



Coming closer to equality

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Same-sex couples in New York State are one step closer to full equality under the law. In a unanimous decision, an appellate court recently ruled that marriages of same-sex couples entered into outside of the state must be recognized.

In the summer of 2004, Patricia Martinez married Lisa Ann Golden in the province of Ontario, Canada. Patricia worked for the Monroe Community College, which provided health care benefits for opposite-sex couples of its employees. A few days later after getting married, Patricia applied for spousal health care benefits but her application was denied.

Before this decision, if a heterosexual couple married outside of New York, applied for these same benefits, they would unequivocally have been granted those benefits. Now, all couples, opposite sex and same-sex, can access these rights. It is common sense to afford same-sex married couples the same legal status as other marriages.

This decision ensures that Patricia and Lisa will have the same health care benefits that her married colleagues already receive. But it will also allow for other same-sex couples that live in New York but have been married outside of the state to access retirement, health, insurance and inheritance benefits, and the countless other protections that come for spouses through marriage.

It's a great step forward, but it is still not enough.

While bringing same-sex couples closer to full equality under the law, this decision still falls short. Because many same-sex couples cannot and will not go outside of their state to get married, it is still not enough. Because the lack of marriage rights affect more harshly the same-sex couples that cannot afford to enter into costly legal arrangements, it is still not enough. Because there are still more than 1,148 federal rights that come with marriage and are still denied to same-sex couples, it is still not enough.

An analysis of the 2000 Census, by the National Gay and Lesbian Task Force Policy Institute, found that the New York metro area is the second largest metropolitan area in the United States with the largest concentration of Latina/o same-sex households. The study also found that by not having marriage rights Latina/o same-sex couples are disproportionately affected due to the fact that our income is lower, we have less possibilities of acquiring a home, and we are raising more children than our white counterparts.

Without a doubt, marriage is about love and commitment. Our love must be recognized on an equal basis that heterosexual couples are recognized. We should be able to live, love, marry and form families with the same respect, the same rights and the same dignity as anyone else. But most importantly, it is about the social recognition that families led by same-sex couples are as much families as the rest. Family is family.

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