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# e-Research: A Journal of Undergraduate Work

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Welcome to the third issue of *e-Research: A Journal of Undergraduate Work*!

This third issue of *e-Research* focuses the reader's attention on arguably the most watched aspect of the 2008 national election outside of the presidential race; namely, California's hotly contested and highly debated ballot initiative Proposition 8, dealing with same-sex marriage which the California State Supreme Court had declared legal on May 15, 2008.

These five undergraduate essays are studies in political theory, ethnography, psychology, and political science, and they touch on religion and sociology. In all, these essays look into community organizing against Prop 8; the effects of elite signaling on public opinion on Prop 8; whether empathy and open-mindedness correlate to ideological voting behavior; whether religious views constitute an accurate predictor of voting behavior; and, finally, the fit between prop 8, understood as reflecting at its core a religious preference, and traditional American political values and principles such as the separation of church and state.

**Executive Editor:** Gordon A. Babst, Ph.D., Associate Professor, Political Science, Chapman University.



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### The Effects of Proposition 8 in the LGBT Rights Movement in Orange County

**Maria Claudia Brena**

Key words, terms, names, concepts: California Proposition 8, Prop 8; same-sex marriage, gay marriage; Orange County; LGBT rights movement, LGBT community; stigma; boundary construction.

#### Introduction

Proposition 8 was a California ballot initiative that banned same-sex marriage in November of 2008. The issue of same-sex marriage is usually framed in the media as a political and cultural battle where the two opposing sides argue about the legal and cultural repercussions of the recognition of same-sex unions for same-sex relationships and society. Rather than focusing on the legal implications of the Proposition 8 campaign and its outcome, this paper addresses the campaign's effects in the LGBT Rights Movement in Orange County. During the campaign many LGBTs became politically active for the first time in their lives, but it was after the passage of Proposition 8 when several LGBT rights organizations were founded and there were a greater number of people who became politically involved. I hypothesize that the Proposition 8 campaign was a socializing process that raised the LGBT community's awareness of social stigma towards the LGBT identity. Political action was a coping mechanism for many LGBTs who saw their actions as means to better their social status. As a result, the campaign shaped the identity and the structure of the LGBT Rights Movement in Orange County.

Immediately after the passage of Proposition 8, the LGBT rights movement saw an immense growth in the level of activism in California and the United States. For weeks after the 2008 elections LGBTs and their allies organized protests, rallies, marches and candlelight vigils. Many organizations were formed with the immediate goal to repeal Proposition 8 and the long-term mission to fight discrimination against the LGBT community. Since then, Marriage Equality organizations have empowered activists by training them in the tools of political organizing. All of the political activities in which the LGBT community engaged after the passage of Proposition 8, strengthened the bonds and brought new people into the LGBT rights movement. My experience with Proposition 8 sparked an interest in the topic of my research. While observing others and having an experience of my own, I wondered what this campaign meant for other LGBTs and the LGBT community, and why many felt the need to organize after Proposition 8 passed and not before it passed.

#### Literature Review

Most of the literature found on the impact of same-sex marriage campaigns focuses on their psychological consequences for LGBT individuals. In "Marriage Amendments and Psychological Distress in Lesbian, Gay and Bisexual Adults" (Rotosky et al. 2009), the authors used an online survey to study minority stress and psychological distress in LGBs after the November 2006 elections. During these elections nine states had marriage amendments on the ballot that restricted marriage to the union of one man and one woman and excluded same-sex couples. According to this study "participants living in states that passed a marriage amendment reported significantly more minority stress (i.e., exposure to negative media messages and negative conversations, negative amendment-related affect, and LGB activism) and higher levels of psychological distress (negative affect, stress, and depressive symptoms) than participants living in the other states"(Rotosky et. al. 2009). In this study, it is argued that campaigns on marriage-amendments create an environment with negative psychological outcomes for LGB

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individuals. During political campaigns seeking to limit the rights of LGBs, the rhetoric used reinforces stereotypes by using "depravity narratives" (2009) in language and imagery that vilify gays and lesbians.

After the November 2008 elections, Marriage Equality USA conducted a survey to determine the impact of the campaign and the passage of Propositions 8 on the LGBT community. Unlike the literature in psychology, this study was open to transgender and intersex individuals. According to the survey:

- LGBTI people experience increased verbal abuse, homophobia, physical harm and other discrimination associated with or resulting from the Prop 8 campaign.
- Children of same-sex couples express fear due to direct exposure to homophobia and hate and concerns that the passage of Prop 8 means they could be taken from their families and targeted for further violence;
- LGBTI youth and their supporters experience increased bullying at schools as Prop 8's passage fosters a supportive environment for homophobic acts of physical and emotional violence;
- Straight allies experience the impact of homophobia firsthand and express shock and fear for their LGBTI family members and friends and the danger they may experience if they were perceived as gay or an ally;
- Families are torn apart as relatives divide on Prop 8; and
- Communities are destroyed from the aftermath of abusive behavior towards them during local street demonstrations, neighborhood divisions, and the impact of "knowing your neighbor" voted against your family.

Results from the psychological studies of same-sex marriage campaigns and the data obtained by Marriage Equality USA resemble elements of the concept of "stigma". In the book *Stigma* by Erving Goffman (1963), the author defines stigma as an "attribute that is deeply discrediting". Goffman argues that an individual possessing stigma is exposed to varieties of discrimination through which his or her life chances are reduced. In "Conceptualizing Stigma" (2009), Link and Phelan argue that:

"Stigma exists when the following interrelated components converge. In the first component, people distinguish and label human differences. In the second, dominant cultural beliefs link labeled persons to undesirable characteristics-to negative stereotypes. In the third, labeled persons are placed in distinct categories so as to accomplish some degree of separation of "us" from "them." In the fourth, labeled persons experience status loss and discrimination that lead to unequal outcomes. Finally, stigmatization is entirely contingent on access to social, economic, and political power that allows the identification of differentness, the construction of stereotypes, the separation of labeled persons into distinct categories, and the full execution of disapproval, rejection, exclusion, and discrimination"( 2009).

According to Goffman, stigmatized people tend to gather in small social groups in order to provide support for each other (1963). Those who fall within a category of stigma can refer to each other as a group. The rhetoric and messages shared in these groups shape and define the ideology of the stigmatized identity. Their communication methods voice the complaints, aspirations and the politics of the group and define friends and enemies (1963).

The way in which the identity of a stigmatized group is created resembles the process of identity construction of social movements. According to Gamson, "Collective action cannot occur in the absence of a "we" characterized by common traits and a specific solidarity. Equally indispensable is the identification of the "other" to which can be

attributed the responsibility for the actor's condition and against which the mobilization is called" (Gamson 1992). The identity of a group is not only defined by the interactions within the group. It is necessary for the group to have boundaries (1999). Collective identity emerges "out of interactions with a number of different audiences (bystanders, allies, opponents, news media, state authorities)" (2009). To this list Porta and Diani would add "institutions, sympathetic and hostile social groups and public opinion" (1999). In this process, boundaries between the actors engaged in conflict are defined. In the concept of stigma by Link and Phelan, the third component of stigma is the separation of "us" (the stigmatized) v. "them" (those with power and willingness to stigmatize) (2009). According to Goffman, the stigmatized find two sets of sympathetic others: those who share the stigma (the own) and those who are given "courtesy membership" in the group (the wise). Thus, the process of stigma and the process of identity construction of social movements share with each other the interactions and boundaries between their social actors.

According to social movement literature, when individuals share bonds "solidaristic behavior is a reasonable expectation" (Polletta and Jasper 2009). They share the feeling of being part of a reality much "vaster and more complex" than their direct experience. "It is in reference to this wider community that the actor draws motivation and encouragement to action, even when the field of concrete opportunities seems limited and there is a sense of strong isolation" (1999). Identity production is an essential feature of collective action. "A person whose life is intertwined with the group [through friendship, kinship, organizational membership, informal support networks, or shared relations with outsiders] ... has a big stake in the group's fate. When collective action is urgent, the person is likely to contribute his or her share even if the impact of that share is not noticeable" (Fireman and Gamson 1979, in Polletta and Jasper 2009).

One of the ways to cope with stigma is to seek "acceptance" or "to remove stigma from the differentness" (2009). This becomes a political objective, and hence requires for the group of stigmatized people to advocate for their identity. In a psychological study, Russell and Richards (2003) found that "placing the anti-LGB campaign within a larger and longer term political perspective may have helped respondents to focus on their own efforts and contributions to social change rather than to personalize the events. This broader perspective appeared to reduce feelings of isolation and open the way to collective action. Political participation can provide a sense of community that can assuage the negative feelings of minority stress." Stigmatized groups will use resources available to them in order to resist being stigmatized (1963).

## Methodology

The methodology used in this paper includes the use of qualitative research-participant observation and interviews; interview questions are presented in Appendix A. My observations informed the process of creating a set of questions for the interviews I would later perform. My experience with the LGBT community began in the fall of 2008 as a class assignment for a Social Movements class. Since then I have made many acquaintances by participating in rallies and attending support and advocacy group meetings with LGBTs and heterosexual allies from the Orange County area. I was also part of support groups for LGBTs and their families and Gay- Straight alliances. While there was an advocacy component to these groups, many of their members did not participate in political action. Their emphasis was on providing emotional support and raising awareness of LGBT issues. My involvement put me in a position of trust with most of the participants in this research.

My intent was to interview people who identified as gay, lesbian, bisexual, transgender or, the more general term, queer. The requirements were that they had to have lived in Orange County during the campaign in November of 2008. They did not have to be politically involved. I interviewed people both in social support groups and LGBT political advocacy groups so I would get responses from non-activists as well as activists. I started my interview by asking a very open-ended question such as: "What are your feelings towards proposition 8?" Then, I asked questions regarding their social environments and how they were affected by Proposition 8. The social environments I considered were school, workplace, nuclear and extended family, city, county and LGBT community. In the case of activists, I asked about reasons for political participation and the impact of this process. My questions also involved LGBTs perceptions of the "Yes on 8" campaign and its supporters.



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I chose to narrow the geographical area of my study to the Orange County area based on my observation of the movement. I observed that activists who belonged to organizations were from all areas of Orange County. The most prominent organizations in Orange County are the Orange County Equality Coalition, Equality California-Orange County Chapter and Team Courage OC from the Courage Campaign. All these organizations were founded after the passage of Proposition 8. Although Orange County is in close proximity with West Hollywood (a popular LGBT-friendly area in Los Angeles County), I chose to conduct my research in Orange County since it is more socially conservative and had more "Yes on 8" visibility than "No on 8". Popular LGBT areas are less representative of the U.S. than Orange County.

My intent was to have a diverse sample in terms of race, gender, sexual orientation, gender expression and religion. This diversity would show the interactions between different social identities within the LGBT community.

My interviews lasted from 1 hour to two hours. My interviewees signed consent forms that allowed me to record their voices. I also took notes. Since I was dealing with a sensitive subject, I informed my interviewees that they could stop the interview at any time or not respond to a question if it made them uncomfortable.

## **Data and Discussion**

### **Participant Observation**

My involvement with the LGBT Rights Movement in Orange County began as part of an assignment for a sociology class in Social Movements. My classmates and I decided to study the LGBT rights movement and to research PFLAG (Parents, Families, and Friends of Gays and Lesbians). We attended some of their meetings at a local church. We also attended meetings hosted by the Chapman University Queer Straight Alliance. In the case of PFLAG, emotional support was provided not only to LGBT members but also to their families. In both groups coming out stories and Proposition 8 were topics of discussion. Personal stories were intertwined with the history of the group, creating a personal L, G, B, or T identity linked to the LGBT collective identity. Through attending these meetings we discovered that both groups functioned as support groups as well as advocacy organizations. Before Proposition 8 passed, these were the kinds of resources available to LGBT rights activists. Some organizations that combined support and advocacy were The Center in Orange County, a chapter of the Human Rights Campaign and PFLAG. After the elections, Orange County organizations that focused solely on LGBT rights began to emerge. They will be discussed later in this paper.

Before Proposition 8 passed, I attended several rallies that were organized by small LGBT-supportive churches, democrat organizations and individuals. A volunteer's job consisted of waving "No on 8" signs while standing on the sidewalk. People who attended were gay, lesbian, bisexual, transgender and also heterosexual. Those belonging to the LGBT community often brought along their heterosexual friends, relatives, children or pets. But there were heterosexual people who participated in rallies on their own. While talking to rally participants of different ages I discovered that young LGBTs found it hard to believe that they had to rally for the right to get married. Older LGBTs found it outrageous too but at the same time, they had a greater appreciation of marriage being an option. For older LGBTs the idea of protesting this marriage proposition was a small setback, but it also signified the progress that the LGBT community had made during their lives.

During the rallies, volunteers received support from people driving by in their cars. They honked and smiled. Some of them waved signs of support out the window. Volunteers cheered and found encouragement in these types of gestures. When some volunteers left, they usually drove by and honked to the volunteers that remained at the rally. People discussed how they heard about the event, and their reasons to be there and to support marriage equality. These rallies and the positive interaction among volunteers shaped the ideology of the movement and reinforced the sense of belonging to a larger community.

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In contrast, the negative responses that volunteers encountered when interacting with the opposition shaped the way in which the "Yes on 8" campaign was perceived. During rallies, people from all ages waved "Yes on 8" signs from their cars and yelled "Yes on 8!". People often used derogatory terms to refer to LGBT people, assuming that we were all LGBT regardless of the presence of straight allies. In the beginning I was shocked by the level of anger that people exhibited towards us. I was also astounded by the regularity by which these events occurred. But after attending several rallies, the use of pejorative words against rally attendants became commonplace. Since many of these interactions were charged with homophobia or stereotypes towards LGBTs, the campaign was perceived to be anti-LGBT in nature.

Many rally attendants shared stories about their encounters with the opposition. A woman told me she had been spat on by someone in a car that passed by next to her. I also witnessed similar situations. Once I was at a rally and a man drove very close to where I was standing. He threw plastic or metal discs at us with quotes from the Bible inscribed on them. Many of us were scared because we did not know what he was throwing, but cheered after he got pulled over by a cop who had witnessed his actions. References to the Bible were often used by the opposition when expressing their disagreement with the rally participants. This interaction helped to characterize the opposition as people who opposed same-sex marriage on religious grounds.

As I attended more rallies, I developed a connection with other participants. Even if I had not met them before the rally, if they were verbally attacked, I felt attacked as well. The occurrence of one single act of discrimination would bring up a string of negative events in my mind that did not only extend to my own experiences but encompassed the experiences that other rally participants had told me. As the campaign progressed, any "Yes on 8" sign felt like a direct attack even if it was passively standing in front of someone's house. It can be assumed that other people disliked the signs since "Yes on 8" signs were constantly stolen.

During the campaign I noticed that there were several religious groups that contributed to the "No on 8" campaign, whether it was by organizing a rally or lending their space for a phone-bank. I found it surprising that many faith communities accepted homosexuality, supported same-sex marriages and celebrated same-sex unions. Many LGBTs found this surprising as well because they had grown up in more social conservative churches or had no religious upbringing. During the campaign, I went back to Catholic Church. One of the few times I attended, the priest recommended that the congregants voted "Yes on 8" in order to "protect the institution of marriage and the family". There was a popular belief in the LGBT community that the Catholic Church and the Church of Jesus Christ of Latter-Day Saints contributed to the "Yes on 8" campaign financially as well as providing a structure for the "Yes on 8" campaign. After the elections, I found one protestor who was directing people to a website to sign a petition to remove the tax exempt from the Church of Jesus Christ of Latter-day Saints. Another protestor responded that he did not want the LGBT community to be remembered as one that had taken away funding from a religious institution. Some people protested outside of Churches after the passage of Proposition 8. But not everyone agreed with protesting at a house of worship or to take any measure against religious organizations.

On the night of the election, there was a Chapman University Queer Straight Alliance meeting. We watched CNN live online and followed the presidential election. On the screen, there was another window open that followed propositions, including Proposition 8. Although members were excited about the democratic candidate for President, Barack Obama, winning the race, they were very upset about Proposition 8. Later that night I met other LGBT people on Facebook that were basically clicking refresh on a website with the campaign results until early in the morning. They were hoping results over Prop 8 would change.

The next day a friend called me in the afternoon and offered to give me a ride to a protest in Los Angeles. We were four people in her car and I was the only one who did not identify as heterosexual. During the ride there, we talked about our reasons for going to the protest. When we got to L.A., we joined the protests and carried signs. There were many angry people in the crowd. We met people there from Orange County as well. People were venting their frustrations but overall it was a peaceful protest. There were thousands of people chanting and expressing their support for the LGBT community. There were LGBT people and straight allies. When one person chanted,

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others would follow and if that person stopped, someone else would pick up. By the end of the night, protestors were not as angry as they were when they began to march; rather their frustration had turned into hope because of the sense of community that we felt, and because there were organizers passing out fliers and talking about further political action.

In terms of the structure of the LGBT rights movement in Orange County, several organizations were founded, remain active and work together in Orange County after the passage of Proposition 8. These organizations are activist organizations that could be points of reference to communities of support, but which are not communities of support in nature.

After Proposition 8 passed, the Orange County Equality Coalition was founded by activists that had worked during the Proposition 8 campaign and new volunteers who wanted to work to repeal the measure. They held monthly meetings at an LGBT-friendly Christian Church in Irvine. I encountered people that I had met at PFLAG meetings in OCEC. In every OCEC meeting that I have attended, there has been an update on legal issues surfacing after Proposition 8. For instance, there were lawyers speaking on the California Supreme Court's hearing and the federal case pending to repeal Proposition 8. There were also presentations from diverse local activists such as a feminist activist from the National Organization for Women, a former soldier discharged for being gay, fighting for the repeal of "Don't Ask, Don't Tell" and a member of the "California Faith for Equality" organization who explained the importance of organizing faith communities to support same-sex marriage. OCEC has a storytelling team that works on crafting stories that explain their reasons to support same-sex marriage. This organization has connected with the LGBT community and fostered its relationships through the organizing of symbolic events such as rallies, candle-light vigils, OC Pride, and fundraisers.

After the election, the Courage Campaign, a progressive organization in California, organized Camp Courage in West Hollywood, an activist training event for people who wanted to work towards repealing Proposition 8. In this training, coming up with a story of self was emphasized. The story of self is a story that talks about one's personal reasons for supporting same-sex marriage that can be used to talk to people who are not entirely supportive or in opposition to same-sex marriage. People from Orange County attended that event and became Team Leaders for the Team Courage Orange County. Later, more Orange County volunteers would join their canvassing efforts.

Another organization that has worked on canvassing efforts and phone-banks in Orange County is the Equality California - Orange County Chapter. The Orange County field officers are founding members who were active in both OCEC and Team Courage Orange County. EQCA recruits members at LGBT events such as OCPride, interfaith gatherings promoting support for same-sex marriage, colleges and gay bars. Since the OC chapter is part of a national organization, EQCA volunteers in Orange County also work to support the national LGBT community by participating in phone-banks for "Get Out the Vote" operations when LGBT measures have been on the ballots in other States.

