Adoption Right of Homosexual Couples

Barriers encountered in adoption by homosexual couples and the potential policies change

Tag Words: Adoption; gay; lesbian; homosexual; state policy; individual policy

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Summary:

In United States, homosexual, transsexual and bisexual people are discriminated and restricted from adopting their own child because of a stereotypical prejudice against homosexual people, even though there are more than 400,000 children who do not have a permanent parent. Many states do allow a single homosexual individual adopts a child, but some states do not allow homosexual couple adoption and/or second parenting option. There are several states that do not allow homosexual marriage, and this restricts the unmarried homosexual couples from choosing other options and their right to have a normal family. Homosexual couples should not be discriminated against by the state law or adoption agencies, as their emergence is scientifically justified, and research shows that homosexual households can provide a supportive environment for the children like the heterosexual households. Homosexual couples’ children are more open-minded and empathetic than their peers. There is no difference between the children of homosexual couples and those of heterosexual couples, in term of academic performance, social skills and recognition of typical gender role behaviors. Thus, we wrote a letter to the state government in North Carolina, South Carolina, North Dakota, South Dakota, Utah, Virginia, West Virginia, Wyoming and Wisconsin to persuade them allow homosexual couples to adopt children.

Video Link: https://www.youtube.com/watch?v=rCECF5WTxKY&feature=youtu.be

HOMOSEXUALS’ PREDICAMENTS IN ADOPTION

Problems Encountered by Homosexual Couples in Adoption (J. H. An)

Introduction

On the Earth, more than 300,000,000 people are living in the United States, and there are approximately 4,000,000 infants born each year under variety of people who can or cannot afford to have their own child. Today, there are about 153,000,000 orphans out of 7,000,000,000 populations in the world, over 60,000 children in United States are under foster care, and more than 400,000 children do not have permanent family (1). More than 50% of these parentless children are waiting to get adopted for more than 2 years because not many people are ready to take a responsibility other than their own life (2). When there are these many children waiting to get adopted, the US and many countries limit the adoption right of people who need it the most. Homosexual couples, who are in most cases not able to get their own children, are always wish to adopt their own children to share their love with; however, there are many people who believe that homosexual people are bad influence toward children, have doubts about homosexual couple’s right to adopt, and are forcing many societies to limit homosexual people’s privilege to adopt. Even though the federal law states
all men are created equal and should have same equal rights, homosexual people are
discriminated by states and population directly or indirectly so that they cannot adopt the
children who need immediate family and parent. Their options are usually limited by a single
individual adoption and live together with his or her partner (In this situation, although being
the most simple method to adopt a child in all states, can become problematic as only one
side of a couple can have right to decide a child matter), or adopt oversea adoption (which is
very complicated and time wasting), move to another state that allow homosexual marriage
and adoption, co-parenting (one parent allow other person to have right to “take care” of his
or her own child), and other long processes that usually not required by heterosexual couples
even though they are under a protection of the federal law. Based on the latest household
numbers released this past April, there were 646,464 same-sex couples in the U.S. in 2010.
Of those, 131,729 were identified as “married”. This is 80% increase compare to 2000 census
data. Of these many people, only little over 30,000 homosexual couples are able to adopt a
child and live as a full family they wish to live as (3). Potentially, being not able to have their
own children, the potential of these couples adopting is higher than that of heterosexual
couples.

Adoption and Foster Care Institute Statistic

Despite people’s argument on why homosexual people should not be allowed to adopt
parentless children, many people backed up by neutral studies disagree with their argument to
reject homosexual people’s right to adopt. Each year, more than 27,000 out of 60,000
children under foster care institution aged-out of foster care with about 25% of them do not
even have a high-school diploma (1)(4). In many cases, most people from a foster care
institutes have many problems, mostly from mental scars of being lonely and not having any
intimate relationship. More than 100 studies performed in over 30 countries suggest that there
are problems arise when orphans are under an institution for long time. Many studies showed
that when the person stays at the foster care institution there is a high chance of degeneration
of intelligence, or a reduction of IQ, as lower as 20 IQ (5). They are also vulnerable mental
disorder and have an increased chance to have attachment disorder, developmental delay and
neural atrophy of the brain, which is all chronically dismantling their future. Despite all these
problems and increasing number of parentless children, the Adoption rate decreasing since
2005. In 2005, 22,734 children are adopted and met his or her parents. However, this number
decreased to 17,456 by 2008, and 12,744 by 2009. By the 2013, only 7,092 children are
adopted. From 2005 to 2013, the annual number of adoption decreased by 68.8% (6). An
adoption of these children is an immediate problem for many of children who are growing in
the foster care institute and may be scarred for life. With the topic later discussed on the
paper, which is how socially and scientifically homosexual people are justified to become
normal parents, along with the studies suggesting the worsening of children’s mental health
as longer they stay in the institution, there are no significant reason for people to not to allow
homosexual people from performing their right.

Public Opinions on the Adoption Right for Homosexual Couples

On the topic of how we think about allowing homosexual people to adopt a child,
most people have evenly split opinions. On Debate.org website, there is a debate on a topic
of “Should homosexual people be allowed to legally adopt children?” They are currently split
into two even numbers: 50% of people say it is people’s right to adopt a child and is no
different to homosexual people; other 50% people say homosexuality is not a normal sexual orientation and allowing homosexual people to adopt a child may have an irreversible influence toward the adopted child and go against people’s right to protect our community. People on “yes” side mostly argue because that is a human right and there should not be any problem because all the problems stated by other side of this argument can be caused by heterosexual couples as well; also, if there is any problem with two of same sex parents having a child, there should be a problem with any single parent in the world. People on “no” side mostly argue because children need both parents to have a healthy childhood and homosexual couples are not very good influence to children. The main point is that this is a very debatable issue among American citizens (7).

