



Vermont Marriage Advisory Council

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Ladies and Gentlemen of the Vermont Legislature,

By all appearances, you will be called forward in this legislative session to give serious thought to what may be the most consequential legislative act in your political career, and one which will likely have profound effect on our state for generations: **same-sex marriage**. As the Vermont legislature examines this legal redefinition of marriage, we at the Vermont Marriage Advisory Council are obliged to ask a simple question: ***Have you fully considered same-sex marriage from all perspectives?***

You have received a VMAC publication in your legislative box which provides detailed analysis of marriage and same-sex marriage from a fresh perspective. In those materials, which are now being widely presented to Vermont, the reader will find robust support for the following assertions:

1. No new tangible benefits. Expert legal opinion before the Vermont Commission on Family Recognition and Protection (VCFRP) is unanimous: Same-sex marriage in Vermont **cannot** provide any further tangible, legal benefits to Vermont gays at the state level.

2. From the beginning of time, child rearing and marriage have been inseparable. Not every marriage produces children, but almost all do. Despite decline, two-thirds of children are still born within marriages (over 95% just 50 years ago), yet same-sex marriage supporters almost always argue in favor of separating marriage from parenting, thereby reducing marriage to a simple “contract” between adults. But by accepting and promoting this logic through recognizing same-sex marriage, Vermont would send the unmistakable message that we no longer recognize marriage as important to children and parenting. Ironically, such was the predominant attitude in pre-civilized cultures over 4,000 years ago. Is this what Vermont really wants?

3. Because of its child-centric nature, marriage has always been a restrictive institution. For generations, the U.S. has imposed limitations on number (two), age, gender, blood relationship, and certain inheritable diseases. These restrictions all have one common denominator: they exist for the benefit of children, and by extension, our future society.

4. Civil Unions did not redefine marriage. Same-sex marriage will, including:

- ♦ **It will fundamentally alter parenting law.** Since marriage and parenting are intimately related, same-sex marriage required Canada to eliminate the concept of “natural” parent, replacing it with “legal” parent: an artificial concept defined and regulated by the state, rather than nature. Similarly, Spain erased the terms “mother” and “father” from all legal documents, replacing them with “Progenitor A” and “Progenitor B.” *Spain no longer legally recognizes mothers or fathers.* Massachusetts has eliminated “husband” and “wife” from marriage licenses, replacing them with “Party A” and “Party B.” In Vermont, a custody battle is unfolding among two women in a Civil Union and the biological father of a child deliberately conceived between one of the women and the

father; the civil-unioned women wanted a child. Now all three want custody. If civil unions give way to full marriage, how can we rationally expect not to see more legal confusion such as this? And what is to become of such children?

- ◆ **It will permanently weaken the connection between marriage, parenting and family structure**, and likely increase out-of-wedlock births and single parenting. The overwhelming accumulation of over thirty years of sociological data speaks with resounding clarity: family structure matters, and the family structure that is best for children is the low-conflict marriage of a child's biological parents. Same-sex marriage would ignore this fact, and put Vermont at odds with an overwhelming amount of sound empirical data, as well as the United Nations Convention on the Rights of the Child.

In a strong correlation with similar social and legal experiments in the Netherlands, as support for same-sex marriage increased, marriage declined over 21% and illegitimate births nearly tripled. Similar trends have occurred in Vermont, where marriage rates declined nearly 14% between 1990 and 2004 (CDC). Unfortunately, the percentage of U.S. children living with both married biological parents continues to drop, currently at only 60% compared to 90% in 1960. Since Massachusetts' enactment of same-sex marriage, New England's largest assisted reproductive centers have witnessed a 50% increase in demand for services by gay couples *every year* (Reuters), thereby *increasing* the number of children raised without both biological parents. There is little doubt same-sex marriage in Vermont will further increase these trends.

