

Promoting the Welfare of *ALL* Children  
Melissa Smith-Tourville

Tuesday, February 24, 2004 was a sad day for gays and lesbians in this country. And many Americans really don't understand why. My wife and I sat together as we listened to President Bush tell the country that "the commitment of a *'married couple'* to love and to serve one another promotes the welfare of children and the stability of society." We wept together as we considered those words, "*promoting the welfare of children and the stability of society.*"

It was only a year earlier that we had the privilege of being legally married in Canada. Our legal ceremony was followed by a beautiful ceremony in our hometown with family and friends present, many from several states away. We are the loving co-parents of nine children. We have been serving the county we reside in for over four years as foster parents. We open our home to children that many consider hopeless. We give to them, heart and soul, to promote their welfare and thus promote the stability of society. We hold them when they cry, listen to them when they share their dreams and comfort them when they express their pain. We love what we do. We love being parents. We are committed, as individuals and as a couple to the welfare of children and the stability of society. In many ways, much more so than a great number of those who oppose gay marriage. We live out that commitment, in action. We don't just talk about it. We live it.

I wonder how many opponents of gay marriage actually *have* a personal friend or loved one that is gay. I wonder how many of them have actually *attended* the wedding of a loving, committed same sex couple. It occurs to me that human beings often fear what they don't understand. And fear, as we well know, often leads to hate.

I wish that each proponent of the proposed Constitutional Amendment would agree to spend time in the home of a gay or lesbian family. I wish that they would eat at their tables, sit in their living rooms and speak with their children.

I wish that they could see the similarities to their own families. I wish they could hear the gay and lesbian, men and women of this great nation talk about their dreams for their children. I wish they could understand that we are more the same than we are different. We want safe schools, adequate health care, crime free cities and economic security. We are loving parents, focused on raising children that are moral, caring and committed to making the world they live in a better place. If we could spend a little time together we would understand that we are not so different after all.

Several months before this issue became a National debate I was asked by my state representative, "*Why marriage?*" My response was, "Why not marriage? Why would we be treated differently than any other American? Why would we be kept separate? Why wouldn't we be permitted to participate in an institution that has so much strength, so much social support and so many protections? Why would we be kept as outsiders, when we are supposed to be equal citizens of the United States?" I went on to explain that as a society we wrap around married couples, showing them support and encouragement. We value their children- those born biologically as well as those adopted into the family. We celebrate their engagements, their unions and the births of their children. If they begin to have marital problems we encourage them to seek counseling and attempt to work things out. As a society we discourage heterosexual parents from separating, if at all possible. We hold them accountable for their commitment to one another.

Contrarily, gay and lesbian couples cannot always count on the support of their families or communities. When they celebrate their commitments, through *not yet legal* ceremonies, invariably there are family members or friends that choose not to participate in their celebrations. It is not uncommon for a gay or lesbian couple to have their *break ups* celebrated, rather than their *unions*. Nor is it uncommon for extended family members to refuse to accept a non-biological child born or adopted to a gay or lesbian couple as their family member.

Consider that even with such a strong social structure in place for heterosexuals, one out of every two marriages ends in divorce. Consider how much more challenging it is to form strong, loving, committed relationships when society does not afford you these same social structures. And yet gay and lesbian couples do form them and many of them have lasted for decades. We give birth to and adopt children. We attend churches. We are active in our children's schools. We care about our families.

According to the American Bar Association there are 6 to 10 million children in this country being raised by gay, lesbian and bisexual parents. We, as a society, have a responsibility to promote *their* well-being as well. President Bush concludes that marriage "promotes the welfare" of the children born and adopted to heterosexual couples. I ask you, is it not the logical conclusion that marriage then also promotes the welfare of children born and adopted to gay, lesbian and bisexual couples? Marriage is not a *threat* to marriage. The threats to marriage in this country are divorce, poverty, unemployment, unavailable health care coverage, domestic violence and social injustice.

It is important that we, as a society, carefully consider how having marriage unavailable to their parents affects the 6 to 10 million children in this country. I offer as illustration the following differences between being the child of a heterosexual married couple and the child of a gay or lesbian couple with no legal right to marry.

Consider that children born or adopted into a heterosexual marriage can be included on either parent's medical insurance policy. Even stepchildren can be included on the medical insurance policies of heterosexual married couples. No such provision is in place for the children born or adopted into our unions. Many times our children go without essential medical insurance coverage because their parents are unable to marry.

