



**WE ALL  
DESERVE  
THE  
FREEDOM  
TO MARRY**

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**CIVIL MARRIAGE RIGHTS FOR LESBIANS  
AND GAY MEN IN IRELAND**

**IT'S  
NO  
JOKE**



**MARRIAGEQUALITY**

**2009 REPORT**

# IT'S NO JOKE

## foreword

*It's NO Joke: Civil Marriage Rights for Lesbians and Gay Men in Ireland* is a report produced by MarriageEquality. It is an investigation into attitudes and perceptions towards lesbians and gay men marrying in a civil ceremony, and shows the public's belief in an equal society regardless of sexuality. The report uncovers for the first time the overwhelming support that exists among the people of Ireland to allow lesbians and gay men the option to get married.

The fact is that Ireland is already home to gay and lesbian couples who married in other countries such as Spain, South Africa and Canada. Unfortunately due to Ireland's out-dated laws, their foreign marriages are not recognised here. Lesbians and gay men cannot get married in Ireland. The Irish Government is lagging behind other European countries and further afield and is only now moving to introduce civil partnership legislation that will essentially give some rights to lesbian and gay couples, but it provides far fewer rights than those gained through marriage, and fails entirely to answer the needs of those lesbian and gay couples who are already married or who wish to get married in Ireland.

However, despite the slow response of the political system and the failure of leadership amongst many of the main political parties, we believe that the future is bright. There are numerous organisations working to secure the civil rights of lesbians and gay men. With your help we can make an equal Ireland a reality. The findings in "It's No Joke" show Irish people as being very clear that lack of access to civil marriage for any two adults who love each other is unjust and unfair. Across all categories and age groups Irish people are clear that they support civil marriage rights for gay and lesbian couples. It makes one proud to be Irish!

Many of the politicians in the larger parties of the state may be fearful of saying yes to marriage equality, but "It's No Joke" shows beyond doubt that Ireland is ready for State recognition of civil marriage for lesbian and gay couples.

Irish people understand, deeply and keenly, that the denials of marriage rights for gay and lesbian people is discriminatory and homophobic; it denies full citizenship rights for gays and lesbians. They understand the pain and disappointment and suffering and poverty this condemns Irish lesbians and gay men to, they are clear, this denial is no joke.

Marriage Equality is here to ensure that the public sensibility and clarity of support for civil marriage for gay and lesbian couples is conveyed to our political leadership and whatever legislative changes are required to make this happen will be expedited, so that the pain and social exclusion of so many human beings can be brought to an end and civil marriage for lesbian and gay couples in Ireland will be a reality.

**Grainne Healy,**

Co-Chair

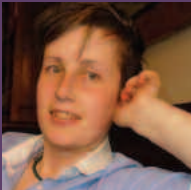
**MARRIAGE EQUALITY**

*"The sexuality of a person does not determine the level of rights that person should be entitled to"*

## equal rights regardless of sexuality

An overwhelming 81%, or eight out of ten Irish people agree that everyone in Ireland should receive equal treatment from the state regardless of whether they are gay, lesbian or straight. Notably, those who most strongly agreed with this were 25-34 year olds at 90%, the lowest support among the over 65s was still high at 61%.

These statistics show the level of support for an equal Ireland, where the sexuality of a person does not determine the level of rights that person should be entitled to.




Siobhan McGuire

*"Growing up I always wanted to marry and have children. Even as a little girl I never had images of a husband though. When I came out I started educating myself on LGBT rights (or lack thereof) in Ireland and I began to realise that my "home" country doesn't have the same life wish for me. I was raised lovingly by my mother and father who told me from an early age that being gay was nothing unusual so I never felt like a second-class citizen until I opened my eyes and looked around me.*

*I am half Irish and proud to say I am but if, once I am ready to marry I cannot marry here I will leave this country and not look back. I will not have my children in this country if the law does not recognise both of their parents equally. This saddens me because I love Ireland, I grew up here, I have a life here with friends and family but to be denied my human right to marry here is an insult and a disgrace.*

*My siblings can marry, my best friends can marry, my colleagues can marry but I can't. All because they are straight and I am gay.*

*"the majority of people in Ireland recognise the fact that denying lesbians and gay men the choice to marry is unfair and discriminatory"*



## denying same-sex marriage is discriminatory and unfair

When asked if denying same-sex marriage is a form of discrimination, 61% or six out of ten people believed it was. A clear minority, only 20% or two out of ten, believed it was not a form of discrimination.

