Marriage and Family: LGBT Individuals and Same-Sex Couples

Gary J. Gates

Summary

Though estimates vary, as many as 2 million to 3.7 million U.S. children under age 18 may have a lesbian, gay, bisexual, or transgender parent, and about 200,000 are being raised by same-sex couples.

Much of the past decade's legal and political debate over allowing same-sex couples to marry has centered on these couples' suitability as parents, and social scientists have been asked to weigh in. After carefully reviewing the evidence presented by scholars on both sides of the issue, Gary Gates concludes that same-sex couples are as good at parenting as their different-sex counterparts. Any differences in the wellbeing of children raised in same-sex and different-sex families can be explained not by their parents' gender composition but by the fact that children being by raised by same-sex couples have, on average, experienced more family instability, because most children being raised by same-sex couples were born to different-sex parents, one of whom is now in the same-sex relationship.

That pattern is changing, however. Despite growing support for same-sex parenting, proportionally fewer same-sex couples report raising children today than in 2000. Why? Reduced social stigma means that more LGBT people are coming out earlier in life. They're less likely than their LGBT counterparts from the past to have different-sex relationships and the children such relationships produce. At the same time, more same-sex couples are adopting children or using reproductive technologies like artificial insemination and surrogacy. Compared to a decade ago, same-sex couples today may be less likely to have children, but those who do are more likely to have children who were born with same-sex parents who are in stable relationships.

In the past, most same-sex couples raising children were in a cohabiting relationship. With same-sex couples' right to marry now secured throughout the country, the situation is changing rapidly. As more and more same-sex couples marry, Gates writes, we have the opportunity to consider new research questions that can contribute to our understanding of how marriage and parental relationships affect child wellbeing.

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The speed with which the legal and social climate for lesbian, gay, bisexual, and transgender (LGBT) individuals, same-sex couples, and their families is changing in the United States has few historical precedents. Measures of social acceptance related to sexual relationships, parenting, and marriage recognition among same-sex couples all increased substantially in the last two decades. The legal climate followed a similar pattern. In 2005, when the *Future of Children* last produced an issue about marriage and child wellbeing, only one state allowed same-sex couples to legally marry. By June 2015, the Supreme Court had ruled that same-sex couples had a constitutional right to marry throughout the United States.

Analyses of the General Social Survey, a biennial and nationally representative survey of adults in the United States, show that, in the years between 1973 and 1991, the portion who thought that same-sex sexual relationships were "always wrong" varied little, peaking at 77 percent in 1988 and 1991. The two decades since have seen a rapid decline in this figure, from 66 percent in 1993 to 40 percent in 2014.[1] Conversely, the portion of those who say that same-sex sexual relationships are never wrong didn't go much above 15 percent until 1993. From 1993 to 2014, that figure increased from 22 percent to 49 percent. Notably, 2014 marks the first time in the 30 years that the General Social Survey has been asking this question that the portion of Americans who think same-sex sexual relationships are never wrong is substantially higher than the portion who say such relationships are always wrong.

The General Social Survey data demonstrate an even more dramatic shift in support for marriage rights for same-sex couples. In 1988, just 12 percent of U.S. adults agreed that same-sex couples should have a right to marry. By 2014, that figure had risen to 57 percent. Data from Gallup show a similar pattern, with support for marriage rights for same-sex couples increasing from 27 percent in 1996 to 60 percent in 2014.[2] Gallup's analyses document even larger changes in attitudes toward support for adoption by same-sex couples. In 1992, its polling showed that only 29 percent of Americans supported the idea that same-sex couples should have the legal right to adopt children. In a 2014 poll, that figure was 63 percent, even higher than support for marriage among same-sex couples.[3]

Legal Recognition of Same-Sex Relationships

These shifts in public attitudes toward same-sex relationships and families have been accompanied by similarly dramatic shifts in granting legal status to same-sex couple relationships. California was the first state to enact a statewide process to recognize same-sex couples when it created its domestic partnership registry in 1999. Domestic partnership offered California same-sex couples some of the benefits normally associated with marriage, namely, hospital visitation rights and the ability to be considered next of kin when settling the estate of a deceased partner. In 2000, Vermont enacted civil unions, a status designed specifically for same-sex couples to give them a broader set of rights and responsibilities akin to those associated with marriage.

Massachusetts became the first state to legalize marriage for same-sex couples in 2004. In 2013, the U.S. Supreme Court declared unconstitutional the provision of the federal Defense of Marriage Act

(passed in 1996) that limited federal recognition of marriages to different-sex couples.[4] That ruling, in *Windsor v. United States,* prompted an unprecedented wave of lawsuits in every state where same-sex couples were not permitted to marry. After numerous rulings in these cases affirming the right of same-sex couples to marry in a series of states, the Supreme Court's June 2015 decision meant that same-sex couples could marry anywhere in the country.[5]

Globally, marriage or some other form of legal recognition through civil or registered partnerships is now widely available to same-sex couples across northern, western, and central Europe, large portions of North and South America, and in South Africa, Australia, and New Zealand.[6] Conversely, homosexuality remains criminalized, in some cases by punishment of death, throughout much of Africa, the Middle East, and Southeast Asia, and in Russia and many Pacific and Caribbean island nations.[7]

