

The Bush administration, the Republicans, and sexual politics

The associations between the Bush administration and evangelical Christianity have been portrayed in different ways. For some, they owe much to the beliefs of the president himself and his turn to religious faith during the mid-1980s. For his part, Michael Lind suggests that the associations between the president and evangelical Christianity precede this. Lind emphasizes Bush's Texas roots and his ties to 'crony capitalism', memories of the Confederacy, and 'Bible belt fundamentalism'.¹ Other studies look beyond personality factors and attach more importance to electoral considerations. So as to shore up the Republican vote and increase turnout among core constituencies, it is said, the Bush team has sought out the evangelical vote and, at the same time, reached a political accommodation with leading figures on the Christian right.

Despite the differences of emphasis, all these accounts stress the unparalleled religiosity of the Bush White House. Firstly, it is said, the day-to-day life of the administration is infused with attitudes associated with evangelical Christianity. David Frum has recalled that the very first words that he heard, on joining the White House as a presidential speechwriter in 2001, were 'missed you at Bible study'. Attendance at these gatherings, he has recorded, was '.. if not compulsory, not quite *uncompulsory*, either ..'² Secondly, some of the president's public statements have had a markedly Christian character. Although Bush was the first president to incorporate references to mosques in his 2001 inauguration address, and he also adopted a more conciliatory approach towards Islam than some associated with the 'religious right' saw as proper, his references to God and specific invocations of Christ have had a more pronounced character than those of his recent predecessors. Furthermore, a number of Bush's speeches have also incorporated 'coded' phrases that have a particular resonance with evangelical Christians. For example, in his 2003 State of the Union Address, the president employed the words, 'wonder-working power', a phrase drawn from a familiar gospel hymn. Thirdly and most significantly, the president's faith and the administration's ties with the evangelical right have, some commentators assert, shaped the process of policy formulation and implementation. From this perspective, administration thinking towards both the Middle East and some forms of social and cultural policy owes much to theological notions associated with white evangelical Protestantism and the political priorities of the Christian right.³

This paper considers two areas of policy-making: sex education and gay rights. It assesses administration attitudes, the statements and policy decisions that have been made, the extent to which policy-making reflects the beliefs and priorities of those associated with white evangelical Christianity and the 'religious right', and the broader political implications of this.

Sex education

The administration's policy towards sex education for young people has been defined, above all else, by a commitment to the extension and expansion of 'abstinence-only' programmes of instruction. As Bush promised in the 1999 – 2000 election campaign, his administration would '.. elevate abstinence education from an afterthought to an urgent goal'.⁴ It would, at the least, equalize funding between abstinence-only courses and more comprehensive forms of sex education.

In contrast with 'abstinence-plus' or more 'comprehensive' forms of training, abstinence-only programmes rest upon the principle that chastity until marriage – and abstinence from other forms of sexual activity - is the only morally correct form of behaviour and that instruction in contraception or 'safe sex' therefore offers an uncertain and ambiguous message. Therefore, although abstinence-only courses examine the failure rates

associated with particular forms of contraception and the danger that sexually-transmitted diseases could be passed on even if condoms are used, they do not - by definition - include guidance or instruction on ways of using or methods of birth control. Instead, they equip participants with ways of saying 'no' to sexual activity and maintaining their resolve. As Bridget E. Maher of the Family Research Council – one of the more influential organizations associated with the 'religious right' - records:

'They teach young people the skills they need to practice abstinence. Classes cover many topics including self-esteem building, self-control, decision making, goal setting, character education, and communication skills. Sexually transmitted diseases, the realities of parenthood and anatomy are also discussed.'⁵

Learning activities are often structured around chants such as 'pet your dog, not your date', 'use your will, not the pill', and 'do the right thing, wait for the ring'. Abstinence alone, teaching programmes such as *Sex Respect*, *Operation Keepsake*, and *Choosing the Best* assert, addresses the dangers posed by unwanted pregnancies and sexually transmitted diseases (STDs). It also, they claim, assists in the promotion of mental stability and contributes to the stability and longevity of a later marriage.⁶

White House policy has led to a reordering of federal spending priorities. The administration has sought, and largely secured, a year-on-year increase in spending on community-based abstinence education projects directed towards young people aged from 12 to 18. The funding is channeled through SPRANS (Special Projects of Regional and National Significance), a programme established in 2000 and administered by the Health Resources and Services Administration of the Department of Health and Human Services. SPRANS was awarded \$20 million in Fiscal Year (FY) 2001. The level of funding was doubled in the following year and increased to \$55 million in FY 2003.⁷ The administration proposed that this \$73 million for Fiscal Year 2004.⁸ Of the three programmes directed towards the promotion of abstinence-only sex education, SPRANS offers direct federal funding and imposes the strictest rules about the basis upon which training courses should be run. It circumscribes the ability of providers that are assigned funding to offer more broadly-based forms of activity. Instead, providers – who include community-based and faith-based organizations, hospitals, health centres, schools, and youth groups - have to ensure that their programmes have, as their '...exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity.'⁹

At the same time, the administration has maintained the funding for abstinence-only programmes offered through other channels. Section 912 of the 1996 welfare reform legislation provided matching funds for state initiatives, although the block grant that it made available to a particular state was tied to the number of low income children. The purpose of the initiative was to '...enable States to support abstinence education, and at the option of each State, where appropriate, mentoring, counseling, and adult supervision to promote abstinence from sexual activity, with a focus on those groups which are most likely to bear children out of wedlock'.¹⁰ From FY1998 onwards, nearly every state accepted funding and offered support to organizations that, in turn, established training schemes, organized school courses, or initiated media advertising campaigns. By accepting a grant, a group agreed to promote the message that 'a mutually faithful monogamous relationship in the context of marriage is the expected standard of human activity' and 'that sexual activity outside the context of marriage is likely to have harmful psychological and physical effects.' In FY 2002, \$43.4 million was spent. On top of this, Heritage Foundation estimates suggest, a further \$16.2 million was made available through the Temporary Assistance to Needy Families (TANF) programme.¹¹

Alongside these measures, the administration has maintained the federal government's commitment to programmes funded under the Adolescent Family Life Act (AFLA), the oldest of the abstinence initiatives.

