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NEWSLETTER

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So, What's the Scoop?

By Mona Greenbaum, LMA coordinator

This year has been a really remarkable year for lesbian mothers. The landscape for our families has changed so much since the group began in 1998. The civil union bill (Bill 84), which passed unanimously last June in the Quebec National Assembly, has given parents and children in lesbian-headed families full and equal rights. We also have finally gained access to a fertility clinic: The Montreal Fertility Center (514-369-6116). Procréa Montreal will probably also provide access in the months to come, which will mean that the Quebec City branch of Procréa will provide access to lesbians that live in the capital. Forming our families has become so much less complicated.

The huge amount of media attention that focused on our families has had many important effects. Most Quebec citizens now know that lesbians have kids, that our families exist and for those who have followed the debate it has become increasingly clear that a whole body of scientific research is already in place, in fact has been accumulating for the past 20 years, supporting what we already knew: our children are fine...they are no more likely than the children of heterosexuals to suffer from psychological, emotional or sexual and gender identity problems. This positive sensitization can only be helpful.

Another positive effect that we have noted in the past year is that lesbians have come back into the forefront of social involvement. We are no longer peripheral. A few years ago there were few women representing lesbian causes and even fewer representing our families. Our voices were unheard outside of our own circles. This year's Pride festivities really brought home the fact that we are assuming ourselves.

The opening event for the pride week, the Gala Prix-Arc-en-ciel, was fantastic for women: The "Grand-Prix" went to Irène Demczuk for her 20 years of activism in Quebec. She shared the prize with the Quebec Minister of Justice Paul

Bégin. Both were instrumental in the passage of Bill 84. Our own group won the prize for "Action Sociale", an award that really felt good after a year of very hard work. The prize for business went to Paryse Taillefer of the restaurant La Paryse, while the young entrepreneurs prize went to two young dykes who have started up a high tech business. The "prix organisme" went to Image+Nation, the gay and lesbian film fest that is largely women-operated. Suzanne Girard of Divers-Cité won the special jury prize. In all, a fantastic showing of lesbian involvement.

We spoke to hundreds of women at the Pride community day and although the sense of excitement and accomplishment was certainly there, the same questions kept popping up over and over again. People knew that we had made advances but didn't know exactly what they were about. We handed out a lot of literature: a new guide on forming alternative families and a civil union guide (both available through the LMA), but it seems important, at this point, to address on paper some of the recurring questions:

1) *Do we have to have a civil union in order for both parents in a lesbian couple to be legally recognized?*

The answer here is a resounding NO. If a civilly united lesbian couple has a child they will both automatically be recognized as legal parents (like it or not). With this come all the rights and responsibilities that go together with being a parent. If you don't however want to have a civil union, all you have to do is put both mothers' names on the birth certificate. By doing so you will both become legal parents...even if you have never lived together and never intend to do so.

2) *What about if we already have kids?*

If your kids have only the biological mother's name on the birth certificate, you can now add the second mother's name and by doing so, make her the other legal parent. You simply have to call the civil registry (514-864-3900) and ask for the form for a "déclaration tardive de filiation pour conjoints de même sexe." Up until June 2005 you can fill out this form and become legal parents for free. After 2005, there will be a small fee. If your partner became part of the family after your child(ren) was born she can adopt the child through the family court.

3) *What if we are no longer living in Quebec?*

As long as the child was born here you can fill out forms to have the birth certificate changed to include both mothers' names. Even if the child was born outside of Quebec, if the biological mother was born here then the child's birth can be registered here, thereby permitting both mothers to be legally recognized. If you leave Quebec, the birth certificate with both mothers names on it will be recognized world-wide.

4) *What do civil union and marriage have in common?*

Gays and lesbians, as well as heterosexuals, have access to civil union, which is a provincially legislated status. Only heterosexuals however can get married. So we are still discriminated against on this front. Apart from the symbolic, social and psychological significance of having our unions publicly recognized, both institutions entail an economic inter-dependence between spouses. Once you are civilly united, most of what you own is considered to belong to both of you on a 50-50 basis. This applies to things like property and vehicles (even those acquired before the union) as well as everything acquired during the union, including pensions and RRSPS. The couple becomes the economic unit. If one goes bankrupt, for instance, both are responsible.

There is also a presumption of parenthood in both civil union and marriage. For instance in a heterosexual marriage if a woman has an affair with the milkman and a child is born, it is still her husband who is legally responsible for the child. The same holds true, in a way, for lesbians. If one woman decides to have a baby on her own, her civil union partner will have to take care of the child, even if she never wanted to be a mother. To renounce her maternal rights she must go through the courts. Civil unions, like marriage, protect children and ensure them two legal parents.

5) *Then why should we still fight for the right to marry?*

A number of lesbians are very much against the institution of marriage. Some have bitter memories of heterosexual marriage, others see it as a patriarchal regime that has historically oppressed women. Still others see it as a

mechanism for the state to financially control our lives and to dictate to us how are families should be structured. These arguments are all extremely valid. As an association, however, we have supported the fight for the right to marry for the following reasons:

- Marriage, unlike common law status, is a choice. No one is forcing anyone to get married. Many however would choose to do so were it available.
- Marriage is loaded with social, cultural and symbolic significance. If we were given this right we would truly be equal citizens under Canadian law: no separate laws for gays and lesbians.
- Marriage is recognized throughout Canada. A civil union only holds water in Quebec.
- Although the provincial government did everything it could do for us under its jurisdiction, there are a number of federal areas that remain troublesome. One area, for instance, is immigration. Obtaining a Canadian citizenship is quite easy if you marry a Canadian. Civil union will only help immigration to a limited extent.
- There are many grey areas in civil union that will most likely have to be worked out through the courts. The legal precedents for marriage are already in place. An example is child support. The federal government has over the years worked out means to chase down dead-beat dads who don't pay their dues. How will Quebec handle this? What about the specifics of divorce?

