

Submission of Berend de Boer on the Marriage (Definition of Marriage) Amendment Bill to the Government Administration Select Committee

About the Submitter

- 1 This submission is made by Berend de Boer in a personal capacity. I would like to appear before the Committee to speak to my submission.

Has marriage changed in the past?

- 2 When speaking to her bill Louisa Wall made the following statement:
- 3 *“Marriage . . . has been part of civilisations and cultures and has, over that time, changed dramatically.”*
- 4 Is that true however? With regards to marriage customs, yes. But with regard to the institution itself no. In this submission I will oppose this bill, and demonstrate that marriage has been understood through the ages to mean what it still means.

Is marriage just licensing?

- 5 The goal of this bill is to dramatically redefine the word marriage, the word bride and bridegroom, the word husband and wife, the word spouse, the word father and mother.
- 6 Can redefining these words be called anything less than dramatically? To quote the linguist Benjamin Lee Whorf:
- 7 *“Language shapes the way we think, and determines what we can think about.”*
- 8 May I ask: if the definition of marriage changes, what’s the word for those wishing to come together as man and wife, till death them part, and procreate the human race?
- 9 Isn’t that what marriage is about? A safe place for children to grow up, having your biological father and mother, who care for you when you’re young, and keep caring when you grow old, until they need your care? If marriage is redefined, New Zealand will irrevocably something is lost.

- 10 Let's [listen to Louisa Wall](#) on marriage. All above's notions of marriage are completely lost:
- 11 *“The State does not limit a New Zealand citizen in their ability to get a passport. If you are a New Zealand citizen, fill in the forms correctly, meet the criteria that apply to all people, and pay the fee, you will get one. The State does not limit a New Zealand citizen in their ability to get a driver's licence. If you are a New Zealand citizen, fill in the forms correctly, meet the criteria that all people must meet, and pay the fee, you will get one. So why do we tolerate the State not giving New Zealand citizens a marriage licence, based purely on their sexual orientation and gender identity?”*
- 12 The comparison to getting a passport is just weird. A passport doesn't make you a citizen, you are one by birth. The passport is just a recognition of the fact. But no baby born in New Zealand is married by the fact he is born.
- 13 Comparing marriage to a car license is equally nonsensical. A car license is obtained after having studied, and done a test. It's a recognition of the fact you passed an exam. You do not have to study to become married, or pass an exam.
- 14 And what does she mean with “meeting the criteria”? Her bill is an attempt to redefine the criteria! There are many classes of people who cannot marry: if you are already married, if you are closely related, if you are under a certain age, if you are of a different gender.
- 15 Is she trying to make marriage available to all of the above classes? Not that she has admitted.
- 16 Marriage is not like driving a car, it's not being a citizen. It's a promise where a man and a woman commit themselves till death them part, to propagate the human race. It's unique. There is no other way to conceive a child then by a man and a woman coming together to become one.
- 17 The state has recognised the uniqueness of this institute, and used to protect and welcome it. It has never seen it as some kind of activity which you are only permitted to if the state gives you a license. Being a father or a mother is not like being a plumber.

On the history of same-sex marriage: emperor Nero

- 18 Louisa Wall has tried to make her proposal less radical by citing an historical example. I quote:

- 19 *“Same-sex marriage between men was not uncommon in the days of the Roman emperor Nero.”*
- 20 We can be more precise than that. We know exactly how many same-sex marriages there were during the reign of Nero: two. We also know who was involved in both cases: Nero himself.
- 21 Nero’s life has been well-chronicled. Let me cite from Cassius Dio’s Roman History[1]:
- 22 *“Sabina [Nero’s mistress] also perished at this time through an act of Nero’s; either accidentally or intentionally he had leaped upon her with his feet while she was pregnant. . . . Nero missed her so greatly after her death that . . . he caused a boy of the freedmen, whom he used to call Sporus, to be castrated, since he, too, resembled Sabina, and he used him in every way like a wife. . . .*
- 23 *Now Nero called Sporus "Sabina" because the boy, like the mistress, had been solemnly married to him in Greece, Tigellinus giving the bride away, as the law ordained. All the Greeks held a celebration in honour of their marriage, uttering all the customary good wishes, even to the extent of praying that legitimate children might be born to them.”*
- 24 Praying that legitimate children might be born to them. Yes, the Romans knew full well what marriage was actually about.
- 25 The second person Nero married was Pythagoras. Let me quote Cassius Dio again:
- 26 *“After that Nero had two bedfellows at once, Pythagoras to play the role of husband to him, and Sporus that of wife. The latter, in addition to other forms of address, was termed "lady," "queen," and "mistress.”*
- 27 If you have to cite Nero as guiding light for a law change, is any more proof needed how dramatic this change will be?

Nothing to fear?

- 28 But it gets worse. Nero is well-known in history. After Cassius Dio cites how Nero married a man, he continues the same paragraph with:
- 29 *“Yet why should one wonder at this, seeing that Nero would fasten naked boys and girls to stakes, and then putting on the hide of a wild beast would attack them and satisfy his brutal lust under*

the appearance of devouring parts of their bodies? Such were the indecencies of Nero.”

30 But Nero is most famous for being the first persecutor of Christians. After the great fire of Rome in 64 AD, Nero tried to deflect blame by beginning the persecution of Christians. Tacitus writes:

31 *“Nero fastened the guilt and inflicted the most exquisite tortures on a class hated for their abominations, called Christians by the populace.”*

32 A summary of the tortures is given in Foxe’s Book of Martyrs:

33 *“Nero even refined upon cruelty, and contrived all manner of punishments for the Christians that the most infernal imagination could design. In particular, he had some sewed up in skins of wild beasts, and then worried by dogs until they expired; and others dressed in shirts made stiff with wax, fixed to axletrees, and set on fire in his gardens, in order to illuminate them.”*

34 Is this the person you want to quote in support of your bill? Is this the person you want to quote to qualm any fears? And when Louisa Wall says, in parliament:

35 *“the reality is that once sanctioned by law, the marriage is legal, and no Church person should be stating otherwise.”*

36 what does that really mean?

Building block of society

37 I’ve quoted Cassius Dio already to the effect that in the empire of Rome there was a clear link between marriage and children.

38 But the Roman empire was not alone in that regard. Marriage has always been seen as a pivotal institution, the cornerstone of the state, not a result from the state.

39 Confucius (551 – 479 BCE) writing about the dignity of marriage and procreation sees at as ternion between husband, wife and Heaven[2]:

40 *“The female alone cannot procreate; the male alone cannot propagate; and Heaven alone cannot produce a man. The three collaborating, man is born. Hence any one may be called the son of his mother or the son of Heaven.”*

41 Let me quote from thinkers of the past, starting with another Roman, Cicero (106 BC – 43 BC)[3]:

- 42 *“The first bond of society is marriage.”*
- 43 Jesus of Nazareth (4 BC – 33 AD) said (Matthew 19:5–6):
- 44 *“And he answered and said unto them, Have ye not read, that he which made them at the beginning made them male and female, and said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh?”*
- 45 Martin Luther (1483 – 1546) wrote[4]:
- 46 *“In the second place, after God had made man and woman he blessed them and said to them, “Be fruitful and multiply” [Gen. 1:28]. From this passage we may be assured that man and woman should and must come together in order to multiply. Now this ordinance is just as inflexible as the first, and no more to be despised and made fun of than the other, since God gives it his blessing and does something over and above the act of creation. Hence, as it is not within my power not to be a man, so it is not my prerogative to be without a woman. Again, as it is not in your power not to be a woman, so it is not your prerogative to be without a man. For it is not a matter of free choice or decision but a natural and necessary thing, that whatever is a man must have a woman and whatever is a woman must have a man.”*
- 47 The founders of the republic of America took it for granted that marriage was the bedrock institution of society. James Wilson (1742 – 1798) writes[5]:
- 48 *“to the institution of marriage the true origin of society must be traced . . . To that institution, more than to any other, have mankind been indebted for the share of peace and harmony which has been distributed among them.”*
- 49 John Adams (1735 – 1826), America’s second president, wrote in his diary:
- 50 *“The foundation of national morality must be laid in private families”*
- 51 What a dramatic change when marriage is only about commitment. Marriage is about raising the next generation.

