

The Democratic Party, “Moral Values” and Gay Rights: The Marriage of Politics and Principle

In the days following the 2004 election much of the news media focused on one particular question posed in the exit polling conducted by the National Election Pool: “Which one issue mattered most in deciding how you voted for President?” Of the seven choices offered, twenty-two percent of the electorate chose “moral values” as the primary driver behind their presidential choice.

A post-election consensus quickly emerged among media commentators that when voters cited “moral values” they were thinking about gay marriage. A tremendous amount of media attention recently had focused on gay marriage developments in Massachusetts and San Francisco, and ballots in 11 states had included initiatives banning gay marriage. Many media pundits therefore concluded that the biggest news in “moral values” was gay marriage, since the other issue that reporters assumed was an inherent dimension of “moral values,” abortion, was a perennial of little headline appeal.

Meanwhile, many Democrats, bewildered and angry at losing the Presidential race, reflexively latched onto the “moral values-equals gay rights-equals defeat” formula as a relatively painless, “beyond our control” rationale for Kerry’s loss. Soon, many Democratic leaders – not the least of whom was Bill Clinton – proclaimed that if Democrats wanted to win in the future they’d better distance themselves from gay marriage and, implicitly, the broader struggle to achieve equality for gay people in America.

But what did the phrase “moral values” *really* mean to voters? Did the issue really swing the 2004 election? How damaging was the broad commitment of the Democratic Party to equality for gay people in America? Did the anti-gay marriage referenda mobilize

voters who otherwise would not have turned out, and did it provide a margin of victory to Republicans in any state, swing or otherwise?

What did “Moral Values” mean to voters?

In 1996, a major poll provided several choices about voters’ priorities: 17% chose “family values.” But few opinion researchers asked voters in 1996 what “family values” meant to them, and few pollsters asked voters in 2004 to break down the meaning of “moral values.” In the presidential election, what did “moral values” mean to voters? Unlike “education,” “the economy,” “terrorism” or “health care,” most opinion researchers agree that “moral values” is a very ambiguous descriptor. NBC’s Brian Williams, reporting the exit poll results on the *Today* show the morning after the election, reeled off a long list of issues that voters *who were asked* included in the category of “moral values” – from Janet Jackson’s breast-baring at the Super Bowl to “commercials selling products you don’t want your kids to see.” For many evangelical Christians and “Pro-Life” voters, the phrase centrally expressed an antipathy to abortion. And to many other voters, both liberal and conservative, “moral values” meant caring for the poor, safeguarding the environment and expressing kindness to neighbors.

Gary Langer, director of polling for ABC News, believed the question was severely flawed. He said, “Health care is an issue, terrorism is an issue; ‘moral values’ is much more of a personal characteristic.” As such, many voters who were asked about “moral values” actually responded in terms of the personal traits of the presidential candidates.

Humphrey Taylor, Director of the Harris Interactive Poll, observed in a post-election analysis:

“Pundits...who expressed surprise that ‘moral values’ was the most important issue....might have been less surprised if they had known that moral values was also rated the most important issue in the *L.A. Times*’ exit polls in the 2000 election and by the

[pooled media] exit polls in 1996....When the people surveyed were asked to say what they thought were the most important issues, *without prompting and without being shown a list, very few people mentioned moral values*...the overwhelming majority of people mentioned the war on terror, Iraq, the economy, jobs, health care and education. Many people chose moral values [from a list that was shown to them] *because it is the right thing to say*. How could you not think that moral values were important? When so few people (1% in our October 2004 survey) mentioned moral values *spontaneously*, I very much doubt the pundits' conclusions that this was more important than the issues that came at the top of our list [of issues spontaneously volunteered by voters as the most important in their voting decision] when they were not prompted" – i.e., the war on terror, Iraq, the economy, jobs, health care and education. [Emphasis added.] As conservative op-ed columnist David Brooks wrote in *The New York Times*, "Who *doesn't* vote on moral values? If you ask an inept question, you get a misleading result."

Moreover, and importantly, polling by Garin-Hart Strategic Research found that in Oregon and Michigan, two swing states with gay marriage bans on the ballot, the majority of voters who cited "social issues or values" as their first or second concern when voting *did not equate those concepts with gay marriage*.

