

ARE TWO LESBIAN PARENTS BETTER THAN A
MOM AND DAD? LOGICAL AND
METHODOLOGICAL FLAWS IN RECENT STUDIES
AFFIRMING THE SUPERIORITY OF
LESBIAN PARENTHOOD

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Biblarz and Stacey cited Satinover for his claim that every child has a need “for both a mother and a father.”¹ Later they described such a claim as an “entrenched conviction” that “inflames culture wars over single motherhood, divorce, gay marriage, and gay parenting.”² They certainly are not alone in questioning such convictions. Recently, numerous scholars have begun to argue that children do not really need a father per se. Peggy Drexler and Linden Gross quoted Dr. Michael Lamb, “It’s become clear that the absence of a male figure is really not important,”³ reflecting an apparent scholarly consensus that fathers are no longer necessary for average, much less optimum, child development.⁴ Mallon has stated that research is unequivocal in concluding that not even one study has ever found even one disadvantage for children of lesbian or gay

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1. Timothy J. Biblarz & Judith Stacey, *How Does the Gender of Parents Matter?*, 72 J. MARRIAGE & FAM. 3, 5 (2010) (citing Jeffrey B. Satinover’s expert testimony in *Andersen v. King Cnty.*, 138 P.3d 963 (Wash. 2006)).

2. Biblarz & Stacey, *supra* note 1, at 16.

3. PEGGY DREXLER & LINDEN GROSS, RAISING BOYS WITHOUT MEN 20 (2005).

4. See, e.g., Nanette K. Gartrell et al., *Adolescents of the U.S. National Longitudinal Lesbian Family Study: Sexual Orientation, Sexual Behavior, and Sexual Risk Exposure*, ARCHIVES OF SEXUAL BEHAV. (Sept. 27, 2010), <http://hunterforjustice.typepad.com/files/gartrell-adolescents.pdf>.

parents.⁵ In the most recent decade, in an article on lesbian, gay, bisexual, and transgender (“LGBT”) families, Biblarz and Savci stated that lesbian mothers “tended to equal or surpass heterosexual married couples on time spent with children, parenting skill, and warmth and affection.”⁶ While admitting that research was virtually nonexistent with respect to comparisons of *married* LGBT parents and heterosexual parents⁷ or between gay fathers and heterosexual fathers,⁸ Biblarz and Stacey reviewed considerable research literature on gender and parenting, drawing several conclusions, as listed below.

(1) “Several studies in Table 1 found that female parents scored higher than heterosexual men on parenting awareness skills and developed warmer, closer, more communicative relationships to their children.”⁹

(2) “Two mothers tended to play with their children more and to discipline them less than married heterosexual parents. They were less likely to employ corporal punishment, to set strict limits on their children, or try to elicit social (and gender) conformity.”¹⁰

(3) “In other words, two women who chose to become parents together seemed to provide a double dose of a middle-class ‘feminine’ approach to parenting.”¹¹

(4) “We speculate that a double dose of feminine socialization, coupled with discrimination, can lead Heather’s two mommies to be among the best, but also somewhat less durable, coparenting couples.”¹²

(5) “Research on planned lesbian parenting demonstrates that the impact of this form of ‘radical fatherlessness’ on children is far from radical, not always fatherless, and arguably more beneficial than not.”¹³

5. Gerald P. Mallon, *Gay Men and Lesbians as Adoptive Parents*, 11 J. GAY & LESBIAN SOC. SERVICES, n. 4, 2000 at 1, 4.

6. Timothy J. Biblarz & Evren Savci, *Lesbian, Gay, Bisexual, and Transgender Families*, 72 J. MARRIAGE & FAM. 480, 482 (2010).

7. Biblarz & Stacey, *supra* note 1, at 5.

8. *Id.* at 10.

9. *Id.* at 11.

10. *Id.* (internal citation omitted).

11. *Id.*

12. *Id.* at 12.

13. *Id.* at 13 (internal citation omitted).

(6) "Research to date, however, does not support [the claim that children need both a father and a mother]."¹⁴

(7) "Our review of research closest to this design suggests that strengths typically associated with mother-father families appear at least to the same degree in families with two women parents."¹⁵

(8) "In fact, based strictly on the published science, one could argue that two women parent better on average than a woman and a man, or at least than a woman and man with a traditional division of family labor. Lesbian coparents seem to outperform comparable married heterosexual, biological parents on several measures, even while being denied the substantial privileges of marriage."¹⁶

(9) "Every family form provides distinct advantages and risks for children. Married heterosexual parents confer social legitimacy and relative privilege but often with less paternal involvement. Comothers typically bestow a double dose of caretaking, communication, and intimacy."¹⁷

(10) "At this point no research supports the widely held conviction that the gender of parents matters for child well-being."¹⁸

Biblarz and Stacey were willing to admit that two parents in a "low-conflict relationship" probably are better for most children than having only one parent.¹⁹ There are several limitations of the research that are easily overlooked when scholars claim to have found a "consensus" that parental gender does not matter. These limitations, which I will discuss in turn, include: (1) value biases in social science, leading to the marginalization of research or research limitations that do not "fit" the prevailing diversity paradigms; (2) marginalization of methodological problems with null hypothesis testing; (3) theoretical limitations; (4) marginalization of adverse aspects of same-sex parental relationships; and (5) marginalization of adverse aspects of child outcomes associated with same-sex parenting.

My sense is that the root cause of the last four issues is the first issue. Many social scientists are convinced that making distinctions

14. *Id.* at 16.

15. *Id.* at 17.

16. *Id.*

17. *Id.*

18. *Id.*

19. *Id.* at 5.

among different family forms is often incorrect and may be generally harmful to those perceived to be minorities. For example, Allen, Fine, and Demo acknowledged that many family scholars believe that “all types of families and ways that families achieve their goals and adjust to their environments are equally adaptive” while they themselves believed that “there is no universally applicable standard type of family or way for families to function.”²⁰ Furthermore, Lerner, Sparks, and McCubbin were concerned that policies that were effective for say, majority families, might be “irrelevant, poorly suited, or even damaging” to minority families.²¹ Consequently, the elimination of distinctions could be expected to be more helpful to such families than it might be harmful to majority families, who are seen as unfairly “privileged.”²² Demo et al. commented upon such privilege when they stated, “From a feminist perspective, we assume that power and privilege are systematically distributed inequitably by gender and generation”²³ This mindset can create a situation in which obtaining results that do not support distinctions can be seen as inherently helpful even if the theory and/or methodology are weak, whereas obtaining results that would support distinctions might be harmful even if the methodology were strong. Thus, getting the “right” outcome is of far more importance than using more scientifically-sound theoretical or methodological approaches. Again, Demo et al. argued that knowledge should not exist for its own sake but “must be applied to matters of social justice.”²⁴ Of course one might say, “where’s the evidence for such bias?”

I. EVIDENCE OF BIAS

First, Stacey and Biblarz cited Wardle’s review in which he claimed there was bias in the field of social science: “an ideological bias favoring gay rights that has compromised most research in this field and the liberal judicial and policy decisions it has informed.”²⁵

20. DAVID H. DEMO ET AL., HANDBOOK OF FAMILY DIVERSITY 3–4 (2000).

21. RICHARD M. LERNER ET AL., FAMILY DIVERSITY AND FAMILY POLICY: STRENGTHENING FAMILIES FOR AMERICA’S CHILDREN 129 (1999).

22. See DEMO ET AL., *supra* note 20, at 5.

23. *Id.*

24. *Id.* at 7.

25. Judith Stacey & Timothy J. Biblarz, *(How) Does Sexual Orientation of Parents Matter?*, 66 AM. SOC. REV. 159, 160 (2001) (citing Lynn D. Wardle, *The Potential Impact of Homosexual Parenting on Children*, 1997 U. ILL. L. REV. 833, 840–41).

Second, while disagreeing with Wardle's views, Stacey and Biblarz themselves recognized the presence of bias in social science, saying:

We agree, however, that ideological pressures constrain intellectual development in this field. . . . We wish to acknowledge that the political stakes of this body of research are so high that the ideological "family values" of scholars play a greater part than usual in how they design, conduct, and interpret their studies.²⁶

They go on to acknowledge that "Wardle . . . is correct that contemporary scholarship on the effects of parental sexual orientation on children's development is rarely critical of lesbian gay parenthood."²⁷

About the same time of Stacey and Biblarz's review, Redding criticized the lack of sociopolitical diversity in the social sciences, citing the area of lesbian gay parenting as a prime example of such bias.²⁸ Redding cited Tanford, who noted the implications of such bias for the judiciary—"judges may believe that the results of empirical research are unreliable, because they have been distorted by the scientists' liberal values."²⁹ Erich, Leung, and Kindle also indicated the existence of bias when they said that "[s]ocial justice agendas may have distorted interpretations of research findings."³⁰ Yet, at the same time, they stated that

[d]iscrimination against gay and lesbian individuals manifests itself in legislative, social, and institutional obstacles that impair their candidacy to become adoptive parents. This is most clearly evident in Florida where Federal District Judge James Lawrence King denied a gay adult's petition to adopt his foster children on the basis of his sexual orientation.³¹

To accuse a federal judge by name (even his middle name!) of discrimination, in my opinion, reflects a certain bias, in itself, by those scholars. More recently, I analyzed over fifty reviews of the literature on lesbian gay parenting in terms of dissertation citations and

26. Stacey & Biblarz, *supra* note 25, at 160–61.

27. *Id.* at 161.

28. Richard E. Redding, *Sociopolitical Diversity in Psychology: The Case for Pluralism*, 56 AM. PSYCHOLOGIST 205 (2001).

29. *Id.* at 208 (citing J. Alexander Tanford, *The Limits of a Scientific Jurisprudence: The Supreme Court and Psychology*, 66 IND. L.J. 137, 153 (1990)).

30. Stephen Erich et al., *A Comparative Analysis of Adoptive Functioning with Gay, Lesbian, and Heterosexual Parents and Their Children*, 1 J. GLBT FAM. STUD. 43, 46 (2005).

31. *Id.* at 44.

found that the lower the quality of methodology used, the more likely the dissertations were to be cited in the reviews.³²

Later, I turned to a natural experiment in which the same authors from the same university had published three articles in the same time frame using the same sample of lesbian parents, even in the same journal.³³ However, the arguably best article methodologically reported adverse information about lesbian parenting while the other two articles reported favorable information. The latter two articles had been cited sixty-five times, compared to only twice for the former article.³⁴ Redding acknowledged that the research of Sarantakos had been overlooked but argued that its reliance upon teacher reports was a major methodological issue, despite its relatively large sample size of children.³⁵ Notably, other scholars have used teacher reports and not found them inherently biased; parent reports are routinely used, despite their obvious potential for self-presentation bias. Later, I will mention the widely overlooked research of Sirota. Thus, the allegation of bias in social science is not a matter of subjective judgment alone, but also a matter of empirical results. It is my belief that this bias is associated with a number of problems in lesbigay parenting research.

II. METHODOLOGICAL PROBLEMS

Cohen's *d*, a parameter derived from the difference between the average scores of two groups divided by an averaging of the standard deviations of the same two groups, will be used to assess effect size ("ES") with effect sizes being considered as small ($ES = .20$), medium ($ES = .50$), or large ($ES = .80$).³⁶ Cohen indicates that effect sizes of 0.20, 0.50, 0.80, 1.0, 2.0, and 4.0 correspond, respectively, to percentages of explained variance (" r^2 ") of 0.010, 0.059, 0.138, 0.200, 0.500, and 0.800 or to correlations (" r ") of 0.100, 0.243, 0.371, 0.447, 0.707, and 0.894.³⁷

32. Walter R. Schumm, *Re-Evaluation of the "No Differences" Hypothesis Concerning Gay and Lesbian Parenting as Assessed in Eight Early (1979-1986) and Four Later (1997-1998) Dissertations*, 103 PSYCHOL. REP. 275, 292 (2008).

33. Walter R. Schumm, *Evidence of Pro-Homosexual Bias in Social Science: Citation Rates and Research on Lesbian Parenting*, 106 PSYCHOL. REP. 374 (2010).

34. *Id.*

35. Richard E. Redding, *It's Really About Sex: Same-Sex Marriage, Lesbigay Parenting, and the Psychology of Disgust*, 15 DUKE J. GENDER L. & POL'Y 127, 144-45 (2008).

