

# **The Perverse Gay Marriage Scheme**

## **Cameron's Preposterous Plot**

**by Francis Bennion**

A book in progress

Text as at 4 February 2013

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**Francis Bennion**

2013

**Preposterous** Contrary to the order of nature, or to reason or common sense; monstrous; irrational; perverse, foolish, nonsensical; in later use: utterly absurd.

**Perverse** Not in accordance with the accepted standard or practice; incorrect; wrong.

**Scheme** A plan of action devised in order to attain some end; a purpose together with a system of measures contrived for its accomplishment; a project, enterprise. Often with unfavourable notion, a self-seeking or an underhand project, a plot, or a visionary or foolish project.

**Plot** A plan or project, secretly contrived by one or more persons, to accomplish some wicked, criminal, or illegal purpose; a conspiracy.

– *Oxford English Dictionary*

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## **Introduction**

This is a 'rolling book'. I began writing it for publication as a Kindle book early in December 2012, following the announcement that the Conservative-Liberal Democrat Coalition Government intended to introduce a Bill to extend the historic institution of man-woman marriage to include same-sex unions. Until the time when it is published as a Kindle book, it will be available on my website [www.francisbennion.com](http://www.francisbennion.com).

I propose continually to extend and revise the text of this book to fit developments as they occur first in the lead-up to the introduction of the Bill into the Westminster Parliament and subsequently as the Bill progresses through its various stages to royal assent as an Act (if it does). I hope to receive comments from readers on the rolling book as it develops. Please email any comments on it to: [francis.bennion.1946@balliol.org](mailto:francis.bennion.1946@balliol.org).

The scope of this book can be gathered from the Table of Contents, which will also be revised from time to time as the book develops.

# Chapter 1

## The Nature of Marriage

### The only marriage is man-woman marriage

The only type of marriage that has ever been known to exist in the western world is between a man and a woman. That is what the word ‘marriage’ means. At the core of every society, says the philosopher Roger Scruton (*The Times*, 15 December 2012) is a union of man, wife and community. He adds: ‘It’s no small thing to change that historic norm’.

In an article (*The Times*, 15 December 2012), Geoffrey Rowell, Bishop of Gibraltar in Europe, explains why man-woman marriage came to be universal:

‘What is the deep, underlying significance of sexual differentiation? Why are we sexual beings? Male and female are different. That difference is rooted in the natural order as part of what is necessary for procreation, for the continuation of the human race . . . Whether from a Darwinian or a biblical standpoint procreation demands an attraction, which is pleasurable and uniting, which of course has a spiritual component — a coming together of the complementarity of male and female, ordered for a stable family life, providing what we might call a ‘womb of the spirit’, enabling the nurturing of children through childhood and into adolescence.’

### The Essence of Marriage

#### Marriage is a Sexual Union

Historic marriage is recognised both by law and religion as a sexual union between one man and one woman. The nature of the union is dictated by the complementary anatomical and emotional characteristics of the male and the female human being respectively. These are geared to the production of offspring by the wife following her insemination by the husband, though in a particular marriage offspring are neither compulsory nor essential. Historically a wife at marriage was supposed to be a virgin, with breaching of the maidenhead or hymen taking place on the wedding night. This is known as the consummation of the marriage. A marriage may be declared a nullity if either party refuses or is unable to consummate it in this way. It is physically impossible for the same test to be applied to a same sex union, so it is essential different and should not be given the same name.

Another aspect of the sexuality of marriage is the treatment of adultery (from the Latin *adulterium*). This is defined by the OED as follows:

‘Violation of the marriage bed; the voluntary sexual intercourse of a married person with one of the opposite sex, whether unmarried, or married to another (the former case being technically designated single, the latter double adultery).’

The OED adds of ‘adultery’:

‘Extended in Scripture, to unchastity generally; and by various theologians opprobriously used of any marriages of which they disapproved, as of a widower, a nun, a Christian with a Jewess, etc. (interpretative adultery). Also figuratively in Scripture to giving the affections to idols, idol-worship.’

A further meaning, described as obsolete, is added by the OED: ‘Adulteration, debasement, corruption’. Here the OED cites an example from Ben Jonson’s *Epicene*:

‘Such sweet neglect more taketh me,  
Than all th’ Adulteries of Art’.

The above quotations illustrate the difficulties that would ensue if 'marriage' were extended to include same-sex marriage. The following terms used in those quotations would become doubtful in meaning: 'marriage bed', 'sexual intercourse', 'married person', 'unmarried', 'married to another', 'unchastity', 'any marriages', and 'Adulteries'.

## **Marriage is Heterosexual**

### **Marriage may be Religious or Secular**

The beginnings of the human relationship known as marriage are lost in the mists of antiquity. Minette Marrin wrote concerning the same sex marriage controversy:

'The simple solution to separate religion and marriage. That ought to satisfy almost everybody. For the truth is that religion does not own marriage. Wedlock existed long before it became holy. In the west secular marriage existed long before the birth of Christ and for many generations after the Christian conversions it was independent of the church. Marriage was declared a holy Christian sacrament only in the late Middle Ages. It has remained secular to this day in the ancient common law idea of common law marriage. (*The Sunday Times* 16 December 2012.)

The American Latinist N. S. Gill says of marriage in the days of ancient Rome:

'The name *matrimonium* with its root mater (mother) shows the principal objective of the institution, the creation of children. Marriage could also improve social status and wealth. Some Romans even married for love.'

From the beginning of the Christian era, the meaning of marriage in Britain derived from principles laid down by the Church in canon law.

[To be continued.]

# Appendices

## APPENDIX A

### Press Letters by Francis Bennion

*Letter sent to The Times 1 February 2013 but not published*

Marriage is the sexual union of a man and a woman. Parliament has no power to alter the dictionary. The Coalition Government tries to effect a change by its Marriage (Same Sex Couples) Bill. One would expect a Bill that intends to make such a fundamental alteration in English law to say clearly that that is what it is doing. This Bill purports to achieve it simply by saying that “marriage of same sex couples is lawful”, which is frankly a lie. It will still be a lie if the Bill passes.

Since as yet there is no such thing as marriage of same sex couples, how can it be lawful? Parliament does not bring a non-existent thing into existence simply by legitimizing it, otherwise it could give life to fairies, goblins or hippogriffs.

The long title says it is a Bill to make provision for the marriage of same sex couples. In my opinion it fails to do this. A marriage is the union of two adults of opposite sex just as an elephant is a mammal of the family *Elephantidae*. It is not possible for Parliament to provide for the “marriage” of same sex couples any more than it is possible for Parliament to provide for elephants to be ungulates of the family *Rhinocerotidae*.

A Bill that seeks to make Parliament do the impossible is out of order and void. If by some mischance it purported to pass, the resulting “law” would be ineffective. *Lex non cogit ad impossibilia*.

If on the motion for second reading of this Bill an MP raised with the Speaker the point that the so-called Bill should not proceed because it is out of order and a nullity the Speaker would in my view have to rule accordingly.

Francis Bennion, retired Parliamentary Counsel; author *Bennion on Statutory Interpretation* (5th edition, 2008).

*Letter sent to The Daily Telegraph 2 February 2013 but not published*

What needs to be grasped is that the Bill asks Parliament to do the impossible, and is therefore out of order. It purports to achieve the change by simply saying that “marriage of same sex couples is lawful”. But this sort of “marriage” does not exist. It is like Parliament saying “dogs that are cats are lawful”. You do not create a non-existent and impossible thing just by saying it is lawful.

A marriage is an opposite-sex union, and all its qualities spring from that fact. We cannot know what qualities would spring from a same-sex “marriage”, and this Bill does not tell us. Opposition to it is in no way due to homophobia. Acceptance of it would just be muddle headed.



## APPENDIX B

### 1662 Book of Common Prayer

#### The Form of Solemnization of Matrimony

*At the day and time appointed for solemnization of Matrimony, the persons to be married shall come into the body of the Church with their friends and neighbours: and there standing together, the Man on the right hand, and the Woman on the left, the Priest shall say,*

DEARLY beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this Man and this Woman in holy Matrimony; which is an honourable estate, instituted of God in the time of man's innocency, signifying unto us the mystical union that is betwixt Christ and his Church; which holy estate Christ adorned and beautified with his presence, and first miracle that he wrought, in Cana of Galilee; and is commended of Saint Paul to be honourable among all men: and therefore is not by any to be enterprised, nor taken in hand, unadvisedly, lightly, or wantonly, to satisfy men's carnal lusts and appetites, like brute beasts that have no understanding; but reverently, discreetly, advisedly, soberly, and in the fear of God; duly considering the causes for which Matrimony was ordained.

First, It was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name.

Secondly, It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled

Thirdly, It was ordained for the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity. Into which holy estate these two persons present come now to be joined. Therefore if any man can shew any just cause, why they may not lawfully be joined together, let him now speak, or else hereafter for ever hold his peace.

*And also, speaking unto the persons that shall be married, he shall say,*

I REQUIRE and charge you both, as ye will answer at the dreadful day of judgement when the secrets of all hearts shall be disclosed, that if either of you know any impediment, why ye may not be lawfully joined together in Matrimony, ye do now confess it. For be ye well assured, that so many as are coupled together otherwise than God's Word doth allow are not joined together by God; neither is their Matrimony lawful.

*At which day of Marriage, if any man do allege and declare any impediment, why they may not be coupled together in Matrimony, by God's law, or the laws of this Realm; and will be bound, and sufficient sureties with him, to the parties; or else put in a caution (to the full value of such charges as the persons to be married do thereby sustain) to prove his allegation: then the solemnization must be deferred, until such time as the truth be tried.*

*If no impediment be alleged, then shall the Curate say unto the Man,*

WILT thou have this woman to thy wedded wife, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou love her, comfort her, honour, and keep her in sickness and in health; and, forsaking all other, keep thee only unto her, so long as ye both shall live?

*The Man shall answer, I will.*

*Then shall the Priest say unto the Woman,*

WILT thou have this man to thy wedded husband, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou obey him, and serve him, love, honour, and keep him in sickness and in health; and, forsaking all other, keep thee only unto him, so long as ye both shall live?

*The Woman shall answer, I will.*

*Then shall the Minister say,*

Who giveth this woman to be married to this man?

*Then shall they give their troth to each other in this manner.*

*The Minister, receiving the Woman at her father's or friend's hands, shall cause the Man with his right hand to take the Woman by her right hand, and to say after him as followeth.*

I N. take thee N. to my wedded wife, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, till death us do part, according to God's holy ordinance; and thereto I plight thee my troth.