AFLA was passed in 1981 and bolstered in the wake of fears about HIV and AIDS. The Act's stated aims were spelled out in looser and more tentative terms than those that were employed by campaigners two decades later. It sought to establish that the prevention of '... adolescent sexual activity and adolescent pregnancy depended primarily upon developing strong family values and close family ties..' ¹² AFLA programmes – which according to estimates received \$28.9 million in FY 2002 - provide abstinence education to more than 112,000 adolescents, mostly in school settings. ¹³

These federally funded projects build upon and add to voluntary effort. Much of this has been pioneered by faith-based organizations, the best known of which is True Love Waits (TLW). Since its formation in 1993, TLW has called upon young people to take pledges affirming their commitment to abstinence until marriage. As the organization records, between 1993 and 2003, over a million young people signed covenant cards stating:

'Believing that true love waits, I make a commitment to God, myself, my family, my friends, my future mate, and my future children to be sexually abstinent from this day until the day I enter a biblical marriage relationship.' ¹⁴

To what extent have all of these initiatives changed the character of sex education provision in American schools? Survey evidence is uneven because policy is often determined at school or, indeed, classroom level. Indeed, 32 states do not require schools to provide sex education at all. ¹⁵ A 1999 survey suggested that about 35 per cent of American schools taught on an abstinence-only basis and this figure will have risen subsequently. ¹⁶

Nonetheless, despite these methodological difficulties, backers of abstinence education have drawn strength from some of the social and cultural trends that characterized the 1990s. They point to the drop in teenage pregnancies and to the fall in the number of high school students reporting that they had engaged in sexual intercourse. According to the Centers for Disease Control, the proportion of students claiming never to have had sex rose by almost 10 per cent between 1991 and 2001. ¹⁷

Nonetheless, despite these trends, and although abstinence-only policies have been applauded – despite some reservations about the character of their implementation - by individuals and organizations associated with the Christian right, the policy has attracted considerable criticism and – at the same time - relatively low levels of public backing. ¹⁸ A number of reports suggest that abstinence-only forms of instruction are ineffective in addressing teenage behaviour. They draw on research work suggesting that the virginity pledges promoted by organisations such as True Love Waits have had only a limited impact. The few success stories, a 2001 report claimed, were largely confined to the 15-16 age cohort. Pledges, it concluded, only work if taken in groups consisting of fewer than thirty young people and more than an isolated few. Even in these instances, 'success' is confined to a postponement of intercourse by about eighteen months. A 2002 study of college freshmen by researchers at Northern Kentucky University offered confirmation of these findings. Of the 16 percent of students who had taken virginity pledges, nearly 61 percent said that they had later broken the vow. ¹⁹ Only one grouping – those who had a strong sense of religious faith - seemed to offer a limited exception to the overall trend.

A number of critical observers go beyond noting the rate of failure. Some organizations – such as Advocates for Youth - argue that there may be a 'diversion effect' as young people are instead drawn to other forms of sexual activity. They also suggest that those who take a virginity pledge are less likely to use contraception if they do – despite the pledge – have sexual intercourse. Abstinence-only education and virginity pledges, they

assert, therefore add to the number of unwanted pregnancies and contribute to the spread of sexually transmitted diseases.²⁰ They also charge that the administration has sought to conceal much of this by lowering the standards used as a basis for the evaluation of abstinence programmes.

The Bush administration has not only rejected findings such as these - that it dismisses as the work of committed partisans - but it has also been willing to counter public opinion. A 2002 MTV/ *Time* magazine survey indicated that 84 per cent of those aged 13-18 believed sex education in schools should incorporate information about birth control and safe sex.²¹ These opinions seem to be shared by many of their parents and much of the general population. According to a survey conducted in 1998 by the Kaiser Family Foundation and ABC Television, just over two-thirds of respondents backed an 'abstinence-plus' approach so that school students are advised and encouraged not to have sexual intercourse before marriage but are - at the same time - given instruction and guidance about contraception. Only 18 per cent of those asked believed in the teaching of abstinence alone. 57 per cent felt that high schools should offer condoms and other forms of birth control if requested by students. 92 per cent believed that young people who are already sexually active should be taught '... to use protection, such as condoms, to prevent against pregnancy and disease'.²²

Homosexuality and same-sex marriage

The administration's response to the political issues associated with homosexuality and the dilemmas posed by the prospect of same-sex marriage has been portrayed in broadly similar terms by significant numbers of activists and campaigners. Although administration policy does to some degree build upon the 1996 Defense of Marriage Act (DOMA) - which followed legal moves in Hawaii and Alaska, reaffirmed the concept of marriage as a union between a man and a woman, and allowed states not to recognise same-sex marriages performed in other states - the Bush record has been depicted as the political application of evangelical Christian orthodoxy. Gay and lesbian campaigners begin by pointing to Bush's record as Governor of Texas and the character of his presidential campaign his presidency. As Governor, Bush opposed the repeal of state laws that barred anal and oral sex between same-sex adults. The statute, he asserted, was important as '... a symbolic gesture of traditional values'.²³ In March 1999, he went on record opposing adoptions by gay couples and the inclusion of gays and lesbians as groupings requiring protection in a proposed hate crimes bill under consideration by the Texas legislature.²⁴

For many campaigners, the president's statements and actions during 2003 and early 2004 offered further confirmation that his personal faith, political ties with the religious right, and the electoral opportunities offered by a 'wedge issue' such as this, determined the character of White House policy. In the wake of the June 2003 *Lawrence* ruling by the US Supreme Court - establishing that the constitutional 'right to privacy' extended to anal sex - Bush told reporters that administration lawyers were looking for ways in which the concept of marriage as the union of a man and a woman could be codified. The charges against Bush made by Cathy Renna of the Gay and Lesbian Alliance Against Defamation at the end of July 2003 were broadly representative:

'By saying he has charged government attorneys to explore ways to 'codify' the 'sanctity of marriage,' and through numerous biblical references in his discussion about this issue, the president is clearly signaling his conviction that his personal religious beliefs should be the basis for governing law.'²⁵

In October 2003, the administration initiated Marriage Protection Week. Then, within hours of the *Goodridge* ruling - establishing that, subject to a 180 day stay allowing legislature the opportunity to amend the law, gays

and lesbians were constitutionally entitled to marry - the president issued a terse statement criticizing the Massachusetts Supreme Judicial Court and declaring that he would work with Congress '... to do what is legally necessary to defend the sanctity of marriage' ²⁶

By making the statement, Bush put himself in step with wider Republican sentiment. As 2003 had progressed, there had been a hardening of opinion among some Congressional Republicans. In April, there had been a rallying around comments by Senator Rick Santorum. Anticipating the judicial reasoning that underpinned the *Lawrence* ruling, Santorum explored the consequences that might follow the further broadening of the constitutional right to 'privacy':