36. Jacob Cohen, *A Power Primer*, 112 PSYCHOL. BULL. 155, 156-57 (1992).

37. JACOB COHEN, STATISTICAL POWER ANALYSIS FOR THE BEHAVIORAL SCIENCES 22 (2d ed. 1988).

When distributions are assumed to be normal curves, approximately sixty-eight percent of the area under the distribution's curve centered around the mean or average score will fall within one standard deviation on each side of the mean, while ninety-five percent of that area will fall within two standard deviations on each side of the mean. An effect size of one would indicate that the mean difference between two groups was about one standard deviation (averaged across the two groups) or that the highest sixty-nine percent of group A would exceed the lowest sixty-nine percent of group B or alternatively that the highest thirty-one percent of group B would exceed the lowest thirty-one percent of group A. Just because an effect size may be small, however, does not mean that it is unimportant. Cohen has noted that "[m]any effects sought in personality, social, and clinical-psychological research are likely to be small effects as here defined, both because of the attenuation in validity of the measures employed and the subtlety of the issues frequently involved."³⁸ Effect sizes will be reported here to allow readers to understand the relative magnitudes of apparent effects.

As noted by Stacey and Biblarz, there is pressure on researchers to find in favor of the null hypothesis of "no differences" when evaluating lesbian parenting.³⁹ However, Cohen has made it clear that one can never prove the null hypothesis, as acknowledged by Redding.⁴⁰ In fact, Cohen said that "[t]he null hypothesis . . . is *always* false in the real world."⁴¹ That is why Cohen stated that "I have learned and taught that the primary product of a research inquiry is one or more measures of effect size, not *p* values."⁴² Nevertheless, numerous scholars have concluded that not even one study has ever found any significant (i.e., $p < .05$) differences between lesbian and heterosexual parents, as discussed in more detail elsewhere.⁴³ Others have extensively criticized the methodological weaknesses of lesbian parenting research prior to 2001.⁴⁴ However,

38. *Id.* at 13.

39. Stacey & Biblarz, *supra* note 25, at 176.

40. Redding, *supra* note 35, at 142.

41. Jacob Cohen, *Things I Have Learned (So Far)*, 45 AM. PSYCHOLOGIST 1304, 1308 (1990).

42. *Id.* at 1310.

43. See Schumm, *supra* note 32, at 278; Walter R. Schumm, *Empirical and Theoretical Perspectives from Social Science on Gay Marriage and Child Custody Issues*, 18 ST. THOMAS L. REV. 425, 440 (2005).

44. See, e.g., ROBERT LERNER & ALTHEA K. NAGAI, MARRIAGE LAW PROJECT, NO BASIS: WHAT THE STUDIES DON'T TELL US ABOUT SAME-SEX PARENTING 3 (2001); Philip A. Belcastro et al., *A Review of Data Based Studies Addressing the Affects of Homosexual Parenting on Children's Sexual and Social Functioning*, 20 J. DIVORCE & REMARRIAGE 105, 116-17 (1993).

Redding observed that some of these critiques are now outdated,⁴⁵ which might imply that research since 2000 has avoided the limitations of past research on lesbian parenting. Is that really the case?

More recently, I reviewed thirteen studies on lesbian parenting published since 2000.⁴⁶ Some of the recent scholars did not report standard deviations, making effect-size calculations impossible. Almost none reported effect size, even though the American Psychological Association has long recommended doing so.⁴⁷ Few measured and controlled for social-desirability bias when using parental reports about their children.⁴⁸ Few controlled for differences between lesbian/gay/heterosexual families even when differences in education, income, number of children, or per capita income were significantly different.⁴⁹ None of the studies used equivalence testing, which many scholars regard as superior to the use of *t*-tests or analysis of variance.⁵⁰ Some studies reported moderate levels of missing data while others did not report its extent, even though it was likely.⁵¹ Although sample sizes have tended to increase with more recent research,⁵² many of the same problems with design effects continue without correction.⁵³

An instructive example of how problems with methodology tend to be “whitewashed” is provided by Redding’s review of the literature on lesbian parenting.⁵⁴ I credit Redding with attempting to be as even-handed as possible in his review, but his errors highlight, at the very least, how difficult it is to assess this literature. Redding acknowledged numerous methodological problems in lesbian parenting research, such as small sample size, the use of convenience samples, higher levels of education or income among lesbian parenting participants compared to the heterosexual parent participants (without statistical control), scarcity of studies on gay fathers, few long-term

45. Redding, *supra* note 35, at 139.

46. Walter R. Schumm, *Statistical Requirements for Properly Investigating a Null Hypothesis*, 107 PSYCHOL. REP. 953, 958 (2010).

47. AM. PSYCHOLOGICAL ASS’N, PUBLICATION MANUAL 32–34 (6th ed. 2010); AM. PSYCHOLOGICAL ASS’N, PUBLICATION MANUAL 5, 20, 22, 24–25 (5th ed. 2001) [hereinafter AM. PSYCHOLOGICAL ASS’N, 5th ed.]; AM. PSYCHOLOGICAL ASS’N, PUBLICATION MANUAL 16–18 (4th ed. 1994) [hereinafter AM. PSYCHOLOGICAL ASS’N, 4th ed.].

48. Schumm, *supra* note 32, at 286; Schumm, *supra* note 43, at 445–46.

49. Schumm, *supra* note 32, at 299; Schumm, *supra* note 43, at 445–46.

50. Schumm, *supra* note 46, at 967.

51. *Id.* at 963–66.

52. *Id.*

53. *Id.*

54. Redding, *supra* note 35, at 138–39.

studies that included adult children of lesbian parents, and a high risk of type II error (incorrectly accepting the null hypothesis).⁵⁵ Redding was correct in citing the numerous methodological issues. *Table 1* below illustrates those methodological issues.

TABLE 1. ILLUSTRATION OF SELECTED METHODOLOGICAL CHARACTERISTICS OF RECENT RESEARCH RELEVANT TO LESBIGAY PARENTING (2001–2010)⁵⁶

Article	N	Means	SDs	ES	Social Desirability	Diff SES?	Controlled for SES and/or Social Desirability	Only #tests or ANOVA	Used EQT	Missing Data
Rothblum & Factor ⁵⁷	184/ 184	YES	NO	NO	NO	YES	NO	YES	NO	9%

55. *Id.* at 139–42.

56. Sample N's reflect GLB/Heterosexual numbers, respectively.

SD = standard deviations; ES = effect size; Diff SES = groups differed on income, education, family size, or per capita income; EQT = used equivalence testing; NR = not reported; NA = not applicable.

Rivers et al. did not report Cohen's *d* for their comparisons of mean scores but they did report eta squared for some tests. Ian Rivers et al., *Victimization, Social Support, and Psychosocial Functioning Among Children of Same-Sex and Opposite-Sex Couples in the United Kingdom*, 44 DEVELOPMENTAL PSYCHOL. 127 (2008). Bos et al. did not measure social desirability directly but did measure "parental justification," a tendency to feel the need to prove one's parenting competence to others, and included that variable in their regression analysis. Henny M. W. Bos et al., *Child Adjustment and Parenting in Planned Lesbian-Parent Families*, 77 Am. J. Orthopsychiatry 38 (2007). Farr et al., 2010b used HLM for their primary analysis.

Missing data percentages represent maximum levels detected. The Farr et al. studies are counted as one study since the participants were identical in both reports.

57. Esther D. Rothblum & Rhonda Factor, *Lesbians and Their Sisters as a Control Group: Demographic and Mental Health Factors*, 12 PSYCHOL. SCI. 63 (2001).

Fulcher et al. ⁵⁸	55/ 25	YES	YES	NO	NO	YES	NO	YES	NO	17%
Golombok et al. ⁵⁹	39/ 134	YES	YES	NO	NO	YES	NO	YES	NO	15%
Erich et al. ⁶⁰	43/ 68	YES	YES	NO	YES	YES	NO	YES	NO	10%
Wainright & Patterson ⁶¹	44/ 44	YES	YES	NO	NO	NO	NA	YES	NO	17%
Bos et al. ⁶²	100/ 100	YES	YES	NO	YES	YES	YES	YES	NO	NR
Rivers et al. ⁶³	18/ 18	YES	YES	NO	NO	NO	NA	YES	NO	None
Fulcher et al. ⁶⁴	33/ 33	YES	YES	NO	NO	NO	NA	YES	NO	9%
Erich et al. ⁶⁵	16/ 70 27/ 127	YES	YES	NO	YES	NO	NA	YES	NO	16%
Patterson ⁶⁶	18/ 18	YES	NO	NO	NO	NO	NA	YES	NO	NR
Bos & Sandfort ⁶⁷	63/ 68	YES	YES	NO	NO	YES	NO	YES	NO	None
Gartrell & Bos ⁶⁸	78/ 93	YES	YES	NO	NO	YES	NO	YES	NO	None

58. Megan Fulcher et al., *Contact with Grandparents Among Children Conceived via Donor Insemination by Lesbian and Heterosexual Mothers*, 2 PARENTING: SCI. & PRAC. 61 (2002).

59. Susan Golombok et al., *Children with Lesbian Parents: A Community Study*, 39 DEVELOPMENTAL PSYCHOL. 20 (2003).

60. Erich et al., *supra* note 30.

61. Jennifer L. Wainright & Charlotte J. Patterson, *Peer Relations Among Adolescents with Female Same-Sex Parents*, 44 DEVELOPMENTAL PSYCHOL. 117 (2008).

62. Bos et al., *supra* note 56.

63. Rivers et al., *supra* note 56.

64. Megan Fulcher et al., *Individual Differences in Gender Development: Associations with Parental Sexual Orientation, Attitudes, and Division of Labor*, 58 SEX ROLES 330 (2008).

65. Stephen Erich et al., *Early and Late Stage Adolescence: Adopted Adolescents' Attachment to Their Heterosexual and Lesbian/Gay Parents*, 12 ADOPTION Q. 152 (2009).

66. Charlotte J. Patterson, *Lesbian and Gay Parents and Their Children: A Social Science Perspective*, in 54 NEBRASKA SYMPOSIUM ON MOTIVATION: CONTEMPORARY PERSPECTIVES ON LESBIAN, GAY, AND BISEXUAL IDENTITIES 141 (Debra A. Hope ed., 2009).

67. Henny Bos & Theo G. M. Sandfort, *Children's Gender Identity in Lesbian and Heterosexual Two-Parent Families*, 62 SEX ROLES 114 (2010).

68. Nanette Gartrell & Henny Bos, *US National Longitudinal Lesbian Family Study: Psychological Adjustment of 17-Year-Old Adolescents*, 126 PEDIATRICS 28 (2010).

Farr et al., 2010a ⁶⁹	112/ 100	YES	NO	NO	NO	NO	NA	YES	NO	None
Farr et al., 2010b ⁷⁰	112/ 100	YES	YES	YES	NO	NO	NA	NO	NO	None

Space precludes a full treatment of this issue, which has been detailed elsewhere.⁷¹ Numerous studies have claimed to have proven the null hypothesis with respect to same-sex parenting compared to heterosexual parenting. However, Cohen argued that such a “conclusion is always strictly invalid, and is functionally invalid as well unless power is high.”⁷² Without a large sample ($N > 100$) it is very unlikely that any study will find statistical significance for small effects, possibly even some medium effects. The most common approach is to run multiple tests among variables that are correlated among themselves, a situation problematic in its own right.⁷³

Many of these types of studies do not control for social desirability, parental education, family size, or per capita household income even if it is clear that such variables might account for differential parental self-reported outcomes for children.⁷⁴ Potential suppressor variables are seldom considered—that is, variables, which if controlled statistically, might change observed results from support for the null hypothesis to rejection of the null hypothesis.⁷⁵ Effect sizes have seldom been reported in the literature on lesbian parenting,⁷⁶ even though many scholars have demanded that effect sizes be reported.⁷⁷ Often the statistical methods used to evaluate null

69. Rachel H. Farr et al., *Gay, Lesbian, and Heterosexual Adoptive Parents: Couple and Relationship Issues*, 6 J. GLBT FAM. STUD. 199 (2010).

70. Rachel H. Farr et al., *Parenting and Child Development in Adoptive Families: Does Parental Sexual Orientation Matter?*, 14 APPLIED DEVELOPMENTAL SCI. 164 (2010).

