



The Dangers of a Same-Sex Marriage Referendum for Community and Individual Well-Being: A Summary of Research Findings

By Glenda M. Russell

Across the country, some legislators and citizens in a number of states have called for a voter referendum on the question of same-sex marriage. According to those favoring a referendum, voters should be able to change state laws or to amend a state constitution to explicitly deny gay and lesbian people the right to marry a same-sex partner. While a referendum might seem like a democratic way to decide a highly controversial issue, experience with past referenda on gay issues in other states shows a clear and disturbing downside to the process of voting on a group's civil rights.

Both formal research and journalistic reports from these states (including California, Colorado, Florida, Hawaii, Oregon, Idaho, Maine, and Nebraska) offer a cautionary note to the idea of a referendum on this issue. Rather than uniting community members in democratic debate and mutual respect, referenda often leave communities even more divided. Voting on civil rights issues does not create a common

understanding, but tends to erode a sense of community and damage the mental and physical health of vulnerable community members.

Research Findings

Elections that call into questions the rights of lesbian, gay, bisexual, and transgender (LGBT) people create sharp divisions in communities. People who have managed to disagree but live in peaceful coexistence become enemies in a public battle.

In places where LGBT rights have become the focus of political debate, once-friendly neighborhood networks were disrupted¹ and fear and hostility became more commonplace in communities.² LGBT people have not been the exclusive targets of antagonism. In some cases, opponents to LGBT rights have also been harassed. Heterosexual allies of the LGBT rights movement have been targeted as well. One Massachusetts state representative has said that he “had never experienced

¹ Goldberg, C. (200, September 3). Vermont residents split over civil unions law. *New York Times*, p. 14.

² Sneyd, R. (2000, September 7). Candidates feeling backlash. *Keene (NH) Sentinel*, p. 1.

anything like the ‘fear and anger’ gays and lesbians are often subjected to” until he voted in support of same-sex marriage.³ A Vermont state representative, a Republican who voted in favor of civil unions, reported both social and business losses as a result. She expressed particular surprise at the “derogatory remarks” made about her to her 13 year-old grandson.⁴

Hostile and extreme rhetoric becomes common in the political arena.

A number of communication researchers have analyzed the incendiary rhetoric that features strongly in these referenda.⁵ This rhetoric relies on “simplified moral constructs”⁶ and on undocumented and faulty arguments.⁷ The net effect of such rhetoric is the dissemination of misinformation that revives old prejudices and reinforces divisions within communities.⁸

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Stereotypes and untruths about both sides become staples of the formal and informal campaigns and of everyday conversation.

Debates about emotionally laden issues contribute to a polarization of these issues. The most extreme statements, including patently false ones, are taken as truth. Each side is portrayed in monolithic and extreme terms, rendering a picture of dangerous and threatening homosexuals battling “Bible-Nazis.”⁹ Stereotypes about other minority groups are revived as well.¹⁰ The humanity of participants in this polarized debate is often lost. Members of the community are portrayed as dangerous and threatening.¹¹ A tone of moral condemnation characterizes rhetorical exchanges.¹² LGBT people, in particular, are rendered as the “other”—objectified, disenfranchised, and ultimately treated as non-persons.¹³

³ Gisick, M. (2004, May 3). Celebratory atmosphere at gay pride rally. *Daily Hampshire Gazette*, p. A3.

⁴ Sneyd (2000). *Ibid.*

⁵ Bransford, S. (1994). *Gay politics vs. Colorado and America: The inside story of Amendment 2*. Cascade, CO: Cardis Press.

Bull, C., & Gallagher, J. (1996). *Perfect enemies: The religious right, the gay movement, and the politics of the 1990s*. New York: Crown.

Douglass, D. (1997). Taking the initiative: Anti-homosexual propaganda of the Oregon Citizens' Alliance. In S. L. Witt & S. McCorkle (Eds.), *Anti-gay rights: Assessing voter initiatives* (pp. 17-32). Westport, CT: Praeger.

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Herman, D. (1997). *The antigay agenda: Orthodox visions and the Christian Right*. Chicago: University of Chicago Press.

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Smith, R. R., & Windes, R. R. (1997). The progay and antigay issue culture: Interpretation, influence and dissent. *Quarterly Journal of Speech*, 83, 28-48.

Smith, R. R., & Windes, R. R. (2000). *Progay/Antigay: The rhetorical war over sexuality*. Thousand Oaks, CA: Sage.

Stein, A. (2001). *The stranger next door: The story of a small community's battle over sex, faith, and civil rights*. Boston: Beacon.

Whillock, R. K. (1995). The use of hate as a stratagem for achieving political and social goals. In R. K. Whillock & D. Slayden (Eds.), *Hate speech* (pp. 28-54). Thousand Oaks, CA: Sage.

Wieshoff, C. (2002). Naming, blaming, and claiming in public disputes: The 1998 Maine referendum on civil rights protection for gay men and lesbians. *Journal of Homosexuality*, 44, 61-82.

⁶ Conrad, C. (1983). The rhetoric of the moral majority: An analysis of romantic form. *Quarterly Journal of Speech*, 69, 159-170.

⁷ Herek, G. M. (1998). Bad science in the service of stigma: A critique of the Cameron group's survey studies. In G. M. Herek (Ed.), *Stigma and sexual orientation: Understanding prejudice against lesbians, gay men, and bisexuals* (pp. 223-255). Thousand Oaks, CA: Sage.