In Oregon, when those voters concerned with "social issues or values" were given a list of items and asked whether or not they related each item to "values," only 44 percent cited the gay marriage initiative among their responses, and in Michigan only 34 percent cited gay marriage as a relevant issue when discussing values. Those polled were given ample opportunity to cite the gay marriage ban, yet the majority of them did not.

In a post-election poll by Zogby International that asked voters "Which moral issue most influenced your vote?" gay marriage came in a distant last, with a 9% response; nearly five times as many people (42%) cited the Iraq war. Among Catholics, only 11% chose gay marriage, while nearly six times as many people chose "poverty" or "greed," which tied for first with 31% each. Dave Robinson, executive director of Pax Christi USA, said, "Despite attempts to characterize Catholic political identity in one or two issues,

Catholics recognized that there are a broad range of issues that their faith calls them to vote on; issues like economic justice, the war in Iraq, health care and more.”

In a major post-election analysis presented to the Republican Governors Association by the Republican-identified research firm Public Opinion Strategies, the firm reported that only 9% of voters volunteered “social issues” as a priority “problem.” Most voters polled cited “Resolving the war in Iraq” (61%), “Holding down the cost of health care” (51%), and “Improving the nation’s economy” (48%). When asked to “rank the importance of the President and Congress dealing with the following issues [from a list provided by the pollster] over the next couple of years,” “Banning gay marriage” was seen by voters *as distinct from as well as less important than* “Addressing the nation’s declining moral values,” *and ranked below* “Reducing the federal deficit,” “Providing a national energy plan to reduce dependence on Middle East oil,” “Reducing the outsourcing of jobs to foreign countries” and “Taking steps to bring peace in the Middle East between Israel and the Palestinians.”

The research prepared for the Republican Governors pointed to the “coarseness of society” as significantly more important to voters when discussing social or moral issues than the issues of gay rights or gay marriage. Democrats would benefit by developing themes and language that address voter anxieties about what they and their children see in the mass media and how people interact with one another, rather than continuing to harbor the misimpression that the gay community’s quest for fairness and equality is materially shaping voter decisions. As Democratic pollster Mark Mellman said, “People assumed moral values meant abortion and gay marriage. That is completely unsupported by the data.”

Thus, the “moral values” vote – to the extent that it actually had any cohesive meaning or notion of priority to any voters – cannot be rationally viewed as a referendum on gay marriage, and certainly not as a reflection of voters’ feelings about *equality and fairness* for lesbian, gay, bisexual and transgender Americans. When asked if LGBT citizens deserve protection against job discrimination – or if gay couples in a committed

relationship warrant equal legal protections and economic benefits – by strong majorities Americans responded in the affirmative:

- ***75% of all voters favor legal protection for gays against job discrimination (according to the 2004 National Election Study, an in-depth analysis of all media and academic polls conducted by a consortium of political scientists at major universities, based at the University of Michigan, Ann Arbor, and funded by the National Science Foundation)*;***
- ***61% of voters favor full equality in some form of legal partnership for gay couples (domestic partnership, civil union or marriage);***
- ***81% favor gays serving in the military (including 76% of Republicans, the strongest support Republican voters give to any gay rights issue).***

The “Chicken or Egg” Question: Did Bush capture “moral values” voters, or did Bush voters latch onto moral values to explain their votes?

We can’t know exactly which aspects of the phrase “moral values” each respondent had in mind as she or he exited the voting booth, but we do know that an overwhelming number of voters – 79 percent – who listed “moral values” as their top issue voted for George W. Bush (as voters in 1996 who cited the importance of “family values” heavily favored Bob Dole).

These numbers seem to suggest that George W. Bush did a better job than John Kerry at wooing the “moral values” voters. But did he? Dr. Kenneth Sherrill, Chair of the Political Science Department at Hunter College, studied the poll numbers and concluded:

“Data from the 2004 National Election Study strongly suggest that... [Bush] voters were likely to say that ‘moral issues’ were important in determining their choice for

* According to a May, 2006 Gallup Poll, **89%** of Americans say that “Gays should have equal job opportunities.”

President because they were predisposed to vote for Republicans and because the Republican campaign effectively communicated the message that ‘moral issues’ were more important than other issues.”

In fact, George W. Bush did not win over any new voters on the “moral values” issue. Voters who cited “moral values” were people who had *already* decided to vote Republican, with 84 percent saying they had made their decision more than a month before Election Day. This group of voters – “early deciders” – is highly partisan, and was committed to voting for President Bush *whether or not* gay marriage was on the ballot or the airwaves. The Garin-Hart Poll in Michigan and Ohio echoed these national results: Voters who cited “social issues or values” as their most important issue overwhelmingly described themselves as Republicans and said that they had decided how to vote well in advance of the election.