And if you make the case that if you can do whatever you want to do, as long as it's in the privacy of your own home, this "right to privacy," then why be surprised that people are doing things that are deviant within their own home? If you say, there is no deviant as long as it's private, as long as it's consensual, then don't be surprised what you get ... if the Supreme Court says that you have the right to consensual sex within your home, then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery. You have the right to anything. ²⁷

Santorum's comments were followed by practical action. In June, the Senate Republican Policy Committee (RPC) policy paper acknowledged the likelihood that the Massachusetts judges would recognize gay marriage and the danger that this would be used by campaigners, through both 'copycat' cases and by exploiting the 'full faith and credit' clause of the US Constitution so as to undermine DOMA. The *Lawrence* ruling had, the RPC asserted, given 'aid and comfort' to those seeking gay marriage. The courts could not be counted upon to defend marriage. For their part, gay and lesbian campaigners had adopted a judicial rather than a legislative strategy and were pursuing their claims through the courts. Therefore, only a constitutional amendment could protect and preserve traditional conceptions of the family. ²⁸ Publication of the Republican policy paper was followed by hearings - under the auspices of the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Property Rights - on ways on defending DOMA.

After a prolonged delay, the *Goodridge* ruling was issued by the Massachusetts Supreme Judicial Court in mid-November 2003.²⁹ Although the ruling had been anticipated by those who warned that the *Lawrence* ruling would inevitably lead towards the legal recognition of same-sex marriage, *Goodridge* provoked anger and consternation among many on the right.

The content and the character of the ruling gave renewed impetus to calls for the Federal Marriage Amendment (FMA), the organizations promoting it - most notably the Alliance for Marriage - and fuelled calls to ensure that the next appointee to the Supreme Court had an unbending commitment to traditionalist principle. The Amendment sought to establish marriage was - by definition - a heterosexual institution. It also prohibited both the state and federal courts from creating - on the basis of an implied right - legal or civic partnership arrangements. In its original form, it stated:

'Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution or the constitution of any State, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.'

The FMA was introduced in the Senate towards the end of November by five GOP Senators: Wayne Allard (Colorado), Jim Bunning (Kentucky), James Inhofe (Oklahoma), Jeff Sessions (Alabama) and Sam Brownback (Kansas). It had already won an endorsement by Senate Majority Leader, Bill Frist, who threw his weight behind the amendment in June 2003.³⁰

In the House of Representatives, sponsorship of the measure – which had been introduced in the preceding May - had a more bipartisan character. The bill's sponsors included Democrats - Collin Peterson (Minnesota), Mike McIntyre (North Carolina), Ralph Hall (Texas) - provoking suggestions that gay marriage could form a 'wedge issue' shaping the outcome of the 2004 elections. The prospect of gay marriage would – some asserted - draw significant numbers of traditionally Democratic voters into the Republican camp. Doug Ireland noted in *The Nation*:

'As George Bush's poll numbers began seriously dwindling, Karl Rove and the White House political strategists decided to reach into their bag of tricks and come up with a good old staple of reactionary politics: homophobia'.³¹

There was some basis to the claim that the issue might draw in the votes of those who the Democrats need to attract. According to a Pew Research Center poll, released in November 2003, the voters most 'strongly' opposed the prospect of same-sex marriage included disproportionate numbers of southerners, blacks, and pensioners.³² The ranks of the Alliance for Marriage included figures such as the Reverend Walter E. Fauntroy, a civil rights veteran and an organizer of the 1963 March on Washington. Same-sex marriage was, he asserted, an 'abomination'.³³ Alongside these federal initiatives, campaigners also secured legislative victories at state level. By November 2003, 37 states had passed laws echoing the words employed in the 1996 Defense of Marriage Act. Three states (Alaska, Nebraska and Nevada) had gone a stage further and codified the ban in their constitutions. Hawaii's constitution allowed the legislature to define marriage.³⁴

The pace of events hastened in the early months of 2004. In his State of the Union Address, the president again stressed the importance of the Defense of Marriage Act as a bulwark against same-sex marriage and suggested that – in the face of judicial activism - a constitutional amendment could be required:

'A strong America must also value the institution of marriage. I believe we should respect individuals as we take a principled stand for one of the most fundamental, enduring institutions of our civilization ... Our nation must defend the sanctity of marriage.'³⁵

For its part, the Massachusetts Supreme Judicial Court reaffirmed its commitment to extending marriage to same-sex couples. In an advisory opinion issued in response to a request by the state Senate, the majority held that a measure that would have established civil unions for same-sex couples had no basis in rationality, the principal test that it had applied in the *Goodridge* case:

'Segregating same-sex unions from opposite-sex unions cannot possibly be held rationally to advance or "preserve" ... the Commonwealth's legitimate interests in procreation, child rearing, and the conservation of resources ... Because the proposed law by its express terms forbids same-sex couples entry into civil marriage, it continues to relegate same-sex couples to a different status ... The history of our nation has demonstrated that separate is seldom, if ever, equal.'³⁶

From then on, judicial processes were overtaken by individual initiatives at local and municipal level. They took the form of brief, but intense bush fires. Until halted by legal action or the overruling of officials, same-sex marriages were performed in jurisdictions across the country including San Francisco, New Paltz (New York) Multnomah County (Oregon), and Sandoval County (New Mexico).

Against this background, President Bush finally moved beyond the cautious imprecision that had characterized his statements during the preceding six months and – on February 25th - threw his weight behind the FMA in forthright and unambiguous terms:

'Marriage cannot be severed from its cultural, religious and natural roots without weakening the good influence of society ... Today, I call upon the Congress to promptly pass and to send to the states for ratification an amendment to our Constitution defining and protecting marriage as a union of a man and woman as husband and wife. ' 37

In the wake of the president's announcement, some senior members of Congress moved forwards. The Senate Judiciary Committee's subcommittee on the Constitution, Civil Rights and Property Rights had already held hearings on 'judicial activism' and ways of defending the Defense of Marriage Act. On March 23rd, the full committee began considering member statements and testimony from witnesses. Those appearing before it included legal scholars and some active in campaigns backing the FMA. 38 At the same time, the amendment's sponsors sought to head off criticism by addressing concerns that the second sentence of the FMA might – on the basis of some judicial interpretations – prevent the implementation of civil unions and domestic partnerships by tying the hands of state courts. 39 In late March, the sentence was reworded.

