

Civil Union - Good News for Lesbian Mamas

By Mona Greenbaum, Michael Hendricks and Eminé Piyalé-Sheard

On Thursday February 21st, 2002 Justice Minister Paul Bégin closed the parliamentary hearings on civil union with some clear pronouncements on what he would recommend to the government. According to the Minister, he was deeply moved by the testimony (particularly of the lesbian mothers and of the young adults who were raised in same-sex households). He was delighted by the practical suggestions offered by the 56 briefs that were presented. He summarized the opposition's position in a few lines with little comment and then went on at great length about the existing research that indicates that children raised by same-sex couples are equal in every sense to those raised by heterosexual couples. He even repeated the results of a report by the American Academy of Pediatrics that surveys research conducted on the children of same-sex couples over the course of the past 20 years.

On the down side, Liberal justice critic Michèle Lamquin-Ethier, speaking for her party, expressed opposition to the idea of including full parental rights in an eventual law. She recommended yet another parliamentary hearing, stating that the issues were too complicated and had not been adequately debated.

Finally after what seemed like an endless wait, the new law was tabled on Thursday April 25th, 2002. Bill 84, "*An Act instituting civil unions and establishing new rules of filiation*" is presently being considered by the National Assembly of Quebec. The LMA has spent much of the month of May convincing the Liberals of the need for such a law to protect our families and couples. We have met with a number of liberal party deputies, including Jean Charest and have sent hundreds of copies of letters and memoirs to these politicians. On May 8th we and other members of the Quebec Coalition for the Recognition of Same Sex Couples met with the liberal caucus in the National Assembly and on May 15th and 16th presented in a second public consultation in the National Assembly. We hope that in the final vote all 3 parties will vote unanimously for this bill, as was the case in 1999 for Bill 32, which recognized same-sex common law partners.

Bill 84 represents the most comprehensive attempt ever made in Canada to legislate a conjugal regime offered to both opposite and same sex couples. If it passes, Quebec will become, after Holland, the most progressive place for gays and lesbians to live in the world. Unlike the only other Canadian regime of this type, partner registration in Nova Scotia, the proposed Civil Union attempts to include all of the "effects of marriage" that are within provincial jurisdiction. Naturally, since marriage, divorce and immigration are federal or federal-provincial jurisdictions, the bill does not directly address these laws.

A description of Bill 84

The English version of Bill 84 is 36 pages long, with 17,500 words; it legislates changes and additions to 54 different laws in the Civil Code composed of hundreds of articles. The bill is in “omnibus” form, i.e. it lists detailed changes or additions to the texts of existing laws. For example, Bill 84 states that the Quebec Marriage Law, Article 365 of the Civil Code, which now says marriage is “between a man and a woman”, will be modified to read that marriage is “between two persons”.

Particularly important in the writing of Bill 84, and in response to the suggestions of Pierre Valois the President of the Table de concertation des gais et lesbiennes du Québec, is the terminology used to describe the various forms of recognized conjugal relations in Quebec. In the English version, the word “spouse” is used. Henceforth, there are three kinds of spouses in Quebec: married spouses, civil union spouses and common law spouses. In the French version, the term “conjoint-e”, a more modern version of the terms “époux” or “épouse”, is used. This guarantees equal footing for all couples in everyday language.

Contents of Bill 84

Bill 84 attempts to create parallel rights and obligations for committed conjugal relationships, either married or civil unioned. The Minister of Justice of Quebec, Me Paul Bégin, took very seriously the recommendations of the community groups that presented in parliament and, in the first version of the bill presented to the National Assembly, we find the following inclusions:

- Civil union will be accessible to both heterosexual and homosexual couples.
- The right to “filiation” is granted to same sex couples. “Filiation” is the technical term in civil law for the legally recognized relationship between parent and child.
- In situations of assisted procreation, the spouse of a lesbian biological mother is entitled to have her name entered on the birth certificate of the child. Assisted procreation is defined as any procreation where a third party is involved whether it is through the use of a sperm bank or with a known donor, providing that the donor does not claim parental rights.
- Following the suggestion of Nicole Paquette president of the Lesbian Mothers Association, for families with children who were born before the bill was passed, non-biological parents will have 3 years after the passing of the bill to register their name on the child’s birth certificate, regardless of the age of the child.
- The rules for adoption are modified to be clear that same sex couples may adopt as a couple.
- The right to consent to medical care for a spouse who is not capable of making his/her own medical decisions is now offered to all spouses, no matter what the regime (previously, the order of priority was married spouse, parents, others, i.e. unmarried spouses).

