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SAME-SEX MARRIAGE, CIVIL UNIONS, AND THE 2004 PRESIDENTIAL ELECTION

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Introduction

In the 2004 presidential election, 60% of voters said that they supported same-sex marriage or civil unions and only 37% opposed any form of legal recognition for same-sex relationships. Under normal circumstances in American politics, a 60 to 37 margin would be considered a stunning victory. Instead, the notion that the issue of same-sex marriage cost the election to the Democratic Party has been uncritically accepted as common wisdom.

Despite claims to the contrary, same-sex marriage did not cost John Kerry the presidential election. Data from the 2004 national exit polls indicate that same-sex marriage had little net effect on the outcome of the election. The data also indicate heartening trends relating to voter acceptance of other forms of same-sex partnership recognition.

Who opposed same-sex marriage?

In fact, majority opposition to legalized same-sex relationships was limited to members of a relatively small number of overlapping analytic categories and virtually all of these are among the core supporters of the Republican Party—people who are not likely to vote Democratic under almost any condition (see Figure 1). Data collected from national exit polls show that even among these groups of core Republican voters, opposition to legal recognition of same-sex relationships is not overwhelming.

**Figure 1. Fourteen Categories of Voters in Which a Majority Opposes
Legal Recognition of Same-Sex Relationships***

| Category of Voter | % of this category who oppose any legal recognition of same-sex relationships | % of total voters who belong to this category |
|---|--|--|
| Believe that abortion should be illegal in all cases | 74% | 16% |
| Believe that abortion should be illegal in most cases | 52% | 26% |
| Attend religious services more than once a week | 68% | 16% |
| Are Protestants who attend services weekly | 62% | 16% |
| Are white Protestant Conservatives | 64% | 16% |
| Are born-again or Evangelical Christians | 61% | 36% |
| Are Mormons or members of the Church of Latter Day Saints | 61% | 2% |
| Are "enthusiastic" about the Bush administration | 58% | 22% |
| Were contacted by phone or in person by the Bush campaign but not by the Kerry campaign | 53% | 10% |
| Are "not at all concerned" by the availability and cost of health care | 68% | 2% |
| Usually think of themselves as Republicans | 51% | 37% |
| Think of themselves as conservative | 60% | 31% |
| Voted for George W. Bush in 2004 | 51% | 51% |
| Voted for George W. Bush in 2000 | 50% | 48% |

*These are overlapping groups, i.e., many people who believe that abortion should be illegal in all circumstances also are born-again or Evangelical Christians who voted for George W. Bush in 2000.



Did same-sex marriage cost Kerry the election?

Some argue that while the issue of same-sex marriage may not have affected the direction of the vote, it did affect turnout: those who opposed were more likely to turn out, particularly in “battleground” states. However, the election returns indicate that President Bush did *less* well in these battleground states with anti-same-sex marriage ballot initiatives than in battleground states that did not have referenda on same-sex marriage. Though some claim that the marriage issue persuaded greater numbers of evangelical Christians to the polls, evangelicals comprised only 17% of the total electorate in the 2004 presidential election—the same percentage of total voters as in 2000. (See <http://www.thetaskforce.org/downloads/MoralIssues2004.pdf>)

The focus on increased conservative turnout also begs the question of why the Democratic Party, the Kerry campaign, and their affiliated interest groups were unable to mobilize their core constituents. We cannot eliminate organizational failure on the part of the Democratic campaign to generate comparable turnout among their core constituents as a more likely explanation of the Republican victory. Why should same-sex marriage motivate turnout more effectively than unemployment in a state like Ohio? Given the importance of local get-out-the-vote efforts, it is possible that Republicans were more likely to turn out voters because they relied on in-state volunteers while Democrats relied on paid workers and out-of-state volunteers. The Democratic leadership’s placing the blame for their loss on same-sex marriage may reflect nothing more than an aversion to facing the party’s organizational failures.

Just a few years ago, legislators in Vermont feared that their careers were over as a result of voting to enact a system of civil unions. Today, the public clearly views civil unions to be a viable alternative to same-sex marriage.

The data cited in this report provide scant evidence that the issue of same-sex marriage skewed the results of the Presidential election. Instead, these data indicate that same-sex marriage had little net effect on the outcome of the election.

