



GAY MARRIAGE

Authors' sources and citations for:

WHY SAME-SEX COUPLES SHOULD BE ALLOWED TO MARRY

Sources and Citations for:

- A. **Rodney Croome's main argument**
- B. **Bill Muehlenberg's rebuttal**

A. SOURCES & CITATIONS FOR RODNEY CROOME'S MAIN ARGUMENT:

The numbering matches the note-mark numbers printed throughout the text of *Rodney Croome's main argument in the Gay Marriage book*:

1. Wolfson, E., *Why Marriage Matters; America, Equality and Gay People's Right to Marry*, Simon and Schuster, New York, 2004, p18
2. *Barbeau v British Columbia (Attorney General)*, 2003 BCCA 251 at 156, also Ontario Court of Appeal, *Halpern v Canada* (2003).
3. The final report of the Senate Legal and Constitutional Affairs Committee inquiry into the Marriage Equality Amendment Bill 2009, as well as a selection of the submissions to that inquiry, can be found at http://www.aph.gov.au/Senate/committee/legcon_ctte/marriage_equality/index.htm. Some of the extracts reproduced here are from submissions not posted to the Senate website, or otherwise not publicly available. Written permission has been obtained from all submission writers for the use of their extracts and their names.
4. *Goodridge v Dept. of Public Health*, 798 N.E.2d 941 (Mass. 2003).
5. Carson, C., R. Luker and P. A. Russell (eds), (2000) *The Papers of Martin Luther King, Jr: Symbol of the Movement*, January 1957, University of California Press, Berkeley. Page 436.
6. Arendt, H. and P. A. Baeher (ed), *The portable Hannah Arendt*, Penguin, New York, 2000, p. 236.
7. *Loving v Virginia* (1967) 388 U.S. 1
8. The historical analysis of Aboriginal rights included here is extracted from an unpublished manuscript by the author, Rodney Croome. It is based on several key primary and secondary sources including archival material, memoirs of Aborigines denied freedom to marry their partner and primary and secondary Aboriginal rights texts.
9. Petition of the 'half-caste' women of Broome, January 1935 to the President and Members of the Western Australian Royal Commission to inquire into allegations of the mistreatment of Aborigines, reproduced in Attwood, B., and A Markus, *The struggle for Aboriginal Rights: a documentary history*, Allen and Unwin, 1999
10. Loving, M., *Loving for All*, June 12, 2007. http://www.freedomtomarry.org/pdfs/mildred_loving-statement.pdf
11. Together with the dates when marriage equality was achieved, the nations which allow same-sex marriage (as at March 2010) are, the Netherlands (2001), Belgium (2003), Canada (provincially beginning in 2003, nationally in 2005), Spain (2005), South Africa (2006), Norway (2009) and Sweden (2009). In the US, same-sex marriage is allowed in Massachusetts, Connecticut, Iowa, Vermont, New Hampshire and the District of Columbia. In New York and Rhode Island same-sex marriages are not solemnised but out-of-state same-sex marriages are recognised. In California, same-sex marriages solemnised between June and November 2008, when a referendum ended any further registration of same-sex marriages, are recognised. Same-sex marriages are also allowed in the

Argentinian states of Tierra del Fuego and Buenos Aires, and the Mexican state of Mexico City. Marriage equality is expected soon in Portugal.