- Since the divorce law is federal and does not recognize civil union couples, Bill 84 offers an alternative means of dissolving the legal relationship via mediation by a notary (a special kind of lawyer in civil law); however, for civil union couples who have children, or where there is a serious difference of opinion, recourse to the courts is obligatory.

What does this mean for our children?

For lesbian-headed families the new law means that when there is no legal father in our children's lives, both mothers will have full parental rights and responsibilities. We will have the possibility to put both mothers' names on the child's birth certificate. If a child is born to a lesbian couple that have gone through a civil union ceremony, the non-biological mother will automatically be considered legal parent. This means that the non-biological parent can sign medical or school documents for the child and can travel with him /her across international borders. She is also guaranteed visitation rights if the couple breaks up. Likewise there is an obligation to pay child support if the union is dissolved. Finally, in the absence of a will, her children will automatically be beneficiaries of her estate.

Public adoption and fostering in Quebec will also become much more straightforward and accessible on both English and French sides. We are also expecting that this will positively influence our access to all fertility clinics. If it doesn't we will take a rejection to the human rights commission.

For women who adopt a child internationally, once the probation period is over, the non-legal parent should be able to adopt the child through the courts, by means of an adoption by special consent. A precedent has already been set for this in Ontario and should go through smoothly in Quebec. Immediate two-parent adoption will still be illegal on the international level because of the laws of the adoptive countries of origin, which are, so far, discriminatory.

Grey areas in the civil union legislation

The complete reading of the new bill is not over and, because of the level of detail, thorough verification will be necessary. At present, La Coalition pour la reconnaissance des conjoints et conjointes de même sexe is doing that work. Moreover, only once the law has been passed, will the community be able to measure the impact it has on Canadian immigration laws and on the special immigration powers granted by Canada to Quebec.

Political/judicial perspectives

Bill 84 does not address marriage itself, which, under the Canadian Constitution, is federal. While it does grant all the same rights and responsibilities of marriage in Quebec provincial law, it cannot offer "marriage". Thus, the legal basis for a Charter challenge

based on discrimination in marriage for same sex couples remains valid. It does, however, eliminate a multitude of legal discriminations in everyday life for same sex couples who have formed a civil union. And, unlike other partner registration schemes, it offers the right to a public ceremony of the union, a first for homosexual couples (outside of marriage which exists in Holland only). This means that a civil court judge or licensed religious officer or (something new) an elected mayor can perform a civil union ceremony.

However, the fact that both heterosexual and homosexual couples may avail themselves of civil union does not change the discriminatory nature of the federal marriage law. Same sex couples are still denied the choice of marriage and this must be resolved at the federal, not the provincial, level. Thus, the Quebec lawsuit, now awaiting the decision of the court, will continue.

Key disadvantages of civil union over marriage

- Inequality of status – Although the provincial government has done everything within its power to give us rights we are still denied access to the institution of marriage which is under federal jurisdiction. This denial reinforces the view that we are second-class citizens.
- Portability – a civil union is a provincial civil status and will only be recognized within Quebec. Same-sex couples in Quebec who have registered their relationship would lose all their rights when visiting friends or family in another part of Canada. Marriage is recognized across Canada. The fundamental human rights of Canadians should not depend on where in the country they happen to live. Interestingly however, the birth certificate of the child can travel anywhere. It may elicit funny looks but is legally binding.
- Immigration – immigration is one area where marriage continues to matter most. Even under recent federal immigration reforms, heterosexuals have an automatic right to sponsor a married partner to immigrate; same-sex couples do not. Canada recognizes marriages for immigration purposes; it probably will not recognize civil unions.
- Our entitlement to celebrate our love on equal terms, and know that it is valued by the society in which we live.
- As a provincially based regime, there is no guarantee or even indication of how the federal government will deal with civil unions in fiscal and in (those few) legal issues that concern the feds. Or perhaps they just won't, so this will be a permanent source of unequal treatment.

Social advantages of civil union -why it matters

Children of same-sex couples are still being stigmatized at school and within society, just as illegitimate children were a few years ago. Our families have had first hand experience of this reality, and over the years, we have had to explain the unexplainable to our children when they have come home from school in tears, victims of discrimination

from peers and teachers alike. In 2002, it is high time for the children with same-sex parents to have their legitimate status recognized by the state and to be integrated into our society as ordinary citizens.

The role that legislation can play in accelerating the acceptance of our families within Québécois society is vital. With 6 Canadian provinces already recognizing adoption rights for same-sex couples, it is essential that Québec follows suit, better yet, that our political leaders set an example for the rest of the country with the introduction of progressive policies that will grant same-sex couples the same rights and obligations as any ordinary citizen. Unanimity in the National Assembly on such an important issue will send a very clear message to all Quebecers and to politicians and citizens across Canada. This is not an issue about partisan politics; it is simply about recognizing basic human rights and children's rights. An LMA meeting on June 15th will address the new law.

