

Gay Marriage, Same-Sex Parenting, and America's Children

William Meezan and Jonathan Rauch

Summary

Same-sex marriage, barely on the political radar a decade ago, is a reality in America. How will it affect the well-being of children? Some observers worry that legalizing same-sex marriage would send the message that same-sex parenting and opposite-sex parenting are interchangeable, when in fact they may lead to different outcomes for children.

To evaluate that concern, William Meezan and Jonathan Rauch review the growing body of research on how same-sex parenting affects children. After considering the methodological problems inherent in studying small, hard-to-locate populations—problems that have bedeviled this literature—the authors find that the children who have been studied are doing about as well as children normally do. What the research does not yet show is whether the children studied are typical of the general population of children raised by gay and lesbian couples.

A second important question is how same-sex marriage might affect children who are already being raised by same-sex couples. Meezan and Rauch observe that marriage confers on children three types of benefits that seem likely to carry over to children in same-sex families. First, marriage may increase children's material well-being through such benefits as family leave from work and spousal health insurance eligibility. It may also help ensure financial continuity, should a spouse die or be disabled. Second, same-sex marriage may benefit children by increasing the durability and stability of their parents' relationship. Finally, marriage may bring increased social acceptance of and support for same-sex families, although those benefits might not materialize in communities that meet same-sex marriage with rejection or hostility.

The authors note that the best way to ascertain the costs and benefits of the effects of same-sex marriage on children is to compare it with the alternatives. Massachusetts is marrying same-sex couples, Vermont and Connecticut are offering civil unions, and several states offer partner-benefit programs. Studying the effect of these various forms of unions on children could inform the debate over gay marriage to the benefit of all sides of the argument.

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Although Americans are deeply divided over same-sex marriage, on one point most would agree: the issue has moved from the obscure fringes to the roiling center of the family-policy debate in a startlingly brief time. In May of 1970, Jack Baker and Mike McConnell applied for a marriage license in Hennepin County, Minnesota. They were turned down. For a generation, subsequent efforts in other venues met the same fate. In the 1990s, Hawaii's state supreme court seemed, for a time, likely to order same-sex marriage, but a state constitutional amendment preemptively overruled the court. Vermont's civil-union program, adopted in 2000 by order of Vermont's high court, offered state (though not federal) benefits to same-sex couples. That program, however, was seen as a substitute for full-fledged marriage. No state, it seemed, was prepared to grant legal matrimony to same-sex couples.

Last year, that taboo broke. Under order of its state supreme court, Massachusetts began offering marriage licenses to same-sex couples. More than forty states, by contrast, have enacted laws or, in some cases, constitutional amendments declaring they would *not* recognize same-sex marriage—a trend that escalated in 2004 when thirteen states passed constitutional amendments banning same-sex marriage.¹ The issue pits left against right and, perhaps more significant, old against young: Americans over age forty-four oppose same-sex marriage by a decisive majority, but a plurality of Americans under age thirty support it.² Today, across generations and geography, the country is divided over the meaning of marriage as it has not been since the days when states were at odds over interracial marriages and no-fault divorces—if then.

For many of its advocates, same-sex marriage is a civil rights issue, plain and simple. For many of its opponents, it is just as simply a moral issue. In reality, it is both, but it is also a family-policy issue—one of the most important, yet least studied, family-policy issues on the American scene today. The most controversial of its family-policy aspects is the question: how might same-sex marriage affect the well-being of American children?

Counting the Children

To begin thinking about gay marriage and children, it is useful to pose another question: which children? Consider three groups of children. First, there are those who are now being raised, or who would in the future be raised, by same-sex couples even if same-sex marriage were unavailable. No one knows just how many American children are being raised by same-sex couples today. The 2000 census counted about 594,000 households headed by same-sex couples, and it found children living in 27 percent of such households.³ The census did not, however, count the number of children in each home. So all we can say is that, conservatively, at least 166,000 children are being raised by gay and lesbian couples.⁴ Many of these children, whatever their number, would be directly affected by the introduction of same-sex marriage—a point we will return to later in this article.

On the obverse is a second group that is much larger but on which the effects, if any, of same-sex marriage are entirely unclear: children *not* being raised by same-sex couples—which is to say, children being raised by opposite-sex couples, married or unmarried, or by single parents. How might same-sex marriage affect these children? Or, to put it another way, how (if at all) might homosexual marriage affect heterosexual behavior?

Some opponents, such as the journalist Maggie Gallagher and Massachusetts Governor Mitt Romney, argue that same-sex marriage will signal governmental indifference to whether families contain both a mother and a father.⁵ Such legal and cultural indifference, they fear, would further erode the norm of childrearing by both biological parents; more children would end up in fatherless homes. On the other hand, some advocates, such as Jonathan Rauch, argue that same-sex marriage will signal the government's (and society's) preference for marriage over other family arrangements, reinforcing marriage's status at a time when that status is under strain.⁶ Same-sex marriage, in this view, would encourage marriage over nonmarriage and thus would benefit adults and children alike. Still others believe that same-sex marriage will have little or no effect of any sort on heterosexual families, if only because the number of gay and lesbian couples is small. There is, however, no evidence at all that bears directly on this question, at least in the American context, because until last year same-sex marriage had never been tried in the United States.⁷

In principle, a third class of children might be affected by same-sex marriage: additional children, so to speak, who might grow up with same-sex couples as a direct or indirect result of the legalization of same-sex marriage. Although even many opponents of same-sex marriage believe that gay and lesbian people should be allowed to foster and adopt children under certain circumstances, they worry that legalizing same-sex marriage would send an irrevocable cultural signal that same-sex parenting and opposite-sex parenting are interchangeable, when in fact they may not be equally good for children. In any case, the advent of same-sex marriage would probably make same-sex parenting easier

legally and more widely accepted socially, particularly for couples adopting children from the child welfare system. It is thus not surprising that questions about same-sex parenting come up time and again in discussions of same-sex marriage. To those questions we turn next.

What Are Same-Sex Families?

