The U.S. Supreme Court has recently announced it will review a November decision by the Sixth Circuit Court—which represents Kentucky, Michigan, Ohio, and Tennessee—that upheld marriage as between a man and a woman. Will the Supreme Court side with the two judges in the majority, or with the one dissenting judge?

The majority ruling dismisses any possibility of a constitutional right to gay marriage, while the dissent focuses on an entirely different question of whether gay parents are as good as straight ones. The latter controversy is something that the majority decision explicitly refused to weigh in on, so the dissent is a curious non sequitur.

Since I was raised in the LGBT household and am the daughter of a lesbian, I am anxious to see if children’s rights are something that the Supreme Court considers. The dissent from Martha Craig Daughtrey does not consider the rights of children. Rather, she treats children as a social nuisance and or as an entitlement owed to same-sex couples.

LGBT ‘Rights’ Trample Women and Children’s Rights

The “marriage equality” arguments leverage children, often claiming that if gay adults can marry the children they are raising will benefit from broader “protections.” This is doublespeak. The “protections” consist of the gay adults’ access to and control of children as commodities. Activists have enough savvy to realize it is better that people did not see this hidden inconsistency. Most people are still fixated on the initial claims: “between two consenting adults who are not hurting anyone else.”

Not a single same-sex couple can reproduce together. It behooves us to analyze the ways that same-sex marriage demands other people’s children as a “civil right” and in so doing invariably denies both women their own children and children their right to a mother and a father.

The dissent rests primarily on the personal vignettes of the cherry-
pumped litigants, who are rather predictable, gold-star lesbian moms. Women play better than men in these cases. The plaintiffs in *DeBoer v. Snyder* are a lesbian couple with three adopted children. The argument taps into old prejudices against children born out of wedlock and downgrades supposedly irresponsible women. Judge Daughtrey’s dissent pays special attention to the biographical specifics of these children:

N was born . . . to a biological mother who was homeless, had psychological impairments, was unable to care for N, and subsequently surrendered her legal rights to N. The plaintiffs volunteered to care for the boy, brought him into their home following his birth...

Daughtrey is sure to note of the biological mother, “She surrendered her legal rights.” How did the birth mother do this if she was “impaired”? The unstable and impoverished mother is a useful trope in misogynistic and classist discourse. I wonder what was done to find this biological mother housing so she could in fact leave the hospital with her son. It is likely that few if any good-faith attempts were made to keep “N” with his mother; let alone find his father and enforce child support or at least compel some kind of connection so “N” could know his origins.

**Using the State to Tear Families Apart**

Rather than a story of an abusive system ripping a child away from where he came from, it is presented as a tale of sacrifice and heroism on the part of the women who adopted the infants. Equally disturbing is the fact that this is expressed with no regard to the child’s future feelings, only as it serves to make the couple appear worthy and deserving.

This begs the question as whether or not this “biological mother” had the mental capacity to surrender her rights. Could the adoptive “mothers” have had legal counsel, while the birth mother was without any support navigating the often-hostile legal maze? When these stories go public, these details are hidden, seemingly by design, and asking such questions is treated as taboo. Perhaps upon further scrutiny, readers will discover that gay families are compromised by their need to tear apart other people’s families using the oppressive force of the state and its legal apparatuses.

In so many ways the dissenting opinion stands as the perfect postmodern artifact, the chalice of the cultural warriors who traffic in distortions. It uses privilege and entitlement while claiming to correct inequality. The end result is that the misogyny of the LGBT movement flings women backward to a dark era, when the rule was prejudice against single mothers and unintended pregnancy.
The dissent’s next example is worse: “I was born . . . premature . . . to a drug addicted prostitute” (p. 46). Here we have the other “bad mother” trope—“the junky whore.” Many mothers would have demanded that all discussion of the children be removed from the public eye because it can and will be hurtful to them. I wonder if either these women did that, or knew they could.

**Benefitting from Other People’s Misfortunes**

People use their children in all kinds of ways. Except these are often other people’s children and they did not have to be conscripted to a life of distortion and play-acting. These children are never the result of same-sex couples’ accidental pregnancy. In this case, nobody forced them to “adopt” children, so it seems a tad manipulative to use these children to back an argument for marriage. Juxtaposed alongside the description of bad mothers stands the worthiness of the plaintiffs.

I should know better and expect less. Nevertheless, it is still deeply disappointing to read through the dissent. The good judge tries to suggest that families are not destabilized but built by presenting the birthmothers as horrific—one mentally ill, the other a drug-addicted prostitute. So much for compassion and the milk of human kindness flowing from the bench. We hear it loud and clear: these mothers did not deserve their own children. The bulk of the screed—and there is some real spleen-venting taking place—is an emotional appeal rather than an ethically principled position that even considers all parties as equal. Drug-addicted and mentally ill prostitutes are not “equal.” Junkie prostitutes give birth and the on-duty nurse gets to take the baby home—no muss, no fuss. A win-win situation. Does hospital staff get first dibs? I really don’t know.