*Then shall they loose their hands; and the Woman, with her right hand taking the Man by his right hand, shall likewise say after the Minister,*

I N. take thee N. to my wedded husband, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love, cherish, and to obey, till death us do part, according to God's holy ordinance; and thereto I give thee my troth.

*Then shall they again loose their hands; and the Man shall give unto the Woman a Ring, laying the same upon the book with the accustomed duty to the Priest and Clerk. And the Priest, taking the Ring, shall deliver it unto the Man, to put it upon the fourth finger of the Woman's left hand. And the Man holding the Ring there, and taught by the Priest, shall say,*

WITH this ring I thee wed, with my body I thee worship, and with all my worldly goods I thee endow: In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

*Then the Man leaving the Ring upon the fourth finger of the Woman's left hand, they shall both kneel down; and the Minister shall say,*

Let us pray.

ETERNAL God, Creator and Preserver of all mankind, Giver of all spiritual grace, the Author of everlasting life: Send thy blessing upon these thy servants, this man and this woman, whom we bless in thy Name; that, as Isaac and Rebecca lived faithfully together, so these persons may surely perform and keep the vow and covenant betwixt them made, (whereof this Ring given and received is a token and pledge,) and may ever remain in perfect love and peace together, and live according to thy laws; through Jesus Christ our Lord. Amen.

*Then shall the Priest join their right hands together, and say,* Those whom God hath joined together let no man put asunder.

*Then shall the Minister speak unto the people.*

FORASMUCH as N. and N. have consented together in holy wedlock, and have witnessed the same before God and this company, and thereto have given and pledged their troth either to other, and have declared the same by giving and receiving of a Ring, and by joining of hands; I pronounce that they be Man and Wife together, In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

## Appendix C

### House of Commons 10 December 2012

#### Same sex Marriage in Churches

##### 10 Dec 2012: Column 23

Mr Edward Leigh (Gainsborough) (Con) (Urgent Question): To ask the Minister for Women and Equalities if she will make a statement on same-sex marriage in churches.

The Minister for Women and Equalities (Maria Miller): Following the Government's consultation, which looked at how to allow same-sex couples to marry, we will put forward to the House tomorrow our plans on how we intend to legislate. Our position remains that we firmly support marriage. It is one of the most important institutions we have in our country. The Government should not stop people getting married unless there are very good reasons for doing so, and I do not believe that being gay is one of them.

In respecting the rights of gay couples to have access to civil marriage, we also fully respect the rights of religious institutions when they state that they do not wish to carry out same-sex marriages. Freedom of religious belief is as important as equality. The views that people of faith hold should not be marginalised and should be fully respected. I would never introduce a Bill that encroaches on religious freedom or that could force religious organisations or religious ministers to conduct same-sex marriages.

The case law of the European Court of Human Rights and the rights as set out in the European convention on human rights put protection of religious belief in that matter beyond doubt. The Government's legal position confirmed that, with appropriate legislative drafting, the chance of a successful legal challenge through domestic or European courts is negligible. I have therefore asked the Government's lawyers to ensure that that is the case here.

There are long-standing plans to make a statement to the House, which will now be done tomorrow. It will set out the Government's response to the consultation and outline our plans on how to take forward equal civil marriage, in line with our decision to legislate before the end of this Parliament. I believe that it will be vital to continue to work with religious organisations to ensure that effective safeguards are in place.

Mr Leigh: Whatever one's views on this issue, it is clearly highly controversial and legally complex. There has just been the biggest consultation ever, with four times the number of sponsors than any previous consultation. If the Government are going to announce a change of policy, surely they should come to this House of Commons first. May I ask the Minister why the Prime Minister announced on television over the weekend that, contrary to what was in the consultation, he now wants to legislate for same-sex marriage in churches? The consultation specifically excluded same-sex marriage in churches; it was about civil marriage. Now that the Government have done a U-turn on the matter, will there be a brand-new consultation? Does the Minister accept that this change of policy greatly increases the chance of human rights litigation to force churches to have same-sex marriages against their will and that we should have a consultation on that? The state has no right to redefine people's marriages.

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Maria Miller: I thank my hon. Friend for giving me the chance to talk about this today. I share the House's disappointment that we are discussing this issue in response to an urgent question, given that I am planning to set it out tomorrow. Equally, though, I am pleased to have the opportunity to make sure that my hon. Friend is very clear about the situation. The Prime Minister did not announce anything new this weekend; he simply restated the Government's position and, in particular, expressed a personal view regarding the possible role for churches in future—a view that he first expressed in July. However, my hon. Friend is

absolutely right to say that this is an important matter that should be discussed first here in the House, and that is why we have brought forward our statement to tomorrow.

Let me respond to a couple of other points that my hon. Friend raised. We have not changed our support for equal civil marriage; the consultation that we have just gone through is about how to put equal civil marriage in place. There may well be policy implications, on which I will be better able to provide further detail when the consultation response is set out tomorrow. I hope that he can bear with me on that, and perhaps we can give him the responses that he is looking for at that time.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I thank the right hon. Lady for her answer, although I regret that it was not a full statement—the media were obviously briefed on Friday. Her answer raises some additional questions.

We are clear that when couples love each other and want to make a long-term commitment, that should be cause for celebration, not discrimination, and they should be able to marry regardless of their gender or sexuality. I agree with the right hon. Lady about that. When Labour was in government, we legislated for the equalisation of the age of consent, civil partnerships, an end to the armed forces ban, and other provisions to tackle discrimination. Many of those measures were controversial among some at the time, but they were the right thing to do, as legislating for same-sex marriage is now.

Freedom of religion rightly means that no church or religious organisation should be required to hold same-sex marriages, so can the right hon. Lady confirm that that will be in the Bill? Freedom of religion also means that people of faiths such as the Quakers, the Unitarians and others who want to be able to celebrate same-sex marriage should be able to do so. The right hon. Lady will know that I have been arguing for this for many months. Can she confirm that the Government will include that, too, in the Bill that she brings forward?

I strongly disagree with Government Back Benchers who are not only calling for these plans to be dropped but supporting the invidious section 28, which would turn the clock back on discrimination and homophobic bullying and which should be condemned in all parts of this House.

I also disagree with the hon. Member for Gainsborough (Mr Leigh). Marriage is not the preserve of any individual faith or organisation. Civil marriage is about the way the state views and values long-term relationships, and the state should not discriminate. Marriage laws have rightly changed before so that married women are no longer treated as their husband's property and can no longer be legally raped—something that was possible

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as late as the 1990s. Does the right hon. Lady agree that changing the marriage laws again now to bring in same-sex marriage will strengthen rather than weaken the institution of marriage, and that we should urge everyone to support it?

Maria Miller: I thank the right hon. Lady. There are many things that one can control in this world, but media comment is certainly not one of them. However, I also draw the House's attention to the fact that she asked me a great number of detailed policy questions that the media have not set out, so perhaps that requires more of a detailed policy announcement from us tomorrow.

I agree with the right hon. Lady that marriage is a source of joy and celebration. The Prime Minister and I have set out really consistently in recent months that we want to make sure that more people are able to enjoy the benefits of marriage, hence the consultation that we have been carrying out. I hope that the proposals we bring forward will enjoy cross-party support; that is certainly my intention.

The right hon. Lady is right, however, that safeguards are incredibly important for those who have deep-seated religious beliefs in this area. As I have said, I believe that the case law of

the European Court of Human Rights and rights under the European convention will put protection of religious belief beyond doubt. When we, the Government, give our full response to the consultation, I am sure that I will be able to give her and other hon. Members more detail in that regard.

The right hon. Lady is right to say that the proposals being considered by the consultation will work to strengthen the relevance of marriage in our society today and for the future. She drew on some of the innovations that have been put in place in recent centuries; perhaps this is our opportunity to make sure that marriage is relevant for our century.

Several hon. Members rose —

Mr Speaker: Order. It is a pity that the House did not hear about the updated policy first, but it is nevertheless reassuring to know, in consequence of what the right hon. Lady has said, that the House will hear about it twice. That is very welcome.

Nick Herbert (Arundel and South Downs) (Con): I welcome my right hon. Friend's response. Does she agree that, while civil partnerships were an incredibly important step forward for gay people, they are not marriages; that gay people will not feel that they are fully accepted in society while they are denied access to what is one of our most important institutions; and that that is the reason for proceeding with this reform? Will she confirm that she will press ahead with it?

Maria Miller: My right hon. Friend is tempting me to go further than I want at this stage. We will make a full statement tomorrow, but he is right that civil partnership and marriage are perceived differently. Marriage is a universally understood and recognised status and it is right that we as a society should have it open to all couples. The consultation has been looking at how we would take forward that proposal and I am sure that the consultation response will furnish the House with more details.

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Mr Ben Bradshaw (Exeter) (Lab): I commend the Minister for what I think is her approach—it certainly seems to be the Prime Minister's approach—but it would have been nice to have had the statement today, because that would have saved us a great deal of time in not having to come back tomorrow. Does she recall that exactly the same warnings were made about civil partnerships? It was said that allowing some faiths to have them in church would force all churches to do it, but that did not happen. Would it not be iniquitous if those churches and faith groups that wanted to celebrate marriage on their premises were prevented from doing so because of the opposition of others?

Maria Miller: The right hon. Gentleman knows that I am here today not because I have chosen to be here, but because others have asked me to be here. As a Minister, it is always very important to come to the House if requested.

The right hon. Gentleman is right that it is important to recognise the different views of different religious institutions. We held the consultation and wanted to talk to people more fully because we wanted to make sure that when we take forward the idea of broadening out the availability of marriage to same-sex couples, we understand in full exactly how it should be done. He is right to recognise that different groups have different views, and we will certainly consider that further.

Stephen Gilbert (St Austell and Newquay) (LD): I say to my right hon. Friend that in the real world this issue is neither complex nor controversial. In fact, if confirmed tomorrow, it will be widely welcomed by millions of lesbian, gay, bisexual and transgender people across our country. I very much look forward to hearing her statement tomorrow.

Maria Miller: My hon. Friend is absolutely right that there is a great deal of support for making sure that marriage remains a relevant institution in Britain today. I do not think that this has anything to do with fashion, style or modernity; it is all about fairness and equality. In

considering how we make sure that our civil institutions are fair to all people in society, it is right that we look at how marriage works in Britain today.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): Will the right hon. Lady clarify something factually? My researches, such as they are, indicate that parts of the law on marriage are opaque and that the right of places of worship to refuse to marry a man and a woman exists, although it can be challenged. In the Jewish religion, a synagogue may well refuse to marry a man and a woman if it doubts the validity of either partner's conversion to Judaism. Am I right that she is seeking not to force any place of worship to marry somebody in a same-sex partnership, as she has made clear, but to protect places of worship that refuse to do so?