To speak of same-sex parenting is, almost by definition, to bundle together an assortment of family arrangements. Most children of opposite-sex parents got there the old-fashioned way, by being the biological children of both parents. Because same-sex couples cannot conceive together, their children arrive by a multiplicity of routes into families that assume a variety of shapes. In many cases (no one knows just how many), children living with gay and lesbian couples are the biological offspring of one member of the couple, whether by an earlier marriage or relationship, by arrangement with a known or anonymous sperm donor (in the case of lesbian couples), or by arrangement with a surrogate birth mother (in the case of male couples). Though, again, numbers are unavailable, male couples seem more likely than female couples to adopt children who are not biologically related to either custodial parent. It is worth noting that these different paths to parenthood lead to disparate destinations. The family dynamics of a female couple raising one partner's biological son from a previous marriage may be quite different from the dynamics of, say, a male couple raising a biologically unrelated son adopted from foster care.

Legal arrangements vary, too. Nonbiological parents in same-sex couples who seek to be legally recognized as parents must adopt, and the rules that govern adoption are as diverse as the state legislatures that pass adoption laws, the state agencies that promulgate

adoption regulations, and the state courts that interpret them. All the states allow married couples to apply jointly—as couples—for adoption (but marriage is no guarantee that the adoption will be approved); and all the states allow unmarried individuals to apply for adoption. Only one state, Utah, denies adoption to unmarried couples (heterosexual and homosexual). And so marriage and adoption, though intertwined, are treated as distinct matters by the law and the courts.

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Beyond that point, the rules diverge, especially for same-sex couples. Florida, uniquely, bans homosexual individuals from adopting. Mississippi explicitly bans adoption by same-sex couples. At the other end of the spectrum, as of mid-2004 nine states and the District of Columbia permitted same-sex couples to apply jointly for adoption, meaning that both members of the couple could be simultaneously granted parental status. In almost two dozen other states, courts in either the whole state or in some jurisdictions allow “second-parent” adoptions, under which one gay or lesbian partner can petition to become the second parent of the first partner’s biological or previously adopted child. (For instance, a gay man could first adopt as a single parent, and then his partner could apply to become the child’s other legal parent.) In the remaining states, same-sex couples are not el-

igible for either joint or second-parent adoption, which means that any children they might be raising are legally related to only one custodial parent.⁸

To study same-sex parenting, then, is to study not one phenomenon but many. As of this writing, indeed, the many same-sex couples whom researchers have studied share just one common trait: not one of them was legally married.⁹ So—with suitable caveats about the diversity of same-sex family relationships and structures—what can we say about same-sex parenting and its impact on children? As it happens, the literature on same-sex parenting and its effects on children is significant and growing. For the present article, we reviewed most of it: more than fifty studies, many literature reviews, and accounts of a number of dissertations and conference papers dating back to the 1970s.

Why Same-Sex Parenting Is Hard to Study

This body of research grew partly out of court cases in which lesbian and gay parents (or co-parents) sought to defend or obtain custody of children.¹⁰ Many researchers approached the subject with a sympathetic or protective attitude toward the children and families they studied. Critics have accused researchers of downplaying differences between children of gay and straight parents, especially if those differences could be interpreted unfavorably—a charge that has been debated in the field.¹¹ We will not enter that debate here, beyond noting that the best defense against bias is always to judge each study, whatever its author’s motivation, critically and on its merits.

More significant, we believe, are the daunting methodological challenges that the researchers faced, especially at first.

Difficulty Finding Representative Samples

Perhaps the most important such challenge is that researchers have no complete listing of gay and lesbian parents from which to draw representative samples (probability samples, as researchers call them). To find study participants, they have often had to rely on word-of-mouth referrals, advertisements, and other recruiting tools that may produce samples not at all like the full population of gay and lesbian parents. All but one of the studies we examined employed samples composed of either totally or predominantly white participants. Almost all the participants were middle- to upper-middle-class, urban, well educated, and “out.” Most were lesbians, not gay men. Participants were often clustered in a single place. It may be that most same-sex parents *are* white, relatively affluent lesbians, or it may be merely that these parents are the easiest for researchers to find and recruit, or both may be partly true. No one knows. Absent probability samples, generalizing findings is impossible.

Small Sample Sizes

Gay- and lesbian-headed families can be difficult to locate, and funding for this research has been sparse.¹² Those factors and others have forced researchers to deal with the challenge of small samples. Most studies describing the development of children raised in gay or lesbian homes report findings on fewer than twenty-five children, and most comparative studies compare fewer than thirty children in each of the groups studied. Other things being equal, the smaller the number of subjects in the groups studied, the harder it is to detect differences between those groups.¹³

Comparison Groups

The question is often not just how well same-sex parents and their children fare, but com-

pared with whom? Should a single lesbian mother be compared with a single heterosexual mother? If so, divorced or never married? Should a two-mother family be compared with a two-biological-parent family, a mother-father family headed by one biological parent and one stepparent, or a single-parent family? It all depends on what the researcher wants to know. Identifying appropriate comparison groups has proved vexing, and no consistent or wholly convincing approach has emerged. Many studies mix family forms in both their homosexual and heterosexual groups, blurring the meaning of the comparison being made. Some studies do not use comparison groups at all and simply describe children or adults in same-sex households. Some, in fact, have argued that comparing gay and straight families, no matter how closely matched the groups, is inappropriate inasmuch as it assumes a “heterosexual norm” against which same-sex parents and their children should be judged.¹⁴

Subject-Group Heterogeneity

As we noted, families headed by same-sex parents are structurally very different from one another. That fact presents researchers with another challenge, because studies are most accurate when each of the groups being examined or compared is made up of similar individuals or families. When the pool of potential subjects is small, as it is for same-sex parents, assuring within-group homogeneity is often difficult. Thus some studies use “mixed” groups of lesbian-headed households, yielding results that are difficult to interpret. For example, partnered lesbians are often included with single lesbians, with all called “single” by the author; children who live both in and outside the home are discussed as a single group; children born into homes that originated both as heterosexual marriages and as lesbian households are in-

cluded in the same sample; and separated and divorced women are mixed with never-married women and called “single.” In at least one of the studies reviewed, children of transsexuals and lesbians, children who are both biological and adopted, and parents who are both biological and adopters are treated as a single group.

Measurement Issues

Another challenge is to gauge how well children are faring. Few studies collect data from the children directly, and even fewer observe the children’s behavior—the gold standard for research of this kind, but more expensive and time-consuming than asking parents and children to evaluate themselves. Some studies use nonstandardized measures, while others use either measures with poor reliability and validity or measures whose reliability and validity were either not known or not reported.