71. See Schumm, *supra* note 46, at 953.

72. COHEN, *supra* note 37, at 16.

73. Walter R. Schumm & Janet R. Crow, *Statistically Evaluating Multiple Comparisons Among Correlated Measures*, 47 PSYCHOL. & EDUC. 27, 27–29 (2010).

74. Schumm, *supra* note 32, at 299; Schumm, *supra* note 43, at 445–46; Schumm, *supra* note 46, at 966–67.

75. See MORRIS ROSENBERG, *THE LOGIC OF SURVEY ANALYSIS* 93 (1968).

76. Schumm, *supra* note 46, at 963–66.

77. Cohen, *supra* note 41, at 1310; Raymond S. Nickerson, *Null Hypothesis Significance Testing: A Review of an Old and Continuing Controversy*, 5 PSYCHOL. METHODS 241, 281–82 (2000); Ralph L. Rosnow & Robert Rosenthal, *Statistical Procedures and the Justification of Knowledge in Psychological Science*, 44 AM. PSYCHOLOGIST 1276, 1279–80 (1989); Leland

hypotheses are outdated and lack the statistical power of readily available but improved statistical tests; for example, equivalence testing is seldom used.⁷⁸ Sometimes, extremely large numbers of independent variables are used,⁷⁹ increasing the chances of “washing out” any statistically-significant results.⁸⁰

Nonetheless, even the combination of such methodological problems was an insufficient basis for Redding to be cautious when concluding that “[t]he extant research currently permits the conclusion that lesbian parenting does *not* psychologically harm children.”⁸¹ Under what conditions then would methodological limitations ever matter if the weaknesses illustrated in *Table 1* do not make any difference whatsoever? If researchers can ignore the demand of the American Psychological Association to report effect sizes, for example, for over fifteen years,⁸² then why bother about them at all, ever? If methodology does not matter, then why bother with the pretense of being scientific? This is not how science should be done.⁸³ For example, I have presented an argument that if I were granted the right to use the same methodological limitations prevalent in much of the lesbian parenting research, I could probably “prove” the null hypothesis that tobacco use was unrelated to the health of parents or children.⁸⁴ Furthermore, there is the issue of definitions of lesbian parenting. Although Biblarz and Stacey claimed that “we do not yet have research that compares the children of married same-sex and different-sex couples,”⁸⁵ Henehan, Rothblum, Solomon, and Balsam surveyed gay and lesbian couples who had obtained civil unions in Vermont, along with referred gay and lesbian friends not in civil unions or married heterosexual siblings.⁸⁶ They found that only

Wilkinson & Task Force on Statistical Inference, APA Bd. of Scientific Affairs, *Statistical Methods in Psychology Journals: Guidelines and Explanations*, 54 AM. PSYCHOLOGIST 594, 602 (1999).

78. Schumm, *supra* note 46, at 967.

79. See, e.g., Michael J. Rosenfeld, *Nontraditional Families and Childhood Progress Through School*, 47 DEMOGRAPHY 755 (2010).

80. Walter R. Schumm et al., *Stumbling Block or Stepping Stone: Path Analysis in Family Studies*, 42 J. MARRIAGE & FAM. 251, 252, 254–55 (1980).

81. Redding, *supra* note 35, at 146.

82. Compare AM. PSYCHOLOGICAL ASS'N, 5th ed., *supra* note 47, at 5, 20, 22, 24–25., and AM. PSYCHOLOGICAL ASS'N, 4th ed., *supra* note 47, at 16–18.

83. Walter R. Schumm, *How Science is Done*, 46 MARRIAGE & FAM. REV. 323 (2010).

84. Walter R. Schumm, *Lessons from Screwtape: How to Argue for a False Null Hypothesis—A Guide for Students, Attorneys, and Other Professionals* 1, 3, 5 (2011) (unpublished manuscript) (on file with author).

85. Biblarz & Stacey, *supra* note 1, at 5.

86. David Henehan et al., *Social and Demographic Characteristics of Gay, Lesbian, and Heterosexual Adults with and Without Children*, 3 J. GLBT FAM. STUD. 35 (2007).

eighteen percent of the children of gay couples (seventy-eight percent of whom were in a civil union) lived with their parents full-time compared to sixty-two percent of the children of heterosexual parents.⁸⁷ In fact, thirty-nine percent of the children of gay parents never visited them compared to only eleven percent of the children of heterosexual parents.⁸⁸ Likewise, only thirty-nine percent of the children of lesbian parents (fifty-nine percent of whom were in a civil union) lived with their parents full-time compared to seventy-one percent for the children of heterosexual parents; forty-one percent of the children of lesbian parents never or only occasionally visited compared to twenty-six percent of the children of heterosexual parents.⁸⁹ Such results warn us of the risk of comparing parents on sexual orientation without taking into account something as simple as the issue of part-time versus full-time parenting.

As a more specific example of how the literature is “spun” to create the politically correct result, consider Biblarz and Stacey’s report that heterosexual two-parent families reported more frequent conflict than did lesbian families.⁹⁰ However, the heterosexual and lesbian families in that study differed very significantly on mother’s age ($p < .05$), social class ($p < .001$), and family size ($p < .0001$),⁹¹ suggesting that the heterosexual families had to support more household members with fewer resources, a condition which might well lead to more conflict. Indeed, what may seem remarkable is that the same heterosexual families, starting off with fewer resources, more members, and younger mothers, with accompanying lower levels of child-peer acceptance, higher levels of maternal stress, lower levels of child’s secure attachment, less maternal warmth, and higher levels of maternal depression, nevertheless produced children who described themselves as having (significantly) greater cognitive competence ($ES = 0.94$, $p < .001$) and physical competence ($ES = 0.55$, $p < .01$) than children from lesbian families.⁹²

A similar result occurred elsewhere with children from two-parent heterosexual families reporting greater cognitive competence

87. *Id.*

88. *Id.*

89. *Id.*

90. Biblarz & Stacey, *supra* note 1, at 7 (citing Susan Golombok et al., *Children Raised in Fatherless Families from Infancy: Family Relationships and the Socioemotional Development of Children of Lesbian and Single Heterosexual Mothers*, 38 J. CHILD PSYCHOL. & PSYCHIATRY 783 (1997)).

91. Golombok et al., *supra* note 90, at 785.

92. *Id.* at 788.

($ES = 0.14$) and physical competence ($ES = 0.38$) than children from two-parent lesbian families in spite of the latter families having higher socioeconomic status, greater maternal acceptance, lower stress, fewer children, and less frequent corporal punishment.⁹³ Golombok did not control for significant differences between parents in terms of parental occupation, education, or family size.⁹⁴ Patterson, Sutfin, and Fulcher's lesbian and heterosexual first parents differed on number of children ($ES = 0.36$), income ($ES = 0.79$, $p < .001$), occupational prestige ($ES = 0.60$, $p < .05$), and education ($ES = 0.35$), with the former better off in terms of resources per capita.⁹⁵ Numerous studies have featured similar advantages for lesbian and gay families.⁹⁶ As Tasker acknowledged, lesbians "may be relatively affluent and well resourced."⁹⁷ Some studies have found that lesbian mothers tend to have more education than mothers and fathers in heterosexual families.⁹⁸ Sometimes there have been attempts to control for these differences, sometimes not. For example, in the *fifth* wave of assessment in their National Lesbian Family Study, Gartrell and Bos provided evidence that lesbian mothers rated their children's psychological adjustment more favorably than did heterosexual parents;⁹⁹ however, statistically significant pre-existing differences between the two groups of parents with respect to education ($ES = 0.84$), geographic location ($ES = 1.22$), age of children ($ES = 0.54$), and race/ethnicity ($ES = 0.79$) were not controlled.¹⁰⁰ Furthermore, because mothers rated their children's adjustment with the lesbian mothers probably more aware of the purposes of the research than the heterosexual mothers, it is quite possible that demand effects of the research or social desirability bias may have accounted for between-group differences that were reported, above and beyond any effects of the significant

93. Golombok et al., *supra* note 59, at 29 tbl.6.

94. *Id.* at 23 tbl.1.

95. Charlotte J. Patterson et al., *Division of Labor Among Lesbian and Heterosexual Parenting Couples: Correlates of Specialized Versus Shared Patterns*, 11 J. ADULT DEV. 179, 181–82 (2004).

96. See, e.g., Dan Black et al., *Demographics of the Gay and Lesbian Population in the United States: Evidence from Available Systematic Data Sources*, 37 DEMOGRAPHY 139, 139, 150–52 (2000); Schumm, *supra* note 43, at 445–46.

97. Fiona Tasker, *Same-Sex Parenting and Child Development: Reviewing the Contribution of Parental Gender*, 72 J. MARRIAGE & FAM. 35, 36 (2010).

98. See, e.g., Megan Fulcher et al., *Lesbian Mothers and Their Children: Findings from the Contemporary Families Study*, in SEXUAL ORIENTATION AND MENTAL HEALTH 281, 285 (Allen M. Omoto & Howard S. Kurtzman eds., 2006); Rothblum & Factor, *supra* note 57, at 64.

99. Gartrell & Bos, *supra* note 68, at 28.

100. See *id.*

demographic differences between the two groups. For example, in their *first* assessment for the National Lesbian Family Study, Gartrell and her colleagues acknowledged the risks of social desirability bias in their select sample of lesbian parents:

Some may have volunteered for this project because they were motivated to demonstrate that lesbians were capable of producing healthy, happy children. To the extent that these subjects might wish to present themselves and their families in the best possible light, the study findings may be shaped by self-justification and self-presentation bias.¹⁰¹

What Gartrell and her colleagues acknowledged as true in their early research would have remained equally, if not even more, valid for later waves of their research with the same parents, since the purpose of the study would likely have become even more clear over time. On occasion, it has been stated that socioeconomic differences were not significant statistically when, in fact, they were.¹⁰² However, without controlling for such family differences, especially in terms of per-capita family resources or social desirability response sets, one cannot truly test for the direct and unique contributions of parental gender or sexual orientation to child adjustment outcomes. Results under such conditions may primarily reflect the role of parental resources, rather than any influence of parental gender or sexual orientation. Without controls for socioeconomic differences, especially education and family *per capita* income, assertions about effects of parental gender or sexual orientation may be seriously misplaced.

III. THEORETICAL LIMITATIONS

Although the implications of social-exchange theory have been overlooked with respect to lesbigay parenting,¹⁰³ more basic theoretical issues are involved. Traditionally, a standard sociological model would have independent or exogenous variables, often being relatively fixed variables such as gender or race, along with intervening or mediating variables, and dependent or outcome variables. Such a model would

101. Nanette Gartrell et al., *The National Lesbian Family Study: 1. Interviews with Prospective Mothers*, 66 AM. J. ORTHOPSYCHIATRY 272, 279 (1996).

102. See Schumm, *supra* note 32, at 299.

103. Walter R. Schumm, *Differential Risk Theory as a Subset of Social Exchange Theory: Implications for Making Gay Marriage Culturally Normative and for Understanding Stigma Against Homosexuals*, 94 PSYCHOL. REP. 208, 208 (2004).

have both proximal and distal outcomes where one would not expect to see other than small effects for most distal relationships. Studying the possible effects of parental sexual orientation presents important challenges. First, the key independent variable is not fixed, but fluid inasmuch as some parents may not have become either aware or “out” about their sexual orientation until later in life while at least a few others may change back to a bisexual or heterosexual identity.¹⁰⁴ Second, some child outcomes, such as the child’s sexual orientation or their own relationship stability, may not be measurable until decades after they are born; in other words, some outcomes are very distal and effect sizes might be expected to be small merely because of the distance in time as well as a host of other factors influencing a child’s development. Third, if there are any distal outcomes, they are probably mediated by intervening factors, if not also by interactions or moderating effects. Some researchers tend to conclude that if they predict an outcome C from family form A with significant results and then control for process B, that A is unimportant if it becomes non-significant after controlling for B.¹⁰⁵ Actually, all they have done is provide evidence that the direct or distal effect of A on C is small. It still might be that A has an indirect effect on C through B, B being an intervening or mediating variable in the model. This is somewhat like saying that handguns are not harmful if you control for the effect of their bullets—technically true, but misleading if the conclusion is that handguns involve no safety risks.

