

Marriage For Some: Explaining The Variation In Gay Rights And Marriage Policy And Opinion Among States And Individuals

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MARRIAGE FOR SOME: EXPLAINING THE VARIATION IN GAY RIGHTS AND
MARRIAGE POLICY AND OPINION AMONG STATES AND INDIVIDUALS

by

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A thesis submitted in partial fulfillment of the requirements
for the degree of Master of Arts
in the Department of Political Science
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ABSTRACT

This research aims to answer a simple question: Why are some individuals, and some states, more willing to extend protections to same-sex couples than are others? Drawing from the literature, I perform a battery of quantitative tests on variables most commonly associated with gay rights and gay marriage policy development: liberalism, education, age, religiosity, authoritarianism, tolerance, urbanization, and moral traditionalism. While I find that all of these variables have a relationship with gay rights and gay marriage opinion, I argue that those associated with religiosity have the strongest pull. However, religiosity does not act alone; moral traditionalism, age, and ideology play particularly robust roles as well. In conclusion, I contend that the data show a strong likelihood for the continued liberalization of gay rights and gay marriage policy into the foreseeable future.

This thesis is dedicated to my wonderfully patient wife, Adriana Ruiz-Billman, who put up with my many profane outbursts over these last several months, and offered me nothing but good cheer and the reassurance that it will all be over soon. I cannot thank her enough. Also, to my parents, Mary and Craig Billman, who have always encouraged my academic and professional endeavors, and who have been the kindest, most gracious, and most generous parents I could ever ask for.

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CHAPTER ONE: INTRODUCTION

There are few issues in the United States as salient and divisive as same-sex marriage. Though the concept of allowing persons of the same sex to wed is a relatively recent development — in fact, until the U.S. Supreme Court’s 2003 decision in *Lawrence v. Texas*, 14 states and Puerto Rico prohibited sodomy (either all sodomy or only homosexual sodomy), a far cry from sanctioning same-sex relationships (Gay and Lesbian Archives of the Pacific Northwest 2007) — it became pervasive in American politics in the first decade of the twenty-first century.

As of this writing, five states permit same-sex couples full marriage rights: Massachusetts, Vermont, New Hampshire, Connecticut, and Iowa (Gardner 2009). (Washington, D.C. also began issuing gay couples marriage licenses in March 2010 (Ramstack 2010).) Two more, California and Maine, have extended marriage rights to same-sex couples, only to have voter referenda revoke those rights (Gardner 2009; Dolan 2009). Still eight more states afford same-sex couples a lesser degree of recognition, such as civil unions or domestic partnership registries (Lambda Legal 2009). And yet, some 37 states have forbidden gay and lesbian couples from marrying, either in statute or in state constitutions, and sometimes in both (DOMA Watch 2009). In all 31 instances where the gay marriage question has been put to voters via referenda, gay marriage opponents have prevailed (Gardner 2009).

Across the globe, other countries deal with homosexuality and its related issues in staggeringly different ways. In some corners there is widespread, often brutal oppression of gay men and lesbians. As of May 2008, seven Islamic states, for instance, consider homosexual

activity a capital offense¹, and 76 other states across Africa, Asia and Central and South America criminalize same-sex intimacy, and sometimes punish it with lengthy prison terms (ILGA 2008). Until July 2009, homosexuality was a crime in India, even though “Hindu festivals and sects which celebrate homosexual acts, the description of sodomy in the *Kama Sutra* ... and the description of Tantric initiation rites which evoked the idea of universal bisexuality in human personality are discussed widely” (Joseph 1996: 2228; also, see Bolcer 2009). Gay sex is a crime in Egypt, where “men suspected of engaging in ‘debauchery’ ... are subjected to anal examinations at the hands of the Forensic Medical Authority” that are “invasive, intrusive, abusive and a form of torture” (Long 2004:114).

Meanwhile, Western societies have grown increasingly tolerant of gays and lesbians in recent decades. Throughout Europe gay sex is a legal behavior. Scandinavian countries and Poland first decriminalized homosexuality in the 1930s and 1940s². England and Wales did so in 1967, and decriminalization spread across the continent over the next two decades (for a complete time line, see Sanders 1996: 71). In 1981, the European Court of Human Rights (ECHR) struck down Northern Ireland’s prohibition of same-sex relations as a violation of “the right to respect for private life.” In 1994, the European Parliament passed a resolution calling for equal treatment of gays and lesbians, including the right to marriage and adoption (Sanders 1996:

-
- 1 Iran, Saudi Arabia, Qatar, Yemen, Sudan, Nigeria and Mauritania (ILGA 2008). There have also been claims that the Iraqi government planned to execute 128 homosexuals (see Iraq LGBT 2009). Recently, a proposal in the Ugandan legislature to make homosexual behavior a potentially capital crime has drawn the ire of Western gay-rights groups, particularly considering the connection between the Ugandan legislator who proposed the bill’s connection with American fundamentalist Christians (The Advocate 2009).
 - 2 States that derived their criminal law from Napoleonic Code, such as France and Spain, “drew no distinction between homosexual and heterosexual acts” and thus had no prohibitions against homosexual activity (Sanders 1996: 70).

78-79, 83). In 1999, the ECHR ruled that the UK's ban on gays serving in the military violated the European Convention on Human Rights (Lau 2004: 1701). In 2000, pressure from European states pushed Romania, a predominantly Orthodox country that in the 1990s punished homosexuality with up to five years in prison, to decriminalize private same-sex sexual behavior (Turcuscu and Stan 2005: 294). As Holning Lau (2004: 1701-1702) succinctly states, "European states lead the world in sexual orientation law reform."

Nowhere is that more true than with same-sex marriage. In 1989, Denmark became the first country to grant homosexual couples legal recognition (Festy and Rogers 2002: 419). In 2000 and 2003, respectively, the Netherlands and Belgium became the first countries to offer same-sex couples full marriage rights (Fiorini 2003: 1039). Since then, five more countries — Spain, Canada, South Africa, Norway and Sweden — have done the same. Worldwide, at least two dozen more countries and sub-national governments offer same-sex couples some level of legal recognition, such as the United Kingdom's registered partnership scheme and the *pactes civil de solidarite* in France (see Nyberg 2009; Paternotte 2006 and 2009; ILGA-Europe 2009; and UK Gay News 2009). In 2003, Belgian and Dutch same-sex marriages won legal recognition throughout the European Union (Rothblum 2005: 23).

But even while gay marriage rights spread throughout Europe, the fight over the recognitions of these same relationships intensified in the US. In 1996, the US Congress passed, and President Bill Clinton signed, the Defense of Marriage Act, prohibiting any federal recognition of same-sex couples (Tracey 2009). After its state Supreme Court ruled that the state constitution required equal access to the institution of marriage for same-sex couples,

Massachusetts permitted same-sex couples to wed in 2004 (Arce 2004); in the media storm that followed, gay marriage became a lightning rod in the 2004 presidential election, to the benefit of Republican President George W. Bush, who advocated for a federal constitutional amendment banning same-sex marriage. As Miriam Smith (2003: 226) notes, “In the US, the ‘legality’ opens the door to wholesale condemnation of homosexuality in public discourse....”³

All of this demonstrates a central point: In postmaterialist Western cultures, there is a wide divergence in states’ and countries’ approaches to lesbian and gay rights. And while the policy differences between the Netherlands and the United States (and, perhaps, the differences between Connecticut and Texas) are certainly smaller than the differences between, say, the Netherlands and Saudi Arabia⁴, the fact remains that even within developed, prosperous, democratic countries and states with relatively similar cultural and religious heritages, we see disparities in the rights allotted gay and lesbian couples. For instance, while homosexuality is legal throughout Europe — thanks largely to the institutions of the EU — some countries, such as the Netherlands and Belgium, grant gay and lesbian couples full marriage rights; others, such as Greece and Italy, grant them none. Still others, including the UK and France, afford same-sex couples a lesser legal recognition than marriage. Why do these countries adopt these different policies? Similarly, in the US — which will be the primary focus of this research, although there

3 As Smith and Howard-Hassman separately point out, this was not the case in Canada, a country that decriminalized homosexuality in 1969 — after its justice minister declared in 1967, “The state has no place in the bedroom of the nation” (Howard-Hassman 2001: 77) —and approved gay marriage in 2005. Whereas in the US, Republican leaders cued their political message to their anti-gay base, Smith argues that “in the Canadian debate ... same-sex marriage is treated as a question of human rights” (Smith 2003: 226).

4 One could fairly chalk up the more draconian opposition to homosexual civil rights in the Middle East as a product of fundamentalist religion and theocratic nation-states, or as a remnant of materialist concerns (see Inglehart 1981 for a fuller discussion of the effects of materialism and postmaterialism on cultural change).

is an important literature and qualitative research on the European experience — what makes such states as Massachusetts and Iowa, which permit same-sex unions, different from Florida and Texas, which have constitutional proscriptions against gay marriage?

The next chapter of this thesis will delve into the literature on both gay marriage, which is fairly nascent, and the gay-rights movement more broadly. This review will include not just the political-science literature on the gay-rights movement and seminal scholastic works on gay marriage, but also a brief historical review of the gay-rights movement in the United States and Europe over the last 50 years to help contextualize the more recent gay-marriage debates. This chapter will include studies on three western European nations' gay-marriage policies as well as descriptions of the state-specific battles of gay marriage in the US. It will conclude with a theoretical overview and a list of hypotheses drawn from the literature.

Chapter 3 will focus on methodology. This research will rely primarily upon quantitative data from American National Elections Studies, General Social Surveys and state-level data compiled by Jeffrey R. Lax and Justin H. Phillips, and developed through multilevel regression and poststratification — an innovative means of estimating state-level opinion that, Lax and Phillips argue, does not carry with it the problems of disaggregation, the more common means of determining state-level opinion data (Lax and Phillips 2009: 371-373), as well as state public opinion polls and US Census and other demographic data.

Chapter 4 will present my research. In Chapter 5, I will discuss and analyze my findings. In Chapter 6, I will conclude with some final thoughts on what this research contributes to the literature, and what areas need further scholarly exploration.

Ultimately, this research aims to help explain the divergence in same-sex union (SSU) and gay rights policy across the US, and to add to our understanding of why states adopt the policies they do. These results have implications for advocates on both sides of the gay-rights debate; clearly, understanding how policies come to be enacted and what variables are linked to policy changes is vital to developing political strategies. But this research also has broader ramifications. Gay marriage is a salient, divisive, almost defining issue in early twenty-first century American politics. It is, as the literature review in the next chapter will show, front and center in the so-called culture wars. Developing a conception of the dynamics at play will lay the groundwork for future scholarship, in this and other “culture war” fields.

CHAPTER TWO: LITERATURE REVIEW

The literature on gay marriage in the US is a fairly new field; indeed, in the modern era, the concept of allowing same-sex couples to wed anywhere is a relatively recent development.⁵ As Kelly Kollman (2007:352) notes, this presents a problem for researchers, who are essentially trying to build a model from scratch: “Because [same-sex unions] policy is such a new field, very little research has been done on why different countries adopt the models they do.”

Kollman’s research in Europe presents perhaps the first quantitative effort to explain SSU policy divergence, and as such, it offers a good starting point for this literature review. She credits Western European countries’ overarching policy convergence on gay-rights issues with “the rise of a human rights oriented transnational network of lesbian, gay, bisexual and transgender (LGBT) activists as well as the transnational networked policy elites these activists influence” (2007: 329). Kollman argues that SSU policy is largely elite-driven, and that the elite-level adaptation of international human rights norms that include rights for homosexuals and same-sex couples have in turn filtered down into national public policies. “This evidence taken together with governments’ frequent use of international norms and foreign models in their justifications of national SSU laws strongly suggests that these norms and transnational networks have been an important catalyst of domestic SSU policy developments” (2007: 343)⁶.

5 This was not always so. As William Eskridge (1993) ably demonstrates, history is full of legally sanctioned same-sex couples, including that of Sergius and Bacchus, two fourth-century Roman soldiers: “They were male lovers, yet it was for their Christian faith that they were persecuted by the Romans” (1420). The Roman Empire only grew hostile to homosexuals three decades after Constantine’s conversion to Christianity (1447). It was not until the thirteenth century, Eskridge argues, that the church and Western secular governments began to fashion anti-sodomy laws (1469).

6 This point is supported by David Patternotte’s (2006 and 2009) analyses of SSU-policy evolution in Belgium. “Belgium is traditionally influenced by its neighbors,” he writes. “After the failure of the French PACS [civil

In Western European countries, Kollman attributes national SSU policy differences to two primary factors: How “seriously governments take international and foreign norms in general;” and countries’ religious characteristics and practices. On its own, the “international norms” variable⁷ does not succeed. However, it does elucidate when considered alongside a country’s religious characteristics — a country’s religiosity, dominant religious tradition and church-state relationship (e.g. whether the state officially recognizes or subsidizes a church). “Confessional heritage and church-state relations appear to have less impact on SSU outcomes” (2007: 347).

As Kollman notes, when the US Supreme Court overturned anti-sodomy laws in 2003, a mere mention of the European case law on the subject was enough to “raise the ire of conservatives in Congress. Resolutions forbidding the use of foreign or international law in judicial decisions were introduced in both the House and the Senate in the wake of the *Lawrence* decision. ... There is a deep-seated antipathy to the use of international legal principles and precedents among many US political elites and the public, a reluctance that is much less visible in Canada and Western Europe” (2007: 345-346). From this perspective, considering the US’s relatively high levels of religiosity (2007: 348), it is perhaps unsurprising that the US has at a national level (and in the overwhelming majority of states) an anti-SSU policy.

In looking at Western European countries, Kollman draws a noteworthy distinction between those countries that have adopted marriage SSU policies and those who have opted for

unions] and the Dutch decision to allow same-sex marriage in 2000, the latter proposal became a valuable option of both activists and politicians ...” (2006).

7 She measures this variable in terms of participations in transnational treaties and finds little variance between countries that offer same-sex couples legal recognitions and those that do not (2007: 346).

lesser recognitions, such as civil unions. As one might expect, countries with low levels of religiosity, as measured by frequency of church attendance, have a SSU law in place, while the countries that do not tend to have high religiosity. However, she notes, among countries with a SSU policy, those with medium and higher levels of religiosity tend to offer same-sex couples marriage rights, while those with lower levels of religiosity choose civil union or domestic partnership recognitions. “In comparatively traditional adopter societies, it seems governments are more susceptible to the argument that denying same-sex couples the symbolism of marriage amounts to discrimination” (2007: 354).

Also importantly, Kollman rejects institutional explanations, such as parliamentary-versus-presidential governments or the impact of proportional representation or single-member districts⁸.

In a recently published book, M.V. Lee Badgett expands upon Kollman’s research and offers the most thorough analysis of gay marriage in the US and Western Europe to date, from both quantitative and qualitative perspectives.

Badgett, an economist who married her partner after her home state of Massachusetts opened marriage to same-sex partners, tackles her research in two ways: First, she conducts a series of interviews with same-sex couples in the Netherlands, probing them on their decisions to marry (or, in some cases, not); second, she uses population and survey data to analyze the impact that allowing same-sex couples to wed has on society at large⁹. The latter is more fundamental to

8 Her analysis finds no support for the theory that parliamentarian, PR systems tend towards more liberal SSU policy.

9 This is perhaps the most poignant criticism that opponents of same-sex marriage levy. Indeed, conservative, religious activists such as Mathew Staver (2004), Maggie Gallagher Janet Folger, and Tony Perkins contend that

my research.

Specifically, she answers contentions by conservative scholar Stanley Kurtz, who has argued — and whose arguments high-ranking American politicians have taken up — that “gay marriage is both an effect and a cause of the increasing separation of marriage and parenthood” (Kurtz in Badgett 2009: 65). Hence, he concludes that giving marriage rights to same-sex couples is potentially devastating for the traditional heterosexual family. Looking at time-series data, Badgett argues that gay marriage cannot be blamed for such things: “Overall, the most basic elements of the sky-is-falling argument fail these basic tests of plausibility,” she writes. “The timing in measured trends of heterosexual behavior does not line up with the timing of changes in policies that recognized same-sex couples’ right to marry or register a partnership. These trends were well established in the 1970s and 1980s, and no adverse changes have occurred since countries recognized rights for same-sex couples: marriage rates are up, divorce rates are down, and (mostly) non-marital birthrates are not rising in comparison to rates for the years before gay couples could register” (2009: 76)¹⁰.

permitting same-sex marriage means, in Gallagher’s words, “losing the idea that children need mothers and fathers” (see Badgett 2009: 5-6). They tend to view homosexuality as “a destructive lifestyle both physically and emotionally,” and societal acceptance may not only incur the wrath of God, but lead to the degeneration of the traditional family structure that they see as being the core of Western civilization (Staver 2004: 10). The point is no small matter in the debate over the liberalization of gay rights policies, particularly with regards to marriage. Ostensibly, this argument can be made without a religious component, and instead, focus on the secular, and statistical, effect that liberal SSU policies have on heterosexual families. If a deleterious effect can be demonstrated, in terms of increased rates of divorce or out-of-wedlock, to be correlated with a liberal policy toward gay marriage, then this is another arrow in SSU opponents’ rhetorical quiver. That said, even this argument would present an endogeneity problem — whether these factors precipitated or were caused by gay marriage — which is part of the puzzle that Badgett sets out to answer here.

¹⁰ This is not to say that the embrace of gay marriage policies would have no impact on society as a whole. There are in fact numerous legal ramifications to such a policy change, particularly to religious groups that, for instance, may be required in some cases to accept these unions despite their religious tenets in order to keep their

This conclusion is key to my hypothesis development in this way: If gay marriage does not *cause* a deterioration of these statistical elements that are linked to the traditional family structure — divorce, marriage, and non-marital birthrates, etc. — then perhaps gay marriage may be better viewed as a *symptom*. In other words, as traditional family structures decline in an increasingly urbanized, less religious, postmaterialist societal framework, allowing same-sex couples to wed or register their relationships becomes more culturally acceptable.