Looking at these data, Dr. Sherrill concludes, “It is likely that core Republican Party loyalists learned President Bush’s message in the campaign and, when prompted to rationalize their vote in terms of a position on an issue, they cited an issue that President Bush emphasized in his campaign.” The net conclusion: the so-called “moral values” issue was, at best, an inconsequential postscript to the decision-making process of highly partisan voters, who overwhelmingly supported President Bush out of partisan loyalty and because they felt he represented the best choice to defend the nation against the war on terror.

Did “Gay Marriage” Cost Democrats the Election?

Pre-election polling showed John Kerry leading in the presidential race. When the election results failed to bear this out, the media demanded an instant explanation – and the “moral values” exit poll numbers drove the post-election storyline.

But a more thorough analysis of polling information shows that the issue of gay marriage had very little, if anything, to do with George W. Bush’s victory, or other Republican victories in 2004. Only two of the states Gore won in 2000 (New Mexico and

Iowa) switched to Bush in 2004, and *neither* of these states had a gay marriage question on the ballot. But three key swing states (Michigan, Ohio and Oregon) *did* have gay marriage proposals on the ballot – and John Kerry *outperformed Gore in all three*. Kerry carried Oregon by nearly 5 percentage points more than Gore did in 2000, and also won more votes in Michigan than Gore. While neither Gore nor Kerry carried Ohio, Senator Kerry came 2 points closer to a win than Gore had.

Far from helping Bush pick up votes, the anti-gay marriage referenda may actually have benefited John Kerry. George W. Bush did *less well* in the states that had gay marriage referenda than he did in states that did not vote on that issue. In the 11 states with referenda, the President increased his share of the vote over his 2000 percentage by 2.6 points, according to Emory University’s Alan Abramowitz, rising from an average of 55.4% of the vote in 2000 to an average of 58% percent in 2004. However, in states *without* anti-gay marriage referenda, his share of the vote increased even more – by 2.9 percent (an average 48.1% in 2000 vs. an average 51% in 2004).

In the June 12, 2006 issue of *Newsweek*, Matthew Dowd – President Bush’s own pollster – said of gay marriage, “It didn’t drive turnout in 2004. That is urban legend.” Dowd further observed that turnout was the same in states with bans on the ballot and those without.

What’s more, a closer examination of the polling data shows that voters were in fact confused about what their “yes” vote actually represented. In Ohio, the ballot question denied far more than marriage to gays and lesbians. Yet detailed exit polling cited by the *Boston Globe* showed that 62 percent of voters *avored* many of the rights that the ballot question took away: “In other words... the voters approved a measure opposed substantively by 62 percent of the very same voters.” In-depth polling conducted by Garin-Hart in Oregon and Michigan points to the same phenomenon.

In Oregon, 54 percent of voters said they voted in favor of Measure 36 (which banned gay marriage) and 43 percent said they voted against it. Yet, when these voters were asked to clarify if they voted to change Oregon’s constitution to ban gay marriage,

fully *half said they had intended to keep the constitution as it was*. In Michigan, 56 percent of voters said they voted in favor of Proposal 2, which (like the Ohio referendum) went far beyond banning just gay marriage, while 39 percent said they voted no. Yet a majority of the “Yes” voters – 60 percent – said they supported either full marriage rights for gay couples (7 percent) or civil unions (53 percent). Unfortunately, both of these options were rendered illegal by the referendum these voters had just voted *for*.

With regard to the Senate races, with the exception of Tom Daschle, none of the Democratic Senate candidates who were defeated had supported the key gay marriage issue which the Republicans attempted to use as a club, the Federal Marriage Amendment (FMA). Except for Daschle, all of the other losing Democrats had *supported* the FMA. And with respect to Senator Daschle, no independent, Democratic or Republican polling found that the gay marriage issue played a decisive role in his defeat.

On the state level, the clearest test occurred in Massachusetts. Following the court decision in Massachusetts that legalized gay marriage in that state, a vote was taken in the state legislature on a (state) Constitutional amendment to trump the court’s ruling and make gay marriages illegal. *All of the incumbent state legislators who voted against the anti-gay marriage amendment were re-elected*; two state legislators who voted for the anti-gay marriage amendment were defeated. In the eight open seats where the opposing candidates differed on gay marriage, in six of those races the pro-gay marriage candidate prevailed.

