

Most Oppose Same-Sex Marriage, But Balk at Amending the Constitution

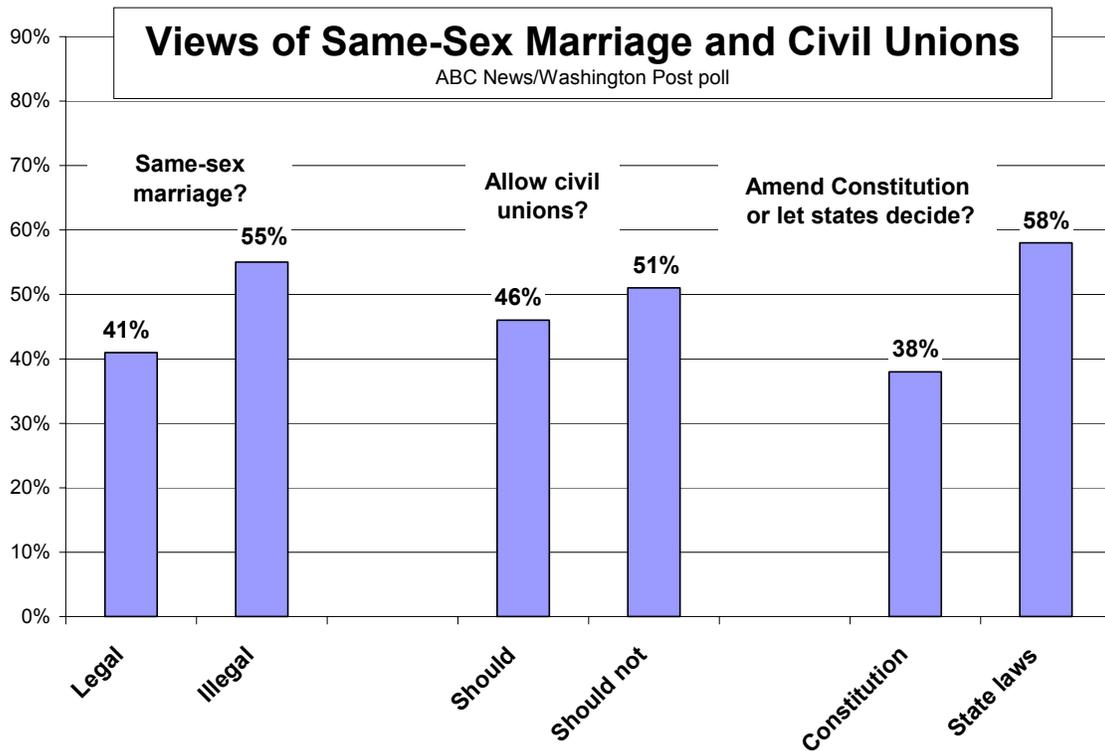
Most Americans agree with George W. Bush’s opposition to same-sex marriage – but most also oppose amending the U.S. Constitution to ban it, saying instead that it should be a matter for the individual states.

Bush called Tuesday night for a “national dialogue” on the subject, but also signaled his own conclusion: “If judges insist on forcing their arbitrary will upon the people, the only alternative left to the people would be the constitutional process.”

In this ABC News/Washington Post survey, 38 percent of Americans favor amending the U.S. Constitution to make it illegal for homosexual couples to marry, but 58 percent say, instead, that each state should make its own laws on gay marriage.

That’s not an endorsement of same-sex marriages – indeed most, 55 percent, say such marriages should be illegal. Instead it suggests a public judgment that the issue doesn’t merit pre-empting the states and amending the U.S. Constitution.

Compared to same-sex marriage, this poll finds a closer division in public views on gay civil unions – 51 percent opposed, but 46 percent in favor.



Bush, in his State of the Union address, said, "Our nation must defend the sanctity of marriage." If he were referring to government action, he lacks majority support on this point as well: Fifty-six percent say it should not be a role of the federal government to promote traditional marriage.

It's been suggested that Bush raised the issue to win favor in his core support groups, and most in two such groups – conservatives and white evangelical Protestants – do favor a constitutional amendment. But majorities in other groups are opposed, including 52 percent of Republicans, some of whom may see it as a matter of states' rights.

WHAT YOU ASK – Measuring public views on a constitutional amendment is sensitive to how the subject is framed, including whether an alternative is offered. This poll asked, "Would you support amending the U.S. Constitution to make it illegal for homosexual couples to get married anywhere in the U.S., or should each state make its own laws on homosexual marriage?"

There have been two other basic approaches to the issue; one has found greater support for an amendment, the other has found greater opposition.

An Associated Press poll in August asked, "Would you favor or oppose the amending of the Constitution to specify marriage should be between a man and a woman?" Similarly, a CBS News/New York Times poll last month asked, "Would you favor or oppose an amendment to the U.S. Constitution that would allow marriage only between a man and a woman?" These found 54 and 55 percent support for such an amendment.

