

Is Same-Sex Marriage still an Issue?

Eugénie Dostie-Goulet, Université de Montréal
(eugenie.dostie-goulet@umontreal.ca)

Paper presented at the 2006 Annual Meeting of the Canadian Political Science Association, Toronto, June 1 to June 3, 2006. I would like to thank André Blais for his continual support.

Is Same-Sex Marriage still an Issue?

On June 10th 2003, the Ontario Court of Appeal¹ unanimously declared that the Common Law definition of marriage, a union between a man and a woman, was unconstitutional because of the discrimination it implies. This judgment, immediately applicable, accelerated political action on the federal level because Prime Minister Jean Chrétien decided not to make an appeal. Instead, he asked to the Canadian Supreme Court to rule on three constitutional questions. The answers to these questions would help clarify the legality of an initiative on the legalization of same-sex marriage, in advance of a parliamentary vote.

However, before the Supreme Court responded, a federal election was called. Same-sex marriage emerged as one of the most often discussed electoral issues. It had been on the public agenda and in the news media since the Ontario Court of Appeal judgment in spring 2003. It was also addressed once in the French television debate, and twice in the English one. Furthermore, parties' leaders answered many questions on this matter and a few interest groups intervened during the campaign². Finally, while it was not impossible for voters to associate each party with a particular position, either by way of electoral platforms or by leaders' declarations in media, only the NDP, a left-wing party, clearly stated that to give same-sex couples the right to marry is to recognize their equality (NDP 2004). No other party gave a clear party line. Instead, MPs from the other parties would have the right to vote freely on this question. None the less, if the Liberals were clearly divided on the matter, the Conservatives were mostly against legalization³.

On June 28th 2005, exactly a year after the Liberals won with a minority government in the 2004 Federal Election, the House of Common voted, 158 against to 133 for the legalization of same-sex marriage. By the time the 2006 election had been called, late in the fall of 2005, the issue was once again discussed. One might have thought that now that it had been legalized, people would rally their voice in acceptance of the new law. However, on the first day of the campaign, the leader of the Conservative party said that if his party was elected, he would present a motion to ask MPs if they want to change the definition of marriage again (Bellavance 2005). As shown in Table 1, the Conservatives won more votes than the Liberals outside Québec in 2006. Could the result of the election, a Conservatives minority, have anything to do with same-sex marriage?

[Table 1]

¹ Halpern et al. v. Attorney General of Canada et al. judgment of June 10th 2003.

² For example, *Focus on the Family* prepared an advertisement to promote traditional family in many newspaper throughout Canada at the beginning of May (Focus... 2004) and hundreds of homosexuals marched on Parliament Hill on June 10th (Levitz 2004)

³ These three parties are the main parties in Canada. From 1993 to 2006, the governing party was the Liberal Party, a centrist party. The Conservatives, a bit more right-wing than the Liberals, took the power in 2006 with a minority rule.

Hypotheses

Although scholars disagree on theoretical and methodological matters regarding issue importance on electoral behavior, most agree that issues are among the list of vote determinants (among others, see Alvarez and Nagler 1998b; Alvarez, Nagler and Bowler 2000; Blais Turgeon, Gidengil, Nevitte and Nadeau 2004; Carmines and Stimson 1984; Kessel 1972; Krosnick 1990; Niemi and Weisberg 1993). It has been shown that it is necessary to consider the impact of issues when conducting elections studies in Canada (Blais, Gidengil, Nadeau and Nevitte 2002; Clarke, LeDuc, Jenson and Pammett 1979), Great Britain (Clarke, Sanders, Stewart and Whiteley 2004) or in the United States (Abramson, Aldrich and Rohde 2003; Miller and Shanks 1996).

Did the same-sex marriage issue affect the vote in 2004 and 2006? Did it help the Conservatives? After all, they were the only party in both elections to be generally opposed to same-sex marriage. Thus, the vote of those opposed to this sort of union might not have been divided between different parties. Did the legalization alter the impact of this issue on voting behavior? That is, is there a big difference between the results of 2004 and 2006? These are the questions we are interested in.

