



What You Need
to Know about

Marriage

Questions & Answers
Driving the Debate

Read On to Tackle the Big Questions...

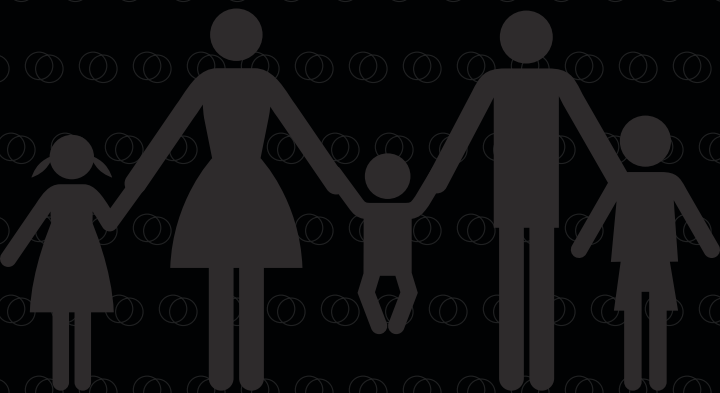
- ① *What is marriage?*
- ① Why does marriage *matter* to the government?
- ① What are the *consequences* of redefining marriage?

... plus 12 More Frequently
Asked Questions

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THE SUPREME COURT

decisions in June 2013 left states free to define marriage as the union of a man and woman as the majority of states continue to do.¹ Citizens and their elected representatives have the constitutional authority to make policy that recognizes marriage as the union of a man and a woman. The debate on marriage continues.

Now, more than ever, we need to make it clear why **marriage as the union of a man and a woman matters—for children, for civil society, and for limited government.** That's why it's important to be prepared to talk with friends, family, or co-workers about how redefining marriage would be bad for children—and all of us.

No matter where you fall on the political spectrum, everyone who believes that marriage is between one man and one woman must **stand up, speak out, and spread the word.** Lawmakers and citizens alike should know and share the answers to these questions:

1. *What* is marriage?
2. Why does marriage *matter* to the government?
3. What are the *consequences* of redefining marriage?

What is Marriage?

- Marriage brings a man and a woman together as husband and wife to be father and mother to any children their union produces.²
- Marriage is based on the biological fact that reproduction depends on a

LIBERTY THREATENED

We've already seen how those in favor of redefining marriage are willing to use the coercive force of law to marginalize and penalize those who believe marriage is the union of a man and a woman.

- Photographer Elaine Huguenin has seen her First Amendment rights challenged. The New Mexico photographer (below) declined to photograph a same-sex commitment ceremony due to her religious beliefs and was hauled before a state human rights commission—even though plenty of other photographers were available.³



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- Christian charities in Massachusetts, Illinois, and Washington, D.C., were forced to stop providing adoption and foster care services because they wanted to place children with married moms and dads, in accordance with their religious and moral beliefs.⁴
- A Washington state florist respectfully declined to design floral arrangements for a same-sex couple's wedding ceremony because of her religious beliefs. Though many other florists were available, the state's attorney general has sued the florist.

man and a woman, and the reality that children need a mother and a father.

- Marriage is the building block of all human civilization. Marriage has public, not just private, purposes. Marriage is a unique relationship; it brings together sexually complementary spouses, in a monogamous relationship, where they pledge to each other to be faithful by vows of permanence and exclusivity.

For decades, **marriage has been weakened by our culture of convenience.** This demotes marriage to little more than emotional intensity or legal privileges. We should all remember that marriage is about the needs of children rather than merely the desires of adults.

Why does marriage *matter* to the government?

- Government recognizes marriage because it is an institution that benefits society in a way that no other relationship does.⁵
- **Marriage ensures the well-being of children.** When government recognizes marriage, it protects children by encouraging men and women to commit to each other and to take responsibility for their children.
- Government recognizes, protects, and promotes marriage as the ideal institution for having and raising children. Promoting marriage doesn't ban anything. Adults are still free to

make choices about their relationships, and do not need government permission to do so.

All Americans share the right to live freely, but no one has the right to redefine marriage for all of us.

What are the *consequences* of redefining marriage?

- Redefining marriage hurts children. Decades of social science—including very recent and robust studies—show that children do better when raised by a married mom and dad.⁶
- Redefining marriage further separates marriage from the needs of children. It denies as a matter of policy the ideal that a child needs a mom and a dad.

Without both moms and dads, government intervenes in families more often and welfare programs grow even larger when the marriage culture falls apart.⁷

- Redefining marriage puts a new principle into the law—that marriage is whatever emotional bond the government says it is.
- **Redefining marriage pushes out traditional views on the family, leading to the erosion of religious liberty.** Citizens in Canada and right here in the United States, where faith-based foster care and adoption groups have been forced to cease their important work, are already seeing this happen.⁸

More Questions & Answers

Q Hasn't divorce already harmed the institution you're trying to preserve?