These questions don't specify that the amendment would make gay marriages illegal, or offer an alternative, such as state laws. They also may conflate views on two issues – one, the proposition that marriage should only be between a man and a woman; and the other, preferences on a constitutional amendment to make it so.

In another approach, a Pew Research Center poll in October asked opponents of gay marriage if "the U.S. Constitution should be amended to ban gay marriage, or is it enough to prohibit gay marriage by law without changing the Constitution?" Respondents overwhelmingly preferred a legal mandate without a constitutional change. (This question doesn't specify that a non-constitutional prohibition would have to be imposed state-by-state.) Separately, in September, an ABC News poll asked opponents of gay marriage if it were "worth amending the U.S. Constitution... or not worth it?" A sizable majority said it wasn't worth it.

DEBATE – These differences frame some terms of debate about an amendment. Supporters may appeal to basic opposition to same-sex marriage (the "sanctity of marriage" argument), while critics of an amendment may stress states' rights and ask whether the issue rises to the level of amending the Constitution.

The debate could be contentious: On one hand, opposition to amending the Constitution is broadly spread across population groups. On the other hand, opposition to same-sex marriages appears broadly based as well. (The bar is already high for the amendment process itself: it requires two-thirds support in the U.S. House and Senate and ratification by three-fourths of the states).

While views on gay marriage can change, they seem stable at the moment – the 55 percent opposition in this poll is identical to its level in the ABC News poll in September. The 51 percent opposition to gay civil unions also is identical in this poll, though support for civil unions is six points higher, while fewer are undecided.

GROUPS – Age, religious belief, ideology and political partisanship inform these views, and there’s also a gender gap: Fifty-nine percent of men say same-sex marriage should be illegal, compared with 51 percent of women.

Opponents of gay marriage include eight in 10 evangelical white Protestants, three in four senior citizens, three-quarters of conservatives and more than seven in 10 Republicans. Across the spectrum, same-sex marriage is supported by 56 percent of those under 40, two-thirds of those who profess no religion and nearly seven in 10 liberals.

Views of same-sex marriage				
	Legal	Illegal	Amend Constitution	Leave to the states
All	41%	55	38%	58
Men	38	59	39	58
Women	45	51	38	59
18-29	55	42	32	67
65+	21	75	44	50
Democrats	50	46	35	61
Independents	47	50	38	60
Republicans	24	72	43	52
Liberal	69	27	28	67
Moderate	44	52	30	68
Conservative	20	77	55	42
White Protestants:				
Evangelical	17	81	58	38
Non-evangelical	42	55	30	67
No religion	66	26	19	78
East	48	46	36	63
Midwest	40	56	42	53
South	35	63	42	55
West	49	48	30	66
Married	35	61	41	55
Not married	49	48	36	62

On civil unions there’s a larger gender gap: While 57 percent of men oppose same-sex civil unions, that declines to 45 percent of women. Support for civil unions peaks among younger people, college graduates, people living in the East and West, Democrats and

liberals; opposition jumps among seniors, Southerners, Republicans, conservatives and evangelical white Protestants.

Views on civil unions and same-sex marriages largely coincide. However, 14 percent of people who oppose gay marriage do support allowing same-sex couples to form civil unions.

METHODOLOGY – This ABC News/Washington Post poll was conducted by telephone Jan. 15-18, 2004, among a random national sample of 1,036 adults. The results have a three-point error margin. Sampling, data collection and tabulation by TNS Intersearch of Horsham, Pa.

Analysis by David Morris and Gary Langer.

ABC News polls can be found at ABCNEWS.com on the Internet at:
http://abcnews.go.com/sections/us/PollVault/Poll_Vault.html

Media contact: Cathie Levine, (212) 456-4934, or Lisa Finkel, (212) 456-6190.

Results follow:

1. On another subject, do you think homosexual couples should or should not be allowed to form legally recognized civil unions, giving them the legal rights of married couples in areas such as health insurance, inheritance and pension coverage?

	Should	Should not	No opinion
1/18/04	46	51	4
9/7/03	40	51	9

2. Do you think it should be legal or illegal for homosexual couples to get married?

	Legal	Illegal	No opinion
1/18/04	41	55	4
9/7/03	37	55	7

3. (Would you support amending the U.S. Constitution to make it illegal for homosexual couples to get married anywhere in the U.S.), or (should each state make its own laws on homosexual marriage)?

	Support amending Constitution	Each state should make own laws	No opinion
1/18/04	38	58	3

4. Do you think it should or should not be a role of the federal government to promote and encourage traditional marriage between a man and a woman?

	Should	Should not	No opinion
1/18/04	43	56	1

END