6) *Did Quebec give us everything we asked for?*

Yes, but we didn't ask for everything. One of the key missing points was asking for rights for multi-parent families. Many of us are in the situation where our children have two mothers and also one or two fathers. The new bill only affords rights to two parents (either two women, two men or a woman and a man). We didn't ask for 3 or 4 parents to be recognized because strategically we realized that this would never have flown in Quebec City. Just the idea of two mothers was already quite mind-boggling for many of the politicians involved.

In fact, heterosexuals as well, often find themselves in the situation where there are two biological parents and

one or two additional social parents. Any adult who is acting as a parent should be legally recognized. This is in the best interest of the child. We hope, in the years to come, to be able to help push legislation forward that will recognize more than two parents.

7) *If we ask a friend to be our sperm donor, do we have to go through a fertility clinic so that both mothers will be recognized, now that access has finally been legalized?*

In fact access to sperm banks has been legal all along, even before bill 84. What has changed now is that one individual (Dr Biljan at the Montreal Fertility Center) has decided to open a clinic and allow us access. You don't need to use a fertility clinic to make a baby with a known donor, but should fertility problems arise the services of this clinic can be useful. Also the clinic is a good place to have you and your donor tested for sexually transmitted diseases. Whether or not you go through a clinic however, if you do not have sex with your donor he cannot claim parental rights. When the child is born, the mothers have simply to put their two names on the child's birth certificate. End of story.

8) *Now that the bill has passed, is it still necessary to put something on paper with the donor?*

Although the laws are now highly stacked in favour of lesbian parents, it is always a good thing to put things in writing. A dated document stating everyone's intentions at the outset of the parenting project is important because it will clearly affirm the donor's role (if there was no sexual relationship this should be mentioned) and will also help to delineate the roles of everyone involved. It is also a good idea to write about what will happen should the parents break up (in the case of a couple) and what will happen if the mother or donor become involved with a new person after the child is born. Putting things on paper will prevent second-guessing and help sort out how people are envisioning the future family.

9) *Is there any situation where we would have to do a co-parent adoption through the courts?*

If you are currently single, but meet someone after your child's birth with whom you want to parent, as long as yours is the only name on the original birth certificate,

there should be no problem with your partner becoming a second legal parent through adoption by special consent. Also where a gay or lesbian couple is raising a child adopted internationally, only one partner is legally recognized as the parent. Bill 84 seems to open up the possibility for co-parents to be recognized, after the fact, in these families. Following an international adoption, there is a probation period of a few months during which, theoretically, the country of origin can change its mind and take the child back. After the probation expires, however, the co-parent could apply to adopt the child very much in the manner of a stepparent.

10) *What next?*

In terms of Quebec law, gays and lesbians and our children are now full equal citizens. As we mentioned above, we still believe that there are very strong reasons to fight for marriage on the federal level. Also, although Bill 84 has passed, we will have to closely monitor its application in the years to come to make sure that the rights we were given are truly functional. Also what has become increasingly evident is that there are a number of institutions that regardless of the laws will remain homophobic. The schools, health care and youth protection (for fostering and public adoption) are cases in point. Now that we have the laws on our side the next task is to sensitise the professionals that work in these domains to the needs and rights of our families.

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 - June 2002 - August 2002

PRIDE WRAP UP

We received news about Pride festivities from all over the world: Rome, Zagreb, Tel Aviv, Manila, Paris, Cologne, Madrid... Some highlights:

- Amid tight security and harsh criticism from Orthodox groups, **Jerusalem's gay and lesbian community** held its **first Pride parade on June 7th**. The *Associated Press* reported that about 2,500 marchers joined in the diverse parade, which featured religious and secular Jews, as well as members of the city's Palestinian community.

The city's deputy mayor, Shmuel Shkedi, was shocked a parade was taking place at all. "We will not let any sickness or deviance take place in this city," he said "The very existence of these people is a provocation."

The organizers of the event, **Open House**, have raised controversy even among other gay organizations, since they offer services in Arabic to members of the gay Palestinian community. Jerusalem, which has a sizeable Palestinian community, is considered more conservative than other major cities because of its large population of Orthodox Jews.

Finally, hundreds of police officers were deployed after being on full alert the entire week, not only because all public events in Israel are considered security risks under the current state of affairs, but also because many groups within Jerusalem threatened to disrupt the parade. Despite all the threats, thousands of people went to watch the parade. Gay-friendly religious groups marched next to drag queens in stilettos.

- *L'Agence France-Presse* - At the **end of June** a few hundred brave souls participated in **Croatia's first gay pride in Zagreb**. Marchers demanded equal rights for gays, lesbians, trans and bis. The parade was a lot less colourful than those seen in other world capitals in past years. "We didn't want to dance in the nude or show our behinds," explained Dorino Mazin, who directs **Ishorak** an organization that defends gay rights, "we just want to be heard and accepted."