12. In the time it took to write this text, marriage equality was achieved in eight of the jurisdictions mentioned above. By the time it is published, the list will almost inevitably be outdated.
13. In its submission to the 2009 Senate inquiry into the Marriage Equality Amendment Bill, Australian Marriage Equality estimated that “between 3000 and 4000 Australian couples have married overseas”. According to AME, this estimate was based on “the numbers of couples who have contacted us for advice, and the numbers who have entered into British civil partnerships in UK consulates in Australia. Mostly these couples have married in countries without residency requirements for marriage, such as Canada (we estimate the number of Australian couples who have entered into Canadian same-sex marriages to be about 2000). But we have been contacted by couples who have married in all the nations which allow same-sex marriage.”
14. Dane, S., B. Masser, and J. Duck, *Not So Private Lives: National Findings on the Relationships and Well-Being of Same-Sex Attracted Australians*. The University of Queensland, 2009. See: http://www.entsoprivatelives.com/Not-So-Private-Lives-Relationship-Recognition-Report-Aug-2009_F4.pdf
15. Badgett, M.V., N. Goldberg and C. Ramos, *The Effects of Marriage Equality in Massachusetts: A survey of the experiences and impact of marriage on same-sex couples*. UCLA School of Law, 2009. Also, *When Gay People Get Married: What Happens When Societies Legalize Same-Sex Marriage*. New York University Press, 2009.
16. Calandrino, M., *Sexual Orientation Discrimination in the UK Labour Market*. St Anthony's College, University of Oxford, 1999.
17. Spedale D., and W. Eskridge, *Gay Marriage: For Better or Worse? What We've Learnt from the Evidence*. Oxford University Press, 2006
18. For workplace discrimination see, *The Pink Ceiling is Too Low: workplace experiences of lesbians, gay men and transgender people*. NSW Gay and Lesbian Rights Lobby, 1999, http://glrl.org.au/images/stories/the_pink_ceiling_is_too_low.pdf.
For hate crime see Mason, G., *Violence against lesbians and gay men*. Australian Institute for Criminology, 1993, <http://www.aic.gov.au/documents/D/2/2/D22F8857-A477-4BA0-BAB8-5C04C2B1E7E9/vpt2.pdf>
19. For more on health risk in young people see *Writing Themselves in Again, the 2nd national report on the sexual health and wellbeing of same-sex attracted young people*. Australian Centre for Sex, Health and Society, http://www.glhv.org.au/files/writing_themselves_in_again.pdf
20. Herdt, G., and R Kertzner, “I Do, but I Can't: The Impact of Marriage Denial on the Mental Health and Sexual Citizenship of Lesbians and Gay Men in the United States”, *Journal of the National Sexual Research Centre*, Issue 1, Vol 3, 2006, pp.33-49.
21. Not her real name, at her request.
22. For a summary of the relevant Scandinavian statistics see, MV Lee Badgett, “Prenuptial Jitters: Did gay marriage destroy heterosexual marriage in Scandinavia?”, *Slate* magazine, May 2004, See: <http://www.slate.com/id/2100884/>
23. For more, see <http://www.cdc.gov/nchs/data/nvss/Divorce%20Rates%2090%2095%20and%2099-07.pdf>
24. For more see N. Silver, “Divorce Rates Higher in States with Gay Marriage Bans”, 2010, in *FiveThirtyEight.com*. See: <http://www.fivethirtyeight.com/2010/01/divorce-rates-appear-higher-in-states.html>
25. Spedale, D. R., and W. N. Eskridge Jr, “The Hitch”, *The Wall Street Journal*, 27 October 2006. Available at <http://online.wsj.com/article/SB116191428485605594.html>
26. Herek G.M., “Legal recognition of same-sex relationships in the United States: a social science perspective”, *American Psychologist*, No 6, Vol 6, pp. 607-621, see p. 609ff. Also see, Weedon-Fekjr, H., “The demographics of same-sex marriages in Norway and Sweden”, *Demography*, Feb, 2006.
27. Xiridou M., R. Geskus, J. de Wit, R. Coutinho, M. Kretschmar, “The contribution of steady and casual partnerships to the incidence of HIV infection among homosexual men in Amsterdam”, *AIDS*, Issue 7, Vol 17, May 2003, pp. 1029-1038, See: <http://journals.lww.com/aidsonline/pages/articleviewer.aspx?year=2003andissue=05020andarticle=00012andtype=fulltext>. An analysis of the misuse of this study by opponents of same-sex marriage is available at http://www.boxturtlebulletin.com/Articles/000_003.htm
28. For example:
Bradford, J., C. Ryan, and E. Rothblum, “National lesbian healthcare survey: Implications for mental health”, *Journal of Consulting and Clinical Psychology*, Vol 62 No 2, 1994, pp. 228-242.
Falkner, A., and J. Garber, *2001 gay/lesbian consumer online census*. Syracuse, Syracuse University, New York, OpusComm, and GSociety. 2002
Morris, J., K. Balsam, K., and E. Rothblum, (2002). “Lesbian and bisexual mothers and nonmothers: Demographics and the coming-out process”, *Developmental Psychology*, 16, 144156.
Blumstein, P., and P. Schwartz, *American couples: Money, work, sex*. William Morrow, New York, 1983
Bryant, A. S., “Relationship characteristics of gay and lesbian couples: Findings from a national survey”, *Journal of Gay and Lesbian Social Services*, 1, 1994, pp. 101-117.