- ❑ Of the quarter of Americans who favor same-sex marriage, only 22% voted for Bush—thus about 5.5% of all Americans supported marriage equality *and* voted Republican.
- ❑ Among the 37% who opposed all legal recognition of same-sex relationships, Kerry got 29% of the vote—thus 10.7% of all Americans opposed same-sex partnership recognition *and* voted Democratic.
- ❑ The data indicate that more opponents of same-sex partnership recognition voted for Kerry than supporters of same-sex marriage voted for Bush, so the issue might have even brought a net advantage to Kerry.

Research by Stanford University political science professor Simon Jackman found that *none* of the six states in which Bush’s share of the vote increased the most from 2000 to 2004 (HI, RI, NJ, AL, TN, CT) had anti-same-sex marriage initiatives on the ballot. On the contrary, three of the ten states in which Bush’s share of the vote increased the *least* had same-sex marriage

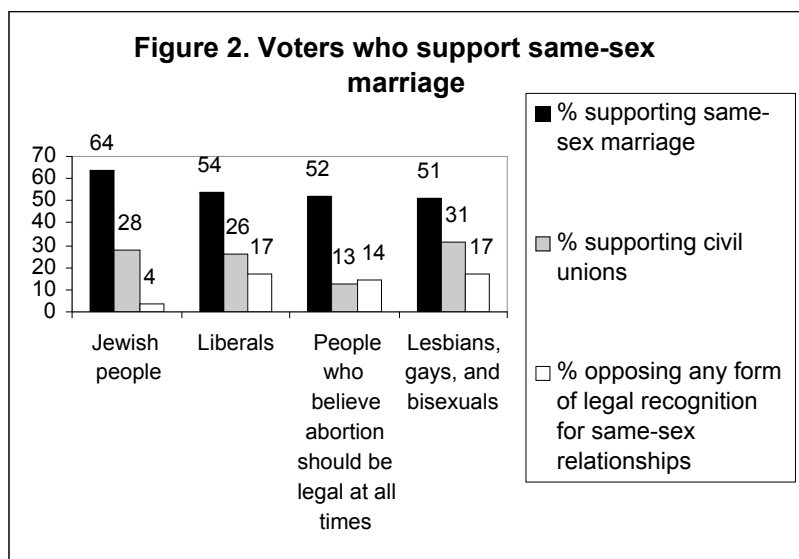
initiatives on the ballot—Montana, Oregon, and Ohio. Further, Jackman found that the mean increase in Bush’s share of the vote in states *without* anti-same-sex marriage ballot initiatives was 2.8%, while his mean increase in states *with* these initiatives was 2.5%. In other words, Bush improved less in states without these initiatives than in states with them. Looking specifically at Ohio, Jackman found no relationship between increased turnout and support for the same-sex marriage initiative or between increased turnout and support for President Bush across all of the state’s 88 counties. These data suggest that mobilization for the same-sex marriage initiative had no net effect on the outcome of the presidential election in Ohio.

The exit poll data also show that support for civil unions is strong. Just a few years ago, legislators in Vermont feared that their careers were over as a result of voting to enact a system of civil unions. Today, the public clearly views civil unions to be a viable alternative to same-sex marriage. Some 35% of all voters in the 2004 elections supported civil unions. Thirty four percent of Kerry voters and 36% of Bush voters supported civil unions, while 40% of Kerry voters supported same-sex marriage. Half of Bush voters opposed any legal recognition of same-sex relationships. Among people who favored civil unions over same-sex marriage, 52% supported Bush and 47% supported Kerry, mirroring the national electorate.

Sources of Support for Same-Sex Marriage

Virtually no group provides majority support for same-sex marriage. Jewish people are the group most likely to support same sex marriage, with 64% in favor, 28% supporting civil unions, and only 4% opposed to any legal recognition of same-sex relationships. Some 54% of liberals support same-sex marriage, compared to 52% of people who believe abortion should be legal at all times, and 51% of lesbians, gays, and bisexuals. (See Figure 2.)

On average, only a quarter of the voters supported same-sex marriage. This accounts for the success of the referenda defining marriage as being between one man and one woman in 13 states this year. When the issue is framed as a yes-no question, same-sex marriage is defeated. Surveys can provide voters with a greater range of choices and, thus, produce more nuanced results. The door is open to providing same-sex couples with legal recognition and protections. The questions remain as to whether electoral politicians in general, and Democrats specifically, have the courage and the skill to take advantage of this opportunity to provide justice.





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