The main hypothesis is that opinion on same-sex marriage influenced the vote during both the 2004 and 2006 Canadian elections but for different reasons. In 2004, before legalization, voters with an opinion either wanted it legalized or they wanted to make sure this would never happen. In 2006, why would people vote because of this issue, if it's already legalized? Either because they would be angry at the Liberals for legalizing it or they would be afraid that a Conservative government would try to change the law again. This brings us to our second hypothesis, which is that the issue had an impact, and more probably on the Conservative vote because they are the only party more inclined toward opposition to the legalization of same-sex marriage. Thus, opposition votes would not be spread between many parties. However, we think that the effect should have been less important in 2006 because it was less salient than in 2004 and because, after all, it had been legalized.

Methodology

To demonstrate the effect of same-sex marriage on Canadian electoral behavior, we use the data from the Canadian Electoral Study⁴ (CES) held between May 23rd and September 19th 2004 (campaign and post), and the CES held between November 29th and March 26th 2006. Because the Bloc québécois has candidates only in Québec, it is better to make independent analyses for this province, and therefore, for this study, we exclude Québec respondents. All in all, we have 3275 respondents in 2004 and 3044 in 2006. However, it is important and interesting to note that half of the 2006 respondents are the same as in 2004, giving us a panel of about 1500 respondents.

⁴ CES is a research project undertaken by researchers from three Canadian universities (Université de Montréal, McGill and University of Toronto), based primarily on a large survey of Canadian voters. For more information and an access to archives, go to: <http://www.fas.umontreal.ca/pol/ces-ec/index.html>

Two variables⁵ are particularly important for this study: voters' choice (*rocvote*) and opinion on same-sex marriage (*promarriage; conmarriage*). In the case of electoral choice, the study only includes those who voted for one of the three first parties, the Liberal Party, the Conservative Party and the New Democratic Party because voters from other parties are not numerous enough to include. Considering opinion on same-sex marriage, we use the following question from the campaign survey: "Do you favor or oppose same-sex marriage, or do you have no opinion on this?"

An extensive list of control variables have also been introduced. There are socio-demographic variables like education, gender, age, language, civil status, religion, region and a variable for rural vs. urban citizens. We also include a party identification variable for each of the three parties, and a variable controlling for religious values, i.e. opinions on the Bible⁶ (*bible*). About other campaign issues, we decided to include most of them as controls⁷.

Opinion on same-sex marriage

In 2004, Canadian voters were quite divided on same-sex marriage issue during the electoral campaign. Outside Québec, opinion was less divided, but still far from a majority on either side. Table 2 shows that 28% of the Canadians outside Québec agreed with same-sex marriage in 2004, 39% opposed and 33% had "no opinion" or did not know what to think about the issue. In 2006, the aggregate opinion was very much the same, with 30% in favor, 36% opposed, and 33% ambivalent.

[Table 2]

If the opinion remained quite stable on the aggregate level, it is not because no change occurred at the individual level. Simply put, opinion did not move in only one direction but in every direction. The panel component of the survey illustrates that even if each category has about the same number of adherents, these are not the same people in both election years. Table 3 shows that 25% of the panel respondents gave a different answer in 2006 than in 2004. Among those, 3% completely changed their mind, going either from being in favor to being against or vice versa. The other 22% either formed an opinion having been ambivalent before, or became ambivalent having had an opinion in 2004.

[Table 3]

Our first hypothesis is that *opinion on same-sex marriage influenced the vote during the 2004 and 2006 Canadian elections*. We wish to demonstrate that if this issue

⁵ A description of all the variables used in this study can be found in Appendix A.

⁶ We think that opinions on the Bible could have influenced the voter's perception of the issue and the importance attached to it. Including this variable gives us more conservative results and therefore assures us that it is same-sex marriage that is influencing the vote and not opinions on the Bible.

⁷ These issues are private hospital; violent crimes; immigration; death penalty; gun registry; pay for medical treatment; abortion; more personal income taxes; more corporate taxes; social programs; health; defence; against Iraq war (only in 2004); environment; sponsorship scandal.

had not been part of voters' considerations some would have voted differently. Same-sex marriage, in that case, would be directly responsible for their choice.