For example, Kweskin and Cook found that lesbian mothers were significantly more likely to be masculine or androgynous in sex-role orientation themselves (81% versus 53%, $p < .05$) and that among

104. See LISA M. DIAMOND, *SEXUAL FLUIDITY* 3 (2008) [hereinafter DIAMOND, *SEXUAL FLUIDITY*]; Lisa M. Diamond, *What We Got Wrong About Sexual Identity Development: Unexpected Findings from a Longitudinal Study of Young Women*, in *SEXUAL ORIENTATION AND MENTAL HEALTH*, *supra* note 98, at 73 [hereinafter Diamond, *Sexual Identity Development*]; Roy F. Baumeister, *Gender Differences in Erotic Plasticity: The Female Sex Drive as Socially Flexible and Responsive*, 126 *PSYCHOL. BULL.* 347, 347–48 (2000); Lisa M. Diamond, *Female Bisexuality from Adolescence to Adulthood: Results from a 10-Year Longitudinal Study*, 44 *DEVELOPMENTAL PSYCHOL.* 5, 9 (2008) [hereinafter Diamond, *Female Bisexuality*]; Lisa M. Diamond & Molly Butterworth, *Questioning Gender and Sexual Identity: Dynamic Links Over Time*, 59 *SEX ROLES* 365, 367–68 (2008); Nigel Dickson et al., *Same-Sex Attraction in a Birth Cohort: Prevalence and Persistence in Early Adulthood*, 56 *SOC. SCI. & MED.* 1607, 1612 (2003); Kelly K. Kinnish et al., *Sex Differences in the Flexibility of Sexual Orientation: A Multidimensional Retrospective Assessment*, 34 *ARCHIVES SEXUAL BEHAV.* 173, 173–74 (2005).

105. See, e.g., Erin Calhoun Davis & Lisa V. Friel, *Adolescent Sexuality: Disentangling the Effects of Family Structure and Family Context*, 63 *J. MARRIAGE & FAM.* 669, 672 (2001); Stephen Demuth & Susan L. Brown, *Family Structure, Family Processes, and Adolescent Delinquency: The Significance of Parental Absence Versus Parental Gender*, 41 *J. RES. CRIME & DELINQ.* 58, 59–60 (2004).

mothers with either feminine, androgynous, or masculine sex-roles, seventy-five percent held that same sex-role as ideal for their child.¹⁰⁶ However, the direct effect of sexual orientation on ideal sex-role was small, $r = .12$.¹⁰⁷ Had the researchers reported all of their results, it is likely that there would have been a strong indirect effect of sexual orientation on the mothers' ideal child sex-role. A similar phenomenon may have occurred with the study by Fulcher, Sutfin, and Patterson, who found that lesbian mothers were more likely to divide paid and unpaid labor more equitably, and that parents who divided labor more equitably had children with less traditional occupational aspirations.¹⁰⁸ Because of small direct effects, the authors concluded that parental sexual orientation was "generally unrelated" to children's gender development.¹⁰⁹ However, what is most likely is that division of labor was an intervening variable between parental sexual orientation and child outcomes.

Recently, Bos and Sandfort included much of the material cited by Biblarz and Stacey¹¹⁰ in Bos, van Balen, Sandfort, and van den Boom.¹¹¹ Bos and Sandfort reported a significant ($p < .05$) relationship between parental sexual orientation and sexual questioning, which they had labeled heterosexual identity.¹¹² Bos and Sandfort also reported significant relationships between sexual questioning and both global self-worth ($\beta = -.19$, $p < .05$) and social competence ($\beta = -.24$, $p < .01$).¹¹³ There were no significant direct relationships between family type and self-worth or social competence, but there appeared to be an indirect influence through sexual questioning, as an intervening or mediating variable. Likewise, Bos, van Balen, Sandfort, and van den Boom found that daughters of lesbians were more likely to aspire to masculine occupations ($ES = 0.53$, $p < .05$) and have a non-heterosexual sexual orientation ($ES = 0.74$, $p < .01$), both of which predicted lower social competence for daughters.¹¹⁴ However, parental sexual orientation did not have a statistically significant

106. Sally L. Kweskin & Alicia S. Cook, *Heterosexual and Homosexual Mothers' Self Described Sex-Role Behavior and Ideal Sex-Role Behavior in Children*, 8 *SEX ROLES* 967, 970 tbl.I, 971 tbl.III (1982).

107. *Id.* at 971 tbl.II.

108. Fulcher et al., *supra* note 64, at 336–37.

109. *Id.* at 330.

110. Biblarz & Stacey, *supra* note 1, at 7–8.

111. Henny M. W. Bos et al., *Children's Psychosocial Adjustment and Gender Development in Lesbian and Heterosexual Families* (2006) (unpublished manuscript) (on file with author).

112. Bos & Sandfort, *supra* note 67, at 120 tbl.1.

113. *Id.* at 121 tbl.2.

114. Bos et al., *supra* note 111, at 12–13.

direct association with social competence, in spite of the apparent indirect effects.¹¹⁵

The presence of indirect effects does not mean that there are no effects, as in “generally unrelated.” Until we routinely test more elaborate models that allow for a variety of independent and intervening variables over both shorter and longer time periods, we will not well understand the role of sexual orientation or gender in parenting. If one stops to think about it, it is nothing less than remarkable that virtually no studies on lesbigay parenting have evaluated multi-variable models with intervening/mediating variables, where associations between sexual orientation and the intervening/mediating variables and associations between the latter and the outcome variables have both been reported. I believe that it has been too convenient to assess all variables in one model, thereby testing only for direct effects of parental sexual orientation on outcomes—effects that are not likely to be strong simply because they are more distal and likely substantially mediated by intervening variables. Until such models are evaluated and published, we simply will not have a strong understanding of the role of parental gender or sexual orientation on child outcomes.

Redding drew several conclusions from his review. First, he argued that lesbigay parenting was not harmful to children.¹¹⁶ Second, he argued that children raised by lesbigay parents were more likely to grow up to be lesbigay, although he concluded that this fact is of no harm to children.¹¹⁷ Third, he argued “that lesbigay families are just as stable for childrearing as heterosexual families,” regardless of higher rates of mental health concerns and non-monogamy among many gay men and lesbians.¹¹⁸ Then he argued that the evidence is not clear that fathers per se are really necessary—“a lesbian household may not be any less adequate of a household than a household with a male presence”¹¹⁹—even though it does appear that two parents are better for children than one parent.¹²⁰ Lastly, he argued that there were, in fact, likely advantages for children of lesbian parents.¹²¹ How do such conclusions stack up against a more careful analysis of the literature?

115. *Id.* at 18.

116. Redding, *supra* note 35, at 146.

117. *Id.* at 149.

118. *Id.* at 164.

119. *Id.* at 175.

120. *Id.* at 166.

121. *Id.* at 177–78.

Before I turn to that analysis, I want to make one point of logic. Given the many ways in which sexual orientation can be (and has been) defined, it is nearly impossible to argue that all lesbian parents (by all possible definitions) are inherently unfit parents. At the individual, psychological level almost anything is possible. My scholarly analyses are intended to be relevant at the macro-sociological level (i.e., do homosexual parents, on average, *ceteris paribus*, pose a greater risk to children than do heterosexual parents?). That is why I argued in the Florida trial that I could not rule out the possibility that some lesbian parents might be wonderful adoptive parents but that I thought permission for such a higher-risk group should be granted on a case-by-case basis by the judiciary rather than by declaring the state law to be irrational and unconstitutional.¹²²

IV. MARGINALIZATION OF ADVERSE ASPECTS OF SAME-SEX PARENTAL RELATIONSHIPS

At the same time that I am hesitant for a state to ban lesbian parenting on the basis of how someone checks a box on a form (who knows what *that* means?—Florida had used a one-item check-off on a form to determine prospective adoptive parental sexual orientation), I do think that the issue of lesbian parenting is not as harmless as some have argued.¹²³ First, parenting is a very long-term process. For example, Redding concluded that lesbian families are just as stable as heterosexual families.¹²⁴ Biblarz and Stacey concluded that, on the basis of only one study, lesbian mothers had less stable relationships than heterosexual parents.¹²⁵ The issue has been argued both ways as discussed in more detail elsewhere.¹²⁶ However, a careful analysis of several studies within the existing literature has shown that lesbian parents do appear to have less stable relationships than heterosexual parents.¹²⁷ Lesbian parental break-ups can be very painful emotionally, as Katherine Allen has reported.¹²⁸ We

122. Transcript of Record at 1132–1246, *In re Adoption of John Doe*, No. 06-033881 (Fla. Cir. Ct. Oct. 1, 2008).

123. Schumm, *supra* note 43, at 429–32, 437–38.

124. Redding, *supra* note 35, at 164.

125. See Biblarz & Stacey, *supra* note 1, at 7 tbl.1.

126. See, e.g., Walter R. Schumm, *Comparative Relationship Stability of Lesbian Mother and Heterosexual Mother Families: A Review of Evidence*, 46 MARRIAGE & FAM. REV. 499 (2010).

127. *Id.* at 504–05.

128. Katherine R. Allen, *Feminist Visions for Transforming Families: Desire and Equality Then and Now*, in HANDBOOK OF CONTEMPORARY FAMILIES: CONSIDERING THE PAST, CONTEMPLATING THE FUTURE 192, 201 (Marilyn Coleman & Lawrence H. Ganong eds., 2004).

know little about the stability of gay-father couples or about what difference being in a civil union or a lesbian marriage makes for lesbian parents, so those questions remain unresolved. Nevertheless, it is very important to note that Redding was incorrect in his conclusions about lesbian parents, primarily because much of the available information was not reported openly and therefore was not easily available.¹²⁹

For example, Charlotte Patterson in her own research on lesbian parents had information on lesbian parents having far less stable relationships than heterosexual parents,¹³⁰ but that was never disclosed to the Lofton trial judge and may not have been disclosed even to Biblarz and Stacey when they were preparing their review of the literature, even though Patterson reviewed an early version of their report.¹³¹ Redding assumed that gay marriage rights would improve the stability of lesbian relationships,¹³² but as of yet we have little such evidence. Since most heterosexuals eventually marry (whereas the Williams Institute has lately argued that at best about half of lesbians will marry¹³³), it is not clear that comparing the most committed lesbians to the entire population of married heterosexuals would not be a matter of comparing the cream of the crop versus the whole crop, an inherently unfair test. Although Redding correctly emphasized the importance of getting things right on important social issues through careful analysis of the literature,¹³⁴ it appears that he did not correctly evaluate the social science literature with respect to the stability of lesbian parental relationships and therefore drew an incorrect conclusion. Given that lesbian parental relationships appear to be much more unstable in the long-term than heterosexual parenting relationships,¹³⁵ such that it is most likely that a majority of lesbian couples will not be together when their child turns eighteen, one must wonder why it took so long for this fact to emerge from decades of research. Was it the bias?

Furthermore, it is easy to overlook how the issue of instability ties into the issue of methodology. Rosenfeld recently reported that same-

129. See Redding, *supra* note 35, at 139.

130. Schumm, *supra* note 126, at 502.

131. See Biblarz & Stacey, *supra* note 1, at 17 (stating that “[a]t this point no research supports the widely held conviction that the gender of parents matter for child well-being”).

132. Redding, *supra* note 35, at 164–65.

133. M.V. Lee Badgett et al., *The Impact on Maryland’s Budget of Allowing Same-Sex Couples to Marry*, 7 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 295, 299 (2007).

134. Redding, *supra* note 35, at 139.

135. Schumm, *supra* note 126, at 504–05.

sex parents did about as well as heterosexual parents in terms of children making progress in primary and secondary education.¹³⁶ However, he restricted his analysis to parents who had residential stability for five years.¹³⁷ Same-sex parents had lower residential stability than married parents (as might be expected if their relationships were less stable),¹³⁸ so that restriction “creamed the crop” of same-sex parents more than it did for married parents. Had he adopted a longitudinal approach, my guess is that he would have found reduced educational progress for the children of same-sex parents. Even with the restricted approach, he found nearly significant results in favor of the educational progress of the children of married heterosexual parents, even after controlling statistically for *over seventy* other factors.¹³⁹

Likewise, Redding, who found the Golombok et al. study persuasive did not see the hidden connection between instability and child outcomes in that study.¹⁴⁰ Golombok et al. found that two-parent families did have better child outcomes than single-parent families.¹⁴¹ However, their data also showed that instability rates were higher for the lesbian parents.¹⁴² Thus, if lesbian parents are more likely to become single parents in the future, that represents a probable risk of greater harm to their children, remembering Redding’s recognition that two parents are better for children than one parent.¹⁴³ However, if you design your study with four cells split on two-parent versus single-parent families and on sexual orientation, that situation is masked by the design. Essentially, instability serves as an intervening variable between sexual orientation and child outcomes. Hoenig and Heisey argued, “In matters of public health and regulation, it is often more important to be protected against erroneously concluding no difference exists when one does.”¹⁴⁴ With respect to parental-relationship instability, it is clear that an important adverse aspect of lesbian parenting had been overlooked almost completely until Biblarz and Stacey mentioned, on the basis of only

136. Rosenfeld, *supra* note 79, at 770.

137. *Id.* at 757.

