

FAMILY UNDER ATTACK

Another referendum in Ireland targets woman and marriage

FAMILY AND EDUCATION

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An Coimisiún Toghcháin
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“On March 8, Ireland will vote on amendments to the Constitution of Ireland that seek to remove references to mothers and the home, and to reduce marriage to the same level as undefined ‘durable relationships’. These ‘relationships’ could theoretically include

such relationships as polygamous marriages and 'throuples' (three people). If voted through, it will mark the latest example in the last 30 years of democratically sanctioned vandalism against the document that is the foundation of the Irish state."

The Constitution of Ireland was drawn up in 1937, just 15 years after Irish independence, and opens with this line: "In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred". It is a profound opening, rooting the laws of Ireland in God and His natural law. The rest of the document is no less impressive, giving significant protections to a whole slew of natural rights that are foundational for a healthy society, especially attending to families, mothers and children.

As the constitution is so significant, amendments can only be passed democratically through a referendum. Over the past 30 years, the heart of the Constitution of Ireland has been systematically ripped out through these very votes. In 1995, the Irish people narrowly voted in favour of legalising divorce; then in 2015, legalised gay marriage, again by referendum; and infamously, in 2018 Ireland became the first country in the world to legalise the murder of a child in the womb by popular vote.

All of this was done in the name of 'progress'. Ireland in the 20th Century, so the popular narrative goes, was a repressive Catholic theocracy. The constitution is just another example of this, with its references to God and to backward beliefs about marriage being between men and women.

Now, our progressive age has two new targets: the so-called 'woman in the home' clause, article 41.2 in the Irish constitution; and a clause that recognises marriage as foundational to families and offers special protections to these families, article 41.3.1. The woman in the home clause (41.2) commits the State to trying to protect mothers from being forced out of the home by economic necessity. The clause recognises that "by her life within the home, woman gives to the State a support without which the common good cannot be achieved". Now, the Government wants to replace this with generic wording that doesn't mention the home, or mothers, or that it should seek to protect mothers from having to go out to work.

The new wording, if passed, will commit the State to strive to support family carers, not mothers – or even parents – specifically. This amendment has received more airtime in Ireland. The Government is pushing for it to be passed by claiming the constitution states a woman's place is in the home, when it clearly doesn't. However, they are worried because opposition has come from across the political spectrum. Despite claims that to be 'progressive' means voting Yes, many recognise the removal of

the only direct references to mothers and homes in our constitution would be a retrograde step. As a recent poll from the Christian think-tank the Iona Institute shows, the majority of mothers want to be at home – it is only because society has failed them that they are forced to work.

The second amendment is arguably more significant, however, threatening to undermine the institution of marriage and the family in Ireland. I must preface this, however, by pointing out that by introducing divorce and gay marriage, it is already indicated the contempt there is for both in practice, if not in the rhetoric.

At present, the Constitution gives official recognition to one family only, and that is the family based on marriage. But this so-called 'family equality' referendum claims giving Constitutional recognition to one form of the family only to be a form of discrimination. Therefore, the Government is pushing for an amendment that gives recognition to the family based on marriage or on 'other durable relationships'.

But, as conservative commentator David Quinn points out in *The Irish Catholic*, no-one seems to know what a 'durable relationship' is. The Government says it has in mind cohabiting couples, grandparents and a grandchild or lone parents and a child. But a former Justice Minister, Senator Michael McDowell, anticipates numerous consequences for the Government's amendment on, for example, the division of incomes, homes, businesses and farms, on pension law, tax law, succession law and immigration law.

Legal experts and politicians are all warning that the Government has no control over what a durable relationship is. Whatever they promise, it could be interpreted to mean anything, including polygamous relationships, throuples, cohabiting partners, longterm girlfriends and boyfriends. It will, to a great degree, be up to the courts to determine its meaning on a case-by-case basis.

Another possibility, outlined by a legal scholar, is that the courts will take their lead from the government. If, for the sake of argument, the amendment is passed, the next time government passes a law on immigration and outlines what relationships are to be included in it, the courts will take this into account in their rulings. But this means that we will be voting on the meaning of 'durable relationship' from now until eternity. Every vote for a new government could mean a new definition!

Regardless, a move to give durable relationships equal rights to marriage threatens to hollow out our understanding of marriage and of its special position in the constitution. This change is another sign that modern Ireland's commitment to progress trumps reason and a genuine care for the common good. It will no doubt exacerbate our declining birth rates, increasing family breakdown, and social decay by attacking the

foundational values and laws of the Irish State.

*** *The Irish Catholic***