembly yesterday with some paragraph headings in bold type which have been inserted.

**"That this Assembly endorses the principle of the extension to Northern Ireland of a number of provisions within the Policing and Crime Bill, by amendment at Lords Committee and Lords Report stage, in so far as they related to UK maritime enforcement powers; UK cross-jurisdictional arrest powers; anonymity for victims of forced marriage and pardons for convictions of certain abolished offences. — [Ms Sugden (The Minister of Justice).]**

Mr Allister: I beg to move the following amendment:

Leave out all after the second "powers;" and insert "and anonymity for victims of forced marriage."

(Mr Allister's amendment would have removed the reference to a pardon for sodomites. Sadly, when it came to forcing a vote on the issue, there was not a single MLA to stand with him and thus the proposal for 'gay pardons' passed.)

"In moving the amendment, as is clear from it, I am wholly supportive of the first three measures in the legislative consent motion but totally opposed to the fourth component. In essence, in addressing the issue, my opposition probably falls under three interrelated headings. First, there is the process deployed to get us to the point that we are at. Secondly, there is the principle involved in what we have been asked to do. Thirdly, there is the active discrimination involved in what we are being asked to do. As I work my way through those, I begin with the process.

The House needs to come to terms with the novelty of what we are doing today. Never in the history of this jurisdiction has legislation been used to give retrospective pardons. I say that on the strength of an answer from the Minister when I asked her to detail on how many occasions a pardon in legislation in Northern Ireland had been provided for in respect of obsolete criminal offences. The answer was very clear:



## The Burning Bush - Online article archive

"I am not aware of any statutory provision, in modern times, for a pardon for obsolete criminal offences."

What we are doing today, in granting a pardon for obsolete criminal offences, is without precedent, making it all the more remarkable that we have arrived at this rushed position without any consultation.

### **NO CONSULTATION**

The House and the Executive like to pretend that they are big on consultation and like to consider what public opinion and stakeholders have to say on an issue; indeed, if you go to the NI Direct website, you will read many platitudes about public consultation. It says:

"It is an important part of the policy-making process."

It goes on to say:

"running a consultation is not simply about more open government. It is about making policies more effective by listening and taking onboard the views of the public and interested groups."

Yet, here we are today with a totally novel proposition to grant pardons for obsolete criminal offences and there has not been one iota of consultation on the matter. Then we compound that by saying, "In fact, we are so unconcerned about the issue, we will pass over the legislative function to Westminster". We are so disinterested, we are not even going to consider it ourselves.

A legislative consent motion is and always should be a serious matter. It is the House saying to all and sundry, "We are passing up our opportunity to legislate about something and gifting it to Westminster". When you do that without even consulting on the issue, it is all the more stark. When you do it in respect of an anticipated clause in a Bill that was not even in the Bill when it was published, it gets even more ridiculous.

The process by which we got here — the rush to get here — is very informative. We have a Standing Order — Standing Order 42A — that says that there is a stipulated, prescribed process for passing and getting to the point of passing a legislative consent motion. It requires the laying of a legislative consent memorandum, and it requires that to be laid within 10 days of the clause it wants to activate becoming part of the Bill. In this case, it seems that the relevant clause only became part of the Bill on 9 November in the House of Lords, yet the legislative consent memorandum was issued on 7 November. Such was the haste and the rush, we could not even wait for our own processes on this issue. There are many reasons in terms of the process —

Mr Agnew: I thank the Member for giving way. He outlines a number of procedural reasons for him not to be happy with this proposal. If all manner of consultation had happened and all checks and balances had been gone through, would the Member support it?

Mr Allister: No, the Member would not. I make no secret of that, but I am legitimately entitled to object to the farce that the process has turned into. I would have liked a consultation. I would like to have heard what Mr Storey's Caleb Foundation said about the proposal. I would like to have heard what various Churches that many Members belong to and that still preach that homosexuality is a sin thought of the proposal. The elders of some of those Churches sit in the House. Certainly, I would like to have known what, in consultation, they thought of validating homosexuality by virtue of pardons. We are not to be, and maybe that is why, given that opportunity, because this is something that the powers that be in this House want to rush through.