Another measurement issue arises from the sometimes dated content of the measures used. In one 1986 study, for example, dressing in pants and wanting to be a doctor or lawyer were considered masculine for girls, and seeking leadership roles was considered a display of dominance.¹⁵ Those classifications look rather quaint today.

Statistical Issues

To some extent, researchers can compensate for heterogeneous samples and nonequivalent comparison groups by using statistical methods that control for differences, particularly in studies with larger samples. Not all studies have done so, especially in the era before today’s advanced software made statistical work considerably easier. Some studies thus did not perform appropriate statistical analyses when that was possible. Others did not report the direction of the significant relationships that they found, leaving unclear

which group of children fared better. Most failed to control for potentially confounding factors, such as divorce stress or the status of a current relationship with a former partner.

Putting the Research Challenges in Perspective

This is an imposing catalog of challenges and shortcomings, and it needs to be seen in context. The challenges we describe are by no means unique to the research on same-sex parenting, and neither are the flaws that result.¹⁶ Studying small, hard-to-locate populations is inherently difficult, especially if the subject pool is reticent. One of us, Meezan, has been conducting and reviewing field research on foster and adoptive families since the 1970s; he finds that the studies reviewed here are not under par by the standards of their discipline at the time they were conducted.

What the Evidence Shows—and Means

So what do the studies find? Summarizing the research, the American Psychological Association concluded in its July 2004 “Resolution on Sexual Orientation, Parents, and Children,”

There is no scientific basis for concluding that lesbian mothers or gay fathers are unfit parents on the basis of their sexual orientation. . . . On the contrary, results of research suggest that lesbian and gay parents are as likely as heterosexual parents to provide supportive and healthy environments for their children. . . . Overall, results of research suggest that the development, adjustment, and well-being of children with lesbian and gay parents do not differ markedly from that of children with heterosexual parents.¹⁷

Our own review of the evidence is consistent with that characterization. Specifically, the research supports four conclusions.

First, lesbian mothers, and gay fathers (about whom less is known), are much like other parents. Where differences are found, they sometimes favor same-sex parents. For instance, although one study finds that heterosexual fathers had greater emotional involvement with their children than did lesbian co-mothers, others find either no difference or that lesbian co-mothers seem to be more involved in the lives of their children than are heterosexual fathers.¹⁸

Second, there is no evidence that children of lesbian and gay parents are confused about their gender identity, either in childhood or adulthood, or that they are more likely to be homosexual. Evidence on gender behavior (as opposed to identification) is mixed; some studies find no differences, whereas others find that girls raised by lesbians may be more “masculine” in play and aspirations and that boys of lesbian parents are less aggressive.¹⁹ Finally, some interesting differences have been noted in sexual behavior and attitudes (as opposed to orientation). Some studies report that children, particularly daughters, of lesbian parents adopt more accepting and open attitudes toward various sexual identities and are more willing to question their own sexuality. Others report that young women raised in lesbian-headed families are more likely to have homosexual friends and to disclose that they have had or would consider having same-sex sexual relationships.²⁰ (Just how to view such differences in behavior and attitude is a matter of disagreement. Where conservatives may see lax or immoral sexual standards, liberals may see commendably open-minded attitudes.)

Third, in general, children raised in same-sex environments show no differences in cognitive abilities, behavior, general emotional development, or such specific areas of emotional development as self-esteem, depression, or anxiety. In the few cases where differences in emotional development are found, they tend to favor children raised in

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lesbian families. For example, one study reports that preschool children of lesbian mothers tend to be less aggressive, bossy, and domineering than children of heterosexual mothers. Another finds more psychiatric difficulties and a greater number of psychiatric referrals among children of heterosexual parents.²¹ The only negative suggestion to have been uncovered about the emotional development of children of same-sex parents is a fear on the part of the children—which seems to dissipate during adolescence when sexual orientation is first expressed—that they might be homosexual.²²

Finally, many gay and lesbian parents worry about their children being teased, and children often expend emotional energy hiding or otherwise controlling information about their parents, mainly to avoid ridicule. The evidence is mixed, however, on whether the children have

heightened difficulty with peers, with more studies finding no particular problems.²³

The significance of this body of evidence is a matter of contention, to say the least. Steven Nock, a prominent scholar reviewing the literature in 2001 as an expert witness in a Canadian court case, found it so flawed methodologically that the “only acceptable conclusion at this point is that the literature on this topic does not constitute a solid body of scientific evidence,” and that “all of the articles I reviewed contained at least one fatal flaw of design or execution. . . . Not a single one was conducted according to generally accepted standards of scientific research.”²⁴ Two equally prominent scholars, Judith Stacey and Timothy Biblarz, vigorously disputed the point: “He is simply wrong to say that all of the studies published to date are virtually worthless and unscientific. . . . If the Court were to accept Professor Nock’s primary criticisms of these studies, it would have to dismiss virtually the entire discipline of psychology.”²⁵

We believe that both sides of that argument are right, at least partially. The evidence provides a great deal of information about the particular families and children studied, and the children now number more than a thousand.²⁶ They are doing about as well as children normally do. What the evidence does not provide, because of the methodological difficulties we outlined, is much knowledge about whether those studied are typical or atypical of the general population of children raised by gay and lesbian couples. We do not know how the *normative* child in a same-sex family compares with other children. To make the same point a little differently, those who say the evidence shows that many same-sex parents do an excellent job of parenting are right. Those who say the evidence falls short of showing that same-sex parenting is

equivalent to opposite-sex parenting (or better, or worse) are also right.

Fortunately, the research situation is improving, so we may soon have clearer answers. Over the past several decades researchers have worked to improve their methods, and the population of gay and lesbian parents has become easier to study. Studies using larger samples are appearing in the literature, the first long-term study following the same group of people over time has been published, and studies using representative, population-based samples have appeared. More studies now use standardized instruments with acceptable reliability and validity. Recent studies are much more likely to match comparison groups closely and are also more likely to use statistical methods to control for differences both within and between the study groups.

We identified four studies—all comparatively recent (dating from 1997)—that we believe represent the state of the art, studies that are as rigorous as such research could today reasonably be expected to be (see box). Their conclusions do not differ from those of the main body of research.

It bears emphasizing that the issue of same-sex parenting is directly relevant to same-sex marriage only to the extent that the latter extends the scope of the former. Gay and lesbian couples make up only a small share of the population, not all of those couples have or want children, and many who do have or want children are likely to raise them whether or not same-sex marriage is legal. The number of additional children who might be raised by same-sex couples as a result of same-sex marriage is probably small. Moreover, an important question, where family arrangements are concerned, is al-

Four Strong Studies

How do children of lesbian or gay parents fare and compare? Following are summaries of four methodologically rigorous studies.