At the same time, however, campaigners against the FMA also refined and sharpened their arguments. So as to reassure those who were undecided, they countered claims that the 'full faith and credit clause' in Article IV of the Constitution would compel other states to recognize marriages performed in Massachusetts. They emphasized that the clause had only limited scope and had, at times, been circumvented. During the segregation era, for example, the southern states were not legally obliged to recognize interracial marriages performed in the north. Some also took refuge in a 1913 Massachusetts act that prohibited the marriage of couples not eligible to marry in their home state, although this line of argument was increasingly abandoned amidst calls for equality for out-of-state couples. 40

Against the background of these debates, and despite last minute moves in the federal courts by those claiming that the Massachusetts judiciary had exceeded its powers in the *Goodridge* ruling, gay marriage ceremonies began in the state on May 17th. On the same day, President Bush reaffirmed his backing for the FMA. 41

Differences

Initially, on the basis of these events and developments, there seem to be close similarities between the Bush administration's commitment to abstinence-only sex education and its approach towards gay and lesbian issues. Both policies, critics have charged, stem from the president's faith, his ties to the 'religious right', and the need to secure votes from core electoral groupings.

However, this is a one-sided perspective. The administration's attitude towards homosexuality is less precisely defined or rigorous than it might at first sight appear. Indeed, its record has sometimes been described in

positive terms by gay activists. In July 2003, Patrick Guerriero, Executive Director of the Log Cabin Republicans (LCR), the principal gay organization in the Party, stressed the openness of the administration:

'.. our access is unprecedented. I'm not sure there's been a week that I've been on the job where we haven't been called to the White House or asked to attend a meeting with the Republican leadership to discuss issues ranging from tax fairness to judicial nominations to global and domestic AIDS policy.' ⁴²

Some of the ambiguities that have characterized the Bush approach were evident at the Republican national convention in 2000. It was, as many commentators recorded at the time, an orchestrated affair shaped by bitter memories of 1992 and little was left to chance. The inclusion of Jim Kolbe – the only openly gay Republican member of Congress - as a platform speaker was therefore a conscious initiative. Although there were no references to his sexuality, it was as Kolbe himself noted, '.. a small step for the Republican Party and for our presidential candidate - but a very major one.' ⁴³ The walkouts and protests by moral traditionalists that Kolbe's appearance provoked testify to the significance of the event.

Kolbe's presence on the platform represented a marked contrast with the previous Republican presidential campaign. In 1996, Bob Dole first accepted and then returned a \$1,000 campaign contribution from the LCR. They were shunned. In 2000, however, although the LCR initially backed Senator John McCain's candidature and there was an initial denial that such a meeting would be held, a meeting was organized between George W. Bush, by then the presumptive GOP nominee, and twelve gay Republicans. Later in the year, and following revelations that his daughter was lesbian, Dick Cheney, the vice-presidential nominee asserted in the televised debate between the running mates that gay marriage, civil unions, homosexual rights and constitutional equality were matters that should be left to the individual states. He drew on the principles of federalism and spoke in broadly libertarian terms:

'The fact of the matter is we live in a free society, and freedom means freedom for everybody ... And I think that means that people should be free to enter into any kind of relationship they want to enter into ... I think different states are likely to come to different conclusions, and that's appropriate' ⁴⁴

On taking office, Bush took a number of steps that offered encouragement to gay and lesbian campaigners, particularly those associated with the Log Cabin Republicans. The administration left in place a 1998 executive order that had extended the ban on discrimination in the federal civil service so that it encompassed both sexuality and age. Among other openly gay appointees, Michael Guest became US Ambassador to Romania. In June 2002, the president signed the Mychal Judge Act that included provisions to grant benefits to the same-sex partners of firefighters and police officers killed in the September 11th attacks. The president himself continued to speak in conciliatory terms. According to *US News and World Report*, he told a member of the Log Cabin Republicans: 'I know exactly who y'all are ... I'm working so that people don't have heartburn over your issues'. ⁴⁵ Although relatively modest, these steps by the administration prompted a critical frisson among some of the organizations and individuals associated with the Christian right.

The emergence of the Republican Unity Coalition (RUC) – which has a largely heterosexual membership - suggests that some sections of the GOP are also shifting their thinking. The RUC – which is committed to a 'grasstops' strategy based upon winning over leading party supporters - is committed to making '.. sexual orientation a "non-issue" within the Republican Party' Its backers include former US Senator Alan Simpson, Jim Kolbe, Michael Huffington, and former Los Angeles mayor, Richard Riordan. ⁴⁶ Other familiar figures

have also spoken in positive terms about both gay rights and gay participation in the party. Grover Norquist, a pivotal conservative organizer, has stressed the electoral significance of the gay vote and the opportunities open to the Party: 'Leave them alone ... We get a third of the gay vote in House races, and 25 per cent voted for Bush. That's guys who want to be left alone.' ⁴⁷

Significantly, although the Senate Republican Policy Committee and campaigners for the Federal Marriage Amendment seek to maintain marriage as a heterosexual prerogative, they leave the issue of domestic partnerships and 'civil unions' – which were pioneered in Vermont and allow same-sex couples to gain some of the legal rights associated with marriage – to the state legislatures. Indeed, the wording of the amendment was modified in March 2004 so as to confirm that its sponsors were seeking to prevent the federal or state courts establishing union or domestic partnership arrangements but were prepared to allow legislatures to take such a step. ⁴⁸

The FMA's tolerance of civil unions is in striking contrast to the controversy that their introduction in July 2000 provoked. There were then widespread calls to 'Take Back Vermont'. As Joseph Sternberg noted in *The Wall Street Journal*, advocacy of civil unions has now become a moderate stance. ⁴⁹ In a clear reflection of the shifting mood, opposition to civil unions was by 2003 largely confined to organizations and individuals associated with the further reaches of the Christian right and - as gay marriage became more of an immediate prospect – many made a tactical retreat and fell into line behind the FMA. ⁵⁰

Furthermore, the Bush administration was hardly in the forefront of the battle to counter the *Goodridge* ruling. The president's statement was preceded by a three month period of hesitation that led to significant strains and tensions between the White House and the interest groups associated with the Christian right. When the statement was finally made and Bush threw his weight behind the FMA, it was framed in terms of opposition to judicial activism. His words relegated the issue itself to a secondary place:

Activist judges, however, have begun redefining marriage by court order, without regard for the will of the people and their elected representatives. On an issue of such great consequence, the people's voice must be heard. If judges insist on forcing their arbitrary will upon the people, the only alternative left to the people would be the constitutional process. ⁵¹

Some senior Republican figures in Congress have also been hesitant. Despite Senate Majority Leader Bill Frist's early backing for the measure, few rushed to embrace the president's call to arms. Although it was accepted that a Congressional vote could play a role as a statement of principle, there were profound doubts about whether the FMA could attract the two-thirds majority required in both chambers. A number of senior GOP figures – reportedly including House Speaker Dennis Hastert – hoped to postpone legislative action for several years so as to see if the 1996 Defense of Marriage Act would pass constitutional muster in the federal courts. ⁵² They would, it was said, only embrace a constitutional amendment if DOMA was struck down. As David Dreier, Chairman of the House Rules Committee, noted: 'I'm not supportive of amending the Constitution on this issue ... I believe that this should go through the courts, and I think that we're at a point where it's not necessary.' ⁵³

According to reports, Republicans in the House awaited proceedings in the Senate before taking action. ⁵⁴ Some also thought of taking refuge in legislative alternatives to a constitutional amendment. There was talk of an act - drawing on the powers granted to the legislature by Article III - that would circumscribe the courts' ability to rule on the question. There was also a suggestion that a constitutional amendment could be put

forward that would be confined to the specific exclusion of marriage from ‘full faith and credit’ clause. This would allow same-sex marriages but would at the same time confirm the right of states to deny recognition to marriages performed elsewhere.

Opinion

There is, therefore, a marked contrast between the policies promoted by the administration and Congressional Republicans towards abstinence-only sex education – which has been pursued in a vigorous and unhesitating way – and their attitudes towards the issues raised by gay campaigners. Why is this? In part, it is because the two issues have different political weightings. Although there are campaigning groups seeking relatively comprehensive forms of instruction, sex education has relatively little salience with voters. Liberal opponents of abstinence-only provision have been muted. Indeed, some associated with the Clinton administration themselves stressed the importance of teenage chastity. In her 1996 book, *It Takes A Village*, Hillary Rodham Clinton wanted young people to abstain from sex until the age of 21. For her part, former Health and Human Services Secretary, Donna Shalala, referred at a press conference to a growing and ‘promising’ movement toward ‘secondary virginity’ allowing those who were sexually experienced to take a chastity oath.⁵⁵ In contrast, despite President Clinton’s backing for the Defense of Marriage Act, a step regarded by almost all his supporters as a necessary form of expediency, and the strength of opposition to homosexuality in the African-American and Latino communities, gay and lesbian activists have a significant presence within Democratic ranks. In contrast with their response to abstinence-only sex education, liberals and independents are prepared to stand their ground.

Furthermore, in contrast with sex education, the attitudes adopted by candidates towards homosexuality have a wider significance. Although ‘gay issues’ are rarely at the forefront of the public mind, they have some potency. Candidates’ attitudes towards gays, lesbians and other minorities contribute to the ways in which their campaigns are framed and understood. They can either fuel images of abrasiveness or tolerance. This is important because although a majority remains critical, public attitudes towards homosexuality have shifted markedly since about 1990. After decades in which public attitudes remained relatively stable – and overwhelmingly critical of gay and lesbian sex – there were significantly greater levels of tolerance as the 1990s progressed.

Question: What about sexual relations between two adults of the same sex - do you think it is always wrong, almost always wrong, wrong only sometimes, or not wrong at all? (percentages)

	1974	1980	1990	1994	1996	1998	2000	2002
Always wrong / almost always wrong	78.3	79.3	81.1	70.5	65.6	63.7	63.2	59.8
Sometimes wrong / not wrong at all	21.7	20.7	18.9	29.5	34.4	36.3	36.8	40.2

Source: The National Opinion Research Center (2003), *General Social Survey 1972 – 2002 Cumulative Datafile*, csa.berkeley.edu:7502/cgi-bin/12/hsda3

The National Opinion Research Center’s findings are confirmed by other polls that have asked about attitudes towards the employment of homosexuals in particular occupations such as the medical profession, the armed forces, and teaching. They also suggest significantly higher levels of acceptance.⁵⁶ While homosexuality was still regarded as sinful and respondents were reluctant to see the churches’ endorse or bless gay and lesbian relationships, there was a marked rise in the numbers asserting that gays and lesbians were born homosexual and accepting that it was an orientation that individuals were unable to change.⁵⁷

Set against this, it should be noted that there was a partial, but nonetheless important shift back towards more traditionalist attitudes at the time of the *Lawrence* ruling. During the two month period between May and July 2003, polling suggests that the proportion of the overall population believing that homosexual relations should be legal fell from 59 to 49 per cent. The drop – which took patterns of opinion back to the level that they had been in the mid-1990s – was particularly pronounced among African-Americans.⁵⁸

Nonetheless, although the swing against homosexuality was maintained during the latter half of 2003 and in early 2004, it is less likely to be sustained in the longer term. Attitudes towards homosexuality are – in significant part – a function of age and educational attainment. According to a 2003 Gallup poll, 72 per cent of those aged 18-29 agreed that homosexual relationships should be legal compared with just 39 per cent of those aged 65 or older.⁵⁹ Similarly, those who hold degrees and postgraduate qualifications are more sympathetic to same-sex relationships and their numbers have grown steadily. There has been a parallel shift within the mainline Christian denominations. Some bless gay relationships and the Episcopal Church has consecrated its first openly gay bishop in November 2003. Despite the controversy that this provoked, polls suggest that the number of individuals who will abandon the Episcopal churches because of the appointment will – despite initial projections – be small. The most committed dissenters will instead be accommodated through compromise arrangements allowing visiting prelates to minister to parishes that have strong objections. Furthermore, by mid-May 2004, campaigners were finding it increasingly difficult to win active backing for the Federal Marriage Amendment from churchgoers. As Matt Daniels of the Alliance for Marriage put it, 'our side is basically asleep right now'.⁶⁰

Other long-term shifts are also significant. Some 30 per cent of the bigger companies offer benefits to same-sex benefits compared with 22 per cent in 2000.⁶¹ Same-sex marriage has been declared legal in court rulings issued in Ontario, British Columbia and Quebec. Furthermore, the proportion of the population who report having a gay friend or acquaintance has increased. Some suggest that the character of the newer suburbs – and the emergence of 'latte towns' structured around younger professionals – lays the basis for reinvigorated forms of community based upon tolerance and moral relativism.⁶² Certainly, as the controversy following the *Goodridge* ruling continued, there appeared to be a growing acceptance of civil unions. According to a *Washington Post* – ABC News poll conducted in early March 2004, 51 per cent backed the legal provision of such unions.⁶³