Maria Miller: The right hon. Gentleman is right that what I am trying to set out is that the Government respect all religious institutions' right to determine whom they marry within their precincts. I have set that out as my priority, as has the Prime Minister this weekend and last summer. Right hon. and hon. Members are rightly

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focused on such safeguards. I am sure that we will look at that matter closely when we talk about the consultation response.

Sir Peter Bottomley (Worthing West) (Con): I suspect that the opposition to the Government's proposals would be far less if Mr Colin Hart and his so-called Coalition for Marriage had not sent out hundreds of thousands of letters aimed at constituents of particular political persuasions to say that they should not vote for their party if the proposals go ahead. May I challenge Mr Hart, through my right hon. Friend, to come into the open and justify what he has done, and to defend himself to the Archbishop of York and the former Archbishop of Canterbury? I think that what has happened is disgusting.

Maria Miller: My hon. Friend is right that we have to look at the facts when it comes to the ability of religious organisations to continue to determine what happens in their own precincts, organisations and churches. There has been quite a lot of hyperbole over the implications of what we are talking about. The Government's objective is simple: we want to ensure that marriage, which is a hugely valued part of our society, is open to more people. I think that that should be applauded.

Chris Bryant (Rhondda) (Lab): Having married more people than I can remember—as a vicar, that is—I have never understood how extending marriage to more people could invalidate the marriage of other people who are already married. I wholeheartedly support what the Government are doing. I remind the Minister that the Prayer Book of 1662 states that marriage is “ordained for the mutual society, help and comfort, that the one ought to have of the other, both in prosperity and adversity.”

Why on earth would any Christian want to deny that to anybody? Is it not right, therefore, that the Minister will categorically allow churches to do that?

Maria Miller: The hon. Gentleman is again taking me into things that we will come on to tomorrow, such as the role of churches. Unlike him, I have married only once, but I married well, so I am lucky. He is right that marriage strengthens our society and that the proposals will strengthen it further. This is a rare opportunity for the hon. Gentleman and I to agree, and I will savour the moment for as long as I can. I am sure that we will continue to be in agreement as we look at the detail of what comes forward.

Sir Tony Baldry (Banbury) (Con): My right hon. Friend will know that one of the many important issues for the Church of England and other Churches is that the Bill must do what the Government purport that it will do and provide statutory protection so that Churches that do not want to carry out same-sex marriages are not forced to do so. Will my right hon. Friend give an undertaking that she will ask her officials to work with me in my capacity as Second Church Estates Commissioner and with lawyers for the Church of England and other

Churches to ensure that by Second Reading we are all confident that the quadruple lock protection, which will

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hopefully be in the Bill, will do what we all hope it will do, which is to give the Churches the protection that the Government wish to give them?

Maria Miller: I very much value my hon. Friend's contribution and he is right to say that our objective of ensuring that no organisation is forced into doing something that it does not want to do must be made absolutely clear. I give my hon. Friend a complete undertaking that my officials will work with him—well before Second Reading, I am sure—to ensure that he and other religious leaders are content with proposals that may be forthcoming around the future of equal civil marriage. We all share the objective of wanting to ensure that individuals who want to be married can be married, but that institutions that want to protect their freedoms and religious beliefs have that protection.

Ian Paisley (North Antrim) (DUP): If marriage is opened to allow individuals to marry one another regardless of sex or gender, article 12 of the European convention on human rights will apply to both same-sex and opposite-sex marriages. If that is the case, will the Minister seek a derogation under the convention to protect churches, rectors and church trustees who do not want to hold same-sex marriages in their buildings, in order to protect their rights, freedoms and religious identity?

Maria Miller: The hon. Gentleman is drawing me into a great deal of detail—exactly the sort of detail that a Bill Committee would look at in the development of any legislation. He is right to say that such detail is important and must respect freedom on both sides, and I am sure such matters would be considered on Second Reading and in Committee. I remind the hon. Gentleman that the situation in Northern Ireland will be different; this is a devolved matter and the Northern Ireland Government may take a different view.

Mr David Burrowes (Enfield, Southgate) (Con): Will my right hon. Friend confirm that approximately 500,000 people who responded to the Government's consultation by saying no to redefining marriage have been excluded from the Government's consultation and effectively denied a voice, although others—including those beyond the United Kingdom—have been included in that consultation? Is the consultation in danger of being seen as a sham that does not provide the Government with a mandate to redefine marriage?

Maria Miller: We have taken into account all valid contributions to the consultation, which was exceptionally important in shaping and forming the Government's view on how we take forward equal civil marriage. More than a quarter of a million people responded to the consultation and we have taken time to consider their responses in detail. I assure my hon. Friend that those responses were integral to how the policy has been taken forward.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Does the right hon. Lady agree that most parents would prefer their children to be happy, rather than prefer them not to be gay?

Maria Miller: I think it is important that children are happy, and whether an individual is gay, bisexual or heterosexual is really a personal matter.

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Jake Berry (Rossendale and Darwen) (Con): Some of us have no interest in what happens behind people's bedroom doors but might be slightly more concerned about what the legislation will do behind the church door. In her opening comments my right hon. Friend described the legal challenge as negligible. Will she publish all the legal advice that the Government have been given on the possibility of Churches, and other religious groups, being forced to conduct same-sex partnership ceremonies?

Maria Miller: My hon. Friend will know that the Government do not publish legal advice, but he can be assured that the work we are doing is in accordance with the law. I state again that European Court case law and the European convention on human rights put the protection of religious belief beyond doubt. The whole House should welcome that, and we will ensure that we have the sorts of protections that—as I hear from all sides—are very much wanted.

Yvonne Fovargue (Makerfield) (Lab): Does the Minister agree that freedom of religion works both ways? Although it is right that no religious group should be forced to marry same-sex couples if it does not wish to do so, the faith groups that wish to marry same-sex couples should be allowed to do so.

Maria Miller: I personally agree with the hon. Lady. Indeed, the Prime Minister said so not just this weekend but last summer.

Mr John Baron (Basildon and Billericay) (Con): I very much support the Government's position, but some Churches in my constituency are concerned that they will be forced—perhaps through the courts—to hold same-sex marriages on their premises. What assurances can the Minister give that the Government's correct ruling will not be overturned in the courts, whether in this country or on the continent?

Maria Miller: My hon. Friend is right—we do not believe that any religious organisation should be forced to do something that is beyond their belief and faith. I direct him to case law of the European Court, which has made clear that those are issues for individual countries and not something on which it will rule centrally.

Susan Elan Jones (Clwyd South) (Lab): Some Churches in our country allow marriages only of members of their fellowships. Equally, some Churches will not allow the remarriage of divorced people. Many different faith groups have different rules. If that has not been seriously challenged in the past 10 years, does the Minister agree that it is highly unlikely that there will be such a challenge to same-sex marriages?

Maria Miller: I could not have put it better myself; the hon. Lady makes an extremely strong point.

Mr David Nuttall (Bury North) (Con): With Christmas just around the corner, lots of people might be thinking of giving a dictionary as a present. Before they do so, and for the benefit of dictionary publishers, will the Minister say whether the Government have any plans to change the definition of any other words?

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Maria Miller: No—not at all.

Mr Andy Slaughter (Hammersmith) (Lab): In the light of the Minister's earlier comments, what is her view of the statement made by her hon. Friend the Member for Monmouth (David T. C. Davies) over the weekend? Does she believe it contributes well to the debate?

Maria Miller: All such views need to be taken into account. People should be able to say what they think on this matter and we should not stifle debate. Suffice it to say that I believe marriage is hugely important. It is vital that all religious institutions continue to be protected and that we ensure that marriage is open to more people in future. The comments of my hon. Friend the Member for Monmouth (David T. C. Davies) are a matter for him.

Mr Peter Bone (Wellingborough) (Con): I am a Christian and I am against the redefinition of marriage, but that is for tomorrow. The urgent question today is why on earth the Government briefed in advance about a new policy and a change to the previous position. The Minister has condemned that herself in the past. Will she have a word with the Prime Minister and tell him off?

Maria Miller: My hon. Friend might be jumping to one or two conclusions. It is right that we discuss policies first and foremost in the House. I have a long-standing commitment to make a statement in the House this week, but have brought it forward to tomorrow. I share the



House's concern and disappointment that there has been such widespread discussion this weekend, but we will be able to go into the detail tomorrow.

Kevin Brennan (Cardiff West) (Lab): What does the Secretary of State think triggered the discussion this weekend?

Maria Miller: The hon. Gentleman can go and talk to the journalist concerned and find out.

Mike Freer (Finchley and Golders Green) (Con): The Movement for Reform Judaism is headquartered in my constituency, and is a large faith group that wishes to have same-sex marriage. Is this legislation not in the best Conservative principles of expanding personal choice while protecting religious freedoms?

Maria Miller: As on so many things, my hon. Friend is absolutely right.

Mr William Bain (Glasgow North East) (Lab): Although there will be a separate Bill in the Scottish Parliament on this issue, there is strong cross-party support for the policy that the Minister has nearly announced today. In Scotland, 68% of people believe that religious organisations that want to be able and free to marry same-sex couples under the law should be able to do so. What discussions has she had with the Scottish Government about whether any provisions in the draft Bill she may announce tomorrow will apply in Scotland?

Maria Miller: The hon. Gentleman is right: on issues as important as this, cross-party support is crucial. I just urge him to make sure that he also respects those

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who may not agree with same-sex marriage being open to all religious institutions. It is important that we show that respect throughout. I can assure him that my officials have been in intensive discussions not only with the Scottish Government, but in Northern Ireland and Wales. This affects all parts of the country, and we want to ensure that there is full co-operation wherever possible.

Mr Julian Brazier (Canterbury) (Con): Will my right hon. Friend reassure us that whatever is announced tomorrow, no teacher will face prosecution or civil action as a result of espousing a Christian view of marriage?

Maria Miller: My hon. Friend is right to raise this issue, which has been a concern for many of our constituents. I can confirm that nothing will change what children are taught. Teachers will be able to describe their belief that marriage is between a man and a woman, while acknowledging that same-sex marriage will be available. It is important to reassure people. There is a great deal of what perhaps one could call scaremongering. It is important that teachers and faith schools are aware that they will continue to enjoy the same situation as they do now.

Lilian Greenwood (Nottingham South) (Lab): On Friday, the Prime Minister said that he would allow churches to hold same-sex marriages if they wanted to. Will that be in the Bill—yes or no?

Maria Miller: I think the Prime Minister made it clear that his own personal view was that that should be the case. The hon. Lady will have to wait perhaps a little less than 24 hours to see the details for herself.

