



Monika & Karolina

Why 'Marriage Equality'?

We use the term 'marriage equality' rather than 'gay marriage' or 'same sex marriage' because we are not looking for any special or separate kind of marriage. We don't want to change marriage, which is about love, commitment, caring for and protecting loved ones. We want to open it up so same sex couples can get married too. We are calling for equality.

Contents

Why marriage matters?	4
Five reasons why we need Marriage Equality	6
1. It will make Ireland a fairer and more equal country	7
2. Ireland is ready – it has public support	8
3. It's happening all over the world	9
4. Civil marriage is good for people, families and society	10
5. It's good for Ireland's economy	11
Some concerns people have about Marriage Equality	
“Tradition & Nature: that marriage equality will damage or change marriage”	12
“Marriage is about religion” & “Freedom of religion will be harmed”	13
“Civil partnership already exists, so civil marriage is unnecessary”	14
“Marriage is about procreation and children”	16

Why marriage matters?

1. Marriage is a unique legal status conferred by and recognised by governments the world over. It's about love, commitment and protecting loved ones. It brings with it a host of reciprocal obligations, rights and protections. Yet it is more than the sum of its legal parts; it is also a cultural institution. Being able to use the word itself is hugely important, conveying clearly that you and your life partner love each other. For many people it represents the ultimate expression of love and commitment between two people, and everyone understands that. No other word has that power, and no other word can provide that protection.
2. In Ireland, the family (with or without children) based in civil marriage is protected by the Constitution. This means that other families (with or without children) do not have this special, elevated and protected status in Irish law.
3. Civil marriage is not the same as religious marriage. Religious marriage is a ceremony in a church, but it is followed by the signing of the civil marriage register, which is the civil (or legally binding) part. A civil marriage takes place in a registry office or other approved venue, and has nothing to do with religion.

Where are we now in Ireland?

1. Although civil partnership was introduced in 2011 in Ireland and marked an important step in relationship recognition for lesbian, gay, bisexual and transgender people, it is not the same as civil marriage and therefore lesbian and gay couples, their families and their children are not seen as equal or treated equally by Irish law. This difference matters on many levels: in society, in law and in day to day existence.
2. In April 2013 the Constitutional Convention made up of ordinary private citizens and elected representatives voted by 79% to recommend to Government to introduce marriage equality for lesbian and gay couples. The Government listened and promised to hold a referendum on the issue in 2015.





5 Reasons to support civil marriage equality

Marriage is about love, commitment and protecting your loved ones. Here are 5 of the reasons why civil marriage equality should be introduced



Veronica,
Eva & Isabella

1

It will make Ireland fairer and more equal

1. Polling shows that Irish people believe in equal rights regardless of sexuality. Irish people believe that gay and lesbian people are equal citizens. Personal freedom is a foundation of our democracy, something to be protected, unless of course it harms others. Gay and lesbian people marrying the person they love will not harm others. If we really believe gay and lesbian people are equal, then we must allow committed same sex couples to marry.

This goes to the heart of acceptance that it is ok to be lesbian or gay, because being lesbian or gay is about who we fall in love with and want to share our lives with.

2. More than 8 out of 10 people (that's 84%) agree that everyone in Ireland should receive equal treatment from the state, regardless of whether they are lesbian, gay, bisexual, transgender or heterosexual.

3. Irish people believe that denying civil marriage to same sex couples is discriminatory and unfair. Nearly 3 out of 4 people (that's 72%) believe that denying civil marriage to same sex couples is a form of discrimination. ⁽¹⁾



Ireland is ready – it has public support

1. Ireland is ready. In 2007 56% of Irish people supported civil marriage, now 74% of people do. Providing for civil marriage equality is a popular measure. Public opinion has shifted to support equality for same sex couples. Three quarters of the population is a solid majority, a remarkable surge and not just a generational change. All the main political parties in Ireland now support the introduction of civil marriage equality. People across Ireland are rethinking their position; evolving like U.S. President Obama, who described his journey to supporting marriage equality:

2. *“I have to tell you that over the course of several years as I have talked to friends and family and neighbours when I think about members of my own staff who are in incredibly committed monogamous relationships, same-sex relationships, who are raising kids together, [...] at a certain point I’ve just concluded that for me personally it is important for me to go ahead and affirm that I think same sex couples should be able to get married.”*

3. Former President Mary McAleese said that lesbian and gay people are:

4. *“as entitled to live their lives on their own terms, as I do as a heterosexual,” [...] I’m just thrilled anyone wants to get married.”*