We would like to hear from you! Interested in writing for our newsletter? Send your articles at any time to info@aml-lma.org or by post to AML, 2401 Coursol, Montreal, Quebec, H3J 1C8

News Briefs- February 2002-May 2002

Montreal News

March 28, 2002 Montreal - The administration of Gerald Tremblay, Montreal 's recently elected mayor, have decided to **cut the budget** given to **Divers-Cité** by 60% this year. Divers-Cité is the organisation responsible for organizing the gay pride activities each August. Usually the city of Montreal gives a \$25,000 subsidy to Divers-Cité but is cutting it down to \$10,000 this year. Former Mayor Pierre Bourque and municipal councilor Robert Laramée denounced this decision as being unacceptable especially in view of the fact that Montreal just recently got accepted as host of the 2006 gay games. They also noted that pride festivities generate about \$40 million for the city of Montreal.

April 5, 2002 - Montreal- Two Montreal men have learned an expensive lesson about hate. The **Quebec Human Rights Commission** has ordered the pair to pay their gay neighbors \$36,000.

Roger Thibault and his partner **Theo Wouters** have lived in suburban Pointe Claire for more than a quarter century without problems, but five years ago new neighbors made it clear that they did not like living on the same street as gays.

The trouble started with suggestions by Robert Walker that Thibault and Wouters should move from a "family neighborhood." Another neighbor, Greg Inglis, joined Walker in his campaign. Next came the threats, then their flower beds were destroyed. Finally, Walker allegedly tried to run over the couple with his car.

The commission ruled that the two neighbors infringed on the couple's "dignity and reputation, right to privacy — and their personal security and integrity." Walker, who lives next door to the couple, was **ordered to pay \$30,000**. Inglis, who does not have property bordering that of the couple, has been ordered to pay \$6,000.

The commission does not have the power to enforce the payment. But if Walker and Inglis do not turn over the money, the commission's lawyers will take the case to the Quebec Human Rights Tribunal, an independent judicial proceeding that could make the payment legally binding.

For those who like **melos/soaps**: on **April 9th** the **new television show "Out in the City"** premiered. Life Channel is showing a 13 part documentary series on gay & lesbian life in Montreal, shot last fall, the series follows the lives of a number of characters through various adventures over the 13 weeks. A few LMA members are part of the series! Each show is 30 minutes t.v. time (ie. 24 minutes) composed of a string of story "capsules", 3 or more per show. They go back and forth from the various stories over the 13 weeks. Tuesdays at 9:30 pm E.T. on Life Network for 13 weeks! And... repeated on Sundays at 1:30 am E.T.

May 1st- 2002 A fertility clinic in Québec has finally given **access to lesbians and single women** in general. The spanking new **Montreal Fertility Center** opened its doors in April although it will only provide full insemination services later this summer. Dr Biljan, the director of the clinic is committed to providing "the most recent advances in reproductive medicine using the most sophisticated equipment in a non-discriminatory manner". The atmosphere is professional though sensitization to our families may still be needed. **514-369-6116**. Check out their web site at: **www.montrealfertility.com**

Provincial news

Civil Union - See front page article

March 2, 2002 In a much awaited **judgement** it has finally been decided that the **human rights commission** can continue to represent victims of discrimination in the courts even if the laws of the state are in question. The importance of the charter of rights has been reaffirmed with this decision.

On the same date, a decision was rendered for **4 Quebec gay surviving spouses** who have won a decisive victory in a suit over the date when partners are eligible to receive Widows Pensions from the government. Thousands of Canadian gays and lesbians could benefit.

The pensions were originally created by the federal government to assist widows in dire need. The plan was then extended to all widows in Canada, and finally to include men. In 1998 both Canada and Quebec amended the laws covering pensions to include

surviving partners in same-sex relationships. The pensions are worth about \$400 a month. The money is in addition to the survivor's own government pension.

However, both the federal and Quebec governments will pay only those gay and lesbian survivors whose partners died after the law went into effect in 1998.

Four Quebec gay men whose partners died before 1998 took Quebec to court, arguing that the benefits should be effective from the date gays and lesbians were given civil rights in the Canadian Constitution, 1977.

In a decision published by the Quebec Court of Appeal, the justices ruled the **Quebec Pension plan had discriminated against the four**. The court ordered the government to roll back the date at which surviving partners could be considered "widows" to coincide with the constitutional protections. The back pensions owed plus interest could be over \$100,000 for each of the survivors.

It is expected the Quebec case will be used as a precedent in a similar suit, against the Canadian government, that has been launched by gay and lesbian surviving partners in the rest of Canada.