138. *See id.*

139. *Id.* at 769 tbl.4.

140. *See* Redding, *supra* note 35, at 144.

141. Golombok et al., *supra* note 59, at 31.

142. *See id.* at 20–31.

143. Redding, *supra* note 35, at 166.

144. John M. Hoenig & Dennis M. Heisey, *The Abuse of Power: The Pervasive Fallacy of Power Calculations for Data Analysis*, 55 THE AM. STATISTICIAN 19, 23 (2001).

one study, that lesbian mothers might have less stable relationships.¹⁴⁵ Only very recently, has a much larger expanse of literature been exposed, yielding a similar conclusion.¹⁴⁶ Even if the legal availability of gay marriage helped reduce instability for those lesbigay parents who did marry, it is not clear that the availability of gay marriage would reduce instability for those lesbigay parents who chose to not marry or enter into a civil union when such a right was available. It is not clear how this might play out with respect to adoption. If gay marriage were available to all lesbigay parents or potential parents and some lesbigays refused to marry, the latter might encounter more resistance from adoption agencies than would those who were married or planning on getting married (because of concerns about greater potential parenting instability and the negative impact of multiple parental transitions on children's welfare). Even Gartrell and Bos's recent research found a nearly significant ($p < .09$) relationship, even with their small sample size, between psychological maladjustment and lesbian parental instability among the children of her cohort of lesbian parents.¹⁴⁷

Another concern traditionalists may have with gay adoption is research that indicates gay men are less monogamous and sexually exclusive than heterosexuals or lesbians.¹⁴⁸ Up to forty percent of gay men in civil unions have agreements to permit non-monogamy with over fifty percent having had sex outside their civil union within three years.¹⁴⁹ It appears that "non-monogamy is an accepted part of gay male culture,"¹⁵⁰ part of the "norms of the gay male community" with up to eighty-two percent of gay males having engaged in extradyadic sex.¹⁵¹ Peplau, Fingerhut, and Beals have stated that "[a] distinctive feature of contemporary gay men's relationships is the tendency to form sexually open (nonmonogamous) relationships,"¹⁵² that "[s]exual exclusivity is by no means the norm among contemporary gay

145. See Biblarz & Stacey, *supra* note 1, at 7 tbl.1.

146. Schumm, *supra* note 126, at 504-05.

147. Gartrell & Bos, *supra* note 68, at 34.

148. A. Dean Byrd, *Homosexual Couples and Parenting: What Science Can and Cannot Say* 5-8 (unpublished manuscript) (on file with author).

149. Esther D. Rothblum et al., *Siblings and Sexual Orientation: Products of Alternative Families or the Ones Who Got Away?*, 1 J. GLBT FAM. STUD. 71, 80 (2005).

150. *Id.*

151. Letitia Anne Peplau & Adam W. Fingerhut, *The Close Relationships of Lesbians and Gay Men*, 58 ANN. REV. PSYCHOL. 405, 409-10 (2007).

152. Letitia Anne Peplau et al., *Sexuality in the Relationships of Lesbians and Gay Men*, in THE HANDBOOK OF SEXUALITY IN CLOSE RELATIONSHIPS 349, 356 (John H. Harvey et al. eds., 2004).

couples,"¹⁵³ and that "sexual openness is the norm for most gay male relationships."¹⁵⁴ It appears to be rare for gay couples to maintain a long-term sexually exclusive relationship, as Peplau et al. noted when discussing research on this issue. "Yet, 100% of those couples who had been together 5 years or longer had engaged in extradyadic sexual relations."¹⁵⁵ Blasband and Peplau found only ten percent of their gay male participants had remained sexually monogamous and all of those had been together less than three years.¹⁵⁶

Kurdek and Bettinger have highlighted the non-monogamy or polyamory of gay male couples as well,¹⁵⁷ while Redding concluded that "there seems to be little dispute in the research literature that the rates of nonmonogamy in gay and lesbian partnerships are higher than in heterosexual unmarried partnerships" and "gay men have on average a substantially greater number of sexual partners over their lifetime than do heterosexuals."¹⁵⁸ Kurdek concluded that "[p]erhaps the most salient difference between homosexual and heterosexual couples revealed by previous studies is that homosexual partners—especially gay partners—often engage in sex outside of the relationship with each other's knowledge."¹⁵⁹ Shernoff cites Johnson and Keren as stating that "[m]onogamy seems to be hardwired into spoken and culturally sanctioned norms for heterosexual relationships. The gay community's normative acceptance of casual sex, anonymous sex and nonmonogamy in couple relationships represents a dramatic departure of heterocentric norms and values."¹⁶⁰ Gartrell, Rodas, Deck, Peyser, and Banks indicated that among the nearly half of their lesbian mothers who had separated, some children have been exposed to as many as six of their mother's new sexual partners in less than ten

153. *Id.*

154. *Id.* at 366.

155. *Id.* at 357.

156. David Blasband & Letitia Anne Peplau, *Sexual Exclusivity Versus Openness in Gay Male Couples*, 14 ARCHIVES SEXUAL BEHAV. 395, 406 (1985).

157. L.A. Kurdek, *Sexuality in Homosexual and Heterosexual Couples*, in SEXUALITY IN CLOSE RELATIONSHIPS 177, 187 (Kathleen McKinney & Susan Sprecher eds., 1991); Michael Bettinger, *Polyamory and Gay Men: A Family Systems Approach*, in AN INTRODUCTION TO GLBT FAMILY STUDIES 161, 161 (Jerry J. Bigner ed., 2006).

158. Redding, *supra* note 35, at 163.

159. Kurdek, *supra* note 157, at 187.

160. Michael Shernoff, *Negotiated Nonmonogamy and Male Couples*, 45 FAM. PROCESS 407, 408 (2006) (quoting Thomas W. Johnson & Michael S. Keren, *Creating and Maintaining Boundaries in Male Couples*, in LESBIANS AND GAYS IN COUPLES AND FAMILIES: A HANDBOOK FOR THERAPISTS 231, 238–39 (Joan Laird & Robert-Jay Green eds., 1996)).

years.¹⁶¹ Patterson, Hurt, and Mason noted that their lesbian mothers' children's social networks included "a sizeable number of women who were described as former romantic partners of the children's mothers. This finding is consistent with many anecdotal reports and commentaries suggesting that, long after the break-up of a romantic relationship, members of lesbian couples may remain close . . ."¹⁶² Solomon, Rothblum, and Balsam observed that significantly more lesbian and gay couples reported having former sexual lovers as friends than did their comparison sample of heterosexual women and men.¹⁶³ Tasker and Golombok appeared to find that twenty-four percent of their lesbian mothers had five or more sexual partners over the fifteen years of their longitudinal study.¹⁶⁴ Furthermore, the mother's having more sexual partners was strongly related ($r = -.66$, $p < .001$) to lower acceptance of the family's lesbian identity when the children were adolescents.¹⁶⁵ Of course, not all see problems here—as Shernoff concludes, "therapists need to challenge their cultural biases regarding monogamy."¹⁶⁶ To me, it seems apparent that many potential lesbigay adoptive parents would pose a risk to children through a "revolving door" of various sexual partners, some of whom might have little genuine interest in the long-term welfare of a child in the household. Instability and having multiple partners are probably interrelated issues.

161. Nanette Gartrell et al., *The USA National Lesbian Family Study: Interviews with Mothers of 10-Year-Olds*, 16 FEMINISM AND PSYCHOL. 175, 183 (2006).

162. Charlotte J. Patterson et al., *Families of the Lesbian Baby Boom: Children's Contact with Grandparents and Other Adults*, 68 AM. J. ORTHOPSYCHIATRY 390, 397 (1998).

163. Sondra E. Solomon et al., *Pioneers in Partnership: Lesbian and Gay Male Couples in Civil Unions Compared with Those Not in Civil Unions and Married Heterosexual Siblings*, 18 J. FAM. PSYCHOL. 275, 279 tbl.1, 281 tbl.2 (2004).

164. See FIONA L. TASKER & SUSAN GOLOMBOK, GROWING UP IN A LESBIAN FAMILY: EFFECTS ON CHILD DEVELOPMENT 87 tbl.5.3, 92 tbl.5.4, 95 (1997). Table 5.3 shows that nine children of lesbian mothers reported having been teased about their mother's lifestyle while sixteen had not been teased by peers. *Id.* at 87 tbl.5.3. Table 5.4 shows that the zero-order correlation between having been teased or not and whether the mother had four or fewer partners versus five or more was $r = .359$ ($p < .10$). *Id.* at 92 tbl.5.4, 95. Running all possible combinations of the split of two levels of partners versus the two levels of teasing only yields $r = .359$ when 6/25 (24%) of the lesbian mothers had five or more partners. Using the same procedure for teasing about the child's own sexuality when eleven of twenty-five children had been so teased, $r = .257$ ($p = .216$) between teasing and mother's level of partners, as reported in Table 5.4 on page 92, only when 6/25 (24%) of the mothers had five or more partners.

165. Fiona Tasker & Susan Golombok, *Young People's Attitudes Toward Living in a Lesbian Family: A Longitudinal Study of Children Raised by Post-Divorce Lesbian Mothers*, 28 J. DIVORCE & REMARRIAGE 183, 191 (1997).

166. Shernoff, *supra* note 160, at 407.

Redding argued that “disgust” with homosexual sexual practices motivates antipathy towards lesbian parents.¹⁶⁷ I would disagree—I think that concerns about instability and multiple sexual partners may motivate cautions about same-sex parenting as well as various inequities. The baseline reason is that a woman, as a wife/mother, has an inherent interest in keeping her husband from creating extramarital romantic allegiances, extramarital pregnancies, or spending her household income on such things. For example, if he has a child by another woman, his responsibility for the financial support of that child represents a drain on the household resources that otherwise would have supported the mother’s own children. If he spends time in extramarital relationships (even without creating any pregnancies), that likely represents less time engaging in child care, other ways of supporting the mother emotionally, or in terms of concrete tasks. Therefore, it seems inevitable to me that a wife/mother will seek to restrict her husband’s sexual outlets. Same-sex partners have fewer such intrinsic motivations since pregnancy is not a serious threat to the household’s allocation of resources. For society to attempt to equate these disparate conditions is in essence the creation of a great inequality for the greater part of society, especially for married heterosexual parents. Thus, my argument is that this potential inequity—more than disgust with anal sex—is driving antipathy towards granting social equivalence to same-sex and heterosexual sexual relationships.

Some have argued—and I agree—that the evidence supports a greater equality of division of labor in same-sex relationships compared to heterosexual relationships. On the surface, that appears to represent a better role model for children—“see how your two mommies divide everything up so equally?” But this characteristic may be less of a good role model for children in the long run. Close relationships are not always “fair” or “equal.” Things happen. One partner may become disabled or may simply not be as good at balancing the checkbook. A better role model for children may be showing them how two people can strive to live harmoniously in complementary relationships, in spite of having different inherent (“born with”) gender differences in terms of biologies, body chemistries, sexual needs, hormonal cycles, not to mention gender-related socialization experiences or patterns of communication.¹⁶⁸ To the extent that the

167. Redding, *supra* note 35, at 181.

168. See generally HELEN FISHER, *WHY WE LOVE: THE NATURE AND CHEMISTRY OF ROMANTIC LOVE* (2004).

success of same-sex partnerships rests upon having an equal division of labor most of the time, such success may not be long lasting and may convey to children the idea that if you do not keep everything fair and equal most of the time, your relationships will or should be dissolved. However, were heterosexuals to adopt such a rule, gender differences might well guarantee their eventual dissolution, to the detriment of all children with biological mothers and fathers. Regardless of its short-term advantages, a demand for gender equality in relationships, which may be easier for same-sex couples to arrange, may undermine heterosexual partnerships and ultimately harm children.