Wainwright, Russell, and Patterson (2004)

Methodology: Drawing on a nationally representative sample of more than 12,105 adolescents in the National Study of Adolescent Health, the authors compared forty-four adolescents being raised by female same-sex couples with forty-four raised by heterosexual couples. The comparison groups were matched child for child (not on group averages) on many traits, and the study samples did not differ on numerous demographic characteristics from the national sample of 12,105. Metrics were mostly standardized instruments with good reliability and validity, and many were the most commonly used measures in the field. Multivariate analysis was used to determine the impact of family type, controlling for other demographic and social factors.

Findings: “No differences in adolescents’ psychosocial adjustment,” including depressive symptoms, anxiety, and self-esteem; no differences in grade-point averages or problems in school. Adolescents with same-sex parents reported feeling more connected to school. The authors found that “it was the qualities of adolescent-parent relationships rather than the structural features of families (for example, same- versus opposite-sex parents) that were significantly associated with adolescent adjustment. . . . Across a diverse array of assessments, we found that the personal, family, and school adjustment of adolescents living with same-sex parents did not differ from that of adolescents living with opposite-sex parents.”

Golombok and others (2003)

Methodology: In southwest England, researchers drew on a geographic population study of almost 14,000 mothers and their children to identify eighteen lesbian-mother families (headed both by lesbian couples and single mothers) and then added twenty-one lesbian mothers identified through personal referrals, a lesbian mothers’ support organization, and advertisements. The twenty-one supplementary subjects were “closely comparable” to the eighteen drawn from the population study. The resulting sample of thirty-nine “cannot be deemed truly representative of the population of lesbian-mother families” but “constitutes the closest approximation achieved so far.” Those families were compared with seventy-four families headed by heterosexual couples and sixty families headed by single heterosexual mothers. Standardized measures were administered and interview data were coded by personnel blind to the family’s type and structure and were checked for reliability.

Findings: “Children reared by lesbian mothers appear to be functioning well and do not experience negative psychological consequences arising from the nature of their family environment.” After the authors controlled for initial differences between groups (age of children, number of siblings) and the number of statistical comparisons made, “the only finding that remained significant . . . was greater smacking of children by fathers than by co-mothers.” Also, “boys and girls in lesbian-mother families were not found to differ in gender-typed behavior from their counterparts from

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Four Strong Studies (continued)

heterosexual homes.” Children did better psychologically with two parents, regardless of whether the parents were same-sex or opposite-sex couples, than with a single mother.

Chan, Raboy, and Patterson (1998)

Methodology: Using a sample drawn from people who used the same sperm bank (in California), and thus controlling for the effects of biological relatedness, the researchers compared four family structures: lesbian couples (thirty-four), lesbian single mothers (twenty-one), heterosexual couples (sixteen), and single heterosexual mothers (nine). Participation rates were significantly higher for lesbian couples than for others. Though education and income levels were above average for all groups, lesbian parents had completed more education, and lesbian and coupled families had higher incomes; otherwise group demographics were similar. Information on children’s adjustment was collected from parents and teachers, using standardized measures with good reliability and validity.

Findings: “Children’s outcomes were unrelated to parental sexual orientation,” for both single-parent and coupled families. “On the basis of assessments of children’s social competence and behavior problems that we collected, it was impossible to distinguish children born to and brought up by lesbian versus heterosexual parents.” Sample size was large enough to detect large or medium effects but not small ones, so family structure had either small or nonexistent effects.

Brewaeyns and others (1997)

Methodology: Using a sample drawn from the fertility clinic at Brussels University Hospital, thirty lesbian-couple families who conceived through donor insemination (DI) were compared with thirty-eight heterosexual families who conceived through DI and thirty heterosexual families who conceived naturally. Response rates were generally good, but better for lesbian co-mothers than for heterosexual fathers. Statistical analysis controlled for demographic differences between comparison groups and for number of comparisons made, and good metrics were used.

Findings: Children’s emotional and behavior adjustment “did not differ” between lesbian and opposite-sex families, and “boys and girls born in lesbian mother families showed similar gender-role behaviour compared to boys and girls born in heterosexual families.” The quality of parents’ relationship with each other did not differ across the two family types, nor did the quality of interaction between children and biological parents. “However, one striking difference was found between lesbian and heterosexual families: social mothers [that is, nonbiological lesbian parents] showed greater interaction with their children than did fathers.”

Sources: Jennifer L. Wainwright, Stephen T. Russell, and Charlotte J. Patterson, “Psychosocial Adjustment, School Outcomes, and Romantic Relationships of Adolescents with Same-Sex Parents,” *Child Development* 75, no. 6 (December 2004): 1886–98, quotes pp. 1892, 1895; Susan Golombok and others, “Children with Lesbian Parents: A Community Study,” *Developmental Psychology* 39, no. 1 (January 2003): 20–33, quotes pp. 30, 31; Raymond Chan, Barbara Raboy, and Charlotte J. Patterson, “Psychosocial Adjustment among Children Conceived via Donor Insemination by Lesbian and Heterosexual Mothers,” *Child Development* 69, no. 2 (April 1998): 443–57, quotes p. 453; A. Brewaeyns and others, “Donor Insemination: Child Development and Family Functioning in Lesbian Mother Families,” *Human Reproduction* 12, no. 6 (1997): 1349–59, quotes pp. 1356, 1357.

ways, "Compared with what?" We doubt that same-sex marriage would shift any significant number of children out of the homes of loving heterosexual parents and into same-sex households; and, to the extent that same-sex marriage helps move children out of foster care and into caring adoptive homes, the prospect should be welcomed. If the past several decades' research establishes anything, it is that the less time children spend in the public child welfare system, the better. Put simply, research shows that the state makes a poor parent for many of the children in its custody, particularly compared with stable, loving, developmentally appropriate environments.

Will Kids Benefit When Same-Sex Parents Marry?

