

Dr. Byrd Provides Testimony In English Court Case Regarding Same-Sex Adoption

February 1, 2007 -- Dr. A. Dean Byrd, NARTH's President-Elect, provided evidence in an English court last month in support of a judge who was required to make judicial determinations incompatible with his philosophical beliefs about the nature of the family.

Dr. Byrd's testimony provided scientific evidence for judge Andrew McClintock's belief that mothers and fathers are required for optimal child development.



Dr. A. Dean Byrd

Judge McClintock had asked to be excused from those cases which might require him to place children in permanent motherless or fatherless homes, deeming that such placements are not in the best interest of children.

His legal counsel argued that Mr. McClintock was justified in excusing himself because "... a judicial office holder is entitled to take the view that such social experimentation [i.e., the placement of children in homes where either motherlessness or fatherlessness is assured] is not in the best interests of the child" and because "such a departure from social norms requires cogent evidence." Further, his lawyers argued that "There is a rational basis for the religious and the philosophical belief; in short...the belief is verifiable."

Dr. Byrd's testimony at the Sheffield Employment Tribunal included the following:

Traditional Marriage: Benefits and Detriments:

1. The evidence clearly supports the principle of traditional, complementary marriage with gender diversity.
2. Married men and women, when compared to unmarried men and women, are more likely to be financially stable, to accumulate assets, and to own a home.¹ This conclusion holds true even when the comparison group is cohabiting adults.² The income of men who are married is 10 to 40% more than that of single men with similar professional/educational background and experience.³ Women who are married do not experience a similar financial advantage over women who are not, primarily because most women combine marriage with

¹ Wilcox, W. B. et al. (2005). *Why marriage matters: Twenty-six conclusions from the social sciences*. 2d ed. New York: Institute for American Values.

² *Id.*

³ *Id.*

motherhood, which tends to depress the earnings of married women.⁴ However, women from disadvantaged backgrounds are less likely to fall into poverty if they marry and the marriage stays intact.⁵

3. Marriage is protective of the emotional and physical health of men and women. Adults who are married have greater longevity, less disease and illness, increased happiness and lower levels of mental illness, especially depression and substance abuse, than do both single and cohabiting adults.⁶ Married men and women are more likely to encourage their spouses to seek medical screenings and health care than do cohabiting partners.⁷ Adult maturity and fidelity correlates with marriage and provides a source of motivation for both men and women to avoid risky health behaviors, such as heavy alcohol and drug use, as well as promiscuous sexual behaviors.⁸ In addition, the financial stability associated with marriage enables men and women to afford better health care.⁹ The social and emotional support that emerges from marriage reduces the consequences of stressors and the associated stress hormones, like cortisol, that often cause both physical and mental illnesses.¹⁰

Dual Gender Parenting and Child-rearing:

4. The research supporting the importance of dual gender parenting and child-rearing is extensive and clear in its singular conclusion: all variables considered, children are best served when reared in a home with a married mother and father.¹¹ Mothers and fathers contribute in gender-specific and in gender-complementary ways to the healthy development of children. Children reap unique developmental benefits when reared in a home with a married, reasonably harmonious union of their own biological mother and father. A Child Trends research brief provided the following scholarly summary:

⁴ Budig, M.J. & England, P. (2001). The wage penalty for motherhood. *American Sociological Review* 66:204-225.

⁵ Wilcox, W. B. et al. (2005).

⁶ Waite, L. & Gallagher, M. (2000). *The Case for Marriage*. New York: Doubleday.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Popenoe, D. 1996. *Life without father*. New York: Mark Kessler Books, The Free Press, pg 176.