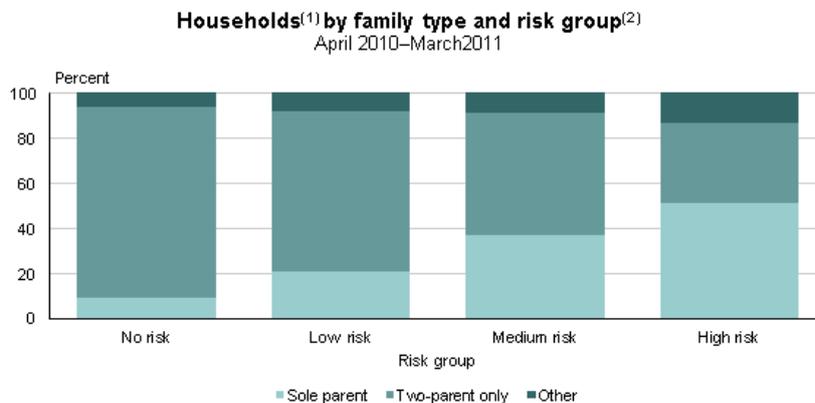
Raising children: what works

- 52 What Louisa Wall should have done is become interested in children. If you care for children, you care for marriage.

- 53 But one asks, isn't any form of raising children not just as good as any other? Should the state promote one form over another?
- 54 It clearly has promoted such in the past. And this is another decisive break with history. One of the first great anthropologists, Bronislaw Malinowski, writes (I'm citing Charles Murray here[6]):
- 55 *"The principle of legitimacy amounts to a universal sociological law. Every culture had a norm that no child should be brought into the world without a man –and one man at that– assuming the role of sociological father, that is guardian and protector, the male link between the child and the rest of the community. Without that man the group consisting of her offspring is sociologically incomplete and illegitimate."*
- 56 That principle has been laid aside. The effects to the welfare of New Zealand's children are for all to see. I do not need to quote the worst cases, I do not need to cite the circumstances in which the dead were raised.
- 57 Is it any wonder that the government now feels the need to **track 30,000 children in a database**? Isn't it insanity that a government starts taking over the responsibility for raising 30,000 children?
- 58 There is a huge difference between children who grow up in a household with both of their biological parents, and those who do not. I'll cite some studies to that effect.
- 59 The first study is from McLanahan and Sandefur, *Growing Up with a Single Parent: What Hurts, What Helps*[7], draw the following conclusion from four nationally representative longitudinal studies with more than 20,000 total participants:
- 60 *"Children who grow up in a household with only one biological parent are worse off, on average, than children who grow up in a household with both of their biological parents... regardless of whether the resident parent remarries."*
- 61 The second study comes from Charles Murray in his best seller *Coming Apart: The State of White America 1960-2010*[6], provides a long list of references. I quote:
- 62 *"Trends in marriage are important not just with regard to the organization of communities, but because they are associated with*

large effects on the socialization of the next generation. No matter what the outcome being examined—the quality of the mother–infant relationship,[8] externalizing behavior on childhood (aggression, delinquency, and hyperactivity),[9, 10] delinquency in adolescence,[11, 12] criminality as adults,[13] illness and injury in childhood,[14, 15] early mortality,[16] sexual decision making in adolescence,[17] school problems and dropping out,[18] emotional health,[19] or any other measure of how well or poorly children do in life—the family structure that produces the best outcomes for children, on average, are two biological parents who remain married. . . . All of these statements apply after controlling for the family’s socioeconomic status.