We turn, finally, to a group of children to whom same-sex marriage, *per se*, is directly and immediately relevant—the children we mentioned early on and then set aside. These are children who are being raised, or who would be raised, by same-sex couples even without same-sex marriage. For them, the advent of legal same-sex marriage would mean that their parents could get married. Whether or not same-sex marriage would expand the scope of same-sex parenting, it clearly would expand the scope of same-sex *married* parenting. Marriage would also affect family dynamics. Some gay and lesbian cohabitants with children would become spouses; others might find that the prospect of marriage deepened their bond; still others might break up in disagreement over whether to tie the knot.

We know of no reputable scholar who believes that their parents' getting married would harm these children on average (though particular marriages may be bad for children). The pertinent question is: to what extent, and

in what ways, might children benefit from the marriage of their lesbian and gay parents? This question turns out to be somewhat more difficult to answer than it may appear.

There is a vast literature on how marriage benefits children, and this is not the place to rehash it. Admirable discussions may be found in the articles by Paul Amato and by Adam Thomas and Isabel Sawhill elsewhere in this volume.²⁷ Of necessity, however, the literature pertains to heterosexual couples, not homosexual ones. Moreover, most such studies look at what happens when children's two biological parents marry. In same-sex families, of course, at least one parent is not the child's biological parent. Research on whether children of heterosexual couples do better in married than in cohabiting stepfamilies (where only one parent is the child's biological parent) is sparse and inconclusive.²⁸ Whether that research is pertinent to same-sex couples—who may be more likely than cohabiting straight couples to bring children into the home as a carefully considered joint decision—is at best unclear.

In other words, virtually no empirical evidence exists on how same-sex parents' marriage might affect their children. Nonetheless, we can do some theoretical probing, if only to understand how the introduction of marriage might affect the dynamics of same-sex families.

One benefit of traditional marriage—some would argue the central benefit—is that it helps tie fathers and mothers to their biological children. Obviously, that would not be the case with same-sex marriage, where one or both parents are, by definition, nonbiological. There are three other broad areas, however, where benefits to children of opposite-sex marriage might carry over to same-sex families.

The first is *material well-being*. In general, heterosexual marriage increases the economic capital available to children. Marriage conveys such public and private economic benefits as family leave from work and spousal health insurance eligibility (though it can also raise tax burdens; see the article by Adam Carasso and Eugene Steuerle in this volume). Marriage also entails a host of provisions that help ensure financial continuity if a spouse dies or is disabled. As Evan Wolfson

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notes in *Why Marriage Matters*, “If one of the parents in a marriage dies, the law provides financial security not only for the surviving spouse, but for the children as well, by ensuring eligibility for all appropriate entitlements, such as Social Security survivor benefits, and inheritance rights.”²⁹

The family dynamics of marriage also seem to bring material benefits, partly because married couples are more likely to pool their resources, and partly because they engage in economic specialization, with one partner focusing primarily on work outside the home and the other primarily on work inside the home.

No doubt some of these advantages would carry over to homosexual marriages. Certainly the availability of various forms of spousal survivors’ benefits, such as Social Security and tax-free inheritance of a home,

would benefit the child of a surviving same-sex spouse. The same would be true of disability and medical benefits, which cushion families—and thus children—from economic shocks. Resource pooling may also increase somewhat. On the other hand, to whatever extent same-sex couples have already compensated for the unavailability of marriage by arranging their affairs to mimic marriage, the transition from cohabitation to marriage may bring them less of an economic “bonus.” Specialization gains might also be smaller for same-sex couples, to whatever extent the inside-outside division of labor is a function of gender roles rather than marriage as such.³⁰

The second area where same-sex marriage might benefit children is in the *durability and stability of the parental relationship*. In the heterosexual world, a substantial body of research shows that, other things held equal, marriages are more durable and stable than cohabitation; and stability is, most scholars agree, of vital importance to children. To some extent, marriage may owe its greater durability to the simple fact that it is legally much harder to get out of than cohabitation. That may give couples an incentive to work out their problems. Yet there is reason to believe that the act of marriage, in particular its status as a solemn commitment in the eyes of the couple and their community (and, for many, their God), fortifies as well as deepens couples’ bonds.

To what extent this would be true of same-sex couples is not as yet known in any rigorous way, but anecdotal evidence suggests that a similar dynamic may apply. Gay couples who have been formally married in Massachusetts, Canada, and San Francisco (the city briefly allowed such marriages, subsequently ruled invalid) have attested that the act of marriage has deepened their relationship—

often to no one's surprise more than their own.³¹ Some people have predicted that married same-sex couples (especially male ones) will be less stable than married opposite-sex couples, but few if any have questioned that married same-sex couples will likely be more stable than unmarried same-sex couples.³²

Finally, same-sex marriage might benefit children through *social investment*. Heterosexual marriage benefits children by bringing with it a host of social resources, some as tangible as legal and regulatory protections (spouses do not have to testify in court against each other, for example, and can permanently reside together in the United States even if one is not a citizen), others as intangible as social prestige and unquestioned parental authority. Explaining why she wished she could marry her lesbian partner, one woman said, "We're tired of having to explain our relationship. When you say you're married, everyone understands that."³³ The very fact that people routinely ask their friends and co-workers "How's your husband?" or "How's your wife?" tells couples—and their children—that they are perceived and treated as a family unit, with the autonomy and clear responsibility that this implies. Marriage also brings closer and more formal relationships with in-laws and grandparents, who are more likely to relate to a nonbiological child as a full-fledged grandchild or niece or nephew if the parents' union is formalized (and children who have more contact with grandparents tend to be better adjusted).³⁴ Though less stigma attaches to cohabitation today than in the past, married families still benefit from stronger community support and kinship networks, easing the burden on parents and children alike.

Some of these benefits would no doubt carry over to same-sex married couples. For in-

stance, it seems reasonable to imagine that the formal, socially recognized bond of marriage may strengthen the emotional attachments between children and their nonbiological same-sex parents and grandparents. Marriage might also induce more jurisdictions to permit second-parent adoptions by gay and lesbian families. Such adoptions can be very meaningful, bringing the nonbiological parent closer to the child. As one parent put it, "I really didn't feel Jon was my son until I got that stupid piece of paper." Another couple felt that formal adoption put a "seal of legitimacy" on the parent-child relationship.³⁵

Beyond the circle of kin, however, the social dynamics of same-sex marriage may be rather complicated. In communities that embrace the notion of same-sex marriage, marriage might bring added support and investment from neighbors, teachers, employers, peers, and others on whom children and parents rely. Indeed, the very existence of same-sex marriage may reduce the stigmatization or perceived peculiarity of same-sex families, which would presumably reduce the social pressure on the children. On the other hand, social acceptance of same-sex marriages as "real" marriages—marriages viewed as authentic by family, friends, and such institutions as churches and neighborhood groups—cannot be forced. In Massachusetts, for example, a labor union declared that its members' same-sex spouses would not be eligible for health and pension benefits.³⁶ If imposed legally over the resistance of a community, same-sex marriage might bring little additional social investment; indeed, it might become a new source of backlash against same-sex couples and their children. For children, same-sex marriage might in some places bring closer and warmer relationships with extended families and communities, but in other places it might relieve

one form of stigma or hostility only to replace it with another.