5. Most Irish people think ‘not everyone is the same as me, but that’s ok – they still deserve equality.’ Current polling shows us that ⁽²⁾ :

- **74% of people in Ireland support marriage equality for lesbian and gay couples**
(September 2012, Millward Brown)
- **75% of people in Ireland would vote in favour of introducing marriage equality if a referendum was held tomorrow**
(September 2012, Millward Brown)
- **69% of people in Ireland believe that being raised in a loving home by loving parents is a more significant factor for a child’s well-being than being raised by a mother and father**
(September 2012, Millward Brown)

It's happening around the world

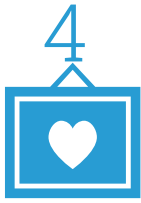


Lesbian and gay couples can marry the person they love in 17 countries (including Spain, France, England & Wales) and over 20 U.S. states ⁽³⁾. Ireland has a good reputation for equality and human rights internationally. We don't want to be left behind in the global movement of civil marriage equality.

Countries that now have marriage equality

The Netherlands(2001)	Brazil(2013)
Belgium(2003)	France(2013)
Spain(2005)	Uruguay(2013)
Canada(2005)	New Zealand(2013)
South Africa(2006)	England(2014)
Norway(2009)	Wales(2014)
Sweden(2009)	Scotland(2014)
Portugal(2010)	Luxembourg(2014)
Iceland(2010)	
Argentina(2010)	
Denmark(2012)	





Civil marriage is good for people, families & society

1. Research shows that marriage is good for people: married people are healthier, happier and earn more. Marriage is also a commitment device, it keeps couples together and families together. It is accepted by the majority of people as good for society e.g. the family unit looks after itself, takes on a caring role for the members of that family and therefore is less dependent on the State for support.

2. Therefore if you believe gay and lesbian people would benefit from civil marriage and that society would too then why deny these benefits based on sexuality alone?

3. On top of this, introducing civil marriage equality is austerity proof. It won't cost the State anything but will improve the lives of thousands of people and arguably improve Irish society in general.



5

It's good for Ireland's economy



1. Our reputation for being a welcoming country that respects diversity is also good for foreign investment. International companies like setting up in countries where their employees will be protected and treated equally. It leads to better productivity and a greater market reach for them. The 'business case' for civil marriage equality is well recognised by major U.S. and international companies.

2. Businesses such as Amazon, Starbucks, Ben & Jerry's, Lush, Google, Expedia and Microsoft have publicly stated their support for civil

marriage equality. In fact many large U.S. companies have joined the campaign for civil marriage equality in the U.S. They realise that this issue is not only a social and moral issue, it also has business consequences ⁽⁴⁾.

3. If companies (and our country) have a 'brand promise' that they are open, welcoming and respectful of diversity, it stands to reason that they should support civil marriage equality

- **Supporting equality policies attract and retain quality employees and therefore gives companies a competitive edge when hiring**
- **As the world gets more diverse, businesses need a more diverse workforce in order to serve clients well**
- **A work environment that encourages people to be their true selves improves employee engagement, which translates into employee satisfaction**

Richard Florida, Economist



Some concerns people have about marriage equality

“Tradition & Nature: that marriage equality will damage or change marriage”

1. Marriage is about love, commitment and caring for our loved ones. **Lesbian and gay couples don't want to change that.** They simply want access to it. Introducing it would not fundamentally change marriage. Tradition is not stagnant. It changes over time e.g. women can vote. Terms like 'tradition' and 'natural' are loaded terms. **What is accepted as natural, common sense or commonly held beliefs change overtime.**

2. **Marriage has changed over time.** In 1870 the ban on Catholics marrying Protestants was lifted. In 1972 the minimum age to marry was raised to 16 years. **In 1996 divorce was introduced.** So we see that the institution of civil marriage has evolved over the years. Tradition has frowned in the past on mixed-race and inter-faith marriages but they happen frequently now

in Ireland and represent the way in which marriage is a changing institution reflecting the changes in our society and its traditions.

Lifting the civil marriage ban for same sex couples will not damage the institution of marriage. Since 1996 the number of marriages each year has risen steadily. In 2010 it was reported that Ireland also had the lowest divorce rate in the EU at 0.7 per 1000 people. **Opening up marriage to same sex couples is just another change to marriage in modern times.**

3. International experience. **In countries and states where marriage equality has been introduced marriage has not significantly changed or been damaged.** There are no less marriages taking place than before. Public perception of marriage has not been damaged and divorce rates have not

increased. In fact in Massachusetts divorce rates have decreased since marriage equality was introduced, arguably because people saw that marriage is of value for people, families and society and worth fighting for ⁽⁵⁾.