A High rates of divorce, cohabitation, and unwed childbearing lead to heartache and difficulty. Should we reinforce these mistakes, or begin to restore the marriage culture? Redefining marriage makes marriage about adult desires instead of the needs of children; about adult emotional satisfaction instead of a permanent and exclusive union of man and woman for childbearing and rearing. We should rebuild and restore marriage, not undermine or redefine it.



Q Isn't same-sex marriage inevitable in all 50 states? Aren't you on the wrong side of history?

A No. Across the country, when the argument is made for marriage, citizens stand up for it. Whatever pollsters and pundits may tell us about “inevitability,” the only way to guarantee a cultural loss is to sit idly by. We should frame our message, strengthen coalitions, devise strategies, and bear witness.

Telling the truth about marriage matters. In the struggle to preserve marriage, we can't just look to immediate advances or setbacks. We need to **prepare for the longer work of helping reshape how Americans think about marriage.**

The question is not what will happen, but what should we do?

After all, there's no such thing as being on the “right” or “wrong” side of history. There's only being on the right or wrong side of truth.

Q Shouldn't same-sex partners get benefits like others?

A Concerns about social benefits can be addressed without redefining marriage. Consider, for example, the estate tax—the tax you may pay when a friend or family

member leaves you assets from their estate, but which has a marital exception. Congress had the chance years ago to enact fairer tax policy by eliminating the estate tax and allowing all Americans to pass on their wealth, estate-tax free, to their loved ones.

Similarly, we should resolve other specific problems through specific policies. We should seek sound policy generally, including sound marriage policy, and that means recognizing marriage as the union of one man and one woman.

Q Why do you want to interfere with love? Why can't we just live and let live?

A **Marriage laws don't ban anything;** they define marriage. In all 50 states, two people of the same sex can live together, join a religious community that blesses their relationship, and work in a place that gives them the benefits they want.

What's at issue is whether the government will recognize such relationships as marriages—and then coerce *others* to recognize and affirm same-sex relationships as marriages.⁹

Q Are you saying that gay parents can't love and provide for a child?

A All people are capable of loving and providing for children, but all the love in the world can't turn a woman into a father or a man into a mother. A child needs both a mom and a dad. **Children do better when raised by their married mom and dad,** and decades of social science evidence show this.¹⁰ We shouldn't place the desires of adults over the needs of children.



Q What does the research say?

A The latest and most comprehensive research continues to confirm what social science has shown for decades: children do better when raised by a married mother and father. For example, the New Family Structures Study¹¹ by Mark Regnerus of the University of Texas–Austin and a report in the highly respected journal *Demography*¹² provide evidence for this conclusion. Still, the social science on same-sex parenting is a matter of significant ongoing debate, and we shouldn't let it dictate our choices about marriage.

Q Isn't denying same-sex couples the freedom to marry the same as a ban on interracial marriage?

A No. Marriage *must* be color-blind, but it *cannot* be gender-blind.

Men and women—regardless of their race—can unite in marriage; and children need moms and dads—regardless of their race.

Q If marriage is about children, what about couples who can't or don't have children?

A **Sound public policy is based on the rule, not the exception,** and most marriages do produce children. While not every married couple will have children, every child has both a mom and a dad. Childless marriages serve a broader social purpose too—showing the potential to create children and to meet children's need for a mom and a dad.

Marriage is the institution that maximizes the likelihood that a child will be raised by the mom and dad who gave her life.

Q What could be more *pro-family* than expanding the rules on who can marry?

A Redefining marriage undermines the entire institution and weakens society. It sends the message that marriage is about adult desires and not joining the two sexes together for the needs of children.

The most pro-family policy we can promote is one that reflects the truth about marriage and puts the needs of children first.

Q Why doesn't government just get out of the marriage business altogether?

A Marriage is society's best guarantee of a limited government that stays out of family life.

Intact, enduring marriages are society's best tool for ensuring that children are born into stable families that will care for, educate, and train those children to be good people and good citizens. If mothers and fathers do not fulfill the responsibility for caring for the children they create, then third parties and government will have to step in.

In situations where families have broken up due to divorce, government involvement tends to increase. A study by the left-leaning Brookings Institution found that, between 1970 and 1996, \$229 billion in welfare expenditures could be attributed to social problems related to the breakdown of marriage.¹³

By promoting strong marriage and intact families, the government actually reduces the role it would otherwise play in fulfilling these social functions.¹⁴ It is in the interest of children, spouses, and the public to promote strong and enduring marriages.

Q Why shouldn't everyone be able to marry the one they love?