Effects on LGBT Relationships and Families

Social norms and legal conditions affect how we live our lives. Psychologists document how social stigma directed toward LGBT people can be quite insidious and damage their health and wellbeing.[8] It can also affect how they form relationships and families. For example, studies from the early 1980s found that same-sex couple relationships were, on average, less stable than different-sex relationships.[9] My own analyses of data from the early 1990s showed that lesbians and gay men were less likely than their heterosexual counterparts to be in a cohabiting relationship.[10] Is this because same-sex couple relationships differ from different-sex relationships in ways that lead to instability? Are lesbians and gay men just not the marrying type? Recent research suggests that the social and legal climate may explain a great deal about why same-sex couples behave differently from different-sex couples in terms of relationship formation and stability. As society has begun to treat same-sex couples more like different-sex couples, the differences between the two groups have narrowed. For example, compared to 20 years ago, proportionately more lesbians and gay men are in cohabiting same-sex relationships, and they break up and divorce at rates similar to those of comparable different-sex couples.[11] As of March 2015, Gallup estimated that nearly 40 percent of same-sex couples were married.[12]

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The social and legal climate for LGBT people also affects how they form families and become parents. In a climate of social stigma, LGBT people can feel pressure to hide their identities and have relationships with different-sex partners. Not surprisingly, some of those relationships produce children. Today, most children being raised by same-sex couples were born to different-sex parents, one of whom is now in the same-sex relationship. This pattern is changing, but in ways that may seem counterintuitive. Despite growing support for same-sex parenting, proportionally fewer same-sex couples report raising children today than in 2000. Reduced social stigma means that more LGBT people are coming out earlier in life. They're less likely than

their LGBT counterparts from the past to have different-sex relationships and the children such relationships produce.[13]

But that's not the full story. While parenting may be declining overall among same-sex couples, adoption and the use of reproductive technologies like artificial insemination and surrogacy is increasing. Compared to a decade ago, same-sex couples today may be less likely to have children, but those who do are more likely to have children who were born with same-sex parents who are in stable relationships.[14]

Framing the Debate

The legal and political debates about allowing same-sex couples to marry tend to focus on two large themes that can be seen even in the earliest attempts to garner legal recognition of same-sex marriages. These two themes pit arguments about the inherent and traditional relationship between marriage and procreation (including the suitability of same-sex couples as parents) against arguments about the degree to which opposition to legal recognition of same-sex relationships is rooted in irrational animus and discrimination toward same-sex couples or lesbian, gay and bisexual (LGB, used here because these arguments rarely consider the transgender population) individuals more broadly. (Throughout this article, I use LGB rather than LGBT when data or research focuses only on sexual orientation and not on gender identity.)

In the United States, the earliest legal attempt to expand marriage to include same-sex couples began in 1970, when Richard Baker and James McConnell applied for and were denied a marriage license in Hennepin County, Minnesota.[15] They filed a lawsuit that eventually came before the Minnesota and U.S. supreme courts. The Minnesota court ruling observed that the arguments in favor of allowing the couple to marry were based on the proposition that "the right to marry without regard to the sex of the parties is a fundamental right of all persons and that restricting marriage to only couples of the opposite sex is irrational and invidiously discriminatory." The court wasn't persuaded by these arguments, ruling that "the institution of marriage as a union of a man and woman, uniquely involving the procreation of children, is as old as the book of Genesis."[16] The U.S. Supreme Court dismissed the case on appeal for lack of any substantial federal question.[17]

More than 30 years later, in a ruling from the U.S. Court of Appeals for the Seventh Circuit in *Baskin v. Bogan*, which upheld a lower court's ruling that Indiana's ban on marriage for same-sex couples was unconstitutional, Judge Richard Posner offered a distinctly different perspective from that of the Minnesota court regarding similar arguments made in a case seeking to overturn Indiana's ban on marriage for same-sex couples. He wrote:

> At oral argument the state's lawyer was asked whether "Indiana's law is about successfully raising children," and since "you agree same-sex couples can successfully raise children, why shouldn't the ban be lifted as to them?" The lawyer answered that "the assumption is that with opposite-sex couples there is very little thought given during the sexual act, sometimes, to whether babies may be a consequence." In other words, Indiana's government thinks that straight couples tend to be sexually irresponsible, producing unwanted children by the carload, and so must be pressured (in the form of governmental encouragement of marriage through a combination of

> sticks and carrots) to marry, but that gay couples, unable as they are to produce children wanted or unwanted, are model parents—model citizens really—so have no need for marriage. Heterosexuals get drunk and pregnant, producing unwanted children; their reward is to be allowed to marry. Homosexual couples do not produce unwanted children; their reward is to be denied the right to marry. Go figure.[18]

As in *Baker v. Nelson*, the U.S. Supreme Court opted not to take *Baskin v. Bogan* on appeal. But this time, the court's inaction prompted a rapid expansion in the number of states that allowed same-sex couples to marry.