First-Time Voters and Evangelicals

While the data show that there was no swing of votes to George W. Bush because of anti-gay marriage referenda or “moral values” as a whole, additional findings also debunk another favorite theory of many pundits – that gay marriage initiatives turned out just enough additional votes from George W. Bush’s base to give him the election.

One important question concerns the impact of first-time voters. Republicans held voter registration drives at churches across the country, and the anti-gay marriage

initiatives were touted to get these church-going first-time voters into the voting booth. Did “moral values” account for the surge in support for President Bush?

Nationally, first-time voters comprised 11 percent of the electorate – but fewer than one in ten (9 percent) of voters citing “moral values” as their primary issue were voting for the first time – just 2 in 100 voters nationally. In comparison, 20 percent of those who cited “education” as the determining factor of their vote were new voters.

The evangelical vote did not turn out in any greater proportion than it did in 2000. In fact, as a percentage of all voters, the evangelical vote was the same in 2004 as it was in 2000 (17 percent). Pollster Celinda Lake found that *the increase in turnout among evangelicals was actually weaker in states with anti-gay marriage initiatives* (a 6.6 percent increase) than in those without (6.9 percent).

“Moral Values” and Gay Marriage Referenda Were the Paper Tiger of the 2004 Vote

It is almost comical that while one segment on a television network would focus on how the exit polling could be so wrong as a predictor of the winner, after the commercial break those same networks and their pundits used the same polling to declare the unexpected rise of “moral values” as the determining factor in the election.

Unfortunately, initial impressions linger on, even though independent and scholarly research from multiple sources contradicts the media’s instant and, as more cogent analysis has shown, incorrect conclusions reached in the immediate aftermath of the election. In fact, “moral values” turned out to be a loose amalgamation of various policies and personal characteristics, with each voter defining the phrase subjectively. Even for voters in states that had anti-gay marriage bans on the ballot, “moral values” turns out to have had very little to do with gay marriage when voters were asked to explain their interpretation of “moral values.” Further, neither gay marriage nor “moral values” brought any meaningful number of voters to George W. Bush’s camp. The bottom line is that *in states with gay marriage initiatives on the ballot, including in the important swing states, President Bush did less well than in states without such referenda.*

Rove's Strategy: The Trap for Democrats in 2006 and 2008

Even among Bush voters, 49 percent – very nearly half of the people who voted for the President – favored some form of legal recognition for same-sex relationships (gay marriage, civil unions or domestic partnership) according to the National Election Pool.

Given these numbers, it is no coincidence that the President embraced the idea of civil unions before the election and even repudiated his own party's platform on the issue. From ABC's *Good Morning America* on October 16, 2004:

President Bush: "I don't think we should deny people rights to a civil union, a legal arrangement, if that's what a state chooses to do so... I view the definition of marriage different from legal arrangements that enable people to have rights. And I strongly believe that marriage ought to be defined as a union between a man and a woman. Now, having said that, states ought to be able to have the right to pass laws that enable people to be able to have rights like others."

Charles Gibson: "So the Republican platform on that point, as far as you're concerned, is wrong?"

President Bush: "Right."

During his re-election campaign, the President exhibited a remarkable amount of discipline in staying on message, so we must assume that this remark, too, reflected deliberate planning – and polling. While opposing gay marriage just enough to keep his base happy, the President, in fact, tried to embrace the middle by once again playing his

“I’m a uniter, not a divider” card. On *Good Morning America*, he certainly looked like a reasonable man seeking compromise on a divisive issue.

Even Ann Coulter (though still buying into the misinterpreted exit polling) fumed in an op-ed about Rove’s strategy, writing, “Rove concluded Bush should stay mum on gay marriage...contravening the politicians’ rule of thumb: Talk about your positions that are wildly popular with voters. ‘Boy Genius’ Rove decided Bush shouldn’t even run radio ads on gay marriage, and at the last minute, Bush started claiming he was in favor of civil unions, just like John Kerry.”