V. MARGINALIZATION OF ADVERSE ASPECTS OF CHILD OUTCOMES ASSOCIATED WITH SAME-SEX PARENTING

A. *Sexual Orientation*

While many have continued to argue that there has been very little, if any, evidence of intergenerational transmission of sexual orientation,¹⁶⁹ others have been less sure, leaving the issue as “open to debate”¹⁷⁰ or one in which the data does not allow unambiguous interpretation.¹⁷¹ Wardle and Cameron argued contrary positions, citing logic and a variety of studies.¹⁷² Biblarz and Stacey cited Tasker and Golombok’s finding, saying that “[d]aughters of lesbian mothers . . .

169. *E.g.*, ABBIE E. GOLDBERG, LESBIAN AND GAY PARENTS AND THEIR CHILDREN 170 (2010); P. Baetens & A. Brewaeys, *Lesbian Couples Requesting Donor Insemination: An Update of the Knowledge with Regard to Lesbian Mother Families*, 7 HUM. REPROD. UPDATE 512, 515 (2001); Carlos A. Ball, *Lesbians and Gay Families: Gender Nonconformity and the Implications of Difference*, 31 CAP. U. L. REV. 691, 696–97 (2003); Sylvia K. Fisher et al., *Lesbians, Gay, Bisexual and Transgender Families and Their Children*, in FAMILY INFLUENCES ON CHILDHOOD BEHAVIOR AND DEVELOPMENT 187, 189–90 (Thomas P. Gullotta & Gary M. Blau eds., 2008); Mallon, *supra* note 5, at 5; Jenni Millbank, *From Here to Maternity: A Review of the Research on Lesbian and Gay Families*, 38 AUSTRALIAN J. SOC. ISSUES 541, 562–63 (2003); Clare Murray, *Same-Sex Families: Outcomes for Children and Parents*, 34 FAM. L. 136, 138 (2004); Lucy Rimalower & Caren Caty, *The Mamas and the Papas: The Invisible Diversity of Families with Same-Sex Parents in the United States*, 9 SEX EDUC. 17, 27 (2009).

170. Letitia Anne Peplau & Kristin P. Beals, *The Family Lives of Lesbians and Gay Men*, in HANDBOOK OF FAMILY COMMUNICATION 233, 243 (A.L. Vangelisti ed., 2004).

171. See Charlotte J. Patterson, *Lesbian and Gay Parents and Their Children: Summary of Research Findings*, in LESBIAN & GAY PARENTING 5, 10 (2005), available at <http://www.apa.org/pi/lgbt/resources/parenting-full.pdf>.

172. Compare Lynn D. Wardle, *Considering the Impacts on Children and Society of “Lesbigay” Parenting*, 23 QUINNIPIAC L. REV. 541, 559 (2004), with Paul Cameron, *Children of Homosexuals and Transsexuals More Apt to Be Homosexual*, 38 J. BIOSOCIAL SCI. 413, 417–18 (2006).

scored 0.75 *SD* lower on heterosexual identity than daughters of heterosexual couples," which they interpreted as supporting evidence of greater fluidity in female sexual desires, as observed in longitudinal studies of lesbian and bisexual women.¹⁷³ Yet they overlooked research by a number of authors,¹⁷⁴ summarized by Schumm¹⁷⁵ and later Cameron,¹⁷⁶ in which children of gay or lesbian parents were much more likely to identify, behave, or be attracted same-sexually.

For example, Sirota found that thirty-four percent of the daughters of gay fathers were lesbian or bisexual compared to three percent of the daughters of heterosexual fathers ($p < .001$).¹⁷⁷ I analyzed research from two of Tasker and Golombok's articles to show that at least twenty percent of the children from lesbian families had considered the possibility of becoming involved in same-sex relationships, even though they had never experienced same-sex sexual attractions;¹⁷⁸ furthermore, of those who had experienced same-sex attractions, sixty-seven percent of the children of lesbian mothers reported actual experience with same-sex relationships compared to none of the children of heterosexual mothers ($p < .05$, one-sided Fisher's Exact Test).¹⁷⁹ Although Golombok and Tasker reported that Adult Kinsey ratings of sexual orientation did not differ for the lesbian and heterosexual-parented adult children,¹⁸⁰ I found that the difference between the two groups of children was, in fact,

173. Biblarz & Stacey, *supra* note 1, at 14.

174. See, e.g., Julie D. Kunin, Predictors of Psychosocial and Behavioral Adjustment of Children: A Study Comparing Children Raised by Lesbian Parents to Children Raised by Heterosexual Parents 109–10 (1998) (unpublished Ph.D. dissertation, California School of Professional Psychology, San Diego) (on file with California School of Professional Psychology Library); Jay Philip Paul, Growing up with a Gay, Lesbian or Bisexual Parent: An Exploratory Study of Experiences and Perceptions 65, 83 (1986) (unpublished Ph.D. dissertation, University of California, Berkeley) (on file with UMI Dissertation Services); Theodora Sirota, A Comparison of Adult Attachment Style Dimensions Between Women who have Gay or Bisexual Fathers and Women who have Heterosexual Fathers 124 (1997) (unpublished Ph.D. dissertation, New York University) (on file with Bobst Library, New York University).

175. Schumm, *supra* note 32, at 288–89.

176. Paul Cameron, *Gay Fathers' Effects on Children: A Review*, 104 PSYCHOL. REP. 649 (2009).

177. Schumm, *supra* note 32, at 290 (citing Sirota, *supra* note 174, at 70).

178. Walter R. Schumm, *What was Really Learned from Tasker and Golombok's (1995) Study of Lesbian and Single Parent Mothers?*, 94 PSYCHOL. REP. 422, 423 (2004) (analyzing research from Fiona Tasker & Susan Golombok, *Adults Raised as Children in Lesbian Families*, 65 AM. J. ORTHOPSYCHIATRY 203, 211, 213 (1995) and Susan Golombok & Fiona Tasker, *Do Parents Influence the Sexual Orientation of Their Children? Findings from a Longitudinal Study of Lesbian Families*, 32 DEVELOPMENTAL PSYCHOL. 3, 8 (1996)).

179. Schumm, *supra* note 178, at 423.

180. Golombok & Tasker, *supra* note 178, at 8 tbl.2.

significant ($p < .05$).¹⁸¹ Golombok and Tasker found that sixteen percent of the children of lesbian mothers compared to none of the children of heterosexual mothers scored two or higher on the Kinsey Scale ($p < .08$, one-sided Fisher's Exact Test).¹⁸² Golombok and Tasker also found that the children of lesbian mothers were more likely to express same-sex sexual interest when their mother had been more open to her children becoming homosexual,¹⁸³ had engaged in a higher number of lesbian relationships during the child's early school years,¹⁸⁴ and had been more open in showing physical affection to her female partners.¹⁸⁵ Javaid found that daughters of lesbians were more likely to admit to homosexual thoughts or fantasies than daughters of heterosexual mothers (73% versus 47%, n.s.).¹⁸⁶ Lewis interviewed ten males and eleven females from eight lesbian families from the Boston area; she reported that "[s]everal girls [of eleven] thought they might turn to women if they did not have a satisfying relationship with a man. One added, 'That's what my mother did.' She said, in regard to her dating, if she complained to her mother about boys, 'she would tell me to try girls,'"¹⁸⁷ a remark similar to that made by a lesbian mother in the Tasker and Golombok study, "Why don't you try and see if you get on better with women?"¹⁸⁸

Several of the seventeen British adolescents and adults interviewed by Saffron reported their own perceived greater acceptance of same-sex attractions and behavior; as one bisexual daughter said, "I have experimented sexually, and my parents have created a supportive environment for that."¹⁸⁹ Goldberg's study of forty-six adult children of LGBT parents found seventeen percent to have adopted non-heterosexual identities with twenty-eight percent reporting having developed "fluid" ideas about human sexuality.¹⁹⁰ In Javaid's study, daughters of lesbian mothers were significantly ($p < .05$) more likely

181. Schumm, *supra* note 43, at 443.

182. Golombok & Tasker, *supra* note 178, at 8 tbl.2.

183. *Id.* at 7.

184. *Id.*

185. *Id.*

186. Ghazala Afzal Javaid, *The Children of Homosexual and Heterosexual Single Mothers*, 23 CHILD PSYCHIATRY & HUM. DEV. 235, 241 (1993).

187. Karen Gail Lewis, *Children of Lesbians: Their Point of View*, in LESBIANS AND CHILD CUSTODY 85, 86-89 (Dolores J. Maggiore ed., 1992).

188. TASKER & GOLOMBOK, *supra* note 164, at 124.

189. Lisa Saffron, *Raising Children in an Age of Diversity—Advantages of Having a Lesbian Mother*, 2 J. LESBIAN STUD. 35, 40 (1998).

190. Abbie E. Goldberg, *(How) Does it Make a Difference? Perspectives of Adults with Lesbian, Gay, and Bisexual Parents*, 77 AM. J. ORTHOPSYCHIATRY 550, 554, 557 (2007).

than daughters of heterosexual mothers to be unsure about or reject heterosexual marriage and children as part of their future.¹⁹¹ Crowl, Ahn, and Baker reported an average effect size of 0.20 (not significant) from five studies they reviewed, with children of lesbians more likely to identify with a homosexual orientation.¹⁹² Gartrell, Bos, and Goldberg reported that of children of lesbian mothers in their longitudinal study of seventeen years, over forty-eight percent of the daughters and nearly twenty-two percent of the sons were, in terms of the Kinsey Scale, not exclusively heterosexual.¹⁹³ I found that data from both qualitative and quantitative, as well as anthropological, sources confirmed the influence of the environment, including the family, on child outcomes in terms of sexual orientation.¹⁹⁴

Gartrell, Bos, and Goldberg found that daughters of lesbians were over three times as likely ($p < .01$) as were daughters of parents from a national sample to have engaged in sex with other girls by age seventeen.¹⁹⁵ Thus, it now appears much more certain that gay or lesbian parents are more likely to have children who tend to eventually embrace a gay, lesbian, or bisexual lifestyle. Redding deserves credit for making the case from social science evidence, ahead of most other scholars, that the children of lesbigay parents are more likely to become lesbigay as adults.¹⁹⁶ Nevertheless he overlooked a great deal of evidence that would have further supported his conclusions¹⁹⁷ and went on to agree with Freud that a person's sexual orientation makes little difference in their long-term welfare.¹⁹⁸ The negative reactions to a news report on my later article on the intergenerational transmission of sexual orientation,¹⁹⁹ suggest otherwise. If most people really agreed with Freud, who would care that anyone found evidence of this sort? I suspect that most heterosexual parents do not agree with Freud, which makes this otherwise innocuous issue so contentious. While concerns about risky sexual behavior and sexually transmitted infections are valid for

191. Javaid, *supra* note 186, at 242 tbl.5.

192. Alicia Crowl et al., *A Meta-Analysis of Developmental Outcomes for Children of Same-Sex and Heterosexual Parents*, 4 J. GLBT FAM. STUD. 385, 397 (2008).

193. Gartrell et al., *supra* note 4, at 5 tbl.3.

194. Walter R. Schumm, *Children of Homosexuals More Apt to be Homosexuals? A Reply to Morrison and to Cameron Based on an Examination of Multiple Sources of Data*, 42 J. BIOSOCIAL SCI. 721, 737 (2010).

195. Gartrell et al., *supra* note 4, at 6 tbl.4.

196. Redding, *supra* note 35, at 149.

197. Schumm, *supra* note 194, at 725.

198. Redding, *supra*, note 35, at 150.

199. Schumm, *supra* note 194, at 737.

such parents, I think that most heterosexual parents would not want their children to grow up into a subculture in which polyamory and multiple, casual sexual relationships are often highly valued over the entire lifespan, apart from any obvious health risks.