Badgett, in fact, touches on this concept, and points to the World Values Survey's question on whether or not marriage is outdated (2009: 83). "If giving rights to same-sex couples undermines the relevance and attractiveness of marriage, then the proportion of respondents who see marriage as outdated should *increase more* in countries with such laws than in countries without them [*italics sic*]," Badgett writes. "... The countries without partnerships saw a faster rise in the proportion those who saw marriage as outdated, though. ... This finding contradicts the prediction that recognizing same-sex couples will somehow undermine marriage in the minds of heterosexual people" (2009: 84).

As my research focuses on the individual and societal prerequisites for the liberalization of SSU policies, Badgett's work helpfully identifies a number of important factors, including: From an institutional perspective, the eight countries in her study that recognize same-sex couples all have parliamentary governments that set family policy at the national level; the presence of an organized gay- and lesbian-rights movement; the existence of legal precursors, such as antidiscrimination laws; a political impetus, such as the recognition that homosexuals

nonprofit status. For a fuller discussion of these possibilities, see Laycock et. al 2008.

require legal protections; and left-leaning governments (2009: 182-186). Badgett also links greater visibility of the gay community (which she quantifies through a gay business index), a higher heterosexual cohabitation rate, higher social spending, lower religiosity, higher tolerance, higher percentages of union members, and stronger levels of gay organization to liberalized SSU policies (2009:191).

In the US, Badgett analyzes the 10 states that sanctioned, in some form, same-sex relationships as of August 2008¹¹. Of these, nine of the 10 display levels of cohabitation, tolerance, and religiosity similar to those of the first wave of European countries that extended legal recognitions to same-sex couples. (New Jersey is the exception; it has high tolerance and low levels of evangelical adherents, but has a relatively lower level of cohabitation). Badgett identifies another 11 states — 21 in total, including Washington, D.C. — that, based on her three criteria, seem predisposed toward recognizing same-sex relationships¹².

“The similarities in the path to change in European countries and in the United States suggest that both practical and political factors are driving the policies that grant marriage or partnership rights to gay couples,” she concludes. “From this broad perspective, the movement to give legal recognition to same-sex couples is not racing ahead of social values or being foisted on an unprepared public by activist judges” (2009: 198).

11 These were: Massachusetts and Connecticut (marriage); Vermont, New Jersey, New Hampshire, Oregon (civil unions or domestic partnerships); Hawaii, Washington, and Maine (lesser rights packages); Washington, D.C. also afforded gay couples domestic partnership rights. New York is not included in this group for Badgett’s purposes — though it does not permit same-sex couples to marry inside of its borders, it does recognize same-sex marriages performed in other states (Badgett 2009: 198)). Also, since her writing, New Hampshire, Vermont, Iowa, California and Maine extended marriage rights to same-sex couples, though California and Maine voters later repealed these rights via referenda.

12 These are: Alaska, Arizona, Colorado, Delaware, Florida, Maryland, Michigan, Nevada, New York, Rhode Island, and Wisconsin.

In their important work, Lax and Phillips (2009) buttress this point. Their analysis of states' policy congruence with public opinion finds a high degree of responsiveness, particularly after controlling for legislator ideology and the presence of interest groups. In general, they argue that state institutions deliver more liberal policies to liberal states, and more conservative policies to conservative states (2009: 382). This is not necessarily as intuitive as it sounds, particularly considering the oft-stated concern of conservative activists that "judicial activists" will impose unwanted liberal policies on an unwilling electorate (see Marshall et. al. 2008 for one of many examples). Indeed, judicial decisions in California, Massachusetts, Connecticut, and Iowa have led to gay marriage (though voters later repealed the California gay-marriage law the legislature passed in response to the court ruling).

Just as Kollman found little support for institutional explanations for policy divergence in Europe, Lax and Phillips conclude that there is "little evidence that state political institutions affect policy responsiveness or congruence" (2009: 367). Interestingly, when there is noncongruence between policy and public opinion, they find that it "is in the conservative direction. Majority will is not trumped by pro-gay elites — rather, opinion and policy are disconnected in a way that works against the interests of gays and lesbians. In other words, we do not find any evidence suggesting a consistent pro-gay bias in policy making, as is often argued by opponents of gay rights" (2009: 383). Importantly, they find that the policy preferences of religious conservatives are "overrepresented," in that "their share of the population shapes policy even beyond directly affecting public opinion and the composition of state governments" (2009: 383).

These points are key: If policies are generally responsive to opinion, then we can use individual-level data, such as ANES surveys, to look into the questions of why states opt for different policies. Second, if religious conservatives are in fact overrepresented, as Lax and Phillips indicate, then it will be important to identify both the percentage of religious conservatives and their clout in my analysis.

Marc J. Hetherington and Jonathan D. Weiler's (2009) research on authoritarianism in modern American politics is also vital to developing theoretical conceptions of policy divergence within states. "Those who score high in authoritarianism tend to have a different cognitive style than those who score low," they write. "The former tend to view the world in more concrete, black and white terms. This is probably because they have a greater than average need for order. In contrast, those who score low in authoritarianism have more comfort with ambiguous shades of gray, which allow for more nuanced judgments" (2009: 3).

This preference for order, Hetherington and Weiler's research suggest, leads to not just anti-gay and anti-black policy preferences, but also "military conflict over diplomacy and protecting security over preserving civil liberties. A preference for order and a need to minimize ambiguity connects both impulses" (2009: 4). While those who score high in authoritarianism tend to perceive threats to stability and order, both from minority groups and in terms of foreign affairs, perpetually, the positions of those who score low in authoritarianism tend to mimic those with higher scored once they perceive threat, such as after a terrorist attack (2009: 7-8). These individuals' policy preferences are willing likely to change as "threats" to social cohesion ebb and flow — including perceived physical threats, such as terrorist attacks, or perceived threats to

the social order, from such things as gay marriage or, perhaps, race-related issues (2009: 119).

“The underlying orientation that structures all these things — race, morals, and hawkishness — is authoritarianism,” they write (2009: 29). Taking data from the ANES, they show that authoritarianism levels are highest among evangelical protestants, frequent churchgoers, individuals with lower education levels, and those from small towns and rural areas, as opposed to those from larger cities (2009: 59). Thus, we would expect that individuals that fall into these categories would be less likely to have affect for gays and lesbians, and lower levels of support for gay marriage.

Over the last decade, Hetherington and Weiler write, gay rights, and gay marriage particularly, have become salient issues in American politics. “The rise of gay rights from a nonissue to a central issue threatens one set of traditional values and taps into authoritarians’ concerns about difference” (2009: 86). And indeed, ANES data show a clear link between levels of authoritarianism and support for gay adoption, gay marriage, gays in the military, and job discrimination protections for gays and lesbians. For instance, they write, while 71 percent of those who score lowest in authoritarianism approve of gay marriage; only 19 percent of those who score highest in authoritarianism do so (2009: 92). These levels hold up under more rigorous statistical scrutiny.

“In sum, the relationship between authoritarianism and support for gay rights holds up even when we control for a wide range of other potential explanatory factors,” they conclude. “Moreover, the effect of authoritarianism is very large in a relative sense. It is consistently larger than that of partisanship and ideological self-identification, as well as all the demographic

variables” (2009: 97)¹³.

The evolution of the gay rights movement

While the literature on SSU policy development is a nascent field, the research on the broader topic of gay rights — and the correlating history of the gay rights movement in the US and Western Europe — is significantly more robust, and furthers our understanding of why states and countries choose the policies related to LGBT individuals and couples that they do, and as such is worthy of review.

As Badgett notes, the history of marriage has not always been tied to love and procreation. Instead, marriage was often about formalizing property arrangements or linking powerful families. “Not until recently did marriage become more about love than about property and in-laws,” she writes. “In the twentieth century, as people have lived longer and spent less of their coupled lives raising children and as economic forces have made both spouses’ paid labor increasingly essential, family life and family law have also adapted” (2009: 66).

The theoretical notion that the liberalization of gay rights policy is a reflection of a larger societal movement favoring the individual over the traditional family structure appears throughout the literature. It tracks with Inglehart’s concept of postmaterialism (see Inglehart 1981) — in sum, that the transformation of economies away from satisfying basic needs also

¹³ Hetherington and Weiler base their authoritarianism index on an ANES question that asks respondents to judge attractive attributes in children: respect for elders versus independence; obedience versus self-reliance; curiosity versus good manners; and being well behaved versus being considerate (2009: 48). In my later tests on authoritarianism, I do not seek to replicate their work. Instead, I construct indexes based on variables that the authoritarianism conception would expect to find associated with low gay rights support, such as tolerance and hawkishness.

transforms societal focuses beyond these needs, and into more abstract, non-materialistic concepts. Thus, a brief review of the evolution of GLBT rights is in order.

The gay-rights movement arcs back to late-nineteenth century Germany, where the Scientific Humanitarian Committee fought a law that made adult male homosexuality a crime. As Ronald J. Hunt details, “From its inception in 1897 until its demise in 1933, with the ransacking of its headquarters by fascist youth, the Scientific Humanitarian Committee and the coalition of groups which it spearheaded created the first broad-based political movement for the emancipation of lesbians and gays from repressive laws and social intolerance” (1992: 222). A larger-scale acceptance of homosexuality in Europe did not come until the latter half the twentieth century, following the publication of the 1957 Wolfenden Report in the UK, which described homosexuality as a moral, not criminal matter, and led to that country’s decriminalization of same-sex sexuality. In 1981, the ECHR effectively banned European countries from prohibiting homosexuality. By that time, the march towards European liberalization of gay-rights policy was well underway (Sanders 1996: 70; also, Hunt 1992: 220).

In the US, the gay-rights movement got its start about 1950 — although the first gay-rights organization dates back to 1924 — with the Mattachine Society (Marcus 2002: 4). In the 1950s and throughout the early years of the gay rights movement, homosexuals were among the most despised groups in the country. They were so despised, in fact, that the American Civil Liberties Union supported anti-gay discrimination. A Truman administration document asserted that the public considered homosexuals a greater threat than communists (Lewis 1997: 389). In California, oral sex carried a prison sentence of up to 14 years (although this penalty was applied

almost exclusively to gay men) (Marcus 2002: 38).

The 1950s also saw a federal government crackdown on homosexuals within the civil service, although there had been a number of discharges of known homosexuals before this, including the Interior Department's termination of Walt Whitman in 1865. In 1947, a US Senate subcommittee sent the State Department a list of "admitted homosexuals and suspected perverts" (Lewis 1997: 387-388).

"During the Cold War, Congress and the president strengthened prohibitions on federal employment of gay men and lesbians, whom they deemed to be risks to national security," Gregory W. Lewis (1997: 387) writes. This ban was in place until the 1970s, and it was not until 1980 that the Office of Personnel Management forbade discrimination based upon sexual orientation. In the years after World War II, as the country moved to reestablish pre-war family and moral norms, state and local governments were passing similar regulations. Licensing boards restricted homosexuals from similar occupations, and private employers banned homosexuals officially or unofficially. Overall, lesbians and gay men were officials barred from at least 20 percent of the nation's jobs" (Lewis 1997: 389).

Newspapers and politicians also reflected the cultural hostility toward gays and lesbians: "Politicians, for the most part, ignored lesbian and gay constituents. Newspapers, rather than publicizing protests and writing editorials in support of the gay community, made a habit of printing the names and addresses of those arrested in routine police raids of gay bars" (Fetner 2001: 411-412).

The 1969 Stonewall riots in New York City proved a galvanizing moment for the

movement (Sanders 1996: 70; also, Hunt 1992: 220). Between 1969 and 1973, some 800 gay-rights organizations emerged, whereas before there might have been 50 (D’Emilio 2002: 83). After this “brief, more militant period” in the early 1970s, “the gay rights movement initiated an important tactical shift: It began concentrating less on direct action and more on the struggle for access to the same polity gay rights opponents had dominated for so long” (Werum and Winders 2001: 386).

In the decades that followed, a number of pivotal moments shaped the gay-rights movement. These include the creation of notable gay rights groups (such as the Lambda Legal Defense Fund in 1973), which, as Kollman and Badgett argue, is an important factor in the attainment of SSU policies. But the historical literature also points to number of events that brought the plight of gays and lesbians into the mainstream consciousness, including: the American Psychiatric Association’s decision to depathologize homosexuality in 1973 and 1974, the 1990 Federal Anti-Hate Crime Statistics Act — a “largely symbolic” law that “may have accomplished an important goal by delegitimizing anti-gay bias and legitimizing homosexuals as a minority group” — the murder of Matthew Shepherd, the AIDS crisis, and the revelation that basketball star Magic Johnson was HIV-positive (see Werum and Winders 2001: 386-397; Brewer 2003; Pollock 1994; Shilts 1987).

It is worth noting, as Hetherington and Weiler do, that, “Only when AIDS became something more than a gay rights issue did public support for AIDS research increase dramatically” (2009: 86). However, the AIDS movement assuredly rallied the LGBT political movement, as they were now, in a very real way, fighting for their very lives. In 1979, a gay-

rights march on Washington, D.C. drew about 100,000 people; eight years later, in the heat of the AIDS crisis, the same march drew more than a half-million (D'Emilio 2002: 86).

The trajectory of the gay-rights movement contrasts with other civil-rights movements, such as the feminist movement, which was stymied in the late 1970s and early 1980s by the rise of the antiabortion movement and the ultimate defeat of the proposed Equal Rights Amendment to the US Constitution. “By contrast,” writes historian John D'Emilio, “the gay and lesbian movement has over the past thirty years grown in size, extended its influence, and expanded its list of achievements. This has not happened at a steady pace; there have been reversals and setbacks along the way” (2002: 39).

In the late 1970s, for instance, the movement's successes, such as the election of the country's first openly gay public official, San Francisco Supervisor Harvey Milk, were often counteracted by successful conservative opposition, such as the Anita Bryant-led campaign to repeal an antidiscrimination law in Miami-Dade County (D'Emilio 2002: 84; also, Fetner 2001).

“But, overall, it is remarkable that, in the midst of a deepening conservative impulse in American political life, this movement for social justice has marched forward” (D'Emilio 2002: 39).

Since Stonewall, D'Emilio points out (in a work published before the US Supreme Court's decision in *Lawrence v. Texas*), “a majority of American states have repealed sodomy laws that were as old as the nation” (2002: 39).

The new plateau of popular acceptance

Not surprisingly, gay men and lesbians' improved legal standing coincided with more favorable public attitudes toward homosexuals as a cohort. "Public attitudes about homosexuality changed dramatically over the course of the 1990s," writes Paul Brewer. Between 1973 and 1988, the proportion of respondents in the General Social Survey who believed that homosexual sex was "always wrong" stayed about the same. "From 1992 onward, however, such hostility (toward gays and lesbians) decreased rapidly In 1992, 71 percent of the GSS respondents chose the 'always wrong' option; in 1994, 63 percent did; by 1998, only 54 percent did" (Brewer 2003: 1208). During the same time period, support for allowing gays and lesbians to serve in the military increased as well.

These across-the-board pro-gay shifts "took place among men and among women," writes Brewer. "They took place among those with a college degree and among those without one. They took place among Democrats, Independents, and Republicans. They took place among those who rejected literal interpretation of the Bible and among those who endorsed it; they took place among those who rejected the label 'born again' and among those who embraced it" (2003: 1213).

Morris Fiorina, Samuel Abrams, and Jeremy C. Pope (2005) chart the same trend. For instance, they cite ANES "thermometer ratings" toward homosexuals from 1984 to 2004. Over this 20-year period, the average rating has climbed from about 30 to slightly less than 50, on the ANES scale from 0 to 100. During that same period, the percentage of respondents who rated homosexuals a 0 declined markedly, from the mid-20s to roughly 10 percent in 2000 (2005: 113).

While this increasing affect is evident across demographic groups, it is particularly so among those under 50 years of age (Fiorina et. al. 2005: 124).

This viewpoint evolution was reflected in popular culture, in the coming-out of Ellen DeGeneres, and in the television show *Will & Grace*, which featured a gay male lead character. Brewer argues that the shift in mass opinions toward homosexuals in the 1990s can be traced to increased information about and broader awareness of gays and lesbians (2003: 1217).

“Especially in the realm of popular culture, a new plateau has been reached,” D’Emilio writes. “Particularly on television, but in Hollywood as well, gays and lesbians were becoming a standard fixture. No longer framed as monsters, nor relegated to an occasional walk-on role, they were increasingly a regular part of the social landscape” (2002: 88).

This “new plateau” of popular acceptance fits well with Hetherington and Weiler’s concept of authoritarianism as a primary driver in debates over social issues. In this case, as gays and lesbians became perceived as more mainstream, they become less threatening to those who score at lower or median levels of authoritarianism. As the perception of threat diminishes, these individuals become more receptive to both homosexuals as a group, and to pro-gay policies, as the importance placed on personal pursuits of happiness supplant the import of maintaining the social order.

However, although increasing affect toward gays and lesbians occurred over the last half-century throughout demographic and regional groups, the US’s federal system, with its hodgepodge of local, state, and national laws, has produced disparate results for LGBT rights activists. In the simplest terms, some parts of the US were clearly more sympathetic to the gay-

rights movement than others.

Werum and Winders' compelling analysis of the gay-rights supporters' and opponents' successes between 1974 and 1999 shows that, of the 377 *successful* movements during that time frame, the overwhelming majority (309-68) were initiated by gay-rights supporters (2001: 395). Within this study, there are data that point to the role methods and institutions play: Anti-gay rights activists, for instance, saw the bulk of their success at the ballot box — 35 percent of their successful initiatives during this time period came from referenda. In contrast, pro-gay rights advocates leaned on local governments for 65 percent of their successful initiatives, as well as states legislatures and state courts.