On another internet website, on a topic of “Gay couples”, people’s comments were divided into two extreme sides of whether or not people agree with allowing homosexual couples to adopt. Just like people on the Debate.org website, they are also divided into two almost evenly divided opinions; they should, or should not be a parent. The people who are disagreeing with homosexual people’s right to adopt a child argue that homosexual people cannot provide mother or father figure in the house; they can only provide either one of these figures, which can result in lack of all other mental components that each figure can provide, not to mention a child’s sexuality maybe hindered. People on the disagreeing side also claimed that a child can be abused by homosexual parents and can be disadvantageous by giving an abnormal childhood compare to a childhood under straight parents, which may result in getting bullied, mentally scarred, and emotionally unstable for life. Their claims are mostly unproven and are mostly expectation based on a stereotype on homosexual people; however, it cannot be ignored because a result people expect is not too unlikely as homosexual people are still discriminated one way or another still in many parts of not just United States, but the world. The people who are supporting the adoption right of homosexual couples are arguing that their family structure is similar if not exactly alike a traditional family structure, so their structure will not cause harm to the child’s emotional and mental health. Moreover, about one-third of all American children are raised by single parent, which goes against the reasoning of people who oppose because of lack of father or mother figure. Last and most importantly, a child is better off with a family than without, and leaving them in the foster care is not much better even if the opinion of those who oppose homosexual adoption is true. People from the family are mostly ended up in better situation than people who did not have a family, so giving a family to orphans are usually result in good ways. Also, having homosexual person or couple as a parent or parents can improve a child’s social acceptance for all those being discriminated, which can be say the child can become someone greater than the child of straight parenting (8). Either sides of the opinion can be viewed as valid, yet also very insensitive and controversial. As it is seen here in two debate sites, the righteousness of being homosexual is still being questioned and many people still are skeptical about homosexual people forming a parent, thus causing a problem for homosexual people to adopt a child.

Why Disagree with Homosexual People to have the Right to Adopt?

“No to Gay Adoption”, written by is a health care policy analyst for the National Center for Public Policy Research, David Hogberg, talks about his reasons on why people refuse to allow homosexual people to adopt. Most studies suggest that homosexual parents have same or better level of happiness as a family is faulty, because most of studies are not
conducted with a right procedure; in other word, most studies he saw so far cannot be valid
evidences to support of idea that homosexual family being equal to that of heterosexual
family. However, he also says that there is a lack of evidence of homosexual people being a
bad parent. He claims that only happy family is a family with the traditional structure with
man and woman holding each hand of child because many “valid studies” suggest couples
tend to do a better parenting than single individuals. This structure brings the happiest result
out of many and everything else is not suitable as a parent, including a single parent and
homosexual couples. His claim mostly come from his assumption about homosexual couples
are no different from single individual parent because there is no sexual diversity in the house
on top of many studies that suggest a child with single parent has high chance of being
abnormal and unhappy in the society. His reasoning can add up with the people who say that
homosexual people are no different than a single parent and should treat just as same or
better. The people argue that child with single parent still can be happy and adopted, there
should be no different to homosexual people; however, with the Dr. Hogberg’s argument,
based on statistic, children of single parents usually suffer with depression, anxiety, and many
other disease that can influence children’s mental status in a negative way, so homosexual
couple can bring a similar result and is not worth the risk. This argument is not always the
most favorable argument of this side, but is one of most used reasoning on why homosexual
people are not suitable as parents. As a conclusion for disagreeing people’s side of argument,
they are simply refusing to accept homosexual people as a parental figure because they
believe homosexual people can never become something equal to a traditional parent, which
can harm the child and scar them for life. The argument is clear: to prevent this potential scar
that can be formed on adopted children’s hearts, homosexual people should not be allowed to
adopt a child and their right to adopt a child should be prohibited (9).

Even though people who disagree with homosexual adoption right are very
passionate, there is a solid problem with their argument. The problem with Dr. Hogberg and
people on his side of the argument is that they do not have any solid proof, but only
evidences based the not-so-much-related studies that only can tie up to the issue by making
the assumptions of two of same-sex couples are equal of one individual. This is the problem
Dr. Hogberg himself points out on his paper, that most of his argument is based on his
assumption, because his opposing side is also making an assumption and not following the
right method to conduct a study. On top of their problem of being somewhat hypocrite to
their argument, the problem with all disagreeing side is that their argument is based on their
own emotions and moral codes without a solid reason on why they are arguing their point of
view. Later on this paper, we will talk about the issue of how homosexuals are being justified
as normal people, using scientific facts on the existence of homosexuals and social facts on
homosexual couples and their children.

US States’ Adoption Policies (J. H. An)

Introduction

Although the federal law states that all men are created equal, there is no direct
federal regulation on a children adoption right; however, there can be a state regulations
created by state legislations as long as state law does not interfere with federal regulations
especially the constitution, which can be very indirect. Without specific federal law stating
the right of homosexual people, the states had their power to make laws that prevent
homosexual people to be equal. Many policies were developed to legally disallow homosexual people from adopting the children. However, many state laws preventing a homosexual people from being justified for doing what they can do are removed, with a help of the federal government intervention. Even though many states are now not allow to make freedom limiting regulations, many states made indirect regulations to limit the homosexual people’s right to adopt; for example, a state and/or agency all must allow a homosexual person to adopt as a single parent, but still may not allow a homosexual-coupled adoption and/or second parenting option for homosexual couples. An adoption can be refused if the parents of a child or the agency can prevent the adoption process, because most communities can still regulate a right to adopt by making an excuse based on a qualification of a person to adopt. This was the worst especially when the homosexuality considered as a mental illness, many communities banned homosexual people from adopting a child because there might be a bad influence toward a child of interest. Although all states today now allow single homosexual individual to adopt and many laws that prohibiting homosexual individuals from adopting a child is now gone, there are still indirect prohibitions toward these people as many people still disagree that these people are normal and can be a good influence toward children.