I suspect that a culture that needs to traffic in distortions is inherently abusive. The gay marriage narrative needs to be defended at all costs and requires enforced compliance from others. This can be seen in the parenting as well as the political strategies. The only difference is the scale and the target of the coercion. On a broad political level, consider the Log Cabin Republicans and the fact that this movement only stands to benefit from society withholding services and support that would enable vulnerable poor women to keep their children (when they are actually the mother). This becomes predatory in practice and anti-equality in intent.

**Commercializing and Colonizing the Uterus**

The LGBT movement comes across as downright reasonable when they demand, and rightly so, that the state stay out of their bedrooms. Maybe people need to demand that they stay out of women’s wombs and stop trying to enforce their parental will on children. They ought to respect the fact that all children have the right to a mother and a father.
All gay families are created by or because of someone else’s family being destabilized. The truth is that most people, including those on the bench, have not fully considered how these new gay families are going to be formed. They did not attend one of the slick “surrogacy expos” like the tenth annual one that took place in New York last November. The title is telling: “Men Having Babies.” Not “gay people getting married” or “children dealing with blended families,” or anything like that. Men are possessors and babies are their property. “What do we want—wombs. When do we want ’em? Now.”

Why shouldn’t they be able to use the eggs from the college coed and the womb of the woman who has proven herself as breeder material—in other words, a poor heterosexual woman? A detour for social justice has brought us to the commercial for-profit uterus.

All of this will destabilize the family by turning women into breeding stock and infants into commodities. How dare we question the billion-dollar industry? We are not supposed to think about the long-term effects of untested hyper-ovulation drugs or the women that have died as a result. We are not supposed to think of the effect that mommy giving away the baby in her tummy has on the other children in that family, especially the female children (you too, little Janie, can grow up and be a breeder) We are not supposed to think about her marriage, because she needs the money. So let’s not think.

All gay families are created by or because of someone else’s family being destabilized. This can only work in a callous society hobbled by indifference to women and poverty. This is a social regression dressed up as progress.

Does the Existence of Evil Give License to Expand It?

In the battle over gay marriage, people are bombarded by rhetorical scams that would not pass muster in Comp 101. Somehow they go unquestioned. They often use the myth of the high divorce rate and the vast number of children being raised by single parents (mostly mothers) as a talking point to say that gay marriage cannot do the serious harm that irresponsible straight people have. Let’s examine this. Some children lose a parent through death, divorce, or social dysfunction. This does not mean that as a society we have the right to legislate away children’s right to a mother and a father. We don’t.

Gay marriage advocates deploy distorted generalizations based on women’s rights to have a child with or without a man. This magically translates into a demand that society provide gay men with other people’s kids. Let’s examine this. Social policy is not meant to redress the fact that women can have babies and men can’t or that women
and men can reproduce and same sex couples can’t.

As a children’s rights activist, feminist, and adult child of a lesbian mother, I have pointed out these predatory practices. I have been called a bigot. My family has come under abusive harassment from gay men calling themselves activists. But despite all the energy devoted to claiming I am liar or ugly or crazy they have never once addressed a single point I have made.

Recall, not so long ago we had young unwed mothers locked away, shamed, and coerced into giving up babies they surely could not to raise themselves. The updated version is: women “like that” do not “deserve” to be mothers. Does the misogynistic gay lobby get to role-play big brother and say what women deserve?

This Isn’t Love—It’s Human Trafficking

Recently gay activist Dan Savage called publically for the criminal prosecution of the parents of a teenager who had just committed suicide (Joshua/Leelah Alcorn). Let’s examine this too. He has demanded that LGBT activists serve as state-sanctioned overlords who will enforce their control and worldview on heterosexual parents and their children. This is the next wave: Co-parenting with GLAAD and the Human Rights Campaign. Maybe Terry Bean will babysit after he resolves his legal issues.

Who could have ever envisioned that the Fourteenth Amendment would become a tool to strip poor and minority women and their children of human rights? In her final sentence, Daughtrey says, “If we in judiciary do not have the authority, indeed the responsibility to right fundamental wrongs left excused by a majority of the electorate, our whole intricate, constitutional system of checks and balances, as well as the oaths we swore, prove to be nothing but shams.”

Who could have ever envisioned that the Fourteenth Amendment would become a tool to strip poor and minority women and their children of human rights? A decision from the bench that ignores the questions surrounding children’s rights betrays society’s animus toward women and the poor. Who exactly is being denied “due process” and “equal protection”?

The new social justice dictum is that society owes LBGT people the flesh and blood of other people’s children because they are “married” now. Let’s be honest. Love does not make a family in this case. Human trafficking does.

Rivka Edelman is the pen name of a visiting professor of literature and writing. She has
published widely. She is also a feminist, a children’s rights activist, and on the board of a network of adult children raised in LBGT households.