Our own belief, on balance, is that society's time-honored preference for marriage over nonmarriage as a context for raising children would prove as justified for same-sex couples as for opposite-sex couples, for many of the same reasons. One piece of evidence is that many same-sex couples who are raising children *say* they need marriage. If it is true that parents are generally competent judges of what is good for their children, then their opinion deserves some weight.

An Opportunity to Learn

It is important, we think, to recognize that social science cannot settle the debate over same-sex marriage, even in principle. Some people believe the United States should have same-sex marriage as a matter of basic right even if the change proves deleterious for children; others believe the country should reject same-sex marriage as a matter of morality or faith even if the change would benefit kids. Consequential factors are but one piece of a larger puzzle; and, as is almost always the case, social research will for the most part follow rather than lead the national debate.

Both authors of this paper are openly gay and advocates of same-sex marriage, a fact that readers should weigh as they see fit. In any case, our personal judgments about the facts presented here are no better than anyone else's. Two points, however, seem to us to be both incontrovertible and important.

First, whether same-sex marriage would prove socially beneficial, socially harmful, or trivial is an empirical question that cannot be settled by any amount of armchair theorizing. There are plausible arguments on all sides of

the issue, and as yet there is no evidence sufficient to settle them.

Second, the costs and benefits of same-sex marriage cannot be weighed if it cannot be tried—and, preferably, compared with other alternatives (such as civil unions). Either a national constitutional ban on same-sex marriage or a national judicial mandate would, for all practical purposes, throw away the chance to collect the information the country needs in order to make a properly informed decision.

As it happens, the United States is well situated, politically and legally, to try same-sex marriage on a limited scale—without, so to speak, betting the whole country. As of this writing, one state (Massachusetts) is marrying same-sex couples, two others (Vermont and Connecticut) offer civil unions, and several more (notably California) offer partner-benefit programs of one sort or another. Most other states have preemptively banned gay marriage, and some have banned civil unions as well. The upshot is that the nation is running exactly the sort of limited, localized experiment that can repay intensive study.

In particular, the clustering in four neighboring states of all three kinds of arrangement—same-sex marriage in Massachusetts, civil unions in Vermont and Connecticut, and neither in New Hampshire—offers a near-ideal natural laboratory. A rigorous study of how children fare when they are raised in these various arrangements and environments would not be easy to design and execute, and it would require a considerable amount of time and money; but the knowledge gained would make the debate over gay marriage better lit and perhaps less heated, to the benefit of all sides of the argument.

Endnotes

1. The thirteen were Arkansas, Georgia, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, North Dakota, Oklahoma, Ohio, Oregon, and Utah.
2. *Los Angeles Times* poll, March 27–30, 2004. Among respondents under age thirty, 44 percent supported same-sex marriage and 31 percent supported civil unions; 22 percent favored neither.
3. U.S. Census Bureau, *Married-Couple and Unmarried-Partner Households: 2000* (February 2003). See also Gary J. Gates and Jason Ost, *The Gay and Lesbian Atlas* (Washington: Urban Institute, 2004), p. 45.
4. Because same-sex couples, especially those with children, may be reluctant to identify themselves to census takers, and because small populations are inherently difficult to count, this number is likely to be an undercount. See Gates and Ost, *The Gay and Lesbian Atlas* (see note 3). Other estimates range much higher. See, for example, Frederick W. Bozett, "Gay Fathers: A Review of the Literature," in *Psychological Perspectives on Lesbian and Gay Male Experiences*, edited by Linda Garnets and Douglas Kimmel (Columbia University Press, 1993), pp. 437–57.
5. See, for example, Maggie Gallagher, "What Is Marriage For?" *Weekly Standard*, August 4–11, 2003; and Mitt Romney, testimony before the U.S. Senate Judiciary Committee, June 22, 2004.
6. Jonathan Rauch, *Gay Marriage: Why It Is Good for Gays, Good for Straights, and Good for America* (New York: Times Books, 2004).
7. As of this writing, the Netherlands, Belgium, and several Canadian provinces had adopted same-sex marriage, but only recently. The effects, if any, on the welfare of children and families are both unclear and disputed. See, for example, Stanley Kurtz, "The End of Marriage in Scandinavia," *Weekly Standard*, February 2, 2004; and in rebuttal, M. V. Lee Badgett, *Will Providing Marriage Rights to Same-Sex Couples Undermine Heterosexual Marriage? Evidence from Scandinavia and the Netherlands*, Discussion Paper (Council on Contemporary Families and Institute for Gay and Lesbian Strategic Studies, July 2004). Also in rebuttal, William N. Eskridge, Darren R. Spedale, and Hans Ytterberg, "Nordic Bliss? Scandinavian Registered Partnerships and the Same-Sex Marriage Debate," *Issues in Legal Scholarship*, Article 4, available at www.bepress.com/ils/iss5/art4/.
8. The authors are indebted to the Human Rights Campaign, the Lambda Legal Defense and Education Fund, and the National Adoption Information Clearinghouse for information on state adoption policies. Because adoption policies are often set by courts on a case-by-case basis, adoption rules are in flux and vary within as well as between states. The summary counts presented here are subject to interpretation and may have changed by the time of publication.
9. At this writing, same-sex marriage was too new in Massachusetts to have generated any research results.
10. "A third perspective from which [research] interest in lesbian and gay families with children has arisen is that of the law. . . . Because judicial and legislative bodies in some states have found lesbians and gay men unfit as parents because of their sexual orientation, lesbian mothers and gay fathers have often been denied custody or visitation with their children following divorce." Charlotte Patterson, "Lesbian Mothers, Gay Fathers, and Their Children," in *Lesbian, Gay and Bisexual Identities over the Lifespan: Psychological Perspectives*, edited by Anthony R. D'Augelli and Charlotte Patterson (Oxford University Press, 1995), p. 264.

