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## After Gay Marriage, the Sky Didn't Fall. It Became Bluer.

By Evan Wolfson, Darius Longarino

Five years ago on June 26th, the US Supreme Court handed down a landmark decision that changed the lives of millions. It ruled in *Obergefell v. Hodges* that samesex couples throughout the nation have a constitutional right to marry.

"No union is more profound than marriage," the Court wrote, "for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family." The Court recognized how same-sex couples were asking to be included in the institution of marriage and all that it symbolized. The ruling concluded, "the Constitution grants them that right."

For a long time, opponents argued that bringing gay people into the institution of marriage would have devastating effects. They said it would harm children and families, demean marriage, and irreparably damage society. They made it seem as if the sky would fall.

Five years on, we can see that not only is the sky still firmly in its place, but the freedom to marry has made it bluer. Marriage touches every vital area of life, from birth to death (with taxes in between). It includes creating kin, raising children, building a life together, celebrating and reinforcing love and commitment, caring for one another, retirement, and inheritance. Bringing the freedom to marry to so many has made a profound difference in people's lives, happiness, and well-being in the precious short time we share on this planet.

And it's not just good for the gay people involved. It is good for their loved ones and those who deal with them, good for business and the economy, good for society and stability, and good for the country.

Let's take a look at families. First, there is now a mountain of evidence and experience confirming that same-sex parents are just as good at raising children as different-sex parents. This is backed up by decades of social science research, and has been endorsed by a vast majority of the relevant scholarly and professional associations in the United States. In the lead up to *Obergefell*, the American Sociological Association submitted an <u>amicus brief</u> to the US Supreme Court, stating: "The wellbeing of children

does not depend on the sex or sexual orientation of their parents." Instead, the brief explained, "positive child wellbeing is the product of stability in the relationship between the two parents, stability in the relationship between the parents and the child, and sufficient parental socioeconomic resources." Marriage rights are important for all three factors.

Marriage rights have helped gay and lesbian couples and their children feel more secure by giving their relationships clearer legal protection. When a married same-sex couple has children, the children automatically have a legally-recognized relationship with both parents. In decades past, achieving legal recognition of a parent-child relationship for both same-sex parents was either not possible, very complicated, or vulnerable to challenge. If only one of a child's same-sex parents were legally recognized, the other would be considered a stranger to the children by the government. If the legally recognized parent passed away, the government might consider the children to be orphaned.

Marriage brings with it myriad other protections and responsibilities that benefit families. In 2003, the US Government Accountability Office counted 1,138 statutory provisions in federal law connected to the rights and privileges of marriage. Married gay and lesbian couples and their families now enjoy all these rights, and can more easily pool economic resources and have more protections in case they encounter misfortune, whether health-related, economic, or due to the break-up of the relationship. As a result, they have more stability, and more time, resources, and mental energy for their families, their communities, and endeavors of their choosing.

The freedom to marry also sends a powerful message of inclusion to gay, lesbian, and bisexual people, affirming that they and their bonds of love and family have equal dignity. This affirmation has profound effects on mental and physical health and feelings of belonging and community.

For example, social stigma and discrimination have been shown to cause greater incidences of depression, anxiety, and suicidality for lesbian, gay, and bisexual people. Exclusion from marriage rights, the American Psychological Association <u>argued</u> in its brief to the US Supreme Court in *Obergefell*, "compound[s] and perpetuate[s] the stigma historically attached to homosexuality."

Fortunately, inclusion dispels stigma, and leads to better health. A 2017 article in the Journal of the American Medical Association Pediatrics showed that the ending the exclusion of same-sex couples from marriage led to a dramatic decrease in suicide rates among youth.

More inclusion and legal protections for lesbian, gay, bisexual, or transgender people and their families benefits whole societies as well. Former UN Secretary General Ban Ki-moon recognized this fact in calling on the United Nations to "break down the barriers that prevent LGBT people from exercising their full human rights. When we do that, we will liberate them to fully and productively contribute to our common economic progress."

The General Secretary's call to action is supported by extensive research and a consensus in the business community. During *Obergefell*, 379 employers and organizations representing employers wrote to the US Supreme Court in support of same-sex marriage in the case, arguing, "The value of diversity and inclusion in the workplace has been well-documented following rigorous analyses." If there is marriage discrimination, "In the end, economic growth suffers."

This isn't a great mystery or experiment. When lesbian, gay, and bisexual people and their families have equal dignity before the law and enjoy its protections, they are healthier and happier, and so is everyone else. We know that because there are now 29 countries and regions that have ended the exclusion of same-sex couples from marriage, yielding evidence, experience, and expertise for others to follow. 1.1 billion people now live in a freedom to marry country – including, as of last month, Costa Rica, the first in Central America. Cuba is debating and moving toward affirming the freedom to marry, as are Japan, Nepal, and Thailand. Vietnam in 2014 passed legislation at the national level legalizing marriage ceremonies for same-sex couples, a step toward the freedom to marry under the law. While support and legal recognition continue to grow in Hong Kong, Taiwan last month marked a year in which same-sex couples can marry, bringing joy, harmony, and worldwide approval to the island, with families helped and no one hurt.

What we have seen in all of these places is that when governments act to do the right thing, the public supports it and the world is made a better place for families and society. Five years after the US embraced the freedom to marry, public approval has continued to grow and broaden, and the momentum from the victory has set the stage for more progress, including another landmark Supreme Court decision earlier this month affirming protections against employment discrimination.

In mainland China, the recent passage of the new Civil Code sparked widespread <u>online</u> <u>discussion</u> about the need to end the exclusion of same-sex couples from marriage, and the <u>first custody case</u> involving same-sex parents has highlighted the need to protect diverse families. As more and more lesbian, gay, bisexual, and transgender Chinese

continue to come out, live openly, and start families and futures together, inclusion within the freedom to marry—and equal protection under the law generally—become ever more important for them and for a prosperous and harmonious China.