

Response to consultations on: **Same-sex religious marriage in Northern Ireland and Marriage and Civil Partnership - Conversion entitlements in Northern Ireland**

February 2020

1. The National Secular Society works for the separation of religion and state, and for equal respect for everyone's human rights so that no one is either advantaged or disadvantaged on account of their beliefs. We regard secularism and equality as essential features of a fair and open society. This includes within the institution of marriage.
2. We welcome the opportunity to respond to the related consultations on:
 - a. Same-sex religious marriage in Northern Ireland; and
 - b. Marriage and Civil Partnership - Conversion entitlements in Northern Ireland
3. We have examined the proposals outlined in the two consultations, and decided that the questions posed are on matters that are beyond our scope. For this reason, this submission does not address the specific questions asked in either consultation.
4. However, we believe the questions, and the need to consult on the issue of marriage where it relates to religion, LGBT+ people, and civil partnerships, serve to highlight a deeper issue: **the entanglement of religion and state in the legal institution of marriage.**
5. It is this lack of separation between the legal institution of marriage, and the religious ceremonies that some couples choose to have as part of their marriage, that has led to unnecessary complexity in the laws governing marriage throughout the United Kingdom, including Northern Ireland.
6. This complexity has resulted in different rules governing religious and civil marriages, and in giving undue privilege to religious marriage. For example, in Northern Ireland civil marriages can only take place in a registration office or a place approved by the local registration authority, whereas religious marriages can be celebrated anywhere agreed between the officiant and the couple. This is unfair and gives couples seeking a civil marriage far less freedom of choice of venue than those who choose a religious marriage.
7. **The NSS believes the institution of marriage would be made fairer, simpler and more equal for all by implementing one marriage law for all.** We have set out a proposal for a new approach to marriage law in the attached briefing, Reforming Marriage Laws.
8. Under our proposal, opposite-sex and same-sex couples would have equal access to legally-recognised marriage. At the same time, religious institutions would retain the right to refuse to conduct sacraments, blessings or other ceremonies relating to marriage for same-sex couples (as well as the right to perform them if they wish). This is because those ceremonies would be regarded as separate from the legal requirements necessary to make a marriage

recognised in law.

9. We are currently in discussion with the Law Commission in England regarding how to make England's marriage laws simpler, fairer and fit for purpose in the 21st century. We would be happy to discuss further with the Northern Ireland Office.
10. Please refer to the attached document, ***Briefing: Reforming Marriage Laws***, for more information on our vision for marriages in modern Britain.

This response was prepared by Megan Manson, campaigns officer, National Secular Society