Jane Ellison (Battersea) (Con): On a broad rather than a detailed point, perhaps the Minister has, like me, met young people who have been forced out of homes by families who did not accept them being gay. Does she agree that a change towards equal marriage is an important way in which society can send a signal that their contribution is greatly valued today?

Maria Miller: My hon. Friend is right to say that we should all be striving for equality in civil life. In ensuring equality for citizens, however, we should respect the right of faith groups to have their beliefs too. Religious freedom and equality are two things that we should all cherish and protect in any way we can.

Emma Reynolds (Wolverhampton North East) (Lab): I welcome what the Minister has said, and I agree with the Government's plans to introduce legislation to allow same-sex marriage. However, I am a little confused about what will happen between now and tomorrow's statement. Will she confirm that every single member of the Cabinet agrees with the proposals and will vote for them when they come before the House?

Maria Miller: The hon. Lady will know—well, maybe she was not in the previous Labour Government—that we are in the process of finalising this policy in the usual way, but to ensure that the House is fully informed as quickly as possible, I have speeded up that process.

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Mr John Leech (Manchester, Withington) (LD): I welcome the Minister's assurance that if the Government plan to expand equal marriage to churches willing to carry out the ceremonies, other churches have nothing to fear. After tomorrow's statement, will she seek to reassure those churches that they have nothing to fear from the legislation?

Maria Miller: My hon. Friend is right about the importance of providing reassurance and working with religious institutions. I will be speaking personally with heads of religious groups, and my ministerial colleagues in the Equalities Office will be doing likewise. This is the start of a process of ensuring that they can be confident that the protections will be robust and effective.

Huw Irranca-Davies (Ogmore) (Lab): As someone with a long-term personal investment in the institution of marriage, I can thoroughly recommend it to everyone who wants it. Nevertheless, will the Minister also introduce proposals for those who do not want the institution, such as heterosexual couples who want a civil partnership rather than a marriage? I have constituents who have raised this with me.

Maria Miller: I am sure that the question of civil partnership will be addressed as part of the consultation response, but I suggest to the hon. Gentleman that civil partnership was never put forward as a replacement for marriage, and I am not sure it is something we want to open up to more people.

Stuart Andrew (Pudsey) (Con): I want to live in a free society, and at the heart of a free society surely lies personal freedom and religious freedom. Will my right hon. Friend confirm that this proposal simply upholds those principles, affording those of us who might want to commit the opportunity to do so, and the power for religious organisations to decide whether to offer it? Given that getting married is a significant event in anybody's life, I wonder who would want to get married in a church that did not want them.

Maria Miller: My hon. Friend is right that this is about personal freedom. Our society greatly values equality and fairness, and for me the extension of civil marriage to same-sex couples is absolutely about equality and fairness.

Nadhim Zahawi (Stratford-on-Avon) (Con): Many people of faith in Stratford-on-Avon are rightly concerned about the Bill, and I hope that tomorrow we will see freedom of religion front and centre of the proposals, but the big question is about discrimination. Up until 1967, 16 states in America banned interracial marriage; it was only overturned in 1967. I am sure that no one in the House would argue on moral grounds to ban interracial marriage today. Let us get rid of discrimination and protect freedom of religion.

Maria Miller: My hon. Friend is right to focus on the importance of freedom of religion and the need to ensure that faith groups that want to can continue to voice their belief that marriage is between a man and a woman, rather than between two people of the same sex. Perhaps even more important than this issue of marriage, however, is the role of faith groups in our

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society. Many faith groups might feel that they have been marginalised in recent years and are not central to some of the debates in this country. This is a healthy debate about the importance of protecting our religious freedoms, while taking forward civil marriage in a way that opens it up to more people in our community. It is important that we do not marginalise people of faith and that they are absolutely respected and at the heart of this proposal.

Robert Halfon (Harlow) (Con): This country has found it hard to resist prisoner voting, despite the majority of the House having voted against it, so can my right hon. Friend appreciate that many hundreds of my constituents from faith groups are understandably concerned about legal challenge?

Maria Miller: My hon. Friend is right to bring up the issue of prisoner voting—it is something that many in the House feel strongly about—but it is not the same as marriage. The European convention on human rights contains clear protections for religious belief, and the fact that marriage is at the heart of many religious institutions' beliefs means that it is clearly protected. As I have said, we believe that rulings in European case law have put this matter beyond doubt.

Mr Crispin Blunt (Reigate) (Con): Before my right hon. Friend gives us the Government's proposals in response to the consultation tomorrow, may I thank the Prime Minister through her for his constitutionally rather unusual personal statement on Friday and again thank him as leader of the Conservative party for intending to give Conservative Members of Parliament a free vote? On an issue such as this, that is something we should see across the House.

Maria Miller: My hon. Friend is right to say that this is all about balancing freedom of the individual with equality—freedom for people of faith to follow the views of their faith and freedom for individuals in same-sex relationships to take part in civil marriages in the way that heterosexual couples do.

Jason McCartney (Colne Valley) (Con): Does my right hon. Friend, like me, look forward to a day when we no longer talk about “equal marriage”, “gay marriage” or “same-sex marriage”, but just talk about marriage—a loving commitment between two people who want to love each other and be with each other?

Maria Miller: My hon. Friend is right. Having been married for many years—many hon. Members will be aware of this as well—I know that marriage brings a stability to life and creates a loving place to bring up children. That is important to recognise, but we absolutely have to respect the rights of religious institutions to take a different view. As a sophisticated and mature society, we should be able to enter that debate with respect on both sides.

Craig Whittaker (Calder Valley) (Con): My right hon. Friend said that the views of people of faith should never be marginalised. Will she tell the House how she will square that with the 619,007 people who have signed the Coalition for Marriage petition, which calls for no change in the definition of marriage?

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Maria Miller: As my hon. Friend will know, for more than 180 years there have been two different ways to enter into marriage—one through a religious ceremony, the other through a civil ceremony—so the role of religious organisations in marriage is there indelibly. To ensure that those views absolutely continue to be centre stage, I am working on safeguarding the freedom to continue to view marriage in a different way in different religious institutions, but that in no way means that we have to stop individuals in same-sex relationships being able to be married as well.

Dr Matthew Offord (Hendon) (Con): Many Members have expressed the sentiment that marriage is at the centre of religious life—amen to all that—but have the Government considered introducing other forms of marriage, such as polygamy, and if not, when can minorities who believe in such a practice expect their own consultation?

Maria Miller: I think the law is pretty clear on this. Marriage is between two people, which means that what my hon. Friend talks about would not be possible.

Mr Brooks Newmark (Braintree) (Con): While I deplore discrimination on any level and will certainly be supporting same-sex civil marriage—I am glad that the Government are now considering supporting those religious institutions that support that—I have many constituents from more orthodox communities, whether Jewish, Christian or Muslim. What assurance will the Government give to protect their beliefs?

Maria Miller: We will be absolutely making it clear to them that the safeguards that are in place are not safeguards purely for the Church of England—or indeed just for Christian Churches—but safeguards for religious institutions across the board. My hon. Friend is absolutely right that there are different views in different religious groups. We have to respect those views. It is important that we work with all such religious organisations to ensure that they understand the safeguards we will put in place and agree that they will work by providing them with effective protection.

Gavin Barwell (Croydon Central) (Con): As a strong believer in the importance of marriage to our society, may I warmly welcome what my right hon. Friend has said? Does she agree that it should not be beyond the wit of this House to devise a Bill that addresses the concerns of many Churches, synagogues and mosques, as expressed by my hon. Friend the Member for Gainsborough (Mr Leigh), while still allowing two men or two women who love each other to exchange the same vows and enjoy exactly the same legal rights that my wife and I enjoy?

Maria Miller: I am sure my hon. Friend is absolutely right. This is about all of us helping to ensure that the facts are communicated effectively to our constituents. There has been a great deal of campaigning on this matter, and people might sometimes have misunderstood the case law from the European Court's rulings. Now is the time for sober reflection, to ensure that people get the facts rather than the hyperbole, and that they understand that it is possible to provide safeguards as well as equality for same-sex couples in this country.

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Michael Ellis (Northampton North) (Con): I congratulate the Minister on this welcome proposal. Does she agree that making marriage legal for a wider cohort of people through same-sex marriages does not in any way weaken or detract from the marriages of heterosexual people? As a House, and as a society, we need to factor in that equality under the law is as important as religious freedom.

Maria Miller: My hon. Friend is right to say that this is all about strengthening marriage. Any individual who marries takes on a huge responsibility. Marriage strengthens our society and underlines commitment, and we should all welcome the fact that this move will enable more people to marry. This is as relevant today as it was 180 years ago.

Dr Thérèse Coffey (Suffolk Coastal) (Con): Earlier this year, permission was granted for civil partnership ceremonies to be held in religious institutions. Will the Minister tell the House how many times that has actually happened?

Maria Miller: I will have to get back to my hon. Friend with those exact data, but I am sure that all the ceremonies that have taken place have been joyous occasions.

Iain Stewart (Milton Keynes South) (Con): Has my right hon. Friend had a chance to examine the experience of those other European countries that have legalised same-sex marriage? Have any churches in those countries been forced to marry a couple against their faith?

Maria Miller: The simple answer to that is no. Many European countries have permitted same-sex marriage for many years. Denmark, for example, adopted such a policy in 1989, and now Spain, Canada and many others are putting in place similar legislation. This reflects societies that are willing to embrace change while ensuring that protection for important religious institutions is in place.

Guy Opperman (Hexham) (Con): As a lawyer, I have tested the ECHR rules and articles at great length in the British courts and in Strasbourg. I therefore welcome the proposed protections that will be enshrined in this law. Does the Minister agree that this is fundamentally a matter of choice for the couples as well as for the religious institutions that we so revere?

Maria Miller: My hon. Friend has made his point extremely clearly. This is about ensuring that that choice exists. I would add that it is also about showing respect, and that both sides showing respect will go a long way towards ensuring that we come out of this with a policy of which this country can be proud.

Bob Stewart (Beckenham) (Con): Can my right hon. Friend explain why the Government are so hellbent on upsetting so many thousands of our citizens who are in normal marriages, especially at this time?

Maria Miller: I do not think that anything I have set out today—or that my colleagues have talked about in recent days, weeks and months—does anything to upset anybody who is already in a marriage. I respect the point that my hon. Friend makes, which is that some people with a religious faith feel that this matter falls

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outwith their faith. I absolutely respect that, and it is important that we introduce clear safeguards and protections so that he, his constituents and others can understand that we are talking about strengthening marriage and not about undermining it.