**States’ History on Homosexual Adoption-Restricting Laws**

Before the federal government intervened to protect the civil right, many states did not allow homosexual people from being involved with children, which is from being a part of boy scouts to having a right to adopt. As separate governments from one to another, many states regulate the right to adopt a child on their own. Each state can make a reasonable regulation to different types of adoption. Out of many states that regulate private activities, extremely conservative states such as Florida, Michigan, Mississippi, and Utah used to not allow gay adoption at all. These states specifically did not allow homosexual people from adopt a child under any circumstance. Florida government stated that “No person eligible to adopt under this statute may adopt if that person is a homosexual”, and Mississippi government states “Adoption by couples of the same gender is prohibited”. Other two states prohibited a child adoption by homosexual in indirect ways. Michigan stated that “only allows couples married to each other to adopt”, when homosexual marriage is not allowed or accepted within the state; Utah government did not specifically discriminate homosexual people from adopting a child, but the law states that adoption must be for the best interest of child, which allowed Utah and its adoption agencies not allow an adoption by homosexual people because state declared that homosexual people are not a suitable parent. However, limiting the child adoption just based on a person or couple’s sexual orientation violates a human rights based on American Constitution and some of these laws found unconstitutional. For example, Arkansas Child Welfare Agency Review Board stated that “No person may serve as a foster parent if any adult member of that person's household is a Homosexual”; however, this administrative regulation was found unconstitutional by an Arkansas trial court on December 29, 2004 in Howard v. Child Welfare Agency case. In 2010, Florida’s law to ban gay adoption was declared unconstitutional and was never appealed to a court thereby the 33years old Florida’s gay adoption ban law was removed from their regulation book. Only few cases are covered here, but there are many cases involving homosexual parents trying to protect their right to keep their children. A big movement to protect an adoption right of homosexual people in all states occurred in 21st century, and all direct homosexual adoption prohibiting state laws are eradicated as of 2013 (10)(11). Before people cared, homosexual people were discriminated to the degree that they are not recognized as a normal human
being. Without doing anything, without having any mental issue, homosexual people were not qualified to do many things. However, with a help of many people to justify their rights to be equal, these laws that directly discriminating homosexual people are gone. Still, there are laws and regulations that indirectly limiting the right of homosexual people.

Limitations and Problems of States and Homosexual People

Most states do not ban homosexual people from adopting their own child, but there are still many restrictions on their right to adopt. The problems arise mostly because most states do not prohibit a child adoption by homosexual, but homosexual people are not protected as well; moreover, some states may change the state policy in a way to discriminate homosexual couple indirectly and limit their rights to achieve a happiness both themselves and abandoned children deserve. People who find homosexuality “abnormal” uses every loophole to disprove their wish to adopt a child. For example, many states still do not allow gay marriage; if the law states that only married couple can have a child adopted, and then this is other way to say “Homosexual couples are not allowed to have their own child”. Many homosexual people cannot have a normal adoption because they are not traditionally “normal” parents according to some regulations. A case of lesbian couple, Julie Edmunds and Sara Terry, of North Carolina shows how homosexual couples still being discriminated. North Carolina state law does not allow gay marriage, so they could not marry. Because they are not married, instead of adopting normally, they picked a second parent adoption option, which one side of parents has or adopts a child and shares his or her right to decide the adopted child’s path with a partner. However, after almost decade away from the court allowing Edmunds and Terry picked the second parent option to live as a family, a court declared that unmarried individual or couples are not suitable as a parent because they are not married and only married couples are suitable as a second parent. This may result Edmunds and Terry to lose their right to take care of these children that they took care for almost 10 years (12). This case shows state does not directly violate people’s right based on a sexual orientation, but still able to limit homosexual people from adopting their own child. Homosexual couple such as Michael George and Chad Lord looked for a newborn child over 6 years and still not able to find a suitable child because foster houses and birthparents favor heterosexual married couple over homosexual couple. George and Lord are allowed to have a child of their own from the people who abandoned their own child, yet most of these people still do not accept homosexual as a rightful parents to raise their own child (13).

As a conclusion, although the laws that discriminating homosexual people as a community are declared unconstitutional and removed from the state codes, homosexual couples are still limited to adopt a child under the same jurisdiction that allows adoption. Even if homosexual couples want to adopt a child by any means necessary going through all the different methods of adoption that mostly not required by heterosexual couples, the community regulations are lacking a way to protect homosexual people’s right to adopt a child. The federal government may allowed homosexual people to do whatever they please according under the law, but the societies and states still rejects them and discriminate them, and there is almost nothing done to protect them. What they need is not just a ticket to the world where all human rights are allowed, but they should also be protected from a prejudice and limitation set by human boundaries.

