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In support of House Joint Resolution 3, with second sentence restored
Rules Committee, Indiana State Senate
Indianapolis, Indiana
Monday, February 10, 2014

Thank you for the honor of addressing you today to urge that you support House Joint Resolution 3, to protect the definition of marriage as the union of one man and one woman, and support restoration of its second sentence, in order to protect the uniqueness of marriage as well.

Marriage exists as a public institution, and not merely as a private relationship, because of the public purposes it serves.

Regardless of the private reasons why any individual couple desires or chooses to marry, the reason marriage is a public institution is simple and clear. It brings together men and women for the reproduction of the human race, and keeps together a man and a woman to raise to maturity the children produced by their union.

If marriage were merely about satisfying the desires and organizing the relationships of adults, there would be no need—indeed, no justification—for government involvement in this most intimate of private relationships. However, marriage is not just about the desires of adults, but about the needs of children. The government has an obligation to protect them.

Society needs children; children need a mother and a father. Those are the only reasons why marriage is a public, not purely private, institution. And the only type of relationship which can naturally fulfill those important public purposes is the union of a woman and a man.

This common sense understanding is fully supported by the findings of modern social science. Child Trends, a non-partisan non-profit research organization, summarized a large body of evidence by saying,

“Research clearly demonstrates that family structure matters for children, and the family structure that helps the most is a family headed by two biological parents in a low-conflict marriage.”

And now, the most rigorous research on children raised by parents who had a homosexual relationship, the New Family Structures Study, has shown,

“[T]he data show rather clearly that children raised by gay or lesbian parents on average are at a significant disadvantage when compared to children raised by the intact family of their married, biological mother and father.”

It is irrational to treat anything other than the union of a man and a woman as a “marriage.” It is equally irrational to grant any other type of relationship the legal and financial benefits which are granted to marriages.

Society gives benefits to marriage because marriage gives benefits to society. The burden of proof must therefore rest upon those who would change the definition of marriage, or expand the allocation of its benefits, to show that such a redefinition or expansion would benefit society—not just the individuals involved—in the same way and to the same extent that the union of a man and a woman does. This is a burden of proof they cannot meet.

Redefining marriage cannot help but undermine it. The redefinition of marriage would send a clear message that reproduction is *not* uniquely important to the future of society, and that children do *not* uniquely benefit from being raised by both their mother and father. Promoting these falsehoods—not just as a matter of opinion, but as a matter of law—would inevitably change the behavior of many in society in a way damaging to the social order.

This, however, is not the only harm from redefining marriage. The movement to change the definition of marriage is also one to punish those who conscientiously object to such a radical re-ordering of society. We have already seen people in the wedding industry—florists, bakers, and photographers—hailed into court and punished simply for declining to participate in the celebration of something they believe is a counterfeit of true marriage. We have seen employees in a variety of industries—education, media, counseling, and even the military—punished or even fired for simply exercising their freedom of speech in support of one-man-one-woman marriage.

Indiana has the opportunity, this year, to protect the definition of marriage as the union of a woman and a man; to protect the uniqueness of marriage and its legal incidents and benefits; and to protect the freedom of those who recognize that uniqueness. At the same time, those who choose to live in relationships other than the union of a man and a woman are and will remain entirely free to do so, and to celebrate their lifestyles as a private choice.

Voters in 34 states have already had the opportunity to weigh in on this important issue at the polls. The people of Indiana have waited long enough—they deserve their chance, this year. I urge the members of the Senate to restore the second sentence of House Joint Resolution 3, to approve this marriage amendment, and return it to the House for a vote which will place it on the ballot in 2014.