

Ireland's Victory for Marriage Equality: two contributions

Saturday 25 July 2015, by [DRUCKER Peter](#), [KENNEDY Sinéad](#) (Date first published: 22 July 2015).

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Ireland's Victory for Marriage Equality

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The Irish electorate's recent resounding "yes" to the question of marriage equality for LGBT people [1] (62% of the electorate, approximately 1.2 million, voted in favour the proposal) briefly turned the international spotlight on Ireland for reasons other than its imploding economic and banking system. Ireland is the first country in the world to legalise same-sex marriage by popular vote. This is a significant achievement in and of itself, made all the more remarkable by the fact that it occurred in a country that did not decriminalise (male) homosexual activity until 1993 (after it was compelled to by the European Court of Human Rights) [2], and which only legalised divorce in 1995 by the narrowest of margins [3]. The Irish and international media were quick to proclaim the referendum result a victory for the forces of social liberalisation that put Ireland at the "vanguard of social change" [4] and a defeat for the Catholic Church and its once dominant hegemonic position in Irish society [5].

It is certainly true that the referendum result was a significant challenge to the historic alliance between church and state, so central to the foundation of the Irish state. The referendum involved an addition to one of the most conservative articles of the Irish Constitution: Article 41 on marriage and the family [6]. The Irish Constitution was, and is, a deeply conservative document [7]; a product of a collaboration between the Catholic Church and the State, authored by Ireland's founding patriarchs Eamon de Valera and Archbishop John Charles McQuaid. Marriage enjoys a privileged position in this constitution where a family, exclusively based on heterosexual marriage, is envisaged as such: "[t]he State pledges itself to guard with special care the institution of Marriage, on which the Family is founded and to protect it against attack." The family as imagined in these articles is highly gendered with the "special" role of women within the private home also elevated as an ideal: "[t]he State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved." We now know that this vision of the stable "happy" traditional family so beloved by Catholic Ireland rested upon on a brutal religious and state system of containment where women and babies were considered "little more than a commodity for trade amongst religious orders," [8] with the knowledge and complicity of the State.

The collapse of Catholic hegemony is long in the making; its origins can be located in the revelations of sexual abuse [9], the Magdalene and religious institutions, and the mother and baby homes. The

blame for this painful, abusive aspect of Irish history cannot be solely located at the gates of the Catholic Church; rather it is intimately woven into the structure of the Irish State, making the recent referendum victory all the more potent. However, the referendum result is notable as something more than an indication of Ireland's social liberalisation and shift away from Catholicism.

Since the economic crisis of 2008, Irish society has experienced a dramatic restructuring of economic life with unprecedented levels of austerity imposed in order to rescue Ireland's banking system and, by extension, the wider project associated with the European Union. The Troika bailout agreement, enthusiastically endorsed by the Irish political establishment, imposed eye-watering levels of austerity that insulated the richest members of society and explicitly targeted the poorest and most vulnerable. However, in the past year a significant mass protest movement has emerged [10], galvanized by the imposition of a deeply unpopular water tax, to fight austerity, producing a political crisis for the Irish establishment. This political crisis is not unique to Ireland; it is evident across Europe where what Tariq Ali describes as the "extreme centre" [11] is facing a moment of crisis as it finds itself increasingly incapable of responding to the needs and desires of the people of Europe. In his Prison Notebooks, Antonio Gramsci reminds us that "the crisis consists precisely in the fact that the old is dying and the new cannot be born; in this interregnum a great variety of morbid symptoms appear." The victory for same-sex marriage in Ireland should be understood as part of this interregnum. The old is dying in Ireland but what will replace it remains up for grabs.

Certainly, the political establishment is keen to impose not simply the economic but also the ideological logic of neoliberalism. As a political objective, same-sex marriage sits comfortable with prevailing neoliberal ideology. The model gay and lesbian couple projected by Yes campaigners bears a striking resemblance to the ideal neoliberal citizen. In the weeks coming up to referendum every second person you encountered seemed to be wearing a badge that said "Yes Equality." Posters produced by the Labour Party were emblazoned on every second lamppost with the slogan: "Vote Yes! Let's treat everyone equally." [12] In a country that spectacularly fails to treat large sections of the population in a manner that resembles even the most conservative conception of equality, this would be laughable if the reality was not so horrific: asylum seekers fleeing torture, poverty, and persecution are left to languish in the notorious direct provision system [13] for years; women are denied access to even basic bodily autonomy when pregnant [14]; and the entire political and economic establishment has recently gone into overdrive to ensure an insurmountable level of economic inequality.