11. Judith Stacey and Timothy J. Biblarz examine twenty-one studies and find that “researchers frequently downplay findings indicating difference regarding children’s gender and sexual preferences and behavior.” Judith Stacey and Timothy Biblarz, “(How) Does the Sexual Orientation of Parents Matter?” *American Sociological Review* 66 (April 2001): 159–83. Golombok and others reply that it is Stacey and Biblarz who “have overemphasized the differences that have been reported between children with lesbian and heterosexual parents.” Susan Golombok and others, “Children with Lesbian Parents: A Community Study,” *Developmental Psychology* 39, no. 1 (January 2003): 21.
12. For example, as best we can discern, none of the studies reviewed for this article was funded by the federal government, the major source of social science research funding in the United States.
13. For example, Tasker and Golombok note that there was only a 51 percent chance of detecting a moderate effect size in their sample, and an even lower possibility (if any at all) of detecting a small effect size. See Fiona Tasker and Susan Golombok, *Growing Up in a Lesbian Family* (New York: Guilford Press, 1997).
14. From the perspective of gay men, Gerald Mallon states, “Usually, explorations of gay parenting focus on the differences between gay and straight parents. [I] approach this topic through a gay-affirming lens, meaning that I do not take heterosexuality as the norm and then compare gay parenting to that model and discuss how it measures up. In most cases heterosexually oriented men become fathers for different reasons and in different ways than do gay men. Comparisons of gay fathers to heterosexual fathers are therefore inappropriate.” Gerald Mallon, *Gay Men Choosing Parenthood* (Columbia University Press, 2004), p. xii. From a lesbian perspective, Victoria Clarke states, “In the rush to prove . . . our similarities to heterosexual families, oppressive norms of femininity, masculinity, and heterosexuality are reinforced. The use of sameness arguments suppresses feminist critiques of the family as a prime site of hetero-patriarchal oppression. . . . By taking mainstream concerns seriously, lesbian and gay psychologists inadvertently invest them with validity and reinforce the anti-lesbian agendas informing popular debates about lesbian parenting.” Victoria Clarke, “Sameness and Differences in Lesbian Parenting,” *Journal of Community and Applied Social Psychology* 12 (2002): 218.
15. Richard Green and others, “Lesbian Mothers and Their Children: A Comparison with Solo Parent Heterosexual Mothers and Their Children,” *Archives of Sexual Behavior* 15, no. 2 (1986): 167–83.
16. For example, similar issues arise in the study of transracial adoption: “Study findings that support greater use of transracial adoption as a placement option . . . are fraught with conceptual and methodological limitations. . . . For instance, many have small sample sizes and no—or inappropriate—comparison groups. While they tend to be cross-sectional, those that are longitudinal are potentially biased from sample attrition.” Devon Brooks and Richard P. Barth, “Adult Transracial and Inracial Adoptees: Effects of Race, Gender, Adoptive Family Structure, and Placement History on Adjustment Outcomes,” *American Journal of Orthopsychiatry* 69 (January 1999): 88.
17. Available at www.apa.org/pi/lgbce/.
18. A. Brewaeys and others, “Donor Insemination: Child Development and Family Functioning in Lesbian Mother Families,” *Human Reproduction* 12 (1997): 1349–59; David K. Flaks and others, “Lesbians Choosing Motherhood: A Comparative Study of Heterosexual Parents and Their Children,” *Developmental Psychology* 31 (1995): 105–14; Golombok and others, “Children with Lesbian Parents” (see note 11), pp. 20–33; Katrien Vanfraussen, Ingrid Ponjaert-Kristoffersen, and Anne Brewaeys. “Family Functioning in Lesbian Families Created by Donor Insemination,” *American Journal of Orthopsychiatry* 73, no. 1 (January 2003): 78–90.

19. Green and others, "Lesbian Mothers and Their Children" (see note 15); Beverly Hoeffer, "Children's Acquisition of Sex Role Behavior in Lesbian-Mother Families," *American Journal of Orthopsychiatry* 51, no. 3 (1981): 536–44; Ailsa Steckel, "Psychosocial Development of Children of Lesbian Mothers," in *Gay and Lesbian Parents*, edited by Frederick W. Bozett (New York: Praeger, 1987), pp. 75–85.
20. Lisa Saffron, "What about the Children?" *Sons and Daughters of Lesbian and Gay Parents Talk about Their Lives* (London: Cassell, 1996); Tasker and Golombok, *Growing Up in a Lesbian Family* (see note 13). It is unclear whether the young women are more likely to *engage* in same-sex relations, more likely to *disclose* them, or some combination of the two.
21. Steckel, "Psychosocial Development of Children of Lesbian Mothers" (see note 19); Susan Golombok, Ann Spencer, and Michael Rutter, "Children in Lesbian and Single-Parent Households: Psychosexual and Psychiatric Appraisal," *Journal of Child Psychology and Psychiatry* 24, no. 4 (1983): 551–72.
22. Karen G. Lewis, "Children of Lesbians: Their Point of View," *Social Work* 25 (May 1980): 198–203; Ann O'Connell, "Voices from the Heart: The Developmental Impact of Mother's Lesbianism on Her Adolescent Children," *Smith College Studies in Social Work* 63, no. 3 (June 1993): 281–99; S. J. Pennington, "Children of Lesbian Mothers," in *Gay and Lesbian Parents*, edited by Bozett (see note 19), pp. 58–74.
23. Phillip A. Belcastro and others, "A Review of Data Based Studies Addressing the Effects of Homosexual Parenting on Children's Sexual and Social Functioning," *Journal of Divorce and Remarriage* 20, nos. 1–2 (1993): 105–22; Frederick W. Bozett, "Children of Gay Fathers," *Gay and Lesbian Parents*, edited by Bozett (see note 19), pp. 39–57; Margaret Crosbie-Burnett and Lawrence Helmbrecht, "A Descriptive Empirical Study of Gay Male Stepfamilies," *Family Relations* 42 (1993): 256–62; Nanette Gatrell and others, "The National Lesbian Family Study: Interviews with Mothers of Five-Year-Olds," *American Journal of Orthopsychiatry* 70, no. 4 (October 2000): 542–48; Tamar D. Gershon, Jeanne M. Tschann, and John M. Jemerin, "Stigmatization, Self-Esteem, and Coping among the Adolescent Children of Lesbian Mothers," *Journal of Adolescent Health* 24, no. 6 (June 1999): 437–45; Golombok, Spencer, and Rutter, "Children in Lesbian and Single-Parent Households" (see note 21); Golombok and others, "Children with Lesbian Parents" (see note 11); Jan Hare, "Concerns and Issues Faced by Families Headed by a Lesbian Couple," *Families in Society* 75 (1994): 27–35; Ghazala Afzal Javaid, "The Children of Homosexual and Heterosexual Single Mothers," *Child Psychiatry and Human Development* 24 (1993): 235–48; Suzanne M. Johnson and Elizabeth O'Connor, *The Gay Baby Boom: The Psychology of Gay Parenthood* (New York University Press, 2002); Lewis, "Children of Lesbians" (see note 22); O'Connell, "Voices from the Heart" (see note 22); Pennington, "Children of Lesbian Mothers" (see note 22); Tasker and Golombok, *Growing Up in a Lesbian Family* (see note 13); Norman Wyers, "Homosexuality and the Family: Lesbian and Gay Spouses," *Social Work* 32 (1987): 143–48.
24. Steven L. Nock, affidavit in the superior court of Ontario, Canada, *Halpern et al. v. Canada* and *MCCT v. Canada* (2001), at items 141 (p. 47) and 115 (p. 39).
25. Judith Stacey and Timothy Biblarz, affidavit in the superior court of Ontario, Canada, *Halpern et al. v. Canada* and *MCCT v. Canada* (2001), at items 4 (p. 3) and 14 (p. 7).
26. Anderssen and others' review of the literature up until 2000, which did not cover all of the studies through that date, puts the number of children studied at 615. Norman Anderssen, Christine Amlie, and Erling Andre Ytteroy, "Outcomes for Children with Lesbian or Gay Parents: A Review of Studies from 1978 to 2000," *Scandinavian Journal of Psychology* 43 (2002): 335–51. Since that time, larger-scale studies, some