Police were mobilized in case of incident, as there are a number of extremists, especially skinheads. At one point towards the end of the parade someone threw a tear gas bomb at the marchers but the projectile missed its target and the wind rapidly dispersed the gases. Apart from that the parade went quite smoothly.

- On **July 6th In Lima, Peru**, another first: About a hundred marched mostly hiding **behind carnival masks or disguises**. To the music of Madonna and Cher participants holding banners proclaiming their right to protection under Peru's constitution. One masked woman claimed "I am sure that if I was marching in this parade without a mask, on Monday morning I would find myself without a job." Lima is one of

the most conservative and catholic capitals in South America.

- **Montreal** celebrated its **10th annual Pride this summer between July 28th and August 4th.**

Pride week opened on **Sunday July 28th** with the **Gala Prix arc-en-ciel 2002** (see front page article). Justice minister **Paul Bégin** shared the jury prize with long-time activist **Irène Demczuk**, president of the Quebec Coalition for the recognition of same sex couples. Both were recognized for their commitment to the **passage of Bill 84 on civil unions**. The **Lesbian Mothers Association** won the **prize for social activism**.

The arc-en-ciel awards are given to individuals or groups that have contributed to the well-being of the community. **Pierre Valois**, the ex-president of the Table de concertation des lesbiennes et gais du Quebec noted " The year 2002 will remain in Quebec history as one of the three most important years for gay rights, the other two being 1969 when homosexuality was decriminalized and 1977 when Quebec prohibited discrimination on the basis of sexual orientation in its charter of rights and freedoms."

Highlights during the week included a show by Montreal's famous drag queen **Mado Lamothe** at the Casino of Montreal, dance performances by troupes as mainstream as **les Grands Ballets Canadiens et les Ballets Jazz de Montréal** and a **Latin night** with the groupe Cachondo-La Noche Latina.

On **Saturday August the 3rd** the **Pride community day** was held. This year was by far the busiest at the LMA kiosk with a constant stream of lesbian mamas and mama-wannabes. Our **two new guides** (the **alternative family guide 3rd edition** and the **new guide on civil union by Me Marie-France Bureau**) were in big demand. **Many thanks to France, Claudine, Valerie, Marie-France and Diane** for helping make the day a really great event.

Those of us who were not too hung over after the big lesbian party "**LESBOMONDE**" held at the Just for Laughs Museum, made it over to the crowning event of the week: the big **Pride Parade** on **Sunday August 4th**.

This year thanks to the generous donations of our members, we were able to rent a gorgeous electric **choo-choo train** that carried about 20 kids and made the march for moms and kids a lot easier. The LMA opened the parade, after the Divers-Cité Banner, and although we were confronted with a yet to be warmed up crowd, **Monica and Gabriel** our two hearty banner-carriers managed to wake them up a bit and in general the reception was warm. The parade ended with a **T-dance** and a big show by **Diane Dufresne at La Place Émilie-Gamelin**.

There were **over 80 floats** this year. Notably present were politicians such as **Pauline Marois, Gilles Duceppe, Réal Ménard, Pierre Bourque and Nathalie Rochefort**. **Notable absences included Mayor Gerald Tremblay** who has the dubious distinction of being the first Montreal Mayor to have not marched in Pride since the beginning and any **sports figures** (although over 60 were invited by Gai-Ecoute, not one accepted the invitation, underlining the homophobia that is still pervasive in the world of sports).

And although they can never really say for sure, it seems that there were about **750,000 spectators**. Some of us still miss the good old days when the parade was still held on St-Denis, the ambience was somehow different there, but the parade has just gotten way too big. These kind of numbers put Montreal in the top ten worldwide in terms of size. By the way, Pride week generated about **\$60 million in revenues for the city of Montreal**.

MONTREAL

- **L'androgynne, Montreal's Gay and Lesbian Bookstore since 1973, sadly closed its doors in August**. One of the reasons cited for the closing was cut-throat competition: from the major bookstore chains which all now carry a selection of gay and lesbian titles, from some discounters selling some of the titles almost at cost and from all the Web sites and especially Amazon.ca just now starting to sell into Canada. The current owners, who bought the store from LMA member **France Desilets** and changed its location from rue St-Laurent to Amherst in the village, were in business for barely over a year.

Some of the inventory will be transferred to **Priape** (www.priape.com), a men's store in the village, and the

owners will also make a gift of books to the documentation center of the Gay & Lesbian Center of Montreal.

- **On August 2nd an earth-turning ceremony** was held at the recently purchased site where the **new gay and lesbian community complex will be built by the Mario Racine foundation.** The building will be erected on the corners of **Wolfe and Ste-Catherine** and the project coordinators hope that it will be ready by the year **2004.**

QUEBEC

- For those of you who don't already know, the **Quebec Legislature unanimously voted on Friday June 7th to let same-sex couples have full parental rights and responsibilities and enjoy marriage-like status through civil unions.** Seven families from the LMA were present in the National Assembly to see the bill voted in.

The legislation, known as **Bill 84**, came into effect on June 24th. For more information on the bill see the front-page article or consult our new guide on "Civil Union and the new rules of filiation" written by **lawyer Marie-France Bureau.**

With the new law Quebec has become one of the most progressive places worldwide for gays, lesbians and their children.

- Arriving in a long limousine, On **July 19th** Two Pointe Claire men became the **first same-sex couple in Quebec to be united under the province's new Civil Union Act at the Montreal courthouse.**

Roger Thibault, 56, and Theo Wouters, 60, wearing matching linen suits in black and beige, signed the register, exchanged rings and kissed after a brief ceremony surrounded by family, friends and a media phalanx.