Homosexuals Are Scientifically Justified As Being Normal (J. W. Loh)
The Possible Explanation of Homosexuals’ Existence through a Carrier Gene

Some people perceived homosexuality as an abnormal phenomenon in our current society. However, we can actually scientifically justified homosexuals as normal people, just like any heterosexuals. Current research conducted by Andrea Camperio Ciani at the University of Padova, suggests that homosexuality is an inborn, genetically influenced trait. This trait is being passed to the next generation by the mother and maternal aunt of a gay man, and they tend to have more offspring than the maternal side of a heterosexual man. One hypothesized gene determining the sexual orientation is located on the X chromosome (14). This hypothesis parallels a study, which was presented at a Science of Sex and Attraction event in Chicago. This study showed that male homosexuality is influenced by genetic factors up to 40%, and environmental and social factors definitely play a role in influencing homosexuality. Scientist discovered that a region on the X chromosome, Xq28 and a stretch of DNA on chromosome 8 influences individual sexual orientation (15). This gene on X chromosome promotes gayness in males and fertility in females. Therefore, a man who inherits this gene is likely to be gay, but if this gene appears on the X chromosome of a woman, she will have a lot of children, and she becomes the carrier for this gene. The main reason for these women to produce a lot of offspring is that this gene makes these women more attractive to men, and this actually provides selective advantage to these women, as they have the opportunity to choose the best man as their spouse. If both parents are very healthy and fit, they will have the capability to give birth and rear a lot of children. There are several reasons why these women are more attractive to men in comparison to those women who do not inherit this gene. These women are innately more fertile and have less gynecological problem during pregnancy. In addition, they are more extroverted, sociable and more relaxed when the men are dating with them. They also have fewer family problems and social anxieties (14). All these reasons make men to prefer these women to those who do not have the gene. Consequently, this makes the carrier, for male homosexual gene, become the most likely survivors in the world, as they have the selective advantage of being more attractive to men.

Ciani and his colleagues further explain that homosexuality is one of the examples of sexually antagonistic selection, in which it favors one gender while disfavoring another gender. This gene provides fecundity to women and increases the world population, while the emergence of male homosexuality reduces the world population. So, the overall net effect is about zero. Male homosexuality becomes the buffer effect lowering the world population caused by the increased fertility of women who inherited this gene (16). Consequently, homosexuality confers some advantages to this current world, as gay homosexual couples will not produce their own offspring, and this can relieve the tension of current situation, in which the world will be overpopulated in couple decades later. Moreover, some of these homosexual couples have the intention of adopting children; this provides a mutual benefit to both the couples and children, as they can experience the “home” atmosphere together, which were once their wishes and dreams.

Effects of Hormone and Phthalate Exposure during Pregnancy

In 2013, Canadian scientists discovered that it is more likely for a male who has a lot of older brothers to become a gay than those with fewer older brothers. This is called the effect of fraternal birth order. They claimed that it is because carrying a male in the womb
triggers an immune response in the mother that would affect the child’s sexual behavior; thus, the more males that a woman carries, the stronger the response is (15). Overall, this depicts that male homosexuality is definitely predetermined in certain degree when children are born. Their sexual orientation is either determined by the inheritance of certain genes from their mothers, or it is being shaped when they are in the mothers’ womb.

Current research discovered the effect of phthalate in changing the androgen level of a fetus during early pregnancy, and this altered androgen level can cause changes in the brain structure and genital region. A study of 145 preschool children was conducted by Shanna H. Swan, professor of Obstetrics and Gynecology, to determine the effect of phthalate exposure towards pregnancy mother. Results showed that elevated level of two common forms of phthalate, di(2-ethylhexyl) phthalate (DEHP) and dibutyl phthalate (DBP), in mothers’ prenatal urine is correlated with the lower probability that their sons will play male-typical toys and games. These phthalates forms can be typically found in polyvinyl chloride (PVC). Therefore, whenever the mother used PVC-containing product to heat up the food, these phthalate forms will be introduced into the food chain and the mothers’ bodies. Swan hypothesized that phthalates may decrease the level of fetal testosterone between eight to 24 weeks of gestation, which is the critical period for fetal development (17). This further justifies that homosexuality is not a choice, but it is born with the genetic variation, and at the same time, it is shaped by social and environmental factors. In this case, the environmental factors actually contribute to the genetic changes in the fetal, which makes them to become less masculine. However, this cannot explain about female homosexuality.

Reasoning Behind the Social Influences on Homosexuals (J. W. Loh)

