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'Bastard' cut from Del. code

Associated Press

DOVER, Del. - A conservative lawmaker argued on the House floor yesterday that referring to an out-of-wedlock child as a "bastard" in state code was acceptable if it embarrassed unmarried couples into not having children.

"We should recognize that a sense of shame throughout history has been a wonderful corrective aspect of personal behavior," said Wayne Smith, the Brandywine Hundred Republican who also is House majority leader.

"I do not mean to impugn the individuals who are in this situation," he said. "I also feel very strongly that government ought not to sanction behavior, which I think we can mostly agree, is less than desirable."

Despite Smith's argument, the bill deleting the word "bastard" breezed through 35-1, with five representatives absent. Smith was the sole vote against the measure.

The bill would replace the word "bastard" with the phrase "non-marital child" throughout state code.

Rep. Helene Keeley, D-Wilmington, who wrote the bill, said the phrase "non-marital child" was preferred by the American Association of Single People, an organization she said she worked with in drafting the bill.

Keeley said she wrote the bill because she was upset that children were being openly referred to as "bastards" in places like Family Court.

Other lawmakers supporting spoke in favor of adopting the legislation, noting that the children tagged as bastards had little influence over the behavior of their parents.

"To me the term is a derogatory term and it is attached to the child," said Rep. Bruce Reynolds, a Bear Republican. "I don't think it reflects the shame back to the parent as much as to the child, who had no choice in the decision that was made - or the lack of a decision that was made."

Smith defended his floor speech, urging votes against the measure.

"I see this attempt to destigmatize this term, change this term, eliminate this term as perhaps giving up the battle of trying to describe the situation as something that is less than ideal or that has a sense of shame," Smith said.

The legislation now heads to the Senate. Several senators already have signed on as co-sponsors.
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