This article explores the social and legal debates about access to marriage for same-sex couples, how social and legal change is affecting the demographic characteristics of LGBT people and their families, whether parents' gender composition affects children's wellbeing, and how social science research has contributed to those debates and can track the impact of these social changes in the future.

LGBT Families: Demographic Characteristics

Depending on which survey we consider, from 5.2 million to 9.5 million U.S. adults identify as LGBT (roughly 2–4 percent of adults).[19] An analysis of two state-level population-based surveys suggests that approximately 0.3 percent of adults are transgender.[20] More people identify as LGBT today than in the past. Findings from the 2012 Gallup Daily Tracking survey suggest that, among adults aged 18 and older, 3.6 percent of women and 3.3 percent of men identify as LGBT.[21] Nearly 20 years ago, 2.8 percent of men and 1.4 percent of women identified as lesbian, gay, or bisexual in a national survey.[22] These estimates measure the LGBT population by considering who identifies themselves using the terms lesbian, gay, bisexual, or transgender. Self-identity is not necessarily the only way to measure sexual orientation or gender identity. For example, if sexual orientation is measured by the gender of one's sexual partners or sexual attractions, then population estimates increase. Findings from the 2006–08 National Survey of Family Growth, a national survey of adults aged 18–44 conducted by the National Center for Health Statistics, show that 12.5 percent of women and 5.2 percent of men report at least some same-sex sexual behavior. An estimated 13.6 percent of women and 7.1 percent of men report at least some same-sex sexual attraction.[23]

Estimates for the number of cohabiting same-sex couples in the United States are most commonly derived from U.S. Census Bureau data, either decennial Census enumerations (beginning in 1990) or the annual American Community Survey (ACS). Unfortunately, the accuracy of the Census Bureau figures for same-sex couples has been called into question because of a measurement problem whereby a very small portion of different-sex couples (mostly married) make an error on the survey when recording the gender of one of the partners or spouses, so that the survey appears to identify the couple as same-sex. Findings from various analyses of Census and ACS data suggest that the presence of these false positives among same-sex couples could mean that from one-quarter to one-half of identified same-sex couples may be miscoded different-sex couples.[24]

In 2010, the U.S. Census Bureau released estimates of the number of same-sex

couples that were adjusted to minimize the inaccuracies created by the measurement problem. They reported nearly 650,000 same-sex couples in the country, an increase of more than 80 percent over the figure from Census 2000 of 360,000 couples.[25] Same-sex couples represent about 0.5 percent of all U.S. households and about 1 percent of all married and unmarried cohabiting couples. My analyses of the National Health Interview Survey (NHIS), an annual survey of adults conducted by the U.S. Department of Health and Human Services, suggest that there were approximately 690,000 same-sex couples in the United States in 2013, representing 1.1 percent of all couples, a modest increase from the 2010 figures.[26] Gallup estimates from March 2015 suggest that the number of cohabiting same-sex couples may be close to 1 million.[27]

The population of married same-sex couples appears to have doubled or even tripled in just one year.

Estimating the number of married same-sex couples in the United States is difficult. Not all states collect administrative marriage data that explicitly identifies same-sex couples. A further complication comes from the measurement issues in Census Bureau data. Estimates of the number of same-sex couples who identify as married are now reported in annual ACS tabulations, but the measurement error that I've discussed likely means that these figures aren't very accurate.[28]

Based on NHIS data, I calculated that there may have been as many as 130,000 married same-sex couples by the end of 2013, approximately 18 percent of all same-sex couples.[29] By contrast, ACS estimates from the same year suggested that there were more than 250,000 married same-sex couples. The NHIS and ACS estimates both were made before the majority of states allowed same-sex couples to marry. Gallup estimates from data collected in March 2015 found 390,000 married same-sex couples.[30] Regardless of the accuracy of these estimates, it's clear that same-sex couples are marrying at a rapid rate. The population of married same-sex couples appears to have doubled or even tripled in just one year.[31]

LGBT and Same-Sex Couple Parents and Families

LGBT individuals and same-sex couples come to be parents in many ways. My own analyses estimate that 37 percent of LGBT individuals have been parents and that as many as 6 million U.S. children and adults may have an LGBT parent.[32] I estimate that while as many as 2 million to 3.7 million children under age 18 may have an LGBT parent, it's likely that only about 200,000 are being raised by a same-sex couple.[33] Many are being raised by single LGBT parents, and many are being raised by different-sex couples where one parent is bisexual. Most surveys find that bisexuals account for roughly half of the LGBT population, and my NHIS analyses suggest that among bisexuals with children, more than six in 10 are either married (51 percent) or partnered (11 percent) with a different-sex partner.[34] Only 4 percent are living with a same-sex spouse or partner.