“Consequently,” Werum and Winders write, “though both movements were most effective on governmental levels, supporters seem more tied to the central arenas of the state (legislature), while opponents rely primarily on a marginal channel requiring popular support (ballot)” (2001: 398). This has created an interesting turn of events, they continue: “If anything, gay rights opponents, rather than proponents, seem to have lost much of their earlier control over legislative and judiciary channels — the two key institutions through which homosexuality used to be marginalized and even criminalized” (2001: 402).

Individualization and the liberalization of gay rights policy

The liberalization of gay rights policies in the last half-century occurred worldwide. As David John Frank and Elizabeth H. Mceneaney's (1999) research demonstrates, between 1984 and 1995, 24 countries of the 86 in their study altered their policies towards homosexuality, and

“nearly every change” was towards liberalization. The literature that follows explores this change; if one presumes that same-sex marriage marks a pinnacle of the gay-rights movement’s progress over the last half-century, these analyses, which center on the theoretical notion of the rise of the individual over traditional family structures, will be of much assistance in developing hypotheses.

In separate articles, Rhoda Howard-Hassman (2001) and Frank and Mceneaney (1999) present a greater societal emphasis on individuality in Western culture as a causal factor. Howard-Hassman (2001: 83) adds the devaluation of the influence of religion on moral norms: “Only the development of a liberal society increasingly tolerant of personal privacy, including sexual privacy, permits homosexuals to assert claims to social respect. Such liberalism also coincides with small-s secularism: not necessarily the renunciation of religious views, but a reconsideration of religious views in accordance with prevailing secular social norms”

Frank and Mceneaney argue that the “effects of individualism can be observed ... in the depiction of same-sex sexuality as a ‘human right,’ which as a matter of natural law accrues to all individual persons” (1999: 916-917). Their data link gender equality to more liberal policies towards homosexuals, which both being the fruit of the individualization tree. As they write, “Sex has ceased to be dominantly associated with the family and procreation and has come to be associated with the individual and pleasure. One expression of this shift is the recent rise and public legitimation of same-sex relations.” In non-individualized societies, they continue, “sex is typically bound to the heterosexual family and defined in terms of reproduction” (1999: 916). Also, importantly, “competing explanations for the changes, such as economic development and

democratization, receive little support” (1999: 911).

Peter M. Nardi associates the globalization of the gay-rights movement with the theme of individualization. Citing D’Emilio, he notes that “only when wage labor became the primary means of making a living — rather than through an interdependent family unit — was it possible for homosexual desire to become the basis for personal identity and not just a behavioral pattern” (1998: 570). He references Neil Miller’s preconditions for the emergence of a modern gay identity, including a relatively higher social status for women and a level of economic development that allows for independence and social mobility. In that vein, Kenneth D. Wald, James A. Button and Barbara A. Rienzo argue, “Consistent with the urbanism theory, population size is the single largest factor differentiating the two types of communities” — those with and without anti-discrimination policies (1996: 1152). As their analysis shows, by the early 1990s 75 percent of all American cities with anti-discrimination ordinances had populations of 1 million or more. Most of the rest had populations of at least 250,000¹⁴.

David Bradley reaches a similar conclusion in his comparative analysis of sexual morality regulation in Finland and Sweden. “Sexual attitudes and behavior started to be liberated in the 1970s with the accelerating social and economic developments in the society which brought increasing numbers out of the agrarian society with its rigid social controls” (1999: 180). Here again, urbanization is key.

Gregory B. Herek’s (1988: 452) research shows that heterosexuals who hold more

¹⁴ Interestingly, gay lifestyles have long been associated with urban environments. As Joseph Harry wrote in 1974, “Such diversity of gay life-styles appears to induce a substantial volume of migration by gays to the larger cities, much as the bright lights of the big city seem to appeal to single heterosexuals. It is suggested that gay and heterosexual life-styles are similar in many ways and will become increasingly so in the future” (1974: 238).

negative views toward homosexuals are: “1.) more likely to express traditional, restrictive attitudes about gender-roles; 2.) more likely to manifest high levels of authoritarianism and related personality characteristics; 3.) more likely to perceive their peers as manifesting negative attitudes; 4.) less likely to have had personal contact with gay men or lesbians; and 5.) more likely to subscribe to a conservative religious ideology.”

Herek assesses religiosity through three measures: frequency of religious service attendance; placement on the orthodoxy subscale of the Religious Ideology Scale; and the conservatism of the respondent’s denomination (1988: 456).

Similarly, Vyacheslav Karpov (2002: 267) emphasizes the role of ideology in religiosity in his study of tolerance in the US and Poland. “Both in the United States and Poland, intolerance appears to be linked primarily to theocratic beliefs, that is, to a political correlate of religiosity rather than to its essential components, such as religious commitment and participation that have weak direct effects only on the tolerance of atheists, and weak indirect effects on other dimensions of tolerance.” Karpov emphasizes the political influence of a country’s religious traditions, rather than the frequency with which a country’s residents attend religious services, as a determining variable in analyzing.

In a similar vein, Hetherington and Weiler argue that, “Christian fundamentalists are more intimately tied to their views of controversial political issues than are other religious groups, such as Catholics and Jews” (2009: 88).

Donald P. Haider-Markel and Mark R. Joslyn argue that in the US, “Opposition to legal recognition of same-sex marriage is a function of being non-white, male, older, politically

conservative, less educated, and more religious” (2005: 236). Again, it is not just religiosity that hinders the liberalization of policies towards gays and lesbians, but the *combination* of religiosity and conservatism, as well as greater affect toward authoritarianism.

Case studies: Belgium, the UK, and Italy

Before delving into a discussion of my hypotheses, it is beneficial to look at the experience in Western Europe to see if the themes delineated in the literature above hold up upon scrutiny of survey and demographic data (see Appendix A for data), and to assist in the development of independent variables that can be then transferred to my analysis of policy divergence in the US, and tested through more sophisticated statistical measures. To this end, I have constructed a brief most-similar case study of three Western European nations: Belgium, which permits same-sex couples to marry; the UK, which permits same-sex couples to form civil partnerships; and Italy, which affords gay and lesbian couples no legal recognition.

Broadly, we would expect Italy to be the most religious (and religiously conservative) of the three countries; indeed, using data from the World Values Survey (2009) and other sources, we find that Italy has the highest percentage of frequent churchgoers; in fact, it doubles the UK’s amount and more than triples Belgium’s. Italians are also the most likely of the three countries to volunteer for a religious organization — albeit by a slim margin — pray more often, consider religion more important to their lives and have a significantly greater belief in sin and life after death than do the Belgium and UK populations. Italians also profess a significantly greater confidence in their religious institutions than do either the British or Belgians. On the other hand,

more Italians believe that the church should not interfere in state business than do British.

Perhaps most surprising, given that Italians overwhelmingly disapprove of gay marriage and the British population is relatively split on the issue (Angus Reid Global Monitor 2006), the data show that Italians are no more prone to intolerance against homosexuals than are the British.

On the other hand, more Belgians pray, express confidence in their church and consider religion important in their lives than do Britons. In fact, the perhaps intuitive difference one might expect between the country with a marriage SSU policy and the country with a registration SSU policy in many cases does not appear to exist. This would seem to cast doubt on the idea that registered partnerships are a “lesser” form of marriage that would correlate with greater religiosity, and would seem to support Kollman’s conclusion that greater religiosity leads countries with SSU policies to select marriage over other arrangements because the symbolism of marriage has greater saliency (2007: 354).

In this case study, urbanization does hold up as a factor. Of the three countries, Belgium is the most urbanized. Italy is the least. Belgium is also the best educated of the three, and again, Italy has the lowest proportion of citizens without tertiary educations.

Notably, Belgium also has the greatest proportion of women in its national legislature — a means of measuring gender equality — and Belgians are more sympathetic toward single mothers than in the other two countries. This is an indication that traditional gender roles may not be as strong there as in the UK and Italy, which the literature suggests should correlate with a greater propensity toward legal recognition of same-sex unions. A greater percentage of Italians favor traditional, two-parent family models and express faith in the institution of marriage than

in the other two countries; Italy also has the lowest divorce and non-marital birth rates of the three. Belgians, for instance, voice significantly greater support for the two-parent family than do Britons. The UK also has a much higher out-of-wedlock birthrate than does Belgium. Those two data points seem to contradict that notion that there is a linear link between support for the traditional family and same-sex marriage — although here again, these data would align nicely with Kollman's (2007: 354) analysis on the importance of marriage and a country's decision to select marriage over registered partnerships for same-sex couples. Then again, Belgium has a higher divorce rate and a greater number of Belgians consider marriage outdated, so the picture gleaned from this case study appears, in this regard, murky.

Generally speaking, however, these case studies perform as the literature would predict.

Theory and hypotheses

The literature presents a strong link between authoritarianism (and its corollaries, including religious conservatism) and anti-gay feelings. But clearly, authoritarianism is not static. The data presented in this review, as compiled by Fiorina et. al. (2005) and others, show that affect toward homosexuals has risen steadily in recent decades. Hetherington and Weiler (2009) demonstrate that this increased affect has crossed all levels of authoritarianism — and that similar changes have been seen in the issue of black civil rights over the past generation.

Under the framework of authoritarianism, one then concludes that the explanation for this change is that these once-marginal groups have become less threatening. As the groups become perceived as less threatening to the social order, they become more acceptable, which in turn

leads to more favorable policies; Lax and Phillips' (2009) work shows congruence between public opinion and policy choices in the states in gay-rights issues. In this regard, the key is explaining the diminution of the perceived threat.

The other overarching peg to my theoretical framework is the notion of the supremacy of individual happiness, as drawn from the literature on the liberalization of gay-rights policy in the US and Western Europe (Frank and Mceneaney 1999; also, Howard-Hassman 2001). From this perspective, we expect to find in survey and demographic data decreased support for traditional, agrarian, patriarchal family structures among states and individuals that have the greatest affect for homosexuals, and which favor more liberal SSU policies.

The following hypotheses, which will be tested with both individual- and state-level data in the chapters that follow, are rooted in the abovementioned theoretical rubrics:

Hypothesis 1: Liberalism

Hypothesis 1a: In comparing individuals, those who have higher affect toward homosexuals are more likely to favor liberal policies regarding same-sex marriage, gays in the military, and gay and lesbian employment discrimination than those with a lower affect toward homosexuals.

Hypothesis 1b: In comparing individuals, those who identify themselves as liberal are more likely to favor liberal policies toward gay rights and gay marriage than those who identify themselves as conservatives.

Hypothesis 1c: In comparing states, those whose electoral votes went to Barack Obama in

the 2008 presidential election will be more likely to adopt liberal policies on same-sex marriage and civil unions than those whose electoral votes went to John McCain.

Hypothesis 1d: In comparing states, those with higher levels of state spending will have greater support for gay marriage and liberal gay rights policies than those with lower spending levels.

Discussion: Here, I seek to test our most basic and intuitive assumptions — that liberals will favor more liberal positions, and that conservatives will favor more conservative positions. Moreover, I also wish to establish here that those who favor more liberal policies toward gay civil rights will also be more likely to favor liberal SSU policies. Within states, I expect to find that those demonstrating characteristics of liberalism, such as increased state government spending and support for Democratic presidential candidate Barack Obama, will be more apt to support liberal SSU and gay rights policies, as well.

Hypothesis 2: Demographics: Age, education & urbanization

Hypothesis 2a: In comparing individuals, those who are elderly will be less likely to support liberal SSU and gay rights policies than those who are not elderly.

Hypothesis 2b: In comparing states, those with larger percentages of elderly persons will be less likely to adopt liberal SSU policies than those with smaller percentages of elderly populations.

Hypothesis 2c: In comparing individuals, those who have attained higher levels of education are more likely to support more liberal gay civil rights and SSU policies than those

who have not.

Hypothesis 2d: In comparing individuals, those who performed poorly on tests that measure scientific and vocabulary knowledge will be less likely to support liberal SSU and gay rights policies than those who performed well.

Hypothesis 2e: In comparing states, those with greater percentages of their populations that have received tertiary educations will be more likely to have liberal gay civil rights and SSU policies than those with lesser percentages with tertiary educations.

Hypothesis 2f: In comparing states, those with higher levels of urbanization will be more likely to enact liberal SSU policies than those that are less urban.

Hypothesis 2g: In comparing individuals, those who reside in more urban environments will be more likely to support SSU policies than those who reside in more rural environments.

Discussion: Here, I will test an assumption not well covered in the above literature — that is, the idea that older Americans adhere to traditional mores and tend to be more adverse to liberal gay-rights than younger Americans. This assumption is supported by published polling data: For instance, a Gallup poll released in May 2009 found that, though among all Americans a majority (57 percent) opposed same-sex marriage, among those 18-29 years of age, a strong majority (59 percent) supported same-sex unions (Jones 2009). Also, Hetherington and Weiler (2009) link education to declining levels of authoritarianism, which in turn, they link to greater support for gay rights. Hence, my hypotheses predict that as education goes up, so do does affect toward homosexuals and support for liberal SSU and gay rights policies. Also, based on the research of Wald et. al. (1996), as well as the well-established linkage between urban

environments and gay culture (Harry 1974), these hypotheses predict a relationship between urbanization — and the accompanying social mobility it affords — and a heightened sense of the importance of the individual, which, in turn, should produce stronger support for liberal SSU policies.

Hypothesis 3: Religiosity

Hypothesis 3a: In comparing states, those with lower levels of religiosity (as measured by the percentage of individuals who attend religious services frequently) will be more likely to have liberal SSU policies than those with higher levels of religiosity.

Hypothesis 3b: In comparing states, those with lower proportions of evangelicals will have more liberal SSU and gay rights policies than states with higher proportions of religious evangelicals.

Hypothesis 3c: In comparing individuals, those who less frequently attend religious services will be more likely to support liberal SSU policies, than those who more frequently attend religious services.

Hypothesis 3d: In comparing individuals, those who adhere to tenets associated with fundamentalist Christianity — a belief in a literal interpretation of the Bible, for instance — will tend to have a lower affect for homosexuals and support more conservative positions with regard to same-sex marriage and gay rights than those who do not.

Hypothesis 3e: In comparing individuals, those who profess confidence in religious organizations will be more involved in public policy will be more likely to oppose liberal SSU

policies than those that do not.

Discussion: Throughout the literature, the link between religiosity (particularly conservative religiosity) and support for anti-gay policies is among the most robust, and perhaps the most intuitive. One could not expect, after all, persons who believe that homosexual conduct is a sin to embrace policies allowing same-sex couples to wed, with the blessing of the state and the legal ramifications such policies entail. Also, as Hetherington and Weiler (2009) ably demonstrate, there is a strong correlation between evangelical Protestantism and high authoritarianism scores, and between authoritarianism and anti-gay policies. Hence, we would expect to find in individual-level data a strong correlation between such religiosity — i.e. support for literal interpretations of the Bible and traditional values — and both more anti-gay thermometer readings (in the ANES) and low support for liberalized policies on gay marriage, gays in the military, and gay and lesbian employment discrimination protections.

Hypothesis 4: Authoritarianism & tolerance

Hypothesis 4a: In comparing individuals, those who stake out hawkish positions in matters of foreign policy and national defense — supporting the war in Iraq, increases in defense spending, or the torture of suspected terrorists — will be more likely to oppose liberal policies regarding gay civil rights, and will be more likely to have lower affect toward gays and lesbians than those who take more dovish positions on foreign policy issues.

Hypothesis 4b: In comparing individuals, those who have a lower affect toward feminists, African Americans, Hispanics, and other groups will also have a lower affect toward

homosexuals, and will be more likely to take positions opposing gay civil rights and gay marriage than those with a higher affect toward these groups.

Hypothesis 4c: In comparing individuals, those who voice place greater emphasis on the maintenance of social order, as opposed to civil rights, will be more likely to oppose liberal SSU and gay rights policies.

Discussion: Here, I will test some of the links presented in Hetherington and Weiler's important work on authoritarianism. Hetherington and Weiler identify in their work a link between an acclimation toward authoritarianism and support for the maintenance of the existing social order and opposition to gay civil rights. It is important to note here that I do not mean to simply re-do their work, which largely draws from the same data source, the ANES. Instead, I will analyze the effect of variables associated with authoritarianism, and their impact on gay rights and gay marriage opinion, in an attempt to offer a wider look at authoritarianism's relationship to respondents' opinions.

Hypothesis 5: Moral traditionalism

Hypothesis 5a: In comparing states, those with higher rates of divorce, nonmarital childbirth, and nonmarital different-sex cohabitation are more likely to have liberal SSU and gay civil rights policies than those with lower rates of divorce.

Hypothesis 5b: In comparing states, those with a higher percentage of women in the state legislature are more likely to favor liberal gay civil rights and SSU policies than those with a lower percentage of women legislators.

Hypothesis 5c: In comparing individuals, those who voice support for the traditional, nuclear family — in which the father is the head of household and breadwinner, and the mother stays home with the children — and traditional norms will be less likely to support liberal gay civil rights and SSU policies, and to have a lower affect for homosexuals, than those who do not have such views.

Discussion: Throughout the literature, we see a decline in emphasis on traditional family structure correlate with an increase in support for gay civil rights. This is, in a sense, the triumph of the individual; an individual's right to pursue his or her own happiness becomes paramount in these postmaterialist cultures. Societies become less patriarchal, less rural, and more inclined to see gay and lesbian behavior and relationships not as a threat to the established way of life, but as another means by which an individual can seek pleasure. Based on the literature and on the European case study examples, these hypotheses predict that a society in which women are seen as societal equals, and have access to the halls of power (in this case, the legislature), will also be more accepting of gay and lesbian relationships.

CHAPTER THREE: METHODOLOGY

The hypotheses discussed in the preceding chapter can be broadly divided into two categories: those designed to test how individuals' positions on SSU and gay-rights policies are related to their levels of religiosity, tolerance, authoritarianism, liberalism, education, and so forth; and, secondly, those designed to test these relationships between these variables and both public opinion and policy choices on a statewide level.