Gordon Henderson (Sittingbourne and Sheppey) (Con): The suggestion that the Government's proposals need not necessarily impact on religious belief is nonsense. The definition of marriage is the joining together of a man and a woman in holy matrimony, and allowing same-sex marriages will therefore require a redefinition of the term. Such a redefinition would undermine one of the basic tenets of many religious institutions, so it definitely would impact on religious belief. That is not scaremongering; that is fact.

Maria Miller: My hon. Friend has his views, and he articulates them clearly. There are already two different ways into marriage: through a civil ceremony or a religious ceremony. What we have to do is respect the fact that religious organisations may well continue to want to have a different approach to marriage than the state's approach. I think it is important for the state not to show a disregard for the importance of equality and respecting the rights of same-sex couples. That is at the heart of the debate that will be had.

Andrea Leadsom (South Northamptonshire) (Con): My right hon. Friend shows herself to be a strong and passionate advocate for the institution of marriage. Will she therefore agree to articulate her support for marriage in Cabinet by supporting it in the tax system, as advocated in the coalition agreement?

Maria Miller: My hon. Friend may know—she can check the media cuttings on this—that for many years, ever since I have been a Member of Parliament, I have been a strong advocate of marriage. I am glad to see so many people in the Chamber supporting it. The tax system is very much an issue for the Chancellor, but she will know that recognition of marriage in the tax system is important and that the Chancellor has considered it in the past.

Rehman Chishti (Gillingham and Rainham) (Con): Coming from an Islamic background, and with a father who was an imam, may I ask the Minister to clarify what response she has received from the Muslim community on this consultation?

Maria Miller: The response from the Muslim community, as I am sure my hon. Friend will be aware, has been one of some concern, as it has been from other religious institutions, to ensure that a clear safeguard is in place for the religious beliefs of the Muslim community, in the same way as Christians or any other religious group want respect for their beliefs. I can give him a clear undertaking that my officials and I will work with all religious groups and

make sure that they understand how we will put the safeguards in place and ensure their efficacy.

## Appendix D

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#### Proposals for Same-sex Marriage Bill

**The Minister for Women and Equalities (Maria Miller):** With permission, Mr Speaker, I would like to make a statement on the Government's proposals to enable same-sex couples to marry. Copies of the consultation response will be available in the Libraries of both Houses.

Not long ago, talk of marriage as one of the building blocks of society was dismissed by some as out of date. Of course, those of us in this House who have taken a closer interest know that marriage remains something to which most people aspire. Therefore, far from being a peripheral issue, the future of marriage should concern us all.

Today we are setting out how the Government will extend marriage to same-sex couples. The consultation has been the subject of much debate both within and outside the House, and I am immensely grateful to the many hon. Members who have taken time to discuss the proposals with me, adding their voices to the 19 petitions received by the Government and the record 228,000 individuals and organisations who responded to the consultation.

For some, this is a contentious and radical reform, or, indeed, a reform too far. Historical facts, however, show that over the generations marriage has had a long history of evolution. In the 19th century inequalities prevented Catholics, atheists, Quakers and many others from marrying except in the Anglican Church. When that changed, was it accepted without protest? No, I am sure it was not. In the 20th century when the law was changed to recognise married men and married women as equal before law, was that accepted without fierce protest? No. In each century Parliament has acted—sometimes radically—to ensure that marriage reflects our society to keep it relevant and meaningful. Marriage is not static; it has evolved and Parliament has chosen to act over the centuries to make it fairer and more equal. We now face another such moment—another such chance in this new century.

For me, extending marriage to same-sex couples will strengthen, not weaken, that vital institution, and the response I am publishing today makes it clear that we will enable same-sex couples to get married through a civil ceremony. We will also enable religious organisations that wish to conduct same-sex marriages to do so, on a similar opt-in basis to that available for civil partnerships. That is important for the obvious reason that it would be wrong to ban organisations that wish to conduct same-sex marriages from doing so.

I am under no illusions and I am fully aware that the proposals set out today to allow same-sex couples to marry are contentious. I am also clear that there should be complete respect for religious organisations and individual religious leaders who do not wish to marry same-sex couples. The Government must balance the importance of treating all couples equally and fairly with respect for religious organisations' rights to their beliefs.

We must be fair to same-sex couples and the state should not ban them from such a great institution. Equally, however, we must be fair to people of faith, and the religious protections I will set out will ensure that fairness is at the heart of our proposals. Churches have a right to fight for and articulate their beliefs and

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to be under no compulsion to conduct same-sex marriages. As the Prime Minister said, we are 100% clear that if any church, synagogue or mosque does not want to conduct a gay marriage it will not—absolutely must not—be forced to hold it.

Part of our response will include a quadruple lock, putting into English law clear and unambiguous protections. I will go into the detail of those locks, but I first want to reiterate comments I made yesterday on Europe. I know that many hon. Members are worried that European courts will force religious organisations to conduct same-sex marriages. The law is

complex, but that complexity is absolutely no excuse for misunderstanding the facts. Case law of the European Court of Human Rights, and rights set out in the European convention on human rights, put protection of religious belief in this matter beyond doubt.

The Government's legal position has confirmed that, with appropriate legislative drafting, the chance of a successful legal challenge through domestic or European courts is negligible. I have therefore asked the Government's lawyers to ensure that that is the case. Our response sets out clear safeguards—a quadruple lock of measures to protect religious organisations. The Government have always been absolutely clear that no religious organisation will be forced to conduct same-sex marriages. The system of locks will iron-clad the protection in law, adding to the existing protections in European legislation, so that those who do not want to conduct same-sex marriages will never have to.

First, we will write on to the face of the Bill a declaration that no religious organisation, or individual minister, can be forced to marry same-sex couples or to permit that to happen on their premises. Secondly, I will amend the Equality Act 2010 so that no discrimination claims can be brought against religious organisations or individual ministers for refusing to marry a same-sex couple or for refusing to allow their premises to be used for this purpose.

Thirdly, the legislation will make it unlawful for religious organisations or their ministers to marry same-sex couples unless the organisation has expressly opted to do so. As part of this lock, a religious organisation will have to opt in as a whole, and each individual Minister will then have to opt in too. Therefore, if a religious organisation has chosen not to conduct same-sex marriage, none of its Ministers will be able to do so. However, if an organisation has chosen to conduct same-sex marriage, individual Ministers are still under no compulsion to conduct one unless they wish to do so.

Finally, because the Churches of England and Wales have explicitly stated that they do not wish to conduct same-sex marriage, the legislation will explicitly state that it would be illegal for the Churches of England and Wales to marry same-sex couples. That provision recognises and protects the unique and established nature of those Churches. The Church's canon law will also continue to ban the marriage of same-sex couples. Therefore, even if those institutions wanted to conduct same-sex marriage, it would require a change to primary legislation at a later date and a change to canon law—additional protection that cannot be breached.

It is important to address directly other concerns raised by religious institutions. Other legal cases, including those involving the provision of services such as bed and breakfast or the wearing of religious symbols, have no bearing on the legal situation regarding marriage, because most religious marriage is a commitment made before God—it is at the heart of religious belief. There is clear protection under article 9 of the European convention on human rights and clarity in case law that the European Court of Human Rights considers same-sex marriage to be a matter for each individual member state.

Faith has underpinned British society for centuries, and it is important to me that equality before the law is seen in the same way. The proposals will allow both to co-exist without threat or challenge to the other. People of faith hold views that must be respected. That is why I have been absolutely clear that I would never introduce a Bill that encroaches or threatens religious freedoms. It is with those strongly held views in mind that the proposals presented today have been designed.

I believe the proposals strike the right balance—protecting important religious freedoms while ensuring that same-sex couples have the same freedom to marry as opposite-sex couples. By making marriage available to everyone, we will ensure that it remains a vibrant institution. Our changes will allow more people to make lifelong commitments and enjoy the benefits of an institution that has for centuries lain at the heart of our society.

**Yvette Cooper (Normanton, Pontefract and Castleford) (Lab):** Thank you, Mr Speaker—it is good to be here again. I welcome the Minister's commitment to introduce same-sex



marriages, but I am at a loss about why she could not have made all those points in the House yesterday, especially as most of them were made by Ministers to the press on Friday.

I agree with the Minister that we should support same-sex marriage. When couples want to get married and to make the long-term, loving commitment it entails, we should celebrate and not discriminate. Marriage is more than a historic tradition; it is about how the state and society today view and value long-term commitment. We should not prevent people from getting married and gaining recognition from the state on grounds of gender or sexuality, and Parliament should not say that some loving relationships have greater value than others.

While Labour was in government, we changed the law many times to tackle outdated prejudice and discrimination against lesbians, gay men, and bisexual and transgender people. Many of those measures were controversial at the time but are now taken for granted even by those who opposed them at the start: an equal age of consent, ending the ban on serving in the armed forces, ending discrimination in adoption and fertility treatment and abolishing section 28. Year after year, we changed the law and argued for the justice and common sense of each of those changes, and opponents were proved wrong—the sky did not fall in. This is the next sensible step. To deny same-sex couples the chance to marry and have their relationship recognised by the state as of equal worth to other loving couples would be unfair and out of date.

The Minister will know that I have argued for some time for those Churches and religious organisations that want to be able to celebrate same-sex marriage to be able to do so. I have met religious leaders from many faiths who want to be able to treat all loving couples equally and who show powerfully that the debate on same-sex marriage should not become polarised between Church and state. There are very different views between and within faiths.

I agree that freedom of religion is important. The Minister is right that no Church or religious organisations should be required to hold same-sex marriage and that respect for freedom of religion should be built into the proposed legislation, but we will need to look at the details of the proposals because it is important that she does not become too defensive about this. Freedom of religion also means that those faith groups, such as the Quakers, the Unitarians and others who want to be able to celebrate same-sex marriage should be able to do so. Those who argue that marriage should never change are out of touch with public feeling. Based on that argument, civil marriage would never have been introduced in the 1830s, married women would never have been given the right to own property, no one would be able to remarry after a divorce and the law would not have been changed to outlaw rape within marriage.

It is deeply disappointing that some in the House yesterday wanted to link same-sex marriage with polygamy or to suggest that it was somehow an affront to those in so-called normal marriages. I hope that those who have opposed the plans in the House and some Church leaders will think carefully and not repeat some of the hysterical language they have used before. These proposals include considerable respect for freedom of religion, freedom of belief and freedom for those who wish to continue to oppose same-sex marriage within their own organisations. I hope, however, that they will now respect the majority of us in the House and beyond who wish to support same-sex marriage and will not try to veto everyone else. No one faith, group or organisation owns marriage.