Research clearly demonstrates that family structure matters for children, and the family structure that helps children the most is a family headed by two biological parents in a low-conflict marriage...There is thus value for children in promoting strong, stable marriages between biological parents.¹²

5. Children raised in homes with both mothers and fathers navigate the developmental stages more easily, are more solid and secure in their sense of self and in their sense of gender identity, perform better in the school system, have fewer social and emotional problems and become better functioning adults. The plethora of studies which span decades supports the conclusion that gender-linked differences in child-rearing are protective for children. From her research, Baumrind (1982) concluded that children of dual-gender parents are more competent and function better, with fewer problems in living.¹³ Her later research (1991) focused on the complementary nature of the expressive parenting of mothers and the instrumental parenting of fathers.¹⁴ Greenberger (1984) noted that the essential contributions to the optimal development of children are not only gender-specific but also gender-complementary and virtually impossible for a mother or father to do alone.¹⁵ Children learn about male and female differences through parental modeling. The parental, mother-father relationship provides children with a model of marriage--the most meaningful, enduring relationship that the vast majority of individuals will have during their lives.

6. The complementary contributions of mothers and fathers are readily observable in their gender-specific parenting styles. The parenting style of mothers is most often seen as flexible, warm and sympathetic, while fathers' styles are more

¹² Moore, K.A. et al. (2002). Marriage from a child's perspective: How does family structure affect children and what can we do about it? *Child Trends Research Brief* (Washington D.C.: Child Trends)(June)

¹³ Baumrind, D. (1982) Are androgynous individuals more effective persons and parents? *Child Development*, 53, 44-75.

¹⁴ Baumrind, D. (1991). The influence of parenting style on adolescent competence and substance use. *Journal of Adolescence*, 11(11), 59-95.

¹⁵ Greenberger, E. (1984). Defining psychosocial maturity in adolescence. In P. Karoly & J.J. Steffans, (Eds.) *Adolescent behavior disorders: foundations and temporary concerns*. Lexington, MA: Lexington Books.

directive, consistent and predictable. Rossi (1987) supported this observation with research which concluded that mothers could better read an infant's facial expressions, respond with tactile gentleness and soothe with the use of voice.¹⁶ Fathers, on the other hand, were less involved in caretaking and engaged in more overt play.¹⁷ Such complementary contributions appear critical for later development. Male and female differences are readily observed in the characteristics of physicality associated with mothering and fathering. Mothers use touch to calm, soothe and to bring comfort to children. When mothers reach for children, they frequently bring them to their breasts to provide safety, warmth and security. Father's touch is most often described as playful and stimulating, bringing with it a sense of excitement to the child. This rough and tumble play (RTP) is characterized by holding the child at arm's length in front of them, making eye contact, tossing the infant in the air and holding the child in such a way to have the child look over the father's shoulder. Shapiro (1994) notes that these "daddy holds" emphasize a sense of freedom for the child.¹⁸

7. Rohner and Veneziano (2001) conducted an analysis of more than a 100 studies on the role of fathers in child development and concluded that not only did a nurturing father play a critical role in a child's well-being but in some cases father-love was a stronger factor in a child's well-being than mother-love.¹⁹ The researchers concluded: "Overall, father love appears to be as heavily implicated as mother love in offspring's psychological well-being."²⁰

8. Clarke-Stewart (1980) also investigated differences in how mothers and fathers play with children.²¹ She noted that mothers tended to play at the child's level, and are more likely to provide opportunities to direct the play, allowing the

¹⁶ Rossi, A.S. (1987) Parenthood in transition: From lineage to child to self-orientation. In J.B. Lancaster, J. Altman, A.S. Rossi, and L.R. Sherrod, eds., *Parenting across the life span: Biosocial dimensions*. New York: Aldene de Gruyter, 31-81.

¹⁷ Yogman, M.W. (1982) Development of the father-infant relationship. In H.E. Fitzgerald, B.M. Lester and M.W. Yogman, eds. *Theory and research in behavioral pediatrics*. New York: Plenum Press.

¹⁸ Shapiro, J.L. (1994). Letting dads be dads. *Parents*, June, 165, 168.

¹⁹ Rohner, R. P. & Veneziano, R.A (2001). "The importance of father love: history and contemporary evidence," *Review of General Psychology* 5.4, 382-405.

²⁰ Id at 405.

