

Answers to two questions on the Home Office Consultation Questionnaire on Marriage

My response to question one

Marriage requires consummation and encourages establishment of a family but abhors consanguinity. Same-sex couples may practice sexual intimacy but are biologically unable to procreate. Wishing for children, they must find alternatives: adoption, surrogacy, etc. So true marriage is not possible for two people of the same sex. The proposal will inevitably require either (a) two distinct forms of ceremony, or (b) changes to the marriage ceremony for everyone. Alternative (a) will not be sustainable, since equality pressure will outlaw it. Alternative (b) is undesirable for the majority.

Same-sex couples are recognised under civil partnership legislation. Under current arrangements trans-sexuals in a civil partnership need to have their partnership dissolved before having a gender change recognised, since civil partnership is not available for couples of opposite sex. The proposal for same-sex marriage would allow married couples to retain their married status if one partner changed his or her sex. That is adduced in support of the proposal. But there is a perfectly sensible alternative: allow opposite-sex couples to register civil partnership. It should have been allowed in the first place.

My response to question two

Religious organisations must be allowed to preach and teach their beliefs on the definition of marriage, not least under the religious freedom provisions of the ECHR. The State has penetrated too far into religious freedoms already.

However, as the State now allows civil partnership, civil partnership should be available to all, regardless of sexual identity or orientation. The civil partnership arrangements should convey exactly the same civil rights and responsibilities as does marriage. It should be possible (for example) for two sisters, or two brothers, or a brother and a sister, or two cousins, or uncle and nephew, or two friends living together to achieve civil partnership without the State enquiring into their sexual arrangements.

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