The two men announced in February their intention to be the first to be civilly united in Quebec. They hoped to transmit to young people the message that love relationships can last. It was the government that encouraged them to be the first because of their notoriety following their battles against two homophobic neighbours.

Notably absent from the ceremony were **Michael Hendricks and René Leboeuf** who are a couple who are **fighting for the right to marry**, which is under federal jurisdiction. They are waiting judgment from the superior court in mid-September.

- **In August, Dominique Dubuc and Sylvie Robert, who are LMA members, became one of the first couples to civilly unite.** They had a beautiful ceremony that was carried out in a vineyard outside of Magog by a pastor of the Unitarian Church. Dom and Sylvie have two young daughters.

- A newly formed **support group for gay, lesbian, bi and transsexual youth** has come up with a new term for those who do not identify as being strictly heterosexual. Roughly equivalent to the English term "Queer" the group now uses the term "**allosexuels**". The "**Regroupement d'entraide pour la jeunesse allosexuelle du Quebec (REJAQ)** wants to use this more inclusive term in order to stop the labeling that many young people nowadays consider too restrictive.

The group, which was born in March, has the goal of having their voices and needs heard on the provincial level. The English community has an equivalent group; the **Quebec alliance for Queer Youth** and the two groups hope to work together towards their goals.

OTHER PROVINCES

- **May 9, 2002** *Edmonton Sun* - Barely hours after it was tabled, the **Adult Interdependent Relations Act** began stirring up much controversy in **Alberta**, especially with the conservative government of **Ralph Klein**. The law - currently referred to as the "Adam and Steve Act" - will set up a series of rules on how same-sex couples can split up their assets when the relationship goes sour.

If you believe **Alberta's Tory Justice Minister Dave Hancock**, the controversial legislation is already a done deal. "The vast majority of Albertans are quite prepared to have the laws of Alberta applicable to all people in committed relations on an equivalent basis," Hancock beamed. Don't you just love the way lawyers talk?

Sadly, his boss, the premier's take on Bill 30 was entirely different. "We have to look at the legislation as well as

the political realities," Klein gloomed. "I've got to be truthful with you, I think there is going to be a concern. This is not the most popular thing. Obviously you're going to spin it to allude to gay relationships as opposed to all other relationships," Klein told reporters.

The party line is that gays and lesbians are only a teeny-weeny part of it. A whole list of other interdependent relationships is included, what Hancock calls "emotional and economic" unions like brothers, sisters, mothers, daughters and platonic pals. Of course, if 3 brothers have a relationship it won't be recognized. Go figure. No other Canadian jurisdictions have adopted a model where platonic relationships are recognized.

Alberta's most outspoken homosexual, Murray Billett warned that it's only just begun. "It leaves a whole lot of areas to be questioned and a whole lot of areas to be challenged," Billett said. "What I found frustrating is I don't think the word gay was mentioned," he added, "They're embarrassed and ashamed to say the word." Part of the sales job will be to claim that an adult interdependent relationship is entirely different than a marriage. "Marriage is a much broader institution," Hancock insisted. "Anyone who is in a good marriage understands what marriage is all about."

• **June 4th, 2002 - Toronto - An adolescent brother and sister are suing the ex-directors and school board that did nothing to protect them against bullies that were harassing them at school.** David Knight 17 and his younger sister Katie, 16 deposited a superior court law suit for the harassment, abuse and humiliating treatment inflicted by students at Lester B. Pearson High School in **Burlington Ontario**. The 3 leaders of the gang that bullied them are also cited in the suit.

According to the deposition David Knight was called fag, faggot and homo repetitively and was physically attacked on a number of occasions, to the extent that he needed to be hospitalized. His sister was subjected to degrading treatment simply because she was his sister.

• **On June 6, 2002 Attorney General Gord Mackintosh introduced an omnibus bill in Manitoba that would amend 56 provincial acts** to ensure their treatment of people in same

sex common-law relationships respects the Canadian Charter of Rights and Freedoms.

"It is important that all Manitobans are treated fairly and without discrimination and that our laws are in harmony with the charter," said Mackintosh. "We're moving forward with legislation that will revise the dozens of laws in need of amendment out of respect for the dignity, rights and security of all Manitobans." Mackintosh noted that the definition of marriage is unaffected by the proposed legislative changes.

Amongst other things the proposed amendments would: legally recognize obligations and rights for parents in same sex common-law relationships by **allowing joint adoptions** (currently only sole parent adoptions are legally recognized for same sex couples).

• **June 17, 2002 - 365Gay.com - Anglican churches in the Vancouver area will be allowed to hold same-sex union ceremonies.** The Diocese of New Westminster voted on the weekend to create a special ritual to bless gay and lesbian relationships. It is the first time an Anglican diocese in Canada has endorsed same-sex relationships. The New Westminster diocese, which encompasses Vancouver and most of the southern British Columbia mainland, is one of the biggest in the country.

The proposal, put forward by Bishop Michael Ingham, was not without dissent. Nine congregations walked out of the general synod on the weekend, saying they would appeal to the Anglican Church of Canada and would seek to remove themselves from the diocese. However, Ingham's plan reportedly has the approval of the 700,000-member church's top Anglican, Primate Michael Peers.

