

## What is MarriageEquality?

MarriageEquality is a single-issue organisation working for equal marriage rights for lesbians and gay men in Ireland.

## Why MarriageEquality?

MarriageEquality believe that all couples in Ireland deserve the right to marry the person they love if they choose to do so, that same-sex couples should have the same rights to their children as opposite-sex couples and that their children should have equal rights to both parents.

**ARTICLE 16 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS CLEARLY STIPULATES THAT ALL ADULTS DESERVE THE RIGHT TO MARRIAGE.**

## Why does MarriageEquality favour civil marriage over civil partnership?

Civil marriage in a registry office exists and can be extended to lesbians and gay men. Anything less than marriage is less than equal. There is no need to create a separate and unequal legal institution to recognise same-sex relationships.

In Ireland, the rights conferred upon a couple if civil partnership becomes legal will be far less than those they would receive if they could marry.

**STUDIES SHOW THAT FAILING TO VALUE SAME-SEX RELATIONSHIPS EQUALLY WITH HETEROSEXUALS RELATIONSHIPS THROUGH MARRIAGE ENCOURAGES HOMOPHOBIA, STIGMA AND ANTI-GAY VIOLENCE.**

## What does our Constitution say about marriage?

The Irish Constitution does not define marriage as being between a man and a woman, and so MarriageEquality believe that the Constitution's definition of the family could include same-sex relationships.

The legal system i.e. our courts, simply *interprets* the constitutional definition of marriage as being between a man and a woman. The Constitution is considered to be a living document open to interpretation by the judges in the Supreme Court to reflect the changing values of Irish society and is therefore **open to change**.

Legislation was introduced in 2004 (The Civil Registration Act) that defined marriage as being between a man and a woman. This legislation could be amended at anytime to define marriage in gender neutral terms.

## Is MarriageEquality only relevant to same-sex couples?

No. MarriageEquality is relevant to all lesbians and gay men, single or in relationships as well as their families, friends or relatives who believe in equality and the right for lesbians and gay men to choose marriage.

**MARRIAGEQUALITY RECOGNISE THE FACT THAT NOT ALL LESBIANS AND GAY MEN WANT TO MARRY, BUT WE BELIEVE THAT THE CHOICE SHOULD EXIST. AT LEAST IT WOULD THEN BE A CHOICE NOT TO MARRY AS OPPOSED TO IT BEING THE ONLY OPTION.**

## But isn't marriage about religion?

No. A civil marriage is a marriage which takes place in a registry office or other non-church venue. Religious marriage is a ceremony followed by the signing of the civil marriage register, which is the legally binding part of the event.

**CIVIL MARRIAGE IS AVAILABLE TO LESBIANS AND GAY MEN IN THE NETHERLANDS, BELGIUM, NORWAY, SWEDEN AND SPAIN IN THE EU. IN ADDITION, IT IS AVAILABLE IN SOUTH AFRICA, CANADA, NEPAL AND MASSACHUSETTS, CONNECTICUT, IOWA AND VERMONT IN THE UNITED STATES.**

## Would lesbian or gay parents benefit from marriage equality?

Lesbians and gay men are and will continue to be loving mums and dads to their children. However the Government continually ignores this fact. Through our Constitution, only married parents and their children receive constitutional recognition and protection.

## **What about the children of lesbian and gay parents?**

The children of lesbian and gay parents are in limbo in Ireland. Even the recently proposed civil partnership legislation totally omits them and their rights. In the proposed legislation, there is no provision for guardianship of children who are being co-parented by same-sex couples. In addition there is no provision for custody, access, or maintenance payments for children.

## **86% OF IRISH PEOPLE AGREE THAT CHILDREN OF GAY AND LESBIAN PARENTS SHOULD HAVE THE SAME FAMILY RIGHTS AS OTHER CHILDREN.**

Furthermore, a child's non-biological parent may not be treated as next of kin in a hospital or school situation. In essence there is no legal recognition of the relationship between a child or children and their non-biological parents; they are effectively strangers in law.

**DESPITE THE FACT THAT THE GOVERNMENT'S 2006 COLLEY REPORT ON COHABITING COUPLES FOUND THAT MARRIAGE EQUALITY WAS THE ONLY MEASURE THAT COULD GUARANTEE FULL EQUALITY FOR LESBIANS AND GAY MEN, THE GOVERNMENT HAVE ONLY AGREED TO PROGRESS WITH THE INTRODUCTION OF LIMITED CIVIL PARTNERSHIP THAT WILL NOT GIVE LESBIANS AND GAY MEN THE FULL RIGHTS ASSOCIATED WITH CIVIL MARRIAGE.**

## **Where does MarriageEquality stand on same-sex couple adoption?**

MarriageEquality believe that similar to opposite-sex couples, same-sex couples should be considered eligible to adopt. Currently, an individual regardless of their sexuality is eligible to apply to adopt, and same-sex couples can foster a child together as a couple but same-sex couples cannot jointly adopt. This isn't only discriminatory and wrong, it is not in the best interest of the child.

## **What can I do and where do I find out more?**

MarriageEquality would encourage everyone who believes in equality to go directly to your local TDs and tell them that the rights of lesbian and gay couples are infringed by being denied access to civil marriage. You can get more information and support from MarriageEquality by calling 01 6599 459 or visiting [www.marriagequality.ie](http://www.marriagequality.ie).