²¹ Clark-Stewart, K.A. (1980). The father's contribution to children's cognitive and social development in early childhood. In F.A. Pedersen, ed., *The father-infant relationship: observational studies in the family setting*. New York: Praeger.

child to proceed at his or her own pace. On the other hand, father's play was more instructional. RTP was much more noticeable, focusing clearly on acceptable/non-acceptable behaviors. It is important to clarify that RTP does not correlate with aggression and violence, but rather is associated with self-control. Through RTP, children quickly learn that physical violence such as biting and kicking are not acceptable. In RTP, children learn from their fathers how to manage emotionally-charged situations in the context of play and how to recognize and respond appropriately to an array of emotions.²²

9. Stress resilience is another area where fathers' contributions are noticeable as well. The research conducted by Diener (2002) at the University of Utah is particularly poignant.²³ She demonstrated that infants (12 months old) who had close relationships with their fathers were more stress resistant than those who did not have close relationships with their fathers. These babies who had secure father relationships used more coping strategies. Diener concluded: "there may be something unique to fathers that provides children with different opportunities to regulate their emotions."²⁴
10. Discipline is another area where differences between mothers and fathers emerge quite prominently. Fathers more frequently rely on firmness, principles, and rules. Mothers rely more on responding, negotiating, and adjusting toward the children's moods as well as to the context. Mothers place much more emphasis on intuition in trying to understand their children's needs and the emotions of the moment. Gilligan (1982) attributes these characteristics to innate differences between men and women: men stress fairness, justice and duty based on rules and principles whereas women are more inclined to focus on understanding, sympathy, care and helping.²⁵
11. The children of unmarried or divorced parents are at risk for emotional, behavioral and health problems. They are more likely to be abused by their

²² Cromwell, N.A. & Leper, E.M. (Eds.) (1994) *American fathers and public policy*, Washington, D.C.: National Academy Press.

²³ Diener, M.L., Mangelsdorf, S.C., McHale, J.L & Frosch, C.A. (2002). *Infancy*, 3(2), 153-174.

²⁴ Broughton, A.E. (2002). U. study says dads are important, too. *Salt Lake Tribune*, April 5:A1.

²⁵ Gilligan, C. (1994). *In a different voice*. Cambridge, MA. Harvard University Press.

own parents, by step-parents or parents' boyfriends/girlfriends. Children of unmarried or divorced parents have lower academic achievement, poorer school attendance and more discipline problems when compared to children of married parents. These academically-related problems are associated with more use of remedial and special needs resources. In addition, these children are more apt to encounter trouble with the law such as committing crimes, abusing drugs, and spending time in incarceration. They are more likely to have difficulty in forming their own stable families.²⁶

12. The consequences of father absence has been well-documented. Blankenhorn (1995) concluded that father hunger is the primary cause of the declining well-being of children in our society and is associated with social problems such as teenage pregnancy, child abuse, and domestic violence against women.²⁷ Masser (1989), a psychiatrist at Northside Hospital in Atlanta, Georgia, noted that an increasing number of children who seek psychiatric care are suffering from father hunger.²⁸

13. Golombok, Tasker & Murray (1997) found that "children in father absent families perceive themselves to be less cognitively competent and less physically competent than children in father-present families, with no differences between children in lesbian and single heterosexual families."²⁹ Most of the research on gay parenting compares children in some fatherless families to children in other fatherless families. Such studies cannot be reasonably used to contradict extensive social science research which concludes that family structure indeed matters, and the intact, married biological family structure is the most protective of child well-being.³⁰

²⁶ Garfunkel I. & McLanahan. S.S. (1986). *Single mothers and their children*. Washington, D.C.: Urban Institute Press, pp 30-31.

²⁷ Blankenhorn, D. (1995). *Fatherless America: Confronting our most urgent social problem*. New York: Basic.

²⁸ Masser, A. (1989). Boys' father hunger: The missing father syndrome. *Medical Aspects of Human Sexuality*, 23(1), 44-50.

²⁹ Golombok, S., Tasker, F., & Murray, C. (1997). Children raised in fatherless families from infancy: Family relationships and the socioeconomic development of children of lesbian and single heterosexual mothers. *Journal of Child Psychology and Psychiatry* 38:783-791, 788.

³⁰ Spaht, K.S. (2006). The Current Crisis in Marriage Law, Its Origin, and Its Impact. In Robert P. George & Jean Bethke Elshtain *The meaning of marriage: Family, state, market, & morals*. Dallas: Spence Publishing Co., p 216.