Yet, the idea of "Yes Equality" captured the political imagination of the current moment in Ireland and those who have disproportionality suffered as a result of austerity — young people [15] and people living in working class communities [16] — were the strongest and most enthusiastic supporters of the referendum. This suggests that there is a real opportunity to build an alternative to neoliberal logic and to construct a more inclusive and emancipatory notion of equality.

Sinéad Kennedy

Ireland's Victory for Marriage Equality, Continued

How Irish was it? And how much of a victory?

I very much liked Sinéad Kennedy's piece on the yes to same-sex marriage in the Irish referendum. I share her sense that the 62% yes vote on May 22 was an impressive progressive victory. At the same time, I strongly agree with her statement, "As a political objective, same-sex marriage sits comfortable with prevailing neoliberal ideology." I would like to add a few comments about how the Irish yes was both an episode in a fast-moving international saga and a very Irish event in a very Irish story. I think this can help us understand how the outcome was both progressive and not-so-progressive at the same time.

Wherever in today's world same-sex marriage is won, it is a victory for equality — and at the same time a contribution to growing inequality. It is a victory for equality because it allows millions of same-sex partners to enjoy basic rights that cross-sex spouses take for granted, like not being thrown out of your home when your partner dies. It is a contribution to growing inequality because it allows the state to pursue the neoliberal agenda of transferring its social responsibilities for people in need to their families. In return for the rights they are granted, same-sex couples pledge to form stable, difficult-to-dissolve households that bear the burden of supporting their members when they are unemployed, disabled, or sick. And in fact, initial studies have shown that same-sex marriage helps increase inequality in LGBTIQ communities. Well-off lesbians and gay men gain from it, notably from lower inheritance taxes. Low-income LGBTIQ often lose out on average, in any event in countries (Germany and Britain, for example) where poor people's social benefits are slashed when they have an earning spouse.

This helps explain the paradox that Ireland has now defied the Catholic Church by granting marriage equality while its draconian anti-abortion laws remain stubbornly entrenched. As Katha Pollitt has pointed out with reference to the US [\[17\]](#), "Marriage equality has cross-class appeal [whereas it is] low-income women who suffer the most from abortion restrictions — and since when have their issues been at the top of the middle and upper classes' to-do list?" Furthermore, "Marriage equality costs society nothing [but] reproductive rights come with a price tag."

There's another paradox about the Irish victory: it reflects Irish people's desire to be more European after years of crisis in which the European Union's main impact on Ireland has been the imposition of (in Kennedy's words) "eye-watering austerity." Adopting same-sex marriage makes Ireland more like Scandinavia, the Benelux countries, and France (as well as England, Wales, and Scotland). It's a way to feel positive again about being part of Europe and about being linked to global trends, despite the collapse of so many illusions about the benefits of taking part in globalization as a Celtic Tiger. For Ireland's pro-EU ruling class, it's been a helpful way to conjure up once more the much-dented pride that the Irish felt when they joined the Euro zone in 2002 (while the UK stayed aloof).

Clearly the elite's support for marriage equality elicited strong support from Irish society, from almost every region of the country and almost every layer of the population. There has been an across-the-board, breathtakingly rapid shift in Irish people's sense of their national identity, comparable to what happened in Argentina with the victory for same-sex marriage there in 2010. The Argentinean victory, too, was a moment when an overwhelmingly Catholic country collectively thumbed its nose at the Church (personified by then-Cardinal Bergoglio, today Pope Francis). Today in Argentina, gay rights is a virtual civic religion. The same seems likely to happen in Ireland too, once the divisions of the referendum campaign are left behind. This is a striking contrast with the 2013 victory for marriage equality in supposedly secular France, which split the country down the middle and produced a wave of homophobia that has lastingly traumatized French LGBTIQ people.