### **NOT EVEN SEEN BY THE EXECUTIVE OR DUP MEMBERS!!!**

Indeed, this is a proposal that did not even come to the Executive. This proposal was activated by the First Minister and deputy First Minister signing it off under emergency procedures, and then the Executive were told it had been done. There was not even consultation within the Executive about this proposal. Indeed, there was not even consultation in the DUP about this proposal. The members were simply told, "This is it,



## The Burning Bush - Online article archive

suck it up". So, not only was there an absence of consultation with the public and with stakeholders. According to some press, the only stakeholder the Minister ever met on this issue was the LGBT community. No one else had the opportunity to bend her ear about the issue. So, I make fundamental objection to her coming to the House today with a proposition that has been rushed and which she is attempting to push through this House without due process, never mind an equality impact assessment or anything else. So, the process is, I suggest, flawed.

What about the principle? What about this notion that we as legislators in 2016 can rewrite the statute book retrospectively and can decide not what the law was in the 1920s, 1930s, 1940s, 1950s, 1960s or 1970s but what it should have been? My goodness, we as a House have difficulty enough, I think, legislating for 2016. The arrogance of it — that we are going to now decree what the law should have been 20, 30, 40 or 50 years ago. The principle is wrong. It is not for this House — it has never done this in the past, and there is good reason for that — to rewrite history. If something was a criminal offence, it was a criminal offence. For this House to think that it should impose its moral standards, or immoral standards, retrospectively is plain wrong.

### DUP REWRITES IT OWN HISTORY

Of course, for some, it is also a matter of rewriting their party history. For the DUP, it is a matter of rewriting the party history on Save Ulster from Sodomy. What we are involved in here today has all the appearance of some contrived, collective act of contrition whereby, in the words of the Minister, we will:

"right the wrongs of the past."

It is certainly a matter of what is right and what is wrong, but it is not for the Assembly to rewrite the statute book, because that is the effect of this pardon. It is to validate as non-criminal that which was criminal. To wish, pretend, sweep it away —

Ms Hanna: Will the Member give way?

Mr Allister: I will.

Ms Hanna: Like many others, I think, I see this as righting a wrong of the past. Does the Member think that those acts should still be illegal?

Mr Allister: That is not the issue. The issue is whether this House in 2016, in its arrogance, thinks that it can take it upon itself to rewrite the law of 40 years ago. It cannot, and it should not. The law was the law. If those who chose to break the law, knowing what the law was, paid a penalty, that was the law taking its course, whether they were homosexual or heterosexual. I will say more about that in a moment.

It is not for this House to impose its standards retrospectively, because the inescapable effect of pardoning posthumously and creating a path to pardon for those still alive is to validate that which was a crime and to say that it should never have been a crime. That is what the Minister is saying, but is it what everyone who is going to allow this through today is saying? Yes, on this side of the House, that is probably so, but what about those who were going to save Ulster from sodomy?

### CHRISTIANS VALIDATING SODOMY

Are they now validating sodomy? Are they now saying, "Let us rewrite that" or "Let us rub that out"? That is what you are doing the moment that you assent, either by acquiescence or active voting, to a pardon for this obsolete criminal offence. You can twist, turn or try to run away from it, but that is the reality.

Indeed, it has been put very specifically by the Minister in answer to another question for written answer that I tabled to her. She said — she has said it again today — that it is about addressing:

"historical wrongs suffered by gay and bisexual men who were criminalised over a long period for something



## The Burning Bush - Online article archive

that society regards today as normal sexual activity.”

Listen well: all who will endorse this pardon, by their silence or their vote, is accepting that homosexuality is a “normal sexual activity”. Many of their Churches teach that homosexuality is still a sin and that buggery is still wrong. That is the teaching that many of them have. This is the challenge to the House and to everyone as an individual with his or her own conscience. Are they prepared, by their inaction or action today, to embrace and endorse the validation of homosexuality as “normal sexual activity”? There is no ducking and there is no diving: that is the question. That is particularly the question for those who are ruling elders in certain Churches that still take that stand. Some will have sat in the pews yesterday of Churches that still teach that homosexuality is a sin. Will they sit on their hands today and validate the view that it is not, as some of them hide in their room, running away from the debate —

Ms Bradshaw: Will you take an intervention?

Mr Allister: In a moment. They are hiding in their room because they do not want to be faced with that. There will come a day — it will not be here — when they will account for all that they have said and done. I will give way.