Even among those who are critical of homosexuality, opinion is relatively 'soft' in character. Attitudes remain fluid and the responses to the questions asked by polling organizations depend to a significant extent on the ways in which the questions are posed. This is particularly evident in the answers to two types of question. If respondents are simply asked if a constitutional amendment should be passed defining marriage as a heterosexual institution, it wins the support of about 55 – 60 per cent of the population. However, if attitudes towards calls for same-sex marriage and backing for a constitutional amendment are disaggregated, there are different results. An *ABC News* poll – conducted in September 2003 – separated the questions and found that although 55 per cent felt that it should be illegal for homosexual couples to marry, only 26.4 per cent of these respondents felt that it was 'worth' amending the US Constitution so that the prohibition on gay marriage would be entrenched.⁶⁴ Furthermore, the use of the word 'ban' (same-sex marriage) rather than 'allow' (only opposite-sex marriage) in questions can provoke significantly different responses.⁶⁵

It may of course be argued that although Republican candidates could lose some moderate voters if the party is seen as intolerant, a resolute stand against gay and lesbian marriage would secure a significantly higher level of turnout from among white evangelicals. This might provide the Republicans with their margin of

victory in key contests. The claim by Karl Rove, President Bush's most influential domestic policy advisor, that a significant proportion of evangelicals failed to vote in 2000 because – at least by implication - the Bush campaign was not sufficiently committed to their priorities has been widely accepted as a statement of fact.

However, the character and composition of the white evangelical vote requires closer study. In particular, the views of those who failed to vote in 2000 – representing 52 per cent of the evangelical electorate – demand attention. A survey conducted by researchers at the University of Akron suggests a rather different picture to that offered by many conservative commentators. It found that the non-voters, some of whom have been dubbed 'freestyle evangelicals' – were disproportionately female, under 50 years of age, and relatively low paid. In general terms, they were more conservative in terms of issue positions than the Gore campaign but rather more liberal than Bush. Indeed, on many issues, they were closer to Gore than Bush. 45 per cent rated Clinton's performance as 'excellent' or 'good'. Only 39 per cent backed the reduction of taxation levels and the provision of government services. Only 28 per cent identified moral issues as their principal concern. Instead, they pointed to crime and the economy.⁶⁶ These findings suggest that the evangelical Christians who failed to vote in 2000 do not represent a disciplined socially conservative army waiting to advance behind the president should the appropriate signals be given. Instead, they are much more heterogeneous and open to the vagaries and uncertainties of election campaigns.

Republican strategy

The issue is, therefore, difficult for Republicans. Although the character and composition of particular districts and states will affect the way that strategists proceed, they will probably regard attempts to make the FMA a significant campaign issue as an uncertain and risk-laden course.

Furthermore, the problems associated with the proposed amendment go beyond the uncertainties of public opinion and are compounded by its divisiveness among influential conservatives. Although most have backed the FMA, there have been some forceful dissenters. George F. Will argued that the Constitution should only be amended in extremis and when there is a degree of social consensus. Former Congressman, Bob Barr, one of those who crafted the Defense of Marriage Act in 1996, asserted that it was in itself sufficient to prevent the enforced recognition of same-sex marriages. Others talked of states' rights and resented efforts to bolster national regulation. David Horowitz of the Center for the Study of Popular Culture feared that an amendment would open the way for the radical left to seek a succession of amendments.⁶⁷ Furthermore, a grouping emerged within the ranks of the right – including figures such as Jonathan Rauch, Andrew Sullivan and David Brooks - that offered distinctly conservative case for gay and lesbian marriage. Their arguments were framed in traditionalist rather than libertarian terms and suggest that marriage would – in effect – 'domesticate' gay men and bring them within the ethical embrace of middle America. The differences and tensions among conservatives have been intensified by the campaigning activities of the Log Cabin Republicans, who were by early 2004 claiming a membership of 10,000. Following Bush's declaration of support for the FMA, the Log Cabin Republicans broke from their policy of accommodation with the administration and the Republican leadership in Congress. In place of a strategy that seemed to rest on 'working from within', they threatened to hold back from endorsing the president in the election and launched a series of television advertisements criticizing the amendment.

However, despite these considerations, backing for the FMA has acquired degree of momentum among some senior Republicans. This is partly attributable to their own personal sentiments but it is also rooted in the cleavage between the attitudes of Republican identifiers and public opinion more generally. For their part, many Republican supporters are not only solidly opposed to gay marriage but homosexuality itself. In July

2003, for example, only 38 per cent of Republicans felt that homosexual sexual relations should be legal. However, in contrast, 51 per cent of Democrats and 58 per cent of independents accepted gay and lesbian relationships.⁶⁸ Similarly, a 2004 Pew Research Center study recorded that 61 per cent of Republicans 'strongly' opposed gay marriage and more than half would not vote for a candidate who disagreed with them on the issue.⁶⁹ It also, however, found that among the general public, the proposal to amend the Constitution ranked 21st in terms of importance out of the 22 issues that were put before respondents.⁷⁰

Conclusion

There are, then, significant differences between the administration's approach to sex education – where it reached out towards and met the demands of campaigners associated with the Christian right – and the hesitancy that has characterised its attitude towards gay rights and same-sex marriage. This hesitancy is largely attributable to the changing nature of public opinion and the tensions that same-sex marriage has created among influential conservatives. Nonetheless, despite this, opposition to gay marriage, and indeed homosexuality itself, among the wider swathes of Republican Party identifiers, as well as the day-to-day realities of gay marriage from May 17th onwards, may compel members of Congress and candidates to back the FMA and promote it as an electoral issue. However, whatever the character of their public statements and the eventual fate of the FMA, many of these Republican candidates will almost certainly be hoping that the judiciary will curb its activist zeal and that elections can be fought on different political terrain.

¹ Michael Lind (2003) *Made in Texas: George W. Bush and the Southern Takeover of American Politics*, New York, Basic Books, 108-27.

² David Frum (2003), *The Right Man: The Surprise Presidency of George W. Bush*, New York, Random House, 3-4.

³ George Mombiot (2004), 'Lunacy at the heart of US power', *The Guardian Weekly*, April 29th – May 5th, 12.