Social Factors that Lead to the Emergence of Homosexuals

Social factors certainly contribute to the emergence of homosexuals. Most researchers failed to identify a single factor that would significantly affect a person’s sexual orientation, but social factors as a whole definitely influence individual’s sexual orientation. Most factors will only apply to certain individuals, but not all of the homosexuals. However, there are some factors that generally applied to all homosexuals like child gender nonconformity (“sissiness” for boy and “tomboyism” for girl) by itself contributes up to 12% for the causes of homosexuality, and the other two most significant themes are the negative relationship and identification with same sex parent and homosexual arousal in childhood or first homosexual experience in adolescence. All these social factors accounts for 36% in adult female homosexuality and 78% in adult male homosexuality. One of the researchers even made a comparison between genetic influence and social influence by conducting a twin study for both males and females. He realized that genetic influence was not significant for both males and females; childhood gender non-conformity was moderately significant for both gender, and it was in fact 10 times more significant than the genetic influence (18). Consequently, this showed that social factors are the sole factors that affect sexual orientation. However, Bailey and his colleagues conducted a research on Australian twin samples, and the results showed that childhood gender nonconformity is inheritable. Therefore, childhood gender nonconformity can be caused by biological factors like the exposure of hormones during pregnancy. Indirectly, genetic factors still play a role in influencing sexual orientation (19).
Thompson and Devine agreed that social factors may affect sexual identity like the previous study. The most common factors are childhood experience and relationship with parents, childhood play pattern, early peer relationship, differences in parental behavior towards male and female children, and gender constancy and stability. They emphasize that most researches and studies are bias, due to the assumption that all people are born heterosexual. Therefore, those studies concluded that there must be a flaw in how homosexuals socialize with the rest of community, and they perceived homosexual as abnormal. A study conducted by Kinsey at Indiana University from 1853 to 1938 showed that about 37% of males had at least one homosexual experience that causes orgasm for them or their partners, and he found out that the same-sex sexual experience seemed to be confined within adolescence for about 25% of the interviewees. Kinsey suggested that homosexuality is affected by the family structure and its malfunction, since homosexuality is only common during adolescence. If homosexuality was really influenced by genetic factors, then it should be prevalent even after adolescence period. Furthermore, Thompson and Devine emphasized that parental relationship with children is very important in determining the children’s personality and even their sexual behavior. The gender identity of children is determined by the combination of genetic and social factors like how they are being brought up by the parents from after infancy till they begin to develop language skills. Besides, childhood play toy and first crush that individuals have strongly influence their sexual orientation. 86% of homosexuals had their first crush on the same sex member, while only 27% of heterosexuals had their first crush on the same sex member. 77% of homosexuals revealed that they had no male friends, and they avoided playing male-type games; they played predominantly with female friends (20). This showed that sexual identity is influenced by social factor, but this will not be the only contributing factor, as most children, who have childhood gender nonconformity, will avoid playing the typical games for their gender too. Thus, we cannot really set biological factors aside based on these statistics.

There are another two environmental factors that may influence sexual orientation: geographic birthplace and family relationship. Based on Frisch and Hviid study, it showed that people who were born in urban area were more likely to become homosexuals than those who were born in rural area, and children who were brought up in intact families were more likely to marry heterosexually than those who experienced parental divorce. For males who experienced paternal divorce, unknown paternal identity, longer duration with the presence of mother and short duration with both parents, they had a higher chance of becoming homosexuals. As for female homosexuality, it showed that lesbians were more likely to be brought up by a short period of parental marriage or by their fathers alone during adolescence.

This study contradicted with the previous study that showed the effect of fraternal birth order, which is the high likelihood for males who have older brothers to become homosexuals. Based on the results, the researchers could not find any indication to this factor. The scientists also claimed that if environmental factors were the sole factors, then all the urban area born people would be homosexuals. Therefore, biological factors definitely play a role in shaping homosexuality (21).

**Comparison between Genetic and Social Influences on Homosexuals**
Dr. Niklas Långström and his colleagues conducted a twin study, including identical and fraternal twins, to examine the causes of homosexuality. It was mainly to determine how well genetic factors play a role. If more similarities were shown between the identical twins than that of the fraternal twins, then the studied traits were more significantly influenced by genetic factors, since identical twins have exactly the same genetic composition. This study showed that, for male homosexuality, genetic factors accounted for about 35% differences between men in homosexual behavior, and 64% was caused by the individual-specific environmental factors. Therefore, different developmental pathway is the main cause that determines whether the man becomes homosexual or heterosexual. As for female homosexuality, genetic factors made up 18% of the variation in same-sex behavior; non-shared environmental factors caused 64% and family factors caused 16%. The non-shared environmental factors refer to the factors operating during fetal development, and this is the main factor that leads to female homosexuality (22). Consequently, both biological and social factors influence sexual identity, but overall social factors are the dominant players.

Based on all these studies, we can state that homosexuals are like heterosexuals. Homosexuals are being born with a greater attraction towards the same-sex partners, and at the same time, they are being influenced by their surrounding factors to narrow down their preference in choosing the type of partners they like. This makes them not much different from heterosexuals. Therefore, they should be given equal right in adopting children. However, adoption agencies claim that homosexual couples cannot provide the same environment like the normal married parents do, and they believe that only the family that has both father and mother can provide the most supportive environment for child development.

**Comparison between Homosexual Couples and Heterosexual Couples**

There are five categories that researchers used to compare homosexual couples against heterosexual couples: duration of relationship, monogamy versus promiscuity, number of children being raised, health risks and rates of intimate partner violence. A 2001 National Center for Health Statistics study reported that 66% of the marriage remained intact after the first 10 years, and only 50% of marriages were left for the twenty years marriage anniversary. However, homosexual couples had a much shorter duration. Their relationship generally only lasted for two to three years, but a small number of them achieved longevity like the heterosexual marriages. The 2003 – 2004 Gay/Lesbian Consumer Online Census showed that 15% of the homosexual couples maintained their relationship for more than twenty years.

In addition, heterosexual married couples show sexual fidelity to their spouse, but homosexual couples are more promiscuous in comparison to the heterosexual couples. In the Journal of Sex Research, the results of a survey showed that 77% of married men and 88% of married women were monogamous in their relationship. As for homosexuals, a study from the same journal indicated that most homosexuals had 101 to 500 sexual partners in their lifetime, and 10.2 to 15.7% of homosexuals were in the range from 501 to 1000 sexual partners. Another 10.2 to 15.7% of homosexuals stated that they had more than 1000 sexual partners. The reason for having sexual promiscuity among homosexuals is that they consider sexual relationship outside of dating relationship as a norm, and monogamous relationship is perceived as a type of oppression. Therefore, most homosexual couples do not legalized their
relationship in the region where the government allows civil unions for homosexual couples, and even if they legalized the relationship, they have a different perception of commitment from the heterosexual couples, due to the conviction.