- with samples larger than 200, have been undertaken. Stacey and Biblarz, in their affidavit (see note 25) at item 41 (p. 19), cite more than 1,000 children, and 500 observed in “22 of the best studies.”
27. A useful compilation is *Why Marriage Matters: Twenty-One Conclusions from the Social Sciences*, by a consortium of thirteen family scholars; available at www.marriagemovement.org/WhyMarriageMatters.html.
28. See Susan L. Brown, “Family Structure and Child Well-Being: The Significance of Parental Cohabitation,” *Journal of Marriage and the Family* 66 (May 2004): 351–67; Wendy D. Manning and Kathleen A. Lamb, “Adolescent Well-Being in Cohabiting, Married, and Single-Parent Families,” *Journal of Marriage and the Family* 65 (November 2003): 876–93. According to Manning and Lamb, “The findings from empirical work suggest that teenagers and children in cohabiting parent step-families sometimes fare worse in terms of behavior problems and academic performance than children in married stepparent families. . . . Other research suggests that adolescents and children in cohabiting stepparent families share similar levels of behavior problems and academic achievement as children in married stepparent families. . . . The findings seem to depend on the gender and age of the child as well as the specific dependent or outcome variable” (p. 878).
29. Evan Wolfson, *Why Marriage Matters: America, Equality, and Gay People’s Right to Marry* (New York: Simon and Schuster, 2004), pp. 95–96.
30. Research has shown that gay and lesbian couples are more equal in their division of labor than heterosexual couples. See Henny M. W. Bos, Frank van Balen, and Dymplna C. van den Boom, “Experience of Parenthood, Couple Relationship, Social Support, and Child-Rearing Goals in Planned Lesbian Mother Families,” *Journal of Child Psychology and Psychiatry* 45, no. 4 (2004): 755–64; Raymond W. Chan and others, “Division of Labor among Lesbian and Heterosexual Parents: Associations with Children’s Adjustment,” *Journal of Family Psychology* 12, no. 3 (1998): 402–19; Claudia Ciano-Boyce and Lynn Shelley-Sireci, “Who Is Mommy Tonight? Lesbian Parenting Issues,” *Journal of Homosexuality* 43 (2002): 1–13; Daniel W. McPherson, “Gay Parenting Couples: Parenting Arrangements, Arrangement Satisfaction, and Relationship Satisfaction,” Ph.D. diss., Pacific Graduate School of Psychology, 1993; Charlotte J. Patterson, “Families of the Lesbian Baby Boom: Parents’ Division of Labor and Children’s Adjustment,” *Developmental Psychology* 31 (1995): 115–23; Charlotte J. Patterson and Raymond W. Chan, “Families Headed by Gay and Lesbian Parents,” in *Parenting and Child Development in “Nontraditional” Families*, edited by Michael Lamb (Mahwah, N.J.: Lawrence Erlbaum Associates, 1999), pp. 191–219.
31. See, for example, Shawn Hubler, “Nothing but ‘I Do’ Will Do Now for Many Gays,” *Los Angeles Times*, March 21, 2004. One man who married his male partner in San Francisco said, “It has reconnected our relationship in ways I wasn’t expecting, and to have a whole city reinforce it was amazing. I used to refer to Dave as my partner or boyfriend. Now I refer to him as my husband.” One of the present authors (Rauch), while on a book tour last year, personally heard a number of such testimonials from gay couples.
32. For example, Stanley Kurtz has argued that male couples, if allowed to marry, would “help redefine marriage as a non-monogamous institution.” “Beyond Gay Marriage: The Road to Polyamory,” *Weekly Standard*, August 4–11, 2003.
33. Andrew Jacobs, “More than Mere Partners: By Example, Lesbian Couple Try to State Case for Marriage,” *New York Times*, December 20, 2003.

34. See, for example, Charlotte J. Patterson, Susan Hurt, and Chandra D. Mason, "Families of the Lesbian Baby Boom: Children's Contact with Grandparents and Other Adults," *American Journal of Orthopsychiatry* 68, no. 3 (July 1998): 390–99.
35. Catherine Connolly, "The Voice of the Petitioner: The Experiences of Gay and Lesbian Parents in Successful Second-Parent Adoption Proceedings," *Law and Society Review* 36, no. 2 (2002): 325–46, quotes p. 337.
36. Donovan Slack, "Union Denies Benefits to Gay Couples," *Boston Globe*, May 11, 2004.