Consider that when a married heterosexual couple adopts a child, it is assumed that both parents are taking equal financial and emotional responsibility for the child. No such provision is in place in most states, for the children born or adopted into our unions. We are often excluded from their birth certificates, school records and medical records. Despite a commitment to our children, emotionally, socially and economically we are mere strangers to them legally.

Consider that when a child born or adopted into a heterosexual union has one parent die an untimely death, social security survivor benefits go into affect immediately. The children and surviving spouse are provided for with funds that were paid into social security by the parent that passed away. No such benefits are available for our spouses or the children born or adopted to non-biological parents of our unions. Further, when children born or adopted into a heterosexual union have a parent become disabled, the children are entitled to disability benefits from social security. No such benefits are available to children born to non-biological parents of our unions. And no contractual agreements, or state regulated civil unions would change this fact. Social security is a federal program. If our civil unions are not honored by the federal government, because of a Constitutional Amendment disallowing gay marriage, then our social security benefits will not be paid to our spouses and non-biological children upon our death. Despite the fact that we have taken full responsibility for financially and emotionally supporting our children and spouses, upon our death our social security benefits, paid into the system *by us*, are forfeited.

Consider that when the child of a heterosexual couple becomes seriously ill or involved in an accident and is in the ICU, both parents, *regardless of biology*, are permitted to visit. It is not uncommon for a gay or lesbian co-parent of a non-biological child to be refused entry under such circumstances. That leaves these children unable to be comforted by their parent, have their hand held; hair stroked, or be whispered words of encouragement for healing.

It further leaves the biological parent forced to handle the emotional strain of their child in serious or critical condition, dealing with doctors, medical advice and their own emotions, without the support of their co-parent. Imagine how it would feel to be told that you cannot be with your child in the ICU. Imagine being excluded from the room when your child and your spouse need you the most. Imagine knowing that your child could die without you by their side because you live in a society that assumes the role of *"promoting the welfare of children"*, but doesn't even consider the welfare of yours.

Consider that when a parent of a child born or adopted into a heterosexual marriage dies, it is a legal given that their children will remain with their second parent. Our children are not guaranteed this right. In fact, many children in this country have been taken from a loving, committed co-parent, who has supported them emotionally and financially their entire lives because one of their same sex co-parents have died and well-meaning relatives fought in court for custody of them and *won*. Imagine the trauma for a child, of losing one parent to death and the other for no explainable reason whatsoever. Imagine knowing that one of your parents is alive and capable of raising you, but you cannot go be with them, comforted by them, or supported by them because you live in a society that does not value your family.

I could spend hours detailing how the over one thousand provisions that are automatically afforded to married heterosexual couples and yet not afforded to our families affects our children. I could tell you story after story of children that have been directly affected by this injustice. Instead, I want to appeal to those of you that are confused, unsure or afraid of this issue. I ask you to consider how outraged you would be if it were your own children at risk of not being protected. I ask you to look within yourselves and find it in your hearts to protect *all* children in this great country. I ask you to consider that your perceptions of gay and lesbian families could be inaccurate. I ask you to honestly connect with your own sense of justice and consider what it would be like to be on the other side of

this argument.

Please, for the sake of the 6 to 10 million children that would be directly affected, do not support this amendment or the politicians endorsing it. I ask you to take it personally that your President wants to use our Constitution to exclude some Americans. I ask you to take seriously the exclusion of families raising 6 to 10 million American children. I ask you to stand with me, use your voice and your vote to show that you intend to protect *all* American children. I ask you to resist the temptation to reject change. I ask you to consider where we would be if we had refused change, as a society, in the 60's when Martin Luther King, Jr. shared his dream with us. I ask you to use your voice and your vote in support of all children in this great country. I plead with you to recognize that we are one people, not so different from one to the next. I ask you to consider that throughout this country's history we have heard these arguments before. "Women shouldn't be able to vote. The bible says women should not be permitted to speak in the church. They are to keep silent and be submissive to their husbands." "Slavery should be permitted, the bible says slaves submit to your masters." "Interracial marriage should not be permitted. God intended us to only mix with our own kind. It's *unnatural*." "Of course blacks should be kept separate from whites. It's unnatural for us to mix company." Thankfully our society found the courage to embrace change. Thankfully women can vote, slavery is illegal, marriages between races are permitted and we have largely ended segregation. We must never forget that we *need* one another to actually *have* a stable society. Excluding one segment of the population due to gender, race, disability, economic status or sexual orientation is the opposite of everything that we stand for in the United States. We are a free, inclusive, progressive society. Let's work together to keep it that way.

*\*permission is granted to reprint or publish this article in it's entirety. For permission to edit and for publication notification please contact the author at nurturehrt@aol.com. A .doc file attachment is also available.*