This weekend's dramatic step, after 25 years of discussion on greater inclusion of gays and lesbians in the Anglican Church of Canada, brought some synod members to tears.

• **On Friday, July 12, 2002 Canada took a major step toward legally recognizing same-sex marriage when an Ontario court ruled that to do otherwise is unconstitutional.** A three-judge panel of the **Ontario Superior Court** decided that granting marriage licenses only to heterosexual couples violates Canada's Charter of Rights and Freedoms. According to the *Associated Press*, the court also ordered the federal

parliament to officially redefine "marriage" within the next two years. Current federal law defines marriage as "a union between one man and one woman to the exclusion of all others."

Gay rights advocates within Canada and abroad hailed the court's decision as a **major victory**. "We're no longer second-class citizens in this country, and the time has come for a change," Joe Varnell, one of the plaintiffs who sued the Ontario government for the right to marry another man, said after the ruling. "My relationship is validated, and nobody can say we're not a real family anymore."

Gay activists said the ruling in Ontario -- where more than a third of Canada's 30 million people live -- would have major repercussions in the provinces of British Columbia and Quebec, where similar cases are before the courts. **In Quebec, a superior court judge's decision is expected in September.**

On July 17, 2002 Ontario premier Ernie Eves announced that the provincial government would not appeal the court ruling. Eves said that it's up to gay couples to decide if they want to get married. "If two people decide that they want to be in a union, why would I interfere with that?" said Eves.

Marriage is a federal responsibility, but it is up to the provinces to register marriages. Ontario found itself in court when it refused to register the marriages of two couples who were united in a ceremony last January in **Toronto's Metropolitan Community Church**. At the time, the province said it was bound by federal law and could not register the marriages.

"We'll just be urging the federal government to get on with what the court has decided and to do something about the issue so that all provinces, not just ourselves, can follow suit," Eves said.

The premier also **criticized the Alberta government for threatening to use the notwithstanding clause in the Constitution to prevent any laws accepting gay marriage from being enforced on the province.** Ralph Klein, the Alberta Premier said " The not withstanding clause will be used without hesitation if any laws are enacted federally to recognize same sex marriages.

John Fisher of "Egale" Canada's largest gay rights organization said that he is not worried by Klein's threat, "The jurisdiction over marriage ultimately rests with the federal government and if the courts eventually rule that same sex marriages are legal, then Alberta and all provinces will have to abide by that ruling regardless of the notwithstanding clause."

An overwhelming **65 percent of Canadians between the ages of 25 and 34 favour expanding the legal definition of marriage to same-sex couples**, as do 61 percent of those in the 18-34 age group.

The judges in the case gave Ottawa two years to amend the law or gay and lesbian marriage in Ontario would automatically become legal.

On Monday July 29th the federal government announced that it would appeal the Ontario court ruling. Attorney Martha McCarthy, who represents several of the Ontario couples challenging the law, warned that the **case will ultimately end up in the Supreme Court of Canada, but could take "five-to-six years" to get there. "The fight would cost Canadian taxpayers millions of dollars,"** McCarthy said, when "all that is needed is one line of legislation," to change the marriage act.

Lawyer Doug Elliot, who is representing some of the other Toronto couples, attacked the ruling Liberal Party for not taking the initiative and legalizing marriage. "The [prime minister] is in hiding. Parliament is hiding," he said.

"The government decision to appeal the unanimous court ruling in favour of same-sex marriage is an abdication of leadership and a failure of principle," said Fisher, of Egale "Just once, it would be nice to see the government show some leadership. Just once it would be nice for them to demonstrate a commitment to treating all Canadians equally, to do the right thing because it is the right thing, and not because they were forced to by the Courts."

"It's a sad reflection on Canada's human rights record that not once has the government taken the lead in treating lesbian, gay, bisexual or transgendered Canadians equally," added Fisher. "Whether the issue was ending the ban on gays in the military, prohibiting sexual orientation

discrimination or providing same-sex benefits, the government has consistently abdicated responsibility, and asked the courts to tell them what to do."

The opposition **Canadian Alliance Party**, which has opposed all gay rights legislation since its creation, said it was pleased with the appeal. "To tamper with those norms and definitions are to invite all types of other things that have broad social repercussions," said Alliance justice critic Vic Toews.

On **August 7th** a divided cabinet decided to refer the question of same-sex marriage to the **Justice Committee**. **A parliamentary commission, similar to the ones held in Quebec last winter for Bill 84 will be held this fall.** This is mixed news: on the one hand, it signals that Parliament is not necessarily committed to appealing the legal cases all the way to the Supreme Court, and is at least open to reviewing its options. It's also a great opportunity to build public awareness and support. On the other hand, there comes a time when Parliament needs to stop talking about the issue, and just make the change. It also means lots of work ahead of us to ensure that our views and needs are heard.

CANADA

- **June 12th** - Vancouver - The Supreme Court of Canada began hearing the landmark case of **James Chamberlain, et al. vs. The Board of Trustees of School District # 36 (Surrey) (B.C.)**. This case involves a challenge to the Surrey School Board's decision to **ban from the classroom three children's books portraying children with same-sex parents**. The books, "Asha's Mums," "Belinda's Bouquet" and "One Dad, Two Dads, Brown Dads, Blue Dads," had been brought into the classroom by James Chamberlain, a teacher in Surrey, British Columbia, in 1997.