- Kurdek, L. A., "Differences between gay and lesbian cohabiting couples", *Journal of Social Personal Relationships*, 20, 2003, pp. 411-436.
- Peplau, L. A., and K. P. Beals, "The family lives of lesbians and gay men", in A. L. Vangelisti (Ed.), *Handbook of family communication*, pp. 233-248, 2004
- Peplau, L. and L. Spalding, "The close relationships of lesbians, gay men and bisexuals", in C. Hendrick and S. Hendrick (Eds.), *Close relationships: A sourcebook*. Thousand Oaks, California Sage, 2000, pp. 449-474.
29. Gottlieb, S., "Five years of gay marriage", *Radio Nederland Wereldomroep*, 2006. See: <http://static.rnw.nl/migratie/www.radionetherlands.nl/currentaffairs/gay060403-redirec>
 30. In an article about the 2009 Australian Labor Party National Conference decision not to allow same-sex marriage, the Australian Christian Lobby Managing Director, Jim Wallace stated, "The line was held by the personal commitment of Prime Minister Kevin Rudd to the election promises he had made, as a reflection of his personal faith." See: http://www.acl.org.au/pdfs/load_pdf_public.pdf?pdf_id=1369&from=NATIONAL
 31. See <http://www.highbeam.com/doc/1P1-77144847.html>
 32. Boswell, J., *Same-sex unions in pre-modern Europe*. Random House, New York, 1994
 33. ¹ Australian Bureau of Statistics, *Marriages and Divorces, Australia, 2008*. See: Doc no 3310.0, <http://www.abs.gov.au/Ausstats/ABS@.nsf/Latestproducts/3310.0Main%20Features22008?opendocument&tabname=Summary&ndprodno=3310.0&ndissue=2008&ndnum=&ndview=>
 34. Australian Bureau of Statistics, *Couples in Australia*. See Doc no 4102.0, <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features20March%202009>
 35. Millbank, J., *Meet the Parents: A Review of the Research on Lesbian and Gay Families*. NSW Gay and Lesbian Rights Lobby, Sydney, 2002. See: http://glrl.org.au/images/stories/meet_the_parents.pdf
 36. Dane, *op cit*.
 37. Wallace, J., "Should we legalise gay marriage?" *Examiner*, 4 September 2009, p. 23.
 38. Short, E., D Riggs, A. Perlesz, R. Brown and G. Kane, *Lesbian, Gay, Bisexual and Transgender (LGBT) Parented Families: a literature review prepared for The Australian Psychological Society*. Melbourne, 2007. See: <http://www.psychology.org.au/Assets/Files/LGBT-Families-Lit-Review.pdf>
- Also see McNair, R., *Outcomes for Children Born of ART in a Diverse Range of Families*. (Occasional Paper), Melbourne: Victorian Law Reform Commission, 2004.
- Hastings, P., J. Vyncke, C. Sullivan, K. McShane, M. Benibgui and W. Utendale, *Children's Development of Social Competence Across Family Types*. Canada: Department of Justice, 2006
- Patterson, C., *Lesbian and Gay Parenting*. Washington: American Psychological Association, 2005.
39. Akerman, P., "When convenience and distraction unite", *Daily Telegraph*, 3 August 2009. See: http://blogs.news.com.au/dailytelegraph/piersakerman/index.php/dailytelegraph/comments/when_convenience_and_distraction_unite/
 40. Plato, *Symposium*. See translation by Alexander Nehamas and Paul Woodruff at p.28
 41. Abbott, T., "Not for Adam and Steve," 9 May 2008 on ABC. See: <http://www.abc.net.au/unleashed/stories/s2240035.htm>
 42. "Supplementary Submission to the Senate Inquiry into the Marriage Equality Amendment Bill 2009 from the Rev'd Nathan Nettleton", 18 November 2009, page 6. See: http://www.aph.gov.au/Senate/committee/legcon_ctte/marriage_equality/submissions/sublist3/for/Sub_ef44a.pdf
 43. See, Gavin, F., *Civil Partnerships - Another Year On*. Village Citizens Advice Bureau, 2007. See: http://www.thevillage.org.uk/research/CP_Report/index.html. Also, *Report of the Vermont Commission on Family Recognition and Protection*, April 2008. See: http://www.leg.state.vt.us/WorkGroups/FamilyCommission/VCFRP_Report.pdf
 44. *Report of the New Jersey Civil Union Review Commission*, pp. 10-11. See: <http://www.nj.gov/oag/dcr/downloads/CURC-Final-Report-.pdf>
 45. Cited in Wolfson, *op cit.*, p134
 46. *Goodridge v Dept. of Public Health, op cit.*
 47. Cox, B. J., "But Why Not Marriage: An Essay on Vermont's Civil Unions Law, Same-Sex Marriage, and Separate but (Un)Equal", 25 Vt. L. Rev. 113 (2000-2001). See also,
 48. *Report of the New Jersey Civil Union Review Commission*, pp. 11 and 9. See: <http://www.nj.gov/oag/dcr/downloads/CURC-Final-Report-.pdf>
 49. Gates G.J., M. V. L. Badgett, D. Ho, *Marriage, registration and dissolution by same-sex couples in the U.S*. The Williams Institute, July 2008. See: <http://www.law.ucla.edu/WilliamsInstitute/publications/Couples%20Marr%20Regis%20Diss.pdf>
 50. Dane, *op cit*.