Data rarely provide clear information about the birth circumstances of children with LGBT parents or those living with same-sex couples. But, as I've already pointed out, my analyses of ACS data suggest that

most children currently living with same-sex couples were likely born in previous different-sex relationships. Two-thirds of children under age 18 living with a same-sex cohabiting couple (married or unmarried) are identified as either the biological child or stepchild of one member of the couple. Only about 12 percent of them are identified as adopted or foster children, though that figure has been increasing over time.[35] My research also shows that, among people who have ever had a child, LGB individuals report having had their first child at earlier ages than their non-LGB counterparts.[36] This is consistent with many studies documenting that LGB youth are more likely to experience unintended pregnancy or fatherhood when compared to their non-LGB counterparts.[37] Researchers speculate that social stigma directed toward LGB youth contributes to psychological stress. That stress can sometimes lead them to engage in risky behaviors, including sexual activity that results in unplanned pregnancies.

Analyses of many data sources show that racial and ethnic minorities (particularly African Americans and Latinos) who are LGB or in same-sex couples are more likely to report raising or having had children. The proportion of all same-sex couples raising children tends to be higher in more socially conservative areas of the country, where LGB people may have come out relatively later in life, so were more likely to have children with a different-sex partner earlier in life.[38] These patterns likely also contribute to the broad economic disadvantage observed among same-sex couples and LGB individuals who are raising children. They have lower incomes than their different-sex couple or non-LGB counterparts and have higher levels of poverty.[39] In fact, same-sex couples with children are twice as likely as their married different-sex counterparts to be living in poverty.

The evidence of economic disadvantage among same-sex couples with children is intriguing given the overall high levels of education historically observed among those in same-sex couples. Nearly all research shows that individuals in same-sex couples have higher levels of education than those in different-sex couples.[40] But this pattern differs among couples raising children. While nearly half of those in same-sex couples have a college degree, only a third of those raising children have that much education. Same-sex couple parents also report higher rates of unemployment than their different-sex counterparts. Individuals in same-sex and different-sex couples with children report similar levels of labor force participation (81 percent and 84 percent, respectively), but those in same-sex couples are more likely to be unemployed (8 percent versus 6 percent, respectively). While in the majority of same-sex and different-sex couples with children, both spouses or partners are employed (57 percent and 60 percent, respectively), same-sex couples are more likely to have neither partner employed (8 percent versus 5 percent, respectively).[41]

The percentage of same-sex couples who are raising children began declining in 2006.[42] As I've said, this may actually be a result of social acceptance and LGBT people coming out (being more public about their LGBT identity) earlier in life today than in the past. In a Pew Research Center study, for example, younger respondents reported that they first told someone that they were LGBT at younger ages than did older respondents.[43] It may be that lesbians and gay men are less likely now than in the past to have different-sex sexual relationships

while young and, therefore, are less likely to have children with a different-sex partner. Today, about 19 percent of same-sex couples are raising children under age 18, with little variation in that statistic between married and unmarried couples. Among LGB individuals not in a couple, the figure is also 19 percent.[44]

Social Science and Political Debates

To the extent that social scientists have weighed in on the debate about allowing same-sex couples to marry and the consequences that such a change might have on society and families, they have largely focused on parenting. Questions regarding the extent to which LGBT individuals and same-sex couples become parents, how they come to be parents, and whether and how sexual orientation or gender composition of children's parents might affect their health and wellbeing have all been considered within the framework of the debates about legalizing marriage for same-sex couples.

Social Science on Trial

This dynamic may be best observed in the testimony that emerged from a trial in the case of *DeBoer v. Snyder*, a lawsuit filed in the U.S. District Court for the Eastern District of Michigan that challenged the state's ban on marriage for same-sex couples. The case originated when plaintiffs April DeBoer and Jayne Rowse were denied the ability to complete a joint adoption (where both partners are declared a legal parent to the child) because Michigan allowed such adoptions only among married couples. Judge Bernard A. Friedman ordered a trial, the first such trial in a case involving marriage rights for same-sex couples since a challenge to California's Proposition 8 (a 2008 ballot initiative, later overturned by the courts, that made marriage for same-sex couples illegal). Given the origins of the lawsuit, litigants on both sides assembled expert witnesses from the social sciences, including me, to testify regarding what social science tells us about parenting among same-sex couples.

In addition to me, expert witnesses for the plaintiffs included psychologist David Brodzinsky and sociologist Michael Rosenfeld. Defense experts included family studies scholar Loren Marks, economists Joseph Price and Douglas Allen, and sociologist Mark Regnerus. A significant focus of the trial concerned the degree to which social scientists agree, or legitimately should agree, with the proposition that research overwhelmingly shows that the gender composition of two-parent families is not associated with differences in their children's health and wellbeing.

The courtroom can be a challenging environment for academic debates about scholarly theoretical frameworks and research methodology. The setting tends to value argumentation using assertion and provocation over the more scholarly rhetorical tendency of detailed explanation. But I present the research in the context of the trial as a way to emphasize the degree to which policy debates about the meaning of marriage and family can affect how scholars interpret research findings. In the end, I argue that the research on same-sex parenting and families is remarkably consistent. It shows that children raised by same-sex couples experience some disadvantages relative to children raised by different-sex married parents. But the disadvantages are largely explained by differences in experiences of family stability between the two groups. Many children being raised by same-sex couples have experienced the breakup of their different-sex parents, resulting in more

instability in their lives. That instability has negative consequences. These findings are consistent in research conducted by scholars on both sides of the debate regarding marriage for same-sex couples. No research suggests that the gender composition or sexual orientation of parents is a significant factor in negative child outcomes.