As Lax and Phillips point out (2009), states' policy choices in matters related to gay civil rights tend to correlate to public opinion, regardless of how those policy choices were enacted (legislatively, judicially, or by executive order). Importantly for my research, Lax and Phillips have developed state-by-state public opinion estimates on a number of gay-rights issues using a method called multilevel regression and postratification (MRP), which they argue is a superior method to disaggregating opinion surveys. I will discuss MRP in more detail later in this chapter.

In the chapter that follows, my hypotheses will be tested using both individual- and state-level data. The individual-level data will be culled largely from the 2008 American National Election Study and General Social Survey (hereafter, ANES and GSS, respectively), although some time-series data will be utilized as well. The state level data will be drawn from a variety of sources: State opinion data will be taken from the MRP estimates developed by Lax and Phillips; religiosity data are taken from Gallup (Newport 2006), and Badgett (2009: 196-197)¹⁵. Badgett also uses state-level percentages of tolerance for same-sex sexual behavior and heterosexual non-marital cohabitations, using data from the US Census Bureau (2009: 195-197). The US Census

¹⁵ Badgett's data are taken from the 2000 Religious Congregations and Membership survey of religious organizations, as conducted by the Association of Statisticians of Religious Bodies.

Bureau offers state-level data on tertiary education and population density, which I shall use to test urbanization hypotheses. The National Conference of State Legislatures tracks the percentage of women in each state legislature. CNN (2008) has the results of the 2008 US presidential election. The Centers for Disease Control and Prevention's National Center for Health Statistics tracks marriage and divorce rates. Data on state gay rights policies come from Lambda Legal (2009) and media sources.

It is important to note that although this research is focused primarily on SSU policy development, these policies do not happen in a vacuum. To understand these policy choices in their proper context, we must understand that these policies are part and parcel of a more general liberalization of both law and cultural affect toward homosexuals in recent decades. Society, even among its more conservative elements, has become unquestionably more gay-friendly in recent decades, both in affect and policies: For instance, we see in ANES time-series data that, over a 20-year period, from 1984 to 2004, study respondents' opinion of homosexuals — as measured by asking respondents to rate their affect toward this cohort on a 1-100 scale called a thermometer — increased steadily, if not in a completely linear manner, from 43.2 in 1984 to 55.4 in 2004.

These data are supported by recent public polling data, which indicate that, for the first time, a majority of Americans — albeit bare: 50 percent to 48 percent — do not believe that homosexuality is a moral issue; a generation ago, in 1978, 53 percent of Americans believed that homosexuality was morally wrong, to only 38 percent who believed it was not a moral issue (McMorris-Santoro 2010).

Questions of SSU policy cannot be divested from questions of gay rights and popular affect toward homosexuals. After all, it is only with the rise in the percentages of those who do not see homosexuality as a moral issue that gay marriage has become ripe for consideration. These issues are, put simply, intertwined. For that reason, I will test independent variables for more than just their relationship with marriage policy, but with other gay rights issues as well.

My methods are fairly standard for social science research: Depending on the nature of the variables being tested, I will use cross-tabulation, mean comparison, ordinary least squares, logistic regression or multinomial logistic regression analyses; these are all, of course, standard arrows in the researcher's quiver. However, taken together, these tests can demonstrate not only the statistical significance of these relationships, but also allow us to infer how these relationships work, and how robust they are.

But developing these tests presents the challenge: Some of the concepts this research will test need to be defined: For instance, when we talk about religiosity, as almost all of the literature does, to what are we referring? Much of the research focuses on the frequency of church attendance as the key measure of religiosity, but this definition is not universal. Badgett (2009) also looks to the number of evangelicals in each state as a potential factor in the evolution of state policy. Both Karpov (2002) and Hetherington and Weiler (2009) point toward more conservative, fundamentalist strains of religion as central to the relationship between an individual and his or her opinion on SSU policies.

My goal is not to settle on one definition, but to analyze all of them. Thus, in the chapter that follows, I will test religious service attendance, but also measures of fundamentalism and

conservatism religious practice, as well as measures designed to test how deeply one applies their religious beliefs to their personal life (for example, how often one prays). Similarly, to better evaluate the relationship between education and attitudes toward gay rights policy, I will look at not only the level of education one has received, but also how well one responded to the battery of vocabulary and scientific knowledge questions posed in the GSS.

Ultimately, my goal is to test these concepts and variables as robustly as possible, so as to obtain as comprehensive an understanding of the issue as possible, despite its complexities. These tests, of course, have their limitations. Not the least of which is the fact that, in dealing with conceptualizations of such things as individualization, liberalism, authoritarianism, and religiosity, there is the chance that the tests I undertake in the following chapter will not fully flesh out all of the complexities of these sociological issues. As Hetherington and Weiler (2009: 35) note, science does not know whether to attribute an inclination toward authoritarianism to nurture or nature, or some combination thereof. There are similar problems associated with such concepts as the individualization of society, as well as the abovementioned definitional issues associated with religiosity. That said, by testing a wide swath of variables, I hope to overcome as many of these imprecisions as possible within the scope of this research.

In that sense, this research design should enable us to test in a more well-rounded way the many aspects of SSU and gay rights policy in the US, both from individual opinion-forming and state-level policy-making perspectives. And in this sense, I believe such a study will add to the growing body of literature on this subject. None of the research reviewed in Chapter 2 has endeavored to tackle these issues in such a comprehensive way, with the exception, perhaps, of

Badgett (2009). Her book, however, relied heavily upon qualitative research and focused more heavily on the European experience, although her chapters on the US were indeed valuable.

Finally, I would like to briefly discuss Lax and Phillips' use of MRP, and elaborate on my decision to employ their opinion estimates. In their study on state responsiveness to public opinion — a study for which an accurate measurement of state-by-state public opinion is inherently necessary — they opted to use MRP primarily because of the shortcomings of its primary competitor, disaggregation: “Disaggregation involves combining a large set of national polls and then calculating the opinion percentages disaggregated by state,” they write (2009: 371). “The principle disadvantage is that a large number of national surveys are required, usually over a very long time period ... to create a sufficient sample size within each state. Even then, smaller states or those seldom surveyed must sometimes be dropped entirely.”

This point is not inconsequential to my research, as several of the states (and Washington, D.C.) with a more liberal SSU policy — Vermont, New Hampshire, and Connecticut, specifically — are quite small. As Lax and Phillips write, “Indeed, we cannot use this approach [disaggregation] here: most of the gay rights issues are too rarely polled, and opinion on these issues is not sufficiently stable for disaggregation over long periods of time” (2009: 371).

Lax and Phillips tout MRP as a superior substitute. As they describe it, MRP estimates a multilevel model of survey responses, “with opinion modeled as a function of demographic and geographic predictors: individual responses are modeled as nested within states nested within regions, and are also nested within demographic grouping” (2009: 371). In the second step, poststratification, “the estimates for each demographic-geographic respondent type are weighted

(poststratified) by the percentages of each type in actual state populations, so that we can estimate the percentage of respondents within each state who have a particular issue position” (2009: 371).

This definition raises concerns: Namely, Lax and Phillips are dealing with what they *believe* respondent opinion *should be*, in their estimation, rather than what it actually is. Indeed, their state-by-state breakdown of opinions on gay rights issues is not based on actual human beings answering questions, but rather, a model, an estimation, of what their responses would be. However, Lax and Phillips argue that “MRP consistently outperforms disaggregation” in comparisons with actual state polls (2009: 371).

While there is some polling data available on state-by-state opinions of gay marriage, consistent, reliable data on civil unions and other gay-rights related issues, such as employment protections, are harder to come by. Thus, I have elected to use Lax and Phillips’ MRP estimates of opinions as a basis for some of the quantitative tests that follow. (See Appendix B for estimates.)

CHAPTER FOUR: RESULTS

In this chapter, I present the results of the quantitative tests of the hypotheses detailed in Chapter 2. To simplify my presentation, these results will be organized via the same five subject groupings as before: liberalism, demographics, religiosity, authoritarianism and tolerance, and moral traditionalism. The following chapter will offer a more detailed discussion of these results.

Hypothesis 1: Liberalism

My expectations for this series of tests are relatively straightforward: Given the literature, one expects to find a relationship between liberalism and liberal SSU and gay-rights policies. The data do not disappoint.

Hypothesis 1a: In comparing individuals, those who have higher affect toward homosexuals are more likely to favor liberal policies regarding same-sex marriage, gays in the military, and gay and lesbian employment discrimination than those with a lower affect toward homosexuals.

Below, I present the results of analyses that use as their dependent variable an additive index created from respondents' positions on SSU policy, gay adoption, gays in the military, and gay and lesbian discrimination protection, and an independent variable formed from quantiles of the respondents' placement of homosexuals on the ANES' 1-100 "thermometer," in which "1" equals the lowest possible rating, and "100" equals the highest. Within the gay rights index, the four policy positions have been combined into an additive index of gay rights: Respondents were scored "1" for each answer in favor of the more liberal position on gay rights in each of the four categories, except for gay marriage, in which those who favored civil unions were coded as "1"

and those who favored the more liberal position, marriage rights, were coded as “2.” In all cases, those answering in the opposition were coded “0.” Thus, the highest possible score would be a “5,” in the case of an individual who favored the most liberal positions on gay marriage, gay adoption, gays in the military, and gay discrimination protection. These data were then grouped into a three-category variable: high, moderate, and low¹⁶. For the categorical analyses involving the “gay thermometer,” respondents’ answers have been coded into four quantiles, from lowest to highest affect toward gays and lesbians.

Table 1. Gay rights support by affect toward homosexuals

Gay rights support	Low affect	Moderately low affect	Moderately high affect	High affect	Totals
Low support	41	21	7	4	20
Moderate support	36	38	28	14	32
High support	24	42	65	82	48
Totals	100	100	100	100	100

Source: ANES 2008. Values rounded

The data shown in Table 1 and Figure 1 demonstrate the intuitive relationship between affect and gay rights support. Those who have “warmer” feelings — to borrow the ANES’ vernacular — toward homosexuals are, unsurprisingly, more willing to bestow upon them

¹⁶ As with all of the ensuing tests derived from ANES data, the data have been weighted to account for oversampling.

expanded civil rights protections. Among those in the highest category of affect toward gays and lesbians, 82 percent fall into the highest grouping of gay rights support. Among those in the lowest value of affect, only 24 percent are classified as having high support for gay civil rights policies. (We do not see notable differences when the population sample is narrowed to only white respondents.) Moreover, those who have greater affect toward homosexuals are also more likely to favor relationship recognition policies, as shown in Table 2. Among those with high affect, 72 percent support gay marriage. Among those in the lowest affect category, 57 percent believe that society should not recognize same-sex unions.

Figure 1. Gay rights support by affect toward homosexuals

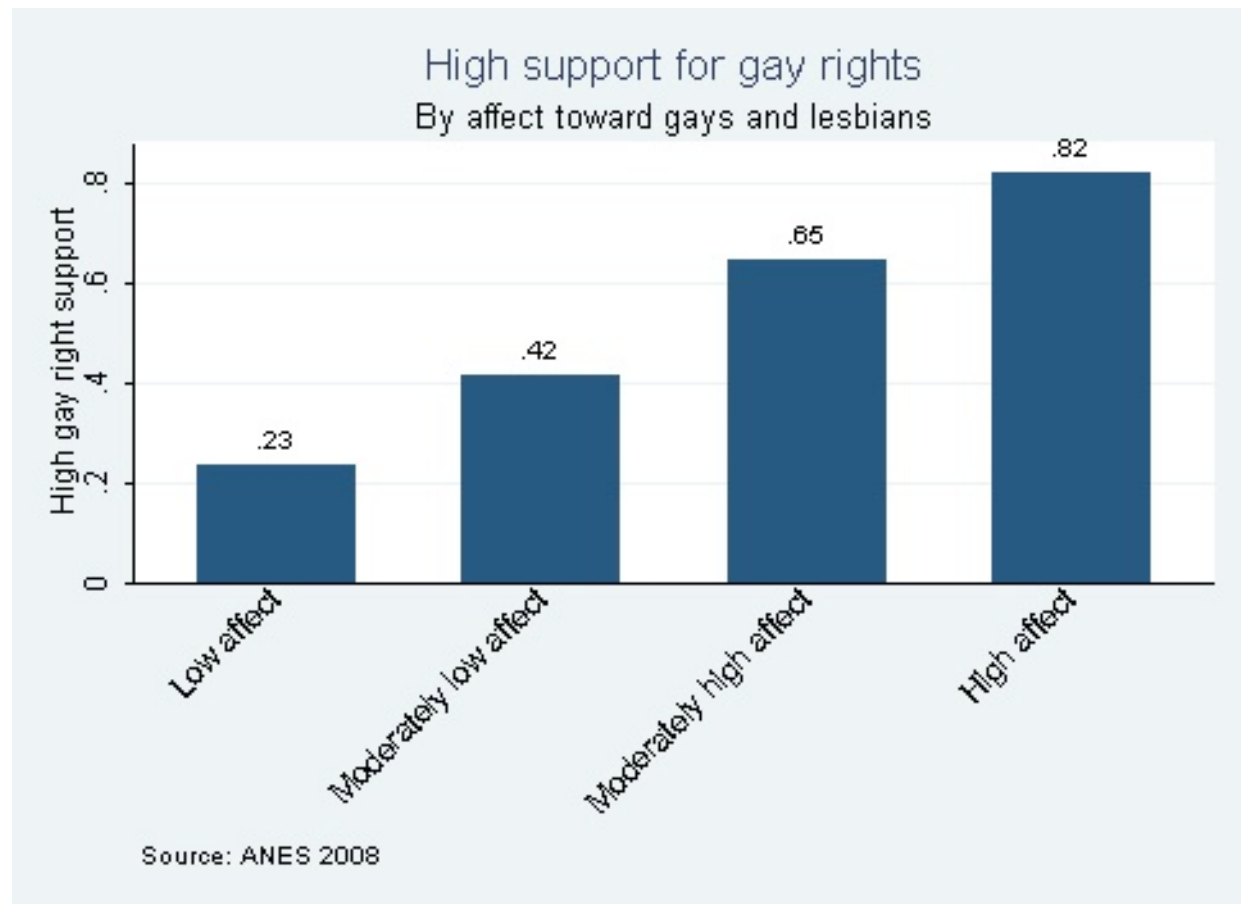


Table 2. Gay marriage and affect toward homosexuals

Gay marriage position	Low affect	Moderately low affect	Moderately high affect	High affect	Totals
Support gay marriage	24	32	49	72	39
Support civil unions	19	30	33	16	26
Oppose SSU recognition	57	38	19	12	35
Totals	100	100	100	100	100

Source: ANES 2008. Values rounded.

Notably — and, perhaps, predictably, if we view civil unions as the “compromise position” between support for gay marriage and opposition to all relationship recognition — support for civil unions (but not gay marriage) peaks among the two “moderate” affect groupings.

Hypothesis 1b: In comparing individuals, those who identify themselves as liberal are more likely to favor liberal policies regarding gay rights and gay marriage than those who identify themselves as conservatives.

The data presented in Table 3 support the conclusion — again, a fairly intuitive one — that liberals are more likely to stake out liberal gay rights and SSU recognitions positions than conservatives. However, the results are not as stark as one might expect: roughly the same percentage of self-identified conservatives and liberals fall into the “low support” cohort, and while 59 percent of liberals take the most liberal positions on gay rights, so too do 45 percent of conservatives. While liberals are indeed more likely to have high gay rights support, conservatives are not more likely than the other ideological cohorts to have low gay rights support.

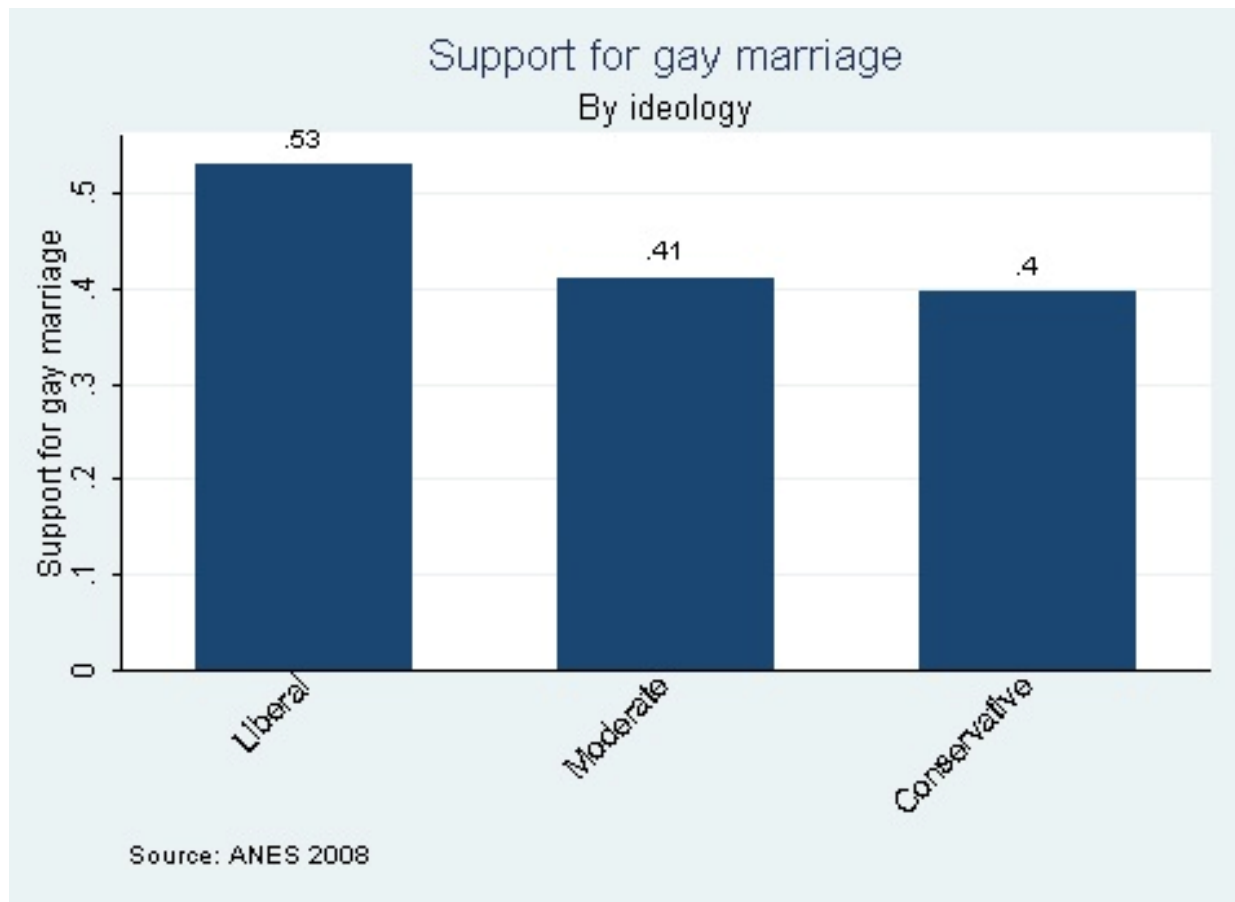
Table 3. *Gay rights and ideology.*

Gay rights support	Conservative	Moderate	Liberal	Totals
Low support	14	14	15	14
Moderate support	41	33	26	34
High support	45	53	59	51
Totals	100	100	100	100

Source: ANES 2008. Values rounded

With gay marriage, ideology continues to play a role, but only among liberals. There is very little differentiation between the positions of moderates and conservatives: 40 percent of conservatives support gay marriage, as do 41 percent of moderates. An additional 26 percent of both conservatives and moderates favor the compromise of civil unions. Among liberals, meanwhile, 53 percent favor gay marriage, and another 24 percent favor affording gay couples lesser legal recognition.