4. It is precisely because same sex couples value marriage that we are fighting for it. If marriage is worth fighting for, any couple who want to take that next step, make a lifetime commitment to each other and add their names to everything marriage means should be welcomed with open arms. **Marriage is about two committed adults who promise to love, cherish and protect each other. Same sex couples don't want to change that.**

5. You may think that same sex couples are somehow different from heterosexual couples, but they are more similar than you might think. **They have similar hopes, concerns and desires to make the exact same commitment.**

6. The Oxford English Dictionary (and others) includes same sex couples in its definition of civil marriage (in some jurisdictions).

7. The campaign for marriage equality is about truly Irish values of love, commitment and respect for family and kinship.

“Marriage is about religion” & “Freedom of religion will be harmed”

1. Providing civil marriage equality is about access to civil marriage (getting married in a registry office). **It's not about getting married in a church.** Marriage itself pre-dates the religious sacrament, rite or ritual. It has been around for millennia. About 30% of all couples in Ireland get married in a registry office. ⁽⁶⁾

2. Providing civil marriage equality is not about forcing churches to marry same sex couples if they do not want to. **In the same way that after the**

introduction of divorce churches were not forced to re-marry divorced people. The free profession and practice of religion is afforded very strong protection under Article 44 of the Constitution ⁽⁷⁾.

3. However some churches would like to be able to opt in and decide themselves whether to marry same sex couples. Churches and religious bodies such as the Unitarians and the Quakers have expressed their wishes to be able to do so. **13**

“Civil partnership already exists, so civil marriage is unnecessary”

1. Civil Partnership is not the same as marriage. It is a separate and unequal relationship status only available to same sex couples.
2. Civil partnership was a significant advance and has been widely welcomed across Irish society. However, civil partnership falls short of Constitutional equality and does not confer equal status and standing on committed loving, lesbian and gay couples who wish to marry. The Irish Constitution, the document on which all our laws are based, recognises marriage and family as the main building blocks of Irish society. Civil marriage is the relationship recognition institution provided for in the Constitution. This provides for recognition, status and standing for married couples and demonstrates its importance to society. Opening up civil marriage would extend equal constitutional protection to lesbian and gay relationships, with all the rights and responsibilities, status and standing which that entails. Providing Constitutional equality for lesbian and gay people sends a powerful signal that lesbian and gay relationships are valued and equal.





Glenn & Vilar

“Marriage is about procreation and children”

Marriage certificates are not issued in Ireland conditional upon couples having children. Many married couples do not have children e.g. older couples, couples with fertility issues and couples who decide not to. It doesn't make their marriages less valid. Indeed the Supreme Court has upheld married couples' right to use contraception to prevent procreation ⁽⁸⁾.

Many Irish people have children without getting married, some of them as cohabiting couples, including lesbian & gay parents who are already raising children in loving homes all over Ireland. The meaning of 'the family' has changed in Ireland over the years. Single parents, step-parents, grandparents, aunts and uncles, foster parents and lesbian and gay parents are all raising children as a family unit. **Today's reality is that many of us belong to diverse families.**

We have nothing to fear from children growing up with lesbian and gay parents. Some 30 years of scientific research proves that children growing up with lesbian and gay parents turn out just fine and have found no significant developmental differences between them and children with heterosexual parents in their intelligence, psychological adjustment, social adjustment, popularity with friends, development of social sex role identity or development of sexual orientation.

Professor Sheila Greene, formerly of the Children's Research Institute at Trinity College Dublin reviewed all the research in relation to outcomes for children of same sex couples and agrees that children in same sex families reach their developmental milestones and do just as well as children raised by opposite sex couples ⁽⁹⁾.

Children in same sex families experience hardship and social exclusion because of lack of legal recognition and protections e.g. medical consent, school, hospitals.

Do we want to continue to discriminate against those children or do we want to change the law to give them equal protections?

Children's rights campaigners and organisations have called on Government to address the lack of legal rights for children in same sex families. The Children's Rights Alliance called on Government to fulfil its promise in the programme for government to address the anomalies



and omissions in the Civil Partnership Act including those relating to children in their 2013 Report Card to Government ⁽¹⁰⁾.