The earliest attempts to systematically study parenting by LGB people or same-sex couples occurred in the 1980s. In their 1989 study of gay parenting, Jerry Bigner and Frederick Bozett wrote: "The term *gay father* is contradictory in nature. This is more a matter of semantics, however, as *gay* has the connotation of homosexuality while *father* implies heterosexuality. The problem lies in determining how both may be applied simultaneously to an individual who has a same-sex orientation, and who also is a parent." They assert that "although research is limited, it appears that gay fathers are at least equal to heterosexual fathers in the quality of their parenting."[45] More than two and a half decades later, this statement was still being debated in a Michigan courtroom.

Child Health and Wellbeing

For example, let's compare a commentary piece by expert witness Loren Marks with a friend-of-the-court brief from the American Sociological Association that was filed in the U.S. Supreme Court cases challenging California's Proposition 8 (*Hollingsworth v. Perry)* and the federal DOMA (*Windsor v. United States*), and refiled in the Michigan case.[46] Marks takes serious issue with an assertion in a brief on gay and lesbian parenting published by the American Psychological Association, which says, "Not a single study has found children of lesbian or gay parents to be disadvantaged in any significant respect relative to children of heterosexual parents."[47] Based on his review of several decades of parenting research, Marks argues that the bulk of research focused on same-sex couple parenting uses relatively small samples that cannot be generalized to the population as a whole. He points out that the research does not sufficiently capture the diversity of same-sex couple parenting, because study populations are biased toward female parents with relatively high education and socioeconomic status. In the absence of large-scale longitudinal parenting studies (that is, studies that follow a group of people over time) with representative samples, Marks concludes that it is premature to assert that gender composition in two-parent families is not related to child health and wellbeing.

The American Sociological Association, examining many of the same studies considered by Marks, came to a very different conclusion. Its amicus brief opens by arguing:

> The social science consensus is clear: children raised by same-sex parents fare just as well as children raised by opposite-sex parents. Numerous nationally representative, credible, and methodologically sound social science studies form the basis of this consensus. These studies reveal that children raised by same-sex parents fare just as well as children raised by opposite-sex couples across a wide spectrum of child-wellbeing measures: academic performance, cognitive development, social development, psychological health, early sexual activity, and substance abuse.[48]

The brief concludes: "The social science consensus is both conclusive and clear: children fare just as well when they are raised by same-sex parents as when they are raised by opposite sex parents. This consensus holds true across a wide range of

child outcome indicators and is supported by numerous nationally representative studies." The disparate conclusions drawn from these two reviews of largely the same research studies result from philosophic differences about the conditions necessary to draw consensus conclusions about social science research. Marks argues for a bar of more large, representative, and longitudinal studies. The American Sociological Association asserts that the absence of negative findings among a large group of smaller and often nonrepresentative samples is compelling and supported by enough larger studies using representative and longitudinal samples to substantiate a claim that children are not harmed by having same-sex parents.

Three other recent studies (all discussed in great detail in the Michigan trial) using population-based data purport to challenge the American Sociological Association's assertion of a consensus that parents' gender composition doesn't harm child outcomes. First, in a study of young adults, sociologist Mark Regnerus found that those who reported having parents who had a same-sex sexual relationship fared far worse on a wide variety of health and wellbeing measures than did those raised largely by their married, different-sex biological parents.[49]

Second, Douglas Allen and colleagues published a commentary concerning a study by Michael Rosenfeld that questioned Rosenfeld's decision, in his analyses of data from U.S. Census 2000, to limit his sample of children in same-sex and different-sex couples to those who have lived in the household for at least five years.[50] Allen and colleagues found that when they loosened that restriction in the data, children raised by same-sex couples showed educational disadvantages compared to those with different-sex married parents. Rosenfeld's original analyses reported no significant differences between the two groups. Third, Allen conducted another study that analyzed Canadian Census data and purported to show that young adults living with same-sex couples have lower high school graduation rates when compared to those living with different-sex married couples.[51]

Family Structure and Stability

The scholarly debates surrounding these studies all focus on the degree to which it's necessary to take a history of family instability into account when assessing differences in outcomes among children living in different types of family structures. Most research suggests that living in unstable families can harm children's wellbeing.[52] This issue is at the heart of the widespread criticism of Regnerus's New Family Structures Study.[53] Regnerus took histories of family instability into account for some, but not all, of the comparison groups that he established to consider how family structure affects child outcomes. One group included all respondents who indicated that a parent had had a same-sex sexual partner before the respondent turned age 18, regardless of past experiences of family instability (for example, divorce or separation of parents); Regnerus compared that group to respondents who had specific types of family stability or instability, including those who lived only with their married biological parents, those who lived in stepfamilies, and those who lived with single parents. Critics argued that the negative outcomes of children with a parent who had a same-sex sexual relationship were much more likely related to a history of family instability than to either the sexual orientation or gender composition of the parents. A later analysis of the Regnerus data supports critics' arguments and shows that

most of the negative outcomes documented in the original study don't hold when we take into account the family instability history of respondents who reported parents who had same-sex relationships.[54]