OCEC organized a rally in Santa Ana for "Day of Decision". It was a day when protests were held in many California cities against the California State Supreme Court's decision to uphold Proposition 8. During the protest there were counter-protestors who I had seen at the L.A. protest carrying signs that said "Homo-Sex is Sin" and other messages with religious undertones. One of the protestors held a Bible in his hand. In the beginning, people were yelling back at them but then others stood up in front of them blocking their view from the rally. The event became very symbolic when same-sex couples began sharing the stories of their marriages and their families, or their wishes to get married and have a family. While they were talking, the counter-protestors yelled "repent from your sins", "it's not a marriage", etc. After the rally we marched to another spot where members of clergy expressed their support for same-sex marriage. At the rally I met people who were going to a protest in Fresno called "Meet in the Middle". This protest was programmed on the weekend of "Day of Decision". The Orange County Equality Coalition has a website where discussion boards can be created to organize specific events. One member organized caravans and she put me in touch with one of the people I had met at the rally. I talked to him online and two other people decided to join. We spent hours in the car on the way to Fresno and shared stories about each other. When we got to Fresno we stopped at a gay bar that did not look like a gay bar from the outside;

no rainbow flags flying outside. Inside the bar, I saw a friend and member of the Orange County Equality Coalition and founder of Courage Team-Orange County who offered me a place to stay that night since I did not have accommodations until then. The next day we all went to march, there were about 6,000 people there. We marched to Fresno City Hall. There were several booths and people handing out fliers for different organizations. One of the booths was from OCEC. After the march, I called every OCEC member that I knew in order to get a ride. Most of them were also carpooling with other people. One of the Team Courage Orange County members told me about a group of buses that were leaving from Fresno to different cities. I was able to catch a ride with the Latino Equality Alliance, an organization in Los Angeles that fights for LGBT rights. During this trip I counted on the support from a network of activists not only because they knew me-- some of them had not have more than two conversations with me-but because we were joined by the same cause.

Several months later, I attended "Outwest Bootcamp", an activist training event in Los Angeles. When I got to the event, I met the Equality California-Orange County field officers at the training. There were organizers, activists and supporters from Orange County mingling with activists from the Los Angeles area. This seems to be a pattern in my observation of the movement in Orange County. While now, after Proposition 8, there is more structure in Orange County and it is not necessary to go to Los Angeles to organize or rally anymore, trainings that are held in LA provide an opportunity to meet with activists near the LA area. This enhances a sense of belonging to the larger LGBT community. During the training, there were diverse activists ranging from feminists, Latino activists, and faith outreach leaders. In this training, as well as in other trainings I have been through, organizers refer to the flaws of the previous campaign and emphasize the importance of making a personal connection with voters through canvassing, "sharing our stories", and fair representation of the LGBT community in the media.

Almost a year later after Prop 8 passed, a phone-bank was held by Equality California in Orange County. This effort was in support of the "No on 1" campaign-the Maine version of "No on 8". Members and volunteers of Team Courage, OCEC and Equality California organized and participated in this event. Although these Orange County organizations focus on different strategies to achieving equality and their members have different opinions on important issues they were founded, communicate with each other and support each other's efforts after the passage of Proposition 8. There is a strong relationship among the organizations because their founding members worked together on the "No on 8" campaign, for many of them it was their first time as activists. For example, one of the Orange County Field officers for Equality California used to be part of OCEC, and the second Orange County Field Officer had founded Team Courage Orange County before he took his current position. Therefore, after the Proposition 8 campaign there a stronger network of activists and more LGBT rights organizations were created. Their missions and therefore, identity as an activist community has been shaped by their marriage equality efforts.

## Interviews

I conducted interviews with eleven LGBTs about their experiences during the campaign. While some of them were organizers, others had only participated in a couple of rallies after the campaign. Only one of my interviewees did not participate in rallies or protests. I was not able to conduct interviews with Transgender people. This is due to the fact that I encountered only two people willing to concede an interview. I had conflicting schedules with the first person. I met the second person too close to the time of finishing my research. Also, I did not feel comfortable trying to identify people as transgender when they did not identify as such first.

During my interviews I observed patterns developing in people's responses. The first and most important pattern that shaped the perception of the interviewee's environments was that none of them believed the intention of the "Yes on 8" campaign was to protect the family institution or the institution of marriage. Instead all interviewees believed that the intent of the measure was to exclude LGBT people and was based on anti-LGBT bias. Interviewees made reference to the fact that the institution of family was already diverse.

"But there's already so many different combinations of families like some people live with their aunts or their uncles, some people live with their grandparents, some people choose not to have children so I don't see how me being gay and marrying someone of the same sex has anything...

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or does anything worse to change the normal, you know, the so-called normal establishment of the family. It's already like so diverse."

Religious arguments in support of the heterosexual definition of marriage, or references to the "sanctity" of heterosexual marriage were dismissed by many interviewees as contradictory to the current status of civil marriage in society. Interviewees referred to the high divorce rate and the legality of couples with no faith background to enter marriage.

"marriage isn't just, you know, in the bible and all that stuff... because I have relatives who are atheists and did not plan on having children and yet they can still get married and of course all the divorce and that happening and that you know, declining anything that says about the "sanctity of marriage".."

Furthermore, interviewees felt uncomfortable about the words "protect", the word "family" and the phrase "protect the family" because it portrayed them or their relationships as threats or it excluded them from society's ideal vision of family. The idea that LGBT people should not be portrayed in families was reinforced by the lack of representation of LGBT families in the "No on 8" campaign's imagery

""Yes on 8, protect the family" I'm like: "What am I doing to a family? I'm not doing anything, I'm just here. I'm just gay... like I'm not, it's not like I'm kidnapping siblings and separating them, it doesn't make sense to me, like: "protect the family" and I assume they mean like families have to be I guess opposite sex couples and a man and a woman and they have to have children."

"So the imagery, I don't even know, I didn't even know how to react to it 'cause I was... We're a family so that's... protecting what family? What family are you protecting?! I don't even know... What are you attacking?! What are you trying to defend? I have a family. Wanna protect marriage and my family? Let me get married! Want me to be a family, a good wholesome family? I'll get married then..."

In terms of their social environments, the campaign provided the interviewees with the opportunity to identify support and opposition towards same-sex marriage when conversations about the elections came up, or by being exposed to campaign material. Since the interviewees believed that the attempt of the "Yes on 8" campaign was to exclude LGBT people, approval for same-sex marriage was translated into full acceptance of the LGBT identity. Conversely, disapproval meant that someone was not fully accepting of LGBT people.

Interviewees encountered relatives, friends, co-workers and clients that were supportive of Proposition 8. Only two interviewees, out of eleven, did not have conversations about same-sex marriage with those in favor of the same-sex marriage ban. One of those two, however, knows that a co-worker is supportive of "Yes on 8" and is now more hesitant to reach out to that person. The rest of the interviewees had conversations about same-sex marriage, in many cases leading them to depart from these relationships. One of them took the approach of keeping the relationship in order to make a difference in that person's perspective of LGBT people, which in the interviewee's perspective was a form of political action to achieve acceptance. Those who had conversations with people supporting "Yes on 8" both with family and friends had different approaches to their relationships after the argument. While interviewees have managed to restore relationships with relatives, some of them have chosen to drop relationships with friends, clients and co-workers.

"It definitely hurt my business. It hurt me financially because I was very out and vocal at my business. I took the stand that... I am going to tell everyone and express myself and demand my rights. And I will express why I want my rights to everyone and some of my clients left. Even though they were... some of them, some I had had for years. They left. Because they... because I was such a supporter of same-gender marriage."

"I did lose several friends over it, some people I'd known since I was in 1<sup>st</sup> and 2<sup>nd</sup> grade who...they... had always just stuck to their religious views... who never... They are also the same people who never questioned authority, like the best description I have is that they were like a sponge, who would just absorb whatever is given to them. So...I just, I'm just the kind of person who... I don't block everything out but... if so many years of friendship between us and you can't support me, you can't love me for who I am... I'm just like there's no point in me really thinking about you anymore, like what's done is done."

"I got a text from one of my friends that said "I love you, I respect you, but I'm voting Yes on Prop 8". And I said "Ok. Then we are not gonna be friends anymore." Because what if I was like... "I don't like you 'cause you're white... I respect you. But I don't like you because of something that you can't control." That would be outrageous. But what she did to me... was somehow acceptable. I still haven't talked to her, I don't plan on it. You learn from people. They'll teach you amazing things. Sometimes they are disappointingly amazing, sometimes they are amazingly disappointing.... Prop 8 was like a friend- sorter in my life."

"We just got into this huge heated argument because they said "it's not you, it's the situation". But no, it is about me specifically because I am your sister, you know, and you keep saying that I don't have the same rights". So we got into this huge gigantic fight and I was in my room and they were standing outside and my friend was in the room with me. And we were yelling back and forth. My sister's boyfriend was in between us. It almost got into a physical altercation and, I know I shouldn't have, but I spit... I spit on my sister... because... no, they were getting... It was the two of them against me and they were trying to come into my room, to push into my room and I was like: "Screw this." So I spit on them because I felt attacked. I now look back and I know that it was not right but I was very upset. And they are like "oh, my gosh!" like freaking out "You freaking spit on me". And I'm like: "You spit on me figuratively when you tell me that I don't deserve the same rights that you do, that is spitting on me. So now you know exactly how that feels literally."

By identifying support and lack of support for same-sex marriage, the LGBT community began to construct boundaries within their own social circles. In many cases, the need to cross these boundaries and reach out to the opposition was perceived as a form of political action, such as when LGBTs have conversations with relatives who opposed same-sex marriage, or when activists canvass neighborhoods with a majority of "Yes on 8" voters.

Interviewees had conversations with relatives, friends, co-workers and clients who were against Proposition 8. In many cases, interviewees referred to the support for the "No on 8" campaign as support for the LGBT community and themselves.

"Fortunately my closest friends didn't share that same attitude. But all in all my experience with individuals outside of myself dealing with Prop 8 is that they didn't like Prop 8 and that they would vote "No on 8" so that made me really happy."

"We talked with my partner's family who were all over California. Her twin sister is hardcore republican, or was until Prop 8 came up and actually changed her party designation because of it, so that was encouraging. And one of the brothers was incensed that there were people that would take our rights away and the other brother we couldn't really talk to him about it because he's really whacky right wing. Her mother jumped on the Courage Campaign van wagon and actually went to her church and talked about it so that was comfort, that was really nice to know. And she had been formally against us years ago so for her to make that change was a big deal."

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Aside from the interactions that the interviewees had with relatives, friends and co-workers, they also identified support or lack of support for same-sex marriage in their neighborhoods or cities through campaign signs and rallies. The interviewees' responses to the "Yes on 8" signs varied. But a pattern that was repeated among them was a negative reaction that stopped the flow of their regular activities. This pause would serve to remind them of their thoughts on the campaign itself and their views of the opposition.

"I saw some Yes on 8 stickers, living in Garden Grove, still in Orange County, I saw some Yes on 8 stickers. When I started my job right before election day, I started my new job in Irvine on the third of November and there were people who were picketing at the intersection of Mc Arthur and Main in Irvine for "Yes on 8" in all four corners, so I had to drive... I had to sit at a stop light and wait so I could turn to go into my building watching all these people and watching people go: "woohoo" and all this "Yes on 8" stickers around me so that was... that made me shake my head."

"And I made note almost every single time of what business is it in front of, what house is it in front of? So I know that I'm avoiding that house and I'm not going to connect with this person. I don't want to support someone, a business that supports that particular political outlook so I paid attention but it was also really icky to drive past them."

"While it was voting season, my friend and I would drive around Orange County and steal "Yes on 8" signs in front of people's houses because it was just like... blatant hate. It was acceptable hate, I feel. And I've heard so many explanations from that side of Prop 8 that are just scathing and hurting and they make you feel like you are not a human being anymore."

On the other hand, interviewees expressed positive feelings after seeing support for the "No on 8" campaign in the form of signs and at rallies.

"Similar to the feeling of wincing and feeling uncomfortable seeing Yes on 8 signs, the opposite was true when I saw "No on 8" signs and people out supporting "No on 8", it was affirmation to see folks out there and being visible and honking and yelling and carrying signs in large groups. It felt really good to know that there's a community of support even though it's not always visible, I know that in spirit it's there."

Interviewees who were active in religious practices disagreed with their churches' views on the issue of same-sex marriage. Many interviewees expressed a conflict between their LGBT and faith-based identities.

"I'm going to church less, and I know part of that has to do with the fact that around election time there were all these preachers talking about sin and... being gay, you know, just pulling passages out of the bible it says that homosexuality is an abomination.

Was this at service?

Yeah.

And you were present?

Yeah. On the Sun Light theatre they had... they had a thing, like a service, and I know a Chapman student went, and they gave her a bible and they highlighted every single passage where they said homosexuality was immoral."

"(My partner) and I, we went to a Christian church, not LDS just because sometimes you need a little church in your life, whatever... so we decided to go. It was a pretty big church, we walked in, we were holding hands, you know and we were getting all these stares and this was right before the election, the weekend before the election. We went and we sat down and right when the service started they started talking about marriage between a man and a woman and everybody was looking at us and we just got up and left because it made us feel really, obviously, really uncomfortable..."

"For me, as a member of the religious community and the LGBT community, it's almost as if they were mutually exclusive, almost. If I voted Yes then I would be considered very Catholic. If I voted No, I would be considered really gay. It was just really strange in my mind. Whatever my choice was, it would mean a lot about who I was. And I think that my identity being tied in with a legal proposition... it got really confusing. "

Other interviewees found faith communities that were accepting of LGBT people and that supported same-sex marriage through the process of becoming politically active. Others found members of Churches supporting Proposition 8 that were against their churches' position and were in favor of same-sex marriage.

"When did you start learning about these new churches that were accepting...?"

Most of the phone-banks that were held for Prop 8 were at the Universalist Church. I've met with a couple of California Faith for Equality Leaders and Episcopal priest and church leaders."

"After getting involved with repealing Prop 8 I have seen a lot of great things from religious institutions, the UCCs, the FCCs, all the groups that are working for equality for all people, regardless of their sexual orientation. It's opened my eyes to "hey this could be something that I could get involved with at some point in my life""

"I went to telling our stories (an interfaith gathering for same-sex marriage). That was really cool because there was an LDS guy, the guy who actually is spoke is the great great grandson of a very, very big figure in the church and he's obviously for NO on 8 and seeing that helped me say "ok, not all Mormon people, not all LDS people have this exactly strict points of view about gay people"

With the exception of one interviewee, all interviewees participated in rallies and protests. For most of them, it was their first time at rallying for a political issue. They expressed that Proposition 8 was a wake-up call for the LGBT community. They also experienced a sense of community with other LGBTs when they participated in rallies or protests.

"But I think at the same time it really did help to put a fire under the LGBT community's ass, you know, to get people a little fired up and like Prop 8 was the first time I'd ever protested and for me, it got me really involved, it got me really caring about the gay rights and trying to actually, you know, get this overturned."

"It was empowering to see how many people believed in the issue and the importance of the issue and not just like... "oh look at all these gays" but the fact that there are all the straight allies with us. I know specifically in the circle, there's a guy that is 14 who was absolutely adamant about it. I was like: "son, you crazy" (laughter) And he was like: "I've been here for 8 hours" and I was like "I don't know how the hell..." He's like: "oh, and I'm pretty hungry". I'm like: "go get food" you know and it's just like... this sense of community that there is for the GLBT and within the GLBT community. Ha! Oh, and there were trannies at the protest. I was like: "Trannies are



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here; it's official gay, it's official gay protest." And so... it's just... the more the merrier. And so, it was empowering. It made me feel that I was making a difference and showing my face in those protests."

Only one of my interviewees did not experience going to a rally or protest and encountering fierce opposition. Other interviewees had experiences of their own and during rallies heard the experiences of other people who encountered opposition.

"Well, just the fact that leaving the campus to go to a rally in the town of Orange, and to get such negative feedback from like passerbying drivers that went around. Some people drove around us like, really fast, like it was kind of freaky, like it was almost in a way... like I felt that we were only standing, it wasn't like we were like going out into the road or anything crazy. Like, it was people's reactions that were kind of crazy, like shouting at us, yelling, laughing, you know, flipping us off, things like that, like it was really negative, you know, it was really uncomfortable but at the same time it made me feel better about myself or more like sure of myself for being there like if people were going to act negatively well, I'm just gonna keep standing here and they'll just have to take that because they can't change who I am, I can't change who I am, how are other people going to?"

"Actually the other side was very very aggressive, and very very mean and very hurtful and yeah, I could yell at somebody and call them a bigot but it's a completely different feeling than someone screaming and yelling at me and calling me a dyke or a faggot. And I've actually had that happen while I was protesting. There were kids in Yorba Linda that somebody came by and started throwing hot-dogs at them and I don't really know what that was supposed to mean. I heard of a kid at Anaheim who had somebody like throw pee on him. I was in a protest and some kids drove by in a van and like opened up the van and sprayed water all over everybody and like the derogatory terms that came after people's mouths were horrible... and even after prop 8, you know, I was at Cal State Fullerton on the corner trying to get people to sign a, it was a protest to repeal the defense of marriage act. And I was standing out there and it was actually funny because it was all lesbians except one straight ally and these guys drove by and were like you fat dykes like screaming at us and we're just like do you really think that after everything that we've gone through with Prop 8 that one little comment like that is gonna stop us?"

Because of these interactions, interviewees characterized the opposition in several ways. Primarily they thought supporters of Proposition 8 did not know individuals who were openly LGBT. They also characterized Prop 8 supporters as biased, religious, conservative, republican, heterosexual, and/or homophobic.

"I don't think some of these people ever met a gay person. And I just don't think they've ever interacted with them. I think that their mind is full of stereotypes of what they think a gay person is and they just don't have anything to compare it to."

"And there are assumptions that I have about people who voted Yes on 8 as like maybe they are really religious and close minded, maybe it's fear of same-sex parents raising children because of those ads that were on TV, maybe it's just bigotry and hatred, finding people to not like, people to hate. So those signs represented that to me, so every time I saw a sticker on a car or one of those lawn signs it just made me kind of cringe inside to pass it."

"Who would you identify as them?"

I don't want to generalize and say the heterosexual community, but... because we have allies but "them" the supporters of Prop 8.

And for you, when you say the supporters of Prop 8, are there any groups that you relate to it?

Religious Groups, Mormons, specific companies..."

Out of the ten interviewees that participated in protests and rallies, three became political organizers, two changed the way they worked to incorporate more LGBT issues, and to see starting conversations about same-sex marriages as political action.

"We volunteered in Silver Lake for a phone bank, we... it was me, my mom and three other people. That was it and that was august 4th. And our job was to get more volunteers to work on phone banks, to get donations and call people. But I couldn't get anyone from Orange County to go to Silver Lake so I said: "Where's the Orange County phone bank?" So we don't have one, there isn't one in Orange County. So I said: "How do I... Let's start one. What do I have to do?" And then I started a phone bank and then I was running a whole campaign in Orange County. And it was insane and snowballed into then after the election and everyone called me and said what are we gonna do and had people meet at my studio, "Anybody wants to work on it, be involved? Meet at my studio." A hundred-something people showed up. And we founded Orange County Equality Coalition so... still going (Laughs). I met amazing people and... frustrated and excited and a learning experience and tumultuous and devastating and insane... just, that was my experience, life-changing that's for sure. Altered the course, my course completely, changed a whole bunch of directions."