A Every adult is free to love as they choose, but no one is entitled to redefine marriage for all of us. Every marriage policy draws lines based on principle. For example, our current marriage policy says that a person cannot marry someone who is already married, or a close blood relative—regardless of love.

Historically, policy has also been based on the idea that marriage is fundamentally rooted in the union of one man and one woman. If that principle is removed, there is no consistent argument for stopping any number of redefinitions to marriage.

We should stand by the enduring principle that marriage exists to bring a man and a woman together as husband and wife to be father and mother to any children their union produces.

Every adult is free to love as they choose, but no one is entitled to redefine marriage for all of us.

Q How does redefining marriage weaken marriage?

A Redefining marriage denies as a matter of policy the ideal that a child needs a mom and a dad.

Redefining it to mean a relationship between any two consenting adults is presented by its advocates as a minor change. But if the law adopts this principle—that marriage can be whatever emotional bond the government says it should be—what stops the government from redefining marriage in other ways? Already advocates have gone to federal court demanding a constitutional right to practice polygamy.

The debate about marriage is about restoring a culture in which children are most likely to be raised by the man and woman responsible for bringing them into the world.¹⁵



Endnotes

- 1 Ryan T. Anderson, “The Supreme Court and the Future of Marriage,” The Heritage Foundation *Issue Brief* #4009, August 7, 2013.
- 2 Sherif Girgis, Ryan T. Anderson, and Robert P. George, “What Is Marriage?” *Harvard Journal of Law and Public Policy*, Vol. 34, No. 1 (Winter 2010) and *What is Marriage?* by Ibid. authors (New York, NY: Encounter Books, 2012).
- 3 In August 2013, New Mexico’s highest court, deciding an appeal of the case, agreed with the New Mexico Human Rights Commission and ruled against Elane Photography, concluding that neither protections of free speech nor free exercise of religion apply. See Alliance Defending Freedom page on *Elane Photography v. Willock* at ADFmedia.org/news/PRdetail/5537.
- 4 Thomas Messner “From Culture Wars to Conscience Wars,” The Heritage Foundation *Backgrounder* No. 2543, April 13, 2011.
- 5 Patrick Fagan, “The Wealth of Nations Depends on the Health of Families,” *Public Discourse*, February 6, 2013.
- 6 Mark Regnerus, “How Different Are the Adult Children of Parents Who Have Same-Sex Relationships? Findings from the New Family Structures Study,” *Social Science Research*, Vol. 41, No. 4 (July 2012), and Loren Marks, “Same-Sex Parenting and Children’s Outcomes: A Closer Examination of the American Psychological Association’s Brief on Lesbian and Gay Parenting,” Ibid.
- 7 Jennifer Roback Morse, “Privatizing Marriage Will Expand the Role of the State,” *Public Discourse*, April 3, 2012.
- 8 Thomas Messner “From Culture Wars to Conscience Wars,” The Heritage Foundation, *Backgrounder* No. 2543, April 13, 2011.
- 9 See the Marriage Anti-Defamation Alliance (MarriageADA.org), which tells the stories of those who have been marginalized because of their views on marriage, and the Becket Fund for Religious Liberty, “Same-Sex Marriage and State Anti-Discrimination Laws” (January 2009).

- 10 Brief for Social Science Professors as Amicus Curiae, *Hollingworth v. Perry, U.S. v. Windsor*, Nos. 12-144, 12-307 (2013).
- 11 Mark Regnerus, FamilyStructureStudies.com.
- 12 Douglas W. Allen et al., “Nontraditional Families and Childhood Progress Through School: A Comment on Rosenfeld,” *Demography*, November 2012.
- 13 Isabel V. Sawhill, “Families at Risk,” in *Setting National Priorities: The 2000 Election and Beyond*, edited by Henry J. Aaron & Robert D. Reischauer (Washington, D.C.: Brookings Institution Press, 1999).
- 14 Robert Rector, “Marriage: America’s Greatest Weapon Against Child Poverty,” The Heritage Foundation *Special Report* No. 117, September 5, 2012.
- 15 Sherif Girgis, Ryan T. Anderson, and Robert P. George, “Marriage and Politics: Why the Debate Matters and Why the Conjugal View Can Prevail,” *National Review*, February 11, 2013.



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What is Marriage, Really?

It's a question that matters for all of society and for our future. Until the last several decades, the answer was simple. Now citizens and policymakers are struggling with the meaning of marriage.

Changing a definition seems simple, but the effects are profound—particularly for children. Children need a mom and a dad, and intentionally denying that ideal as a matter of policy only adds to the confusion of recent decades. When marriage cannot do its job, government grows bigger to meet the ever-present needs of children.

Backed by solid research and constitutional principle, this short booklet will help you navigate one of our culture's most significant debates.