In fact, in the closing days of the campaign, when the President did reiterate his opposition to gay marriage, it was done in a way to call into question John Kerry’s *character*, not to oppose gay marriage. The President’s stump speech in the final days of the campaign included these remarks:

“My opponent’s words on these issues are a little muddy, but his record is clear. He says he supports the institution of marriage, but he voted against the Defense of Marriage Act, which a bipartisan Congress overwhelmingly passed and which President Clinton signed.”

This attack by the President represents another key poll finding that Karl Rove latched onto – people saw John Kerry’s decision-making as politically motivated, and it damaged his ability to gain votes. A CBS/*New York Times* poll done at the end of October found that 60 percent of voters believed Senator Kerry “says what people want to hear.” Only 36 percent of respondents said that about President Bush.

The Rove Trap

The “Kerry is too liberal” attacks by the President had some impact, but according to a Pew Research Center poll at the end of October 2004, the far more damaging attack –

especially among swing voters – was the implication that John Kerry was too willing to shift with the polls. From the summary by Pew:

“Of the criticisms lodged against Kerry, the ‘flip-flop’ charge has the greatest impact. Nearly a third of swing voters (32%) - and 37% of all voters - say hearing this criticism makes them less likely to vote for Kerry. Even 17% of Democratic voters say that claim makes them less likely to support Kerry.”

All indications are that Karl Rove’s shrewd reading of the polls sparked a trap into which the Kerry campaign fell with a thud. By pushing a Constitutional Amendment to ban gay marriage, Rove forced the Democratic nominee to take a high-profile public stance on the issue. While the Senator and his team made the determination that he had to move to the right on gay marriage (by supporting a Constitutional amendment in Massachusetts to void gay marriage in his home state), by doing so they stepped right into an even more pernicious trap. They left their candidate open to the charge that even on core moral issues John Kerry would compromise his ideals.

The Republican Party is trying to stake a claim for the center on LGBT equality issues, hoping the Democrats will shift to the right

No sooner had he been sworn in for his second term than the President let it be known that the Constitutional Amendment banning gay marriage was dead, because he wouldn’t spend the political capital needed to pass it. And on February 13, 2005, Senate Majority Leader Bill Frist said that the Family Marriage Amendment almost certainly would not be brought up during that session of Congress, since the Defense of Marriage Act (signed into law by Bill Clinton in 1996) already provides sufficient “protection” to states who do not want to recognize gay marriages performed in other jurisdictions where they are legal. Couple this with President Bush’s recent conversion on civil unions, and it is not hard to see where Karl Rove and the President are trying to lead the party – straight to the “big middle” that David Brooks identified.

The fact that the newly-named “Marriage Protection Act” will be debated once again in June 2006 is simply an empty gesture to Bush’s and Frist’s rapidly-shrinking fundamentalist base, since every objective analysis of the impending Senate vote concludes that the proposed Constitutional amendment will fail. John McCain, Dick Cheney and many other Republican leaders remain strongly opposed to amending the U.S. Constitution to ban gay marriage.

The Democratic Party is already in the center, and that’s where it must remain. Politically, the worst thing Democrats could do is to move to the right, abandoning the clear majority of voters who favor some form of legal recognition of same-sex relationships. A rightward shift would be disastrous for the Democratic Party for three reasons:

First, it would allow the Republicans to portray themselves as compassionate and conciliatory on issues of (at least limited) rights for the gay community as they reach for voters in the middle.

Second, the majority of people in the country are more closely aligned with Democratic principles on issues of equality than they are with Republican practices. If there were a chance that Democrats could win over a significant portion of the 37 percent of voters who oppose recognition of same-sex unions in *any* form, a rightward shift might make sense. But who are these people? Their number corresponds almost exactly to the 36 percent of voters who identify themselves as (traditionally Republican) evangelical voters. No amount of right-shifting by Democrats will capture this vote. Is the possibility of capturing an extra 1 percent of the electorate worth abandoning core principles of the Democratic Party?

Third, and most importantly, if the Democratic Party shifted to the right on a fundamental question of equality, it would land in the exact same trap John Kerry fell into. A sudden and vocal change of position by the Democratic Party on gay rights would be transparently disingenuous. As the Pew study showed, *swing voters are much harsher in*

their reactions to perceived flip-floppers than they are to those perceived as too liberal.

Such a radical shift would leave the entire Party open to an attack that its positions are driven not by conscience or commitment, but by the polls – and it would reflect, ironically, a gross misreading of the entire body of public opinion research.

Once again, good politics coincides with strong and unequivocal commitment to principle.