"So this has changed the way you work now?

Oh, absolutely. I will no longer tolerate politicians or anybody involved in politics that isn't open to be for my rights. So that's a big change."

"Has your level of activism changed at all?

Yes. I would say given this year when I first walked into my position and my position is a very activist role. I heard that there were comments made around race and sexual orientation more often than any other identity group that I've heard of at the beginning of the year and given that LGBT identity seemed to be the most attacked identity that I was hearing about, it was the group that I focused on the most this year particularly education and awareness. Both personally and professionally I've become involved in LGBT identity.

As a result of the things that you were listening...?

Along with the campaign and what I saw during the campaign, seeing the protests on television and hearing about people getting into fights in Los Angeles. That definitely leads me to prepare some education and some awareness and hopefully have some compassionate understanding for people, even if you don't agree at least be compassionate."

Another pattern was that the interviewees mentioned the importance of coming out and talking about the issue of marriage as a means to gain both legal acceptance and marriage equality

"I need to talk to people of the Mormon Church and the leaders of the Mormon church. We had Steve Young that is an elder, he's a politician, I really enjoyed when he came to speak with the Orange County Equality Coalition, fantastic speaker, answers everything with a directly related story about his life and... he was opposed to Proposition 8, all the elders in his church in their

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particular parish. They were all opposed to it, they did not support... they did not tell their congregants to support... So, there was a Mormon church that didn't support it.

So how do you feel about the fact that certain people are targeting the church?

I'm opposed to it. That's why Steve Young, the elder in the church, he said: "Don't attack the church. You need to talk to the church. You need to talk to people. Arrange meetings. There has to be an education bridge built and conversation. You have to expand your network. Don't shut them down and make them demons. Invite them in, you know, keep your friends close, keep your enemies closer. Get to know your enemies and find out what it is that is really bothering them.

"I mean, there was the week of the elections and I felt like the community had done a good job. And the only time it really hit me that we might not have done our best, or at least that I hadn't was when I went home to vote and as I was standing in line, I saw a bunch of my neighbors, or my parents neighbors, and I realized that they don't know that I'm gay and they, they all had really religious conservative views, they are all Hispanic, just sort of like in the Hispanic community alone there's this huge stigma about being gay and I just remember in my mind saying: "shit, those are ten votes of people who I know love me and who would change their votes to see me happy and I never talked to them about it." But I was also like: "it's just 10 votes, they can't be that impactful"...or I'd ran into someone who maybe was just an acquaintance or maybe just someone that I had just met recently and who didn't know anything about me and be like: "Could I have changed that person?" Basically it became an issue of what did I do wrong? What could I have done to get more votes? And it just made me wonder whether I was fully out of the closet or not. Because Harvey Milk says the best way to fight for gay rights is to basically be out of the closet and... it just made me wonder whether I was or whether I was just telling myself that I was."

"That's where it started to become a more personal thing for me and at that point I started understanding, wow, you really have not done a very good job of countering the "Yes on 8" messages in an effective way, all the way across the board, frankly in my opinion...

Was there anything, anything in particular that made you realize that you had to become politically active?

Yeah, the conversations I was having with my friends. It made me realize that I needed to start talking with more people and bringing that particular subject up. Even people who I did business with because I tend to have pretty close relationships with these people and so it's important to form friendships and a certain level of a bond and a lot of them knew that I'm gay and so we would talk about politics and that kind of stuff. And I work at the inland Empire, which is not necessarily a liberal bastion (laughs) so... and it became very apparent that it was important to get the message out and that was the way to become most politically active at that point. "

All interviewees said that they remained hopeful about the future of LGBT rights, including same-sex marriage. Some of them expressed that the experience of Proposition 8 was not over yet.

"I have full confidence than by the time... in the next 20 years, the places I will be living in will... like gay marriage will be legalized and recognized."

"There will be a campaign in 2010 but I think it will be... it will end when we have a federal same-gender rights, when we're federally, in the federal government mandates that all states and territories recognize same-gender marriage...

Do you see that happening?

I do. I do see that happening."

"I think that marriage equality ultimately will win, truth will win, love will win ultimately because as a species no matter how many roadblocks we throw out for ourselves just like plants turn towards the sun, we turn towards growth and towards love."

"Are there any positive outcomes to this entire experience?

I don't know... I, I can't say that there are because I don't think the experience is done because I don't think it will ever be done until we are equal... like I think it's another benchmark in the process. We had stonewall, and then we took a slight step backwards with Prop 8 and then whatever comes next is whatever comes next. I just don't think it's an experience that's never fully over, at least not for me."

"I've met a lot more people because Prop 8 passed. Our sufferings or our trials bring us together and because of that we can rise up and we can do so much more, that eventually we'll elect a gay president."

Throughout the campaign, LGBT people were able to identify who was supportive of their identity and who was not by someone's or an institution's position on same-sex marriage. It was not necessary to go to a rally to encounter opposition. People saw opposition in their neighborhoods, churches, workplaces and social circles. At the same time, support was also identified. The process of the campaign was a process of boundary construction for the LGBT community. However, to many it was clear that overstepping these boundaries was the only way to achieve acceptance, and this step was taken as a form of political action.

## Conclusions

According to the definition of stigma by Link and Phelan, the first component of stigma distinguishes and labels human differences. The "Yes on 8" campaign portrayed an ideal family that differed from many existing types of families (e.g., divorced parents, families with no children). Ideal families were defined as mother, father and children in the imagery of the "Yes on 8" signs. Rather than depicting all kinds of families that differed from this picture, the proposition targeted same-sex relationships and the families composed by them. LGBT people are exposed to or come from a variety of diverse families, including their own. Therefore, LGBTs did not believe that it was "differentness" that was being targeted, rather the value put on the specific differentness of their community. The fact that LGBT people were not represented in the imagery of the "Yes on 8" campaign and the "No on 8" campaign as well was a sign that they had to be set apart from the rest of society, that they could not be as visible from those not labeled LGBT. After reviewing interviews and field notes, I concluded that the rhetoric and imagery used by the "Yes on 8" campaign carried messages that reminded the LGBT community of their exclusion from society's institutions because of their sexual orientation. While their differentness was labeled before the campaign, the campaign provided a platform for conversations about same-sex marriage which represented the full acceptance, tolerance or exclusion of LGBTs. The campaign and, moreover, its outcome became a tangible measure of society's low value and the stigma placed on the differentness of sexual orientation.

Before the campaign, there were many opportunities to identify acceptance or exclusion towards LGBT people. But the campaign brought many more opportunities to identify it, since it is socially acceptable to discuss politics-in

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this case whether LGBT people should take part of the marital institution. Therefore, there were lawn signs, bumper stickers, TV ads, internet ads, media commentary and conversations about voting decisions and elections that, for LGBTs, represented dialogues about their acceptance into, or exclusion from society. The messages from the "Yes on 8" campaign and those opposing same-sex marriage while attending rallies, interacting with others in church or other social spaces presented a dominant ideology in conflict with the ideology of the LGBT community. Erving Goffman (1963) argues that a stigmatized group possesses an ideology that differs from that which the ones with power to stigmatize possess. LGBT people consider themselves equal to heterosexual people. The LGBT ideology is that a same-sex relationship is of the same worth as an opposite-sex relationship. The rhetoric used in messages such as "protect the family" and "protect marriage" was in conflict with the ideology of the LGBT community. Most LGBT couples do not consider their relationships or their families as posing any threat, harm or danger to the institution of family and marriage. Most LGBTs that I encountered while researching the community agree that there is no proof that LGBT relationships do not provide a safe environment to raise children. The American Psychological Association agrees in this respect with the LGBT community. It has argued that:

"Fears about children of lesbian or gay parents being sexually abused by adults, ostracized by peers, or isolated in single-sex lesbian or gay communities have received no scientific support. Overall, results of research suggest that the development, adjustment, and well-being of children with lesbian and gay parents do not differ markedly from that of children with heterosexual parents" (Paige 2005).

Rather, ideas of LGBT couples providing unsafe environments to raise children stem from unfounded public beliefs and stereotypes. In the second component of the stigma concept identified by Link and Phelan (2009), dominant cultural beliefs link labeled persons to undesirable characteristics-to negative stereotypes. Throughout the campaign, "protecting the family" was therefore perceived as an example of a cultural belief based on biases towards LGBT people.

When the "Yes on 8" campaign succeeded, it represented the degree to which these stereotypes were accepted by society. Many LGBT people who had not participated in rallies before the election began to protest and became volunteers in newly formed LGBT Rights organizations in Orange County. The conflict between ideologies of the stigmatized and the ideology of stigma was present during the campaign, but winning the campaign became a symbol of success for the ideology that stigmatized LGBT people. While LGBTs were aware of the fact that the LGBT community was stigmatized, they did not understand the degree to which the community was stigmatized until after the elections.

Because the "Yes on 8" campaign represented a measure of stigma for LGBTs and the "No on 8" campaign represented acceptance, many LGBTs began to identify allies as well as opposition, and to construct boundaries in their social environments. According to Link and Phelan (2009), one of the components of stigma is that "labeled persons are placed in distinct categories so as to accomplish some degree of separation of "us" from "them."" According to Erving Goffman, the stigmatized have two sets of sympathetic others, "the Own" and "the Wise". In the case of Proposition 8, these corresponded to the LGBT community and heterosexual allies, respectively. In the language used by interviewees, support for Proposition 8 was linked to lack of support for the LGBT community. Those opposing same-sex marriage were considered as contributing to the stigma process of the campaign. Encounters with fierce opposition enhanced the awareness of differentness and its low value. LGBT people became closer to the LGBT community through political organizing or rallying and, at the same time, withdrew from certain relationships in which they found their identity not supported. The "us" v. "them" dynamic, therefore was not only created by the persons with power to stigmatize. Rather, it was a process where both groups mutually excluded each other.

The difference between the two groups in the Proposition 8 campaign was that those supporting the ban held enough social, economic and political power to restrict access to a social institution. While the LGBT community had the economic power to run the "No on 8" campaign, they did not have the social and political power to win it. In the fourth component of Link and Phelan's concept of stigma, "labeled persons experience status loss and

discrimination that lead to unequal outcomes. Finally, stigmatization is entirely contingent on access to social, economic, and political power that allows the identification of differentness, the construction of stereotypes, the separation of labeled persons into distinct categories, and the full execution of disapproval, rejection, exclusion, and discrimination"(Link and Phelan 2009). In terms of the Proposition 8 campaign, the LGBT community suffered status loss by being exposed to the messages of the opposition and by blunt attacks that reminded them of the stereotypes attached to their identity. As explained above, stereotypes served to create different categories of legal recognitions of coupling based on sexual orientation while excluding LGBTs from the social institution of family.

Link and Phelan (2009) argue that one of the objectives of the stigmatized is to remove stigma from differentness. Goffman identifies this as a strategy in the management of spoiled identity or stigma. During the Proposition 8 campaign, many LGBTs chose not to rally. As I stated before, there was not a clear measure of the value of differentness before Proposition 8 passed. In other words, LGBT people were not aware of how stigmatized they actually were. The experience of the campaign and, most importantly, the passage of the proposition were a measure of the degree of LGBT stigma. This explains why so many LGBT people became politically active after the passage of Proposition 8. Political action was a way to cope with stigma. Through these actions, LGBT people were able to express their emotional responses to the campaign in a safe manner and externalize rather than personalize their experiences.

The LGBT Rights Movement is tied intrinsically to personal identity for those in the LGBT community. Political action has also been taken to the realm of personal social relationships. The LGBT activist community has made "telling our stories" a political strategy. Several interviewees defined political activism as the act of having conversations and develop relationships with those not entirely accepting of same-sex marriage. Although this is not the only political strategy of the activists, it seems like the "story telling" strategy is emphasized over other types of political action such as the pursuit of legal equality through the courts and lobbying to representatives.

It could be argued that Proposition 8 has contributed to creating the infrastructure for the LGBT Rights Movement in Orange County since many LGBTs and their straight allies against Proposition 8 founded LGBT rights organizations after the passage of Proposition 8. The formation of these organizations came about after the process of a campaign that created an environment where support and lack of support for this stigmatized identity was visible through the use of rhetoric and imagery. This delineated the boundaries between the LGBT and heterosexual ally community, and the out-group composed of institutions, organizations and individuals that oppose same-sex marriage. While this boundary was created, the "storytelling strategy" emphasizes the idea of crossing the boundary to achieve the deconstruction of LGBT stereotypes. These stereotypes were latent but became active arguments during the Proposition 8 campaign. Their power was manifested in the "Yes on 8" campaign's success. Through observations and the analysis of interviews, I conclude that what compelled many LGBTs to resort to political mobilization was the success of a campaign that measured a level of LGBT stigma which conflicted with LGBT perception of its degree of stigmatization and the community's ideology of being equal to heterosexual members of society.

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#### Appendix A: Interview Guide

- 1) What was your experience with Proposition 8?
- 2) How do you feel about the signs, commercials and messages from the "Yes on 8" campaign?
- 3) Did Proposition 8 affect you legally?
- 4) Did you have any involvement fighting Prop 8 before it passed? Why? Why not?
- 5) Did you have any involvement fighting Prop 8 after it passed? Why? Why not?
- 6) Were you emotionally affected by the campaign? How so?
- 7) Are you more concerned about LGBT rights after the Proposition 8 campaign?

- 8) Do you feel closer to the LGBT community? Why?
- 9) Did your views of religious institutions change after the Prop 8 campaign?
- 10) Did you discuss Prop 8 with friends/ colleagues/relatives during the campaign and after it passed?
- 11) Have any of your relationships changed due to these discussions?
- 12) Were there Yes or No on 8 signs around your neighborhood?
- 13) Has your perception of your neighborhood changed because of the signs?
- 14) Did the Prop 8 campaign made you more aware of anti-LGBT violence?
- 15) If you went to protests, why did you do so? What did you feel? What was your experience of that?





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**Elite Leadership of Opinion and the Public Polarization: The Same Sex Marriage Debate in the United States****Patricia Victorio**

Key words, terms, names, concepts: same sex marriage, gay marriage; California proposition 8, Prop 8; public opinion; political ideology; elite leadership; religion, religiosity; polarization.

The California Supreme Court made a landmark decision with the court case *In re Marriage Cases* (2008), legalizing same sex marriage within the state, and overturning the California Defense of Marriage Act (Proposition 22). With a swift decision the supreme court put the controversial issue of same sex marriage back in the media spot light. Outside of California, states such as Arizona also reopened the debate of same sex marriage. The Arizona legislature put this issue up for a vote in the Fall 2008 election. The Arizona ballot measure, Proposition 102, wanted to define marriage between one man and one woman, and prevent gay marriage from being legal in the state of Arizona. The *New York Times* reported in October 2008 that Arizona wanted to stop politicians and judges from overturning the same sex marriage bans which happened in California and Massachusetts (McKinley2008). In 2008, with the issue in the media spolt light once again, same sex marriage became an important issue for the election.

With the debate in full gear, both sides became highly charged regarding the issue. Proposition 8 in California was recorded as one of the most expensive ballot propositions in the history of the United States with donanations coming in from all over the United States. Over \$60 million was the total combined amount spent on both sides of the issues. The only more expensive campaign during the 2008 election was the presidential campaign (Ewers 2008). In the 2008 election, the public was exposed to opposing views in the media, on commericals, and from within various communities. If the media and elites are showing differing opinions from within the media and other elites, how then is the public to react to an issue such as gay marriage? This research seeks to find out how the public responded to the polarization of elite opinion on the issue of gay marriage.

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## Literature Review

### Predispositions: Religiosity and Political Ideology

The issue of same sex marriage is a contentious issue because it crosses the political arena into the religious field and into the morals battlefield (Brewer, 2003). This investigation is important because it helps social scientists identify predispositions for support for gay marriage. In the article, "Conservative Protestantism and Tolerance toward Homosexuals: An Examination of Potential Mechanism" authors Burdette, Ellison, and Hill (2005) want to further explain why Conservative Protestants are less willing to support gay marriage and other gay rights. The authors argue that church attendance, beliefs about the bible, social contamination, moral privatism, and beliefs about the morality of GLBT people were characteristics that explained why conservative protestants were more unlikely to support same sex rights. Through the research, the authors found that church attendance and biblical literalism were very important characteristics of conservative protestantism that help indicate for support for same sex rights. More importantly from this research, the authors grounded the same sex marriage debate in religion and religiosity. Moreover, the authors of this article, while explaining why conservative protestantism produces less support for same sex rights, showed what characteristics of respondents were willing to support or not support same sex rights. These indicators were church attendance and biblical literalism.

In "Religion and Public Opinion" Olson, Cadge, and Harrison (2006) took the issue of gay rights further by specifically attempting to single out one GLBT political issue, same sex marriage, and how religion influences public opinion on this particular issue. Using the data from a telephone survey conducted by Greenberg Quinlan Rosner Research, Inc. in April 2004, the authors used a multiple logistical regression as their methodology. Unlike Burdette et al. (2005), the authors found variance within the myriad of religious affiliation. The authors found that being Jewish and mainstream Christianity were the greatest indicators affecting support for same sex marriage. Overall they concluded that religion is very powerful in influencing public support for same sex marriage, and that the opposition towards same sex marriage disapproved of allowing government to recognize same sex marriages was because of moral reasons (Olson et al. 2006). This research also anchors the debate of same sex marriage in religion and morals. Although the authors uncovered religious variance on the topic of same sex marriage, the author do not dive into why certain religions seem to approve of same sex marriage, while others do not.

Paul Brewer (2008) found that partisanship and ideology might be a strong indicator for how people view same sex marriage. Using ANES data, he found that liberals and conservatives were divided on the issues of gay rights including nondiscrimination in the workplace, gays in the military, adoption rights, and same sex marriage. Conservative Republicans were more likely to oppose gay rights than liberal Democrats. The relationship between the support for same sex marriage and political identification and ideology can be seen as more complex. The Pew Research Center report from 2003 found that being Democrat or Republican was not a strong indicator for support for same sex marriage (Pew Research Center, 2003). Although Republicans are more strongly opposed in comparison to Democrats, the issue is that the Democratic party seems to be split on the matter. What is missing

from this body of research is an explanation of why there are variations within political ideology and partisanship. The question we pursue becomes, how is the information being transmitted to the public that there is discrepancy within political ideology and partisanship? To answer this question, we need to look at how the public is filtering the information given to them by media and elites.

