

My name is Arthur Schaper, and I am the Field Director for MassResistance. We are an international pro-family group that fights for natural marriage, life, and family. It is a great honor to speak out once again in favor of this necessary and proper resolution to restore natural marriage, particularly the authority of the states and the people to define marriage, not the federal government.

Many of the arguments that you will hear in favor of this Resolution have stressed the unconstitutionality of the *Obergefell* decision—and they are correct. The Supreme Court itself had declared that the power to define marriage rests with the states and the people in *US v Windsor*. The Tenth Amendment is clear that all powers not enumerated to the federal government belong to the states and the people.

Another essential point is that two of the Supreme Court justices were not impartial triers of law, having officiated same-sex weddings in the past. They should have recused themselves, and the decision would have gone against so-called same-sex “marriage.”

However, I want to refute the many arguments that you have already heard or read in opposition to this resolution. Many of you have endured the pleadings of so-called same-sex “married” couples. You have heard from corrupted religious leaders who do not adhere to the basic teachings of their faith, which in reality clearly affirm that marriage is a covenant relationship of one man and one woman. Their arguments are based on falsehoods and misreading of their religious texts, and thus hold no relevance to this discussion.

I want to point out that the Supreme Court decision *Obergefell v Hodges* is one of the most illogical and untenable decisions imposed by the United States Supreme Court.

First, the notion of two men or two women marrying is an “impossibility.” Just because five judges decided to arbitrarily change a definition does not mean that they can. The court could declare that $2 + 2 = 5$, but that is not the case.

Second, homosexuals who want to play pretend will talk about the thousands of so-called rights that they will lose if they are not “married.” However, they had no business being allowed to marry in the first place. They can marry someone of the opposite sex because marriage has always been the union of a man and a woman, for that is the only coupling that can sire and rear children.

Third, social policy cannot be defined or determined merely by the emotional pleadings of others. We have to think about the best interests of all, not just the selfish desires of a few.

Furthermore, I want to point out that the Supreme Court decision *Obergefell v Hodges* is one of the most unjust decisions imposed by the United States Supreme Court.

Redefining marriage to remove recognition of the distinctions of sex means that mothers and fathers become optional. The truth is that children need their mother and their father as much as possible. It is wrong to fundamentally undermine an institution to make some adults happy while harming all children. From the Heritage Foundation report “No Differences No More” to recent studies conducted by Dr. Paul Sullins, it is clear that children suffer multiple deficits when raised by same-sex couples as opposed to natural couples.

Following *Obergefell*, we now see an industry that treats children as commodities that can be created like dolls and trafficked to selfish adults who want to play parent. We see two men or two women who want to affirm themselves while ignoring the needs of the children.

Following *Obergefell*, we have seen an increase in confused men who now think they are women, invading women’s sports, spaces, and very identity. This is no surprise following the *Obergefell* decision because if sex does not matter when it comes to the proper definition of marriage, why would it matter anywhere else? Yet today, most Americans recognize that it is unjust to erase women as well as to erase motherhood.

It’s also unjust to trap people further in the lie that people are “born that way,” which has happened because of this false redefinition of marriage imposed by *Obergefell*. There is no gay gene. There is no evidence that people are born in the wrong body. In fact, it is a crime against nature to teach anyone, young or old, that they are born homosexual or transgender. These patterns of behavior are inherently harmful to individuals, and they should not be granted a privileged status in “marriage.” Two men cannot consummate a marriage. Penetration of the anus is not just a misuse of organs, but it’s a dangerous act which has hastened the spread of venereal disease. Multiple epidemiological studies have affirmed this disgusting reality.

Obergefell is also unjust because it imposes this lie that it is some act of bigotry not to allow people who are attracted to the same sex their supposed “right to marry.” How many churches, charities, and small businesses have been persecuted because they won’t bake the cake or provide some other service for a gay wedding? How many hard-working mothers and fathers have been fired from their jobs because they refused to celebrate or support homosexuality or transgenderism? All of these abuses have only increased since the imposition of *Obergefell*. That is wrong.

Much like the *Korematsu* decision, which upheld the unjust internment of Japanese-Americans, or *Plessy v Ferguson*, which upheld segregation against people of color, the decision *Obergefell v Hodges* has undermined individual liberties, harmed our cultural and natural cohesion, and targeted vulnerable groups in the United States: children, mothers and fathers, and our communities.

Martin Luther King Jr. declared: “The arc of history is long, but it bends towards justice.”

2025-03-12 Statement to the North Dakota Senate Judiciary Committee

It is time to restore justice: for children, for parents, for communities, for faith, family, and freedom. And for the record, I must remind this audience that Martin Luther King Jr. recognized that homosexuality was not a lifestyle to celebrate, certainly within a redefinition of marriage, but a mental health problem born out of abuse, dysfunction, or neglect that needed treatment.

Again, it is unjust to fundamentally undermine a necessary institution for the rearing of children, the cohesion of society, and the well-being of public health.

It is unjust to persecute people, whether of faith or common sense, who don't want to recognize the lie of so-called same-sex marriages.

It is unjust to ignore and flout the laws of nature, which clearly indicate that it takes a male and female to procreate, and that no individual is born with self-harming tendencies like homosexuality or transgenderism.

Committee, you have the opportunity not only to stand for what is right, but for what is just. Please Support this Resolution.