14. Although there is more research to support the ill effects of father hunger in children, the consequences of mother hunger are beginning to emerge in case studies. This is partially explained because of the historical preference for mothers to be the primary caretakers of their children even when divorce occurs. The Eisold report (1998) provides evidence that mother hunger may indeed emerge when a child is deprived of a mother or mother figure. In the article titled “Recreating Mother,” a male child was conceived by a surrogate mother for two homosexual men.³¹ They had arranged an artificial insemination with a woman who agreed to relinquish her parental rights in return for medical care and financial compensation. The child, Nick, was cared for by a hired nanny and began attending school when he was two years old. When Nick was 2½ years old, the nanny was abruptly terminated, another nanny was hired and subsequently fired, and a third nanny was hired. The homosexual couple adopted a second child. At 4½ years old, Nick’s behavioral problems resulted in a referral to a female child psychologist, a fourth mother substitute. Because Nick lived in a world where mothers were hired and fired, he fantasized about buying a new mother. Eisold questioned, “How do we explain why this child, the son of a male couple, seemed to need to construct a woman—‘mother’—with whom he could play the role of a loving boy/man? How did such an idea enter his mind? What inspired his intensity on the subject?” Eisold sees some normal, innate developmental forces at work in a boy who has no mother: if he has none, he will need to make one.

15. Biller’s (1993) extensive research on parent-child interaction yields the following conclusion: mothers and fathers are not interchangeable.³² His research concludes that:

- *Paternal and maternal differences are stimulating for the infant as they provide contrasting images via differences in mothers’ and fathers’ dress, their movements, even voices. Because of these*

³¹ Eisold, B., (1998) Recreating mother: The consolidation of ‘heterosexual’ gender identification in the young son of homosexual men. *American J. of Orthopsychiatry* 68:3:433-442.

³² Biller, H. (1993). *Fathers and families: Paternal factors in child development*. Westport, CT: Auburn House.

differences, infants may prefer mothers when they want to be consoled or soothed and fathers when they want stimulation.

- *These differences are important sources of complementary learning for children.*
- *Where there are strong parental attachments, infants are at a decided developmental advantage compared to those infants who only had close maternal relationships.*
- *Fathers who are involved with their children stimulated them to explore and investigate whereas mothers focused on pre-structured and predictable activities.*
- *Parental relationships seem particularly important for boys during the second year of the child's life, as boys become more father-focused. Unlike boys, girls do not seem to have this consistent focus during this developmental period.³³*

16. Biller's research demonstrates clearly the importance of mothers and fathers to the healthy development of children, not only in the unique paternal and maternal contributions, but in the complementary nature of those contributions. The following conclusion aptly summarizes his research:

Infants who have two positively involved parents tend to be more curious and eager to explore than those who do not have a close relationship with their fathers.... Well-fathered infants are more secure and trusting in branching out in their explorations, and they may be somewhat more advanced in crawling, climbing and manipulating objects.³⁴

17. The extensive research spanning decades yields an overwhelming abundance of data supporting the importance of both mothers and fathers to the healthy development of children. Recent evidence is likewise not only supportive, but compellingly, demonstrates that a society concerned with optimal child development is most benefited by traditional marriage and married, dual-gender parenting.

³³ *Id.* at 12-14.

³⁴ *Id.* at 16.

Same-sex Couples and Child-rearing:

18. Advocacy groups argue that there are no differences between children raised by same-sex and those raised by opposite-sex parents. The studies on same-sex parenting are quite limited and quite limiting. They are basically restricted to children who were conceived in a heterosexual relationship whose mothers later divorced and self-identified as lesbians. It is these children who were compared to divorced, heterosexual, mother-headed families. A better comparison would have been with children in intact families because the research is clear that children in single parent families are at risk for a variety of difficulties including juvenile criminal offenses, mental illness and poverty. The logical conclusion is that children from both of these family forms are at risk for a number of problems.
19. Studies of children raised by male couples are virtually non-existent. The few available studies are either anecdotal in nature or so plagued by methodological flaws as to make them simply invalid from a scientific perspective. In their excellent review of the existing studies on children raised by homosexual couples (primarily lesbian couples), Lerner and Nagai (2000) reached the following conclusion:

The claim has been made that homosexual parents raise children as effectively as married biological parents. A detailed analysis of the methodologies of the 49 studies, which are put forward to support this claim, shows that they suffer from severe methodological flaws. In addition to their methodological flaws, none of the studies deals adequately with the problem of affirming the null hypothesis, of adequate sample size, and of spurious correlation.³⁵

20. Williams (2000) arrived at similar conclusions to those of Lerner and Nagai, but actually went further in his re-analyses of some of the major studies whose

³⁵ Lerner, R. & Nagai, A.K. (2000). Out of nothing comes nothing: Homosexual and heterosexual marriage not shown to be equivalent for raising children,” paper presented at the Revitalizing the Institution of Marriage for the 21st Century conference, Brigham Young University, March, Provo, UT, p.1

authors reported no differences between children raised in lesbian and heterosexual families.³⁶

21. In reviewing both the Golombok, Spencer, and Rutter (1983) research³⁷ and the Golombok and Tasker research (1996),³⁸ Williams noted that the authors ignored a follow-up study that found that the children of lesbian parents were more likely to have considered and actually engaged in homosexual relationships. In reviewing other studies, Williams found similar omissions. For example, Huggins noted a difference in the variability of self-esteem between children of homosexual and heterosexual parents but did not test for significance.³⁹ Upon a re-analysis of the data, Williams discovered the difference to be significant. Lewis recorded differences in social and emotional difficulties in the lives of children of homosexual parents but left such data unreported. Patterson (1995) also observed and left unreported similar data in her research.⁴⁰

22. Patterson's research, which has been repeatedly cited by the American Psychological Association to support gay rights, has come under significant criticism not only because of methodological flaws but because of substantial misrepresentation and selection bias. In fact, her research and subsequent testimony were excluded from a Florida court because of the use of herself and friends as subjects and her unwillingness to comply with a court order to provide documentation, even when requested by her own side in the conflict.⁴¹

23. More recently, Wainwright and Patterson reported research on adolescents with lesbian parents/ heterosexual parents and the relationship to delinquency,

³⁶ Williams, R. N. (2000) A critique of the research on same-sex parenting. In D.C. Dollahite, ed. *Strengthening Our Families*, Salt Lake City, Utah: Bookcraft, 325-355.

³⁷ Golombok, S., Spencer, A. & Rutter, M. (1983). Children in lesbian and single-parent households: psychosexual and psychiatric appraisal. *Journal of Child Psychology and Psychiatry*, 24, 551-572. *Sociological Review*, 66(2), 159-183.

³⁸ Golombok, S. & Tasker, F. (1996). Do parents influence the sexual orientation of their children? Finding from a longitudinal study of lesbian families? *Developmental Psychology*, 32, 3-11.

³⁹ Williams, R.N. (2000).

⁴⁰ Patterson, C.J. (1995). Families of the lesbian baby boom: Parent's division of labor and children's adjustment. *Developmental Psychology*, 31-115-123.

⁴¹ JUNE AMER, Petitioner, v. Floyd P. Johnson, District Administrator, District X, Florida Department of Health and Rehabilitative Services, Respondent, 17th Judicial Circuit in and for Broward County, Case No. 92-14370 (11). July 27, 1997.

victimization and substance abuse.⁴² Their conclusion that adolescents raised by lesbian couples do not differ from those raised by heterosexual couples, and subsequently their findings “provide no warrant for legal or policy discrimination” find little support in their own study.⁴³

24. First of all, no parents in their study were asked about their sexual identities. Secondly, their conclusion that adolescents whose parents had good relationships with them reported less delinquent behavior and substance abuse is not a novel finding. It is interesting that Wainwright and Patterson either did not address or did not find differences on other measures such as sexual behaviors (they only reported sex behavior under the influence of alcohol). In order to make a case for policy, the authors would need to replicate with much larger sample sizes, directly ascertain the sexual identities of the parents and follow these adolescents into adulthood. Stacey and Biblarz accurately highlighted the importance of longitudinal studies noting, “Thus far, no work has compared children’s long-term achievements in education, occupation, income, and other domains of life.”⁴⁴