### **Leadership and Polarization in Public Opinion**

Looking at one of the very salient issues of the GLBT movement, gay marriage, authors Becker and Scheufele want to break down public opinion to the individual level in their article "Moral Politicking: Public Attitudes towards Gay Marriage in an Election Context." They answer the question "Why do people choose to support or disfavor gay rights?" The authors analyzed data from the Cornell Media Attitudes Survey, a nationwide survey from 2003. The dependent variable is the support for gay marriage and the independent variables are ideology, religious values, political knowledge, political tolerance, and the media. Becker and Scheufele used hierarchical ordinary squares (OLS) regression to evaluate the data. The authors, Becker and Scheufele wanted to examine predispositions, media use, and political inputs influence public support of gay marriage. They examined a variety of factors that can influence the opinions of individuals towards support of same sex marriage. The authors found that religiosity and ideology act as a filter and moderate the effect of attention towards entertainment and news campaigns in the issue of gay marriage. Therefore, according to the authors of the article, the media had little impact on actually influencing the public opinions towards gay rights. Political knowledge and political tolerance was weaker in explaining the support or anti-support for gay marriage. By their research, outside influence had little effect on the individual.

The authors looked at different relationships such as media influences, political knowledge and political tolerance as other factors that could explain the person's ideology. They were able to rule out some other factors such as the media, and asserted that ideology and religiosity have a greater influence in support for gay marriage. This was important because both act as filters when evaluating the media and other outside forces. Moreover, the media, according to this article, was less of an influence than religion and party identification. The authors interpreted their data to mean that media had little effect since the information was filtered by existing predispositions by the individual, but media do have an effect on individuals by further grounding their support either for or against same sex marriage. Their premise about the media should have stated that exposure to media does not act as a variable that *changes* support for same sex marriage. The authors do not dive in further to see if the media actually reaffirms their beliefs.

To help unravel the role of the media, Brewer (2008) in his article "From the Podium to the Pulpit: Opinion Leadership and Gay Rights" in the book *Value War: Public Opinion and the Politics of Gay Rights* tested for polarization effects on the issue of same sex marriage. His goal was to show that leaders polarized on the subject extend that conflict to the public. Leaders or elites could be media, government and religious elites. By testing for public polarization on the issue of the gay marriage, Brewer can indirectly show a relationship between media and

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the public that Becker and Schefuele (2009) were unable to do. Moreover, Brewer can show the individual receives the flow of information about same sex marriage policy from the top elites in the media, government and from church.

Controlling for political ideology, partisanship, presidential approval for George W. Bush and religious doctrine, Brewer found that the polarization did happen within the public amongst the most politically attentive citizens and with the people with higher church attendance or levels of religiosity. Therefore, his initial hypothesis about the public taking cues from the elite about gay marriage is proven correct. Brewer used the Pew Research Center data from August 2003. To measure for political attentiveness, Brewer used levels of education as an indicator. To test for polarization within the religious department, Brewer used the Cooperative Clergy Study Project and the Pew Research August 2003 data. He came to the same conclusion regarding polarization of the religious congregation from the clergy. Although Brewer's study shows the polarization of opinion in the political arena, he is unable to rigorously show the same for the effect of elite clergy signals to the congregation. Moreover, Brewer chooses levels of education as an indicator for political attentiveness which can be used but a more specific variable might yield more concrete results.

### Definitions and Measures

In order to find out if there is elite leadership in public opinion regarding the debate of same sex marriage, first we need to understand how the public opinion is formed and how to define and measure polarization in public opinion. The formation of public opinion on an issue consist of two things: first the information given to the person and, second, the predispositions he or she holds (Zaller 1992). The information gives the person an image of what is going on. The predispositions help that person interpret and analyze the information, and then come to certain conclusions about the information. But the information has to go through elites, and the elites transfer that information to the public. The public never receives the true neutral form, so to speak, because the elites that carry the information change the information by framing it in certain ways (Zaller 1992). Moreover, elites are defined as persons who have given full time and resources to a certain aspect of politics or public affairs; this could include but is not limited to politicians, government officials, journalist, activist, and experts in policy.

Most Americans are "rationally ignorant" about politics, so the majority look towards the elites for guidance on the issues (Zaller 1992). So when elites decide on an a certain policy issue, the public will mostly likely adopt the same policy issue. There are differing levels of ignorance. When elites disagree along party/partisan and there is an even flow of information, what does the public do? Zaller (1992) argues in his book *The Nature and Origins of Public Opinion* that the public follows the elites' cues. Taking the signals from the elites, the more politically aware a person is the more likely he or she will be persuaded by the information favored by the same party he or she aligns. Thus political attentiveness is defined through interest to the government and politics. If there is a wider gap between favor and opposing to the most attentive citizens than the least attentive citizens, then it shows that citizens do take signals from elites on the issue of gay marriage.

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## Conclusion

By confirming whether or not the public follows the elite cues on the issue of gay marriage we can better understand how opinion is formed on such an important issue. The role of the elite leaders through the media can also be comprehended in the debate in same sex marriage. This is very significant especially to demonstrate the tension between the media, political and religious elites, and policy making process in a democratic society. This research can help citizens in the United States understand the importance of elite leadership in politics and in the media. Further, it draws further attention to the value of agenda setting within the media and government, and it can show the importance of how a policy is framed can shift public opinion.

## Premise for Investigation

Ample research has been done to show that religion is an important variable in influencing the attitude and support for same sex marriage. Therefore I hypothesize that religiosity is an important predictor towards support for same sex marriage. Brewer (2003) and The Pew Research Center (2003) found through their data that political ideology and partisanship does not yield a strong relationship in influencing the public support for same sex marriage. Therefore I hypothesize that political ideology is not important predictor towards support for same sex marriage. Looking at polarization of public opinion in the support for same sex marriage could potentially shed light on how citizens form their opinion on same sex marriage and the influences on their decision.

Under the rubric and guidance of Brewer's research in his article "From the Podium to the Pulpit: Opinion Leadership and Gay Rights" (2008) and Zaller's (1992) research on elite leadership of public opinion, when the public are exposed to equal but opposing information about same sex marriage that they will rely on elite signals or cues to come to their decision about support for same sex marriage. Finding polarization within the citizens with the highest attention to government and politics shows if the public does take cues from elites on the issue of same sex marriage. Therefore, opinion polarization on gay marriage is wider among the politically attentive than the less politically attentive.

H1: Religiosity is an important predictor towards support for same sex marriage.

H2: Political Ideology is not important predictor towards support for same sex marriage.

H3: Opinion polarization on gay marriage is wider among the politically attentive than the less politically attentive.

## Tools and Data

### Variables

The data used in this research was the American National Election Studies 2008 Time Series data. A linear regression was preformed to illustrate the relationship between religiosity and partisanship to same sex marriage.

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To measure religiosity, I used the variable of church attendance. To measure ideology, I used a variable asking the respondent their ideology was either conservative, moderate, or liberal. The variable to determine political attentiveness was asking how interested the respondent was in government and politics. The answers were grouped and recoded into three answers extremely interested, interested, not interested. Finally, to measure the support for same sex marriage, I used the variable that asked the respondents if gay marriage should be allowed, should not be allowed, should not be allowed but civil unions, or other. Since this paper looks at specifically supporting same sex *marriage* not unions, the same sex variable was recoded to 'should not be allowed to include the allowing civil unions.'

## Results

Table 1: Religiosity and Political Ideology as Influences for Support for Same Sex Marriage

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	3.196	.281		11.353	.000
	Church Attendance	-.140	.057	-.104	-2.452	.014
	Religion provides some guidance in day-to-day living	.037	.044	.036	.846	.398
	Political Ideology	-.023	.044	-.022	-.536	.592
a. Dependent Variable: X16. R position on gay marriage						

## Key

### Interest in Government and Politics

1: Extremely Interested

2: Interested

3: Not interested

Table 2a: Polarization of Public Opinion on Same Sex Marriage

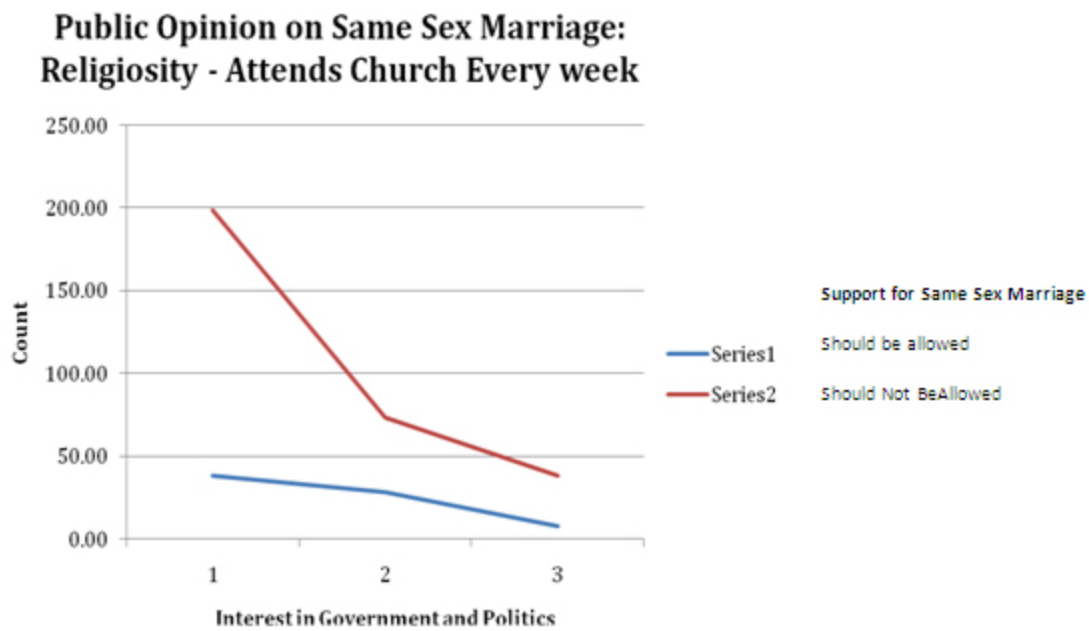




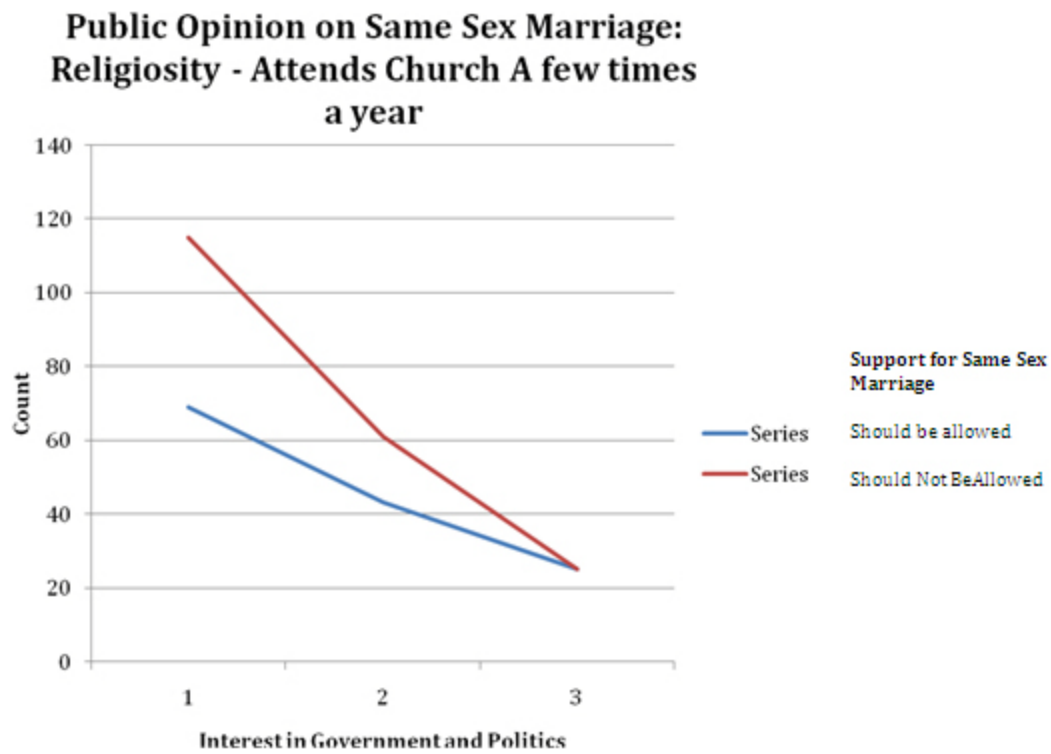
Table 2b: Polarization of Public Opinion on Same Sex Marriage

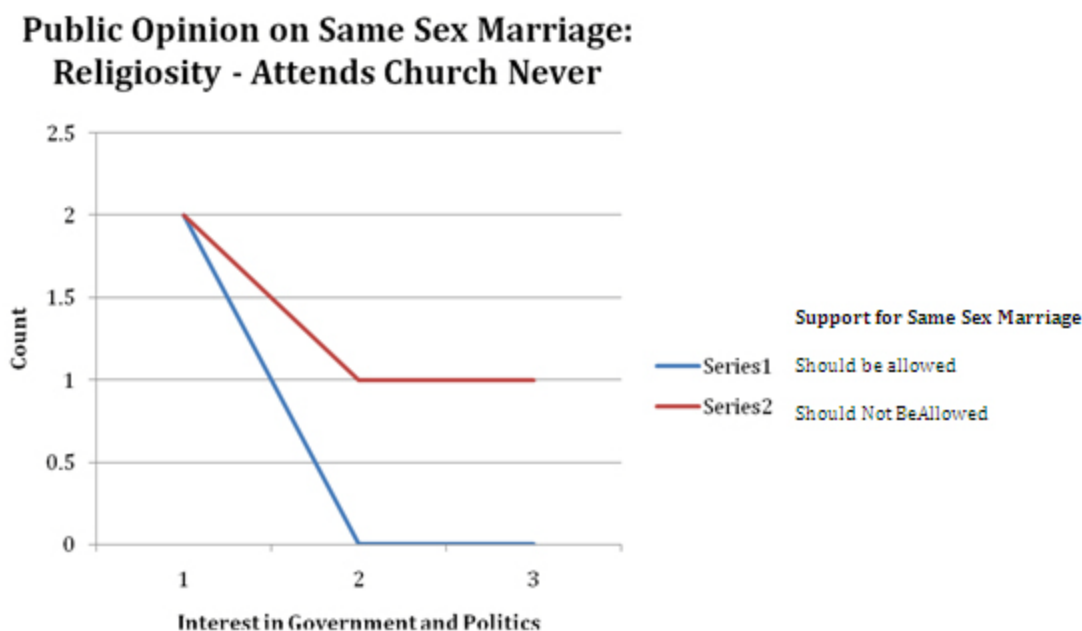
Table 2c: Polarization of Public Opinion on Same Sex Marriage

Table 1 shows the strength of the variables political ideology and religiosity to support for same sex marriage. The p value is significant if it is less than or equal to 0.05. Political ideology has a p value of .283 while religiosity measured in terms of church attendance has a p value of 0.014. But, interestingly, religion measured by guidance in every day life shows a weak relationship to support for same sex marriage. Thus church attendance seems to play an important role in influencing the public's opinion on same sex marriage. Political ideology is not a strong indicator when determining the approval of same sex marriage.

Tables 2a, 2b, and 2c show three graphs involving the variables interest in government, support for same sex marriage, and church attendance. Controlling for religiosity with the variable of church attendance helps uncover the relationship between political attentiveness and support for same sex marriage. By conducting a cross tabulation and graphing the results, the widest gap between the opposing opinions happens with the citizens with the most political attentiveness. With the graph for the highest religiosity, church attendance is at a frequency of every week, the gap between the opinion for those who have the highest political attentiveness. The graph with religiosity was church attendance of a few times a year, followed the same trend as the graph before. The widest gap occurred with the highest political attentiveness. It is important to note that with the least political attentiveness (not interested in government and politics) the number of respondents opposed for same sex marriage and the number of respondents in favor of same sex marriage were equal. Therefore the gap between the opinions in the lowest political attentiveness is zero. The graph with the lowest religiosity, respondents attending church never, did not follow the trend from the previous gaps. But this graph is not a significant outlier

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and can be thrown out because of the number of respondents in the category of never attending church. In comparison to the other tables, the number of respondents in the lowest religiosity graph is 6. While the number of the other graphs were 384 and 388 respondents. Therefore the last graph is not an accurate representation of the sample population.

The results illustrate polarization of public opinion on the issue of gay marriage at the highest level of political attentiveness. This translates to the elite leadership of opinion on the issue of same sex marriage (Zaller 1992, Brewer 2008). The people with the highest level of political attentiveness have the highest exposure to signals or cues. Since the elite signals to the public are opposing, the individual use predispositions such as religion to filter out the opposing information, but the views which aligns with the predispositions further ground the opinion in the individual. What we see and hear is elite leadership in opinion for same sex marriage.

### **Further Discussion**

As the Pew Research Center, discussed earlier, ideology and partisanship did play a role but there is not a strong relationship. The findings show that possibly the reasons why it is not a strong indicator for this issue is that Democrats seem to be divided on the issue. This is most likely because the debate on gay marriage is drawn on moral and religious lines. The regression results indicating that church attendance has a more significant relationship to same sex marriage in comparison to religion as guidance for everyday life. This could potentially mean that churchgoers take the cues from religious elites. I do not want to overstate my case, this study was not looking for religious elites and signals to their congregation.

The significance of elite leadership of public opinion is that the conflict within the realm of the elites are being extended to the public. Authors Layman and Carsey (2002) in their article "Party Polarization and "Conflict Extension" in the American Electorate" define conflict extension as the spreading of the conflict from the elite level to the electorate level. This is an important issue to contend with because it raises the issue of the lack possibility of bipartisanship with the issue of same sex marriage. If Americans, as Brewer (2008) argues, are voting based on their morals then how the media and elites in general form those issues becomes critical. To people on both sides of the issue of gay marriage could attempt to create a dialogue that could garner public support and bi-partisanship. Further, polarization of public opinion on the issue of same sex marriage is not a healthy sign of our liberal democratic system.

Missing from this body of research is a comprehensive study on how religious elites and the religious congregation interact in forming the opinion of same sex marriage. What we do know is that the gay marriage debate is drawn on moral and religious lines and that certain characteristics of religion provide a better relationship between support for same sex marriage and religion. Are there any regional differences within religion that affect the formation of opinion on the subject? Does the congregation signal the religious elites or vice-versa? The next step in the research in same sex marriage in the United States could be attempting to tease out how religion, religious

elites, and the congregation exchange information that lead to religiosity being an important influence in the same sex marriage debate.

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**Empathy, Open-mindedness, and Political Ideology: Conservative and Liberal Trends****Dani Cosme, Chrissy Pepino, Brandon Brown**

Key words, names, terms, concepts: empathy; open-mindedness; well-being; multicultural personality; political ideology, conservative political ideology, liberal political ideology; California's Proposition 8, Prop 8; same-sex marriage, gay marriage; voting behavior.

While current research is sparse, the area of positive psychology is blossoming and represents a new and exciting field. Positive psychology is the "scientific study of the strengths and virtues that enable individuals and communities to thrive" (Seligman, 2007). Among others, positive psychology identifies empathy and open-mindedness as two strengths that help individuals to succeed.