A group of parents complained to the local school board. The board passed a resolution rejecting the books as learning resources that would be permanently available in class, citing strong religious and moral anti-gay views in the community. The board claimed that keeping the books in

classrooms could infringe parents' rights to morally guide their children.

Chamberlain took the matter to a British Columbia court, which ruled that the board had overstepped the Constitution by banning the books on religious grounds and that it violated the provincial School Act which says, "Schools must be conducted on strictly secular and non-sectarian principles."

The B.C. Court of Appeal overturned the ruling. The Supreme Court of Canada is required to hear constitutional challenges. EGALE, Canada's national GLBT rights organization, has been granted intervener status. A lawyer for the group will argue that the school board's banning of the books violates the right of children with same-sex parents or GLBT family members to see their reality reflected in the curriculum, and contributes to the invisibility and marginalization of those who are lesbian, gay, bisexual and transgender.

• **June 11, 2002 - Ottawa - Denis Coderre, Minister of Citizenship and Immigration,** tabled his response to the report of the Standing Committee on Citizenship and Immigration entitled "Building a Nation," and released the **regulations that will accompany the new Immigration and Refugee Protection Act.**

Most significant in the revised immigration regulations, from our point of view, is the **creation of a new category within the family class, called "conjugal partners"**. The regulations retain the category "common law partner", defined as someone who has cohabited in a conjugal relationship with a person for at least one year. Egale and other organizations strenuously criticized the **cohabitation requirement as unworkable in the immigration context,** and the revised regulations supplement this definition with the additional category of "conjugal partners", who are not required to cohabit, but need only have been in a conjugal relationship for a one-year period. This is a major breakthrough. In short, if one meets a partner abroad, she does not have to live in Canada for one year in order to increase her chances of gaining a Canadian citizenship.

Of course, opposite-sex couples need not even have been together for a year to qualify, since they can gain

immediate access to the family class by marrying. The regulations are now available on the Citizenship and Immigration Canada: Web site at www.cic.gc.ca.

INTERNATIONAL

• **June 4, 2002 - AMSTERDAM, Netherlands - PlanetOut.com Network** - It is becoming more common for gay couples to set up households together, the government statistics bureau says. Published figures said **the number of gay couples living together increased by 25 percent in the last five years**, and they now number **nearly 50,000 households**.

The Central Bureau of Statistics said **gay partnerships were more common among men than women. One of every seven couples had made their relationship official, either by registering as a partnership or by marriage.** Since April 1, 2001, gays have the right to marry and adopt children -- making the Netherlands the first country to give equal legal rights to gay citizens. The bureau said that now, **one in every 13 same-sex couples, mostly women, have adopted children.**

• **May 16th 2002 - A Russian lawmaker has proposed introducing legislation banning lesbianism, weeks after another official called for reinstating the Soviet-era ban on male homosexuality.**

Alexei Mitrofanov, a nationalist member of the State Duma, the lower house of parliament, confirmed that he and other lawmakers have introduced a bill that would make lesbian relations a criminal offense in the country. **Mitrofanov said lesbians were responsible for the decline in Russia's population.** "If a woman doesn't observe moral, ethical norms, then there will be no growth in the birth rate," he said.

• **June 6, 2002 STOCKHOLM, Sweden - Associated Press - Swedish legislators voted to let same-sex couples adopt children** - a decision that gay activists hailed as a step toward gaining the full rights.

Under the bill, gays registered in a legal partnership, allowed in Sweden since 1995, can be considered joint adoptive parents of children adopted in the country or

abroad. One of the partners also will be able to adopt the child of another.

The measures, approved after several hours of heated debate in parliament, make the nation of about 9 million people one of the few countries to give homosexuals the right to enter legal partnerships and adopt children. Even rarer was the inclusion of adoptions of children abroad, although it could have little practical effect since most countries forbid adoption by homosexuals.

Sweden and fellow Nordic nations Norway, Denmark, Finland and Iceland already recognize legal partnerships between gays, but only Denmark and Iceland allow adoption.

• June 10, 2002 - 365Gay.com - Germany's first gay divorce has been granted by a court in the western city of Oldenburg.

The couple had registered a "life partnership" late last year before a notary public. In March they separated after repeated arguments about alleged infidelity. Although a one-year separation is generally required before a divorce or annulment, the court determined the rift to be serious enough to justify ending the partnership. Neither of the two men, aged 27 and 50, had applied for alimony.

Germany legalized same-sex unions last July. The act covers same-sex couples in pensions and allows one spouse to take the surname of a partner. It also grants adoption rights.

• June 13, 2002 - 365Gay.com - The Sao Paulo, Brazil, State Human Rights Commission has called on police to crack down on Internet sites that promote hatred towards gays, blacks and Jews. In a report released Wednesday, the commission said that neo-Nazi groups are using the Net to spread hate messages. Brazilian law makes it a crime to produce or display any material that could incite racial discrimination. Violations are punishable by up to five years in prison.

"The sites' content clearly is intended to promote hate and violence against blacks, Jews, homosexuals and other groups," the commission said in a statement. According to the commission, one site lists the addresses and phone numbers of 13 Jewish-owned businesses and invites people to attack them. Another site threatens several Brazilian

actors who portray white people despite having a mixed ethnic background. The commission gave authorities a list of five sites maintained by **neo-Nazi groups**. State prosecutor Carlos Cardoso said it might be hard to make any arrests because the sites are operated from abroad.