[Table 4]

As we can see in table 4, among our reference group in 2004 - those who have no opinion on the issue or are ambivalent - the Liberals and the Conservatives each take 40% of the total, while the NDP takes about 20%. For those who agree with same-sex marriage, few are Conservatives, and there is almost as many NDPers as Liberals. For those who are against same-sex marriage, the division is clearer, the Conservative Party is the choice of 56% of these voters. *A priori*, there seems to be a relationship between opinion on same-sex marriage and electoral choice in 2004. In 2006, the results are about the same as in 2004 for those who are in favor of the legalization of same-sex marriage. Among those who are against legalization, the differences are more pronounced: 12 points less for the Liberals and 11 points more for the Conservatives, the latter now taking 65% of the votes in this category. The Conservatives also gained support among those who have no opinion or who are uncertain, gaining 6 points while the Liberals lost 4. The fact that the Conservatives won points and the Liberals lost compared to 2004 is not really surprising because the Conservatives did better than the Liberals in the 2006 Election. However, all in all, they did only 4 points better than in 2004. Clearly, the divide between those who are against legalization was much more important in 2006 than it was in 2004, and it is not just because of the result of the election. Those who were against same-sex marriage seem to have been angry at the Liberals for legalizing it. But was their vote related to their opinion on this issue?

[Table 5]

To be sure the effect is not spurious, we included all of the previously mentioned controls in our regression model, i.e. socio-demographic variables, party identification, values and other electoral issues. We wanted to see if being for or against same-sex marriage, compared to having no opinion or being ambivalent, has a significant effect on vote choice.

The results in Table 5 confirm that opinions on same-sex marriage influence voting behavior. In fact, even after adding controls, opinions on same-sex marriage still has a significant effect on vote choice. We observe in 2004 that all being equal the probability to vote Liberal instead of NDP is greater among those who are opposed to same-sex marriage. This result is statistically significant at the 5% level. At the 10% level of significance, the result is still more interesting, since a voter in favor of same-sex marriage is then more likely to vote for the NDP while a voter who is against it would be less likely to vote for this party. In 2006, the party affected the most by the results seems to be the Conservatives but they lose support instead of gaining it. When we introduce all the controls, the probability of voting NDP instead of Conservatives, or Liberals instead of Conservatives, is greater among those who are in favor of same-sex marriage. This suggests there is effectively something going on with the Conservatives. But it is not

what we expected: those who are against same-sex marriage did not base their vote decision on this issue.

Our second hypothesis is that *opinions on same-sex marriage had an impact on parties*. If it looks doubtful that this issue has been helpful for the Conservatives in 2006, we still have reason to believe that it may have been helpful for this party in 2004. To estimate the magnitude of this effect, we made simulations. These give us a more intuitive and interpretable result than the logit coefficients.

Simulations are useful to demonstrate what would have happened if the issue was not present, i.e. if coefficients were nil. A zero coefficient means that someone who is for or against same-sex marriage does not vote differently than someone who has no opinion or is ambivalent. To make simulations, we give a value of 0 to the issue we want to examine and we look at the difference in voting behavior between the real situation, and a situation where this issue is not considered to be important to any voter. Two tests are possible. The first is the global effect on voters, that is to say how many voters would have voted differently if this issue had had no effect. The second is the net effect on parties, that is to say how many votes each party would have lost or gained if the issue was not an issue.

[Table 6]

Concerning the global effect on voters, we see that 4.3% of Canadian voters would have voted differently in 2004 if same-sex marriage was not an issue. However, the net effect on parties is nil. The NDP is the only party that won support with this issue, but it is less than a percentage point. The Liberal Party and the Conservative Party both lost about half a point. Voters who voted differently were divided almost equally between the three parties. Surprisingly enough, 4.6% of Canadian voters, which is almost the same as in 2004, would have voted differently if same-sex marriage was not an issue in 2006. And as in 2004, the net effect of the issue is almost nil, with only half of a percentage point gain for once again the NDP.

Conclusion

In the Canadian Elections of 2004 and 2006, same-sex marriage was a familiar and salient issue. Although it was not always perfectly clear, parties had different positions on the matter and the principal hypothesis of this study is that same-sex marriage influenced the Canadian vote in both elections.

This first hypothesis is largely verified by our analyses. The simple relationship between vote and opinion on same-sex marriage was confirmed by our regression analysis. The effect, significant despite all of the controls, shows that those who were in favor of same-sex marriage were more likely to vote for the NDP while those who were against it were less likely to vote for this party. In 2006, the effect of same-sex marriage is still significant even it was legalized. However, this time, it mostly concerns the

Conservatives: the probability of voting NDP instead of Conservative, or Liberal instead of Conservative, is greater among those who are in favor of same-sex marriage.