It is interesting to note that those who believed strongly that denying same-sex marriage is a form of discrimination was highest among the 25-34 years olds at 74%. Indeed, this belief is strongest among those under 50 at 69%, 7 out of 10 people, who strongly believe that this denial is a form of discrimination.

In terms of regional support, people who live in Dublin were more likely to believe that denying same-sex civil marriage is a form of discrimination at 74%.

When asked if being excluded from marriage in a registry office is unfair, a similar pattern emerges with 65%, six out of ten, of those under 50 believing it is unfair.

Ultimately, the majority of people in Ireland recognise the fact that denying lesbians and gay men the choice to marry is unfair and discriminatory. This view is especially prevalent among the under 50s which may show a generational gap in attitudes in Ireland. However, this is not to say that all people over 65 share these views. Some among this age group would be very supportive of equal rights for lesbians and gay men.

*"62% of people would vote in favour of same-sex civil marriage in a referendum"*

## the government, a referendum and civil marriage

The Green Party, Labour and Sinn Fein all support civil marriage rights for lesbians and gay men.

The Green Party, while in Government with Fianna Fail, are supporting and pushing for the introduction of civil partnership. The Labour Party believe that a referendum is necessary to extend marriage rights to lesbians and gay men (Marriage Equality do not share this view). To avoid a referendum, Labour are instead mooting their Civil Unions Bill.

Fianna Fail and Fine Gael, both support the introduction of civil partnership, which offers the legal recognition of lesbian and gay relationships, but fails to recognise the gay family unit, doesn't provide protection for the children of lesbians and gay families, and wholly ignores the right of some gay parents to their children. These are but a few of the shortcomings of civil partnership.

When asked if the Government should do more to support civil marriage for same-sex couples, over half of the population believes they should. More women than men are supportive of this statement at 61%, or six out of ten, and again the 25-34 year olds are most supportive at 67%, almost seven out of ten people.

Those supporting Government introduction of civil marriage for same sex couples justify their opinion - 60% of people under 50, or six out of ten, believe that the provision of civil marriage for same-sex couples will promote a more tolerant environment in Ireland. A similar figure, 58%, again, almost 6 out of ten people under 50, believe it will help reduce homophobia.

*"Studies show that by not legislating for lesbians and gays to marry, homophobia persists unchecked"*

Studies show that by not legislating for lesbians and gay men to marry, homophobia persists unchecked. It is evident that the general public is aware of this trend and wish to see homophobia tackled.

There are a number of ways the Government can introduce civil marriage for lesbians and gay men including the introduction of new legislation for full marriage equality; by changing the Civil Registration Act that covers civil marriage to include same-sex couples or if the courts decide it is necessary, by holding a referendum.

When asked, 'If there was a referendum tomorrow to extend civil marriage rights to same-sex couples would you vote yes or no', 62% of people stated that they would vote yes. 82% were between the ages of 18-24, 74% were 25-34 years old, 68% were 35-49 years old, 51% were between 50-64 years old and 25% were over 65 years old.

In terms of regional breakdown, 70% from Dublin would vote yes, 58% from the rest of Leinster, 62% from Munster and 55% from Connacht/Ulster.

Women were also more supportive at 68% compared to 56% of men.

This overwhelming support does pour water on the Government's argument that the public are not ready, nor willing to accept same-sex civil marriage in Ireland. The fact that the human rights of 200,000 people in Ireland are being denied is unjust and unfair according to the public. These figures indicate a desire amongst the general public for the Government of Ireland to move to legislating for civil marriage for lesbians and gay men, even through the legal route of a referendum. Politicians may be fearful of referenda, however the people patently are not.

In fact, 56% of people support the belief that Ireland's reputation as a leader in human rights would be strengthened if civil marriage was extended to same-sex couples.