• **July 23, 2002 - 365Gay.com - The British government has announced the appointment of the first gay-positive leader of a major faith. Dr. Rowan Williams will be the next archbishop of Canterbury, the leader of the world's Anglicans.** Williams, who is now archbishop of Wales, will take over from Dr. George Carey later this year in what is seen as the **biggest shake-up in the church in a century.**

That his appointment has the seal of approval from the queen and from the church is seen as a sign that the Anglican hierarchy wants to move the faith into the 21st century and avoid being mired in the past, a problem plaguing Roman Catholicism. **Williams supports gay and lesbian clergy, is outspoken on the rights of children, and is considered one of the leading theologians of our time.**

• **July 25, 2002 - New York - HRC FamilyNet News - A court of appeal overturned the first ruling in New York to grant child visitation rights in a same-sex partnership.** A unanimous panel of the Appellate Division, Second Department, ruled that Janis C., who had helped her domestic partner raise two children for three years, has no right under New York law to see those children now that the couple has split up.

Janis C. and her partner, Christine T., committed themselves to each other in 1993 during a ceremony conducted by an ordained minister. Two years later the couple decided to have children. Christine T., the younger of the two partners, gave birth to a boy and a girl through artificial insemination. The children used both the women's surnames and both women were considered by others to be mothers of the children. While Christine T. stayed home to care for the children, Janis C. worked to support the family.

But when the couple broke up in 1999, Christine T. claimed that as the children's biological parent, she had sole custody rights. Janis C., who never adopted the children, has been fighting over visitation ever since.

RESEARCH

- During the 91st annual meeting of The American Psychoanalytic Association (APsaA) held recently in Philadelphia, APsaA members announced their support of the position that the primary consideration in decisions about parenting, including conception, child rearing, adoption, visitation and custody is the best interest of the child.

"It is disturbing to hear about cases in which gay or lesbian parents are being denied custody or the right to adopt solely on the basis of their sexual orientation—that's discrimination. The American Psychoanalytic Association deplors such discrimination and is especially troubled when psychological findings are distorted, misrepresented or blatantly ignored, as is so often the case in these legal decisions," remarked APsaA President Newell Fisher, MD.

Accumulated evidence suggests the best interest of the child requires attachment to committed, nurturing and competent parents. Evaluation of an individual or couple for these parental qualities should be determined without prejudice regarding sexual orientation. **APsaA believes that gay and lesbian individuals and couples are capable of meeting the best interest of the child and should be afforded the same rights and should accept the same responsibilities as heterosexual parents.**

Check out their web site at: www.apsa.org.

MISCELLANEOUS

- An inspiring message received via a-mail: "To be or not to be: this is the daily struggle that **Arab lesbians and lesbians from the Maghreb** wherever they happen to live - in exile or in the native country - face in order to make their voice heard! This voice that Arab societies want to stifle. However, in the darkness of winter, our collective, the **N'DéeSses, a collective of Arab lesbians initiated by Algerian lesbians living in Algeria and in France**, burst out. We, the N'DéeSses, through our will and our determination, we want to make these voices heard by means of our website: www.sehakia.org."

"SEHAKIA is the Arabic term for LESBIAN. Choosing this name answers to our objective to give voice to Arab lesbians and lesbians from the Maghreb, via this website, sehakia.org, a website that we want as a space of reflections, information, and exchange. It is the bridge towards all the Arab lesbians wherever they happen to be in the world, because our concerns and our dreams are close, our culture and our history are common, and because it is time to revolt and to say high and loud: "I EXIST IN SPITE OF THEM!" Do not hesitate to contact our collective by e-mailing to the address: **ndeesses@sehakia.org**.

• **Jun 17, 2002 - New York - Despite a staggering 100, 000 e-mails and phone calls in protest, Nickelodeon telecasted a special for children about same-sex parents.** The half-hour report, produced by Linda Ellerbee and featuring Rosie O'Donnell, included comments from the Rev. Jerry Falwell - who later joined conservative activists in urging Nickelodeon not to air it.

The Washington-based Traditional Values Coalition spearheaded the campaign against the "Nick News Special Edition: My Family is Different," sight unseen. There were so many e-mails Nickelodeon had to set up a separate address to avoid a computer crash. "It is a cover for promoting homosexuality for kids," said Andrea Lafferty, the coalition's executive director.

Nickelodeon said that's not so. Ellerbee, in the show's introduction, says, "The following program is about tolerance ... It is not about sex. It does not tell you what to think." Ellerbee said she conceived of this show upon reading that the word "fag" had become the most common schoolyard epithet. The program was largely a discussion. Although it also features a gay school principal and a gay New York City firefighter who is a father of three, children are the focus.

• **July 28 2002 - Washington - AFP - Quadruplets who will be raised by gay dads were born in Lexington Kentucky.** The 4 babies, 3 boys and a girl named Michael, Jacob, Tristan and Taylor by their biological father, Michael Meehan, 36 years old, and his partner Thomas Dysarz, 31. The biological mother who acted as **surrogate** for the two men already has 3 of her own children. According to Kentucky law a surrogate mother can renounce her parental rights after 3 days.

• August 6th 2002 - SUMMARY: IKEA, the Swedish home store, is set to launch a new TV commercial in Europe featuring two gay dads.