Allen and colleagues' challenge to Rosenfeld's study essentially reanalyzed data after removing Rosenfeld's control for family stability, which Rosenfeld achieved by limiting the sample to children who had been in the same family structure for five years. When they didn't take family instability directly into account, Allen and colleagues, like Regnerus, found negative outcomes when they compared children raised by same-sex couples with children raised by different-sex married couples. If it's true that most children being raised by same-sex couples were born to different-sex parents, then they are likely, on average, to have experienced more family instability in their lives than children living with different-sex married parents have experienced. Rosenfeld argued that because Allen and colleagues expanded the sample to include all children without concern for whether they lived in the observed family structure for any length of time, the differences they found in child outcomes were more likely the result of family instability than of their parents' gender composition.

A careful reading of Allen's Canadian Census study actually confirms Rosenfeld's assertion. In his assessment of differences in high school graduation rates among young adults, Allen showed that when household mobility (having lived in the household for at least five years) is taken into account, the differences between respondents in same-sex and different-sex married households aren't significant. Notably, this finding is presented in an appendix table but isn't discussed in the body of Allen's paper.

One of the most intriguing aspects about the expert social science witnesses in the Michigan trial is that, upon closer inspection, witnesses for both the plaintiffs and the defense substantially agreed about the research on same-sex couple parenting. Allen's analyses of education outcomes using Canadian Census data mirrored the findings of plaintiffs' witness Rosenfeld. The sample of respondents who reported a parent who had a same-sex sexual relationship in Regnerus's study shared many of the same demographic traits that I have observed in my own work studying children being raised by same-sex couples, particularly with regard to economic disadvantage. The real disagreements between the plaintiffs' and defense witnesses largely revolved around what conclusions can be drawn from particular methodological approaches and the degree to which any contradictory findings should be a factor in determining whether same-sex couples should be allowed to legally marry.

Upon closer inspection, witnesses for both the plaintiffs and the defense [in the Michigan trial] substantially agreed about the research on same-sex couple parenting.

In the end, Judge Friedman, a Reagan appointee to the federal judiciary, issued a strongly worded opinion in favor of the plaintiffs' right to marry.[55] His opinion was later overturned by the U.S. Sixth Circuit Court of Appeals, but upheld by the Supreme Court. In his ruling, Freidman dismissed arguments suggesting that the limitations

of social science research with regard to same-sex couple parents were sufficient to cause concern about how allowing same-sex couples to marry would affect children and families. Though Friedman's judicial ruling hardly settles the debates among social scientists about LGBT and same-sex couple parenting, it has affected legal cases that followed. Judge Posner's words that I cited earlier demonstrate that lawyers defending Indiana's ban on marriage for same-sex couples effectively conceded that same-sex couples make entirely suitable parents. Since the Michigan ruling, it has become very rare for those opposed to allowing same-sex couples to marry to base their arguments partly on questions about the suitability of same-sex couples as parents or on possible negative consequences for children's health and wellbeing.

Married Same-Sex Couples

Substantial evidence shows that marriage promotes stability in couples and families.[56] Stability, and the financial and social benefits that come with it, contribute to better outcomes for children raised by married parents. The widespread acceptance of marriage for same-sex couples comes at a time when more of them are pursuing parenting as a couple through adoption and reproductive technologies and fewer are raising children from prior different-sex relationships. Will marriage have the stabilizing effect on same-sex couples and their families that we've seen in different-sex couples? Evidence suggests that it might, since lesbians and gay men have a strong desire to be married and have views about the purpose of marriage that are similar to those of the general population.

Desire for Marriage

In two recent studies, the Pew Research Center has found that 56 percent of unmarried gay men and 58 percent of unmarried lesbians would like to be married someday, compared to 45 percent of unmarried bisexuals and 46 percent of the unmarried general population.[57] The views of bisexuals and the general population may be similar because the vast majority of coupled bisexual men and women report having different-sex spouses or partners. At the time of the Pew survey, neither marriage nor recognition of a legal relationship through civil union or domestic partnership was yet widely available for same-sex couples in the United States. So it isn't surprising that lesbians and gay men were less likely to be married or in a civil union or registered domestic partnership when compared to bisexuals or the general population. When current marital status was taken into account, approximately 60 percent of LGBT adults in the Pew survey were currently married or said they would like to be married someday, compared to 76 percent of the general population.