51. Pitman, T., "Gay marriage - which side of history is Labor on?" *The Punch*, 3 August 2008. Quote amended with Tony Pitman's consent. See: <http://www.thepunch.com.au/articles/Gay-marriage-which-side-of-history-is-Labor-on/desc/>
52. See notes 11 and 12, above
53. For a list visit <http://www.australianmarriageequality.com/employers.htm>
54. A copy of the ABS announcement can be found at: <http://www.australianmarriageequality.com/releases/20090507.htm>
55. A copy of this poll can be found at http://www.newspoll.com.au/image_uploads/cgi-lib.17497.1.0601_gay.pdf
56. For more on this poll, see: Misha Schubert, "Public backs gay unions, equality", *The Age*, 21 June, 2007 <http://www.theage.com.au/news/national/public-backs-gay-unions-equality/2007/06/20/1182019204491.html>
57. For a summary of this poll and the full poll results visit, <http://www.australianmarriageequality.com/releases/20090616.htm>
58. Dane, *op cit*.
59. Previous studies within the gay, lesbian, bisexual and transgender community in NSW and Victoria reflect the high and growing level of support for same-sex marriage within the community. For more see McNair, R., and N. Thomacos, Victorian Gay and Lesbian Rights Lobby (with the assistance of Gay and Lesbian Health Victoria), *Not Yet Equal, Report on the VGLRL same sex relationships survey*, 2005, p.38. See: <http://www.vglrl.org.au/files/publications/NotYetEqualFullReport.pdf> Also Gay and Lesbian Rights Lobby, *All Love is Equal, Isn't It? The recognition of same-sex relationships under federal law, Consultation Report*, February 2007, p. 17. See: http://glrl.org.au/images/stories/all_love_is_equal_isnt_it.pdf
60. This information supplied by the Senate Legal and Constitutional Affairs Committee secretariat

B. SOURCES & CITATIONS FOR BILL MUEHLENBERG'S REBUTTAL

The numbering below matches the note-mark numbers printed throughout the text of *Bill Muehlenberg's Rebuttal to Rodney Croome's main argument in the Gay Marriage book*:

1. That homosexuality is in fact a quite dangerous and high-risk lifestyle has been documented extensively. Simply referring to what homosexuals themselves say about the lifestyle, along with the relevant medical and scientific literature should suffice. A nice summary of that data can be found in Thomas Schmidt, *Straight & Narrow: Compassion & Clarity in the Homosexuality Debate*. Downers Grove, Illinois: InterVarsity Press, 1995.
2. Paul Rondeau, "Selling Homosexuality to America." *Regent University Law Review*, Vol 14, Num 2, 2001-2002, pp. 443-485.
3. Marshall Kirk and Erastes Pill, "The Overhauling of America," *The Guide*, November 1987.
4. Marshall Kirk and Hunter Madsen (the real name of Erastes Pill), *After the Ball: How America Will Conquer Its Hatred and Fear of Homosexuals in the 90s*. New York: Plume, 1990, pp. 186-187.
5. Dennis Altman, *The Homosexualization of America*. New York: St. Martin's Press, 1982, p. 9.
6. These changes were made by the Same-Sex Relationships (Equal Treatment in Commonwealth Laws - General Law Reform) Bill 2008; the Same-Sex Relationship (Equal Treatment in Commonwealth Laws - Superannuation) Bill 2008; and the Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008.
7. Robert Knight, "Talking points: Defense of marriage act (DOMA), Family Research Council, 1996, p. 2.
8. There is a wide array of literature here. See for example: Glenn Stanton, *Why Marriage Matters*. Colorado Springs: Pinon Press, 1997; Linda Waite and Maggie Gallagher, *The Case for Marriage*. New York: Doubleday, 2000; Bill Muehlenberg, William Doherty, et. al., *Twenty-One Reasons Why Marriage Matters*. Wollongong, NSW: National Marriage Coalition, 2004; Rebecca O'Neill, *Does Marriage Matter?* London: Civitas, 2004.
9. Stanley Kurtz, "The End of Marriage in Scandinavia," *The Weekly Standard*, 2 February 2004, Vol. 9, No. 20: <http://www.weeklystandard.com/Content/Public/Articles/000/000/003/660zypwi.asp>
10. Stanley Kurtz, "Zombie Killers," *National Review online*, 25 May 2006: <http://article.nationalreview.com/281044/zombie-killers/stanley-kurtz>
11. As but one example, see this introductory piece I have written on such adverse effects: <http://www.billmuehlenberg.com/2009/06/19/1635/>
12. Charles Colson, "Gay marriage v. religious freedom," *Breakpoint*, 8 March 2010: <http://www.breakpoint.org/commentaries/14688-gay-marriage-v-religious-freedom>

13. See for example the following research paper which summarises the mountain of social science evidence on this: Bill Muehlenberg, "The Case for the Two-Parent Family - Part 1," *The National Observer*, No. 52, Autumn 2002, pp. 44-49; Bill Muehlenberg, "The Case for the Two-Parent Family - Part 2," *The National Observer*, No. 53, Winter 2002, pp. 49-58.
14. The scientific and social literature on the gender differences is quite large. Here are just a few representative titles: Deborah Blum, *Sex on the Brain: The Biological Differences Between Men and Women*. Penguin, 1998; David Geary, *Male, Female: The Evolution of Human Sex Differences*. American Psychological Association, 1998; Stephen Rhoads, *Taking Sex Differences Seriously*. Encounter Books, 2004; Leonard Sax, *Why Gender Matters: What Parents and Teachers Need to Know about the Emerging Science of Sex Differences*. Broadway, 2006; Louann Brizendine, *The Female Brain*. Morgan Road Books, 2006.
15. Rodney Croome, "The names of hope," an address given to GLOBE (Gay & Lesbian Organisation of Business & Enterprise) at the Melbourne Town Hall, 30 April 2004: http://www.gaybusiness.com.au/globe/news_archive3.html
16. *Ibid.*
17. Wayne Morgan, "Love and marriage" <http://www.onlineopinion.com.au/view.asp?article=7134>
18. Cited in MCV Feature, 17 May 2007 (not available on the web version: <http://evolutionpublishing.com.au/mcv/articles/rites-and-rightsarticleid101717.aspx>)
19. "Children's rights trump same-sex marriage: Galaxy poll," Australian Family Association media release, 26 November 2009.
20. See pages 2-3 of the report here: http://www.aph.gov.au/senate/committee/legcon_ctte/marriage_equality/report/report.pdf
21. For further discussion on these polls, see Andrew Norton, "Does gay marriage have majority support?": <http://andrewnorton.info/2007/06/21/does-gay-marriage-have-majority-support/>

NOTE:

Each author supplied his sources & citations to *Pantera Press* to post on our website.

These sources & citations form part of and continue their debate on this hot topic,
and are part of the **WHY vs WHY** book on *Gay Marriage*.

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