



## 2008 Ballot Measures Opposing Marriage Equality: Why Time is on Our Side

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November 2nd, 2004 was a discouraging day for Marriage Equality. Ten states voted on ballot measures opposing marriage equality in the general election, and we lost each and every one. A total of 12 states passed anti-gay ballot measures that year [AR, LA, GA, KY, MI, MS, MT, ND, OH, OK, OR, and UT].

**Adding insult to injury, the ballot measures were widely credited for turning out Republican voters for the tight Presidential race putting key states in the George Bush Column. A more detailed analysis from experts at the DNC Office of GLBT Affairs and the National Gay and Lesbian Task Force showed that this was not in fact the case.** Same-sex marriage had little net effect on the outcome of the election. Still, same-sex couples were an easy scapegoat and many LGBT folks were put in the awkward position of explaining to our allies why they should be standing up for us.

Two years later during the midterm elections, ballot measures opposing marriage equality once again reared their ugly head. Eight states had ballot-measures opposing marriage equality on the November ballot, and the GLBT community successfully defeated one of them, Arizona. A total of eight states passed anti-gay ballot measures that year [AL, CO, ID, SC, SD, TN, VA, and WI]. The victory in Arizona and close races in other states showed that the LGBT community could win these battles, and the results from 2006 gave us other reasons to be optimistic. **An analysis from the National Gay and Lesbian Task Force showed a slow, steady decline in support for these measures. In 2004, voter support for these measures was at 71 percent. By 2006, it had dropped to 64 percent. Opposition to these measures rose from 29 percent in 2004 to 36 percent in 2006.**

Further, it was even clearer in 2006 that these measures did not have their intended impact. **As the National Gay and Lesbian Task Force stated in a press release at the time 'Same-sex marriage ballot questions did not help Republican Senate candidates, even though minimum wage initiatives appeared to help Democratic Senate candidates...'**

While our past track-record on these ballot measures is cause for concern, there are many reasons to be hopeful about election day 2008, not the least of which is shifting public attitudes about Marriage Equality.

The number of ballot measures has dwindled from 11 in 2004, to 9, in 2006, to just three in 2008. Arizona, California, and Florida face constitutional amendments prohibiting marriage equality for same sex couples [Arkansas faces a related ballot measure restricting unmarried couples from adopting children or serving as foster parents]. All three states have strong LGBT organizations,

and a chance to win their respective fights. Here's how the states break-down.

Florida: The broad wording of this ballot measure means it could ban not only marriage equality, but also civil-unions and other domestic partner recognition in the state. In Florida, Broward and Palm Beach Counties and the cities of Gainesville and Miami Beach, among others, offer Domestic Partnership Registries. Most Florida universities and more than half of the Fortune 500 companies offer Domestic Partnership benefits. These benefits would be placed at risk, if not outright abolished, if this amendment passes. Amendments in Florida must pass by over 60 percent, meaning that this measure can be defeated with only forty percent of the vote. The campaign against this proposed constitutional amendment is being spearheaded by Fairness for All Families and Say No on 2.

California: The ballot measure in California has gotten the most public attention, and by far, the most money. After the state ban on same-sex marriage was struck down by the state supreme court, same-sex couples began marrying legally in June, 2007. Of the three states with ballot measures, this makes California clearly the one with the most to lose. It's only natural that there has been such an outpouring of support. Most notably, the Human Rights Campaign has pledged half a million dollars to wage this fight. Locally the campaign is being coordinated by Equality for All.

Arizona: Arizona is the only state that has successfully defeated a ballot measure opposing marriage equality. Unfortunately, they face another one this year. Arizona won by a small margin: 51-49, so this year's vote could again be very close. And with more resources and expertise being funnelled to California and Florida, Arizona could have a tough fight on it's hands. The effort is being organized locally by Equality Arizona and VoteNoProp102.

The outcome of these ballot measures is uncertain. What is certain however, is that each battle brings us closer to full marriage equality in the United States. As more voters are being asked to consider the question, and as we have the opportunity to engage more voters and interact with them, public opinion continues to move in our favor. It may be a long battle, but time is definitely on our side.