

## Civil Rights in the New Millennium

by Swanee Hunt, Scripps Howard News Service, July 20, 2005

When Cheryl Jacques walks into a room, she commands attention. Tall, elegant, and professional, she has a broad smile and firm handshake. The proud mother of mischievous twin three year-old boys, Cheryl balances her rewarding family life with a robust career. An accomplished lawyer, she served six terms in the Massachusetts State Senate and was known for authoring one of the nation's toughest gun control laws. She currently practices law in Boston and will be a Fellow at Harvard's Institute of Politics this fall. Cheryl has long been an outspoken leader in the modern civil rights movement; in fact, she's gay.

Many gays and lesbians share their sexual identity—and the many challenges they face—with family and friends. Still, many straight Americans don't know what gays are really up against. In 34 states, they can be fired based on sexual orientation alone. When Cheryl told her father about this fact, he reacted as many do: "Not in America!" But it's true, and that's only one strand of a larger pattern of discrimination.

In hospitals around the country, gays and lesbians are often prevented from visiting loved ones during medical emergencies because they're not legally recognized as next of kin. Cheryl shared with me the story of a woman who recently passed away after a long battle with cancer. The coroner refused to allow her life partner to sign the death certificate. What a bitter moment for the woman who had nursed her for a year and a half. Same-sex couples are also denied more than 1,000 federal benefits available to heterosexual married couples, including Social Security benefits upon the death of a spouse.

The fierce debate over gay marriage is at the heart of the struggle for equal rights. But in Canada last month, the House of Commons passed legislation that would make gay marriage legal by the end of July, provided the Senate passes the same bill—which it's expected to do. Two days later, traditionally Roman Catholic Spain passed a law allowing gay couples to marry, adopt children, and inherit property. But here in America, the controversy continues. Opponents cite with great zeal the so-called "sanctity of marriage" between a man and a woman. But let's not forget that more than half of all heterosexual marriages end in divorce. Last summer, one equal rights supporter carried a sign asking an elected official which of his three marriages he was interested in protecting. Not only is the level of intervention in Americans' private lives astounding, the hypocrisy is almost too much to bear.

Earlier this year, the Texas House of Representatives passed legislation that would prohibit gays from becoming foster parents, as if their sexual orientation is contagious or disqualifies them from being caring human beings. Rep. Robert Talton, who introduced the amendment, proclaimed, "It is our responsibility to make sure that we protect our most vulnerable children." It's a shame that—as we argue about bedroom politics—hundreds of thousands of children need foster care to find a safe home. In 2003, almost 300,000 children entered foster care, mostly due to parental abuse or neglect. By preventing qualified gay couples from becoming foster parents, are we really protecting at-risk children or are we, in fact, denying them the chance to find safe and loving homes?

Of course, America is no stranger to the struggle for social equality. Rights we now consider self-evident were once hotly debated. It took 140 years for women to win a constitutional amendment allowing them to vote. During the women's suffrage movement, a medical doctor offered "factual evidence" that if women were given the vote, their bodies would divert juices from their uteruses to their brains, resulting in a generation of malformed children. I think we've turned out just fine.

Less than 50 years ago, racial segregation was legal in many states, with "separate but equal" meaning anything but that. Today, when we see the images of attack dogs biting and fire hoses blasting black citizens in Birmingham in the 1960s, we're appalled. We ask ourselves: How did we allow this? The great 19th century philosopher Arthur Schopenhauer said: "All truth passes through three stages. First, it is ridiculed. Second, it is violently opposed. Third, it is accepted as self-evident." I imagine and hope that, when it comes to basic civil rights for gays, our grandchildren will ask, "What were you thinking?"