April 16 , 2002. Fondation Emergence (Gai-ecoute) is about to start it's second phase of **sensitization in the schools**. Last fall a number of pamphlets were sent to Quebec's secondary schools, many of which were never seen again. Now at phase II, in a campaign entitled «**Ça s'attrape pas!**» (it isn't contagious) 5000 posters and another 150 000 pamphlets will be distributed to every high school in Quebec. The target audience is young heterosexuals. Close to 80% of Québec high schools have refused to print the phone number of the gai-ecoute help-line in their school manuals. Quebec has the highest adolescent suicide rate in North America one third of which has been attributed to issues regarding sexual orientation.

Canadian News

Egale-listserve -Egale held a Press Conference on **February 19** to present MPs with **petitions in support of same-sex marriage, signed by 15,000 Canadians** from every region of the country. The petitions were received by NDP MP Svend Robinson, Liberal MP Carolyn Bennett and Bloc Québécois MP Réal Ménard. Canadian Alliance MP Rahim Jaffer also sent a message, acknowledging that there is much to do in the struggle for equality. The petitions were presented to the House of Commons by MPs from each of the ridings across Canada in which they were gathered.

In its Annual Report that was tabled in Parliament on the same day, the **Canadian Human Rights Commission** has "come out" publicly with an **endorsement of same-sex marriage**. Page 19 of the report says that the Commission agrees with the Law Commission's report that stated, "If governments are to continue to maintain an institution called marriage, they cannot do so in a discriminatory fashion" (by excluding

gays and lesbians). The CHRC report goes on to say that same-sex couples "are entitled to respect and dignity and should be afforded the same recognition in law as opposite-sex couples."

For easy access: follow the links from the CHRC main page at <http://www.chrc-ccdp.ca>

March 27, 2002 gay 365.com VANCOUVER, British Columbia -- In a landmark ruling a British Columbia court has **convicted a teen-age girl of criminally harassing a classmate** who later committed suicide. Dawn-Marie Wesley, a 9th-grade student in suburban Vancouver, hanged herself in the basement of her home in November 2000. The 14-year-old left a note for her parents saying she took her own life out of fear of girls who had been bullying her and threatened to kill her.

The accused, a 16-year-old who cannot be identified under the Young Offenders Act, is facing a maximum sentence of six months in custody or 24 months' probation. A second teenage girl was acquitted of uttering threats. A third teen will be tried at a later date.

"This wasn't just for Dawn-Marie today," the dead girl's mother, Cindy Wesley, told reporters after the verdict. "This ruling goes for every child in this country that's been bullied". A recent national conference of educators and parent groups in Vancouver called for a heightened awareness of the **effects of bullying**. Studies indicate that anti-gay epithets are the most common insults hurled in bullying attacks.

In the United States, statistics paint a bleak picture for GLBT students. More than 80 percent of gay students were subjected verbal harassment in schools, according to national surveys. Gay youths are two to three times as likely as heterosexuals to attempt suicide. Canadian authorities say they believe there is no reason to think the results are not the same for Canada.

People who work with gay youth hope the ruling will make all bullies think twice before acting, and say that it now encourages students to come forward when they are attacked.

Planet-out news - April-May 2002 TORONTO -- Grade 12 student Marc Hall had a wish. It was to take his boyfriend to the high-school prom. It didn't seem to be too much to ask. After all, who would it hurt? Yet the Durham Catholic school board in Ontario said "No." It argued that allowing the gay couple to attend the gala social event together would be condoning homosexuality. The Catholic Church does not condone it. The **Ontario Superior Court** was asked to grant an emergency injunction against the school board and heard arguments from both the board and from lawyers for Marc on **May 7th**.

Canada's leading civil rights lawyer, David Corbett, represented Hall. Corbett said Hall's challenge does not involve church teachings, but the policy of one board. He said that the board violated the Charter of Rights and Freedoms in the Constitution, which guarantees equal rights for gays and lesbians. He also said it was in violation of Ontario's gay rights laws, and, he said, it is in direct conflict with the Ontario Code of Conduct for

boards of education receiving public money. The Roman Catholic school system in Ontario receives tax dollars from the provincial government.

During two days of hearings, Corbett compared Hall to American civil rights activist Rosa Parks. "Rosa Parks chose to get on a bus in Alabama, knowing she might be discriminated against. She could have left her community and moved to the North where she would not have faced that problem. But she was part of her community in the South, and when she was told that as a person of color she had to sit at the back of the bus, she refused, because she knew that what she was being asked to do was morally and legally wrong."

On May 10th A judge ruled that Marc could take his boyfriend to the prom that evening. Superior Court Justice Robert MacKinnon ruled just after 2 p.m. that a section of the Canadian Constitution that gives certain protections to the Roman Catholic school system does not mean the schools can do whatever they want in name of religion.