Surveys have found that seven out of 10 people support extending civil marriage to same-sex couples and that six out of 10 people of faith support extending it too. Marriage has never been a rigid, unchanging institution. It is only when marriage loses its relevance to communities or is seen as outdated or unjust that it risks becoming weakened or forgotten. I hope that the Minister will accept the support for these measures, promote them with confidence, not be defensive about the changes, and urge everyone to support the reforms, which will strengthen marriage and support equality too.

**Maria Miller:** I welcome the right hon. Lady's support for the statement. She is right to highlight the widespread support for what the Government have outlined outside this place and on both sides of the House.

It is important to pick up on the right hon. Lady's point about showing respect for both sides of the argument. As we participate in these or any discussions, none of us should try to polarise the debate. The language we use and the stance we take are looked at far and wide—people will be looking at how we deal with these issues—so I hope that hon. Members will appreciate and echo in their comments the respect that I am showing to religious institutions and to people in same-sex relationships. I think I made it clear that it is up to religious institutions to decide how they deal with these matters. That is not being defensive; it is about respecting those important religious beliefs.

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Several hon. Members rose—

**Mr Speaker:** Order. Very many Members are seeking to catch my eye, and I am keen to accommodate them, so brevity is of the essence.

**Martin Vickers (Cleethorpes) (Con):** The Secretary of State has outlined a major social change that many of those whom we represent find unacceptable. Such significant change should be allowed to evolve, rather than be pushed through. Will the Minister agree to seek an electoral mandate before proceeding?

**Maria Miller:** My hon. Friend is right that many of these matters evolve over time. Our consultation has allowed us to listen to the many and varied views and reflect those views in the proposals. On an electoral mandate, the Conservative party's commitment was set out in the contract for equalities, which sat alongside our manifesto at the election, and which laid out the importance of considering the case for changing the law.

**Lilian Greenwood (Nottingham South) (Lab):** Does the Minister agree that, given that respect for freedom of religion is vital, it is right that faith groups that wish to marry same-sex couples should be allowed to do so?

**Maria Miller:** I can give the hon. Lady a simple answer: yes.

**Nick Herbert (Arundel and South Downs) (Con):** I welcome my right hon. Friend's statement. She correctly says that this proposal commands widespread support in the country, as all opinion polls show, but, just as this measure is about safeguarding the rights of one minority, is it not also important jealously to guard the rights of another—those who choose in conscience not to agree and those Churches that do not wish to conduct such ceremonies? Does she agree that those who were concerned about the proposal, in the belief that Churches would be forced to conduct such ceremonies, need no longer be concerned, now that they understand that there is a lock and that no Church will be forced to do so?

**Maria Miller:** My right hon. Friend has done a great deal of work in this area, and we listen to him with great interest. He is right that the quadruple lock I have outlined today should give clear reassurance to hon. Members and anybody outside listening that there is a considerable and thought-through way of ensuring that ministers and religious organisations are under no compulsion to undertake same-sex marriages, if they believe that it does not accord with their faith. It is absolutely right that we respect the stance taken by religious organisations and that we put in place safeguards at a domestic and European level to ensure that those safeguards are effective.

**Sandra Osborne (Ayr, Carrick and Cumnock) (Lab):** As chair of the all-party group on equalities, I very much welcome the Minister's statement. Does she agree that this is not a matter of redefining marriage, but of extending it to a group that currently does not have that right? It is a matter of equal rights in our society in the 21st century.

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**Maria Miller:** I thank the hon. Lady for her support. As I outlined in my statement, we have seen marriage evolve over generations to ensure it remains relevant and vibrant, and these proposals do that again for our century, while putting in place that quadruple lock, those safeguards and the clear articulation of our respect for religious belief, so that we strike the right balance between the rights of same-sex couples and those of religious institutions.

**Stephen Gilbert (St Austell and Newquay) (LD):** I warmly welcome the Government's announcement. My right hon. Friend has struck the right balance between protecting religious freedoms and extending legal equality to the LGBT community some 43 years after the Stonewall riots. Does she agree that, despite the noises behind me, it will be much less than 43 years before people wonder what all the fuss was about today?

**Maria Miller:** I understand my hon. Friend's sentiments; I do, however, understand what the fuss is all about. People have deep-seated religious convictions and beliefs. If we are to go forward successfully with these measures, we need to ensure that our respect is clear. I will meet religious institutions later today to talk about these things in more detail and ensure that they are happy with the locks we are putting in place.

**Kerry McCarthy (Bristol East) (Lab):** Given that the right to marriage is now being extended, albeit in quite a limited form, should not the right to enter into a civil partnership be extended to those heterosexual couples who perhaps do not like the religious connotations of marriage?

**Maria Miller:** I understand the hon. Lady's point, but we do not feel that there is significant demand for the extension of civil partnerships in the way she describes. What we want to ensure is that marriage is extended to same-sex couples.

**Sir Roger Gale (North Thanet) (Con):** I had the privilege of chairing the Civil Partnership Bill through Committee in the House of Commons. Throughout the passage of that legislation, clear undertakings were given that it was not the thin end of a wedge, that it would not lead to marriage and that it satisfied all the necessary legal and equality demands of the time. I accept that the present Government cannot be bound by a previous Government, but it will require a degree of faith—I use the word advisedly—if we to move forward down this road. The Minister said that 60% of the general public are in favour of this measure. The letters I have handed to Ministers suggest that 98% of my constituents are opposed to it. Will she publish the figures?

**Maria Miller:** I think my hon. Friend might have mistaken what I was talking about. I did not quote a figure in that respect, although I would always be happy to share with him any such figures. There are important differences in perception of civil partnerships and marriage. What we are putting forward today is about ensuring that the universally understood and recognised idea of marriage is available to more people. That is something we should celebrate. I hope I can convince him, through the quadruple lock I have announced, that the sort of protections that he and his constituents would look for are very much to the fore of our minds.

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**Chris Bryant (Rhondda) (Lab):** Marriage has changed over the centuries, has it not? For centuries, the Church of England's doctrine was that the primary purpose of marriage was the procreation of children, but many heterosexual couples either are unable to have children or choose not to have them. Marriage today is, for very many people, about many other things—companionship, sharing one's life, mutual support and so on. As I said to the Minister yesterday, I find it difficult to believe that any Christian, including many Anglican bishops and clergy, would not want that for every member of their parish. Will she therefore consider not putting such an ultimate lock on the Church of England, so that there is freedom for the Church of England? Those in the Church of England all voted to keep slavery for 30 years, but eventually they changed their minds.

**Maria Miller:** I am sure that the hon. Gentleman will take time to lobby his previous employer on these matters. Obviously it is for individual religious institutions to look at that. The Church of England can come forward with a change of view at any point in time and we can consider the appropriate actions to be taken.

**Mrs Cheryl Gillan (Chesham and Amersham) (Con):** I thank the Minister for her statement today, but many people in Chesham and Amersham are desperately concerned about the Government's proposals. What can my right hon. Friend say to my constituents, who genuinely feel that the Government are challenging their deeply held religious beliefs and, despite her many assurances today, do not believe that they are being heard by her or that their religion is truly being protected?

**Maria Miller:** I reassure my right hon. Friend that we have absolutely heard loud and clear the concerns that have been raised. Hence, we have brought forward our proposals today with a quadruple lock, which will provide the reassurance that I know that many people—whether her constituents or others—have been calling for, so that only when an organisation has opted in would it be able to consider undertaking same-sex marriages, and even then ministers can still decide not to do so. The amendments to the Equality Act and the provisions relating to the Church of England all work together to provide, I hope, the sort of reassurance that my right hon. Friend is calling for.

**Kevin Brennan (Cardiff West) (Lab):** I support the Minister's statement today. Can she explain the reference in her statement to the "Churches of England and Wales"? She continued: "That provision recognises and protects the unique and established nature of those Churches." The Church in Wales was disestablished in 1920, so will she explain in what sense she referred to it as an established Church in her statement?

**Maria Miller:** I welcome the hon. Gentleman's comments and his support. I was recognising the different obligations on the Church of England and the Church in Wales and ensuring that the protections there reflect those obligations in full, but if he wants to go into any other details, I hope we can do so in the Bill Committee.

**Mr Edward Leigh (Gainsborough) (Con):** During the passage of the civil rights legislation, the Government and the hon. Member for Rhondda (Chris Bryant)

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repeatedly assured us that civil partnerships would not lead to same-sex marriage. Then, the consultation that we have just had specifically excluded religious marriage between same-sex couples. Now, the Government assure us that human rights legislation is clear. It is not: the Minister should read the verdict of Aidan O'Neill, QC, who says the only absolutely safe defence for Churches is to get out of same-sex marriages. How can she legislate for something she has not consulted on?

**Maria Miller:** I am sure that my hon. Friend would not want me to answer for the hon. Member for Rhondda—I am sure the latter can answer for himself on any undertakings he might have given when he was a Minister. What I am trying to do is ensure that marriage is accessible to more people and that clear safeguards are in place. If my hon. Friend wants to talk to me in detail about those safeguards, I am happy to do that. I know that he, like me, wants to ensure that marriage is special. The provisions we have brought forward today will ensure that it remains that way.

**Barbara Keeley (Worsley and Eccles South) (Lab):** I welcome the move to equalise marriage. It is important that we make the change to allow same-sex couples to mark their love and commitment through marriage. That equality is welcome, but I also support my hon. Friend the Member for Bristol East (Kerry McCarthy). I know an opposite-sex couple who would have welcomed a civil partnership, a form of commitment that some people want. It is disappointing that it was not considered; it should be in future.

**Maria Miller:** The hon. Lady will know that that was a question in the consultation. There was not the demand in the consultation for the change she describes, but it is also important to note that our priority is to allow same-sex marriage, not to overhaul marriage law. That is where I want to keep the focus.

**Mr Crispin Blunt (Reigate) (Con):** I welcome my right hon. Friend's statement and in particular the change in the Government's position as a result of the consultation on lifting the proposed proscription on religious organisations conducting same-sex marriages. May I issue her a word of caution? It might be better to leave religious institutions to manage their own internal discipline on whether they take part in this, rather than our legislating for it.

**Maria Miller:** My hon. Friend is absolutely right. There is no way in which the Government want to become involved in the philosophy of our religious institutions. It is ultimately for them to take their stance, whether it is the Church of England making it clear up front that it does not wish to be involved in this—although it has the right to change that position over time if it wants—or any other religious institution.

**Dr William McCrea (South Antrim) (DUP):** Does the Minister feel that she is competent to act as God—to change and challenge the definition of marriage, between one man and one woman?