As for the number of children being reared in a household, the 2000 Census reported that 33% of lesbian couples and 22% of gay couples had their own children living with them, and 46% of heterosexual couples had at least one child living with them, but this may be an underestimate figure for the total number of married couples that had children, as most older couples had grown children that no longer stayed with them.

Moreover, homosexuals are at a greater risk for acquiring sexually-transmitted disease, since they practice promiscuous relationship. A study of steady and casual male homosexual relationship in Amsterdam revealed that steady partners had a higher probability of spreading the HIV disease in comparison to the casual partners. Lesbians were also at the risk of contracting sexually-transmitted disease, as most of them had past contact with homosexual or bisexual man and with an intravenous drug user. Both male and female homosexuals experienced a higher rate of mental problems in comparison to the married couples. This was proven by the twin study that analyzed the relationship between homosexuality and suicide. It showed that homosexuals were at a higher risk for mental health problems, and they were 6.5 times more likely to commit suicide than their twin.

Lastly, U. S. Department of Justice reported that same-sex couples experienced a much greater incidence of domestic partner violence than the opposite-sex couples, including marriage and cohabitation. The National Violence against Woman Survey reported that 39% of same-sex cohabitants stated that they were being raped, physically abused, and stalked by their partners at some point in their lives. However, only 21.7% of opposite-sex cohabitants faced the same problem (23). All these factors exhibit that same-sex households may not be able to provide a harmonious atmosphere like most opposite-sex households, which parallels adoption agencies’ belief. Consequently, they deny the right of homosexual couples to adopt a child, since they believed that the children reared by homosexual couples may have psychological problem in comparison to those children who are being brought up in opposite-sex households.

Is It Really True that Homosexual Couples Differ From Heterosexual Couples?

Nevertheless, the above statistics contradicted with the results of the research conducted at University of Illinois. The main purpose of the research was to compare the commitment between homosexual couples and married couples. Results showed that all couples had positive perception of their relationships, and lesbian couples managed to work together more harmoniously especially to solve the laboratory tasks. As a result, this depicted that homosexual couples can work even better than married or dating couples. The second study, conducted by the researchers from the University of Washington, San Diego State University, and the University of Vermont, was to determine the effect of sexual orientation and legal status on the relationship quality. The results showed that same-sex couples were not much different from the heterosexual couples in term of daily interaction. However, those who were not in the civil union were more inclined to end their relationship earlier than those same-sex couples who were in the civil union and married couples. This infers that legal
protection may give some effect on the same-sex relationship, as those who are in the civil union have to proceed through the legal process to break up. Regardless of the civil union status, generally, same sex couples have less conflict than the heterosexual couples, as the heterosexual married couples are forced to stay together albeit they are not happy, due to the social pressure and cultural norms. Homosexual couples are more on their own free will to maintain a long term relationship (24). Besides, the main reason for homosexual couples to have less conflict and more satisfaction is that same-sex partners can easily confide their emotions and problems to each other in comparison to different sex partners. Regardless of straight or gay, people are often better in communicating with the same gender, due to the similar experience in the process of being brought up (25). Consequently, homosexual couples can certainly provide harmonious atmosphere to their adopted children, since they have less family and relationship predicaments, and they adopt the child and maintain the households with their own will, without anyone forcing them.

**Reasons for Opposing Homosexual Couples’ Adoption**

Most agencies and biological parents are worried that those children who are adopted by homosexual couples may encounter difficulties in identifying gender role behaviors and have emotional conflicts throughout their development, due to peer pressure and social stigmatization. They are also concerned about the problem that these children will be more likely to be sexually abused by the parents or their same-sex partners. Nevertheless, none of these predicaments has a scientific basis. Most findings from the research showed that homosexual couples’ children are not much different from the heterosexual couples’ children in term of development, social relationship and identification of gender role behaviors (26). Some studies even pointed out that homosexual parenting skill may be superior to those heterosexual couples, as there is a greater parenting awareness among the homosexual couples (27). Homosexual couples are more committed to their children, as they choose to raise the children, while there are almost 50% of accidental pregnancy rate among heterosexual couples (28). Lesbian couples are happier to raise a child than the gay and straight couples. Their children are closer to the nonbiological or second mother in comparison to the straight couples’ children who are raised by a stepmother. In addition, a ten-year study showed that homosexual couples’ children had a better academic performance and social competence than their same-aged peers, and these children were also more open-minded and empathetic than those who were being raised in heterosexual households. It was also shown that homosexual couples’ children were 100 times less likely to be molested by their parent’s partners than the children raised by heterosexual couples. (27). All these prove that homosexual couples definitely have a good or even better parenting skills than heterosexual couples.

**Homosexual Couples’ Determination in Adoption**

Research suggests that homosexual couples are more likely to adopt older, special needs and minority children than the heterosexual couples, partly due to their own preferences, and some couples are being discriminated against by the agencies. In 2007, Williams Institute and the Urban Institute reported that, from 2000 to 2002, there were 65,000 children living with homosexual couples, and another 14,000 were taken care by gays and lesbians in foster homes. Urban Institute also discovered that 41% of lesbians and more than 50% of gay men were willing to adopt children. In 2011, Evan B. Donaldson Adoption
Institute reported that homosexual couples adopted 10% of the 6-year-old kids (these kids have a harder time to be adopted in comparison to the younger kids), 25% of the 3-year-old kids, and many kids with special needs at more than 300 adoption agencies. All these kids were of different races. Some homosexual couples allow their adopted child to remain contact with their biological parents, and some studies showed that these biological parents were not concerned about the sexual orientation of the homosexual adoptive parents. There are even some biological mothers who make the decision of only a gay man can be their child’s mother. Some people believed that even if homosexual households really provide negative impacts to the children, the root of cause is still the social discrimination against same-sex couples (28).