Relationship Formation

While desire for marriage may be relatively high among lesbians and gay men, there are differences between the groups, and between LGB individuals and heterosexuals, in patterns of forming relationships. Among LGB men and women, lesbians are the most likely to be in cohabiting relationships, usually at rates very similar to those of non-LGB women. Overall, LGB individuals are less likely than non-LGB individuals to be in a married or unmarried cohabiting relationship. My analyses of the 2013 NHIS show that roughly six in 10 non-LGB adults are living with a partner or spouse, compared to about four in 10 LGB individuals. However, the likelihood of having a cohabiting spouse or partner is markedly higher among lesbians, at 51 percent, than among gay men or bisexual

men and women, about one in three of whom are coupled. The difference between lesbians and non-LGB women (58 percent) in the NHIS was not statistically significant.[58] In an older paper, Christopher Carpenter and I also found that cohabiting partnerships were more common among lesbians than among gay men (though the data were from California only) and that lesbians' levels of cohabitation were comparable to those found in heterosexual women.[59]

LGBT respondents were no different from the general population in their belief that love, companionship, and making a lifelong commitment were the three most important reasons for a couple to marry.

Findings from a Pew Research Center survey of LGBT adults showed that, consistent with the NHIS analyses, 37 percent of LGBT adults were cohabiting with a spouse or partner. The Pew findings also showed that lesbians were more likely than gay men to have a spouse or partner (40 percent versus 28 percent, respectively). Unlike the NHIS findings, bisexual women were the most likely among LGB men and women to have a spouse or partner at 51 percent, compared to 30 percent of bisexual men. Among the general population, Pew found that 58 percent of adults were cohabiting with a spouse or partner. Regardless of cohabitation, 40 percent of gay men were in a committed relationship, compared to 66 percent of lesbians. Among bisexual men and women, the figures were 40 percent and 68 percent, respectively. In the general population, Pew estimates that about 70 percent were in committed relationships.[60]

As we've seen, lesbians and gay men appear to be partnering at higher rates today than in the past. In analyses of the 1992 National Health and Social Life Survey, a population-based survey of adults focused on sexual attitudes and behaviors, 19 percent of men who identified as gay and 42 percent of women who identified as lesbian reported being in a cohabiting partnership.[61] This suggests that gay men are nearly twice as likely to partner today as they were in the early 1990s. It also confirms that the pattern of higher levels of coupling among lesbians when compared to gay men has persisted over time.

Reasons to Marry

The Pew survey also considered the reasons that people marry. LGBT respondents were no different from the general population in their belief that love, companionship, and making a lifelong commitment were the three most important reasons for a couple to marry. The only substantial difference between LGBT respondents and the general population in this regard was that LGBT people gave more weight to legal rights and benefits as a reason to marry than did the general population.[62] This difference may not be surprising given the substantial media attention focused on the legal rights and benefits that were not available to same-sex couples in places where they could not marry.

The findings also suggested that lesbians and gay men were largely responsible for the fact that rights and benefits were ranked higher among LGBT respondents; lesbians and gay men ranked rights and benefits,

as well as financial stability, as much more important than bisexuals did (bisexuals were similar to the general population in this regard, and this portion of the analyses didn't separately consider transgender respondents).[63] Recall that the Pew findings show that most coupled bisexuals are with different-sex partners, while coupled lesbians and gay men are with same-sex partners. Given their more limited access to marriage, rights, benefits, and financial stability might be more important for lesbians and gay men.

Social Impact

When social scientists examine the issue of marriage rights for same-sex couples, they do so largely through the medium of parenting and family studies. Broader public discourse and debate often involves more philosophical (rather than empirical) arguments about marriage as a social and legal institution and the degree to which allowing same-sex couples to marry reflects a fundamental or undesirable change to that institution (a book that pits philosopher John Corvino against political activist Maggie Gallagher, *Debating Same-Sex Marriage*, provides an example of these arguments).[64] However, social scientists certainly have led the way in tracking contemporary changes in patterns of family formation and marriage. Sociologist Andrew Cherlin, for example, has documented many of these changes, including: increases in the age of first marriage; diverging patterns of both marriage and divorce by education, such that those with lower levels of education are less likely to marry and more likely to divorce when compared to those with higher educational attainment; increases in nonmarital births and cohabitation; and increases in the number of children living in families not headed by their married biological mothers and fathers.[65]

Some public debate has emerged regarding the degree to which these social changes are related to allowing same-sex couples to marry. Political commentator Stanley Kurtz argues that marriage for same-sex couples in Europe has contributed to and hastened the institutional decline in marriage, to the detriment of families and children.[66] Journalist Jonathan Rauch disagrees, arguing that allowing same-sex couples to marry will enhance the prestige of the institution and reinvigorate it during a period of decline.[67]

The empirical evidence for a link between the emergence of marriage rights for same-sex couples and broader marriage, divorce, and fertility trends is weak. Economist Lee Badgett has shown that trends in different-sex marriage, divorce, and nonmarital birth rates did not change in European countries after they legalized marriage for same-sex couples.[68] Another study, using data from the United States, found that allowing same-sex couples to marry or enter civil unions produced no significant impact on state-level marriage, divorce, abortion, and out-of-wedlock births.[69] In the Netherlands, where marriage for same-sex couples has been legal for more than a decade, neither the country's domestic partnership law nor the legalization of same-sex marriage appears to have affected different-sex marriage rates. Curiously, however, there appear to be different effects among liberals and conservatives: the introduction of same-sex marriage was associated with higher marriage rates among conservatives and lower rates among liberals.[70]