- 63 *I know of no other set of important findings that are as broadly accepted by social scientists who follow the technical literature, liberal as well as conservative, and yet are so resolutely ignored by network news programs, editorial writers for the major newspapers, and politicians of both major political parties.”*
- 64 After all these clear indications, would more data be needed? But let me finally cite New Zealand data[20] to show we are not different. Just look at the following graph and ponder the significance between high risk and family type.



1. Households with children under 18 years.

2. Households are classified into one of four risk groups based on 11 indicators related to poor child outcomes.

Source: Statistics New Zealand

- 65 Marriage is about the procreation of the human race, and that is where the state should expect and demand that children are born. Redefining marriage to include couples infertile by their nature will make marriage to be just another option.

66 Let me briefly comment on the 2005 American Psychological Association (APA) Brief on “Lesbian and Gay Parenting”. This brief claimed:

67 *“Not a single study has found children of lesbian or gay parents to be disadvantaged in any significant respect relative to children of heterosexual parents.”*

68 And that despite all my earlier citations! This brief has been amply refuted by Loren Mark^[21] who pointed out for example that 26 of the 59 studies cited by the APA had no heterosexual comparison groups. I.e. it compared apples to oranges.

Only custodians

69 Louisa Wall claimed:

70 *“... this bill allows a couple to only obtain a marriage licence.”*

71 It does far more than that. It redefines the words husband and wife, bride and bridegroom.

72 The word marriage will no longer be associated with having children if it can now be applied to a coupling that is per definition infertile. In the days of Nero they knew that, and when asked by Nero whether the marriage and cohabitation in question met with his approval, replied:

73 *“You do well, Caesar, to seek the company of such wives. Would that your father had had the same ambition and had lived with a similar consort!”*

74 indicating that if this had been the case, Nero would not have been born, and the state would now be free of great evils.

75 There is one quote of Louisa that I can approve of:

76 *“Marriage as an institution pre-dates government and Christianity.”*

77 This is indeed true. It is only comparatively recent that the state registered marriages. But note that marriage was not invented by the state. The state has been its custodian.

78 But the state has no right to redefine it. Because if it does, its custodianship must end. The citizens of New Zealand do not need the state to define what marriage is. They do not need the state to marry them, and they do not need a marriage license. They have that right given by the Creator.

79 So I urge the select committee to consider the following: how many in this country will give up coming to the state to obtain a certificate for

what they no longer can see as marriage and instead marry in private again? Would that not be a great loss to our society?

- 80 The institution of marriage is unique: there is no other way to procreate the human race. It uniquely protects women and children, do we really want to put away with its exclusivity, it's permanence and its sexual nature, and make it just a formalised domestic arrangement? Only great harm can come from that.
- 81 Truly, dramatic changes are being proposed in this bill.
- 82 I therefore urge the select committee to reject this bill in its entirety.

Bibliography

- [1] D. Cassius, C.D. Cassius, E. Cary and H.B. Foster. *Roman History, Volume VIII*, volume bks. 61-70 of *Roman History*. Harvard University Press, 1925. <http://books.google.co.nz/books?id=4IChuQAACAAJ>.
- [2] K. Tzu. *The Ethics of Confucius*. Forgotten Books. <http://books.google.co.nz/books?id=3ObmVLqdKz4C>.
- [3] M.T. Cicero and W. Miller. *De officiis*. Harvard University Press, 1975. <http://books.google.co.nz/books?id=4IN0AAAAIAAJ>.
- [4] Martin Luther. *The Estate of Marriage*. translator Walther I. Brand, 1525. <http://pages.uoregon.edu/dluebke/Reformations441/LutherMarriage.htm>.
- [5] J. Wilson and B. Wilson. *The Works of the Honourable James Wilson, L.L.D.*. At the Lorenzo Press, printed for Bronson and Chauncey, 1804. <http://books.google.co.nz/books?id=UlxHAAAAYAAJ>.
- [6] C. Murray. *Coming Apart: The State of White America, 1960-2010*. Crown Publishing Group, 2012. <http://books.google.co.nz/books?id=o6fUPokvyR0C>.
- [7] S. McLanahan and G.D. Sandefur. *Growing up with a single parent: what hurts, what helps*. Harvard University Press, 1994. <http://books.google.co.nz/books?id=Y64oAAAAYAAJ>.
- [8] Stacey R. Aronson and Aletha C. Huston. The mother-infant relationship in single, cohabiting, and married families: a case for marriage?. *Journal of Family Psychology*, 18(1):5–18, 2004. <http://www.ncbi.nlm.nih.gov/pubmed/14992606>.