Empathy is a unique characteristic that encompasses the emotional and intuitive aspects of an individual. Empathy is understood as the capability to recognize or understand another's state of mind or emotion. More specifically, it is the process of observing something from another person's point of view, or putting oneself in another's shoes (Detert, Treviño, & Sweitzer, 2008). While empathy does not necessarily mean that the empathic individual experiences compassion for another individual, present research has shown that empathy has strong correlations with sympathetic emotions and other positive outcomes. Open-mindedness is understood to be the process of showing receptiveness to new or different ideas.

Based on these definitions of empathy and open-mindedness, it is clear that the two are drastically similar. Both involve understanding another person's ideas or state of mind, and perhaps as a consequence, gaining some form of acceptance from this understanding. While interesting findings have been produced in relation to each of these traits, little information is available which describes how they interact with each other, or with other personality traits.

The construct of the multicultural personality, first proposed by Ramirez (1991), was established to better understand the traits that allow people to effectively function in the multicultural setting. Since its initial introduction, various studies have been conducted, and most recently this construct has been adapted to fit within the framework of positive psychology. Van der Zee and Van Oudenhoven (2000, 2001) identified five factors connected to the multicultural personality, including: cultural empathy, open-mindedness, emotional stability,

social initiative, and flexibility. Ponterotto et al. (2006) further expounded upon these characteristics to include factors such as, "high levels of racial and ethnic identity development, tolerance for and appreciation of culturally diverse people, a spiritual essence and sense of connectedness to others, a self-reflective and cognitively flexible stance in social interactions, initiative in broaching contact with culturally diverse individuals, and activism, demonstrated in a willingness to speak out against social injustice in its varied forms (e.g., racism, sexism, homophobia)." These factors have been assessed using the Multicultural Personality Questionnaire (MPQ), developed by Van der Zee and Van Oudenhoven (2000, 2001), and were positively correlated to psychological well-being, physical health, satisfaction with life, and perceived support of peer and adult mentors, among other things (Ponterotto, 2006). Though no research has previously shown the connection between empathy and open-mindedness, as they were both identified as factors contributing to the multicultural personality, it is likely they are in fact related.

Though research on empathy is scarce at present, several studies have shown that significant differences do exist between those who display higher levels of empathic characterization, and those who display lower levels. These characteristics include greater moral reasoning, understanding of others' emotional states, and recognition of others' thoughts and feelings (Eisenberg, Miller, Shell, McNalley, & Shea, 1991; Detert, Treviño, & Sweitzer, 2008). McAdams et al. (2008) looked at political ideology and its correlates, and found that political liberalism is often associated with empathic feeling and greater openness, both of which are characteristics connected with greater understanding of others. People identifying themselves as liberal have also been found to believe a good society is modeled after leaders who represent care, empathy and inclusiveness (McAdams et al., 2008). It has also been suggested that empathy may be the basis for moral regulatory behavior and concern for others (Eisenberg et al, 1991). Empathy also seems to be a key component in the ability of individuals to gain emotional understanding from other people and maintain stronger relationships, such as in therapist and client relationships (Brown, 2007).

Due to the interpersonal nature of both empathy and open-mindedness, it would seem likely that they would contribute to a person's political ideology and voting behavior. For the purposes of the current study it is understood that political ideology refers to an individual's tendency to identify as politically conservative or liberal without a designation of a specific political party. This would include individuals who believe themselves to be more liberal or conservative in their political action, thoughts or considerations.

Several studies have shown that conservative ideology correlates with classic authoritarian beliefs, greater intolerance and less empathy. Individuals who show greater empathy seem to be less prejudicial, have greater concern for outsider groups, and sustain ideas for greater inclusion (Pratto, Sidanius, Stallworth, & Malle, 1994). Similar findings have been seen in the differing narratives of conservative and liberal individuals. When asked to describe how and what they learned as children, conservative individuals tended to describe learning as primarily from authority figures and from enforcement of strict rules, while liberal individuals described that they learned empathic characteristics and to respect diversity. For liberal individuals there is also a strong connection to opening oneself up to differing perspectives (McAdams et al, 2008).

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There is also evidence that supports the notion that political ideology is connected with different levels of flexibility, receptiveness, and tolerance. Tetlock (1983) suggested that conservative individuals may be more intolerant and less receptive to differing ideas. McAdams and colleagues (2008) have also suggested that conservative individuals maintain ideas which often support discriminatory action, exclusivity, and lack of tolerance. Conversely, liberal individuals were found to be more tolerant and to maintain an understanding of inclusion and acceptance of diversity.

Voting behavior is the most direct measure of political ideology, and the present study will use self-reported voting behavior on Proposition 8, a California ballot initiative, as this measure. Proposition 8 is a nationally contentious measure because it effectively eliminated the right for same-sex couples to get legally married. This is an ideal ballot measure to investigate empathy and open-mindedness and their correlations to political ideology because it requires the voter to put themselves in another's shoes that they have most likely never worn before. It requires an understanding of the importance of marriage rights to other individuals and is indicative of an individual displaying openness and anti-discriminatory action.

Based on the previous research, the current study hypothesizes that there will be a positive correlation between empathy and open-mindedness due to the inherent similarities of the traits. It is also hypothesized that individuals identifying themselves as liberal will have higher levels of empathy and open-mindedness. In relation to voting behavior, it is hypothesized that individuals identifying themselves as liberal, and those who have higher levels of empathy and open-mindedness, will be more likely to vote no on Proposition 8.

## **Method**

### *Participants*

Sixty students at Chapman University participated in the study, which included both males (N=41) and females (N=19), and all reported being over the age of 18. Participants were primarily Caucasian (77%), and included freshman (15%), sophomores (20%), juniors (20%), seniors (37%), and 8% reporting other. Participants were recruited via e-mail using Blackboard and personal e-mail accounts, offering credit to students enrolled in psychology courses. The study was conducted online using Survey Monkey, and a hotlink to the survey was provided in recruitment e-mails. The survey was entitled "Political Affiliation, Empathy, Open-Mindedness and Voting Behavior," and participants had unlimited time to complete the survey, though only fully completed surveys were included in the study.

### *Materials*

The survey included 6 sections as follows: 1) 20 questions exploring open-mindedness as reported by the short-form Rokeach Dogmatism Scale; 2) 7 questions measuring empathy using the Personal Empathy Response & Regulation Style (PERRS) scale; 3) 5 questions assessing satisfaction with life using the Diener Satisfaction with Life



Scale (SWLS); 4) 4 questions gathering information on political sources most often used; 5) 10 questions concerning voting behavior; and, 6) 4 questions regarding gender, ethnicity, major and academic year.

#### *Assessment of Open-mindedness, Empathy, and Well-Being*

Open-mindedness was assessed using the short-form Rokeach Dogmatism scale, which is a modified version of the 40-item questionnaire proposed by Milton Rokeach (1960). The short-form version was adapted by Trodahl & Powell (1965) and was reported to have a very strong correlation to the full 40-item scale ( $r=0.95$ ). The short-form consisted of 20 questions and participants were asked to respond on a 6 point Likert-type scale, ranging from "Agree with very much" to "Disagree with very much".

Empathy was assessed using the Personal Empathy Response & Regulation Styles (PERRS) scale, developed by Shari Kuchenbecker (2007). The questionnaire included 7 questions exploring situational and cognitive affective understanding, affective matching, affective mastery, and avoidance of harmful emotional exposures, and these were reported on a Likert-type scale ranging from "Not at all" to "Extremely well".

Well-being was assessed using the Diener Satisfaction with Life Scale, developed by Ed Diener (1985). The scale consisted of 5 questions reported on a Likert-type scale ranging from "Not true at all" to "Absolutely true".

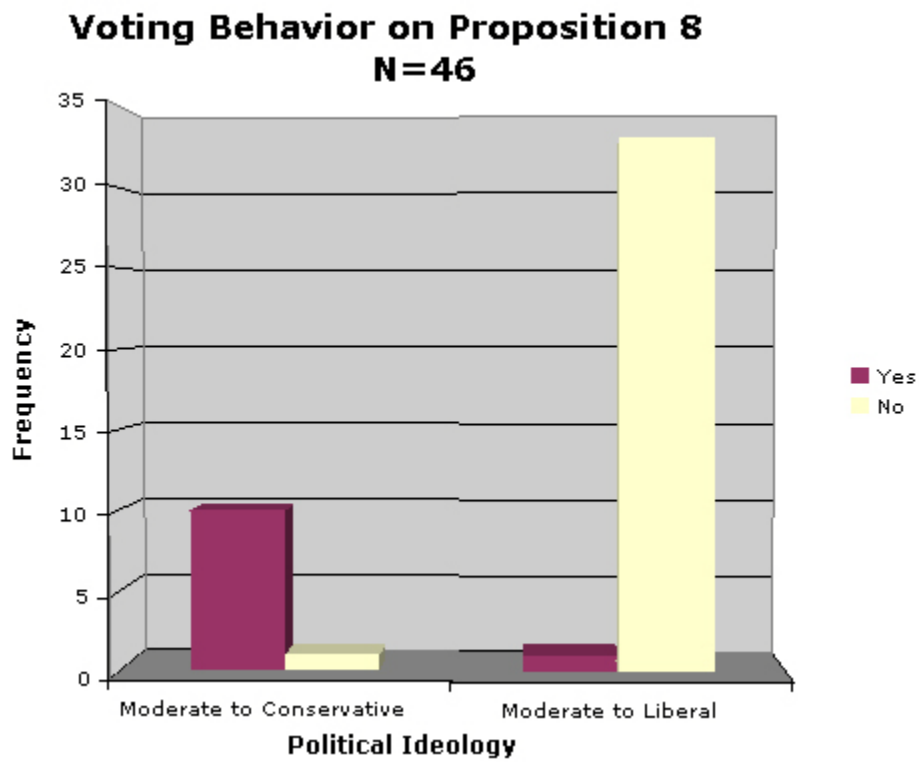
#### *Procedure*

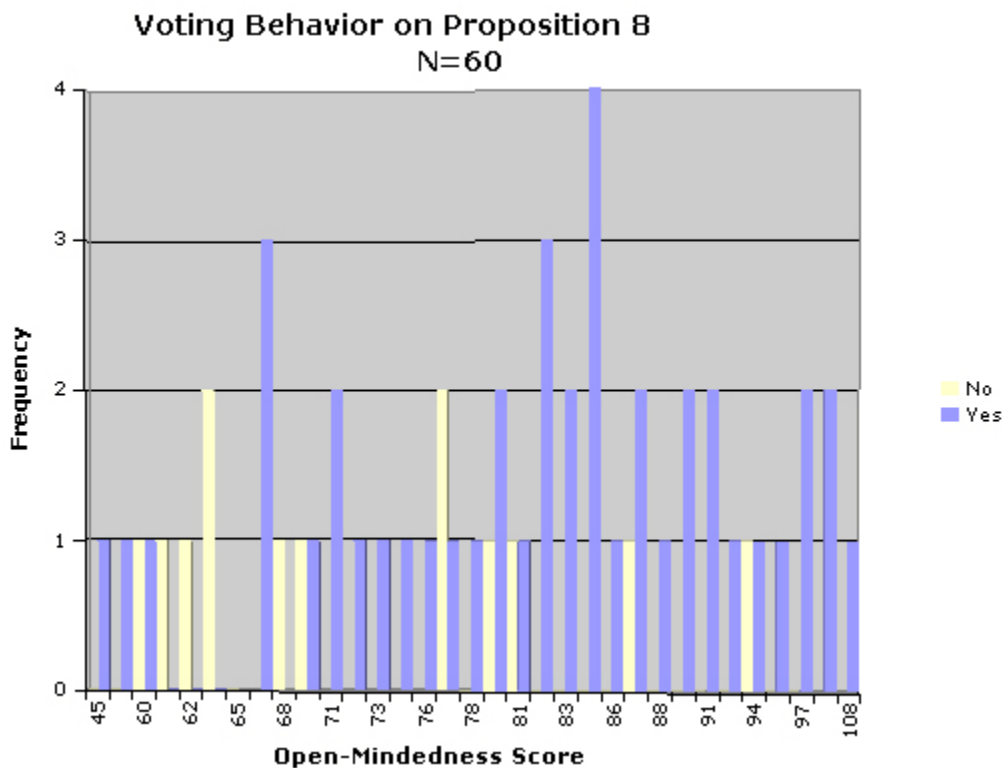
As described, participants were recruited via e-mail using Blackboard and personal e-mail accounts, and were sent a hotlink to Survey Monkey to take the survey. Only participants that reported being over 18 and being a Chapman University student were allowed to move on to the questionnaire portion of the survey. Data collected was then analyzed using Microsoft Excel and Statistical Package for the Social Sciences (SPSS).

#### **Results**

A 1-tailed Spearman's rho test was carried out and a significant correlation between empathy and open-mindedness was found ( $r(60)=.262$ ,  $p=.022$ ). Using a Mann-Whitney U test, a significant difference in open-mindedness was found between moderate to liberal and moderate to conservative political ideologies. Moderate to liberals had a higher mean rank score than moderate to conservatives ( $U=118.50$ ,  $p=.032$ ). Using the Mann-Whitney U test again, a very significant difference in voting behavior on Proposition 8 between moderate to liberals and moderate to conservatives was found. Moderate to liberals tended to vote no on Proposition 8 more often than moderate to conservatives ( $U=56.50$ ,  $p<.001$ ; figure 1). A significant difference in voting behavior between varying levels of open-mindedness were found, with more open-minded people voting no on Proposition 8 more often than less open-minded people ( $U=171.50$ ,  $p=.013$ ; figure 2).

Figure 1



**Figure 2**

## Discussion

Individuals who are open-minded are more likely to be empathic, when compared to close-minded individuals. This correlation is also integrated with open-minded individuals who are likely to share similar political ideologies. Some shared political ideologies may include different levels of flexibility, receptiveness, and tolerance (Tetlock 1983). The correlations in this study are theorized, and can be confirmed with previous research. Open-mindedness and empathy can be supported by the Multicultural Personality Questionnaire (MPQ). The MPQ is similar to the Rockeach Scale for open-mindedness used in this experiment because both use the total sum of the ranked questions to receive a raw score; as compared a scale that would provide self-reporting measures and may not provide accurate data (Ramirez 1991).

As mentioned previously, open-mindedness is understood to be the process of showing receptiveness to new or different ideas. Open-mindedness is positively correlated with high empathy, as well as with political ideology. Voting practices provide an application of behavior to previous theoretical studies.

The behavioral measure chosen for this study was voting on Proposition 8, which eliminated the right for same-sex couples to get legally married, and so may be regarded as a social injustice. This behavioral measure supported the

theoretical ideals by showing that open-minded individuals who show more empathy and share similar political ideals are more likely to vote 'No' on Proposition 8. Results suggest that a vote 'No' on Proposition 8, demonstrates open-mindedness and empathy for different minority groups and appreciation for diversity. These groups of open-minded and empathic individuals are categorized as 'moderate to liberal' political voters. Therefore, voters who selected this category have similar political beliefs including: respect for diversity, empathy, and compassion more than individuals who selected 'conservative to moderate', who tend to be less empathic.

This is a strong correlation showing that open-minded individuals are supportive of identity development and appreciation of diversity when dealing with social interactions. When examining political ideologies and open-mindedness, both resulted in a strong positive correlation with voting 'No' on Proposition 8. This provides insight to the significance in previous research by supporting theoretical ideas with behavioral measures. Conservative to moderate voters share similar ideologies, and as the data shows, all but one 'conservative to moderate' voter voted 'Yes' on Proposition 8, which can be considered a behavioral response that is not empathic or open-minded. This is in contrast to 'moderate to liberal' voters, in which all but one voter selected 'No' on Proposition 8, which demonstrates a willingness to speak out against social injustice in its varied forms (Van der Zee and Van Oudenhoven, 2000, 2001).

The emergent significant relationships between open-mindedness and empathy could be investigated further by incorporating the MPQ into future studies, therefore providing one more variable that may support the theoretical ideas. Empathetic responsiveness provided in the PEERS, along with Rokeach Scale of open-mindedness could provide interesting results when used with MPQ to determine voting behavior. This recent significance can provide a foundation for other experiments when looking at theoretical and behavioral ideologies. Exploring the development of empathy along with appreciation of diversity and willingness to understand other viewpoints is a very interesting and new area of research waiting to be further explored.

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**Religious Views as a Predictor of Vote Choice****Erienne Plotkin**

"Religious institutions are neither designed nor intended to mobilize political action. Yet, across the globe, they seem to have done precisely that" (Wald, Silverman, and Fridy).

Key words, names, terms, concepts: religion, religion and politics, religious belief, religiosity; voter choice; 2008 election.

**Introduction to Research**

This is a study of the relationship between the religious beliefs of people in the United States and their voting patterns. It is also a comparison between such results and that of more traditional voting predictors such as economic status or education level of voters. In general, there has been an apparent separation of church and state. More common predictors of voting behavior that have been used in the past are traditional demographics such as education levels and economic status. Although these traditional predictors are often accurate, religious belief and churches may play a greater, if insufficiently recognized role in the political voting process.

This study hypothesizes that the religious variables will be superior to the predictive power of other demographic measures of the same population. This study will compare the results of religious questions to those of "To what economic class do you belong?" and "What is the highest level of education you have completed?" that are often used as reliable predictions of voting behavior.

**Literature Review**

Kenneth D. Wald and Clyde Wilcox researched the lack of inclusion of religion in the discipline of political science before the 1980s, as well as the reason for its resurgence at that time in their article "Getting Religion: Has Political Science Rediscovered the Faith Factor?" The first part of their research discussed the origin of political science as a discipline. It was based heavily on sociology; the authors argue that had it drawn on European social theory instead there might have been a greater emphasis on religion. They also account for the separation of church and state at the time of the founding of our country as an additional factor. In general, political scientists largely had little faith and little interest in religion.



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The latter part of their research concludes that the resurgence of religion in the 1980s was due to Iran becoming an Islamic republic. The United States felt threatened, and thus created a counterpart in the Christian Right. Also, social issues emerged at and after that time provoking the new Religious Right to cling to their Biblical values, so scholars were inspired to study the influence and power of religion.

The authors collected quantitative data of the amount of religion-related articles in the *American Political Science Review* from 1960-2002. Also, they drew on surveys of political scientists' faiths, which were conducted by UC Berkeley's Research Center. The authors chose to use manifest content statistics of the numbers of religious articles in academic journals because that was all the data support they needed for their own article. They did not need to survey people with degrees of interest in religion or any other survey questions. They only needed hard statistics of the contents of scholarly journals. However, they did analyze such data that presented itself, not relying only on manifest content analysis. They discovered that more than 80% of the religious articles that were present appeared in the subfields of public law, political philosophy, and religion itself. Religion was largely ignored in other subfields in the *Review*.