Hall already had his blue tuxedo laid out on the bed. His hair had been dyed a matching blue earlier in the week, and a limousine to take them to the prom was ordered in advance, just in case.

Check out Marc's web-site at: http://geocities.com/rights_and_freedoms/

PlanetOut.com Network April 4, 2002 - A school board's rejection of "One Dad, Two Dads, Brown Dads, Blue Dads" -- along with two other books about same-sex parents -- will be challenged in the **Supreme Court of Canada in June.**

Gay teacher James Chamberlain has been leading the effort to have the **books available as "learning resources" for kindergarten and first-grade students** since 1997, when the school board in **Surrey, British Columbia**, rejected the books.

According to the Canadian Press, the school board decided that having the books available in classrooms would infringe on parents' rights to morally guide their children.

After two different rulings in British Columbia courts, Chamberlain and his supporters are now asking the country's high court to decide if the school board's action infringes on equality rights under the Charter of Rights and Freedoms.

"Asha's Mums" and "Belinda's Bouquet" are the other titles that were banned.

365Gay.com Newscenter - April 8, Edmonton- Canada's Official Opposition party wants to end the right of the courts to rule in Constitutional issues. At its national convention, in Edmonton, the **Canadian Alliance party** voted in favour of **a policy amendment to change the Charter of Rights and Freedoms** to "restore to parliament the power of enforcing the will of the people". The original motion called for the Charter

to be repealed. Either way, the intent of the motion is to gut the Charter of its protections for minorities.

By making it part of the Alliance policy, it would give party leadership a mandate to amend the Charter if it were to come to power. Scary moves like this show the lengths to which the Alliance is prepared to go, to prevent the courts from making constitutional rulings on issues such as gay and lesbian marriage and abortion. The party opposes both.

April 12, 2002 _Gay and lesbian couples have been given **the right to adopt in Newfoundland and Labrador.** The sweeping reforms to the province's 50-year-old adoption statute will come into effect in June. The legislation provides for co-parenting and also gives adoptive children more rights. Adoption records can be opened if all parties agree, new medical facts can be shared, and children as young as five will be counseled about adoption.

Judith Grove, executive director of the Adoption Council of Canada, says the legislation is progressive, especially in its inclusion of common-law and same-sex couples. "We need a great variety of potential families, and I think taking applications from anyone who is interested is the best way to find those families," said Grove. She says Newfoundland's revised law could have an effect on adoption in other provinces.

International News

February 1, 2002-Sweden A court ruled that a **Swedish man who donated his sperm to a lesbian couple** is the **legal father** of three children and therefore should support them financially. Anna Bjurling, the mother of the children - ages 10, 7 and 5 - asked Igor Lehnberg to pay **child support** after the relationship with her partner ended last year. A county administrative court ruled in her favour and ordered Lehnberg to pay child support of 3,000 kronor (\$555.11 US) a month.

Lehnberg challenged the decision by arguing against the legality of his fatherhood in the district court. But the court said a document Lehnberg had signed, stating that he was the biological father, was legally binding. Lehnberg claimed he signed the document only so that the children would know their origin, not to accept any responsibility for them.

Swedish law gives same-sex couples in a legal union most of the same rights and obligations as married couples, but they are not allowed to adopt children or undergo artificial insemination. The case has renewed debate on that issue, as well as the **legal obligations of sperm donors.** The government has appointed a committee to review laws regulating adoptions and artificial insemination and is considering granting adoption rights to same-sex parents.

365Gay.com February 21, 2002 Some of the United States largest, oldest and most respected children's groups told a **federal appeals court that Florida's law banning gay**

adoption hurts kids, in a brief filed in support of the **American Civil Liberties Union's lawsuit challenging the adoption ban.**

Florida's law -- by far the toughest adoption ban in the nation -- "not only has no child welfare basis whatsoever, but it also affirmatively hurts children awaiting adoption by depriving them of the opportunity to be adopted by lesbians and gay men who are willing to provide them with loving families," the groups said in legal papers filed at the U.S. Court of Appeals for the 11th Circuit, in Atlanta.

"Today, the nation's most respected voices for children have made it clear that this law is not helping anyone," said Matt Coles, director of the ACLU Lesbian & Gay Rights Project.

"In fact, it's hurting thousands of people -- most urgently the 3,400 kids in foster care in Florida who could be adopted right now if qualified parents came forward."

The brief was filed by the Child Welfare League of America, an 80-year-old organization with 1,000 public and private member agencies serving more than 3 million children and their families yearly, along with other groups.