UNICEF has stated that “All people regardless of race, gender, religious belief or sexual orientation should be entitled to the same protection and privileges under the law. The protection of children is paramount at all times regardless of the parenting circumstances in which children may find themselves. Issues such as next of kin, custody, access and guardianship for children of same-sex unions should be clarified as a matter of urgency.”

We asked children with lesbian and gay parents for their opinions on the issue of marriage equality. We published two reports in 2010 called *Voices of Children* so that their opinions could be heard ¹⁴. **What mattered most to these children was that their family relationships be recognised and protected, and that no other generation of children with lesbian, gay, bisexual or transgender parents be discriminated against the same way.**

A recent poll found that over two-thirds (that's 69%) of people in Ireland agree that being raised in a loving home by loving parents is a more significant factor for a child's well-being than being raised by a mother and father. (Millward Brown, September 2012)

Some people worry about children with lesbian and gay parents being bullied. Bullying is a terrible problem in Irish schools. We need to tackle it as a whole. The fact is that people can be cruel for a variety of reasons. As with all reasons behind bullying, education is key. But let's tackle the real causes of this kind of bullying, in this case homophobia, rather than incorrectly fixate on one of its symptoms.

The Children and Family Relationships Bill currently going through the houses of the Oireachtas proposes to address the legal gaps faced by children in non-traditional families including children with lesbian and gay parents including adoption, guardianship, legal parentage and all the rights and responsibilities that flow from these legal relationships.

Footnotes

1. Polling results – Millward Brown Lansdowne, 2012
2. <http://www.marriagequality.ie/getinformed/polling2012.html>
3. As of June 2014.
4. <http://www.nytimes.com/2013/03/02/business/businesses-refuse-to-arrive-late-on-same-sex-marriage.html?pagewanted=all>
5. <http://williamsinstitute.law.ucla.edu/press/divorce-rates-lower-in-states-with-same-sex-marriage/>
6. 29% in 2009 CSO report - <http://www.cso.ie/en/media/csoie/releasespublications/documents/vitalstats/2010/marriages10.pdf>
7. “See further, G. Hogan and G. Whyte (2003) *The Irish Constitution* (Butterworths: Dublin), Chapter 7.8 and E. Daly (2008) ‘Religious Discrimination Under The Irish Constitution: A Critique of the Supreme Court Jurisprudence’, 7 *Cork Online Law Review*, 28. The European Court of Human Rights will not compel countries to legislate for civil marriage equality. It has decided that it is a matter that should be resolved at national level: *Schalk and Kopf v Austria* and *Gas and Dubois v. France* (Application no 25951/07). The European Convention on Human Rights also provides strong protection for religious freedom (under Article 9). The European Court has emphasised that “[t]he autonomous exercise of religious communities is indispensable for pluralism in a democratic society” (*The Supreme Holy Council of the Muslim Community v Bulgaria* (2005) 41 EHRR 3, para 93-96). Any attempt to force a church or religious organisation to conduct same-sex marriages, contrary to the religious convictions of its members’, would therefore not only contravene the Constitution it would also violate Article 9.
8. *McGee -v- The Attorney General* [1974] I.R. 287.
9. http://www.marriagequality.ie/download/pdf/voices_of_children_conference_report.pdf
10. http://www.childrensrights.ie/sites/default/files/submissions_reports/files/ReportCard2013.pdf

YOU ARE CORDIALLY INVITED TO MAKE HISTORY
IN THE 2015 MARRIAGE EQUALITY REFERENDUM

Marriage Equality

NEEDS YOU



THREE WAYS YOU CAN HELP RIGHT NOW

1

Check that
you are
registered

We won't win this unless you are registered to vote so check the register. If you're already registered then get family and friends to do the same.

REGISTER

checktheregister.ie

2

Small change
can mean
big change

Your small change can mean big change so please donate to Marriage Equality today and help us win the referendum.

DONATE

marriagequality.ie/donate

3

Be an
ambassador
for equality

As a supporter of Marriage Equality you are an ambassador. Talk to family and friends. No question is too big or small and every question deserves a response.

TALK

facebook.com/marriagequality

MARRIAGE EQUALITY
Civil Marriage for Gay and Lesbian People

WWW.MARRIAGEQUALITY.IE



Marriage Equality
9-13 Blackhall Place
Dublin 7

Tel : 00 353 1 799 4502
Web : www.marriagequality.ie

MARRIAGE EQUALITY
Civil Marriage for Gay and Lesbian People