The Controversy of Same-Sex Couples Producing Homosexuals

Nonetheless, most of these previous studies were claimed to be statistically insignificant due to a small sample that was being investigated. Regnerus conducted a study that had a large, representative population-based sample in order to be scientifically conclusive. The sample was comprised of 3000 family, and there were 175 lesbian households and 73 gay households. The results showed that homosexual couples’ children engaged in negative behaviors like smoking, using marijuana, having more sexual partners (for female) and being arrested by police much more frequently than the children of married biological parents. These children were also being reported that they are more depressed, have lower education and much more likely to receive social welfares. Furthermore, the researchers discovered that children of lesbian mothers were 75% more likely and children of gay fathers were three times more likely to engage in same-sex relationship than the children of heterosexual households. The daughters of lesbian mothers had four times and the daughters of gay fathers had six times as many same-sex partners than the daughters of married couples. The sons of both lesbian mothers and gay fathers had seven times as many male partners as the heterosexual couples’ sons. The researchers also reported that 23% of lesbians’ children and 6% of gays’ children were sexually abused by their parents or caretakers in comparison to 2% of married couples’ children. However, there was no evidence that proves lesbian mothers were the culprits that sexually abuse their children. It can be the children's biological father that abused, and the divorced mother with children later gets involved in the same-sex relationship. Consequently, this study shatters the belief that homosexual couples’ children are not much different from the heterosexual couples’ children. This showed that homosexual parents cause a higher likelihood for their children to become gays or lesbians. Nevertheless, the definition of homosexual parent was vague in this study, as their samples included children who do not live with their homosexual parents during the same-sex relationship and some children who only live with their homosexual parents but not staying together with the parents’ partners. Only 23% of lesbians’ children and 2% of gays’ children stay together with their parents and parents’ partners for 3 years (29). This concluded that the results of this study are statistically significant, but it may not be able to represent this homosexual population who wish to adopt children, since most of the homosexual couples from this sample have their children from the previous heterosexual relationship.
COMMUNITY ACTION: WRITING LETTERS TO CERTAIN STATES TO PERSUADE POLICY AMENDMENT

The proposed solution for the problems encountered in homosexual couples’ adoption is to write a letter to the governments of certain states that ban their adoption, in order to persuade the authorities change their policies and accept homosexual couples adopt children.

The first step of the solution is to conduct a research on the state laws of the 50 states, regarding to the homosexual couples’ adoption. Table 1 shows the comparison of states’ policies on gay marriage, single parent adoption, coupled-parents adoption, and second parenting option.

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<th>Legalization of Same-sex Marriage</th>
<th>Legalization of Same-sex Adoption</th>
<th>No Prohibition on Same-sex Adoption</th>
<th>Single Homosexuals May Petition to Adopt</th>
<th>Same-sex Couples May Jointly Petition</th>
<th>Second Parent Same-sex Adoption Petition</th>
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**X=Yes, /=No explicit prohibition**

Table 1: States’ policies on homosexual marriage, single parent adoption, coupled parents adoption, and second parenting option

While not all states allow same-sex marriage to occur, all states today allow homosexuals to adopt a child as a single parent; however, allowing adoption of homosexual individual does not assure their right to adopt because some states may disallow adoption.
under special cases, and some states may disallow couples to adopt or disallow second
parenting option being used as an individual adoption right. As described on part 1 of the
paper, many states still indirectly disallow several rights on homosexual people, including a
homosexual marriage, a couple-joint adoption, and/or secondary parenting option.

The United States has to change as many countries are now accepting homosexuality
as a different life choice, not a mental or a physical problem. Outside of states, there are
currently 18 countries that allow full privilege of adoption by homosexual people: Argentina,
Netherland, Belgium, Spain, South Africa, Norway, Sweden, Portugal, Iceland, Argentina,
Denmark, Uruguay, New Zealand, France, England and Wales, Scotland, Brazil, and Mexico.
Canada, Australia, Jersey, Gibraltar, Slovenia, Austria, Finland, Germany, Greenland, Israel
and United States of America are different by jurisdiction and only partially allow the
adoption right of homosexual people. Other countries aside from listed do not allow
homosexual individuals adopt. Homosexual individuals or couples are not allowed to adopt
oversea if the country does not allow same-sex adoption and/or has a restriction based on
status of couple.

From the table, we can see that quite some states do only partial right of adoption of
homosexual people. All states allow a single parent adoption, but not many allow coupled
adoption or second parenting adoption, which is not good enough to give full right to
homosexual people. From the comparison among the states’ law, we decided to send letters to
the Department of Social Services in South Carolina, South Dakota and Virginia, the
Department of Health and Human Services in North Carolina, the Department of Family
Services in Wyoming, the Department of Human Services in North Dakota and Utah, the
Department of Health and Human Resources in West Virginia and the Department of
Children and Families in Wisconsin. We hope that through the video, letter and project paper
that are sent to them, we can persuade them to perceive homosexual couples from our point of
view and acknowledge their ability to provide a supportive environment for the children. Our
ultimate goal is to persuade them legalized homosexual couples to adopt children as a single
entity.