⁴ Quoted in Marcela Howell (2001), 'The future of sexuality education: science or politics?', *Transitions*, 12:3, March, 7.

⁵ Bridget E. Maher (2003), *Abstinence until marriage: the best message for teens*, Family Research Council, www.frc.org/get.cfm?i=IS03B1

⁶ See, for example, Robert E. Rector, Kirk A. Johnson, Ph.D., and Lauren R. Noyes (2003), *Sexually Active Teenagers Are More Likely to Be Depressed and to Attempt Suicide*, Center for Data Analysis Report #03-04, Washington DC, Heritage Foundation, www.heritage.org/Research/Family/cda0304.cfm.

⁷ Melissa G. Pardue, Robert E. Rector, and Shannan Martin (2004), 'Government spends \$12 on safe sex and contraceptives for every \$1 spent on abstinence', *Backgrounders*, The Heritage Foundation, 1718, January 14th, 11. Although SPRANS funding was increased significantly, abstinence-only campaigners point to the much higher level of federal and state funding made available for comprehensive sex education.

⁸ The White House (2002), *Working Toward Independence: Encourage Abstinence and Prevent Teen Pregnancy*, www.whitehouse.gov/news/releases/2002/02/welfare-book-06.html.

⁹ Quoted in The Henry J. Kaiser Family Foundation (2002), *Issue Update - Sex Education in the US: Policy and Politics*, www.kff.org/womenshealth/loader.cfm?url=/commonspot/security/getfile.cfm&PageID=14903.

¹⁰ White House Office of Faith-Based and Community Initiatives (2003), *Abstinence Education*, www.whitehouse.gov/government/fbci/grants-catalog-abstinence.html.

¹¹ Melissa G. Pardue, Robert E. Rector, and Shannan Martin (2004), 'Government spends \$12 on safe sex and contraceptives for every \$1 spent on abstinence', *Backgrounder*, The Heritage Foundation, 1718, January 14th, 11. \$50 million was allocated and the amount spent would have been high had California chosen to take the matching funds available to it.

¹² World and I.com (1989), *A Look at the Adolescent Family Life Act*, www.worldandi.com/specialreport/1989/september/Sa16834.htm.

¹³ Melissa G. Pardue, Robert E. Rector, and Shannan Martin (2004), 'Government spends \$12 on safe sex and contraceptives for every \$1 spent on abstinence', *Backgrounder*, The Heritage Foundation, 1718, January 14th, 12.

¹⁴ Lifeway (1993), *Frequently Asked Questions about True Love Waits*, www.lifeway.com/tlw/ldr_faq_home.asp.

¹⁵ The Alan Guttmacher Institute (2003), *State Policies in Brief*, www.aqi-usa.org/pubs/spib_SE.pdf.

¹⁶ Jodie Morse (1999), 'Preaching chastity in the classroom', *Time*, 154:16, October 18th. The Alan Guttmacher Institute (2003), *Sex Education: Needs, Programs and Policies*, 17, www.aqi-usa.org/presentations/sex_ed.pdf. The statistics do not, however, distinguish adequately between abstinence-only and abstinence-plus forms of instruction.

¹⁷ Centers for Disease Control (2002), *Trends in Sexual Risk Behaviors Among High School Students --- United States, 1991—2001*, September 27th, www.cdc.gov/mmwr/preview/mmwrhtml/mm5138a2.htm.

¹⁸ In early 2002, Secretary of State Colin Powell distanced himself from administration policy when, speaking at a global youth forum, he advocated the use of condoms to prevent the spread of HIV. His remarks were quickly placed in context by administration officials.

¹⁹ The Kentucky Post (2004) *Survey: NKU teens break abstinence pledges: most can't refrain from sexual acts*, March 6th, www.kypost.com/2004/03/06/nkusex030604.html. However, a representative for True Love Waits suggested that a proportion of the pledges may not have been to God. Secular pledges, he asserted, were much less likely to be honoured.

²⁰ Sue Alford (2001), 'What's wrong with federal abstinence-only-until-marriage requirements?', *Transitions*, 12:3, March, 3.

²¹ MTV.com (2002), *Sex Ed Politics*, www.mtv.com/news/articles/1457832/20020927/index.jhtml.

²² The Henry J. Kaiser Family Foundation (1998), *Sex In The 90s: Kaiser Family Foundation/ABC Television 1998 National Survey of Americans on Sex and Sexual Health*, www.kff.org/womenshealth/1430-abc.cfm.

²³ Rich Tafel (2000), 'Governor Bush and Log Cabin -- Where We Go From Here', *Log Cabin Republicans of Washington*, www.logcabinwa.com/archive/200003271145.shtml.

²⁴ Lou Chibbaro Jr (1999), 'Bush Ebbs and Flows: Presidential contender mixed on Gay issues', *Log Cabin Republicans of Washington*, www.logcabinwa.com/archive/199907091212.shtml.

²⁵ Quoted in Paul Johnson (2003), 'Gay Leaders Attack President Bush Marriage Comments', *Gaywired*, www.gaywired.com/avantgo/storydetail.cfm?Section=9&ID=871.

²⁶ The White House (2003), www.whitehouse.gov/news/releases/2003/11/200311184.html

²⁷ *USA Today* (2003), 'Excerpt from Santorum interview - The Associated Press', April 23rd, www.usatoday.com/news/washington/2003-04-23-santorum-excerpt_x.htm. 'Privacy' was derived - in Justice William O. Douglas's celebrated words - from the penumbras or shadows of the US Constitution. It served as the basis for the 1965 *Griswald* and 1973 *Roe* rulings that established a right of access to contraception and abortion respectively.

²⁸ Senate Republican Policy Committee (2003), *The Threat to Marriage from the Courts*, July 29, rpc.senate.gov/files/CIVILsd090403.pdf, 12.

²⁹ In the *Goodridge* ruling, the Court acknowledged that it owed 'great deference' to the legislature, but asserted that the Massachusetts Constitution 'affirms the dignity and equality of all individuals,' and 'forbids the creation of second-class citizens.' Furthermore, the Court argued, the 'marriage ban' imposes 'a deep and scarring hardship' on same-sex families 'for no rational reason ... It cannot be rational under our laws,' the court held, 'to penalize children by depriving them of State benefits' because of their parents' sexual orientation. The Massachusetts Court System (2003), *Hillary Goodridge and others v. Department of Public Health and another*, www.mass.gov/courts/courtsandjudges/courts/supremejudicialcourt/goodridge.html

³⁰ USA Today (2003), 'Frist backs constitutional ban on gay marriage', June 29, www.usatoday.com/news/washington/2003-06-29-frist-gay-marriage_x.htm.