Conclusions: New Opportunities for Family Research

The demographic and attitudinal data that I've summarized suggest that same-sex and different-sex couples may not look as

different in the future as they do today. Already they have similar perspectives on the desire for and purpose of marriage, and increasing numbers of same-sex couples are marrying and having their children as a married couple. Even under the challenging circumstances of social and legal inequality between same-sex and different-sex couples, it's clear that same-sex couples are as good at parenting as their different-sex counterparts, and their children turn out fine. Lesbian and gay parents report outcomes similar to those of their heterosexual counterparts with regard to mental health, stress, and parental competence. Same-sex and different-sex parents show similar levels of parental warmth, emotional involvement, and quality of relationships with their children. So, not surprisingly, few differences have been found between children raised by same-sex and different-sex parents in terms of self-esteem, quality of life, psychological adjustment, or social functioning.[71] As the legal and social playing fields become more equal for same-sex and different-sex couples, we have the opportunity to consider new research questions that can contribute to debates about whether and how parental relationship dynamics affect child wellbeing.

For example, while society has changed in its views about LGBT people and their families, it has also changed in its attitudes about gender and the norms associated with how men and women organize their relationships and families. In 1977, more than half of Americans thought that having a mother who works outside the home could be harmful to children. In 2012, only 28 percent of Americans thought so.[72] Changing social norms concerning gender and parenting likely play a role in explaining the decisions that couples make about how to divide time between work and family. Since those decisions can affect family finances and involvement in parenting, research has considered the effects that family division of labor can have on child wellbeing.[73]

Same-sex couples raising children give us the opportunity to assess how parents divide labor in the absence of gender differences between spouses or partners. However, comparisons between same-sex and different-sex couples are more complicated when same-sex couples don't have access to marriage. Decisions about employment and division of labor among same-sex couples could be directly associated with their inability to marry if, for example, their access to health insurance for each other or their children were contingent on both partners working, because spousal benefits would not be available. But there is also evidence that same-sex couples intentionally favor more egalitarian divisions of labor precisely as a rejection of traditional male/female roles in parenting.[74]

With equal access to marriage among same-sex and different-sex couples and trends toward greater intentional parenting among same-sex couples (as opposed to raising children from prior relationships), the two groups now look more similar in many ways, except, of course, in the couple's gender composition. These are the right conditions for a kind of "treatment" and "control" approach to studying the two groups (or perhaps three, if you think that male and female same-sex couples might behave differently based on gendered behavioral norms) and isolating the influence of gender roles in decisions about how much and which parents work outside the home, how much they interact with their children, and, ultimately, whether any of those decisions affect children's wellbeing. There's already

some evidence that children raised by same-sex couples may show fewer gender-stereotyped behaviors and be more willing to consider same-sex sexual relationships (though there is still no evidence that they are more likely than other children to identify as LGB).[75]

The award-winning television program *Transparent* highlights the increasing visibility of parenting among transgender individuals, a relatively understudied subject. In a survey of more than 6,000 transgender individuals in the United States, nearly four in 10 (38 percent) reported having been a parent at some time in their lives.[76] Existing research offers no evidence that children of transgender parents experience developmental disparities or differ from other children with regard to their gender identity or development of sexual orientation. As with LGB people, several studies have shown that people who transition or "come out" as transgender later in life are more likely to have had children than those who identify as transgender and/or transition at younger ages. This suggests that many transgender parents likely had their children before they identified as transgender or transitioned.[77]

Just like comparing same-sex and different-sex parents, studying transgender parents offers another fascinating opportunity to better understand the relationship between gender and parenting. Transgender parenting research could consider whether the dynamics of parent/child relationships change when a parent transitions from one gender to another. In essence, this would give us another "treatment" and "control" group to explore parent-child relationships when the same parent is perceived as and perhaps conforms behaviors to one gender versus when that parent presents and parents as another gender.

While arguments about what drives trends and changes in marriage and family life may continue, it appears that, with the Supreme Court's ruling that same-sex couples have a constitutional right to marry, heated debates about the subject may be drawing to a close, at least in the United States. Polling data suggest that a substantial majority of Americans now support allowing same-sex couples to marry and raise children. For decades, scholarship regarding LGBT and same-sex couple parenting has occurred in a contentious political and social environment that invited unusual scrutiny. For example, publication of the Regnerus study in 2012 prompted unprecedented responses from scholars who both criticized and supported it.[78] LGBT advocates actually initiated legal action amid charges of academic malfeasance and fraud.[79]

This article highlights how research on LGBT and same-sex couple parenting can not only advance our understanding of the challenges associated with parenting in the face of stigma and discrimination, but also contribute more broadly to family scholarship. While robust political and social debates can be critical in allowing social and political institutions to progress and advance, they can make it hard to advance scholarly goals of objectivity and academic freedom. Let us hope that as the debates about LGBT rights and marriage for same-sex couples cool, scholars can work in a less volatile political and social environment and advance much-needed research that includes and explores parenting and family formation among same-sex couples and the LGBT population.

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