

The Family Equality Council (formerly Family Pride) is the national advocacy organization committed to securing family equality for lesbian, gay, bisexual, transgender and queer parents, guardians and allies. Our work consists of strategically linked initiatives—broad in scope, but simple in vision—love, justice, family, equality.

Why choice is relevant & important for LGBTQ-headed families

There is a deep and lasting interconnectedness between reproductive freedom and sexual freedom ideologically, socially and politically. Fundamentally, these freedoms are both about access to our own bodies and what we do with them.

The 1973 *Roe v Wade* Supreme Court decision upheld the choice of whether or not to procreate as a fundamental right of privacy, an intimate and personal decision. In 2003, this same right of privacy served as the precedent in the *Lawrence v Texas* decision which declared that same-sex relations between consenting adults shall no longer be criminalized; government interference in our private sexual lives is unconstitutional. Unfortunately, transgender individuals are not cited in the decision and it is not yet clear how this omission will affect transgender rights to privacy or reproductive choice.



“REPRODUCTION AND SEXUALITY ARE PROFOUNDLY AND INTIMATELY RELATED ASPECTS OF HUMAN EXPERIENCE. REPRODUCTION IS A CHOICE THAT EVOLVES OUT OF SEXUALITY, NOT AN UNAVOIDABLE COSEQUENCE OF SEXUALITY. INDIVIDUAL HUMAN AUTONOMY IN THE CONDUCT OF OUR SEXUAL LIVES IS INTEGRAL TO OUR LIBERTY.”

“Causes in Common”
LGBT Community Center, New York, NY

Valuing the Connection

The Right to Choose to Reproduce

Some people want children. Some people do not. We should all have the right to make that decision.

Our families are families of choice, created through any array of biology, adoption, and kinship. *Roe v Wade* is still under attack in the legislatures and courts; there have been several attempts to limit who has the right to create families and through which means. Governmental intervention in the reproductive affairs of individuals is no longer simply about abortion, but also about limiting access to reproductive assistance.

Previously proposed legislation has threatened, and has succeeded in some states, to refuse reproductive assistance to members of the LGBTQ community and other unmarried individuals, regardless of sexual orientation. One example of such legislation was proposed in Virginia in 2006 – a measure aimed specifically at refusing unmarried women reproductive assistance. Luckily the bill was not passed, but similar attacks by conservative politicians on our reproductive freedoms have been undertaken since. As it stands, *Roe v Wade* and the precedent it has set remains one of the most directly attacked and undermined court decisions of the last two decades.

Choice is Not Just a Women’s Issue

Gay, bisexual and transgender men creating families need both the protection of privacy and the access to reproductive choices—afforded by *Roe v Wade* and *Lawrence v Texas*. Some states including Texas and Florida, have passed laws that exclude gay, bisexual, or transgender men and their partners from the use of surrogacy, based on their unmarried status.

Common Enemies

The deep and lasting connection between reproductive freedom and sexual freedom goes beyond the many ways we make our families. The fact of the matter is that the same people who oppose LGBTQ rights are the ones who oppose women’s rights, as well. In legislatures all across the country, conservatives block our communities from passing positive legislation by trying to pit the supporters of LGBTQ rights against the supporters of women’s rights, and vice versa. In Indiana, for instance, a bias crimes bill that would protect sexual orientation and gender identity as categories gets derailed when conservative politicians attach language to the bill that makes a “viable fetus” a protected category. Supporters of LGBTQ rights do not want to enable the anti-choice agenda in order to pass a bill that protects some in our community.

From the ways we create our families to the enemies we share, all supporters of reproductive and sexual freedoms need to unite more strongly around our common bonds in order to make the world a better, safer place for all.

to learn more: www.familyequality.org

- > Read “Causes In Common: Reproductive Rights & LGBT Liberation” a project of the LGBT Community Center in NY – Signed and supported by Family Equality Council
- > Explore *Roe v Wade*, *Lawrence v Texas*, *Griswold v Connecticut*, *Planned Parenthood v Casey*, *Stenberg v Carhart*



“THE PETITIONERS ARE ENTITLED TO RESPECT FOR THEIR PRIVATE LIVES. THE STATE CANNOT Demean THEIR EXISTENCE OR CONTROL THEIR DESTINY BY MAKING THEIR PRIVATE SEXUAL CONDUCT A CRIME.”

Supreme Court Justice
Kennedy
Majority Opinion
Lawrence v Texas