It is not enough to say that electoral choice has been influenced by an issue, it has to be influenced enough for us to see the consequences. Our second hypothesis was that opinion on same-sex marriage had an impact on parties. Moreover, we believed that this issue would have impacted the Conservative vote the most. We could not confirm this hypothesis for either 2004 or 2006. The Conservatives did not win support with this issue but they did not lose it either. The effect was about nil for each party, even though approximately 4% of voters in each election would have voted differently if this issue had not been present.

Thus, even if the Conservatives tried to bring back the question during the campaign, even if we know that those who were against same-sex marriage were much more likely to vote for them than for any other party. This issue did not advantage the Conservatives. It is clearly not what allowed them win. Many of those who voted against same-sex marriage were probably already voting for the Conservatives and therefore it does not matter if this was an issue or not.

In 2006 as in 2004, same-sex marriage was a vote determinant for Canadian voters. The legalization of same-sex marriage does not seem to have mattered. Voters were influenced by this issue just as much as they had been in 2004 when it was yet to be legalized. It is interesting to note, though, that this issue has not had the impact we thought it might have had on the electoral result, but this is not because it did not generate interest. This study shows that even though moral issues are often emotional, emphasizing them does not influence the vote any more than other campaign issues like economy or health care.

References

- Abramson, Paul R., John H. Aldrich et David W. Rohde. 2003. *Change and Continuity in the 2000 and 2002 Elections*. Washington : Congressional Quarterly Press
- Alvarez, R. Michael et Jonathan Nagler. 1998. « Economics, Entitlements, and Social Issues : Voter Choice in the 1996 Presidential Election ». *American Journal of Political Science* 42: 1449-1363
- Alvarez, R. Michael, Jonathan Nagler et Shaun Bowler. 2000. « Issues, Economics and the Dynamics of Multiparty Elections: The British 1987 General Election ». *American Political Science Review* 94: 131-149
- Bellavance, Joël-Denis. 2005. « Harper rouvre le débat sur les mariages gais ». *La Presse*. 30 novembre
- Blais, André, Elisabeth Gidengil, Richard Nadeau et Neil Nevitte. 2002. *Anatomy of a Liberal Victory : Making Sense of the Vote in the 2000 Canadian Election*. Peterborough : Brodview Press
- Blais, André, Mathieu Turgeon, Elisabeth Gidengil, Neil Nevitte et Richard Nadeau. 2004. « Which Matters Most? Comparing the Impact of Issues and the Economy in American, British and Canadian Elections ». *British Journal of Political Science* 34 : 555-563
- Carmines, Edward G. et James A. Stimson. 1984. « The Two Faces of Issue Voting ». Dans Niemi, Richard G. et Herbert F. Weisberg. *Controversies in Voting Behavior*. 2^e éd. Washington D.C. : Congressional Quarterly Inc.
- Clarke, Harold D., Lawrence LeDuc, Jane Jenson et Jon H. Pammett. 1979. *Political Choice in Canada*. Toronto : McGraw-Hill Ryerson
- Clarke, Harold D., David Sanders, Marianne C. Stewart et Paul Whiteley. 2004. *Political Choice in Britain*. Toronto : Oxford University Press
- Canadian Electoral Study (CES), <http://www.fas.umontreal.ca/pol/ces-ec/index.html>
- Focus on the Family. 2004. <http://www.fotf.ca/>
- Halpern et al. v. Attorney General of Canada et al., <http://www.ontariocourts.on.ca/decisions/2003/june/halpernC39172.pdf>
- Kessel, John H. 1972. « Comment : The Issues in Issue Voting ». *American Political Science Review* 66 : 459-465

- Krosnick, Jon A. 1990. « Government Policy and Citizen Passion: A Study of Issue Publics in Contemporary America ». *Political Behavior* 12 (1) : 59-92
- Levitz, Stephanie. 2004. « Gay activists ring warning bells as Harper defends another anti-gay remark ». *The Canadian Press*. 10 juin.
- Miller, Warren E. et J. Merrill Shanks. 1996. *The New American Voter*. Cambridge et London : Harvard University Press
- Niemi, Richard G. et Herbert F. Weisberg. 1993. *Controversies in Voting Behavior*. 3^e éd. Washington D.C. : Congressional Quarterly Press
- NDP. 2004. *Une force nouvelle. Un choix positif*. Electoral platform. 62 pages.
http://www.ndp.ca/uploaded/20040527091503_Fed.NDP.Platform.fra.sm.pdf

Appendix A: Description of Variables

Same-Sex Marriage – “Do you favour or oppose same-sex marriage, or do you have no opinion on this?” (cps_i1_3 in 2004 and cps_i9 in 2006). Three dummies: *promarriage*, *conmarriage* and *dkmarriage*.