- [9] Paula Fomby and Andrew J. Cherlin. Family instability and child well-being. *American Sociological Review*, 72:181-204, 2007. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3171291/>.
- [10] Shannon E. Cavenagh and Aletha C. Huston. Family instability and children's early problem behaviour. *Social Forces*, 85:551-581, 2007. <http://sf.oxfordjournals.org/content/85/1/551.short>.
- [11] Kristin A. Moore Bronte-Tinkew Jacinta and Jennifer Carrano. The influence of father involvement on youth risk behaviors among adolescents: A comparison of native-born and immigrant families. *Social Science Research*, 35(1):181-209, 2006. <http://www.sciencedirect.com/science/article/pii/S0049089X04000845>.
- [12] Cynthia C. Harper and Sara S. McLanahan. Father absence and youth incarceration. *Presented at the American Sociological Association*, 1998. <http://www.sharedparentinginc.org/WP99-03-HarperFatherAbsence.pdf>.
- [13] Andre Sourander and others. Childhood predictors of male criminality: a prospective population-based follow-up study from age 8 to late adolescence. *Journal of the American Academy of Child and Adolescent Psychiatry*, 45(5):578-586, 2006. <http://www.ncbi.nlm.nih.gov/pubmed/16670652>.
- [14] Ellen J. Silver Bauman Laurie J. and Ruth E.K. Stein. Cumulative social disadvantage and child health. *Pediatrics*, 117(4):1321-1328, 2006. <http://www.ncbi.nlm.nih.gov/pubmed/16585330>.
- [15] Kendrick Denise and others. Relationships between child, family, and neighbourhood characteristics and childhood study. *Social Medicine*, 61(9):1905-1915, 2005. <http://www.ncbi.nlm.nih.gov/pubmed/15927334>.
- [16] David F. Warner and Mark D. Hayward. Early-life origins of the race gap in men's mortality. *Journal of Health and Social Behavior*, 47(3):209-226, 2006. <http://www.ncbi.nlm.nih.gov/pubmed/17066773>.
- [17] Jennifer Pearson, Chandra Muller and Michelle L. Frisco. Parental involvement, family structure, and adolescent sexual decision making. *Sociological Perspectives*, 49(1):67-90, 2006. <http://www.jstor.org/discover/10.1525/sop.2006.49.1.67?uid=3738776&uid%□=2129&uid=2&uid=70&uid=4&sid=21101302442581>.

- [18] Marcia J. Carlson. Family structure, father involvement, and adolescent outcomes. *Journal of Marriage and the Family*, 68(1):137–154, 2006. http://onlinelibrary.wiley.com/doi/10.1111/j.1741-3737.2006.00239.x/ab%0_stract.
- [19] Susan L. Brown. Family structure and child well-being: The significance of parental cohabitation. *Journal of Marriage and the Family*, 66(2):351-367, 2004. http://onlinelibrary.wiley.com/doi/10.1111/j.1741-3737.2004.00025.x/ab%0_stract.
- [20] Statistics New Zealand. Vulnerable children and families: Some findings from the new zealand general social survey. 2012
- [21] Loren Marks. Same-sex parenting and children’s outcomes: A closer examination of the american psychological association’s brief on lesbian and gay parenting. *Social Science Research*, 41(4):735-751, 2012. <http://www.sciencedirect.com/science/article/pii/S0049089X12000580>.