The data acquired was thorough and covered a convincing number of years of the *American Political Science Review*. However, Wald and Wilcox did not account for outside variables that would explain the lack of religious articles in political journals, such as lack of public interest or other cultural subjects that were more relevant to the society at the time. Nathan J. Kelly and Jana Morgan Kelly address the relationship between religion, ethnicity, and partisanship among Latinos in the United States in their work "Religion and Latino Partisanship in the United States." They attempt to answer the question of whether or not religion is a factor in Latino's voting patterns.

Kelly and Kelly conclude that religion does play a great factor in Latino voting preferences. They also discuss the largely ignored cleavage of Catholic/non-Catholic Latinos that has resulted in inaccurate research in the past. Religion is very important to Latino politics and, surprisingly, Protestant Latinos are more likely to be Republicans than Catholic Latinos. "In fact, affiliation with a mainline Protestant church as opposed to the Catholic Church produces, on average, a shift of almost a full point scale (with religious commitment at its mean level)" (Kelly and Kelly). The authors also found that those who hold no religion are much more likely to identify with the Democratic Party, more so than Roman Catholics (Kelly and Kelly). They used data from the National Election Studies of 1990-2000, which presented hard quantitative statistics that included respondents' religion, national origin, and time spent in the United States. There was ample and extensive data to support their conclusions. They explained not only that religion was important and why, but *how* people's politics were influenced by religion.

In the article "God's Party? Race, Religion, and Partisanship Over Time," Eric L. McDaniel and Christopher G. Ellison research how the Republican Party has attempted to recruit minorities into membership, and how successful these attempts have been. In addition, they also attempt to tackle the ever-present question of why these attempts are or are not successful. It is widely known that the Republican Party has reached out to some ethnic minority groups because of their common moral belief system with regards to abortion, homosexuality, and of course, religion

itself. McDaniel and Ellison affirm the direct correlation between conservative religious beliefs and Republican Party identification, citing scholars such as Layman and Wilcox in their explanation. Specifically, the factor of Bible literalism was used as evidence of their argument: "Christians with a literal interpretation of the Bible have become a core section of the party, moving from outside of mainstream politics and becoming a true force within the political system (Green, Rozell, and Wilcox 2003)" (McDaniel and Ellison). The GOP has been successful gaining Latino support, especially in the 2004 campaign with George W. Bush's "family values" campaign. As support, McDaniel and Ellison referenced studies that related how closely people believe in the Bible to their partisanship.

They drew from data from the Houston Area Survey, a randomly dialed telephone survey of residents of Harris County, Texas. They chose this study because it included data of race/ethnicity and partisanship over 20 years. This survey was very detailed, thorough, and convincing. It surveyed nearly 14 thousand people of different races and religions over 20 years with regards to party partisanship. The dependent variable of partisanship used a point system and the biblical literalism variable was recorded in a dichotomous measure. In order to determine how bible literalism influenced party ID over time, the authors used an interaction term, multiplying the bible literalism with the year measures. If the product was a positive coefficient, then the literalism did have an effect on party ID over time, and the converse for a negative coefficient. They controlled for age, education, income, gender, and ideology, the latter measured on a three-point scale.

From this data, they concluded that the GOP is most appealing to Anglo Protestants, then to Latinos, and finally blacks were virtually unaffected. They discussed the correlation between Bible literalism and religiosity to Republican partisanship, but also said that blacks have a historical loyalty to the Democratic party despite strong religious beliefs, a contradiction that should have been more thoroughly explained.

Geoffrey C. Layman's "Religion and Political Behavior in the United States: The Impact of Beliefs, Affiliations, and Commitment from 1980 to 1994" explores the growth of religiosity from people's religious beliefs to their political views. He concluded that when the variables were religious commitment and predicted probability of voting Republican, the probability of voting Republican steadily increased through the years.

Layman used statistical data to support his hypothesis that America has become, or had become at that time, divided into religious and nonreligious factions. He concluded that those with a high commitment to their religion were increasingly more likely to vote for Republican candidates than those who were less religious. To establish what denoted a strong commitment to religion, Layman used survey questions as data. One of the survey questions was the level to which they literally believed in the Bible. If someone strongly believed in the Bible, Layman would say argue that person would be so committed to their religion that it would affect their voting preferences. Therefore, in my study, I have chosen to use a similar question regarding Bible literalism as a meaningful way to distinguish those whose voting would be swayed by religion and those who would not.

Jim Dee covers the birth of the "New Right" that distinguished itself from the pre-1964 Republican ideals in his work "God's Own Voters." He wrote that the Republican Party actively tried to change their image and modernize

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the party. They spent millions of dollars to revamp their advertisements and outreach to voters, but once the party brought in evangelical Christians, it achieved its goal. New blocks of voters joined the Republican Party, and with renewed spirit also came an increase in voter turnout.

Clyde Wilcox teamed up with Mark J. Rozell and John C. Green in their joint article "Social Movements and Party Politics: The Case of the Christian Right." They studied Virginia, Minnesota, Washington, and Texas, monitoring the 1994 Senate election results in all four states to find out whether or not religion was an influence on people's vote choice. They discovered that the less people felt religion was a divisive issue, the greater a margin the Republican candidate won in the election. Using binary variables of whether or not voters felt religion was a divisive issue in the election, the authors found their hypothesis to be proven right. In Virginia, 42% of the voters felt religion was divisive, and 43% voted for the Republican candidate. In Minnesota, 40% thought it was divisive, and 49% voted for the choice on the Right. In Washington, a mere 13% felt it was divisive, and 56% of the votes went to the Republican. Finally, only 16% of Texans felt religiously divided, and 61% of the vote went to the Republican candidate. The authors also used thermometer scale surveys as data. Voters were asked to rank certain organizations and memberships on a thermometer scale, and Wilcox et al. documented the percentage of voters who ranked the issue as supportive as 75 or higher on the scale. The two issues of support that held my interest were those of "Christian Conservative" and "Christian Coalition" (Green, Rozell, and Wilcox). Twenty-eight percent of Virginians ranked Christian Conservatives as at least a 75 on the thermometer scale, and 30% felt warmly towards the Christian Coalition. In Minnesota, 31% supported both the issues. In Washington, where voters voted more Republican but gave less credit to religion, 38% supported Christian Conservatives and 40% supported the Christian Coalition. Texas, which held the largely victory for the Republican candidate, almost half supported Christian Conservatives (45%) and over half favored the Christian Coalition (51%) (Green, Rozell, and Wilcox).

### Holes in Research

There has been ample research and data given about the variation between the different religious denominations and their voting record or affect on voting decisions (Knoke; Layman; Kelly and Kelly).

The American National Election Studies received financial funding from the National Science Foundation and created an extensive survey system that has contributed to countless studies of political science throughout the decades. However, the initial questionnaires did not accurately test for religious influence of voters. Due to serious error in data collection and analysis, scholars of religion and politics were often forced to use alternative methods and collections of study. Eventually, the ANES developed and enlarged the religious content so that researchers would be better able to study the relationship between religion and voting behavior (Wilcox and Wald).

Wilcox and Wald argue that modern scholarly work (post 9-11) that includes religion ignores its place in a broader context, and instead focuses on a "current events perspective" (Wilcox and Wald). As a result, this research will only be of interest to highly religious individuals, rather than the general group of political scientists.

Plenty of research has indicated that evangelicals are inclined to side with the Republican Party, but there has been little exploration as to the future of this relationship. Stratos Patrikios tackles this query in his article "American Republican Religion? Disentangling the Causal Link Between Religion and Politics in the US." He dubs religion as an "unmoved mover" in terms of influences on politics (Patrikios). He uses data from the ANES studies, in particular the elections of 1972-6, 1992-6, and 2000-4. He concludes that one's attendance at church helps shape one's partisanship, and in turn, that partisanship reinforces such church attendance.

David Knoke analyzed the different variables that effected the results of the elections of the 1960s, arguing that religion played the largest role, in his piece "Religion, Stratification and Politics: America in the 1960s." Knoke argues against dichotomous variable measures, for they "often conceal as much information as they reveal" (Knoke). He uses a multivariate model that analyzes the relationship between the socioeconomic status, religious views, and presidential vote preference, a relationship that had been seen as unrelated in past research.

Knoke used a multiple classification analysis to discover the relationship between occupation, religion, education, income, and party identification. The use of MCS was similar to that of a multiple regression analysis. It uses an additive effect of the independent variables to the dependent variable, which, in a sociological survey might not always be rationalized. Knoke first asserts that religion is influential in order to progress with the MCA analysis.

Knoke surveyed the presidential elections of 1960, 1964, and 1968, finding that in each, religion held both the strongest zero-order and the strongest partial relationship to party identification. Second to faith, voters' education was a predictor of party identification. Occupation and income were approximately equal predictors, trailing behind education. Knoke assumes that if religion had no influence over vote choice, then it would show little in variance to party identification, when controls were added for education, income, and occupation. However, the data showed that religion's increment over party identification was between one to two times greater than that of social stratification. In the concluding words of Knoke: "The detailed coding of the religious variable revealed that it was the single most important of four predictors of political party identification, and was comparable to, if not more important than the *combined* effects of education, occupation, and income" (Knoke).

Given the time period during which this study was conducted, and the significance given to President Kennedy's Catholic religion, it might be expected that religion would be one of the large factors in vote preference. However, since this study, there has been none performed to further study if religion contributes to vote choice even when the religion of a presidential candidate was not an issue. I intend to study the relevance of religious views to vote choice in the present time, using the presidential elections of 2004 and 2008, as provided by NES data.

### Hypotheses:

I intend to research the relationship between the theological beliefs of people and voting patterns in the United States, compared to the traditional relationship with regards to education levels and economic status and voting

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patterns. It is a new and interesting way to measure people's beliefs and their vote choices, and I intend to prove that it is superior to the predictive power of other demographic measures of the same population. I plan to use questions that have to do with people's religiosity, in particular: "How often do you pray every day?" and "Do you believe the Bible should be taken literally?" and compare the answers to the results of how those people voted in the 2008 election. I also want to research other questions that were commonly used as accurate predictors of voting, such as "What is your household income of the last year?" and "What is the highest level of education you have completed?" I hypothesize that the theological questions will prove a better indicator of voting patterns than the latter two questions.

Voters who pray more often than once a day will be more likely to choose a Republican candidate than voters who pray once a week or less often. The latter portion of voters will be more likely to choose a Democratic candidate. Voters who believe that the Bible is the word of God and should be taken literally will be more likely to choose a Republican candidate than voters who believe the Bible was written by man and should not be taken literally. The latter portion of voters will be more likely to choose a Democratic candidate.

The above hypotheses, if proven correct, are more accurate predictors of voting behavior than the classifications of economic status and education levels.

#### **Data Analysis:**

The question "Do you go to religious services every week, almost every week, once or twice a month, a few times a year, or never?" was asked from the National Election Studies organization during the 2008 Time Series. Out of the entire sample, almost 25% of voters who attend church every week voted for Senator McCain, compared to those who attend church every week and voted for then-Senator Obama: 17%. Almost 11% of the sample attended church a few times a year and voted for Obama, while a mere 7% of these voted for McCain. The rate of frequency that one went to church correlated to the choice of candidate. While Patrikios's study linked church attendance with vote choice, and Layman's work studied the relationship between religious and political views, my data analysis proves that their theories are still relevant and accurate to the present day. Very religious voters will choose the Republican candidate; non-religious voters will choose the Democratic candidate.

Figure 1 shows the independent variable of how often the voters pray and the effect on the dependent variable of vote choice during the 2008 Presidential election. "Outside of religious service, do you pray several times a day, once a day, a few times a day, once a week or less, or never?" The more often voters prayed, the more likely they were to vote for McCain rather than Obama. There was an overwhelming majority of people in the survey sample who never prayed and voted for Obama versus those who never prayed and voted for McCain. The less often voters pray, the more likely they are to vote for Obama rather than McCain. The gap started at less than one percent between the presidential choices, but gradually, as voters reached closer towards "never pray", the gap widened to almost three percent, in Obama's favor.

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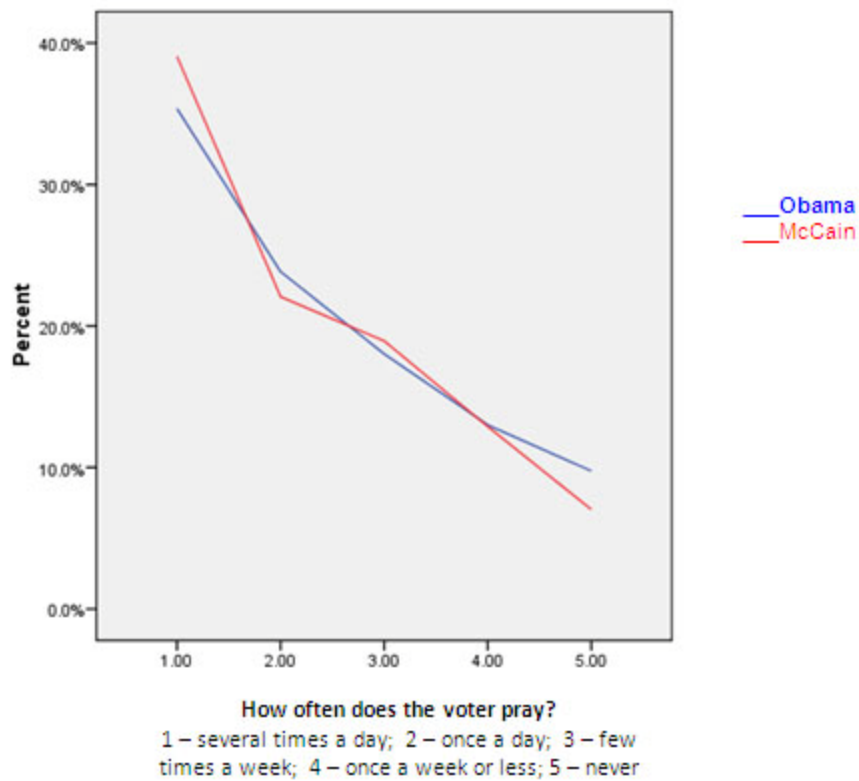
I've analyzed the dependent vote choice when influenced by the independent variable of the degree of Bible literacy: "Do you believe the Bible is the word of God and should be taken literally?" Those who felt the Bible should be taken literally voted more often for McCain; those who felt the Bible should not be treated as the word of God voted more often for Obama. These results are displayed in Figure 2.

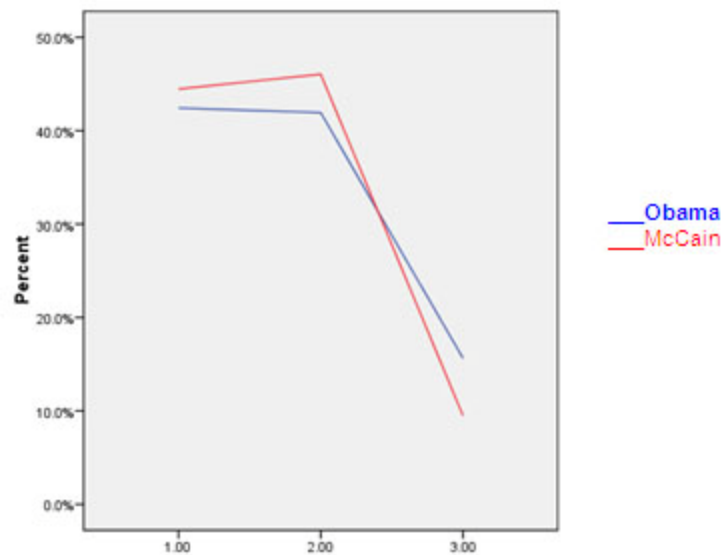
Bible literacy was another excellent indicator of vote choice. Out of the entire sample, McCain's voters with strong Bible literacy views outnumbered Obama's voters with strong literacy by two percent. Obama's voters with weak Bible literacy almost doubled McCain's voters with weak Bible literacy, as can be seen in Figure 2.

I analyzed the relationship between one's household income of 2007 and their vote choice and presented the data in Figure 3. As is self-explanatory from the graph, household income is not an accurate predictor of vote choice. Those whose income was below \$17,000 annually overwhelmingly voted for Obama, but the middle class of voters more so overwhelmingly chose the Republican candidate. While between \$60,000 and \$99,000, voters favored Obama, once income passed the \$100,000 mark, voters once again voted for McCain. There appeared to be no incremental or logical incline or decline to the relationship between household income and vote choice.

The level of education one has completed also does not seem to have a correlation to one's vote choice. One would expect an incremental relationship with an increase of education that would lead proportionally to a preference over one candidate or another. As the graph of Figure 4 shows, there is no steady or relevant relationship between an increase or decrease in education and voting behavior.

The data is clear: religiosity, as measured by church attendance, biblical adherence, and biblical literacy, has shown itself to have far superior predictive and explanatory powers in analyzing Presidential choices in modern elections, or at least the 2008 election.

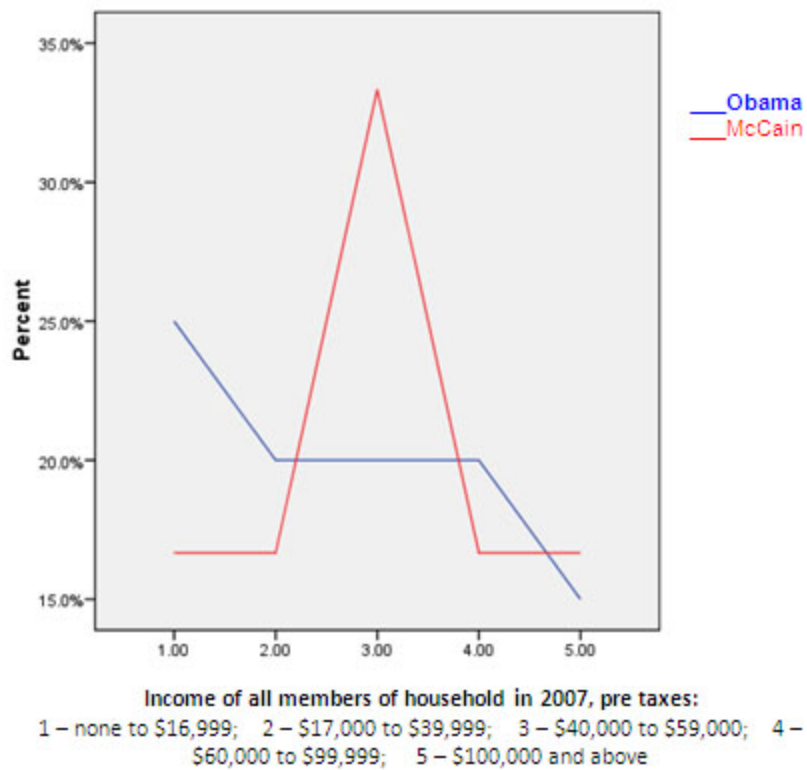
**Figure 1:**

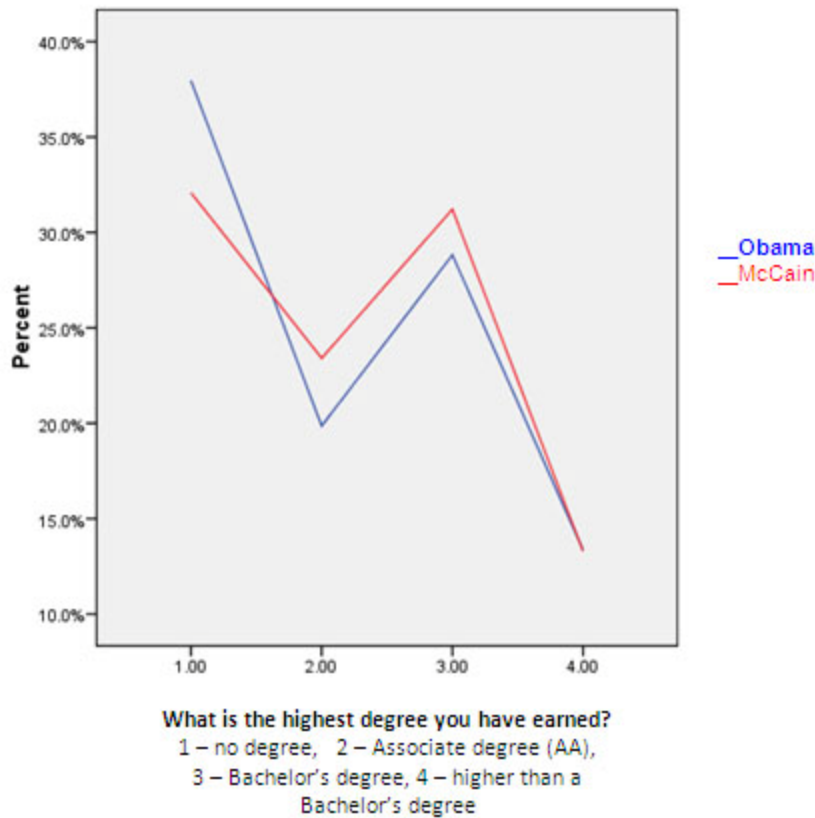
**Figure 2:**

Which of these statements comes closest to describing your feelings about the Bible?