In the Florida case, the ACLU represents three families in a federal lawsuit challenging the gay adoption ban. Steven Lofton and his partner Roger Croteau are raising five children, including three Florida foster children. Although the kids have never known another family, they cannot be adopted by Lofton or Croteau because of Florida's law.

Doug Houghton has raised a 10-year-old boy for six years but also cannot adopt him because of Florida's law. When a lower court dismissed the lawsuit last year, the judge said that Houghton and the boy are just as close as biological parents and their children.

Wayne Smith and Dan Skahen provide foster care to various children as needed, but cannot adopt any children because of Florida's law.

Saying **"we were wrong," nine former Florida state legislators** who voted 25 years ago for a ban on gay adoptions pledged on **March 7, 2002** to support a repeal of the controversial law.

The former state House and Senate members signed statements that said: "In 1977, we were among the state legislators who helped pass Florida's law prohibiting gay people from adopting children. We now realize that we were wrong. This discriminatory law prevents children from being adopted into loving, supportive homes -- and we hope it will be overturned."

Citing Anita Bryant's anti-gay crusade in the state during that late 1970s, Elaine Bloom, a former House member who voted for the ban in 1977, said, "The hysteria of the time led us to do the wrong thing."

And in case Americans didn't know what a gay parent looked like, **Rosie O'Donnell** had a message for them in her televised interview with Diane Sawyer on **March 14, 2002** "**I am the gay parent.**"

The popular talk show host talked about her sexuality and her family life in a two-hour edition of "Primetime Thursday" on the **ABC network**. The show also focused on a gay couple, Steve Lofton and Roger Croteau, who are suing the state of Florida to overturn its legal ban on gay adoption.

"I don't think America knows what a gay parent looks like," O'Donnell said. "I am the gay parent. America has watched me parent my children on TV for six years."

O'Donnell told Sawyer she was inspired to come out publicly after learning about Lofton and Croteau, who are not allowed to adopt one of their foster children, despite having raised him from infancy.

"I'm saying it now because I want people to know that I'm the kind of parent that the state of Florida ... thinks is unworthy, and it's wrong," O'Donnell said.

A **poll conducted just 2 weeks after Rosie O'Donnell came out** on the network, showed that the **majority of Americans support giving gay and lesbian couples the right to adopt**. Forty-seven percent said gays should be permitted to adopt, and 42 percent were opposed, according to an ABCNEWS.com survey.

The last survey, in 1998, showed that 57 percent opposed gay adoption. In 1994, there was 64 percent opposition. The drop in the number of people against gay and lesbian couples adopting was 23 percent since 1994. The power of television!!!!

365Gay.com February 26, 2002 The **European Court of Human Rights** ruled that **member states of the European Union can refuse to allow gays and lesbians to adopt**. In the ruling, the court said France was not guilty of discriminating when it prevented a Paris gay man from adopting.

The court said there were significant "divisions within the scientific community about the possible consequences of children being brought up by one or more homosexual parents." As a result, it said the decision to allow gays and lesbians to adopt should be left to individual member states.

The ruling said that the various countries making up the EU were "in principle better placed than an international court to evaluate local needs and conditions."

The decision has angered gay rights activists who had hoped a blanket ruling endorsing gay adoption would force E. U. countries to legislate adoption rights.

March 8 2002- HRC FamilyNet- Noting that no state provides full equality to GLBT families in the United States, the **Human Rights Campaign (HRC)** issued a report that details how legally vulnerable such families are. The **46-page "State of the Family" report** can be obtained by contacting HRC FamilyNet at 202/628-4160 or familynet@hrc.org. The report can also be downloaded at <http://www.hrc.org/familynet/library.asp?ID=271>.

The Human Rights Campaign is the largest American gay and lesbian political organization, with members throughout the country. It effectively lobbies Congress, provides campaign support and educates the public to ensure that gay, lesbian, bisexual and transgender Americans can be open, honest and safe at home, at work and in the community.

PlanetOut.com Network May 8, 2002 - Suffolk Superior Court Judge Thomas Connolly issued a quick ruling in the **freedom-to-marry case** brought by seven same-sex couples against the commonwealth of **Massachusetts**. Connolly ruled that the state was justified in regulating marriage "based on the traditional concept that marriage's primary purpose is procreation."

Gay and Lesbian Advocates and Defenders (GLAD) attorney Jennifer Levi said the plaintiffs would appeal simultaneously to the Supreme Judicial Court (the state's high court), and to a mid-level appeals court. "This is just the beginning," pledged Levi. "Our objective in this round was primarily to begin the process of making our case for equal treatment of all families in the commonwealth."