**Maria Miller:** I am sure that the hon. Gentleman would not want me to comment on the first part of his question, because that would be inappropriate. What I

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am doing is ensuring that marriage is a vibrant and relevant institution in our country today, and I am sure he will want to support that. In regard to the part of the country that he represents, the Northern Ireland Government are clearly taking a different view, and we respect that. We should all show respect for both sides of the argument.

**Mr Stewart Jackson (Peterborough) (Con):** I congratulate my right hon. Friend on delivering consultation results that are reminiscent of a Liberian presidential election. I believe that these proposals are a constitutional outrage and a disgrace. There is no electoral mandate for these policies. Will she explain what popular support she has received for erasing the words “husband” and “wife” from our laws and customs, as set out in her Department's equality impact assessment?

**Maria Miller:** I know that my hon. Friend has deep-seated views on this matter, and in saying what I am about to say, I am in no way trying to move him away from them. The consultation was very clear: we were talking about how we were going to implement this proposal, not whether we were going to implement it. We clearly set it out in the contract for equalities that we were going to consider the case for a change in the law, and that is exactly what we have been doing. Also, I would ask him not to pursue the issue of changing the usage of the words “husband” and “wife”, because the Government have absolutely no intention of doing that.

**Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op):** Since 2004, many of my constituents have registered their civil partnerships. If and when the law changes, some of them might want to get married, in either a civil or a religious ceremony. Would that require them to dissolve their civil partnership, or would there be a mechanism in the law to enable them to commute it or have a marriage in addition to their civil partnership?

**Maria Miller:** That is just the sort of important detail that many people will want to hear more about. I can tell the hon. Lady that there will be a facility for people who are in a civil partnership to convert it to a marriage, although there will be no compulsion to do so. I look forward to perhaps hearing her further comments as we discuss the Bill in Committee.

**Sir Alan Beith (Berwick-upon-Tweed) (LD):** How will the legal protections that the Minister has described apply in those denominations in which authority resides not with a

central organisation or with ministers but with the local congregation? Will she bear it in mind that the fear of having to engage in litigation, even if it is unlikely to succeed, is a genuine one in many Churches?

**Maria Miller:** My right hon. Friend also asks a thoughtful question. The reason we are putting in place changes to the Equality Act 2010 is that we want to ensure that people are not fearful of the potential litigation that could occur without those changes. In answer the first part of his question, those issues would be for local congregations and local representatives of religious institutions to deal with.

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**Pete Wishart (Perth and North Perthshire) (SNP):** I am sure that the Minister will want to acknowledge the initiatives on this issue in the Scottish Parliament. I am particularly proud that Scotland is leading the way on equal marriage. What discussions has she had with the Scottish Government about the necessary amendments to UK-wide equality legislation to ensure that celebrants in Scotland would be protected from legal action if they were to speak out against, or refuse to take part in, same-sex marriage ceremonies?

**Maria Miller:** That, too, is an important detail that has to be got right. We are pleased that we have put forward our proposals now. I think that the Scottish Government might well be putting forward theirs shortly. We have already started to have discussions at official level to ensure that those kinds of issues are dealt with. It is important that this measure should work across the devolved responsibilities, and it is a priority to ensure that that happens.

**Miss Anne McIntosh (Thirsk and Malton) (Con):** Is the Minister following developments in Denmark? The Churches there have sought exactly the kind of exclusion that this Government are seeking, but it has been ruled illegal. If that ruling also pertained in this country, what triple or quadruple lock could she possibly offer to Churches in that regard?

**Maria Miller:** I draw the attention of my hon. Friend—she is also a learned Friend—to the case law that is building up in the European Court of Human Rights. It has become clear that this is a question that is determined at local level. Our proposals will make clear in law the intentions of Parliament and the Government at local level, and we believe that that will put the protection of religious belief beyond doubt in this matter.

**Mr William Bain (Glasgow North East) (Lab):** Further to the point that the hon. Member for Perth and North Perthshire (Pete Wishart) has just made, may I point out that there is strong support across Scotland for the principle of equal marriage that the Minister has set out today, with 64% of people—people in poor Scotland, rich Scotland, urban Scotland and rural Scotland—supporting it? Will she make it clear, however, whether the Scottish Government have asked this Government for the provisions in this legislation to apply to Scotland if it is passed by this House?

**Maria Miller:** I welcome the hon. Gentleman's articulation of the support of the people of Scotland for the measures that this Government have brought forward today, and I thank him for that. The ways in which we would ensure clear read-across between the Scottish provisions and those made by Westminster are just the sort of details that we will be discussing. He would of course not wish me to pre-empt such a consultation by starting those discussions before making a statement like this to the House.

**Mr Peter Bone (Wellingborough) (Con):** I was up late last night reading “An invitation to join the government of Britain”, the Conservative manifesto; “A future fair for all”, the Labour manifesto; and this wonderful work “Change that works for you”, the Liberal Democrat manifesto, as well as “The Coalition: our programme

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for government?”. There is no mention in those political bibles of redefining marriage; it is not even hinted at. How dare the Minister suggest that she has any right or any mandate to bring in this legislation?

**Maria Miller:** My hon. Friend obviously has very strong views on this. As I have said, I respect those views, but I ask him to ensure that he balances them with a respect for others who might not agree with him. It is clearly set out in the contract for equalities that sat alongside our manifesto that we would consider the case for a change in the law, and that is exactly what we are doing today. I think he should be celebrating this development, and I really hope that I can convince him that the quadruple lock will provide just the kind of assurances that he seeks.

**Mark Durkan (Foyle) (SDLP):** Does the Minister accept that, as well as providing for civil marriage, the state has for some time recognised and registered marriages conducted under the sacramental privilege of various Churches? That legal capacity for Churches has always respected their own rules of ritual eligibility, and has been qualified only by the provision that there be no lawful impediment, such as a close blood relationship, one party already being married or the couple being of the same sex. Will she confirm that her proposal is essentially to remove the lawful impediment to marrying a couple of the same sex, and that it will in no other way encroach on the sacramental privilege of any Church or interfere with any Church’s rules of ritual eligibility?

**Maria Miller:** I can give the hon. Gentleman an absolute assurance that our proposals will do exactly what he is asking for, which is to ensure that there is no compulsion on religious institutions or individuals to undertake same-sex marriages. I ask him to look closely at the details of the quad locks that we have set out in our statement today. Of course we will be working with religious institutions to ensure that those locks work as they need to do, because it is our intention to provide the kind of safeguards that he is talking about.

**Sir Tony Baldry (Banbury) (Con):** On the principle of this matter, I sometimes think that we are talking at cross purposes. For me, there is absolutely no dispute that the hon. Member for Rhondda (Chris Bryant), my right hon. Friend the Member for Arundel and South Downs (Nick Herbert), my hon. Friend the Member for Reigate (Mr Blunt) and I were all created equal in the image of God. That is not the issue. For the Church of England, the uniqueness of marriage is that it embodies the distinctiveness of men and women, so removing that complementarity from the definition of marriage is to lose any social institution where sexual difference is explicitly acknowledged.

**Maria Miller:** My hon. Friend has articulated incredibly clearly the position of that particular religious institution, and I fully respect that view. We have accordingly put in place a clear protection, particularly for the Church of England. The important thing to state here is that that view is not held across the board, and other religious institutions would certainly differ from it. It is important that we have that respect in place, however, and I believe

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that our proposals will ensure that the Church of England can continue to hold those religious beliefs without fear of their being undermined.

**Diana Johnson (Kingston upon Hull North) (Lab):** The Minister just spoke about the special protection for the Church of England. The Church of England plays a special role in this country as our established Church, so is she satisfied that it is once again opting out of equalities legislation?

**Maria Miller:** The spirit of our debate today has been one of trying to find a way to ensure that we can provide protection for religious belief. I urge the hon. Lady to think about that carefully, because in the context of the provision of our quadruple lock it is important that we provide for that change in the Equality Act if we are to give the certainty that, as other hon. Members have highlighted, is so important.

**Sir Gerald Howarth (Aldershot) (Con):** Will my right hon. Friend accept that the great majority of people in this country—62% according to ComRes—regard marriage as being between a man and a woman, a situation that has persisted for centuries; that neither she nor the Prime Minister, and neither the Deputy Prime Minister nor the Leader of the Opposition, has any mandate whatsoever to inflict this massive social and cultural change on our country; that the consultation exercise has been a complete sham; and that the Government had made up their mind in advance what outcome they wanted and failed to take into account the 600,000 people who signed the Coalition for Marriage petition?

**Maria Miller:** I hope I can reassure my hon. Friend and neighbour in Hampshire that we have absolutely looked not only at the consultation responses but at the petitions we have been given, although they are not part of the consultation response because they were not part of the consultation. It is important that we consider both sides of the debate, understand the strength of feeling and make provisions for people's religious beliefs. I do not ever want to try to trade statistics in this place, because the subject we are dealing with is even more important than that. It concerns respect for people's differences, and we have an obligation to ensure that those differences can be protected in law.

**Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op):** I welcome the statement and indicate my support for this change. Is it the Government's intention that same-sex couples have the option of a civil partnership or a marriage, or will marriage simply become the standard means for any couple to affirm the status of their relationship?

**Maria Miller:** As a result of looking at the consultation responses, we believe that to protect those who have entered into a civil partnership we should continue to have that option available. There will be an option.

**Eric Ollerenshaw (Lancaster and Fleetwood) (Con):** I am prepared to support this measure on the grounds of equality before the law, provided that religious freedom is protected. Will my right hon. Friend comment on my remaining worry that teachers of particular faiths,

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whether they are in faith schools or non-faith schools in the state sector, might be expected to teach something that goes against their conscience?

**Maria Miller:** I would expect my hon. Friend to bring up another important issue, and he did. I can reassure him that nothing will change in what children are taught. Teachers will continue to be able to describe their own belief that marriage is between a man and a woman while, importantly, acknowledging that there can also be same-sex marriages. In faith schools in particular, people will want to ensure that the beliefs of that faith are clearly and well articulated for children.

**Jim Shannon (Strangford) (DUP):** I have had the single largest postbag that I have had as an MP on this issue from those who are opposed to it. The churches are opposed and my constituents are opposed—99.9% of the people in the area I represent are opposed to this legislative change. The Minister suggested in her answer to an earlier question that the 550,000 people who signed the Coalition for Marriage petition were ignored or sidelined. She will understand why many of us look on that with suspicion. Why was the Coalition for Marriage petition excluded from the headline figure? Is it not a case of some people being more equal than others?

**Maria Miller:** The hon. Gentleman is obviously right to say that there are strong feelings and I absolutely understand what he is saying. I can reassure him that we have considered all petitions and all responses to the consultation—more than 200,000 of them—which has taken a while. I remind him of the starting point for the consultation, however: it was not whether we would proceed with this measure, but how we would proceed with it. On that basis, I have made proposals today that I believe will provide the sort of safeguards that his constituents have been raising.