Story:

<http://www.planetout.com/news/article.html?2002/08/06/1>

• Check out the new Quebec web site: **AlterHéros** (www.alterheros.com). The site has a clear mandate: **helping youth that are questioning their sexual orientation**. The site gives access to a ton of info on subjects such as: family life, homophobia, religion, school and professional life, community activities as well as personal testimonies and a bulletin board

• Also, the **American Psychological Association** has a site where **school programs** geared towards young gays and lesbians are addressed: www.apa.org/ed/hlgb.html

• **Quote of the day:**

"You just wish sometimes that the [Catholic] Church protected children as much as it protects fetuses."

-- Lesbian comedian **Kate Clinton** writing in *The Progressive*, July issue.

News from the Lesbian Mothers Association

UPCOMING ACTIVITIES

SEPTEMBER

Adults only: Saturday September 28th at 8 p.m. Guest speaker and discussion group. Professor Danielle Julien from UQAM is the most eminent **researcher on alternative families in Canada**. The past 20 years of research on lesbian headed families has shown that our children are as well-adjusted as the children of heterosexuals. So what are researchers looking at now? Professor Julien will bring us up to date

on the latest research on our families and how we and our children might differ from the average. An open discussion will follow.

**Place: Université de Québec à Montréal
Pavillon Sciences de la Gestion
Rm DR-200
315 Ste-Catherine east
Metro: Berri -UQAM**

Kids and adults: Sunday September 15th at 10:30 a.m. Visit to the Biosphere. This is an incredibly interesting museum that has **water and the environment** as its theme. Good for kids of all ages and adults too. A craft activity is often available for younger kids as well. Bring your lunch, as the cafeteria is closed on week-ends. **Metro Île Ste Helene (Jean Drapeau) Yellow Line - we'll meet in the museum.**

OCTOBER

Adults only: October 18th 9a.m.-4:30 p.m. The Association canadienne pour la santé mentale (ACSM) in collaboration with a number of groups including the Lesbian Mothers Association will be holding a **colloquium: L'homophobie à l'école: en parler et agir.** This is a one-day conference that will address problems and offer solutions. Registration in advance is necessary (see enclosed registration form).

Kids and Adults: Saturday October 26th, 1-4 p.m. Halloween party!!

What to wear: A Halloween costume!

Activities: Pumpkin decorating and crafts for the kids.

If you can: please bring a dessert or drinks (juice, soft drinks, etc) or chips (no peanut products please because of allergies)

Place: Unitarian Church 5035 de Maisonneuve West, corner Claremont (metro Vendome)

Suggested price: \$5 / family.

ANNOUNCEMENTS:

Dear Lesbian Mothers Association, My name is Abbie Goldberg and I'm a doctoral student in clinical psychology at U Mass Amherst. I am currently launching a grant-funded study aimed at exploring the transition-to-parenthood experience for lesbian couples. I am asking for your help in identifying couples that might be interested in participating in this project. The Transition to Parenthood

for Lesbian Couples is a study aimed at better understanding lesbian couples' experiences as they make the transition to parenthood for the first time. A small sample (approximately 30) of lesbian couples will be interviewed both pre-baby (during the last trimester of pregnancy, or a month prior to adoption) and post-baby, in order to understand how women's roles and relationships change as they welcome a new person into their lives. Specifically, interviews will involve questions about the decision to become parents, the process of becoming parents, and couples' expectations about and experience of balancing work and family issues. This research is important, as most of the research on the transition to parenthood is based on heterosexual couples! We need your input to help make changes at the policy level! Inclusion criteria are as follows:

Lesbian women in committed relationships

Preparing to give birth to or adopt their FIRST CHILD (couples who are already pregnant or in the later stages of the adoption process)

At least one partner is employed outside the home

Inquiries regarding participation should be directed to Abbie Goldberg, M.S., Department of Psychology, U Mass Amherst, by phone (413 586 8435)

Or by email (abbieg@psych.umass.edu)

(FRENCH ONLY) Activité Groupe FemLib: Cueillette de pommes : 08 septembre 2002 à 13h30

Adresse : Verger St-Sulpice - 576 L'Annonciation, Oka. (514)479-6007.

À partir de Montréal : Autoroute 15 Nord des Laurentides, puis autoroute 640 Ouest jusqu'à la fin. 344 Ouest pendant environ 7 km, et tourner à droite au premier arrêt, rue de l'Annonciation jusqu'au 576. Venez en grand nombre vous amuser en famille ou entre amies dans une ambiance agréable ! Vue du lac des Deux-Montagnes sur 110 arpents. Ballade en tracteur vous déposant au pied du sentier menant à l'observatoire du Mont-Calvaire. Petite dégustation de miel. Cueillette de pommes à 5-10 minutes de marche, ou en tracteur. **PRIX DES POMMES: 7\$ LE SAC DE 20 LBS.** Chance de gagner votre achat en tirant la Dame de Coeur !!! Aire de pique-nique, **APPORTEZ VOTRE LUNCH.** (aucun restaurant sur place). En cas de pluie, l'activité est annulée. C'est une activité gratuite, toutefois **il faut réserver au plus tôt auprès de Ginette B. au 514-528-9444 (Montréal).**

The bulletin board is a free forum for members to communicate amongst each other. If you want to post an announcement (birth, adoption, birth day wishes, etc.) or any type of note 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.

Heather Mullin, M.S.W.

Individual, Couple, Family & Group Counseling.

Special Interests:

Mental Health, Addictions, & Sexual Orientation /
Identity Issues.

Queen Elizabeth Health Complex (Vendome Metro) **(514) 769-7312.**