B. *Parental Role in Intergenerational Transmission of Sexual Orientation*

Furthermore, there is evidence that parenting values may foster intergenerational transmission of sexual orientation. As I noted elsewhere, Golombok, Spencer, and Rutter found that only twenty-seven percent of lesbian mothers in their study preferred that their children grow up to be heterosexual.²⁰⁰ Tasker and Golombok assessed young adults' perceptions of their mother's preferred sexual orientation for them and found that forty-three percent of children of lesbian mothers versus none of the heterosexual mothers ($p < .0001$) thought that their parent would prefer for them to be gay or lesbian, an effect that was stronger for daughters of lesbians (56%, $p < .001$) than for sons of lesbians (14%).²⁰¹ Javaid found that lesbian mothers were more likely to express an acceptance of their children becoming gay or lesbian than were heterosexual mothers (54% versus none, $p < .05$).²⁰² Gartrell, Banks, Reed, Hamilton, Rodas, and Deck reported that only twenty-one percent of lesbian mothers hoped their five-year-old children would become heterosexual.²⁰³ Flaks noted that of the thirty lesbian mothers in his study, sixty-seven percent said they had no preference for the sexual orientation of their children while thirty-three percent said they would prefer their child to be heterosexual; while among the thirty heterosexual parents, only twenty-seven percent said they had no preference while seventy-three percent said they would prefer their child to be heterosexual.²⁰⁴

200. *Id.* at 735 (citing Susan Golombok et al., *Children in Lesbian and Single-Parent Households: Psychosexual and Psychiatric Appraisal*, 24 J. CHILD PSYCHOL. & PSYCHIATRY 551, 561 (1983)).

201. TASKER & GOLOMBOK, *supra* note 164, at 124.

202. Javaid, *supra* note 186, at 240–41.

203. Nanette Gartrell et al., *The National Lesbian Family Study: 3. Interviews with Mothers of Five-Year-Olds*, 70 AM. J. ORTHOPSYCHIATRY 542, 546 (2000).

204. David K. Flaks, *Lesbian Couples and their Children: Psychological and Legal Implications 1* (1993) (unpublished Ph.D. dissertation, Widener University) (on file with author); see generally David K. Flaks et al., *Lesbian Choosing Motherhood: A Comparative Study of Lesbian and Heterosexual Parents and their Children*, 31 DEVELOPMENTAL PSYCHOL. 105 (1995). Flaks did not publish one of his most significant findings in this article that reported nearly everything else, including many null findings, from his dissertation.

Gartrell, Deck, Rodas, Peyser, and Banks found that some lesbian mothers thought (10%) that their ten-year-old children would become non-heterosexual, while only thirty-seven percent of the lesbian mothers expected their child to become heterosexual.²⁰⁵ Thus, it appears that lesbian mothers are far more inclined to accept, if not encourage, non-heterosexual sexual orientation among their children, especially their daughters.

C. *Sexual Behavior*

There exists scattered evidence that, aside from sexual orientation, sexual conduct of children of lesbian parents may differ significantly from that of children of heterosexual parents. Tasker and Golombok also studied outcomes for children's sexual relationships, aside from sexual orientation.²⁰⁶ They found that eighty-eight percent of daughters of lesbians versus fifty-six percent of daughters of heterosexual mothers had more than one sexual partner after puberty, an effect size of 0.78.²⁰⁷ Likewise, they found that seventy-one percent of lesbians' daughters versus twenty-two percent of heterosexual mothers' daughters had unstable or multiple cohabitations with sexual partners.²⁰⁸ Daughters of lesbians were also more likely (71%) than daughters of heterosexual mothers (17%) to cohabit with a sexual partner after knowing them for less than six months.²⁰⁹ Overall, it appears that children of same-sex parents are more likely to engage in same-sex sexual behaviors, even though most ultimately adopt heterosexual identities. Thus, some evidence exists to suggest that children of lesbian mothers adopt more permissive sexual attitudes and behaviors, regardless of sexual orientation.

D. *Other Child Outcomes*

Biblarz and Stacey cited several studies in which parenting outcomes, including security of attachment, were allegedly better among children of lesbians.²¹⁰ However, they overlooked a study by

205. Nanette Gartrell et al., *The National Lesbian Family Study: 4. Interviews with the 10-Year-Old Children*, 75 AM. J. ORTHOPSYCHIATRY 518, 523 (2005).

206. See TASKER & GOLOMBOK, *supra* note 164, at 127–31.

207. *Id.* at 127 tbl.6.6.

208. *Id.* at 131 tbl.6.8.

209. *Id.* at 131.

210. Biblarz & Stacey, *supra* note 1, at 8 tbl.1 (citing A. Brewaeys et al., *Donor Insemination: Child Development and Family Functioning in Lesbian Mother Families*, 12 HUM. REPROD. 1349, 1356 (1997); Golombok et al., *supra* note 90, at 783; K. Vanfraussen et al., *What Does it Mean for*

Sirota that compared sixty-eight daughters of gay fathers and sixty-eight daughters of heterosexual fathers on adult attachment styles.²¹¹ Sirota found that seventy-eight percent of the daughters of gay fathers versus forty-four percent of those of heterosexual fathers ($p < .001$) reported insecure attachment, while forty-four percent versus twelve percent were uncomfortable with close relationships ($p < .001$), results that probably could *not* be explained entirely by the higher divorce history of the gay fathers.²¹² Effect sizes associated with comparisons of the three attachment dimensions ranged between 0.75 and 1.14 ($p < .001$) in favor of daughters of heterosexual parents.²¹³ Another study related to attachment was Puryear's in which children of lesbians were much less likely to draw pictures of cohesive, cooperating family members than were children of heterosexuals.²¹⁴ For example, Puryear found that only twenty percent of lesbians' children drew pictures of their mother cooperating with them, compared to sixty-seven percent of heterosexuals' children ($p < .01$).²¹⁵ Puryear also found a medium effect size of 0.64 favoring the self-esteem of sons of heterosexual mothers.²¹⁶ Also, Miller, Mucklow, Jacobsen, and Bigner reported that thirty-eight percent of lesbians versus three percent of heterosexual women did not respect their own father ($p < .001$), a result they indicated was consistent with a number of other studies of lesbians, suggesting poor attachment in families of origin.²¹⁷ With respect to Biblarz and Stacey's claim that there has been only one study of gay fathers and child outcomes,²¹⁸ it is clear that Sirota's statistically significant and substantive research²¹⁹ was overlooked in

Youngsters to Grow up in a Lesbian Family Created by Means of Donor Insemination?, 20 J. REPROD. & INFANT PSYCHOL. 237, 237, 250 (2002).

211. Theodora Sirota, *Adult Attachment Style Dimensions in Women Who Have Gay or Bisexual Fathers*, 23 ARCHIVES PSYCHIATRIC NURSING 289 (2009); see also Walter R. Schumm, Letter to the Editor, "Adult Attachment Style Dimensions in Women Who Have Gay or Bisexual Fathers": Response to Sirota, 24 ARCHIVES PSYCHIATRIC NURSING 371, 371 (2010); Sirota, *supra* note 174, at 66.

212. Sirota, *supra* note 211, at 293; see also Schumm, *supra* note 211; Schumm, *supra* note 32, at 290.

213. Schumm, *supra* note 211.

214. Debra L. Puryear, *Familial Experiences: A Comparison Between the Children of Lesbian Mothers and the Children of Heterosexual Mothers* 58-59 (Oct. 1983) (unpublished Ph.D. dissertation, California School of Professional Psychology, Berkeley) (on file with University Microfilms International).

215. *Id.* at 59.

216. *Id.* at 65-69.

217. J.A. Miller, *Comparison of Family Relationships: Homosexual Versus Heterosexual Women*, 46 PSYCHOL. REP. 1127, 1129 tbl.2, 1131 (1980).

218. Biblarz & Stacey, *supra* note 1, at 14.

219. See generally Sirota, *supra* note 211; Sirota, *supra* note 174.

Redding's,²²⁰ Biblarz and Stacey's,²²¹ and Biblarz and Savci's²²² reviews, as well as some earlier research by other scholars on attachment outcomes for lesbian families.

E. *Adoptive Parenting*

Redding recently claimed that "there are no studies specifically of adoptive [gay or lesbian] parents,"²²³ while Biblarz and Stacey cited only one study, in which homosexual adopters reported lower family support than heterosexual adopters ($ES = 0.60, p < .02$).²²⁴ Neither reported research by Erich, Leung, and Kindle who, comparing homosexual and heterosexual adoptive parents, found a small effect size (0.13) in favor of heterosexual parents in terms of family functioning; as part of a regression model, heterosexual sexual orientation predicted better family functioning with $\beta = .17$.²²⁵ However education was not entered into that regression model when there was a moderate effect size (0.53) in favor of the gay/lesbian parents (48% with a graduate degree versus 33% of heterosexuals);²²⁶ education could have acted as a suppressor effect. It is quite possible that if Erich et al. had predicted family functioning after controlling for income and education their results would have been different.

Adoption is not a legal right. Since the State creates this form of parenthood, one might suppose that the State would want to select parents who had the goal of raising children who would become citizens with "qualities that are valued as important in our society."²²⁷ Such was the twenty-three-item scale those researchers used in the Netherlands as one measure of child-rearing goals in a sample of 100 lesbian and 100 heterosexual families.²²⁸ One of the twenty-three items for which they provided as an example was "self-control."²²⁹ Although the families were compared on a number of issues, the

220. Redding, *supra* note 35.

221. Biblarz & Stacey, *supra* note 1.

222. Biblarz & Savci, *supra* note 6.

223. Redding, *supra* note 35, at 142.

224. See Peter A. Kindle & Stephen Erich, *Perceptions of Social Support Among Heterosexual and Homosexual Adopters*, 86 *FAM. SOC'Y* 541 (2005).

225. Erich et al., *supra* note 30, at 50–51 ($p < .05$, one-tailed t -test).

226. *Id.*

227. Henny M. W. Bos et al., *Experience of Parenthood, Couple Relationship, Social Support, and Child-Rearing Goals in Planned Lesbian Mother Families*, 45 *J. CHILD PSYCHOL. & PSYCHIATRY* 755, 758 (2004); see also Bos et al., *supra* note 56, at 40.

228. Bos et al., *supra* note 227, at 758; Bos et al., *supra* note 56, at 40.

229. Bos et al., *supra* note 227, at 758; Bos et al., *supra* note 56, at 40.

largest and most significant differences of the eleven outcomes assessed occurred for that scale of child-rearing goals.²³⁰ However, Biblarz and Stacey cite this outcome as “[e]mphasis on social conformity in children,”²³¹ which connotes a negative tone in my opinion (as in, how horrible, they are making their children conform, sacrificing their freedom and independence) when I—and presumably many other parents—would regard “self-control” as an entirely positive outcome.

In fact, a recent study of adults assessed on self-control as children indicated that better self-control in childhood predicted positive outcomes in adulthood in terms of fewer criminal convictions, fewer financial problems, less chance of becoming a single parent, better physical health, and less substance abuse.²³² Although they did not control for presence of children, Trocki, Drabble, and Midanik found that same-sex sexual orientation was associated with greater impulsivity and substance abuse among adults.²³³ The Dutch heterosexual parents were also significantly higher on structure and limit setting in the 2007 report.²³⁴ Biblarz and Stacey also cited MacCallum and Golombok for providing evidence on “disciplinary control”;²³⁵ however, that study found that heterosexual mothers in two-parent families exercised less disciplinary “aggression” than did lesbian mothers ($ES = 0.23$) and that children rated the quality of heterosexual maternal discipline higher ($ES = 0.64$).²³⁶ In other words, reading Biblarz and Stacey might leave you questioning the quality of two-parent heterosexual parenting (are they too controlling, too demanding of conformity?) when the research indicated that the heterosexual parents were doing better than lesbian mothers in those areas—areas that may be critical for socializing children to become better citizens as adults.

230. See Bos et al., *supra* note 227, at 761; Bos et al., *supra* note 56, at 42.

231. Biblarz & Stacey, *supra* note 1, at 7 tbl.1.

232. See Terrie E. Moffitt et al., *A Gradient of Childhood Self-Control Predicts Health, Wealth, and Public Safety*, PNAS (Dec. 21, 2010), <http://www.pnas.org/content/108/7/2693.full.pdf+html>.

233. See Karen F. Trocki et al., *Tobacco, Marijuana, and Sensation Seeking: Comparisons Across Gay, Lesbian, Bisexual, and Heterosexual Groups*, 23 PSYCHOL. ADDICTIVE BEHAV. 620, 625 (2009).

