

**An Excerpt for the National Post on Same-Sex Marriage and the Issue's
Impact on Attitudes to the Courts, Parliament and the Party System**

Ethix:

**COMPAS' Twice Yearly Syndicated Study of
Where Canadians Stand on the Ethical, Moral,
and Value Issues of the Day**



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Same-Sex Marriage as a Sleeper Issue

A Liberal-Conservative Public Remains Divided

In the history of democracy, values issues can be divisive. They are frequently more divisive than distributional issues. This is partly because values issues can emerge from deeply held convictions and partly because conflicts over values are sometimes “zero-sum” or win all vs. lose all kinds of battles. The issue of legalization of same-sex marriage in Canada may be one of these sources of simmering, long-term division.

Despite the recent court decisions and a proposed federal law granting recognition for same-sex marriage, a small majority of the public adheres to the definition of marriage as exclusively heterosexual, as shown in table 1. Asked whether they support or oppose keeping the pre-existing definition, 63% say that they favour doing so while 31% oppose doing so.

Respondents were asked how they would feel about Parliament’s use of the notwithstanding clause to over-ride court decisions in favour of same-sex marriage. As shown in table 2, those who favour over-riding the courts outnumber those who oppose doing so but they fall short of a majority—48% scoring 6-10 on a 10 point scale measure of support for the over-ride vs. 28% scoring 0-4 on the same scale.

As will be explored below, many people on both sides of the issues are in no mood for compromise and feel strongly on the issue. But, taken as a whole, the public is inclined to a compromise whereby the the term “marriage” would be reserved for heterosexual couples while special recognition would be granted to homosexual couples. As shown in table 3, slightly less than a third of the public takes a hard-line in defence of the traditional or conservative viewpoint while an equal number takes a hard-line in defence of the socially liberal advocacy of same-sex marriage. A larger group in the middle favours defining marriage as heterosexual while constructing a new category of union between individuals that would encompass same-sex partnerships.



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Table 1: Bare Majority Support for Exclusively Heterosexual Marriage [“Do you support or oppose keeping the definition of marriage as a union of one woman and one man to the exclusion of all others? ... Do you strongly or somewhat [support/oppose] this definition?”]

	%
Strongly support	48
Somewhat support	15
Somewhat oppose	13
Strongly oppose	18
DNK/REF	6

Table 2 : Near Majority Support for Parliamentary Over-ride Using Notwithstanding Clause

	Mean	9-10	6-8	5	2-4	0-1	DNK /REF
(Q) The federal government should keep the existing definition of marriage by using the notwithstanding clause of the Constitution to override this court decision.	5.8	30	18	16	9	19	8

Table 3: Public Mood for Compromise [“Which of these three options do you prefer... [ROTATE]”]

	%
(1) Parliament should keep the existing definition of marriage as the union of one woman and one man and should not pass any law recognizing same sex unions.	30
(2) Parliament should keep the existing legal definition of marriage as the union of one woman and one man should and set up a separate legal category that includes same-sex unions but WOULD NOT be called MARRIAGE.	37
(3) Parliament should change the legal definition of MARRIAGE to the union of any TWO PERSONS, regardless of their gender.	31
DNK/REF	2



Impacts on the Political System

Sleeper Issues

When values issues like same-sex marriage are not resolved in way that leaves the various sides to the issue feeling somewhat mollified, such divisions can become “sleeper issues”—issues that remain below the surface, that do not take visible public expression, but that motivate or catalyze one side or the other to become more active in politics than otherwise. Same-sex marriage seems to be one of those issues, possibly an issue that may provoke church-, synagogue-, and mosque attenders to become engaged and polarized in mass politics.

Reaction against the Courts, Perceived as Going Too Far

One indicator that same-sex marriage may be a sleeper issue is that the public has become uncharacteristically sceptical of the courts. Previous COMPAS polls showed repeated evidence of high public confidence in the judiciary. But on the subject of marriage, a large plurality feels that the courts went too far. As shown in table 4, 46% believe that the judges went beyond the laws as Constitution.