- 1 – The Bible is the actual word of God and is to be taken literally;
- 2 – The Bible is the word of God but not everything in it should be taken literally;
- 3 – The Bible is a book written by men and is not the word of God



**Figure 3:**

**Figure 4:****References\***

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\*All data taken from the National Election Studies

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**Same-Sex Marriage and Religion: An Inappropriate Relationship****Brittney Baker**

Key words, names, terms, concepts: California's Proposition 8, Prop 8; morals legislation; same-sex marriage, gay marriage; religion, religion and politics; separation of church and state; police powers; equal citizenship, equality; 2008 election.

**Introduction and Thesis**

The debate over same-sex marriage has been a prominent issue in our society over many years now, appearing in several ballot initiatives such as California's Proposition 8. The idea of allowing two people of the same gender to enter into the institution of marriage has brought out drastic emotions and reactions from many different groups of people. Those who engage in the debate believe strongly in their convictions; the two loudest voices tend to come from the gay community and the religious community, the former arguing in favor of same-sex marriage and the latter against it. Religious groups, predominantly from a Christian based faith, seem to be the single most influential force in the attempts to keep same-sex marriage illegal. Proposition 8 passed by a vote of 52% to 48%; according to one exit poll 81% of self-identified Evangelicals supported the proposition and those who say they attend church services weekly supported it by a vote of 84%. Compare this to the non-Christians who supported Proposition 8 by a much smaller margin of 15% and those who do not attend church regularly by a vote of 17%. In order to better understand the significance of these numbers, it is important to note that forty five percent of Californian voters say that they attend church services weekly, with an additional twelve percent of voters who attend church services at least once a month. This does not include the voters who also attend for religious holidays such as Christmas or Easter (Stone 2008). Thus these statistics represent a large portion of Californians, and thus a majority of voters.

Not only is a religious preference translating through the vote, but also the initial funding and awareness efforts for ballot initiatives such as Proposition 8 come largely from religious groups. A month prior to the election when Prop 8 was on the ballot, supporters had contributed over \$19.7 million to the initiative, and an estimated 43% of that or \$8.3 million came from Mormons both in and out of state. Leaders from the Mormon community, from the Church of Jesus Christ of Christ of Latter-day Saints, headquartered in Utah, strategized how to get Mormons from around the country involved in the passing of Proposition 8, whether by contributing time or money. And it was such efforts as these, made by religious groups, which helped push Proposition 8 through at the last minute. The

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convictions of these religious groups on homosexuality and same-sex marriage are strong, stemming from their sacred text, the Bible. The point of this essay, however, is not to question the validity of the scripture that is so frequently referenced in order to justify their efforts to keep homosexual marriage illegal. What I do take issue with is the idea that one group's beliefs and values are affecting, and essentially governing, the manner in which American citizens are allowed to live their lives.

Our country is composed of diverse people who hold countless different belief systems, faiths, and ways of life. It concerns me that one single religious point of view can prohibit an entire group of individuals from being able to express love for another by entering into marriage, something that the majority of us take for granted. How is it that religious concerns are dictating the functioning structure of a secular institution? It is my belief that the religious argument does not currently belong in the legal or public policy debate over same-sex marriage. The various concerns that religious groups use, as reasons to prohibit homosexual marriage, are in my opinion weak and can actually be turned around and made into arguments in support of same-sex marriage. However, I think it is important to first get a brief understanding of how religion and marriage became so invariably linked together.

### **The History of Religion and Marriage**

Before the many religious wars that ravaged through Europe, marriage was almost entirely wrapped up in religion, specifically the Christian faith. It was of course a time of little religious tolerance and if the authority of the Church was questioned, it would produce dire consequences. But even in a climate so different from the one we presently live in, it is interesting to note that it was not required to have a priest or religious leader to solemnize a marriage. Marriage was however controlled by church courts, which are courts that have jurisdiction over a wide array of religious and spiritual concerns. It used to be that only these courts could validate a marriage, and if any conflict arose within a marriage that needed to be dealt with legally, it was addressed there. It was the belief of these church courts, and the religion they were founded upon, that marriage was intended to be a life-long commitment between a man and a woman. As such, it was entered into with a contractual frame of mind that created a specific status for both the male and the female (Henley 2008).

Although marriage was not specifically a contract, it was entered into as such in that both the man and woman must mutually agree to the relationship; and this would effectively establish the marriage, despite the lack of having a tangible contract. Marriage not only created a role for each spouse within the relationship according to Christian tradition, but it also created a very specific legal status for both the husband and the wife. The man became the head of the household and was expected to provide for his wife, an idea that is still perpetuated today but to a much lesser degree as family norms have changed since then and are still evolving. However, once married, the woman essentially became her husband's property and all of her assets became his. After becoming married, a woman no longer had a legal personal identity; the husband would represent them both. These statuses could only change upon the death of either the husband or wife (Henley 2008). This tradition has long since been abandoned; neither spouse has civil control of the other. Today, in legal terms, both the man and woman are

equals within a marriage, although within the relationship the role of husband and wife may of course vary according to the individuals.

These traditions traveled to the New World with the colonists; however, neither the authority of the church court in a marriage, nor the specific statuses created by a marriage still exist today in America. It was a slow evolution, but religion no longer has any legitimate power to control the public institution of marriage. In order to enter into a valid marriage in the United States the basic steps taken (with slight variation according to county or state) would be to go to a county clerk's office to file certain reports and documents, present proper identification, and pay a fee. Many American citizens chose to involve religion in their marriage procedures whether by having a member of the clergy officiate or by having the ceremony in a place of worship such as a church or synagogue, and this is oftentimes the norm. However, there is no legal marriage requirement to get religious approval or to have a religious ceremony, for obtaining a legal marriage is entirely a civil matter, while incorporating religion is voluntary. The reason that religion is no longer a requirement for marriage is because of the doctrine of separation of church and state that our nation has a history of implementing.

### **Separation of Church and State**

Borrowing ideas from British philosopher John Locke's *A Letter Concerning Toleration*, the phrase separation of church and state was first articulated by Thomas Jefferson when talking about the First Amendment. He was referencing the fact that the United States government should not establish a state religion and that there should be a wall of separation between church and state, and this has become known as the Establishment Clause of the First Amendment. Our founding fathers had great concerns about the new nation becoming a church-state like the one they had left in England, and rightly so. They had not had good experiences in their previous homeland with the church becoming a source of power for kings and queens to do whatever they chose. Therefore they wanted to ensure that the same problems would not arise in the United States.

Throughout our history we have seen efforts by the Supreme Court to maintain that separation of church and state. In *Reynolds v. United States*, George Reynolds was convicted of violating a statute that prohibited bigamy. He appealed to the Supreme Court and argued that his Mormon religion called for him to marry more than once, and religious freedom should allow for this. The Court however did not agree, it clarified that the State can legitimately govern actions but not beliefs regarding religion and that prohibiting bigamy does not violate the free exercise clause of the First Amendment seeing as marriage has been between two people since before our ancestors traveled to America from England (*Reynolds v. United States* 1878). The Supreme Court also ruled that it was unconstitutional for state officials to require the recitation of a school imposed prayer in *Engel v. Vitale*. The decision stated that despite the prayer being vague in that it doesn't recognize a specific religion or god it still involves state endorsed religion, which is unacceptable in light of our government's commitment to the free exercise of religion (*Engel v. Vitale* 1962).

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### A Different Animal

Same-sex marriage, however, is different than the issues presented in *Reynolds* and *Engel*, and it is different from the common concept of a violation of the Establishment Clause. With same-sex marriage, there is no clear endorsement of a given religion, nor is there discrimination against a specific religion. And it is for this reason that many people do not see that there is a problem with the vast amount of influence religion has held in keeping same-sex marriage illegal. Gordon Babst attributes this problem to something he identifies as the shadow establishment of religion, or "an impermissible expression of sectarian preference in the law that is unreasonable in the light of the nation's constitutional commitments to all its citizens" (Gill 2009, 65). When this happens on a large scale, such as with Proposition 8, essentially what happens is that, those religious preferences become enacted into law; preferences that not all citizens agree with, preferences that encroach upon and limit how a group of people live their lives. This alone would seem to be sufficient justification to prevent Babst's 'shadow establishment,' but some would argue that this is merely morals legislation, something we have seen examples of in the Supreme Court.

### Morals Legislation

In 1986 the case *Bowers v. Hardwick* reached the Supreme Court. This case addressed the constitutionality of a Georgia sodomy statute, which made oral and anal sex illegal even when between consenting adults, under which Michael Hardwick was convicted when he was found engaged in homosexual sodomy. Hardwick's case evolved into whether or not there was a fundamental right to homosexual sodomy, even though the Georgia statute applied to all acts of sodomy and not sodomy specifically between people of a certain sexual orientation. Thus it seemed as if the Court was merely expressing a distaste for a specific type of sodomy, that between homosexuals, because they were unequally applying the law according to sexuality. Justice Byron White justified the Supreme Court's decision in his majority opinion when said that

Even if the conduct at issue here is not a fundamental right, respondent [Hardwick] asserts that there must be a rational basis for the law and that there is none in this case other than the presumed belief of a majority of the electorate in Georgia that homosexual sodomy is immoral and unacceptable...The law, however, is constantly based on notions of morality, and if all laws representing essentially moral choices are to be invalidated under the Due Process Clause, the courts will be very busy indeed. Even respondent makes no such claim, but insists that the majority sentiments about the morality of homosexuality should be declared inadequate (*Bowers v. Hardwick* 1986).

Hardwick's conviction was upheld because the Court found that there was a standing tradition of sodomy laws, there was no fundamental right to homosexual sodomy, and that the expression of morality through the law was legitimate. And this has been the argument made for morals legislation, if the expressed morality is the commonly

held belief of the majority, then it is acceptable to deny any given "ick" factor. In this case, the majority of Georgians agreed that sodomy was such an "ick" factor that should be restricted. However, one the reason this form of morals legislation is unacceptable is because the morality is only being enforced against homosexuals, and not all who engage in sodomy, not to mention the majoritarianism at work. The decision made in *Bowers* was overturned when *Lawrence v. Texas* reached the Supreme Court. Unlike the statue in *Bowers*, this case dealt with a Texas statue that explicitly outlawed only homosexual sodomy, and the Court effectively ruled that both were unconstitutional. In the majority opinion the Justices asserted that the morals legislation used in *Bowers* was invalid because "the longstanding criminal prohibition of homosexual sodomy upon which *Bowers* placed such reliance is consistent...with an established tradition of prosecuting acts because of their homosexual character" (*Lawrence v. Texas* 2003). This instance of morals legislation was merely an expression of discrimination towards a certain class of people instead of distaste for the actual act of sodomy itself. Morals legislation, however, is neither illegal nor unconstitutional. When morals legislation occurs, it is merely viewed as an aspect of our democracy in which the majority voices its opinion. It is argued that it should not matter what sways our democratic vote, whether it be lessons taught to us by a parent, or values dictated by our religion or religious leaders. As American citizens we are each guaranteed a voice in the political process through the vote, however it is possible for elections and legislation to exemplify a tyranny of the majority. When this occurs, the majority opinion drowns out the concerns and needs of minorities. Essentially what results from this is that a minority group ends up being oppressed because they do not have sufficient numbers to stand up for the rights that they are seeking out. This was not the intent the Founding Fathers had when they prescribed citizens the right to vote. The democratic process of including the citizens in voting was not meant to create legislation without the legislature. We see that examples of tyranny of the majority frequently happen with ballot initiatives in state elections. Many times groups that represent the majority opinion on an issue will push through their interests using such propositions that arguably cater to the electorate's unreflective instincts, moral or otherwise. And this is what we saw happen with California's Proposition 8. Religious groups became extremely active in attempting to return marriage to being only between a man and a woman, a belief derived from their scripture. This idea is especially concerning because Proposition 8 became a part of California's state constitution, and was driven through from the efforts and views of religious groups.

### **Police Powers**

Another argument religious groups often put forth in defense of the continuing prohibition on same-sex marriage centers on the state's police powers. The police powers are typically classified as the right of the state to regulate activity that can influence the safety, security, or public welfare of the community. Those who oppose same-sex marriage claim that it is indeed an issue of morality, which falls under the category of public welfare, and therefore is within the realm of the state to interfere. In this case, the religious opposition tends to use their view of morality, which states more or less that homosexuality is a sin or against nature as God created it. Needless to say, this does not equate to a secular morality that all citizens can adhere to. Babst refers to the Wolfenden Report, which asserts that "unless a deliberate attempt is made by society, acting through the agency of the law, to equate



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the sphere of crime with that of sin, there must remain a realm of private morality and immorality which is, in brief and crude terms, not the law's business" (Babst 2002, 43). This suggests that the attempt of religious believers to impose their morality on all citizens is unjust and unconstitutional. Crime is a matter for the law, sin a matter for religion, and the two cannot coincide within the sphere of politics and legislation. This is due to the fact that we have separation of church and state in this country, a notion that has been long embedded in our history and legal traditions. However, most people do not make these various connections between the current situation with same-sex marriage prohibitions and a violation of separation of church and state. And therefore most citizens do not see a problem with the religious influence in keeping same-sex marriage illegal. I will now turn to the common arguments put forth by religious groups in their attempts to maintain a prohibition against same-sex marriage, show how ambiguous those arguments are, and demonstrate how each argument can be turned around and used to support same-sex marriage, beginning with the argument from scripture itself. Although I believe the religious influence on the matter to violate the ideal of separation of church and state, I feel it is still important to examine arguments that are more purely religious, given the focus of this paper is on the relationship between religion and same-sex marriage.

### **Homosexuality and Same-Sex Marriage as Sin**

The most common religious argument against same-sex marriage revolves around scripture, which many faith communities believe came directly from the mouth of God, and they interpret scripture to forbid homosexuality, and by extension, same-sex marriage. The most frequently quoted piece of scripture to meet this end comes from Leviticus 18:22, cited from the New International Version Classic Reference Bible, which says "Do not lie with a man as one lies with a woman; that is detestable" (1988, 133). For many religious groups, this is the beginning and the end of the discussion. In this one statement, God declares homosexuality to be a sin, and therefore no argument over it need occur. However, using this one verse of scripture for prohibiting same-sex marriage is entirely unconstitutional. If this were the only justification they used, religious groups would be in clear violation of the American ideal of separation of church and state. Moreover, it is not a question of the religious validity of the statement, whether or not God actually spoke these words. The fact is that not all citizens abide by this scripture; it is therefore wrong to legislate by it when not all believe in it, nor is it the business of the state to try to persuade its citizens of a (contestable) religious truth.

Another commonly quoted piece of scripture to argue against homosexuality and same-sex marriage is found in 1 Corinthians 6: 9-10,

Do you not know that the wicked will not inherit the kingdom of God? Do not be deceived:  
Neither the sexually immoral nor idolaters nor adulterers nor male prostitutes nor homosexual  
offenders nor thieves nor the greedy nor drunkards nor slanderers nor swindlers will inherit the  
kingdom of God (1988, 1300).

.....

But what if these various "wicked" peoples are not interested in inheriting the kingdom of God? Do they still deserve to have these beliefs imposed upon them through law? This scripture condemns many others aside from homosexuals; do greedy people also deserve to have their rights revoked as citizens? Again we see the problem that not all of us agree with these beliefs. In addition, it seems that the religious are being selective from amongst the "wicked" they wish to discriminate against in the law.

It is interesting to note what the next verse in 1 Corinthians 6 goes on to say "and that is what some of you were. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God" (1988, 1300). I do not pretend to be a theologian, but this seems to suggest that even the "wicked" are forgiven and made clean again through Christ. If this is so, then why can't the religious groups, who claim to be extensions of that same God, forgive as well, even if those to be forgiven do not abide by the same faith? By reading on just one more verse, it seems that the same piece of scripture can also be used as motivation for the religious to in fact be accepting of homosexuals rather than condemning, as God is of all sinners.

This is an idea supported by Jack McKinney, a reverend of a Baptist church in Raleigh, North Carolina. Reverend McKinney argues that as people of religious faiths, they need to be accepting and tolerant of all people, just as Jesus Christ taught. Reverend McKinney looks to the same scripture as those who are against homosexuality and same-sex marriage, but instead finds reason to support it. He even references the same book previously mentioned, a mere six chapters later. In 1 Corinthians 12: 12-13, the apostle Paul says that

The body is a unit, though it is made up of many parts; and though all its parts are many, they form one body. So it is with Christ. For we were all baptized by one Spirit into one body- whether Jews or Greeks, slave or free- and we were all given the one Spirit to drink (1988, 1306).

This was written at a time when men had all the power, your ethnicity determined what kind of life you had, according you some rights while giving others none. And yet Paul is saying that through Christ, all of these people are equal. According to McKinney, "Jesus and Paul are naming all the ways power has been held by certain members of society to the exclusion of others- and they are naming it a sin" (2004, 284). We can see that this has happened with several groups throughout our history, African-Americans, women, and now the homosexual community. McKinney is asserting that according to the teachings of Christ, we should get rid of such divisions of rights and power according to supposed inequalities, because in the eyes of God we are all equal.