Ms Bradshaw: Given everything that you have said, do you believe that the chemical castration of the war hero Alan Turing was a suitable punishment after his service to this country?

Mr Allister: No, I do not think that chemical castration was ever a suitable punishment, but that does not mean that the law should not have been as it was in terms of what was legal and what was illegal. Just as we cannot undo that, it is not for us, 50 or 60 years later, to proclaim sanctimoniously, from these Benches or elsewhere, that that is how the law should have been. Fellow Members, it is not for us to do that. The law was as it was, and it is not our responsibility. If it was wrong, it was the responsibility of those who made that law, not this House’s.

### **LEAVING OUR BELIEFS AT THE DOOR OF STORMONT**

What this is clearly all about is a fashionable pandering to a particular interest. It is now so fashionable to jump on board the LGBT bandwagon that you simply abandon all principles and leave your beliefs outside the door. I remember a debate not so long ago when Members on the DUP Benches told us how they could not and would not leave their beliefs outside the door. That is what they are going to do today, because they are not prepared to stand against the fashionable pandering to an interest.

That brings me to my third point. That fashionable pandering reeks of active discrimination, because it is only for homosexual crimes that we are embracing the idea of pardons. There are many heterosexuals who still, to this day, carry the stain, if you want, of being convicted of a criminal offence that is no longer a criminal offence, but no one is proffering pardons to them. As an afterthought, the Minister today said, “Oh, yes. We could look at that”. Let me make my position clear: I do not think that it is right to give pardons retrospectively for homosexuals or heterosexuals. The law was the law whatever it was, and if you chose to break the law, you chose to break the law, so I do not believe in rewriting history, but the discrimination involved here is self-evident.

In my time professionally I appeared for a number of 17- or 18-year-old men who maybe had consensual sexual relations with a 16-year-old girl. They committed the crime of unlawful carnal knowledge, and many were prosecuted for it. Today, having sexual relations with a 16-year-old girl is not a crime because the age of consent is now 16, but for decades in this Province it was 17. So, why is no one up on their indignant high horse saying, “What a shame. What a stain on our collective history that we must perform this act of collective contrition and give pardons to all the young men convicted of unlawful carnal knowledge when, today, it would not be a crime”. Is that not the hypocrisy of this situation? We are prepared to embrace the active discrimination that is wrapped up in this proposal; we only show interest in, concern for and act for the homosexual community, but, in our rush to get this through, we turn our backs and do nothing for the heterosexual community.



## The Burning Bush - Online article archive

There are parties in this House — the SDLP is one of them — that loudly proclaim their undying devotion to equality. Where is the equality here? It is absent. Yet, today, the SDLP will enthusiastically engage in this act of societal redemption.

Mr Agnew: I thank the Member for giving way. Will he not accept that there is a qualitative difference between the two points that he makes? A homosexual man was attracted solely to homosexual men and, therefore, was being outlawed effectively from having sex in a way that was natural to him, whereas, the example that you gave where the person had sex with a 16-year-old, their sexual attraction was not solely to 16-year-olds. They were not discriminated against by the state.

Mr Allister: They were discriminated against by the fact that the criminal law said that the act that they were engaging in was unlawful; that is the common denominator. That which the criminal law decreed as unlawful was unlawful in respect of heterosexual and homosexual offences. That is the common denominator.

What this really points up is the enthusiasm of this House to turn its back on that gross inequality. I make it plain again that I am not urging in that this House go through our statute book and offer pardons for every now obsolete offence. My goodness, where would you stop? It used to be an offence to be an incorrigible vagrant. An incorrigible rogue was the criminal offence. Some might think that it is a good job that it is not an offence now, but it used to be a criminal offence. Across the water, in recent years, they took 300 old criminal offences off the statute book, but they did not offer pardons.

They did not take it arrogantly upon themselves to rewrite the law. They said, "Those offences serve no purpose. Let's remove them". Our own Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 took away in this old House many old criminal offences but no one ever said that you must pardon those because they really never should have been offences. Why the difference today? Why are we so overrun and overwhelmed by this fashionable fad that we have to do something for the single community of LGBT? The attitude seems to be that we have to cleanse ourselves, but, for everyone else: tough. That is how the law was. You chose to break it: tough. That is how it should be for everyone, and this is a totally unnecessary and fruitless exercise that only exposes the inequality that this House is prepared to embrace as well as some embracing that which in their past they said was wrong but apparently today is going to be right.