Figure 2. Gay marriage support by ideology



To test the potential effect of race, I performed a cross-tabulation analysis, using only white respondents as the sample. Those results, shown in Table 4, are somewhat similar to what we get with the entire ANES sample.

Table 4. Gay rights and ideology (whites only)

Gay rights support	Conservative	Moderate	Liberal	Totals
Low support	13	6	12	11
Moderate support	41	40	26	36
High support	47	54	62	53
Totals	100	100	100	100

Source: ANES 2008. Values rounded. White respondents only

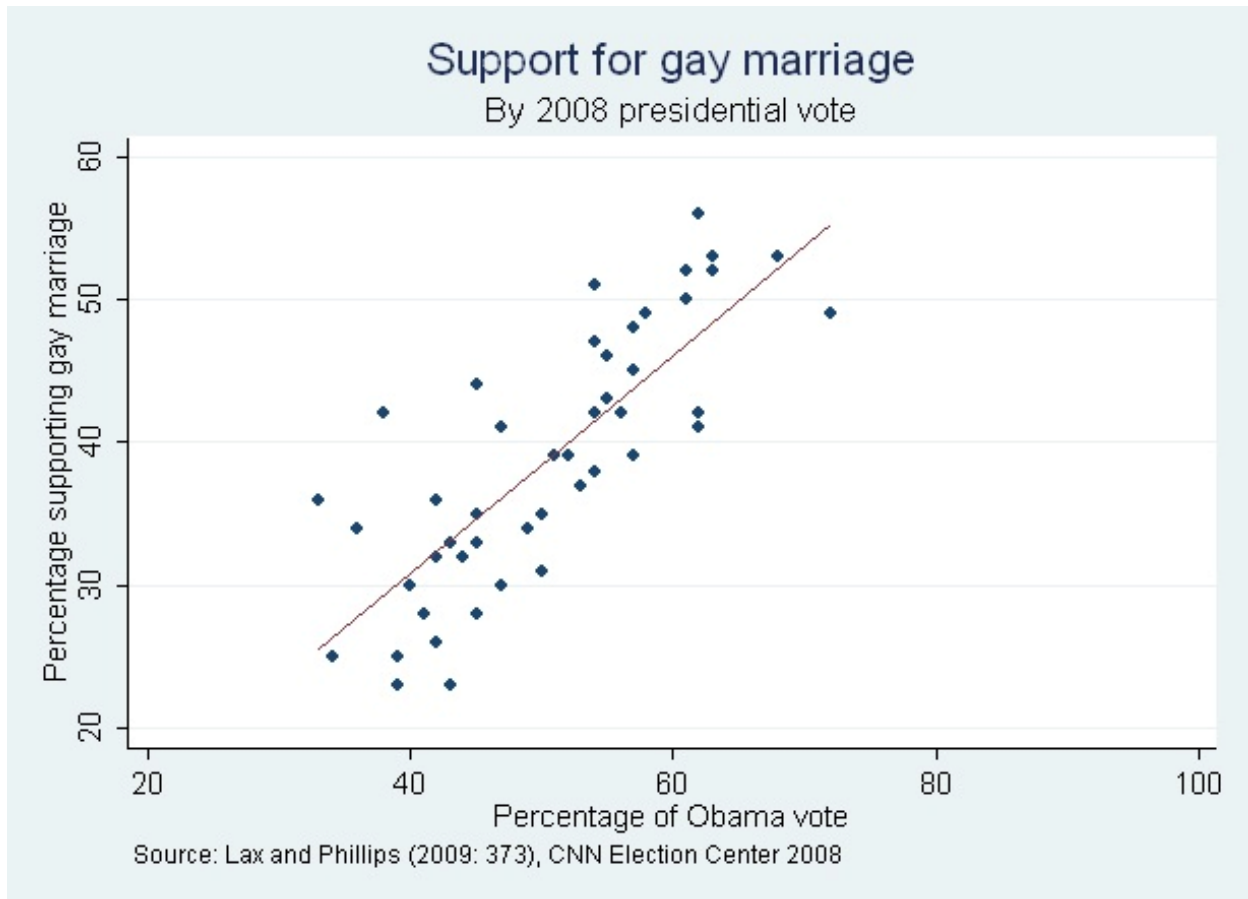
Hypothesis 1c: In comparing states, those whose electoral votes went to Barack Obama in the 2008 presidential election will be more likely to adopt liberal policies on same-sex marriage and civil unions than those whose electoral votes went to John McCain.

Given the connection between liberalism and liberal gay rights policies demonstrated above, we would expect that, in states with liberal characteristics, there would be greater support for liberal gay rights and gay marriage policies. The next two series of tests explore this relationship on a statewide level: first, I tested the relationship between gay marriage opinion and a state's 2008 presidential vote. This test produces the expected result, as illustrated in Figure 3. A linear regression analysis generates a coefficient of .76 and an adjusted R-square value of .64. Similarly, when the dependent variable is a state's mean gay rights opinion — the mean of the MRP gay-rights opinion estimates created by Lax and Phillips (2009: 373) — we get a slightly smaller, but still significant, coefficient of .44, and an adjusted R-square value of .48. In the states that Obama won, 44.5 percent favor allowing gays to marriage; in states that McCain won, only 32.5 percent do so. In Obama states, 54.5 percent favor allowing gay couples to form civil unions; 42.6 percent favor this in McCain states.

Of course, this is not meant to suggest that a vote for Obama *causes* one to support gay

marriage; rather, I argue that this relationship is rooted in liberalism.

Figure 3. Gay marriage support by 2008 election



Hypothesis 1d: In comparing states, those with higher levels of state spending will be have greater support for gay marriage and liberal gay rights policies than those with lower spending levels.

As with the previous test, we would expect that states with higher levels of spending — denoting liberalism — would be more likely to support liberal gay rights and gay marriage policies. However, regression analyses do not produce statistically significant results. Contra

Badgett (2009: 191), my tests do not support any relationship between state spending and increased support for gay rights. Indeed, of the top five states in per-capita social spending (in order: Alaska, Wyoming, Vermont, Delaware, and New York), only Vermont permits same-sex marriage (Tax Foundation 2009).

Hypothesis 2: Demographics: Age, education & urbanization

Public polling data suggest that older Americans will have a lesser affinity toward gay rights and will be less likely to support liberal SSU than other cohorts, perhaps because they adhere to more traditional norms. The data presented from Europe in Chapter 2 indicate that education and urbanization should have a positive effect on gay rights and gay marriage opinion as well. The tests that follow probe these demographic relationships.

Hypothesis 2a: In comparing individuals, those who are elderly will be less likely to support liberal SSU and gay rights policies than those who are not elderly.

My tests conform with the polling data cited in Chapter 2: As shown in Tables 4 and 5, younger persons are considerably more likely to hold liberal views on gay rights issues. Among those 18 to 30 years old, for instance, 66 percent fall into the highest gay rights cohort and 61 percent favor allowing gays to marry. Senior citizens, meanwhile, comprise the only age cohort in which a majority (53 percent) disapproves of any same-sex relationships recognition. Interestingly, support for civil unions remains relatively stable across the three oldest age grouping, at between 27 and 31 percent. However, among those 18 to 30, this plummets to 18 percent. The data suggest that the youngest cohort has lower support for civil unions because

more of them reject this compromise in favor of full marriage equality.

Table 5. Gay rights and age

Gay rights support	18 to 30	31 to 50	51 to 64	Over 65	Totals
Low support	11	18	23	34	20
Moderate support	23	32	37	38	32
High support	66	50	40	29	48
Totals	100	100	100	100	100

Source: ANES 2008. Values rounded

Table 6. Gay marriage and age

Gay marriage position	18 to 30	31 to 50	51 to 64	Over 65	Totals
Support gay marriage	61	42	28	20	39
Support civil unions	18	27	31	28	26
Oppose SSU recognition	22	31	41	53	35
Totals	100	100	100	100	100

Source: ANES 2008. Values rounded

Hypothesis 2b: In comparing states, those with larger percentages of elderly persons will be less likely to adopt liberal SSU policies than those with smaller percentages of elderly populations.

Given the relationship between gay rights opinion and age reported above, we would expect to find a similarly strong relationship between opinions and age on a statewide level.

However, a regression analysis does not support this hypothesis: the percentage of a state's

population that is over 65 does not produce a statistically significant link to that state's support for either gay marriage or gay rights. However, as later tests will demonstrate, the age variable does succeed when other variables, such as education, are held constant. It appears that the effects of age are obscured by other, hidden variables.

Hypothesis 2c: In comparing individuals, those who have attained higher levels of education are more likely to support more liberal gay civil rights and SSU policies than those who have not.

The data shown in Table 7 support the hypothesized relationship between education and liberal gay civil rights opinion: 58 percent of those in the highest education cohort fall into the highest category of support for gay rights, compared to just 34 percent in the in the lowest education cohort¹⁷. The more highly educated are also more likely to support gay marriage, as we see in Table 8. Removing non-white respondents from the sample does little to change the effect of education on either gay rights or gay marriage support; that said, we do see a change in opinion among college graduates, who are slightly more likely to have high gay rights support (63 percent to 58 percent) and gay marriage support (49 percent to 45 percent) than those in the wider sample.

Table 7. Gay rights and education

¹⁷ The ANES variable asks the "highest grade of school or year of college R completed." The answers are presented numerically; from these numbers, I extrapolated the data into these three categories.

Gay rights support	Some high school	Graduated HS/ Some college	Graduated college	Totals
Low support	26	21	13	20
Moderate support	40	31	30	32
High support	34	48	58	48
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 8. Gay marriage and education

Gay marriage position	Some high school	Graduated HS/ Some college	Graduated College	Totals
Support gay marriage	35	39	45	39
Support civil unions	20	26	31	26
Oppose SSU recognition	45	35	24	35
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Hypothesis 2d: In comparing individuals, those who performed poorly on tests that measure scientific and vocabulary knowledge will be less likely to support liberal SSU and gay rights policies than those who performed well.

To test this hypothesis, I employ two variables created from GSS data: One is an additive index that measures scientific knowledge; the other is an additive index of a respondent's

knowledge of vocabulary words. As with the prior indexes, these were divided into a three-value variable, denoting “low,” “moderate,” and “high” levels of knowledge.

Per the hypothesis, among those with the highest levels of scientific knowledge, 68 percent favor permitting gays to marry (72 percent if non-whites are excluded from the analysis). Among those in the lowest cohort of scientific knowledge, just 26 percent hold the same opinion 18. The results are more stark when the question is the morality of same-sex sexual relations 19: 95 percent of those in the lowest scientific knowledge cohort believe that gay sex is wrong, while just 35 percent of those in the high knowledge group do so.

We see similar results when employing vocabulary knowledge as the independent variable: 85 percent of those with low vocabulary knowledge believe that gay sex is wrong, and 69 percent oppose gay marriage. In the highest vocabulary group, however, 50 percent believe that gay sex is not morally wrong, and 54 percent approve of gay marriage. (It is peculiar, perhaps, that slightly more people believe that gays and lesbians should be allowed to wed than believe that homosexual sexual relations are not immoral. This would speak to a libertarian strain of thought: that it is not the government’s role to legislate morality.)

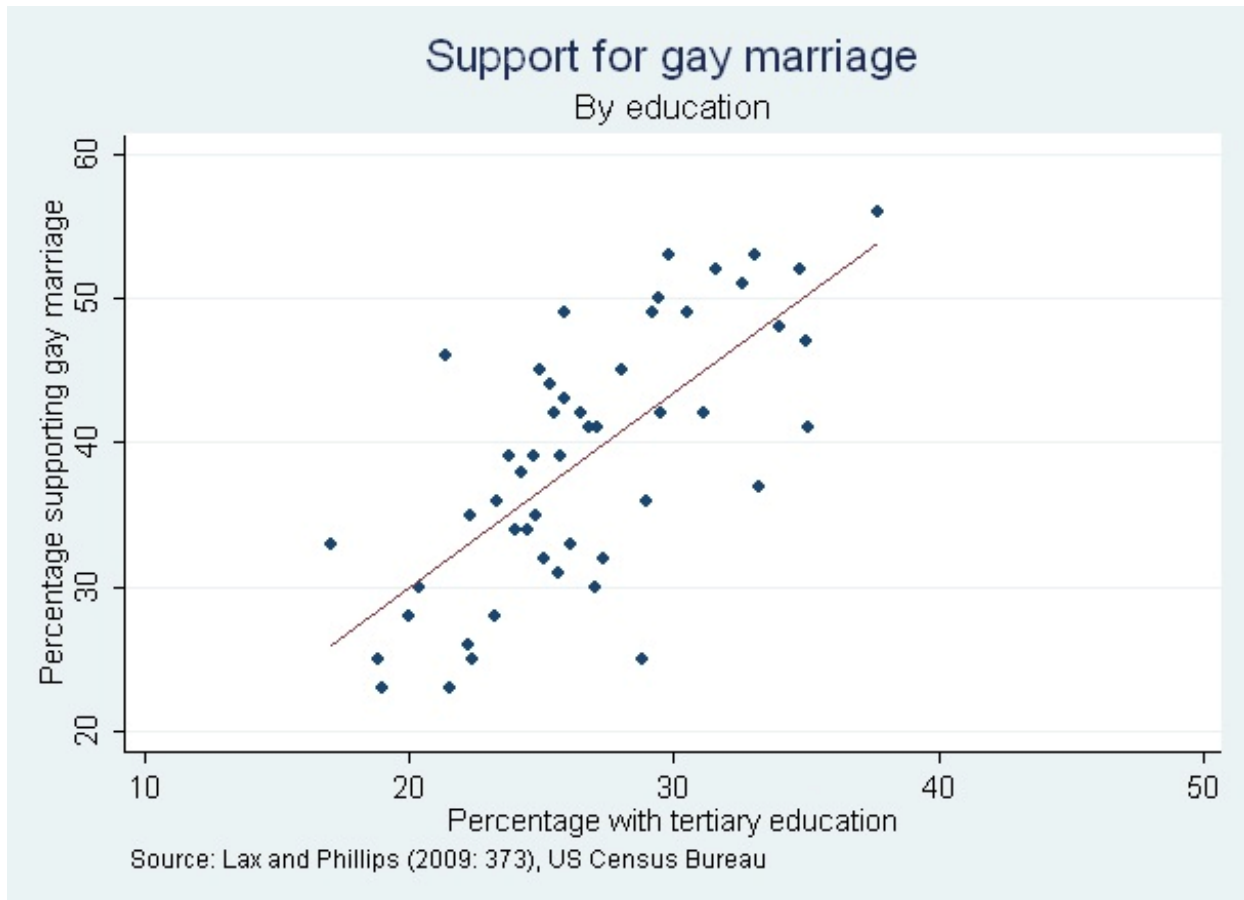
18 It should be noted that the GSS questions from which I created this index included queries on evolution and the Big Bang theory, which may have influenced some respondents’ answers, particularly if they believe in the literal biblical interpretation of the Genesis story.

19 Although Chi-square test reveals a P-value of 0 for both analyses of scientific knowledge, it is worth noting that these tests produces a relatively small number of respondents, 220 for gay marriage question and 232 for the gay sex question, largely because high numbers of respondents failed to answer a science question, and were thus removed from the index.

Hypothesis 2e: In comparing states, those with greater percentages of their populations that have received tertiary educations will be more likely to have liberal gay civil rights and SSU policies than those with lesser percentages with tertiary educations.

Because education is linked to more liberal gay rights opinions, we would expect that states with more educated individuals would also have higher support for gay civil rights and gay marriage. And indeed, regression analyses show the predicted robust relationships: the percentage of a state's population with a tertiary education produces a coefficient of 1.3 when the dependent variable is support for gay marriage (see Figure 4 below), and .73 when the dependent variable is mean gay rights support. (These tests produce adjusted R-square values of .48 and .29, respectively.)