Ireland's Catholic identity is more deeply rooted than Argentina's, as a reaction to centuries of oppression by Protestant England. But despite the role Kennedy mentions of Ireland's Catholic "founding patriarchs" in writing the Republic's Constitution, there has always been a strain of anti-clericalism in Irish nationalism. James Joyce highlighted it in his *Portrait of the Artist* when the

protagonist's father rails against the Church for its role in bringing down 19th-century Irish leader Charles Parnell, "my dead king!" There hasn't been much love lost between the hierarchy and Sinn Fein over the decades either, and Sinn Fein's growing support for LGBT rights North and South over the past twenty years hasn't helped. With the "collapse of Catholic hegemony" that Kennedy describes, this Irish anti-clericalism now seems finally to be taking the ascendancy. Irony of ironies, Northern Ireland now only has the Protestant Unionists, obsessed for years with preventing Papist domination, to thank for the fact that it is the only remaining major part of the British Isles to take the Pope's position on marriage.

As Kennedy says, "The old is dying in Ireland but what will replace it remains up for grabs." Marriage equality could turn out to be part of neoliberalism's steady onward march. Or it could a breakthrough for an anti-neoliberal feminist movement with a full reproductive justice agenda. Sinn Fein's relatively strong showing (with ups and downs) in recent polls ahead of the elections due in early 2016 is one promising sign. Another is the emergence of the Platform for Renewal, a loose alliance of unions, Sinn Fein, and the far left in the fight against new government water charges. A third has been the marginalized but persistent critical commentary voiced by Irish radical queers who are "sick [18]... of 'marriage equality' being treated as the sine qua non of progress for queer people." If this diverse and fragmented resistance manages to come together, it could be the beginning of something grand.

Peter Drucker

P.S.

* Public Seminar. June 18th, 2015:

<http://www.publicseminar.org/2015/06/irelands-victory-for-marriage-equality/#.VbCz-CS174e>

Public Seminar. July 22nd, 2015:

<http://www.publicseminar.org/2015/07/irelands-victory-for-marriage-equality-continued/#.VbC0FCS174e>

Footnotes

[1] <http://www.referendum.ie/results-summary.php?ref=10>

[2] https://en.wikipedia.org/wiki/Norris_v._Ireland

[3] https://en.wikipedia.org/wiki/Fifteenth_Amendment_of_the_Constitution_of_Ireland

[4] http://www.nytimes.com/2015/05/24/world/europe/ireland-gay-marriage-referendum.html?_r=2

[5] <http://www.irishtimes.com/news/social-affairs/religion-and-beliefs/same-sex-marriage-vote-an-unmitigated-disaster-for-church-1.2225680>

[6] <http://www.irishstatutebook.ie/en/constitution/index.html#article41>

- [7] <http://www.historyireland.com/20th-century-contemporary-history/the-catholic-church-and-the-writing-of-the-1937-constitution/>
- [8] <http://www.irishexaminer.com/ireland/bessborough-death-record-concerns-were-raised-in-2012-334106.html#.VW2EaHfoHr8.twitter>
- [9] <http://www.theguardian.com/world/2009/nov/26/ireland-church-sex-abuse>
- [10] http://www.nytimes.com/2015/03/27/world/europe/many-in-ireland-vow-not-to-pay-a-new-water-tax.html?_r=1
- [11] <http://www.versobooks.com/books/1943-the-extreme-centre>
- [12] <https://irishelectionliterature.wordpress.com/2015/04/19/vote-yes-lets-treat-everyone-equally-marriage-equality-referendum-leaflet-from-labour/>
- [13] <http://www.irishtimes.com/news/lives-in-limbo>
- [14] <http://www.irishtimes.com/news/social-affairs/agency-gets-two-month-care-order-for-baby-in-miss-y-case-1.1927592>
- [15] <http://www.irishtimes.com/news/politics/why-young-voters-mobilised-for-same-sex-marriage-1.2223723>
- [16] <http://www.irishtimes.com/news/social-affairs/working-class-areas-embracing-change-faster-campaigners-claim-1.2224352>
- [17] See on ESSF (article 35522), [Are these two “culture wars” issues really that similar?](#).
- [18] <https://automaticwriting1.wordpress.com/2015/05/20/queer-thoughts-on-marref/>