**Mr Speaker:** Order. A great number of hon. and right hon. Members are still seeking to catch my eye and I want to accommodate them on this very important matter. I hope they will help me to help them by being brief. Perhaps we can be given a textbook example of the genre by Mr Bernard Jenkin.

**Mr Bernard Jenkin (Harwich and North Essex) (Con):** I commend my right hon. Friend for the sensitive way in which she is approaching the issue and welcome her statement and the legislation she is proposing. Does she agree that it is legislation not to change the society in which we live but to recognise how society has already changed, and that we should afford the freedom to marry to every citizen in this country?

**Maria Miller:** In the tradition of brevity, yes.

**Stephen Williams (Bristol West) (LD):** I have long wanted to see a society in which couples who love each other, whether they are of the same sex or the opposite sex, can demonstrate that love and commitment in front of their family and their friends and for that commitment to be recognised by society. Does the Minister agree that all of us who want to see such a society should be very proud of her announcement today, which is a major strike for civil rights and equality in our country?

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**Maria Miller:** Yes, although it will now be important to work with religious institutions to ensure that there is happiness about the safeguards.

**Mr Speaker:** Was the hon. Gentleman in the Chamber at the start of the statement? He was. We must hear him. I call Mr David Simpson.

**David Simpson:** Further to a previous question, if a school teacher who teaches religious education believes that the Bible teaches that this act is wrong and tells her pupils that, will she be protected?

**Maria Miller:** The answer is absolutely yes, if that is the individual's belief. That is particularly important for faith schools, but as we would expect from all our teachers, we would want to ensure that such a belief was expressed in a balanced way.

**Simon Hughes (Bermondsey and Old Southwark) (LD):** I am a member of a party that supports equal marriage, but the Minister none the less must take into account that this was in no election manifesto, that it was not in the coalition agreement and that many members of my constituency, my church and my party feel that much more work must be done to see whether it is possible to redefine civil marriage separately from the traditional definitions of religious marriage. She therefore needs to proceed very carefully and cautiously, engage with the faith leaders to seek their agreement before proceeding, and proceed with draft legislation before moving speedily to get something on the statute book.

**Maria Miller:** My right hon. Friend obviously has strong views on the question. My priority is to allow same-sex couples to marry and not to overhaul marriage law, but he is right to say that we need to work with religious leaders. I will start those discussions as soon as the statement has finished.

**Sir Peter Bottomley (Worthing West) (Con):** As all marriages now are between different-sex people, it is surprising that only 61% regard marriage in such a way—it should be 100%. Like my hon. Friends who disagree with me on this, I would hope that 200 years ago I would have been part of the Clapham sect, and I think it would be a good idea to have a joint opinion poll from the Freedom to Marry campaign and the Coalition for Marriage asking a yes/no question. We could then work from the same figures, which would probably show that two thirds of the population want this legislation to go through. I support that.

**Maria Miller:** I would suggest that it is the role of Parliament to debate such issues. I would not want to rely on opinion polls to determine such an important issue.

**Jane Ellison (Battersea) (Con):** We all represent a great many young constituents, although they are perhaps not our most active correspondents on this issue. Life is very tough for many young gay people, so does the Minister agree that this is an important way of sending out a signal to them as they grow up in our society that we value and treat them equally?

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**Maria Miller:** I certainly hope that that will be one result from what we are talking about today.

**Mr Laurence Robertson (Tewkesbury) (Con):** The Government are hiding behind triple locks and quadruple locks on what may or may not happen in churches. Let me point out that although there are religious and civil ceremonies, there is only one marriage, and many people of all faiths and no faith are deeply offended—I repeat, deeply offended—by these proposals.

**Maria Miller:** My hon. Friend is absolutely right that there is one marriage—there are different ways into it, but there is just one concept of marriage. The locks that we propose are very much about listening to people’s concerns, but not just listening, as they are also about acting and ensuring that the safeguards are effective.

**Mr Julian Brazier (Canterbury) (Con):** My right hon. Friend well knows that schools are required to teach children about family life. Given that the Government are proposing to redefine marriage, which is at the heart of the matter, I echo other Members in asking what concrete safeguards the Government propose to put in place to protect Christian teachers who teach that marriage should only be between a man and a woman.

**Maria Miller:** I reiterate and underline what I said earlier—that nothing we have announced today will change how children are taught. Teachers will be able to describe their belief that marriage is between a man and a woman, but as with all teaching, we would of course expect that to be done in a balanced manner.

**Gavin Barwell (Croydon Central) (Con):** I warmly welcome what my right hon. Friend has said today, but some of my constituents and some of my closest friends on these Benches have real concerns. Is not the message today that we must find a way to ensure that those churches that do not wish to conduct same-sex marriages do not have to, but that while they rightly demand that their religious freedom is protected, they cannot deny others who wish to conduct these marriages the opportunity to do so?

**Maria Miller:** I could not agree more with my hon. Friend, who I think has articulated the position absolutely correctly. That is the Government’s position.

**Mr Matthew Offord (Hendon) (Con):** Yesterday I asked the Minister about polygamy, and she was unable to answer my concerns. Is she aware of the campaigns now taking place in Canada to legalise polygamy, since marriage was redefined there in 2005?

**Maria Miller:** I think I did answer my hon. Friend’s question yesterday by saying that marriage in this country is between two people.

**Mr David Burrowes (Enfield, Southgate) (Con):** Now that the state wishes to redefine marriage, will it redefine adultery and non-consummation?

**Maria Miller:** Again, that is an important detail, which I am sure will be looked at further when the Bill is examined in Committee. I can say clearly to my hon. Friend—the consultation document says that there must

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be clarity on this issue—that no changes to the laws of adultery are proposed and that same-sex couples will have the current laws of adultery available to them if those laws apply. If they do not apply, there will also be grounds of “unreasonable behaviour” for individuals to

seek divorce if the behaviour falls short of adultery. I believe that this reflects the current situation for civil partnerships.

**John Glen (Salisbury) (Con):** In April this year, when the Scottish National party produced a consultation that allowed anonymous responses, the Conservative party said:

“Nothing the SNP now assert on the basis of a rigged consultation to which SNP members can contribute anonymously and as many times as they like will command confidence”.

Why, then, in the case of this consultation, in which 60% of the respondents were anonymous on a matter that was not in the manifesto and when my constituents do not want this to happen by a factor of 25:1, are the Government pressing ahead with it?

**Maria Miller:** I can perhaps reassure my hon. Friend that the consultation we undertook was carried out correctly and properly, and that proper safeguards were put in place to avoid any multiple submissions. I urge my hon. Friend to consider the fact that while many people who do not agree with the Government’s position may contact him about their views, there may be many others who do agree with it but whose voices are not as strong.

**John Pugh (Southport) (LD):** Given that the proposals are clearly based on the principle of equality, does it not make the refusal to offer civil partnerships to heterosexual couples completely incapable of coherent explanation and thus subject to obvious legal challenge in the future?

**Maria Miller:** We are saying that we have not identified a need for opposite-sex civil partnerships and, as I have already said, my priority is to allow same-sex couples to get married without undertaking a complete overhaul of either civil partnerships or marriage law in general.

**Dr Sarah Wollaston (Totnes) (Con):** I love being married. Surely it cannot be right in this day and age to deny the symbolism around marriage to our constituents on the basis of their sexuality. Does the Minister join me in looking forward to a day when all faiths, not just the Church, guarantee full equality to all women and to all people whatever their sexuality?

**Maria Miller:** I understand my hon. Friend’s sentiment and, on a personal level, I have a great deal of sympathy with what she says. As a House of Parliament, however, we need to respect the fact that not everybody is in the same position on these issues. I believe there are important merits in offering marriage to more and more people, and I hope every Member will join me in celebrating the importance of marriage in our society today.

**Mr Robin Walker (Worcester) (Con):** As a supporter of the institution of marriage, I welcome in principle the Government’s desire to extend it to more people through equal civil marriage. However, I and many of my constituents are deeply concerned that the extension of this legislation into the religious domain could increase

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the risk of costly legal challenges to the Churches and religious groups. Can the Minister offer any clear assurance that the Government’s legal advice is not only that such challenges would fail but that the Churches can be protected from extra costs that might be imposed?

**Maria Miller:** I reiterate that the triple lock is designed to make sure that changes in the Equality Act 2010 work at a local level so that churches and, indeed, that individuals do not face the prospect of challenge and that any challenge will be directed at the Government. Even more important, case law and the European convention ensure that we have put beyond doubt the protection of religious belief in this matter. These are the sort of concrete reassurances that I am sure my hon. Friend and his constituents would welcome.

**Andrew Selous (South West Bedfordshire) (Con):** A year ago, the Prime Minister described the United Kingdom as a Christian country. Does my right hon. Friend, whom I greatly like and admire, recognise that this legislation will mark a significant moment as this

country will be passing a law that is directly contrary to what Jesus said about marriage in Mark chapter 10 and Matthew chapter 19?

**Maria Miller:** My hon. Friend is right that, as I outlined in the statement, this is a significant moment. We have faced other such significant moments in the evolution of marriage, and Parliament has been a radical campaigner on this issue over the centuries. I hope that my hon. Friend, who I know takes a thoughtful approach to this matter, will agree to look at the quadruple lock that I proposed today. I would certainly be happy to sit down with him and talk about it further if he has any further anxieties.

**Mr Marcus Jones (Nuneaton) (Con):** Notwithstanding my right hon. Friend's comments, can she explain how the Bill will guarantee that my constituents, including teachers or public sector workers who disagree with the state's new definition of marriage, will not fall foul of employment laws for expressing their personal views in the workplace? Will it not just be a lawyer's paradise?

**Maria Miller:** I can understand why my hon. Friend wants to raise that question today. Recent case law, which we would not want to go into on the Floor of the House, has highlighted how individuals who have raised their own views on the issue of equal marriage have experienced problems. What I have been reassured about, however, is the fact that those issues have been resolved and the courts have been very clear that individuals are entitled to their private views on this matter and that those views should not be held against them.

**Fiona Bruce (Congleton) (Con):** I understand that the head of the Government Equalities Office told representatives of the Roman Catholic Bishops' Conference that each signatory to the coalition for marriage petition would be counted as an individual response to the Government's consultation. Because of that assurance, many supporters of traditional marriage focused on that petition. Why did it not happen? Was it because including those half a million and more signatures would have shown a substantial majority against plans to redefine marriage—something that is also confirmed by my constituency postbag?