Figure 4. Gay marriage support by tertiary education



Importantly, the education variable succeeds when the over-65 age variable is held constant. Interestingly, in this multivariate regression analysis, the age variable achieves statistical significance with education held constant — something it did not do in my earlier bivariate analysis. (Together, these independent variables produce an adjusted R-square value of .52 when gay marriage support is the dependent variable). This would suggest that the effects of age were obscured by education. Notably, however, the age coefficient is positive, which is contrary to my earlier hypothesized expectations. In other words, assuming equal levels of

education, states with higher percentages of older individuals would be more likely to have higher levels of support for gay marriage. This finding underscores the importance that education plays in the liberalization of gay rights policies.

A logistic regression analysis indicates that the percentage of a state's population with a tertiary education impacts policy as well as opinion. Here, I employed a binary dependent variable that separated state based upon whether they had extended legal relationship recognition to gay couples, whether via marriage or some lesser form. The tertiary education variable produces a coefficient of .39, which is significant at the .05 level, and pseudo R-square value of .29. A multivariate logistic regression analysis shows that both the age and education variables are significant with regard to SSU policy when the other is held constant: In this test, the education variable produces a coefficient of .4, which is significant at the .05 level, and the age variable produces a coefficient of .6, which is significant at the .10 level. (The pseudo R-square value is .37.) Again, with education held constant, the percentage of seniors seems to have a liberalizing effect on policy.

Hypothesis 2f: In comparing individuals, those who reside in more urban environments will be more likely to support liberal SSU policies than those who reside in more rural environments.

The cross-tabulation data in Table 9 would seem to mostly support the hypothesis. However, the difference between city-dwellers and suburbanites is relatively minute compared to the difference between those who live in and around cities and those who live in rural environments. It is this latter category that harbors the most opposition to gay marriage, while opinion within the city and suburban groupings is not markedly different.

However, when the sample is comprised only of whites, we see a distinction between urban and suburban. Here, 57 percent of white urbanites support gay marriage, compared to 48 percent of white suburbanites. This is in keeping with Hetherington and Weiler’s research, which argues that blacks are “the most authoritarian racial group in the United States by far,” particularly among those in inner cities (2009: 141). Although they overwhelmingly vote Democratic, African-Americans tend to hold more culturally conservative positions than do white liberals.

Table 9. Gay marriage and urbanization

Gay marriage position	City	Suburb	Rural	Totals
Support gay marriage	51	47	27	45
Oppose gay marriage	49	53	73	55
Totals	100	100	100	100

Source: GSS 2008. Values rounded

Hypothesis 2g: In comparing states, those with higher levels of urbanization will be more likely to enact liberal SSU policies than those that are less urban.

If urbanites tend to hold more liberal positions regarding gay marriage, we would expect that states with more urban populations would have higher levels of gay marriage support. A bivariate regression analysis bears out this hypothesis. However, after controlling for age and education, urbanization loses its statistical significance. The explanatory power of urbanization appears to be confined to the fact that the young and better educated are drawn to urban areas.

Hypothesis 3: Religiosity

In the literature, perhaps not topic is as closely tied to opinions on gay rights and SSU policy than religiosity. However, religiosity as a concept is fairly ambiguous, as the term can describe several facets of religious faith: church attendance, fundamentalism, and the belief in the joining of church and state, to name a few. Moreover, within the US, some religious traditions are more closely linked to socially conservative ideology than are others; theoretically, we might expect a devout attendee of a more liberal institution to hold more liberal views on gay rights, while a devotee of a conservative church — the Southern Baptists, for instance — may hold more conservative views. Thus, I argue that examining religiosity requires more than reliance only upon church attendance data, but a broader battery of tests of the component parts of the American religious experience.

Hypothesis 3a: In comparing states, those with lower levels of religiosity (as measured by the percentage of individuals who attend religious services frequently) will be more likely to have liberal SSU policies than those with higher levels of religiosity.

As predicted, states with more frequent religious service attendees have lower levels of support for gay marriage. This bivariate regression analysis reveals a remarkably strong adjusted R-square value of .82, suggesting that this variable contributes the most significant piece of the explanatory pie. (This relationship is displayed in Figure 5.) The weekly church attendance variable succeeds splendidly as well when the dependent variable is a state's mean gay rights support, as well. Also unsurprisingly, a logistic regression analysis confirms that church attendance has an impactful and statistically significant effect on state policy, too, with a pseudo

R-square value of .39.

Figure 5. Gay marriage support by church attendance

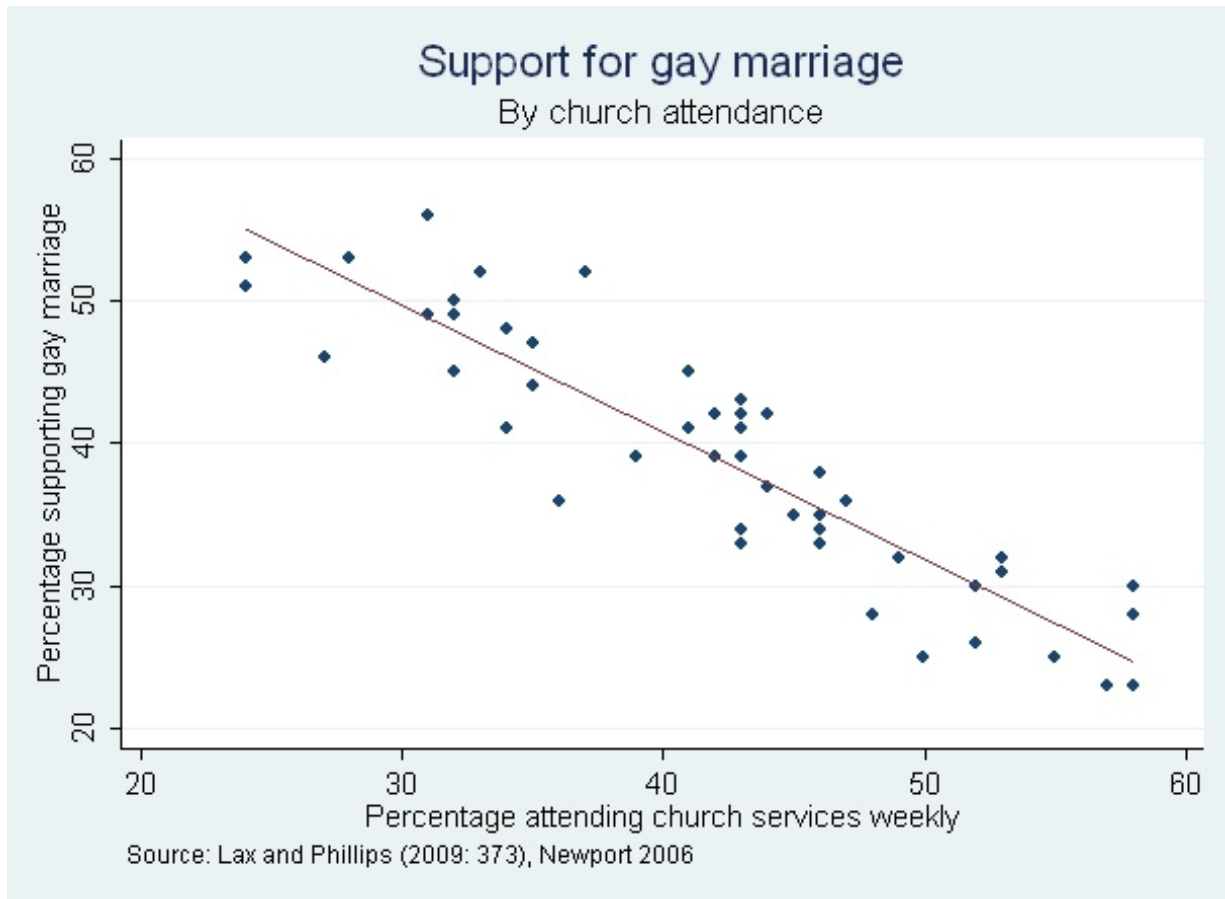


Table 10 reports the results of a multivariate regression analysis with gay marriage support as the dependent variable and weekly religious service attendance, percentage of seniors, and percentage with a tertiary education as the independent variables. After controlling for age and education, church attendance produces the predicted negative coefficient. What is perhaps

more interesting about this analysis is that, controlling for church attendance and education, age again produces a positive coefficient, and controlling for church attendance and age, education has a negative impact on gay marriage opinion.

Table 10: Gay marriage, church attendance, age, and education

Independent variables	Support for gay marriage
Constant	44.63
Weekly church attendance	-.7*
Over 65	.59**
Tertiary education	-.6*

Source: Lax and Phillips (2009: 373); Newport 2006; US Census Bureau.

* Values significant at the .05 level

** Values significant at the .10 level

Adjusted R-square = .88

Hypothesis 3b: In comparing states, those with lower proportions of evangelicals will have more liberal SSU and gay rights policies than states with higher proportions of religious evangelicals.

While there is a strong correlation between the percentages of weekly churchgoers and evangelicals within states, .74, this nonetheless falls below the .80 standard for multicollinearity, and as such, evangelicalism warrants evaluation (Pollock 2009: 193).

In keeping with the arguments presented by Badgett (2009), regression analyses show that the percentage of a state's population who consider themselves evangelicals does, in fact, have a relationship with that state's opinion toward gay rights and gay marriage, even after controlling for church attendance. A bivariate logistic regression analysis reveals that

evangelicals have an effect on policy, as well as opinion: here, we see a regression coefficient of -.29, and pseudo R-square value of .33. Table 11 reports a multivariate regression analysis that shows that, although evangelicalism is statistically significant, its explanatory power is overwhelmed by the test's other intervening variables. Given the high correlation between church attendance and evangelicalism, this result is not unexpected. However, it is nonetheless noteworthy that evangelicalism produces significant results *above and beyond* these other tested variables.

Table 11. Gay marriage, church attendance, age, education, and evangelicalism

Independent variables	Gay marriage support
Constant	45.9
Weekly church attendance	-.59*
Over 65	.54**
Tertiary education	.49**
Evangelicalism	-.15**

Source: Lax and Phillips (2009: 373); Newport 2006; US Census Bureau; Badgett (2009: 196-197).

* Values significant at the .05 level

** Values significant at the .10 level

Adjusted R-square = .89

Hypothesis 3c: In comparing individuals, those who less frequently attend religious services will be more likely to support liberal SSU policies than those who more frequently attend religious services.

As we saw with states, individuals who attend church more often are more likely to oppose gay civil rights and same-sex marriage policies (see Tables 12 and 13 for data). Of those who attend services the most frequently, just 27 percent can be classified as having high support for gay rights, compared to 50 percent of those who attend infrequently or never. Meanwhile, among less frequent attendees, 17 percent fall into the lowest gay rights category, compared to 34 percent among frequent churchgoers. We see the same relationship with gay marriage opinion: among those in the lowest cohort of attendance, 69 percent favor some form of SSU recognition, and 42 percent favor full marriage rights. Meanwhile, a majority (54 percent) of frequent attendees oppose any SSU recognition.

Running the same analysis with a whites-only sample suggests that race is not a determining factor.

Table 12. Gay rights and church attendance

Gay rights support	Weekly/Almost weekly	Seldom/Never	Totals
Low support	33	17	25
Moderate support	40	34	37
High support	27	50	38
Totals	100	100	100

Source: ANES 2008. Values rounded.

Table 13. Gay marriage and church attendance

Gay marriage position	Weekly/Almost Weekly	Seldom/Never	Totals
Support gay marriage	21	42	31
Support civil unions	25	26	26
Oppose SSU recognition	54	31	43
Totals	100	100	100

Source: ANES 2008. Values rounded

Hypothesis 3d: In comparing individuals, those who adhere to tenets associated with fundamentalist Christianity — a belief in a literal interpretation of the Bible, for instance — will tend to have a lower affect for homosexuals and support more conservative positions with regard to same-sex marriage and gay rights than those who do not.

Because, as I argued earlier in this section, church attendance measures only one aspect of religiosity that is important to the evolution of same-sex marriage policy development, this hypothesis seeks to test the effects of fundamentalism, or the adherence to (specifically) Christian orthodoxy²⁰. As with gay rights earlier, I created an additive fundamentalism index from ANES data, based upon respondents' answers to questions about the inerrancy of scripture, frequency of prayer, donations to religious organizations, whether one tries to be a "good Christian," the belief that religion is important to daily life, and whether one is "born again."

²⁰ I am primarily measuring adherence to protestant orthodoxy; some, but not necessarily all, of the attributes included in this fundamentalism index might apply to practicing Catholics.

Within this index, we have values of 0 to 6. I collapsed this index into a three-value variable — those who scored between 0 and 3 are labeled “low fundamentalism;” those who scored a 4 or 5 are labeled “moderate fundamentalism;” those who scored 6, about 23 percent of the sample, are labeled “high fundamentalism.”

As Tables 14 and 15 indicate, fundamentalism has the predicted effect on both gay rights and gay marriage opinion. Among those with low fundamentalism, just 9 percent fall into the lowest cohort of the gay rights scale, and 19 percent oppose all SSU recognition. Meanwhile, among those in the highest fundamentalism category, only 17 percent score in the highest cohort of support for gay rights, and just 10 percent favor gay marriage. (Tables 16 and 17 display the results of the same tests among whites only. We see similar results across the values of fundamentalism. Race does not seem to play a particularly significant role.)

Table 14. Gay rights and fundamentalism

Gay rights support	Low fundamentalism	Moderate fundamentalism	High fundamentalism	Totals
Low support	9	23	45	23
Moderate support	28	38	38	35
High support	62	39	17	42
Totals	100	100	100	100

Source: ANES 20008. Values rounded

Table 15. Gay marriage and fundamentalism

Gay marriage position	Low fundamentalism	Moderate fundamentalism	High fundamentalism	Totals
Support gay marriage	49	31	10	32
Support civil unions	31	28	19	27
Oppose SSU recognition	19	40	71	40
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 16. Gay rights and fundamentalism (white respondents only)

Gay rights support	Low fundamentalism	Moderate fundamentalism	High fundamentalism	Totals
Low support	9	24	41	22
Moderate support	28	40	42	36
High support	63	37	17	41
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 17. Gay marriage and fundamentalism (white respondents only)

Gay marriage position	Low fundamentalism	Moderate fundamentalism	High fundamentalism	Totals
Support gay marriage	49	27	9	30
Support civil unions	31	34	21	30
Oppose SSU recognition	20	39	70	40
Total	100	100	100	100

Source: ANES 2008. Values rounded

The question, then, is not so much whether fundamentalism has an effect, but rather, what effect does it have independent of church attendance? In other words, how does fundamentalism interact with church attendance in the formation of an individual's position on gay rights and gay marriage? To probe this question, I turn to a more sophisticated analytical technique: multinomial logistic regression. As is shown in Table 18, the effects of fundamentalism are indeed strong when church attendance is held constant. In fact, both the moderate and high fundamentalism cohorts produce larger coefficients than do their church attendance counterparts, for both civil unions and same-sex marriage support. Still, this analysis generates a relatively

small pseudo R-square value, .1021.

Table 18. Gay marriage, civil unions, church attendance, and fundamentalism

Independent variables	Support civil unions	Support gay marriage
Constant	.89	1.47
Almost weekly church attendance	-.49	-.33*
Weekly church attendance	-.44*	-1.1*
Moderate fundamentalism	-.96*	-1.33*
High fundamentalism	-1.8*	-2.7*

Source: ANES 2008

*Values significant at the .05 level

Pseudo R-square = .10

Table 19. Gay marriage, civil unions, church attendance, and fundamentalism (white respondents only)

Independent variables	Support civil union	Support gay marriage
Constant	1.03	1.58
Almost weekly church attendance	-.24	-.16
Weekly church attendance	-1.9	-.94*
Moderate fundamentalism	-.98*	-1.6*
High fundamentalism	-1.8*	-3.02*

Source: ANES 2008

* Values significant at the .05 level

Pseudo R-square = .11

Table 19 displays the results of the same test, but among only white respondents. Among

21 Fundamentalism and church attendance correlate at .41, which is below the .80 standard for multicollinearity.

whites, the strength of church attendance diminishes slightly, while the strength of the fundamentalism increases, particularly among those with the highest attributes of fundamentalism. The data indicate that among white, fundamentalism plays an even greater role in gay marriage policy determination.

As we saw in the literature review, Herek (1988) and Karpov (2002) argue that it is not just religiosity that affects gay rights policy, but ideologically conservative religiosity (and, in Herek's case, adherence to orthodoxy as well). Returning to multinomial logistic regression, I run the same analysis as before, only adding ideology as an intervening variable. With the least frequent category of church attendance, the lowest cohort of fundamentalism, and ideological liberalism held constant, we get the results shown in Tables 20 and 21.

