

# Funding the Future

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As the [Guardian reports](#) this morning:

*The government has come under cross-party pressure to explain why it gave permission for Bermuda to repeal same-sex marriage rights, after the British territory became the first place in the world to make such a move.*

*The legislation, decided by the island's elected government, was signed into law on Wednesday by its governor, the British diplomat John Rankin. It replaces the right of same-sex couples to marry, introduced after a supreme court ruling last year along with domestic partnerships, available for all couples.*

I would hope most readers would presume that I am appalled by this decision, having said which I hope I will be forgiven for considering its non-LGBTQ consequences.

As the Guardian also notes:

*Labour MP Chris Bryant secured an urgent question in the House of Commons to ask why the foreign secretary, Boris Johnson, approved the move.*

*Harriet Baldwin, the junior foreign office minister sent to deal with the question, said the government was "obviously disappointed" with the repeal of the law but felt it had no choice.*

*She said: "After full and careful consideration in regard to Bermuda's constitutional and international obligations, the secretary of state decided that in these circumstances it would not be appropriate to use this power to block legislation, which can only be used where there is a legal or constitutional basis for doing so, and even only in exceptional circumstances."*

Perhaps as importantly they noted that the minister added:

*The new civil partnership law met European human rights standards, Baldwin said, telling MPs that ministers had limited powers over British overseas territories, which were "separate, self-governing jurisdictions with their own democratically elected representatives that have the right to self-government".*

Unpacking that reveals a number of very obvious and sometimes contradictory statements.

The first is that these places are independent but their law requires U.K. approval.

The second is that we do not legislate for them unless we think we should, which is when we consider the situation exceptional.

Third, non-compliance with EU standards would be considered exceptional.

I think that a fair summary. The basic rule is self government subject to the U.K. having the right to intervene if good order, the break down of good governance or issues of foreign affairs requires it.

I would argue that in the matter being considered good order required intervention, but that is not my main point, which is that the EU has now either black listed, or is threatening to black list, many of these jurisdictions for failing to comply with its tax requirements, which failure does in every case relate to international tax, and so foreign affairs. [The EU Parliament is now going to investigate the matter](#). And what the minister's comments make abundantly clear is that the U.K. has the right to intervene in such situations. Indeed, it appears duty bound to do so.

In which case it has to be asked why the U.K. is not intervening to require a change in the tax law of these places, whether voluntarily or by imposition.

The EU may wish to ask U.K. ministers to explain themselves.