Age (log) – measured in years.

Education – three dummies: dropout high school ; middle group (ref. group) ; some university education or higher.

Gender – equals 1 if respondent is a man, 0 otherwise.

Language – equals 1 if respondent speaks another language, 0 if he speaks English or French.

Marital Status – four dummies: living with a partner (ref. group) ; married ; never married ; divorced, separated or widowed.

Religion – three dummies: Atheist ; Catholic ; other religion (ref. group)

Region – a dummy for each region: BC ; West ; Atlantic ; Ontario (ref. group)

Residence - equals 1 if respondent lives in a rural area, 0 otherwise

Party Identification – a dummy for each major party. Equals 1 if respondents report a strong or moderately strong identification to the Liberals, 0 otherwise. Same thing for the Conservatives and the NDP.

Bible – “Do you believe that the bible is the actual word of God and should be taken literally word for word?” (cps_s10).

Issues – a dummy for each issue, coded on a scale from -1 to 1, where -1 means really conservative and 1 means really progressive, with “don’t know” coded 0: private hospital ; violent crimes ; immigration ; death penalty ; gun registry ; pay for medical treatment ; abortion ; more personal income taxes ; more corporate taxes ; social programs ; health ; defence ; against Iraq war (only in 2004) ; environment ; sponsorship scandal.

Vote – “Which party did you vote for, the Liberals, Conservatives, NDP, Bloc Québécois or another party?” (pes_a3)

Table 1 : Electoral results: outside Québec

	2004 (%)	2006 (%)
Liberal Party	36.2	30.7
Conservative Party	38.2	42.5
NDP	20.5	20.7
Others	5.2	6.2
N=	1888	2026

Table 2 : Opinion on same-sex marriage outside Québec during campaigns

	2004 (%)	2006 (%)
For same-sex marriage	28.2	30.4
Against same-sex marriage	38.6	36.4
DK/No opinion	33.2	33.2
N=	3264	3033

Table 3 : Opinion change

<i>Opinion on same-sex marriage in 2004</i>				
<i>Opinion on same-sex marriage in 2006</i>	For (%)	Against (%)	DK/No opinion (%)	<i>N</i>
For same-sex marriage (%)	80.6	4.0	17.6	474
Against same-sex marriage (%)	4.7	80.5	18.8	601
DK/No opinion (%)	14.7	15.6	63.5	477
<i>N</i>	449	604	499	1552

Table 4 : Same-sex marriage and electoral behavior

	<i>2004</i>			<i>2006</i>		
	For (%)	Against (%)	DK/N.O. (%)	For (%)	Against (%)	DK/N.O. (%)
Liberal Party	38.2	32.7	38.4	37.4	20.5	35.0
Conservative Party	20.2	55.8	35.9	19.8	64.5	42.3
NDP	34.7	8.6	19.7	32.1	12.2	18.0
Other	6.9	2.9	6.0	10.7	2.9	4.7
N=	569	674	539	676	706	636

N 2004 (total) : 1886

N 2006 (total) : 2018

Table 5 : Same-sex marriage and electoral behavior

	Lib. (vs NDP)		Cons. (vs NDP)		Cons. (vs Lib.)	
	2004	2006	2004	2006	2004	2006
<i>For same-sex marriage</i>	-0.52 ^a	-0.16	-0.64 ^a	-0.77 *	-0.12	-0.61 ^a
<i>Against same-sex marriage</i>	0.74 *	0.08	0.60 ^a	.48	-0.14	0.40
Constant	-4.42 *	-3.04	0.21	0.95	4.62 **	3.99 *

N 2004 : 1104

N 2006 : 1099

^a : significant $\alpha \leq .10$; * : significant $\alpha \leq .05$; ** : significant $\alpha \leq .01$

Note : Data are logit coefficients. These multinomial logit are made of 32 other variables in 2004, and 31 other variables in 2006, than those shown in this Table. It is exactly the same variables for both elections, except for the Iraq war, which was no more an issue in 2006.

Table 6 : Global effect and net effect

	Global effect on voters	Net effect on parties
2004	4.3%	Liberals : -.4
		Conservatives : -.4
		NDP : +.9
2006	4.6%	Liberals : -.3
		Conservatives : -.2
		NDP : +.5

N 2004: 1104

N 2006: 1099