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Less no more: why it's time for marriage equality in Ireland

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*"I have spread my dreams under your feet;
Tread softly because you tread on my dreams."
– WB Yeats"*

With the May 2015 Irish marriage equality referendum fast approaching, it is the long denied rights of a minority group that have been spread out before the general voting public for deliberation. In the debate and the vote that will follow, the Irish public should tread softly, because you tread on our rights.

The endorsement of the right to marry of Ireland's LGBT (Lesbian, Gay, Bisexual and Transgender) minority population lies in the hands of the country's heterosexual majority. After years of LGBT rights being denied, it is troubling that the right to marry is now, in effect, being treated as a gift for the majority to grant the LGBT minority.



A mural promoting marriage equality in Dublin (source: Flickr/infomatique)

The concept of a 50 per cent plus one vote lends itself to the idea of a ["tyranny of the majority"](#) whereby a bare majority can deny the rights of a minority. A sophisticated and effective democracy entails recognition and protection of minorities, particularly when they cannot command a majority of any vote in an election. The risk of the majority denying the rights of the minority [appears small](#) in the case of the marriage equality referendum, but on principle it is concerning that a minority group, their legitimacy and the merits of their cause will be assessed by the public at large. Furthermore, the Irish government opted to hold a referendum on the issue rather than legislating, despite [conflicting legal views](#) on whether a referendum is constitutionally necessary.

The quality of our love, the legitimacy of our relationships, and our ability to form a committed and equally valid family unit in society are all the subject of a [broad national debate](#). Such personal and intimate qualities will be measured and weighed up by the majority, and each individual will come to a conclusion as to whether LGBT relationships are worthy of equal status or not. Yet, despite the risk of minority rights being denied by public decree, the referendum does represent an historic opportunity.

Ireland is the first country in the world to hold a referendum on marriage equality, and so it should be seized as a chance to achieve a resounding win for tolerance and inclusion. A strong 'Yes' vote on 22 May won't just be a hugely important step for LGBT rights in Ireland. It will be highly symbolic globally, and make Ireland the first country to achieve marriage equality by means of popular vote. A general population embracing their LGBT citizens as equals would send a powerful message around the world.

The campaign for LGBT rights in Ireland, as all over the world, has been a long and arduous one. Homosexual activity between men was only decriminalised in Ireland in 1993 following the 1988 [David Norris case](#) at the European Court of Human Rights. Homosexuality between women was never criminalised, not because of a progressive policy towards lesbians in Ireland, but because those in power doubted even the existence of gay women. Both the Irish government and judiciary were resistant to change at every stage of the process. In 1983, the Supreme Court of Ireland [upheld](#) the law against 'buggery,' for which the maximum sentence was penal servitude for life. That today every major Irish political party is in favour of marriage equality is proof of the remarkable achievements of the LGBT movement in Ireland, and the transformation of Ireland more generally on social issues. The majority of Irish people today are tolerant, open and celebrate diversity.

Should it pass, the marriage equality referendum in Ireland will represent more than just a milestone in the gay rights movement. It will also demonstrate the increasing secularism of a country where public policy has historically been swayed by the Catholic Church. The famous ["condom trains"](#) from Belfast to Dublin in the early 1970s or the [requirement of a prescription](#) for the sale of non-medical contraceptives until 1985 are examples of the Church's past power over sexual and relationship matters in Ireland. The influence of the Church also played a role in divorce remaining illegal until 1995 – and even then, it was only approved by the slimmest margin, 50.23 per cent. Given this background, the marriage equality vote can be a watershed

moment, in which the Irish public firmly separates religious influence from civic policies, and votes for inclusion and recognition of all citizens.

Many LGBT people will acknowledge that we are lucky to live in Ireland, a much more tolerant society than in many parts of the world. But as a community being simply tolerated is not enough. We should be celebrated, and have a right to celebrate our love.

When I was in a state-run secondary school in the mid to late 2000s, the topic of homosexuality was almost never mentioned by any member of the teaching staff. My one distinct memory of anything vaguely LGBT-related being brought up by a member of staff is less than encouraging. My year-head was jokingly described as gay by a student because he was wearing a pink shirt. Rather than taking that opportunity to say that there is nothing wrong with being gay, my year-head said that he was the only person in the room who had 'proved' he wasn't gay because he was married and had kids. The message sent to impressionable young people was that the race is on to prove your heterosexuality, to dispel any suspicion of homosexuality as soon as possible, and marriage was held up as being the ultimate mark of heterosexuality. Full marriage equality will send the very opposite message to young gay people: you have nothing to disprove or prove about yourself, just be yourself.

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