- ◆ **Same-sex marriage will remake marriage to resemble the tragedy of a missing parent.** Our current model for marriage holds, as the cultural and legal ideal, that *every child should have a married mother and father*. By contrast, an unfortunate truth not readily admitted by same-sex marriage proponents is that *all* same-sex parented families are characterized by deprivation, and *almost all* are characterized by rejection:
 - By their very nature, all same-sex parented families deprive the child of a mother or father and one natural parent.
 - Almost all same-sex parented families are characterized by rejection of one natural parent by the other (often from divorce), and often accompanied by rejection of the child by at least one natural parent (including situations involving artificial insemination, etc.).

In such "adult" conversations, the quiet clarity of a child's perspective is often drowned out. In a Yale study of such families, psychiatrist Kyle Pruett found himself faced with a daunting question only a child could ask, "***Mommy, what did you do with my daddy? You know I need a daddy or I can't be a child.***"

By shifting the legal and cultural definition of marriage from one man/one woman toward two people of any gender, this family form, characterized by a missing biological parent, would forcefully replace man/woman marriage as our legal, normative baseline institution through the full weight of state law. This is why France, after forming a Commission like Vermont's to review the ramifications, rejected same-sex marriage.

Clearly, most parents do their best for their children, including same-sex couples and single parents. But good laws should encourage that which is generally best for society, and discourage that which is potentially harmful. Thirty years of sociological data leave little room for doubt: motherlessness or fatherlessness is detrimental to a child's long term well-being.

In totality, **same-sex marriage would require us to legally and formally withdraw marriage's greatest promise to the child** - the promise that, as far as society can make it possible, I will be loved and raised by the father and mother who made me.

Through cultural changes such as increased divorce, single parenting and cohabitation, our society has slowly withdrawn from that solemn promise, with a hefty emotional and fiscal price tag. The fiscal impacts are well discussed in the peer-reviewed and non-partisan report *Taxpayer Costs of Divorce and Unwed Childbearing* which conservatively estimates the fiscal cost at \$112 billion annually, of which Vermont pays \$74 million each year. The burdens of weakened marriage and family structures manifest themselves in many ways, but sociologists agree that increased crime is one of the primary fruits. According to a Vt. Corrections report, 1 in 5 Vermont men age 21-23 have now been convicted of a crime; over half convicted of a violent crime.

To date, the discussion of same-sex marriage in the public sphere has largely revolved around one question: *Are Vermont's Civil Unions equal to marriage?* In fact, this was the central question around which the Vermont Commission on Family Recognition and Protection coalesced. VMAC respectfully suggests that, although important to consider, this narrow question is not the most imperative to ask ourselves. A useful analogy might be found in a motorist driving 80 mph to an appointment to which they think they will be late. In their haste, they might ask themselves "Will I get there on time?," when the more appropriate question might be "Am I endangering my fellow motorists to get there?"

Let us ask ourselves the wider metaphorical question in this debate: in our hurried drive toward same-sex marriage, *are we endangering our fellow motorists to get there?* Shifting from the cozy realm of metaphor to the less forgiving world of reality, let us ask ourselves what are perhaps the two most important (and ironically the least considered) questions in this entire debate:

Would same-sex marriage create a conflict between adult desires for acceptance, and the rights and needs of children?

If so, who should win?

In its final report, the legislatively formed Vermont Commission on Family Recognition and Protection (VCFRP) touches on these central questions by concluding that "*The social science of the relative benefits or harms of heterosexual versus homosexual marriage for families and children ... deserves further study.*" We strenuously agree, and further stress that there is significant danger that, in our current zeal to consider the rights of one minority, we trample on the rights of another: children. It should be clear that, if we refuse to consider these questions as a culture, then we will have willfully failed our future as leaders, citizens, and parents.

We earnestly ask the reader to consult the attached materials, as well as the supplemental videos and source materials on our website (www.vermontmarriage.org). We truly hope that you will deliberate this issue with clarity, caution and integrity.

In closing, we hope and trust that, after duly reflecting on the facts at hand, you will arrive at, and act upon, the conclusion shared by many experts in the field of marriage – a conclusion which, for better or worse, will indelibly mark this legislature and our state:

You can believe that every child deserves a married mother and father, or you can believe in same-sex marriage. You can't believe both.

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