March 20, 2002 PARIS -- The two leading contenders for the Elysee Palace said they would **oppose giving gays and lesbians the right to adopt**. President **Jacques Chirac**, a conservative, said: "I think that every child needs a mother and a father -- female references and male references -- to construct his identity."

His opponent for the presidency, Socialist Prime Minister **Lionel Jospin**, said that "the right to have the sex life of one's choice should not be confused with the hypothetical right to have a child." The two made their comments to Tetu, a gay and lesbian magazine.

Both promised, however, to strengthen legislation against homophobia.

April 10th, 2002 More than 700 schools have signed on to participate in the **Day of Silence, which protests discrimination and harassment of GLBT youth**.

According to the Gay, Lesbian and Straight Education Network (GLSEN), the participation numbers guarantee that the event was the biggest in the protest's six-year history.

Staged in high schools and colleges around the United States, the Day of Silence encourages participants to take a nine-hour pledge of silence. Instead of speaking, they hand out cards that explain why they have chosen not to talk.

The students' silence is supposed to represent the silencing that GLBT students face because of harassment, discrimination and prejudice at school. Organizers say it also provides participants with a chance to reflect on the effects of being silenced, giving them a desire to speak out against the forces that impose silence on GLBT students. Maybe a good idea to use here in Quebec!

March 27th, 2002. Washington Gov. Gary Locke signed a bill mandating anti-bullying policies in state schools. The new law would prohibit intimidation toward students, which includes covering gay, lesbian, bisexual and transgender students from harassment. School districts are required to adopt a policy by Aug. 1, 2003.

April 8 2002 Scotland A lesbian couple has won the same parental rights over each other's children as a heterosexual married couple. In the first ruling of its kind in Scotland, Sheriff Noel McPartlin agreed to **give both women rights over both children.** The older boy now has **three legally recognized parents.**

The lesbian couple from Edinburgh cannot be identified in order to protect their children. One of the women has a 4-year-old son from a previous marriage and the second woman, 30, has an 8-month-old baby fathered by an anonymous sperm donor.

April 18th 2002 Australia's high court rejected a challenge by the Catholic Church that would have prevented single women and lesbians from having **access to in-vitro fertilization treatments.**

Story: <http://www.planetout.com/news/article.html?2002/04/18/3>

April 29th 2002 Russian gays wearing concentration camp uniforms with pink triangles **demonstrated in Moscow to protest against legislation that would make outlaw gay sex.**

Story: <http://www.planetout.com/news/article.html?2002/04/29/4>

Planet Out May 7th 2002 Same-sex partners and other unmarried couples in Britain should have the right to adopt children, a representative of Prime Minister Tony Blair's government said.

Story: <http://www.planetout.com/news/article.html?2002/05/07/2>

RESEARCH

January 20, 2002 Scientists at the **Reproductive Genetics Institute in Chicago, US,** say that they have developed a **technique that could be used to allow two women to have a child together, without the need for sperm.** The technique involves

manipulating cells taken from a woman and turning them into 'artificial sperm' which could then be used to fertilise another woman's egg, allowing two women to be the genetic parents of a child. The technique was developed to help men with no sperm have children.

The Chicago scientists say that they are already trialling the technique on human eggs, and it may be available within two years. Many other scientists, however, believe that the **technique is dangerous**. It involves a process known as 'haploidisation', where chromosomes within a cell are forced to separate in half. It is believed that this might cause illnesses that would not be apparent until the child was older. Professor Bill Ledger, from Sheffield University in the UK, said 'this technology has a high risk of creating damaged people and therefore I don't think it should be allowed to go ahead'.

365Gay.com March 19, Washington - The **first major survey of gay and lesbian families shows that nearly half of the American GLBT community are in committed relationships**. The survey, by OpusComm and the S.I. Newhouse School at Syracuse University also showed that **13% of respondents have children under the age of 18 living at home**. Three quarters of that group are lesbian parents.

Ninety percent of the respondents said they were out to their friends. 78.1 percent were out to family members with 64.4 percent out at work. Less than five percent of the respondents were not out (4.8%) at all

May 2nd 2002 Contradicting a decade-old assumption about lesbian health, a new study suggests that **lesbians don't face a much higher risk of breast cancer** than their heterosexual sisters.

Story: [http://www.planetout.com/news/article.html?](http://www.planetout.com/news/article.html?2002/05/02/3)
2002/05/02/3

MISCELLANEOUS

"I am very much in a relationship and it's 'till death do us part and that's all I will say about it. And it's wonderful."

--Lesbian tennis legend **Martina Navratilova** to Curve magazine, February issue.