Table 20. Gay marriage, civil unions, church attendance, fundamentalism, and ideology

Independent variables	Support for civil unions	Support for gay marriage
Constant	1.4	2.5
Almost weekly church attendance	-.69*	-.68*
Weekly church attendance	-.40	-1.3*
Moderate fundamentalism	-1.3*	-1.9*
High fundamentalism	-2.1*	-2.9*
Moderate ideology	-.43	-.13
Conservative ideology	-.19	-.54*

Source: ANES 2008

* Values significant at the .05 level

Pseudo R-square = .12

Table 21. Gay marriage, civil unions, church attendance, fundamentalism, ideology (white respondents only)

Independent variables	Support for civil unions	Support for gay marriage
Constant	1.79	2.85
Almost weekly church attendance	-.46	-.19
Weekly church attendance	.08	-.50
Moderate fundamentalism	-1.34*	-2.96*
High fundamentalism	-2.50*	-2.1*
Moderate ideology	.51	-.40
Conservative ideology	-.57	-1.11*

Source: ANES 2008

*Values significant at the .05 level

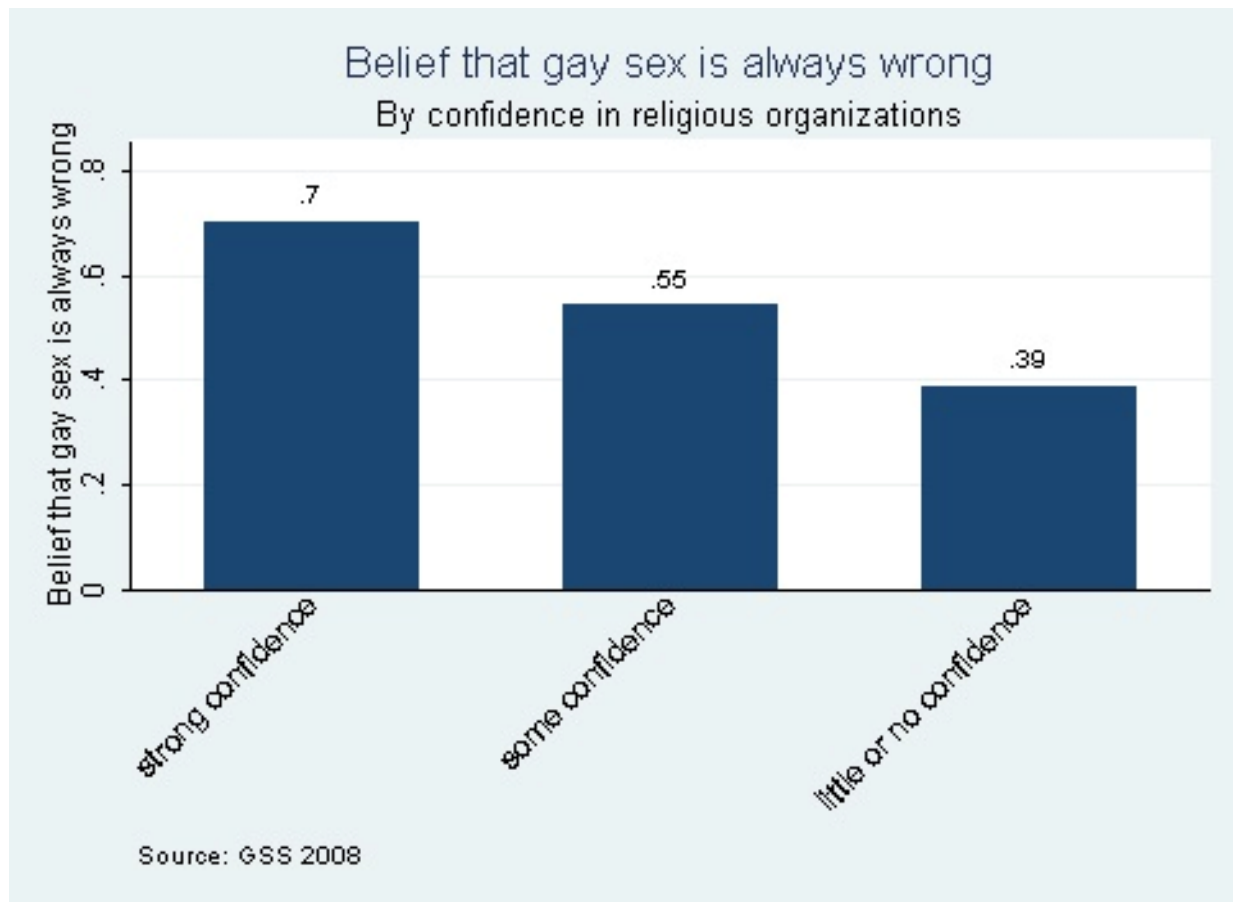
Pseudo R-square = .12

Within the entire sample, the attendance and fundamentalism variables continue to do the lion's share of explanatory work. In fact, ideology is not statistically significant to the question of civil unions support in this analysis, and only conservatism — but not moderate ideology — impacts gay marriage opinion when attendance and fundamentalism are held constant. (Among whites, fundamentalism and conservatism generate large, statistically significant variables in determining marriage opinion; with civil union opinion as the dependent variable value, fundamentalism is the opinion driver.)

Hypothesis 3e: In comparing individuals, those who profess confidence in religious organizations will be more likely to oppose liberal SSU policies than those that do not.

Among those who profess “strong confidence” in churches and religious organizations, 76 percent consider homosexual sexual conduct to be always or usually morally wrong (70 percent believe it to be “always wrong;” see Figure 6); among those with “little or no” confidence in religious groups, 43 percent hold that view. Meanwhile, 73 percent of those in the high confidence cohort oppose same-sex marriage, whereas just 42 percent of those professing lower confidence in churches do. (The correlation between fundamentalism, which in this case is based on self-identification, and church confidence in the GSS sample is .23.) We get similar results when the sample is restricted to white respondents.

Figure 6. Morality of gay sex by confidence in religious organizations



Multinomial logistic regression analyses show that, both among whites and among the entire GSS sample, the high confidence in religious institutions variable retains significance after controlling for church attendance, although high attendance generates larger coefficients.

Table 22. *Gay marriage, church attendance, and confidence in religious organizations*

Independent variables	Support for gay marriage
Constant	.7
Rare church attendance	-.34
Almost weekly church attendance	-.57*
Weekly church attendance	-1.6
Somewhat high confidence in religious organizations	-.06
High confidence in religious organizations	-.77*

Source: GSS 2008.

* Values significant at the .05 level

Pseudo R-square = .09

Table 23. Gay marriage, church attendance, and confidence in religious organizations (white respondents only)

Independent variables	Support for gay marriage
Constant	.77
Rare church attendance	-.39
Almost weekly church attendance	-.57*
Weekly church attendance	-1.55*
Somewhat high confidence in religious organizations	-.08
High confidence in religious organizations	-.92*

Source: GSS 2008.

* Values significant at the .05 level

Pseudo R-square = .10

These data add further weight to the hypothesis above: Even controlling for the frequency of church attendance, those who profess greater confidence in religious institutions are more likely to oppose same-sex marriage. This tendency is marginally greater among whites than the whole sample population.

Hypothesis 4: Authoritarianism & tolerance

This next section builds off of — though does not seek to recreate — Hetherington and Weiler’s work on authoritarianism and its relationship to social issues. Authoritarians, they contend, have a greater tendency to see the world in “black and white” and have a stronger need for order (2009: 3). This preference for order and a heightened sense of threat correlate not just with anti-gay rights beliefs, but also anti-black and hawkish foreign policy positions.

Importantly, they argue that the key to understanding changes in opinion does not lie with those who score high in authoritarianism — their positions on issues remain relatively constant.

Rather, they argue, it is those with low and moderate levels of authoritarianism whose views shift as the perception of threat increases (2009: 119).

The following tests will explore the relationship of concepts associated with authoritarianism and gay rights and gay marriage opinion.

Hypothesis 4a: In comparing individuals, those who stake out hawkish positions in matters of foreign policy and national defense — supporting the war in Iraq, increases in defense spending, or the torture of suspected terrorists — will be more likely to oppose liberal policies regarding gay civil rights, and will be more likely to have lower affect toward gays and lesbians than those who take more dovish positions on foreign policy issues.

To test this hypothesis, I created an additive index drawn from ANES data that is comprised of respondents' answers to questions on: whether the Iraq War was worth the cost; whether they favor increasing defense spending; whether they favor increasing funding for the war on terror; what they believe is the likelihood of a terrorist attack within the next year; whether they favor torturing suspected terrorists; whether they favor a deadline for withdrawing American troops from Iraq; and their affect toward Muslims. As with previous indexes, that responses are broken down into values coded "high," "moderate," and "low."

As predicted, those who score high in hawkishness tend to have lower levels of affect toward homosexuals; in fact, in a dummy regression analysis, both tested values of hawkishness— moderate and high — produce statistically significant coefficients of -10.8 and -22.2, respectively, and generate an adjusted R-square value of .08.

More importantly, hawkishness has a rather striking effect on gay rights and gay marriage opinion, which is displayed in the cross-tabulation analyses shown in Tables 24 through 27. In Tables 24 and 25, we see the relationship between gay rights support and hawkishness with the entire ANES sample and among white respondents only. In both cases, as hawkishness increases, gay rights support decreases. In Table 25, specifically, we see that the relationship between hawkishness and gay rights support does appear to be affected by race. Among the entire sample, 60 percent of those coded as having low hawkishness fall into the highest gay rights cohort; among whites, 74 percent do so. In Table 26, we see that, among those with low levels of hawkishness, 51 percent support permitting gays to marry; among those in the highest hawkishness cohort, just 28 percent do. Here again, we see that race appears to play some role: Among whites with low hawkishness characteristics, 64 percent support gay marriage, 10 percentage points more than the entire sample population.

Table 24. Gay rights and hawkishness and perception of threat

Gay rights support	Low hawkishness	Moderate hawkishness	High hawkishness	Totals
Low support	11	18	28	32
Moderate support	29	34	39	27
High support	60	48	33	40
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 25. Gay rights and hawkishness and perception of threat (white respondents only)

Gay rights support	Low hawkishness	Moderate hawkishness	High hawkishness	Totals
Low support	2	14	27	17
Moderate support	24	31	38	33
High support	74	55	35	50
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 26. Gay marriage and hawkishness and perception of threat

Gay marriage position	Low hawkishness	Moderate hawkishness	High hawkishness	Totals
Support gay marriage	51	43	28	40
Support civil unions	20	24	27	24
Oppose SSU recognition	29	33	45	36
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 27. Gay marriage and hawkishness and perception of threat (white respondents only)

Gay marriage position	Low hawkishness	Moderate hawkishness	High hawkishness	Totals
Support gay marriage	68	48	26	42
Support civil unions	18	27	30	31
Oppose SSU recognition	17	24	44	27
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Hypothesis 4b: In comparing individuals, those who have a lower affect toward feminists, African Americans, Hispanics, and other groups will also have a lower affect toward homosexuals, and will be more likely to take positions opposing gay civil rights and gay marriage than those with a higher affect toward these groups.

To test this hypothesis, I constructed a multivariate regression analysis using the ANES' gay thermometer as the dependent variable and similar thermometers that measure affect toward Hispanics, blacks, illegal immigrants, atheists, feminists, and Muslims as independent variables. By running a multivariate analysis, we can assess the strength of these variables after controlling for the others, and develop a better view of the relationships between affect toward gays and affect toward other sometimes disparaged racial and cultural minority groups.

In Table 28, we see that affect toward atheists, Muslims, and feminists has the strongest

relationship with affect toward homosexuals. Looking at this through the theoretical prism of authoritarianism, this is none too surprising. After all, those who may feel threatened by the changing social norms associated with homosexuality may also feel threatened by the prominence of Islam on the world stage, given that the US is engaged in two wars in predominantly Muslim countries, was attacked by Muslims on 11 September 2001, and is currently dealing with the ramifications of a possible nuclear regime in Iran. Also, those who may find homosexuals threatening might also be expected to have lower affect toward atheists, who challenge traditional religious conceptions, and feminists, who challenge gender norms. Moreover, illegal immigrants — who tend to be perceived as Hispanic — can be similarly viewed as a threat, because they speak different languages and come from different cultures, and, not inconsequentially, because they are sometimes blamed for the inability of US residents to find jobs, especially during difficult economic times. The immigration issue, particularly, was heating up in the year in 2008, the year in which this survey was taken; thus, it is not surprising that illegal immigrants may be viewed as a threat.

It is noteworthy that affect toward blacks had the weakest relationship to affect toward gays, and this too fits with the authoritarian conception: The black civil rights battles are a generation removed, which, perhaps, indicates that blacks are no longer as threatening. I should note, too, that although blacks are said to have greater authoritarian tendencies, removing them and other non-whites from the analysis does not produce remarkably different coefficients.

Table 28. Gay thermometer, Hispanic thermometer, black thermometer, illegal immigrants thermometer, Muslims thermometer, atheists thermometer, and feminists thermometer

Independent variables	Gay thermometer
Constant	-.003
Hispanics thermometer	.13*
Blacks thermometer	.07*
Illegal immigrants thermometer	.14*
Muslims thermometer	.19*
Atheists thermometer	.28*
Feminists thermometer	.17*

Source: ANES 2008

* Values significant at the .05 level

Adjusted R-square = .50

Table 29. Gay thermometer, Hispanic thermometer, black thermometer, illegal immigrants thermometer, Muslims thermometer, atheists thermometer, and feminists thermometer (white respondents only)

Independent variables	Gay thermometer
Constant	-1.04
Hispanics thermometer	.17*
Blacks thermometer	.08*
Illegal immigrants thermometer	.14*
Muslims thermometer	.15*
Atheists thermometer	.30*
Feminists thermometer	.20*

Source: ANES 2008

* Values significant at the .05 level

Adjusted R-square = .53

In Tables 30 through 32 below, I present cross-tabulation analyses exploring the relationship between gay rights opinion and affect toward Muslims, atheists, and feminists. In all three analyses, we see that as affect increases, so too does the percentage of respondents who fall within the highest gay rights support category.

Table 30. Gay rights and Muslim affect

Gay rights support	Low Muslim affect	Moderate Muslim affect	High Muslim affect	Totals
Low support	29	18	16	21
Moderate support	38	31	30	33
High support	33	51	54	45
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 31. Gay rights and atheist affect

Gay rights support	Low atheist affect	Moderate atheist affect	High atheist affect	Totals
Low support	27	19	15	21
Moderate support	38	33	23	33
High support	35	48	61	45
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 32. *Gay rights and feminist affect*

Gay rights support	Low feminist affect	Moderate feminist affect	High feminist affect	Totals
Low support	24	18	17	21
Moderate support	36	32	30	33
High support	40	51	53	45
Totals	100	100	100	100

Source: ANES 2008. Values rounded

The results are the most pronounced with the Muslim and atheists variables: Of those who feel the most coolly toward atheists, just 35 percent have high support for gay rights, while 61 percent of those expressing the highest affect toward atheists support liberal gay rights policies. Similarly, whereas only 33 percent of those who rated Muslims the most coolly have high levels of gay rights support, 54 percent of those in the highest affect cohort do so.

Hypothesis 4c: In comparing individuals, those who voice place greater emphasis on the maintenance of social order, as opposed to civil rights, will be more likely to oppose liberal SSU and gay rights policies.

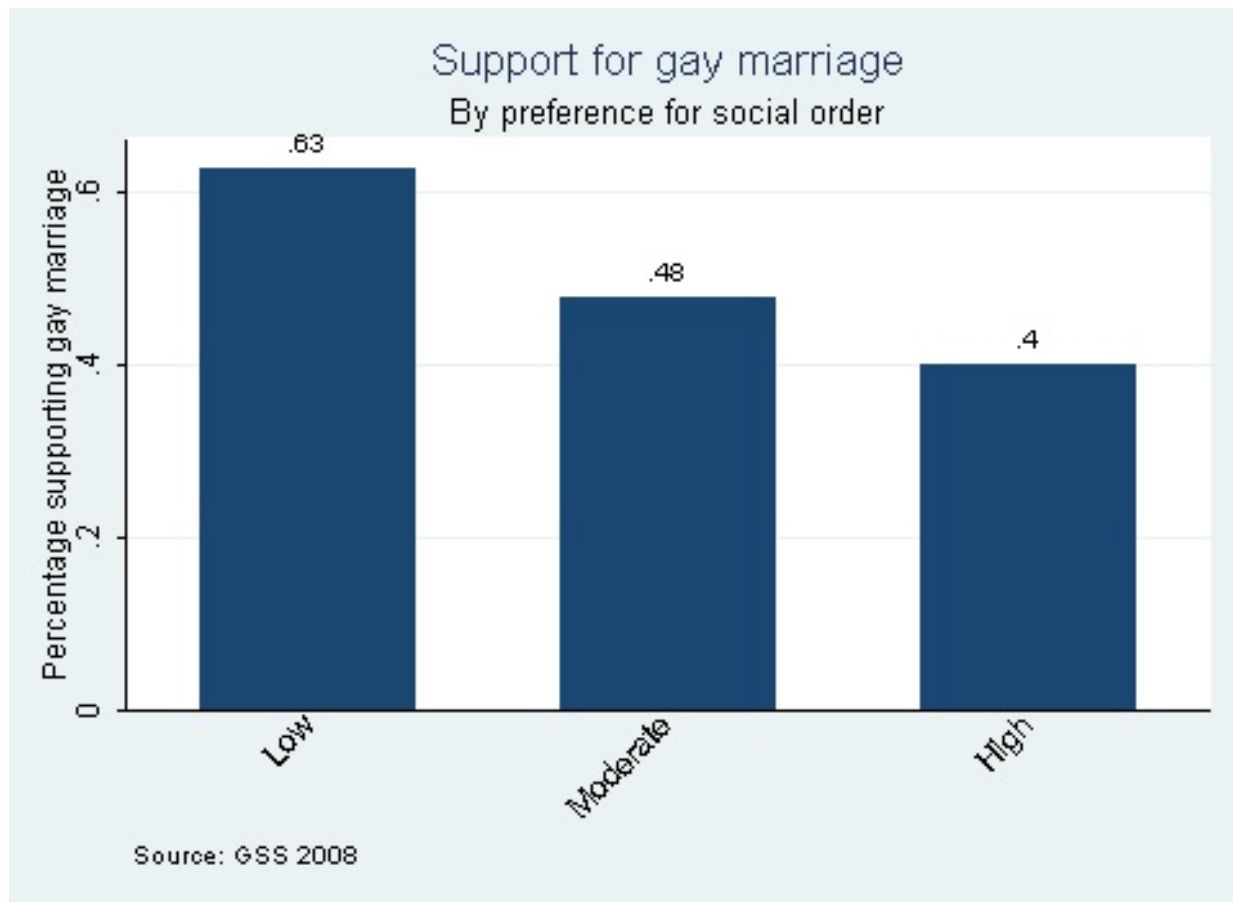
Using GSS data, I constructed a “social order” additive index to measure tolerance toward disruptions in societal norms and affinity for order; these data are meant to augment the tests run in the previous section, although they are, indeed, fruit of the same tree, and have their bases in authoritarian conceptions of how individuals come to favor or oppose policies regarding culture war issues.