### **The Argument from Definition**

There are some from among religious believers who recognize that the arguments formed around scripture will not suffice, and look to something seemingly less indefinite. To this end, a definition of marriage is sought. But right here we incur our first difficulty, whose definition do we use? Which dictionary do we reference? According to the Merriam-Webster Online Dictionary marriage is "the state of being united to a person of the opposite sex as husband or wife in a consensual and contractual relationship recognized by law" and also less specifically "the

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mutual relation of married persons." Even when we limit our definition to one source, we get slightly different meanings. The first option clearly precludes homosexual marriage while the second does not. Yet for some, such as Robert H. Knight, the definition of marriage is straightforward and means "what it has always meant: the social, legal, and spiritual union of a man and a woman" (Knight 1994, 114). And with this I take issue with two things; first, as previously discussed, there is no requirement for marriage to include a spiritual aspect and many people do not, and secondly the definition of marriage has not been stagnant but has in fact changed throughout the course of our nation's history, to say nothing of western civilization at large.

In 1924, the legislature of Virginia passed the Racial Integrity Act, which mandated two things: all peoples be divided and recorded at birth into two categories, white or colored, and a prohibition on miscegenation, or the marriage of people of two different races (specifically white and non-white). In 1958 Mildred Dolores Jeter and George Loving were charged with violating this Act, so the couple took their case to court. The lower trial court in the case stated that "Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents...The fact that he separated the races shows that he did not intend for the races to mix" (Strasser 1997, 13). Here we see an unacceptable sectarian preference for a religious view expressed in the court's decision, a view that most religions today would agree is morally wrong. But, even if we disregard this incursion, the Supreme Court still did not agree with the trial court's reasoning and overturned it with a unanimous decision. Chief Justice Earl Warren explained that it was in violation of the Fourteenth Amendment's equal protection clause to prohibit a "fundamental freedom on so unsupportable a basis as the racial classifications embodied in these statutes" (McKinney 2004, 281). And this argument can be extended to sexual orientation. We cannot prohibit a group of citizens from participating in such a basic right as marriage simply because of classifications of sexuality and semantics. Before the decision for *Loving v. Virginia* was made in 1967, the definition of marriage did not allow for interracial marriage. The definition of marriage has changed before, so why can't it change again to include homosexuals? Religious groups answer this query with the assertion that if we were to change the definition, and we were to allow same-sex marriage, there would be several consequences. They assert that the family and the institute of marriage would crumble, causing children to be raised poorly, and thus shortly thereafter society as a whole would meet its demise as a result.

### **Marriage, Family, and Procreation**

Religious groups tend to put marriage on a pedestal, thus it is easy for them to claim that allowing same-sex marriage will end the perfection that is the institute of marriage. However, marriage is already struggling as roughly half of all marriages today end in divorce, though the numbers vary slightly according to the source. And, simply the number of marriages occurring has been steadily dropping; in 2004 there were 2,279,000 marriages and the following year there were 2,230,000 despite an increase in population of 2.9 million people, by 2008 the number had further decreased to 2,162,000 marriages. Larry King, the infamous CNN interview show host, has just recently filed for his eighth divorce; actress Elizabeth Taylor has been married eight times and is rumored to be approaching her ninth. Both of these individuals are heterosexual, they as well as the many others like them, have caused great harm to the reputation and sanctity of marriage all on their own. Thus the argument that same-sex

marriage will ruin the institute of marriage is slightly irrelevant, considering heterosexuals are not honoring it in the way most religions believe it should be honored.

Many argue that it is not the norm for homosexuals to practice monogamy, that it is in fact a rarity. In the issue of same-sex marriage, people tend to seek the errors in homosexual relationships and fail to see that the same problem almost always exists in heterosexual relationships as well. If anyone were to bother to look, heterosexual men and women are just as faulty in keeping a monogamous relationship. According to the Infidelity Facts website, in 41% of marriages either one or both spouses have admitted to an infidelity, and 57% of men and 54% of women admit to committing infidelity in any relationship they have had. This goes to show that heterosexual partnerships in a marriage aren't any better off than homosexual relationships in keeping faithful. Thus it seems hypocritical to condemn those in same-sex relationships for things that the majority of us, gay or straight, are guilty of. Often, the argument goes one step further to say that even if homosexuals are successfully monogamous, "the result is not healthier behavior. A study published in the journal *AIDS* found that men in steady relationships practiced more anal intercourse and oral-anal intercourse than those without a steady partner" (Knight 1994, 116). Again, I feel it necessary to counter with the question, what about the heterosexual relationships that involve that same "unhealthy" behavior of anal or oral-anal intercourse? But it never occurs to them for this question to be asked, just like it never occurs for people to ask why heterosexuals are heterosexual instead of why homosexuals are homosexual. It might be best not to get distracted by such irrelevant and disingenuous arguments.

### **The Traditional Family**

Another argument religious groups put forth in their attempts to prohibit same-sex marriage is that such relationships go against the grain of the traditional family. And in a sense this is true, traditionally families have not been thought to include two mommies or two daddies. But this does not mean that such a family is ineffectual or incapable of providing the same benefits of living as a traditional family with one mom and one dad. Yet just the opposite is claimed, that "the best chance for having a successful, strong marriage is to grow up in a family with a strong marriage as a family," which to most religious groups means via a family consisting of heterosexual parents (Knight 1994, 119). Thus allowing same-sex marriage would suggest an equality in their ability to raise children, which they suggest is untrue. However, studies and statistics show that there are no significant differences between children raised by heterosexual couples versus same-sex couples. Sean Cahill Reports that:

The vast majority of children's advocacy organizations, including the American Academy of Pediatrics, the National Association of Social Workers, and the American Psychological Association (APA), recognize that gay and lesbian parents are just as good as heterosexual parents, and that children thrive in gay- and lesbian-headed families. One APA publication reports, "not a single study has found children of gay or lesbian parents to be disadvantaged in any significant respect relative to children of heterosexual parents (Cahill 2004, 46).

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With no significant difference found, the concern over same-sex couples causing harm to children by raising them doesn't signify. Thus, allowing same-sex couples to adopt should not be prohibited, especially when there are countless foster children and orphans who could be provided a stable home with two parents, something that no one of any religion ought oppose. Once the consideration of raising children insufficiently is eliminated, religious groups will then argue that the purpose of marriage revolves around procreation, and that same-sex couples cannot biologically have children.

### **The Purpose of Marriage**

Again looking to scripture, religious groups argue that one of the highest purposes of marriage is to procreate and bear children. This is physically impossible for same-sex couples and thus it follows that this would disqualify them from fulfilling the duties of marriage, as seen by the religious. But what about all of the heterosexual couples who never intend to have children or are physically incapable of becoming pregnant? According to a report issued by the Census Bureau, 18.2% of married women aged 15 to 44 are childless (Bachu 2002, 4). Are we to tell these people that their marriages are not truly valid because they have no children, whether by choice or physical limitations? Should these marriages be legally nullified? Should we start questioning all who want to marry of their intent to bear children? Most would respond to these questions in the negative, because that would be an unacceptable intrusion by the state into their privacy as individuals. If no one has ever thought to ask heterosexual couples whether or not they plan to have children and carry out this specific "purpose" of marriage, it should not be a consideration that inhibits the ability of same-sex couples from entering into the institution of marriage.

Rabbi Yoel H. Kahn offers a religious viewpoint that affirms this argument. Kahn asserts that his Jewish faith does not exclude homosexuals from kiddushin, or marriage, because of the inability to procreate. He agrees that it is unfair to require this of same-sex couples when we do not ask it of heterosexual couples. Kahn adds that, "halachah states that a woman who does not bear children after ten years can be divorced by her husband. But evidence that this law was reluctantly or negligibly enforced is precisely the type of historical example...often cited to support the explicit expansion of a value we find implicit in our historical tradition" (Kahn 1989, 75). In other words, although the Jewish faith has expressed a preference for procreation in marriage, it has not historically shown it to be a priority that has been strictly adhered to or enforced. It is for this reason that Kahn claims same-sex couples should not have to overcome such a frivolous burden on their path to attaining access to the institute of marriage.

### **Marriage Alternatives**

Many proponents of same-sex marriage, especially those within the gay community, argue that they should be allowed access to the institution of marriage in order to have the rights and benefits of a married couple. Without these rights, same-sex couples face many hardships that straight married couples do not have, or benefits they take for granted. For example, a same-sex couple would have difficulties with visitation rights if one of them were

to become hospitalized. Or, if one person owned the house the couple lived in and that person died, the other would have no right to the house and would most likely have to pay an inheritance tax that a traditional spouse would not have to pay. And in order to remedy problems such as these, various alternatives to marriage have developed in the law such as civil unions, domestic partnerships, and life partnerships. Civil unions and domestic partnerships are intended to give same-sex couples a number of rights, privileges, and benefits that traditional marriage affords opposite-sex couples, however the exact definition of each term varies by state or country.

Domestic partnerships first developed in Denmark in 1989 and "as in marriage, the registered partnership creates mutual obligations of maintenance, rights regarding compensation, and insurance benefits. Registered partners have insurance rights, rights of survivorship, and responsibility for funeral arrangements on the same scale as spouses" (Dupuis 2002, 123). California was the first state to legally recognize domestic partnerships and they were made available to both same-sex couples as well as opposite couples. At first, the benefits of domestic partnership in California were very limited, but over the years the state legislature has greatly expanded those rights to the extent that it is now very similar to marriage. And this is a point promoted by many religious groups; domestic partnerships and civil unions provide almost the same privileges as marriage, so why do same-sex couples need to be allowed access to traditional marriage? But the fact of the matter quite simply is that domestic partnerships and civil unions are not equal to marriage. Even the most developed forms of these marriage alternatives in the United States do not provide federal benefits or protections, "some of these are very important, like Social Security survivor benefits, the right to sponsor a partner for immigration purposes in binational relationships, and Medicaid and Medicare programs" (Pinello 2006, 165). In addition, because the definition of domestic partnerships and civil unions vary and not all states have these options available, if a domestic partnership couple from California, for example, were to cross the state line, they would cease to have any legal relationship with each other.

In addition to these two options, more and more couples both straight and gay are choosing simply to cohabitate and/or enter into registered partnerships. Peter S. Wenz describes the negative effects that cohabitation is having on the institute of marriage:

According to the 2000 census, during the 1990's the number of unmarried-partner households in the United States increased by 72 percent.... Now the number [is] more than 5 million cohabitating couples, the vast majority of them heterosexual.... Marriage, meanwhile, is headed in the other direction. The marriage rate (defined as the annual number of weddings per thousand single women age fifteen or older) fell by 40 percent from 1970 to 2000 (2009, 197).

Strictly speaking, all of these alternatives to marriage are undermining the traditional institution. Domestic partnerships, civil unions, and cohabitations geared toward same-sex couples provide the practicalities of marriage without the social expectation of life-long commitment that is expected of a marriage.

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I believe that encouraging cohabitation of same-sex couples should concern religious groups that promote these different marriage alternatives. In many states, cohabitation is the only option for gay couples because there are no civil unions. Couples living together outside of marriage do not represent an ideal that most religions approve of. Yet when more and more same-sex couples cohabitate "because they can't get married, cohabitation as an alternative to marriage for straight couples is reinforced" (Wenz 2009, 197). Having so many options that aren't as binding as marriage only erodes the institution's status. Allowing same-sex couples access to traditional marriage would actually strengthen marriage as an institution. If access to marriage were given to gay couples, it would help return it to the respected and coveted institution that it once was, and it would also reinforce the ideal that the religious groups hold so important, the idea that committed couples enter into marriage so as to solidify that relationship that exceeds the two persons individually. If same-sex marriage were allowed, there would no longer be a need for so many alternatives that not only deteriorate the value of marriage, but also are also unequal to it.

We have seen in our nation's past that separate is not equal; this justification did not work for racial segregation, nor does it validate attempts to prevent same-sex couples from entering into traditional marriage. During the 1960s, segregation led to the creation of school systems and other public services for African-Americans that were supposed to be equivalent to those given to the rest of the citizens. However, the rights of African-Americans were restricted to the point where they were being deprived of the equal citizenship that the Equal Protection and Due Process Clauses of the United States Constitution provides. And the same thing is happening in the current situation in which same-sex couples are being denied the right to marry.

### **What's At Stake**

By prohibiting same-sex marriage and denying its validity, we have created a class of citizens who are unequal and of a lower status than the rest. By keeping same-sex couples out of marriage, the government is suggesting that one sexual orientation is superior to another, the higher standard being that of heterosexual status. However the government should neither condone nor condemn any form of sexuality because it creates two classes, insiders and outsiders, and thus furthers inequality between citizens. By prohibiting same-sex couples from marrying, we are essentially supporting the discrimination against a specific group of people. Thomas Jefferson stated in the Declaration of Independence that "all men are created equal," an ideal that our nation has been built upon. It is relevant to mention however that when this was written it only applied to rich, white, land-owning men, leaving out all women and all African-American slaves. But this was remedied over time by granting both groups full and equal citizenship. Today homosexuals essentially have the status of partial citizenry, as slaves and women both did at one point in our nation's history. And although some states concede to homosexuals the right to engage in civil union or domestic partnership, these options are not equal to marriage. There has been a long and sad history of discrimination against homosexuals in this country, and because of that long history, the mentality that homosexuality is wrong or unacceptable has been more or less ingrained into our society's mindset. And because of this discrimination, we are preventing a class of people, homosexuals, from having the same access to rights that other citizens have.

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In his "Introduction" to *Moral Argument, Religion, and Same-Sex Marriage*, Gordon Babst agrees with the idea that prohibiting same-sex marriage creates a class of people with unequal citizenship. He too looks to the Constitution in demonstrating why this is an infringement of rights. In regards to allowing same-sex marriage Babst says that "the new territory we stake isn't predicated in any other assumption than that the Constitution, properly understood, offers nothing less than full and equal citizenship before the law, and after, and that its protections are sincere, not facetious" (2009, viii). In denying homosexuals the level of equal citizenship that heterosexuals enjoy, we assert that the basic rights of the Constitution do not apply to them. They can see the promise that those words hold on paper, but for them those rights are not a reality.

Precluding same-sex couples from the institute of marriage is an abridgement of a basic right. According to Jack McKinney "marriage is such a basic civil right that no state is justified in denying this right to people based on discriminatory classifications" (2004, 282). And we have seen examples of this in our nation's past. Before the Women's Rights Movement in the late 1800s and early 1900s, women were given a lower status in society, because of a prejudice and sense of superiority held by men; they were deemed unequal in social abilities and knowledge and therefore were not allowed the right to vote. Women had to fight for equality, and homosexuals are currently doing the same. They are not granted the right to enter into a marriage based on long held discrimination and an inaccurate belief that they are inadequate on some level to do so.

There is one important commonality between religious groups and the homosexual community, a commonality that is often overlooked. The First Amendment right to freedom of religion allows people to live out their lives according to their beliefs and to practice them as they see fit, which is an encouragement of their right to form and exercise their own conscientiously-held beliefs. This right, however, is not one afforded to those of same-sex attraction, they are not allowed to practice that aspect of their identity to its fullest because they are denied the legitimacy that most religions are given. Religious groups want to deny same-sex couples the very freedom that allows them to practice their faith, and that is the ability to practice their religion without legitimate state interference.

Both homosexuality and religion are viewed as central to a person's identity; they are aspects that define who they are as a person in the fact that they would not be the same without it. How is it just to deny homosexuals the ability to exercise that basic aspect of human existence? Renowned constitutional law scholar David A.J. Richards suggests that it can't be, not without a compelling state interest to prohibit it. And as we have examined, there is no such valid state interest here. Most frequently what we hear are forms of prejudice and discrimination masquerading as compelling state interests, but "overall, religious or particularist secular grounds should not count as grounds of abridgement. If they did count, weighing your religious objections, for example, against my practice of my conscious beliefs implies that your beliefs somehow trump my own." (Gill 2009, 59) As Americans we are allowed to live our lives by faith or devoid of faith, either way that is a right to conscientiously-held beliefs. The same should apply to sexuality, whether heterosexual or homosexual, the right to fulfill your life according to either orientation is your individual right.



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## Conclusion

After examining the various arguments put forth in attempts to justify the prohibition of same-sex marriage, the only one that holds any true validity is the argument derived from scripture, which cannot be disconfirmed. But, using a purely religious text or concern to preclude a group of people from a civil institution is unconstitutional as well as an abridgement of the separation of church and state ideal. Even looking solely at the religious aspects of the debate, there are differing views as to what exactly the Christian faith prescribes about homosexuality and same-sex marriage. There are pieces of scripture that oppose it, while others can be used to support it; some churches are more than willing to perform marriage ceremonies for same-sex couples, and some religious leaders preach the need for acceptance of homosexuality and same-sex marriage. So if religious believers as a whole do not even agree that it is absolutely wrong and should be prohibited, how can they justify banning same-sex marriage regardless of the arguments put forth? I therefore believe that due to its messiness, religion should play no role whatsoever in keeping same-sex marriage illegal in the United States.

Several European nations have legalized same-sex marriage, and those countries have yet to collapse because of it, as is the fear of the religious opposition here in America. However, such countries as the Netherlands and Denmark are far more progressive on gay and lesbian rights than the United States, something achieved decades ago. For example in Denmark,

homosexuality and homosexuals have become increasingly visible in the media in less stereotyped and negative ways since the 1970's. Large-scale public campaigns directed by the health authorities at the prevention of HIV and AIDS did not provoke hostility toward homosexual activity. Since June 1987, an anti-discrimination law has prohibited public defamation of any group of people based on their sexual orientation" (Dupuis 2002, 127).

We have yet to reach this level of open public recognition of gays and lesbians as here homosexuals continue to be stereotyped and their way of life is often still viewed as less than desirable. But it is undeniable that progress has been made, that we have come a long way from the time when homosexuality was classified as a disease that should be cured. And the fact of the matter is that gays, lesbians, and same-sex couples are here to stay. They have been steadily been gaining acceptance in the United States, and denying their right to marriage is not going to stymie that headway. Kathleen Hull reports:

Despite recent political setbacks in the United States, most notably the passage of state constitutional amendments blacking same-sex marriage, the establishment of comprehensive legal recognition for same-sex relationships has taken on an air of inevitability. Polls show that most Americans favor some form of legal recognition for same-sex couples, either marriage or an alternate status like civil unions, and most Americans now believe that legal same-sex marriage will eventually be established throughout the United States (Hull 2006, 204).

I think that Americans are beginning to see the debate of same-sex marriage for what it is, an issue of equality and rights. We are a nation that prides itself on freedom and equality for its citizens, and I do not think we can continue on in such a blatant rejection of these ideals from a single group of people. Thus I believe the passing of Proposition 8 and other similar ballot initiatives to be against the values represented by the U.S. Constitution. It is also my belief that same-sex marriage should be made legal throughout the United States. Religious groups who oppose same-sex marriage are holding on to a faith-based objection, which denies gays and lesbians a basic human right. Such a consideration is not enough, nor is it acceptable, and it goes against the ideals upheld by the Constitution, ideals of freedom and equality that make this great nation what it is.

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