**2nd Place Comment & Opinion**

**Bobbi Nic Eoin, Pobalscoil Chorca Dhuibhne, Daingean Uí Chúis**

**If marriage is a basic human right why are some denied it?**

Marriage is a legal status recognised by governments all over the world. It brings rights, obligations and protection with it. Even the word ‘marriage’ is a sort of social protection in its own right. It clearly shows that you and your partner love each other and are completely and utterly committed to each other. The word carries with it a status in society; it declares the ultimate feeling of love and commitment between two people.

In Ireland, the married family (with or without children) is protected by the constitution and is given special care. This means other families again with or without children, do not have this protected status in Irish Law. This automatically means that same sex couples don’t have the security or filial rights that heterosexual couples have, as it is not yet legal in Ireland for same sex couples to marry. They deserve the choice.

In 2010, The Irish Government brought in the Civil Partnership Act. This acknowledges same sex couples and their partnership. Although this was a step in the right direction for full equality for same sex couples and their families, it is still not remotely close to marriage. There are approximately 160 differences between Civil Partnership and Civil Marriage. Two examples of these inequalities are: Civil Partnership does not let children have a legally recognised relationship with their parents, only the biological one. This causes all sorts of practical problems with regards to schools and hospitals, as well as access, custody and guardianship. A worst case scenario would be that a child is taken away from a parent and put into care because of the death of the biological parent. Basically, under the eyes of the law, the non-biological parent is irrelevant and has no rights to the child, even if they raised the child.

Some people say that marriage is meant for a man and a woman to reproduce, but this is not true. If marriage was simply for this purpose, then everyone who was married would have children. Men with testicular cancer, women who are infertile and people who just do not want to have children, would not be married if this were the case. This argument is completely invalid. Many adopt or choose to not have children, but they can still marry, while same sex couples can’t.

Unmarried couples may not jointly adopt a child, thus making it impossible for same sex partners to adopt, as marriage is still illegal for them under Irish Law. As a couple, same sex partners can’t adopt a child, but they can as an individual. Same sex couples may foster a child together, but they can’t apply for adoption, no matter how long they have been caring for the child.

Getting marriage equality is about access toCivil Marriage not about getting married in a church, or any other religious setting. 30% of marriages in Ireland are done through a registry office. It is not about forcing the church to marry same sex partners if they do not want to do so. It would be similar to when churches were not made re-marry divorced people, when divorce was legalised in 1996.

A 2013 survey showed that 76% of Irish people agreed that “same sex marriage should be allowed in the constitution”. A poll in March 2011 by the Sunday Times showed that 73% of people supported allowing same sex marriage, 53% agreeing strongly with the idea. 60% of the people felt that same sex couples should be allowed to adopt children as well. In just 3 years the amount of people in favour has grown by 3%.

The definition of love is an intense feeling of deep affection. I believe love is love and that we are human beings with our own working brains and beating hearts with the capability to make our own decisions. We should all be respected by the law and by others, regardless of sexual orientation. Love is a beautiful thing. Why do we want to put limitations, boundaries and restrictions on something that we cannot control? Who we love comes from deep within us, we do not choose who we fall in love with, be it different religion, race, nationality or sexual orientation.

Ireland will be holding a marriage equality referendum in May of 2015, making history as the first country to hold a referendum on allowing same sex marriage. Tiernan Brady, the policy director of the Gay and Lesbian Equality Network says he feels that “A **Yes** vote would inspire people across the world. Ireland will be seen to have played a huge part in ending discrimination.” I truly hope that this will be the case, as marriage is a basic Human Right.

***Judges’ Citation***

*Over the coming months commissioning editors at the all the national newspapers will be inundated with writers submitting pieces on the same-sex marriage referendum.*

*Most columnists will have a very defined view on the issue, as does the winner of our second place winner who choice the topic for her piece.*

*What I liked most about Bobbi Nic Eoin’s piece is that she avoided a trap that opinion writers very often fall into – ‘on the one hand, on the other hand’.*

*She also created a definition of marriage that many of our social and political leaders would be well advised to read.*

*For an article written by a student this piece offered a mature assessment of what marriage means, what love should mean and what the referendum will mean for many people.*