**Denise Charlton &  
Paula Fagan**

*No child should be denied rights based on the sexuality of his or her parents but that is exactly the case for our son. As the child of a lesbian couple, he is not entitled to the same rights and protections as the children of married parents.*

*Even civil partnership wholly ignores the rights of our child and one of his two parents. This inequality is unfair and unjust.*

*We want to avail of marriage as a couple, and for our son to have two married mums. Though ultimately we believe that all children should have the same rights regardless of the relationship status or sexuality of their parents. We believe the extension of civil marriage can provide this protection and we therefore want the choice to marry.*

*Until that day, our son knows he has two mums who love him, and that is what counts.*



*"Studies prove that children raised by two mums or two dads fare as well as children raised by a mum and dad"*

## lesbian and gay parents and their children

The civil partnership legislation which the current Government is introducing fails to acknowledge the parental role of lesbians and gay men with their children. In reality, all children should have equal access to their parents and vice-versa, and should have the same rights as all children in Ireland. When asked if the children of gay and lesbian parents should have the same family rights as other children, 75%, or three quarters of the public believe that children should all be treated equally.

Studies prove that children raised by two mums or two dads fare as well as children raised by a mum and dad.<sup>1,2</sup> Indeed, what is crucial is that a child is raised in a loving home, whether that is within a one or two parent household and regardless of the sexuality of their parents.

The general public recognise this view with 70%, or almost three quarters, acknowledging that being raised in a loving home is more important than being raised by a mum and dad.

On the issue of adoption, the issue is split by age group. When asked if same-sex couples should legally be allowed to adopt, 58% of those under 50 and 33% of those over 50 agreed.

In Ireland, the traditional family, a husband, wife and their children receive recognition and protection from the State because of the constitutional requirement to do so. 54% of people believe that the definition of the family unit in the Irish Constitution should be changed to include same-sex families to reflect modern Ireland. 63% under 50 concurred with this point, and only 36% of those over 50 agreed.

*“What MarriagEquality is calling for is equal marriage rights for lesbians and gay men”*

## conclusion

The fact that lesbians and gay men cannot marry in Ireland is discriminatory. MarriagEquality recognises the fact that like heterosexuals, not all lesbians and gay men want to marry but the choice to do so should exist and its absence is a mark of the inequality which still exists between lesbian and gay people and the rest of humanity.

What MarriagEquality is calling for is equal marriage rights for lesbians and gay men. This report clearly shows that the majority of public opinion is in favour of such a move. It is an issue of equality. And for those who cannot have their marriage recognised (who married elsewhere) or those who wish to get married, it is no joke.

This research shows that the time is here for Ireland to end the prejudice against lesbians and gay men and it is the Government who must move on this issue, taking their lead from the public and make that time for change now.



**David Carroll  
& Gary Fagan**

*“We’ve been together for a long time, over 16 years now. About a year ago, we began to explore the idea of celebrating our relationship with our close friends and loved ones. As here in Ireland we cannot have a ceremony that carries any weight or legitimacy, we’ve decided to get married in Canada.*

*We picked Canada for a variety of reasons. We had a great holiday there, and made some good friends, too. Canada, with no restrictions on the type or legality of ceremony for same sex couples means that we can have the exact type of day we want.*”

## glossary

### *MarriageEquality*

Is an organisation working for equal marriage rights for lesbians and gay men in Ireland. For more information visit [www.marriagequality.ie](http://www.marriagequality.ie).

### *Civil Marriage*

Is marriage in a registry office. It is a non-religious ceremony that legally joins two people to each other and brings with it a host of obligations, rights and protections.

### *Civil Partnership*

Is a legal recognition of same-sex relationships, which in Ireland will mean limited rights for gay and lesbian people. It will only be made available to lesbian and gay couples and it will not resolve the dilemma for lesbian and gay couples who married abroad, nor will it meet the needs of those who wish to be married and have that marriage recognised in Ireland.

## research

The research which contributed to the development of this report was conducted by Lansdowne Market Research between 15th-30th October 2008. The face-to-face in home interviewing was conducted among 1,000 over 15 year-olds, ensuring it is nationally representative.

#### References:

1. The Effects of Marriage, Civil Union and Domestic Partnership Laws on the Health and Well-Being of Children. James G. Pawelski, Ellen C Perrin, Jane M. Foy, Carole E. Allen, James E. Crawford, Mark Del Monte, Miriam Kaufman, Jonathan D. Klein, Karen Smith, Sarah Springer, J. Lane Tanner and Dennis L. Vickers. *Pediatrics* 2006; 118:349-364. DOI: 10.1542/peds.2006-1279.
2. Technical Report: Coparent or Second-Parent Adoption by Same-Sex Parents. Ellen C. Perrin and Committee on Psychosocial Aspects of Child and Family Health. *Pediatrics* 2002. 109:341-344.

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