Basically, we wrote the same letter to the respective departments in those mentioned
states. The letter was written as follows: (Next Page)
To whom it may concern,

We are writing this letter to show you the results of our research on the adoption right of homosexual couples. There are many children waiting to be adopted, but your state partially restricts not only homosexuals’ right to adopt, but the right of orphans to get their own family, because of the stereotypical prejudice against homosexuals. Based on the results, we are able to scientifically justify the emergence of homosexuals and their commitment to the adopted children. Homosexual households are able to provide a supportive environment for the children like heterosexual households. Some research implies that homosexual couples may even have a better parenting skill than the heterosexual couples, and the children of homosexual couples are capable of distinguishing the typical gender role behavior just like the heterosexual couples’ children. In addition, these children are more open-minded, and they have the same or even better academic performance than their same-aged peers. Consequently, they grow up happily and normally like the heterosexual couples’ children.

By allowing homosexual couples to adopt children, there are more options for the kids to choose their adoptive parents, and at the same time, those children who are above 6 years old or with some special needs have a higher opportunity to get adopted. I believe that the final objective of all adoption agencies and government is to find a suitable home for every child in the foster care. By legalizing homosexual couples’ adoption, we are able to greatly increase the resources for children adoption.

For your further information, we have attached our project paper and video link (https://www.youtube.com/watch?v=rCECF5WTxKY&feature=youtu.be) with this cover letter, in order to give a complete understanding of our project. We sincerely hope that after reading the project paper, you can perceive homosexual couples from our point of view and agree with us that they can indeed be the good parents for the children. If you have any question or concern, please do not hesitate to contact us via phone at (XXX) XXX-XXXX (Jui Wan), (XXX)XXX-XXXX (Joon) or by email: XXXXXXXXXX@XXXXX.com, XXXXXXXXXXX@XXXXX.com. Thank you for your time.

Sincerely,
Jui Wan Loh, Joon H. An, and Dr. Julie Fagan Ph. D. Rutgers University 2014
XXXXX@XXXXXXXXXXXX.edu
References


Letters to the Editor

USA Today - letters@usatoday.com

Dear Editor,

Please consider my letter below for publication in USA Today. We believe that this is important information for every child adoption agencies to know about. If you have any questions or concerns, please either email us or call me at xxx-xxx-xxxx. Thank you.

Most of the homosexual couples are now facing barriers in adoption. They are either not allow to adopt children, or they are being considered as the last option for the adoption agencies to resort to, due to the conviction that both father and mother are needed to make a family. They believe that homosexual couples’ children will encounter many psychological problems and even sexual abuse by their parents and parents’ partners. Nevertheless, this is not what the research shows. Most researches showed that homosexual couples’ children perform as well as the heterosexual couples’ children or even better than them. These children do not have typical-role gender confusion, and they are more open-minded and empathetic than others. Consequently, this shatters the perpetuated conception that same-sex couples make their children to become homosexuals. Legalization of homosexual couples’ adoption allows the homeless children to experience a sense of “home,” and at the same time, it fulfills many homosexual couples’ wish to have a complete family. In addition, homosexuality is determined by both genetic and environmental factors. Therefore, adoption agencies should not discriminate against them based on their sexual orientation, as this is not a choice that they can make.

Sincerely,

Jui Wan Loh and Dr. Julie Fagan Ph. D. Rutgers University 2014

XXXXX@XXXXXXXXXXX.edu

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Daily Targum- oped@dailytargum.com

Dear Editor of Targum,

I have prepared the following editorial for consideration in your online newsletter. My hope is to share my findings on the legitimacy of a homosexual couple’s right to adopt. I feel that this right is currently being violated on a large scale due to the widespread and often illogical and stereotypical reasoning which reeks flamboyant in our society. If you have any questions or concerns about my viewpoint, I can be reached via email at xxx@rutgers.edu

Despite the huge progress of civil and human rights movements in recent decades, a glass ceiling still exists when it comes to the right of homosexual couples to adopt. Many still believe that they are not suitable parents, especially to infants and very young children. These naysayers find ways to prevent homosexual couples from adopting, although this has been proven illegal across all states. For instance, a state that does not allow homosexual marriage may allow only married couples to adopt children in order to skirt around existing legislation.
protecting the rights of homosexuals. In other states, the government allows adoption on the books but does little to protect this right in practice, and discrimination against homosexuals becomes widespread in adoption agencies. Lastly, biological parents can prevent homosexual couples from adopting their child. There are many ways that homosexual couples’ adoption rights are being limited. This unfair limitation and application of existing laws occurs because of myths that homosexual couples are the same as single parents in terms of negatively affecting on child development, that children will get abused by homosexual parents, and that children of homosexual couples will later become homosexual. Research has proven all of these claims invalid. Children of homosexual people can perform as well as, or better than, children who are raised in heterosexual households. Also, some studies claim that homosexuality is largely genetic in basis, and it is less likely that homosexual parents can spontaneously convert their child into homosexuality. By protecting the full rights of homosexual people to adopt, both children in the foster care system as well as childless couples serve to benefit through the formation of family units dedicated to affection, safety and happiness. We need to expand our worldview as a culture and recognize that these innate values transcend sexual preference, and that needy children and prospective homosexual parents serve to benefit from the adoption process. Further, there benefit is not detrimental to heterosexual segments of society. Rather, as the percentage of two family households raising children increases, our nation serves to benefit as a whole. Two-parent families provide stability; and children raised in such households are more likely to achieve academic success and go on to attend college. They are less likely to suffer from emotional and psychosocial problems. Society needs to take off its rose-tinted glasses and get a look at the bigger picture: the 21st century family is evolving: it comes in all shapes, sizes, and cultures, but it is still the same family that forms the basis of the hardworking American value system.

Sincerely,
Joon An
Rutgers University 2014