³¹ Doug Ireland (2003), 'Republicans relaunch the antigay culture wars', *The Nation*, October 2nd, www.thenation.com/doc.mhtml?i=20031020&s=ireland&c=1

³² David Von Drehle (2003), 'Gay marriage is a right, Massachusetts court rules', *Washington Post*, November 19th.

³³ Phuong Ly and Hamil R. Harris (2004), 'Blacks, gays in struggle of values', *Washington Post*, March 15, B01.

³⁴ Family Research Council (2003), *Marriage Laws: State by State*, www.frc.org/get.cfm?i=IF03I01&f=PG03I03.

³⁵ The White House (2004), *State of the Union Address*, www.whitehouse.gov/news/releases/2004/01/20040120-7.html

³⁶ Boston.com (2004) *Majority Opinion*, www.boston.com/news/specials/gay_marriage/sjc_020404/

³⁷ CNN.com (2004), *Transcript of Bush statement*, edition.cnn.com/2004/ALLPOLITICS/02/24/elec04.prez.bush.transcript/index.html

³⁸ US Senate Committee on the Judiciary (2004), *A Proposed Constitutional Amendment to Preserve Traditional Marriage*, judiciary.senate.gov/hearing.cfm?id=1118

³⁹ Alan Cooperman (2004), 'Little consensus on marriage amendment', *Washington Post*, February 14th, 01.

⁴⁰ Adam Liptak (2004), 'Bans on interracial unions offer perspectives on gay ones', *The New York Times*, March 17. In the days following the legalization of gay marriage in Massachusetts, some public officials openly defied the requirement that couples should intend to live in the state.

⁴¹ The White House (2004), *Statement by the President*, May 17th, www.whitehouse.gov/news/releases/2004/05/20040517-2.html

⁴² Quoted in Sean Bugg (2003), 'Right Here, Right Now', *Metro Weekly*, July 10th, www.metroweekly.com/feature/?ak=543

⁴³ Quoted in Advocate.com (2000), *Kolbe gives low-key speech*, August 2nd, www.advocate.com/html/news/080200/080200news01.asp.

⁴⁴ Quoted in *National Catholic Reporter* (2003), 'Marriage debate joined', September 11, www.nationalcatholicreporter.org/todaystake/tt091103.htm

⁴⁵ Quoted in Dan Gilgoff (2003), 'Gays force the issue', *US News and World Report*, August 18th, 135:5..

⁴⁶ Republican Unity Coalition (2003), *Why RUC? A "grasstops" policy forum for gay and straight Republicans*, www.republicanunity.com/background.html.

⁴⁷ Quoted in Republican Unity Coalition (2003), *Welcome to the RUC Website!*, www.republicanunity.com/news.htm.

⁴⁸ Alan Cooperman (2004), 'Same-sex marriage ban being retooled', *Washington Post*, March 23, A04.

⁴⁹ Joseph Sternberg (2003), 'Turn left at Vermont', *The Wall Street Journal*, August 13th. gateway.proquest.com/openurl?ctx_ver=z39.88-

2003&res_id=xri:pqd&rft_val_fmt=ori:fmt:kev:mtx:journal&genre=article&rft_id=xri:pqd:did=000000383608501&svc_dat=xri:pqil:fmt=ext&req_dat=xri:pqil:pq_clntid=13522

⁵⁰ The Concerned Women of America (CWA) offered an alternative amendment that incorporated a prohibition on civil unions: 'Neither the United States nor any State, or subdivision thereof, shall confer any benefit, protection, right, or responsibility of marriage on unmarried couples, or groups.'

⁵¹ The White House (2004), *President Calls for Constitutional Amendment Protecting Marriage*, www.whitehouse.gov/news/releases/2004/02/20040224-2.html

⁵² Kelley Beaucar Vlahos (2004), 'Conservatives split over marriage amendment', *Fox News*, January 14th, www.foxnews.com.

⁵³ Stephen Dinan (2004), 'Republicans seek consensus on strategy for amendment', *The Washington Times*, February 25th, www.washingtontimes.com

⁵⁴ Ted Barrett (2004), 'Amendment might lack congressional support', *CNN.com*, February 24th, cnn.allpolitics.

⁵⁵ Salon.com (2002), *Investing in abstinence?*, www.salon.com/sex/feature/2002/02/20/powell/

⁵⁶ American Enterprise Institute (2004), *AEI Studies in Public Opinion – Attitudes About Homosexuality and Gay Marriage (Updated April 23rd 2004)*, www.aei.org/docLib/20040423_Homosexuality4.pdf, 13-14.

⁵⁷ American Enterprise Institute (2004), *AEI Studies in Public Opinion – Attitudes About Homosexuality and Gay Marriage (Updated April 23rd 2004)*, www.aei.org/docLib/20040423_Homosexuality4.pdf, 19.

⁵⁸ American Enterprise Institute (2004), *AEI Studies in Public Opinion – Attitudes About Homosexuality and Gay Marriage (Updated April 23rd 2004)*, www.aei.org/docLib/20040423_Homosexuality4.pdf, 5.

⁵⁹ Amanda Paulson (2004), 'Debate on gay unions splits along generations', *The Christian Science Monitor*, July 7.

⁶⁰ Quoted in David D. Kirkpatrick (2004), 'Backers of gay marriage ban find tepid response in pews', *New York Times*, May 16th.

⁶¹ Sue Shellenbarger (2004), 'Amid gay marriage debate, companies offer more benefits to same-sex couples', *The Wall Street Journal*, March 18, D1.

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⁶⁵ Keith Perine (2004), 'Gay marriage polls differ', *CQ Weekly*, January 10th, 88.

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⁶⁷ Andrew Sullivan (2003), 'The GOP divide on gay marriage', *Washington Post*, December 7th, B07.

⁶⁸ American Enterprise Institute (2003), *AEI Studies in Public Opinion – Attitudes About Homosexuality*, www.aei.org/docLib/20031121_Homosexuality3.pdf, 5.

⁶⁹ The Pew Research Center for the People and the Press (2004), *Gay Marriage a Voting Issue, But Mostly for Opponents*, February 27, 3.

⁷⁰ The Pew Research Center for the People and the Press (2004), *Gay Marriage a Voting Issue, But Mostly for Opponents*, February 27, 2.