Wind Up speech:-

Mr Allister: I do not, for one moment, question the sincerity of those who have spoken against my amendment; they have done so honestly and with integrity. In a way, I respect their contributions more than those who chose to have nothing to say about this subject. I will return to that in a moment.

(Mr Speaker in the Chair)

I will pick up on one of Mr Agnew's latter points. He said that there have been many wrongs in the past. The point I was making is that that may be right, but why is it that we are being selective in the pardoning process? Why is it that we are choosing only obsolete offences within the realm of sexual crimes committed by homosexuals? Why is it, indeed, that in the wider criminal calendar — he referred to witches; we had the Islandmagee witches, but there has been no pardon for them, so to speak — we are being so selective in deciding that we are going to push aside all the due process and rush forward with this single proposition relating to gay pardons and everything else does not matter? That is the message that this House is sending out. There are multiple obsolete offences in every sphere of the criminal law, but only one recommends itself to this House for retrospective pardon. That is the point that I am making. The selectivity of that is wrong; the discrimination of it is wrong. I illustrated that with the many heterosexual offences that have now become obsolete.

Mr Agnew: Will the Member give way?

Mr Allister: Yes, certainly.



## The Burning Bush - Online article archive

Mr Agnew: I come back to my previous point. He talks about heterosexual offences, but they were not by virtue of heterosexuality. This was discrimination against the whole homosexual community, and therein lies the difference. There is no law that has been repealed that discriminates against the whole heterosexual community in this way.

Mr Allister: With respect, the Member is wrong. The offences that I referred to were sex offences. Unlawful carnal knowledge with a 16-year-old, committed by heterosexuals, was a significant criminal offence that is now obsolete. Buggery committed by a homosexual has been chosen specially for pardon. Why? It is because, as I suggested, the fashionable fad is to be on that bandwagon. This House betrays its true intent by the fact that it has glossed over and rushed past all those other offences in order to get to the point of offering these pardons. That is the point about the principle of it being wrong.

We foolishly think that we can rewrite the law retrospectively and that we, the legislators of 2016, should take upon ourselves the burden of being the legislators of the 1950s or whenever. We have enough to do looking after 2016. Yet that is the purpose of this added amendment.

### **NO DUP SPEECH IN DEBATE**

I said that I respected those who disagreed with me, and I understand entirely the logic of their position. I indicated that I have more respect for them than those who have kept silent in the debate. We have not had a DUP speech in the debate. We had a speech by the Chairman of the Committee, but he did not at any point, as is normal, speak on behalf of his party. Why? Because his party does not want to have anything on the record about the matter. That is why. The party of "Save Ulster from Sodomy" does not want to have it on the record that it said anything about the matter, which is why it is so anxious that there should be no vote in the House on it. It is because of its embarrassment. The DUP has those in its ranks who carried the placards saying, "Save Ulster from Sodomy", and they know that the action that the House is taking is validating that very thing by saying that it was wrong for it to have been an offence. That is the inescapable import of the retrospective pardon. It is a collective, societal contrition for the fact that it was ever an offence. That, of course, embarrasses the party that is the DUP, because it was so lined up with that campaign.

### **NO CONSCIENCE ALLOWED BY DUP**

I am disappointed that the DUP's instruction to its Members is a three-line whip against the amendment. Of course, they are hoping that it will not come to a vote. They have been strangely silent on the issue — not so strangely but totally silent. This is the party that told us, properly, during the Asher's case what a shameful assault it was on freedom of conscience, yet, when it comes to this issue, its Members are not allowed to have a conscience, even though I know that there are those on those Benches who do not agree, they say, with the retrospective pardon. They are not allowed a conscience on it.

I must say to the Ulster Unionists that I have often heard Mike Nesbitt boast of the fact that his party takes pride in having free votes on issues of conscience. Not today. Mr Nesbitt too has Members who are unhappy about the matter, so where is the freedom of conscience?

Mr Nesbitt: Will the Member give way?

Mr Allister: Yes, certainly. Where is the freedom of conscience on that side of the House on the issue? Why is it being suppressed?

