

Stop the Stigma

A Campaign of the American Association for Single People

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AASP Seeks Endorsements from Leaders and Groups

The Old Testament speaks of the sins of the parents being visited upon their children. (Exodus 20:5) Believe it or not, but this punitive biblical admonition is being enforced today by antiquated statutes and unthinking judges in dozens of states in this country.

Even though premarital sex is now the norm in our society, many religious denominations still consider sexual intercourse between an unmarried man and woman to be a sin and unmarried cohabitation to be immoral. What some folks would find surprising is that several states still have laws penalizing consenting heterosexual sex in private or outlawing unmarried cohabitation.

In Arizona, Florida, Georgia, Idaho, Massachusetts, Michigan, Minnesota, Mississippi, New Mexico, North Carolina, North Dakota, South Carolina, Utah, Virginia, West Virginia, and the District of Columbia, such "secular sins" are generally punished as misdemeanors carrying penalties of up to several months in jail.

But even more amazing is the fact that in 17 states there are statutes on the books which stigmatize children born to unmarried parents by labeling the offspring as "bastards" or "illegitimate" children. In 37 states, it is the judges who continue to brand these children as "illegitimate."

The American Association for Single People believes that every child is legitimate. Judicial and legislative name calling is unconstitutional and must cease.

AASP is launching a national campaign to stop the stigma associated with the unmarried status of parents and their children. AASP plans to write to the chief justice of the supreme court

and attorney general of each offending state. Singles Rights Lobby will contact the Governor and legislative leaders in these jurisdictions.

Our request is simple: *stop the name calling*. Lawmakers should remove the term "bastard" from statutes. Legislators and judges should replace "illegitimate child" with more appropriate terminology. A phrase such as "child born to unmarried parents" would do.

Before we contact key officials in these states, however, we want to enlist the support of a variety of allies. We are asking a wide range of national, state, and local organizations to endorse our Stop the Stigma Campaign.

We would like the support of a strong coalition of legal and professional associations, women's groups, children's and human rights agencies, and single-parent associations, as well as religious, political, and corporate leaders.

Society should show respect as each child is welcomed into this world. The dignity of all children should be honored, including the millions of babies born each year to unmarried parents.

As our Human Rights Agenda for Unmarried America shows, marital status discrimination is a pervasive problem in this country. Discrimination against unmarried adults in employment, housing, insurance, credit, and taxation is bad enough, but stigmatizing children as "bastards" or "illegimates" is utterly indefensible.

We need your support before we launch the campaign in your state. Send in the coupon on the back of this brochure with your endorsement. Share the information with other leaders in your community and ask them to participate too.

visit our website → www.unmarriedAmerica.com

Most States Unjustly Stigmatize Children Born to Unmarried Parents

State	Statutes referring to such children as "bastards"	Statutes referring to such children as "illegitimate"	Judges referring to such children as "illegitimate"
Alabama	§ 26-11-1		1998 Ala. LEXIS 192
Arkansas	Const. amendment #67	§ 5-26-411	971 S.W.2d 263, 265
California			78 Cal.Rptr.2d 335, 347
Colorado			962 P.2d 339, 341
Connecticut			710 A.2d 1297, 1320
Delaware	10 Del. C. § 5117		
Florida			1999 Fla.App. LEXIS 10064
Georgia			510 S.E.2d 823
Illinois			701 N.E.2d 1147, 1150
Indiana			689 N.E.2d 1265, 1268
Iowa			591 N.W.2d 182, 188
Kansas			923 P.2d 1044
Kentucky			965 S.W.2d 836, 839
Louisiana	§ C. C. Art. 238		715 So.2d 483, 487
Maine	14 M.R.S. § 711		
Maryland			728 A.2d 743, 753
Massachusetts			711 N.E.2d 886, 890
Michigan			573 N.W.2d 291
Minnesota			1997 Min.App. LEXIS 1397
Mississippi	Chapter 9	§ 91-1-15	718 So.2d 1091
Missouri			959 S.W. 944
Montana			883 P.2d 1246, 1249, 1255
Nebraska			546 N.W.2d 61, 65-66
Nevada			889 P.2d 823, 828-829, 832
New Mexico			959 P.2d 540, 547
New Jersey	Title 9, ch.17, art.2; 37:1-5	Title 9, subtitle 4	703 A.2d 901, 923-924

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New York			692 N.Y.S.2d 569
North Carolina	Chapter 49	Chapter 49, Art. 1	505 S.E.2d 277
Ohio		§ 2919.21	1998 Ohio App. LEXIS 5044
Oklahoma	Title 21, § 53		942P.2d 235, 238
Rhode Island	§ 9-18-16		
South Carolina		§ 20-1-60	498 S.E.2d 885
South Dakota		§ 25-6-1	569 N.W.2d 29, 33
Tennessee	§ 8-21-701 / § 16-16-114		1998 Miss. LEXIS 460
Texas			1997 Tex.App. LEXIS 4654
Utah			945 P.2d 113, 117
Vermont	12 V.S.A. § 1695 & § 3482		
Virginia			1995 Va. App. LEXIS 560
Washington		§ 41.26.030	969 P.2d 113, 114-118
West Virginia	§ 42-1-5		511 S.E.2d 720, 797-800
Wyoming			923 P.2d 758, 763-765