25. Nock, a sociologist at the University of Virginia, reviewed all of the available studies on parenting by same-sex couples and concluded, “Through this analysis I draw my conclusion that 1) All of the articles I reviewed contained at least one fatal flaw of design or execution; and 2) Not a single one of those studies was conducting according to general accepted standards of scientific research.”⁴⁵

26. Even the pro same-sex advocate, Charlotte Patterson, conceded the following:

1. *No research used nationally represented samples.*
2. *There were limited outcome measures, most of which were unrelated to standards of child well-being used by family sociologists.*
3. *There were few longitudinal studies which followed children of same-sex couples into adulthood.*

⁴² Wainwright, J. & Patterson, C. (2006). *Journal of Family Psychology*, 20,3,526-530.

⁴³ Id at 529.

⁴⁴ Stacy, J. & Biblarz, T.J. (2001). (How) does the sexual orientation of parents matter? *American Sociological Review*,66 (2), 172.

⁴⁵ Nock Affidavit ¶3. *Halpern v. Attorney General of Canada*, No. 684/00 (Ont. Sup. Ct. of Justice) (copies available from the Institute for Marriage and Public Policy: info@imapp.org).

4. *Virtually all of the studies compared single lesbian mothers to single heterosexual mothers rather than comparing single lesbian mothers to married heterosexual mothers.*⁴⁶

27. The Stacey and Biblarz (2001) meta-analysis repudiated over 20 years of research which claimed to show no difference between children raised by homosexual parents and those raised by heterosexual parents.⁴⁷ This research clearly demonstrated that lesbian mothers had a feminizing effect on their sons and a masculinizing effect on their daughters. Boys raised by lesbian mothers behaved in less traditionally masculine ways, and girls, particularly “adolescent and young girls raised by lesbian mothers, appear to have been more sexually adventurous and less chaste.”⁴⁸

28. The most reputable scientists would agree that the research on children raised by same-sex couples is in its infancy. However, in spite of the many flaws in the very limited pool of rigorous studies such as small sample size, selection bias, and lack of longitudinal data, there appears to be an emerging theme: children raised by same-sex couples exhibit poor outcomes not so dissimilar to those raised by divorced heterosexual parents. The comparison groups in most of the studies have been: children in divorced households headed by a lesbians or gay men or children in divorced households headed by heterosexual divorced parents. Children in both of these groups are at higher risks for certain kinds of problems than are children raised in an intact family headed by a mother and father who are married.⁴⁹ In addition, children raised by a lesbian couple may be at risk for unique problems associated with gender non-conformity. In summary, the available research supports the following: children raised in homes headed by gay men and lesbians do not resemble their peers raised in homes with a married mother and father. And given the historical and prevailing legal and psychological standard, the best interest of the child, one can reasonably conclude that based upon this standard, the optimal health, well-

⁴⁶ Patterson, C.J. et al. (2000). Children of Lesbian and Gay Parents: Research, Law and Policy in Bette L. Bottoms et al., eds., *Children and the Law: Social Science and Policy* 10-11.

⁴⁷ Stacy, J. & Biblarz. T.J. Id, at 159-183.

⁴⁸ *Id.* at 171.

⁴⁹ Parke, M. (2003). “Are married parents really better for children?” *Center for Law and Social Policy, Policy Brief*, May: 1.

being and best interest of a child is not best served by support of motherless or fatherless family structures. The placement of children in such settings begins a slippery slope filled with potential harms for children that society simply cannot afford to take.

Conclusion:

29. Traditional marriage has supported societies for millennia. Historical and current research clearly demonstrate that both adults and children benefit from this family structure. Differences emerge when comparisons are made between same-sex couples and opposite-sex couples. Same-sex relationships are less permanent and less monogamous. Homosexual practices place its participants at risk for mental illness and physical disease. Emerging research suggests potential risks for children raised by lesbian parents including gender non-conformity. The rejection of gender roles thus appears to be unhealthy.