234. Bos et al., *supra* note 56, at 43 tbl.2.

235. Biblarz & Stacey, *supra* note 1, at 7 tbl.1 (citing Fiona MacCallum & Susan Golombok, *Children Raised in Fatherless Families from Infancy: A Follow-Up of Children of Lesbian and Single Heterosexual Mothers at Early Adolescence*, 45 J. CHILD PSYCHOL. & PSYCHIATRY 1407, 1414 tbl.4 (2004)).

236. MacCallum & Golombok, *supra* note 235, at 1414 tbl.4.

F. *Gay-Fathering Outcomes*

Most of the research reviewed by Biblarz and Stacey, as well as Biblarz and Savci, involved lesbian mothers rather than gay fathers.²³⁷ At least three important attempts to address gay fathering have not succeeded as hoped because gay fathers were such a small percentage of all of the same-sex parents surveyed,²³⁸ while a fourth attempt found only forty (21%) gay fathers out of 190 same-sex parents surveyed.²³⁹ The scarcity of research on gay fathers has been identified previously—"A comparison on gender development between boys and girls who are growing up in a gay-father family and boys and girls who are growing up in a heterosexual family could be a major step toward unraveling this complex process."²⁴⁰ Tasker agreed that research on gay fathers is scarce.²⁴¹ Thus, it is especially remarkable that Sirota's research on gay fathers²⁴² has been overlooked, even in Biblarz and Savci's recent decade in review report.²⁴³ Sirota found that heterosexual fathers' daughters reported substantially greater secure attachment, not to mention lower levels of drug abuse compared to daughters of gay fathers.²⁴⁴

G. *Other Concerns*

A separate review would be needed—and has been provided²⁴⁵—to detail the higher rates of mental health concerns of gay males, bisexuals, and lesbians,²⁴⁶ but the results of one recent study that attempted to obtain a representative sample of lesbian, bisexual, and heterosexual women highlight the concerns of traditionalists.²⁴⁷ Among bisexual and lesbian women, alcohol-dependence rates were

237. See Biblarz & Stacey, *supra* note 1; Biblarz & Savci, *supra* note 6.

238. See Fulcher et al., *supra* note 64, at 332; see generally Rivers et al., *supra* note 63, at 132–33; Wainright & Patterson, *supra* note 61, at 118–19.

239. Henahan et al., *supra* note 86, at 48.

240. Bos et al., *supra* note 111, at 17.

241. Tasker, *supra* note 97, at 39.

242. Sirota, *supra* note 211; Sirota, *supra* note 174.

243. See Biblarz & Savci, *supra* note 6.

244. Schumm, *supra* note 32, at 290 tbl.4 (citing selected outcomes from Sirota, *supra* note 174).

245. See Byrd, *supra* note 148, at 8–9.

246. See, e.g., Michael King et al., *A Systematic Review of Mental Disorder, Suicide, and Deliberate Self Harm in Lesbian, Gay, and Bisexual People*, BMC PSYCHIATRY (Aug 18, 2008), <http://www.biomedcentral.com/content/pdf/1471-244X-8-70.pdf>.

247. See Sharon C. Wilsnack et al., *Drinking and Drinking-Related Problems Among Heterosexual and Sexual Minority Women*, 69 J. STUD. ALCOHOL & DRUGS 129 (2008).

as high as nearly eighty percent (versus 29% for heterosexual women), intoxication in the past year as high as nearly seventy-two percent (versus 31%), having experienced child sexual abuse as high as nearly seventy-four percent (versus 29%), having started drinking alcohol before age fifteen as high as nearly forty-one percent (versus 7%), as well as depression within the past twelve months as high as eighty-seven percent (versus 27%).²⁴⁸ Recently, a study of 31,852 eleventh graders from Oregon found that lesbian, gay, or bisexual (“LGB”) students were far more likely (20%–22% versus 4%, $p < .001$) than their heterosexual peers to report having *attempted* (not merely considered) suicide in the past twelve months.²⁴⁹ The LGB students were also significantly more likely to report depressive symptoms in the past twelve months (36%–40% versus 17%), as well as binge drinking in the past thirty days (27%–33% versus 26%).²⁵⁰ Even though no significant interaction effect was found between LGB status and social environment and suicide attempts, Hatzenbuehler proceeded to explain the substantive importance of this non-significant finding.²⁵¹ I found that the effect size between LGB status and suicide attempts was approximately 0.53, while the effect size for social environment was no more than 0.12 at best and overall, for all students, was about 0.03.²⁵² The bias in the field is shown by the fact that Hatzenbuehler chose to focus on environmental factors as being responsible for LGB suicide attempts, despite their rather small, barely significant ($p < .02$) effect size (0.03) among all students even with $N > 30,000$,²⁵³ rather than considering the possibility that something more directly associated with LGB behaviors themselves (with an effect size of > 0.50) might be far more responsible for such distressing outcomes. Even if social policy were wildly successful at fixing any environmentally-related stigmas or peer bullying, the results suggest that LGB students would probably retain substantially higher rates of suicide attempts because of underlying factors not related to their wider social environment or even peer influences.

248. *Id.* at 134–35.

249. Mark L. Hatzenbuehler, *The Social Environment and Suicide Attempts in Lesbian, Gay, and Bisexual Youth*, 127 PEDIATRICS 896, 899 (2011).

250. *Id.* at 899 tbl.2.

251. *Id.* at 900 fig.1.

252. Walter R. Schumm, Letter to the Editor, *Complexities of the Social Environment*, PEDIATRICS (April 18, 2011), http://pediatrics.aappublications.org/content/127/5/896/reply#pediatrics_el_51239.

253. *See* Hatzenbuehler, *supra* note 249.

The concerns are not only about behavior but with the social norms within much of the gay and lesbian community that promote high-risk behaviors and lifestyles,²⁵⁴ which may not represent good role modeling for biological children or for adoptive youth, who may be at higher risk due to their circumstances even with good role models. Furthermore, the high rates of reported past child sexual abuse, along with the risk of repeating a cycle of abuse, lend concern to limited results with foster parents that suggest sexual abuse of foster children is more common than expected on a same-gender basis.²⁵⁵ A third concern is that neuroticism, which Kurdek defined as “a predisposition to experience negative affect,”²⁵⁶ has been shown to predict lower levels of relationship commitment. Given that homosexuals have been shown to have higher levels of mental health concerns,²⁵⁷ it is likely that those issues would tend to predict, perhaps cause, lower levels of commitment, resulting in greater parental relationship instability.²⁵⁸

CONCLUSION

It appears clear that value biases have dramatically influenced how social scientists: evaluate scientific literature, develop their theoretical models, and conduct their research in the area of lesbian parenting. The bottom line may be that “if you don’t want to find something, don’t look for it—and you probably won’t find it.” Even the best and most recent reviews of the literature on lesbian parenting did not find or report important findings concerning the intergenerational transmission of sexual orientation, the stability of lesbian parent-couple relationships, associations between childhood sexual abuse and subsequent adult sexual orientation, or the attachment levels of daughters of gay fathers. There is evidence that methodologically weaker reports have been cited more often than stronger reports, particularly when the latter contained adverse information regarding lesbian parenting. When alleged experts can be so unaware of so much research in their own field, one has to wonder what is going on.

254. See *supra* notes 148–166 and accompanying text.

255. Schumm, *supra* note 43, at 456–58, 466.

256. Lawrence A. Kurdek, *Assessing the Health of a Dyadic Relationship in Heterosexual and Same-Sex Partners*, 16 PERS. RELATIONSHIPS 117, 119 (2009).

257. King et al., *supra* note 246, at 13.

258. Schumm, *supra* note 126, at 504–05.

Theoretical models have not been well-developed, particularly in terms of intervening or mediating variables, much less interaction effects. Often some of the weakest approaches for testing null hypotheses have been adopted, to the exclusion of stronger approaches. Basic methods of science, including the use of large sample sizes, reporting of effect sizes, statistical control for between-group differences, control for selection effects or social desirability, and even the basic reporting of mean scores and standard deviations have often been ignored.

It remains challenging to sort out the effects of sexual orientation on children's psychological adjustment. First, virtually all studies that have yielded adverse results for lesbians' children have been marginalized in the literature. If there are significant effects, they most likely operate through intervening variables such as parental goals for their children (e.g., time preference or delayed gratification in general) over long periods of time. The extent to which parents model and encourage delayed gratification choices—especially delayed sexual gratification choices—by children may be important intervening variables. If lesbian mothers, gay fathers, or their associates model polyamory or high levels of relationship turnover for their children, one might wonder how that would incline children to adopt consistent practices of delaying sexual gratification before marriage relative to heterosexual parents who model sexual restraint before marriage and sexual fidelity after marriage. Notably, Luntz reported that

[t]wo-thirds (66 percent) of nonreligious Americans agree with the statement "If it feels good, do it," despite its selfish, dangerous undertones. By comparison, fully 71 percent of religious Americans *disagree* with the concept of instant gratification. What we have here is a chasm between the value systems of these two American camps.²⁵⁹

With $N = 200$, such percentage differences would yield an odds ratio of 4.75 (95 % *CI*, 2.61 to 8.64; $r = .37$; effect size, Cohen's $d = 0.79$), a substantial as well as a statistically significant ($p < .001$) difference.

What about fathers? What good are they then? First, I would argue that fathers may help teach delayed gratification or time preference to their children, largely by the example they usually model. It is common knowledge that many fathers sacrifice forty to sixty hours a week to financially support other family members; some

259. FRANK I. LUNTZ, WHAT AMERICANS REALLY WANT . . . REALLY 261 (2009).

do so even without any occupational income from their wife. They do this even though it means they stand to be ridiculed for not spending enough time with their children or for engaging in an outmoded role of “provider.” Some fathers work not one but two or three jobs to support their families; time that could, from a hedonistic perspective, be better spent in personal leisure. Many are learning how to perform more “motherly” roles, even if they may not perform them as smoothly or efficiently as many mothers. Even though they may believe that they could enjoy more sexual activity outside of marriage, most heterosexual fathers remain faithful to their wife for the sake of the family’s stability, even if that does not make sense from a hedonistic perspective. I would argue that most traditional fathers, even if they do not say much about it, role model a lifetime of delayed gratification for their children. They may take a less than desirable job but one that has a better health-care plan for their family members. They may spend more time commuting to work so their family can have a better standard of living. If their wife blows off steam at them from her own frustrations in life, they try to listen patiently, serving as an emotional buffer for the whole family. They might spend thirty years in the military reserve components, in part so their family will have health care and annuity advantages from age sixty onward—a matter of delaying gratification for as many as forty years! They may take out insurance to protect their family should the father pass away—an expense from which the father may never directly benefit, though it may help his surviving family members immensely. They may lead or accompany their children to religious services on weekends, to help instill delayed gratification principles in their children’s lives, even if that means less time on the golf course or watching football for father. And, perhaps, most do this without terribly much complaining, because it is just the right thing to do. But, who has investigated these sorts of sacrifices by fathers? Again, if you do not look for it, you probably will not find it—hence, the marginalization of the importance of fathers is perpetuated in some academic circles.

Consequently, it appears, in my opinion, that the conclusions of Biblarz and Stacey,²⁶⁰ Biblarz and Savci,²⁶¹ and Redding²⁶² about the consequences of lesbian parenting were often scientifically incorrect. Thus, the conclusion that lesbians make better parents than

260. Biblarz & Stacey, *supra* note 1.

261. Biblarz & Savci, *supra* note 6.

262. Redding, *supra* note 35.

heterosexuals or that fathers *per se* are not really needed as parents is not necessarily warranted from the literature despite that claim by recent reviews.²⁶³ Furthermore, there is evidence, which has largely been overlooked, that raises serious questions about the potential fitness for parenting of many lesbians or gay men. There is some evidence, for example, that lesbian mothers through greater relational instability and more nontraditional parental values or goals may harm the interests of their children relative to comparable heterosexual parents, while the sexual lifestyles of many gay men may not serve as an exemplary model for teaching delayed gratification to children.²⁶⁴

263. See Biblarz & Stacey, *supra* note 1, at 17; Biblarz & Savci, *supra* note 6, at 484; Redding, *supra* note 35, at 164.

264. For more discussion of similar issues to those presented in this Article, see Walter R. Schumm, *Child Outcomes Associated with Lesbian Parenting: Comments on Biblarz and Stacey's 2010 Report*, 3 J. HUM. SEXUALITY 35 (2011).