Some Relevant Quotes

From the Pennsylvania Superior Ct. in *Miscovich v. Miscovich* (1997) 455 Pa. Super. 437, fn. 2:

"Throughout history, illegitimate children were precluded from, among other legal rights, entering certain professions. The Book of Deuteronomy states: 'A bastard shall not enter into the congregation of the Lord; even to this tenth generation shall he not enter into the congregation of the Lord.' Duet. 23:2. At common law, a child born out of wedlock, referred to as a bastard, was considered a non-person and was not entitled to support from the father or inheritance from either parent. 1 W. Blackstone, Commentaries 459; *Davis v. Houston*, 2 Yeates 280 (1878)."

From Louisiana's Civil Code, Article. 238:

"Illegitimate children generally speaking, belong to no family, and have no relations; accordingly they are not submitted to the paternal authority, even when they have been legally acknowledged."

From the Alaska Supreme Court in *B.E.B. v. B.E.B.* (1999) 979 P.2d 514, 517:

"To be designated as an illegitimate child in preadolescence is an emotional trauma of lasting consequence."

From Wash. Supreme Court Judge Charles Smith in *Guard v. Beeston* (1997) 940 P.2d 642, 668:

"I write . . . to express my concern over the perpetuation of the offensive term 'illegitimate' in referring to a child born to parents not married to each other. Certainly, 'illegitimate' is a better word than 'bastard,' a word common in earlier statutes and decisions. RCW 4.24.010, at issue in this case, uses the term 'illegitimate child.' An innocent child is still stigmatized by that reference. We have made great strides in amending statutes to remove age-old terms which are offensive in our present-day society. The legislative process can use words which convey the same meaning, but are less demeaning to children."



AASP is a nonprofit, nonpartisan association dedicated to promoting the well being and civil rights of our members and of all unmarried adults, whether they live alone or with a roommate, domestic partner, parent, child, or other relatives. Just as AARP provides a national voice for older adults, AASP provides a collective voice for unmarried adults of all ages.

Membership

Any adult may become a member of AASP by making a tax-deductible contribution of \$10 or more. Membership is open to all adults whether they are single, divorced, widowed, separated, married, or have a domestic partner. Members receive Unmarried America, a quarterly newsletter which contains information and news concerning economic, social, and legal issues affecting single adults and domestic partners. Members also receive Singles Rights Advocate, a quarterly newsletter focusing on legislative proposals and political issues of interest to unmarried Americans.

What We Do

AASP has three primary program areas: research and education; legal, *legislative*, and *political* advocacy; and member services. Our activities in these areas are listed below. Programs in italic type are administered by our affiliated organization, Singles Rights Lobby.

Research and Education. Through its publications, website, and participation in educational forums, AASP informs members and the public about economic, social, health and legal issues that affect 80 million unmarried Americans. Spectrum Institute, our research and policy division, conducts research from a variety of academic perspectives, including law, political science, sociology, psychology, public opinion, and demography, and shares our findings with elected officials, corporate executives, and the public. Our media activities include writing op-ed articles in newspapers, providing background information and interviews to journalists, and appearing on radio talk shows and television programs.

Advocacy. As the leading advocate for unmarried Americans, AASP encourages government agencies and nonprofit civil rights organizations to fully implement existing laws prohibiting marital status discrimination in employment, housing, insurance, credit, and consumer transactions. We also encourage government agencies to administer their programs in a manner consistent with constitutional principles of due process, equal protection, privacy, and separation of church and state. We file amicus curiae briefs in important test cases. Our *legislative advocacy program* drafts, proposes, analyzes, and monitors legislation designed to protect the rights of unmarried adults and opposes legislative proposals which may cause harm to single people and their families. Our *political advocacy program* reaches out to all political parties in the nation, encouraging them add unmarried people and our issues to party platforms and by-laws. The program urges political candidates to support equal rights for unmarried Americans and to oppose marital status discrimination.

Benefits of Membership. Donations to AASP are tax deductible. Your contribution helps support the only national organization that makes the elimination of marital status discrimination its top priority. By joining AASP you will be investing in a better future for yourself and for all unmarried Americans. In addition to receiving our newsletters, you will gain access to "members only" areas of our website which contain regular updates of news affecting unmarried adults, couples, parents, and families, as well as access to advice columns and links to resources for solo singles, domestic partners, and single parents. As a member of AASP you will know that you are helping to change the course of history by creating a collective voice for the 80 million unmarried adults in the nation as decisions about their lives and yours are being made by elected officials, corporate leaders, union officials, and voters.

Please check one or more boxes and return this coupon to us at the address listed on the front page.

I (we) endorse the Stop the Stigma Campaign and you may publicly indicate my (our) support for this cause.*

I would like to join AASP and my tax-deductible donation is enclosed for the amount indicated below:

\$10 \$25 \$50 other _____

Name _____

Agency _____

Address _____

City _____ State _____

Zip Code _____ Phone _____

E-mail address _____

*Please include a letter of support for group endorsements.