⁸ Bullis, C. & Bach, B. W. (1996). Feminism and the disenfranchised: Listening beyond the “other.” In E. B. Ray (Ed.), *Communication and disenfranchisement: Social health issues and implications* (pp. 3-28). Mahwah, NJ: Lawrence Erlbaum.

⁹ Douglass (1977). *Ibid.*

Smith & Windes. (1997). *Ibid.*

Smith & Windes (2000). *Ibid.*

¹⁰ deRaimes, J. (1993). Homosexual rights: Constructive responses to Colorado's Amendment 2. Working Paper 93-27. Conflict Research Center

Consortium, University of Colorado, Boulder. Retrieved May 5, 2004, from http://www.crinfo.org/link_frame.cfm?linkto=http%3A%2F%2F

Douglass (1997). *Ibid.*

McCorkle & Most (1997). *Ibid.*

Russell, G. M. (2000). *Voted out: The psychological consequences of anti-gay politics*. New York: New York University Press.

¹¹ Davies, C. (1982). Sexual taboos and social boundaries. *American Journal of Sociology*, 87, 1032-1063.

Douglass, D. (1997). *Ibid.*

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Herman, D. (1997). *Ibid.*

McCorkle & Most (1997). *Ibid.*

Moritz (1995). *Ibid.*

Smith, R. R. (1997). *Ibid.*

¹² Smith, R. R. (1997). *Ibid.*

¹³ Bullis, C., & Bach, B. W. (1996). *Ibid.*

Some of the most damaging impact occurs within families in which members are divided in their opinions and can no longer live comfortably with those differences.

Family members become estranged as they realize that they intend to vote differently on these issues.¹⁴

When a particular group is the subject of political debate, group members often exhibit a variety of negative outcomes including anxiety, depression, alienation, fear, and anger.

In the case of the debate over same-sex marriage, these consequences will be most strongly experienced by lesbian, gay, bisexual, and transgender people; by children in LGBT families; and by LGBT people's extended family members and friends.¹⁵ As the referendum polarizes people, LGBT citi-

zens become fearful and their children often encounter ridicule at school.¹⁶

All of these consequences leave individuals and communities damaged. Considerable time is required for individuals and communities to return to healthy functioning.

Recent research indicates that some people in Colorado report continuing alienation and isolation more than 10 years after a 1992 referendum on gay issues in that state.¹⁷

Referenda on the rights of any group run the risk of allowing a tyranny of the majority.

Both theories of public policy and empirical studies have suggested that civil rights are very vulnerable to public votes. Despite the fact that voters approve only one third of all citizen-

initiated referenda on ballots, voters have endorsed more than three-quarters of anti-civil rights initiatives appearing on the ballot over the past three decades.¹⁸ Voting on such matters implies that it is acceptable for majorities to have the final say about legal matters that have significant impact on the day-to-day lives of political minorities. These elections both take advantage of and increase existing prejudices that divide community members from one another. As James Madison warned, "If a majority be united by a common interest, the rights of the minority will be insecure."¹⁹

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Research Methods on Anti-gay Referenda

Researchers from a variety of disciplines have investigated anti-gay referenda, with most of the research occurring since 1980 and especially during the 1990s. Studies have focused on formal electoral campaigns as well as on public debates regarding gay rights at municipal and state levels and in corporate and educational settings. Communication scholars have most frequently looked at the rhetoric and related processes associated with these campaigns and elections. Psychologists, sociologists, political scientists, and legal scholars have examined the consequences of anti-gay referenda both on individuals and on the communities in which these elections and debates have occurred. Scholars from all fields have employed both qualitative and quantitative techniques in their work. In addition, an extensive library of journalistic accounts illustrating some of the research findings is now available.

¹⁴ Russell, G. M., & Richards, J. A. (2003). Stressor and resilience factors for lesbians, gay men, and bisexuals confronting antigay politics. *American Journal of Community Psychology*, 31, 313-328.

¹⁵ Eastland, L. S. (1996a). Defending identity: Courage and compromise in radical right contexts. In E. B. Ray (Ed.), *Case studies in communication and disenfranchisement: Applications to social health issues* (pp. 3-14). Mahwah, NJ: Lawrence Erlbaum.

Eastland, L. S. (1996b). *Ibid.*

Keen, L., & Goldberg, S. B. (1998).

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Russell (2000). *Ibid.*

Stapanek, M. (1992, December 23). Gay-bashing on rise in Colorado. *San Francisco Examiner*, p. A9.

¹⁶ Russell (2000). *Ibid.*

¹⁷ Russell, G. M., & Bohan, J. S. A 10-year retrospective of Colorado's Amendment 2. Manuscript in progress.

¹⁸ Gamble, B. S. (1997). Putting civil rights to a popular vote. *American Journal of Political Science*, 41, 245-269.

¹⁹ Quoted in Gamble (1997). *Ibid.*

Implications for the Debate about Same-Sex Marriage

Potential voters, political organizations, and policy-makers should seriously consider the findings of research on the fallout from referenda on gay issues. Elections of the sort being proposed can have very negative and long-term consequences for a state and its citizens. Our system of checks and balances, which promotes democratic input at many points, is designed to protect the most treasured and basic rights of individuals. While the referendum process might

provide useful guidelines on many issues, on civil rights matters a referendum is much more likely to result in a process that will further damage—not heal—a divided public.

About the Author

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