Mr Nesbitt: It is frankly close to outrageous for the Member to suggest that there has been any suppression of opinion in the Ulster Unionist Party. We debated the matter at length this morning and are treating it not as a moral issue but as a legal one. End of.

### **AN EVIL STRATAGEM**

Mr Allister: Not end of. What that means is that there is a party policy to vote against the amendment. Of



## The Burning Bush - Online article archive

course, both the Ulster Unionists and the DUP are hoping that there will be no vote. Some of them do not want the embarrassment of having to go through the No Lobby on the amendment, in favour of the retrospective gay pardon. They are hoping that Allister might shout out for his amendment but that no one else will, and that, even if he gets a Division, there will be no Teller. They can then go around the country and pretend and say, "There was no vote" and "Oh, we did not vote for that". That is the stratagem that is being deployed, particularly by the party that made a central plank of saving Ulster from sodomy. It is now going to validate that very thing.

As I said in my opening remarks, we are told that there are many in the ranks of the DUP who have a strong religious view and who are ruling elders in a Church that still proclaims homosexuality a sin and believes that buggery is wrong. Yet, today those elders like Mr Storey, Lord Morrow and Mr Tom Buchanan will sit on their hands, and, if it comes to it, put party before principle. Mr Buchanan, just a couple of years ago, addressing schoolchildren, was quoted in the 'Ulster Herald' as saying that homosexuality "isn't right" and is "an abomination". Which Mr Buchanan is here today? Where is he hiding? Where is Mr Storey hiding? Where is Lord Morrow hiding? Where are the others who sat in pews yesterday in a Church that still holds that homosexuality is a sin? That is the real challenge for those people. Are they going today to walk in their first ways like Jehoshaphat? Are they going to follow the fashionable crowd? Are they going to take the hard road or the easy road? Are they going to do what is right or what is wrong? Very soon we will know, Mr Speaker.

---

As we stated in an earlier article on the subject on 8th November, 2016: **"DUP members give a lead in defying God and His law!!!"**

"Under the legislation, posthumous pardons will be granted to all those convicted of relevant offences who have since died. Those still alive can make individual applications for similar pardons. "Pardon arrangements should be brought to Northern Ireland as soon as possible to ensure that there is equal treatment for gay and bisexual men here as for their counterparts in England and Wales," said Ms Sugden. She continued, "The provisions will allow for pardons in respect of convictions for abolished homosexual offences involving consensual activity with persons over the age of consent."

Ulster has awakened to a new spiritual world today. One in which sodomy is condoned and where its condemnation in the past, by men and God, has been declared wrong and wicked.

Saddest of all, Christians aided, by their cowardly silence and inactivity, the emergence of this new and depraved world.

### **A WORD FROM THE SAVIOUR**

A word from Christ that speaks to us all, especially those who have been enmeshed in this dreadful act is found in the last book of the Bible.

#### **Revelation 2:18-29**

18 And unto the angel of the church in Thyatira write; These things saith the Son of God, who hath his eyes like unto a flame of fire, and his feet are like fine brass;

19 I know thy works, and charity, and service, and faith, and thy patience, and thy works; and the last to be more than the first.

20 **Notwithstanding I have a few things against thee, because thou sufferest that woman Jezebel, which calleth herself a prophetess, to teach and to seduce my servants to commit fornication, and to eat things sacrificed unto idols.**

21 And I gave her space to repent of her fornication; and she repented not.



## The Burning Bush - Online article archive

22 Behold, I will cast her into a bed, and them that commit adultery with her into great tribulation, except they repent of their deeds.

23 And I will kill her children with death; and all the churches shall know that I am he which searcheth the reins and hearts: and I will give unto every one of you according to your works.

24 But unto you I say, and unto the rest in Thyatira, as many as have not this doctrine, and which have not known the depths of Satan, as they speak; I will put upon you none other burden.

25 But that which ye have already hold fast till I come.

26 And he that overcometh, and keepeth my works unto the end, to him will I give power over the nations:

27 And he shall rule them with a rod of iron; as the vessels of a potter shall they be broken to shivers: even as I received of my Father.

28 And I will give him the morning star.

29 He that hath an ear, let him hear what the Spirit saith unto the churches.

Ivan Foster.

November 29th, 2016.