Table 4: “Thinking about the decision in the Ontario Court of Appeals to redefine marriage to include same-sex marriage, would you say... [ROTATE]”

	%
The judges went beyond the laws and the Constitution as they were written and intended.	46
The judges followed the laws and the Constitution as they were written and intended.	34
DNK/REF	20

Unusual Support for Politicization of Religious Institutions

Paralleling evidence of diminished confidence in the Courts is an unusual receptivity to political roles for religious institutions. In Canada’s semi-secular society, few members of the public have traditionally called on clergy to speak up on values or other issues. But the issue of same-sex marriage seems to have opened the door for clergy to speak up. As shown in table 5, half the Canadian public now wants religious institutions to speak up.



Table 5: "Thinking about the role of religious institutions on the issue of marriage, which statement do you agree with more..."

	%
Religious organizations should speak out about political issues that are important to their religious beliefs.	49
Religious organizations should not speak out about political issues to respect the separation of church and state.	48
DNK/REF	3

Social Conservatives More Determined than Social Liberals

One requirement for an issue to be a sleeper issue is for the extremes on both sides to feel somewhat passionate, especially the extreme that appears to be losing the battle.

By this criterion, same-sex marriage is certainly a sleeper issue. Social conservatives, i.e. those Canadians who favour the pre-existing definition of matrimony, are especially exercised by the issue. People who follow the issue most closely and those who are most concerned about the same-sex-marriage issue tend to be much more ardent defenders of the existing definition of marriage. Meanwhile, Canadians who do not follow the issue closely are disproportionately supporters of changing the definition of marriage.

Among those who report having followed this issue very closely, 46% favour maintaining the existing definition of marriage with no recognition of same-sex unions. Similarly, 56% of those who rate the issue as "very important" (rated this issue at least 8/10 on a 0 to 10 scale) support maintaining the existing definition of marriage with no recognition of same-sex marriage. By contrast, among those who have not been following the issue (not very closely or not at all), only 30% support maintaining the existing definition of marriage, and among those who place a low importance on this issue (rated the issue as 2/10 or lower on a 0 to 10 scale) only 21% want to maintain the existing definition of marriage, while 43% want to change the definition of marriage to a union of any two persons.

Left-Right Party Polarization

Another requirement for an issue to be a sleeper issue is for party segments to divide on it. Canada's party segments certainly on the same-sex issue with Bloc, NDP, and Liberal voters embracing the socially liberal view and Tories and



Alliance voters taking the socially conservative position, as shown in table 6. In the case of every party segment, support for a middle position of heterosexual marriage and homosexual union elicits considerable support. But the right of centre segments favour strictly heterosexual definitions of marriage over the same-sex position by a factor of about 3:1 while Bloc and NDP voters favour the same-sex position by almost 2:1. The Liberal voter segment emerges as a kind of left-of-centre segment with supporters of same-sex provisions slightly outnumbering opponents.

Table 6: Which of these three options do you prefer... [ROTATE]

	Lib	CA	PC	NDP	BQ	UND
(1) Parliament should keep the existing definition of marriage as the union of one woman and one man and should not pass any law recognizing same sex unions.	26	48	43	19	22	28
(2) Parliament should keep the existing legal definition of marriage as the union of one woman and one man should and set up a separate legal category that includes same-sex unions but WOULD NOT be called MARRIAGE.	38	37	40	33	33	41
(3) Parliament should change the legal definition of MARRIAGE to the union of any TWO PERSONS, regardless of their gender.	35	14	16	47	39	30
DNK/REF	1	1	1	1	6	1

Methodological Note

This study was a composite qual-quant study with the national sample interviewed in October and followup qualitative inquiry undertaken in November. The representative sample of n=1000 is deemed accurate to within 3.2 percentage points 19 times out of 20. Questions may be addressed to Conrad Winn at 416-598-0310 ext. 40.