January 15th 2002 The Independent - London Here is something that **Annie Leibovitz**, America's most famous and highly paid female photographer, will be happy to hear. After weeks of us gossiping about her unusual and carefully guarded private life-- that happens when you **have a baby the turkey-baster way at 52** and your partner is not just a woman but also the essayist, author and intellectual superwoman, **Susan Sontag**-- suddenly people are talking about her work again. She can relax. It has happened because of a spread of pictures she took last month in the Bush White House. Shot in early December, they were published in the February issue of **Vanity Fair**.

This is the artist, after all, who cajoled Whoopi Goldberg to pose immersed in a bath of milk, and who gave us Demi Moore not just naked but naked and very pregnant.

It is largely accepted by now that Leibovitz and Sontag, 68, are a couple; neither woman, however, has conceded so much in public. They live in separate penthouse flats in the same apartment building in the Chelsea neighbourhood of Manhattan, with shared storage space. Their tight-knit and extremely lofty circle of New York pals have all helped keep and maintain the fence of privacy intact.

Offend Leibovitz and Sontag and you may never get a decent Manhattan invite again. "They have powerful friends who protect them."

For a lesbian to start a family with the help of artificial insemination is not anything especially new or surprising. More unusual are Leibovitz's advanced years. At 52, Leibovitz, who delivered by Caesarean, must surely be at the very limit of her physiological ability to bear children.

365Gay.com March 11, 2002 - MEXICO CITY - A film showing Barbie as a lesbian has been **banned in Mexico.**

"Barbie Gets Sad Too" was due to be shown at Mexico City's Urban-Fest festival. But Mattel Inc., which makes Barbie, obtained a court order banning the film from being shown.

The company says the film is pornographic and will spoil the doll's wholesome image.

The film, which was made in Argentina, shows Barbie having a sexual relationship with her Latina servant, according to Mexico's Reforma newspaper.

"This film has been shown as a work of art in Argentina and in Brazil, where it was even shown on TV without any scandal," he said. "I don't know why they are so bothered about it in Mexico."

News from the Lesbian Mothers Association

JUNE:

For adults only: Saturday June 15 at 8 pm. Special Conference: New Rights for Lesbian Mothers: Civil Union, Adoption and Fertility Clinics. At 2331 Belgrave, NDG (metro Vendome then bus 105 to Sherbrooke and Royal/ Belgrave). For more info : 514-846-1543.

JULY:

For adults and kids: On **Saturday July 6th** we'll be meeting at **Parc Lafontaine** (on Sherbrooke between Parc Lafontaine and Papineau, bus 24) at **11 a.m.** for a **picnic / BBQ**. The meeting place is at the children's playground (which is near Rachel at the north end of the park). Bring your own food, drinks, blankets, games, music, etc. If it rains, the picnic will take place on Sunday July 7th, instead.

AUGUST:

On **Saturday August 3th, from 11:00 a.m. to 5 p.m.**, along with other community organizations, we will have an information kiosk for the "**Journée communautaire**" as part of the **Pride festivities**. We encourage you to join us there both to support our group and to find out about other community groups that may be of interest to you. This year the event is at a new site! Kiosks will be grouped on **Berri between Ste. Catherine and René-Levesque** as well as on **Ste-Catherine between St-Denis and St-Hubert**. Food will be available on the site.

The **Gay Pride Parade** will take place on **Sunday August 4th, beginning at 12:00 p.m.** This year again, the route will begin at **René- Lévesque (Dorchester) corner Guy** and finish at St-Denis. The minute of silence will be at 13:30. We will be contacting you with more information concerning our spot in the parade, a few weeks before the event.

Good news for web surfers! The Lesbian Mothers Association is proud to announce our brand-new web-site. Two members of our association, Monica Perazzo and Gabriel Pinkstone helped a graphic designer who worked countless hours to put this wonderful site together. Come and visit us at:

www.aml-lma.org

For comments and feedback Monica can be contacted at: moperazzo@hotmail.com
Happy Surfing!

The **Quebec Lesbian Network (RLQ)**, invites you to its **annual general assembly** on Saturday **June 15th 2002** from 1:30-5 p.m. The assembly will be held at UQAM, in the Sciences de la gestion pavillion, rm. R-R120, at 315 Ste Catherine est (corner Sanguinet).

Spring Dance- The Quebec Lesbian Network (RLQ) is having a party on **June 1st 2002 at 8:30 p.m.** at the **CCGLM** (2075 rue Plessis). Entrance fee is \$6. For more info please call 514-281-0146.

The bulletin board is a free forum for members to communicate amongst each other. If you want to post an announcement in the next issue please send it to us at any time to info@aml-lma.org or by post to AML, 2401 Coursol, Montreal, Quebec, H3J 1C8

IF you have something to advertise, sell, rent or buy... anything where money must change hands, you can place an ad in the newsletter. Ads cost 20 cents per word.

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