In constructing this index, I drew from several aspects of the social order paradigm, particularly free speech, societal conduct toward women, immigrants and racial minorities, moral absolutism and crime and punishment, and attitudes toward child rearing. The variables included in this index come question the GSS asked on: free speech for communists; free speech for anti-American Muslim clergy; capital punishment; corporal punishment for children; the absoluteness of morality; legal immigration; affirmative action for women; and race-based affirmative action. As with the previous indexes, the answers were tallied and collapsed into three-value grouping — low, moderate, and high — of a new variable, “social order.”

The data shown in Figure 7 support the abovementioned hypothesis: Among those who score lowest in preference for social order in this sample, 63 percent supported gay marriage; among those who have the greatest preference for such order, 40 percent do so.

(Among whites with lower preferences for social order, there is an even greater propensity to support gay marriage, 73 percent.)

Figure 7. Gay marriage support by preference for social order



Hypothesis 5: Moral traditionalism

In this final section, I test variables associated with established cultural norms. In the literature review's section on individualization of society and the corresponding evolution of gay civil rights, we saw that shifts in policy are often associated with the increased valuation of personal choice and pursuit of pleasure over the emphasis on traditional family structures. Thus, as postmaterial, less agrarian societies emerge, and traditionalism loses its foothold, we would expect to find that support for new lifestyles — including homosexuality — increases, and policy

choices follow.

Hypothesis 5a: In comparing states, those with higher rates of divorce, nonmarital childbirth, and nonmarital different-sex cohabitation are more likely to have liberal SSU and gay civil rights policies than those with lower rates of divorce.

Figures 8 and 9 below show the respective relationships between gay marriage and divorce and nonmarital different-sex cohabitation rates among states.

Contrary to the stated hypothesis, the relationship between gay marriage support and divorce rates is negative, indicating that states with higher support for gay marriage tend to have fewer divorces. Lest this relationship be dismissed as spurious, I argue that, were the converse true and there were a positive relationship between divorce and gay marriage support, that would be perfectly in line with the literature suggesting that gay marriage support increases as the traditional, nuclear family structure loses its relevance. However, this is not the case, and as such, we must develop a new theoretical framework with which to view these data. I will discuss this in more detail in the following chapter, but in short, I argue that this is perhaps related to the perception of threat discussed earlier: In states with higher divorce rates, there is a greater perception that the traditional family is under attack from secular or post-traditionalist forces, and hence, individuals would be more likely to oppose redefinitions of the family, up to and including gay marriage, than in states in which the traditional family is more stable and seemingly impervious to these supposed threats.

The divorce variable produces a regression coefficient of -3.5, and an adjusted R-square value of .11. The cohabitation variable, which shows the predicted positive relationship,

generates a coefficient of 4.29, and an adjusted R-square value of .53. (The relationship between gay marriage support and nonmarital birthrates is also negative, but is not statistically significant.)

Figure 8. Gay marriage support by divorce rates

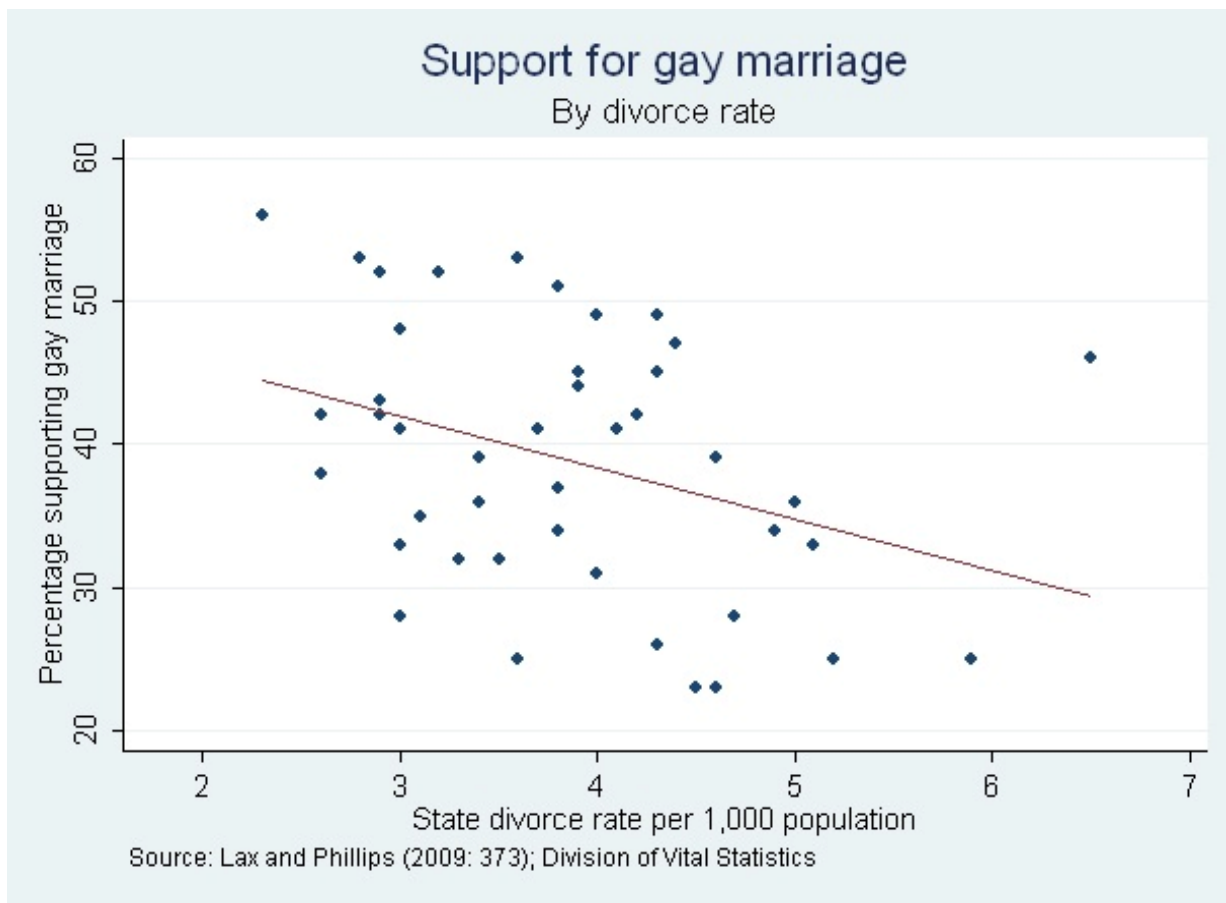


Figure 9. Gay marriage support by nonmarital cohabitation rates

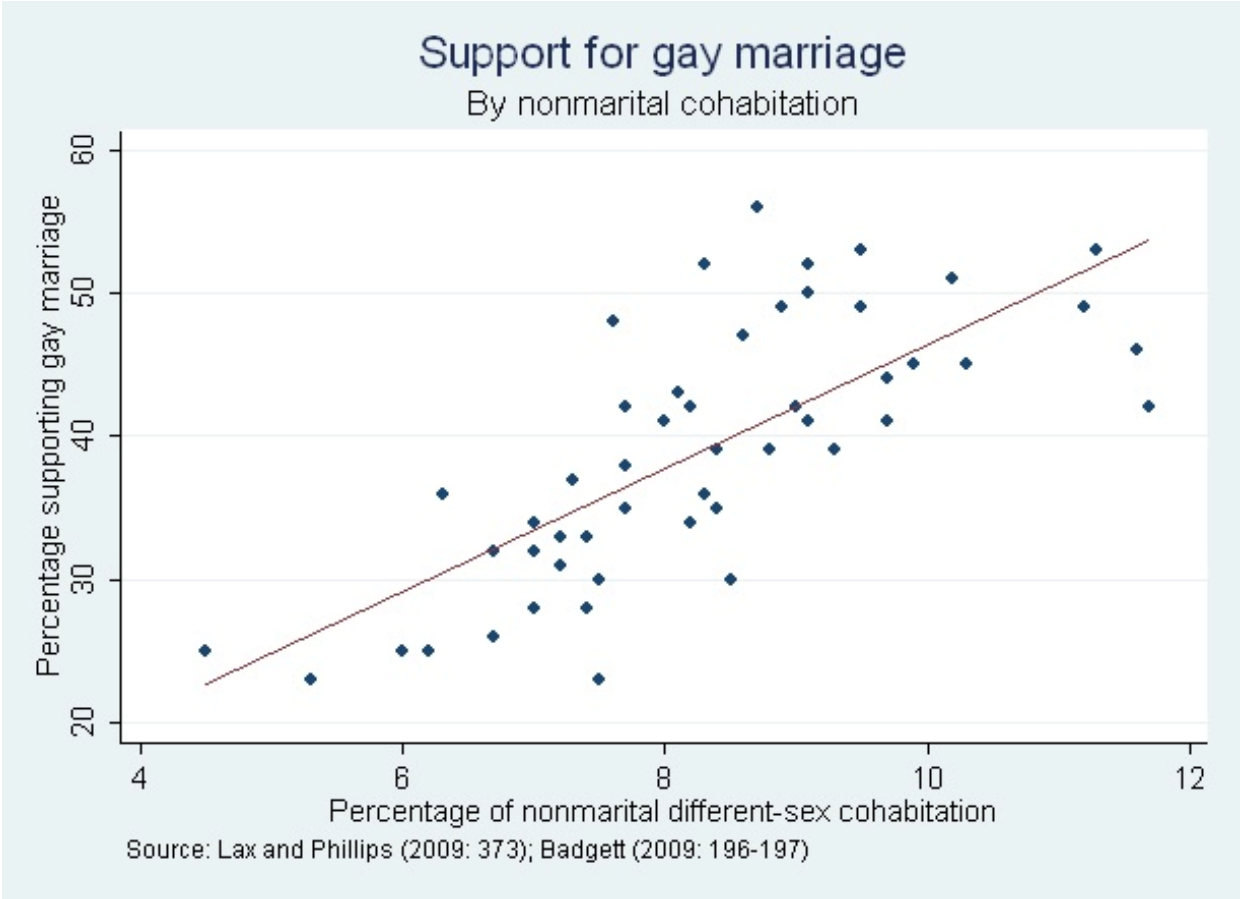


Table 33. Gay marriage, divorce, age, education, and church attendance

Independent variable	Gay marriage support
Constant	65.6
Divorce	-1.78*
Over 65	.44
Tertiary education	.34*
Weekly church attendance	-.78*

Source: Lax and Phillips (2009: 373); Division of Vital Statistics; US Census Bureau; Newport 2006

* Values significant at the .05 level

Adjusted R-square = .90

Table 34. Gay marriage, nonmarital cohabitation, age, education, and church attendance

Independent variables	Gay marriage support
Constant	16.1
Nonmarital cohabitation	1.8*
Over 65	.55**
Tertiary education	.73*
Church attendance	-.44*

Source: Lax and Phillips (2009: 373); Badgett 2009: 196-197); US Census Bureau; Newport 2006

* Values significant at the .05 level

** Values significant at the .10 level

Adjusted R-square = .91

Tables 33 and 34 report the results of multivariate regression analyses, in which the relationships between gay marriage and divorce and nonmarital cohabitation rates, respectively, are tested alongside variables controlling for age, education, and church attendance. In these analyses, both divorce and cohabitation maintain much of their statistical strength despite the controls.

Hypothesis 5b: In comparing states, those with a higher percentage of women in the state legislature are more likely to favor liberal gay civil rights and SSU policies than those with a lower percentage of women legislators.

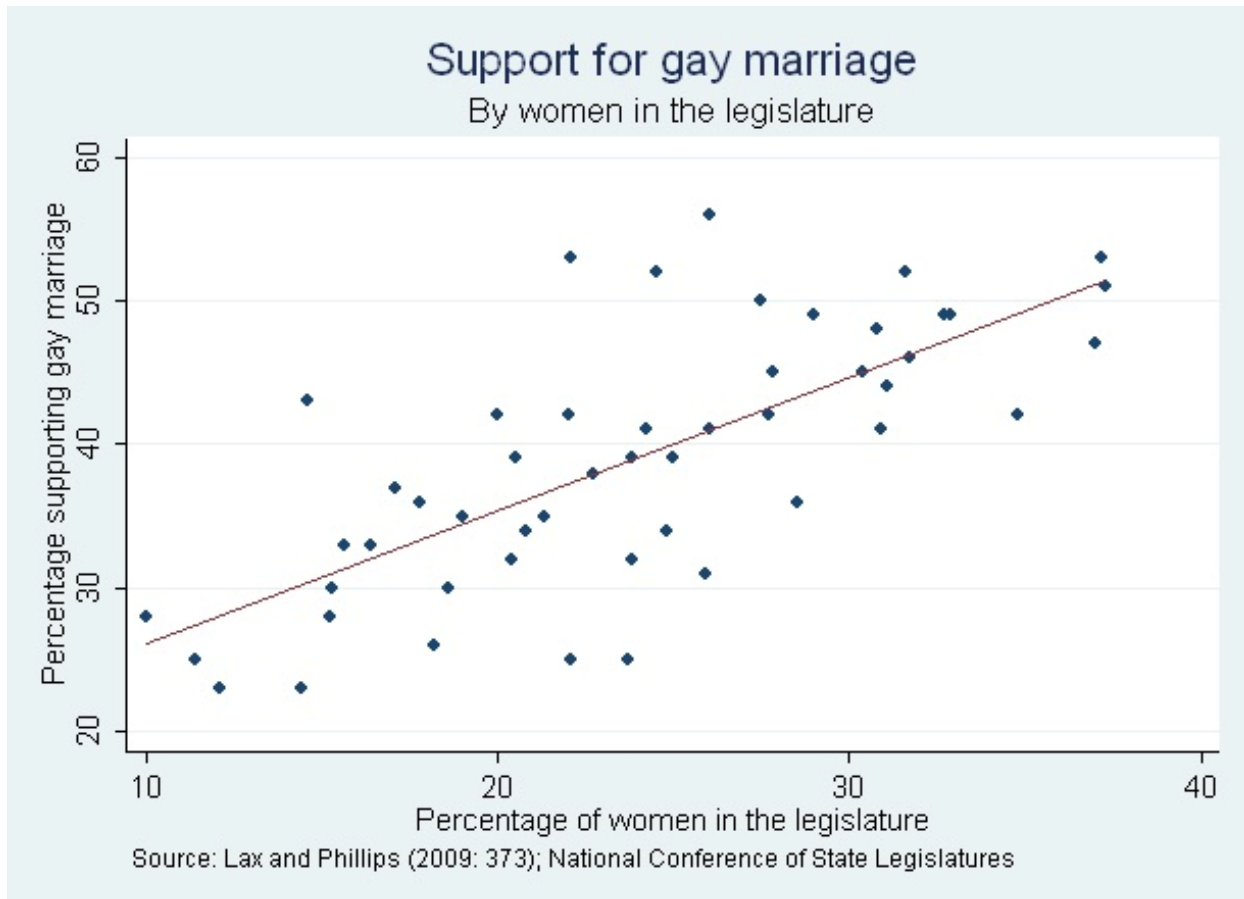
Figure 10 illustrates the relationship between support for gay marriage and the percentage of a state's legislature that is female. This relationship, of course, is not causal: Having women in the legislature does not in and of itself engender sympathy toward the plight of homosexuals and support of pro-gay rights measures. However, in states where women have greater access to the halls of power, where would expect that traditional gender-related mores have deteriorated, thus precipitating higher levels of acceptance for emerging lifestyles.

As the hypothesis predicts, this relationship is positive; the women in the legislature variable produces a statistically significant coefficient of .93, and this analysis generates an adjusted R-square value of .51.

This variable, however, does not maintain its significance when controlling for age, education, and church attendance. This, too, is not unexpected: As previously stated, electing women to the legislature in greater numbers does not cause greater support for gay marriage, but rather, the factors that allow women to gain election in higher proportions are the same that

permit support for same-sex marriages to rise.

Figure 10. Gay marriage support by percentage of women in the legislature



Hypothesis 5c: In comparing individuals, those who voice support for the traditional, nuclear family — in which the father is the head of household and breadwinner, and the mother stays home with the children — and traditional norms will be less likely to support liberal gay civil rights and SSU policies, and to have a lower affect for homosexuals, than those who do not have such views.

Cross-tabulation analyses drawn from GSS data support the breadwinner hypothesis.

Among those who agree that a mother should stay home and a father should work, just 27

percent support gay marriage; among those who disagree, 57 percent support gay marriage. Eighty-five percent of these traditionalists also believe that gay sexual activity is morally wrong, compared to 48 percent of those who disagree with the traditional view. Clearly, those who adhere to more traditional norms associated with the family are more likely to look askance at new and emerging sexual and familial mores, particularly homosexuality.

Using ANES data, I created an additive index designed to measure respondents' reactions to changing cultural norms, particularly those affecting traditional family structures. This additive index is formed from respondents' answers to questions on whether new lifestyles are injurious to society, whether there should be more emphasis on family ties, whether we should adjust to the changing world and changing norms, and whether we should be tolerant of other moral standards. As with the other indexes in this chapter, the results were collapsed into a three-value variable, labeled "traditionalism," with assigned values of "high," "moderate," and "low."²²

As shown in Table 35, the data support the hypothesis. Among those with low levels of traditionalism, 69 percent have high levels of gay rights support. Among those with high levels of traditionalism, just 25 percent are similarly favorable to gay civil rights. This predicted relationship holds true when testing the effect of traditionalism on gay marriage: 61 percent of those with high levels of traditionalism support gay marriage, compared to only 18 percent of those in the high traditionalism cohort. In Table 36, we see that when the sample is restricted to

²² Among all respondents in the ANES sample, 32 percent fall into the highest traditionalism category, and 28 percent fall into the lowest traditionalism grouping. Among whites, 40 percent are classified as high traditionalists, while 29 percent fall into the lowest traditionalism cohort.

whites, as with other analyses, support for gay rights increases; here, among whites with low levels of traditionalism, 79 percent have high levels of gay rights support, compared to 69 percent in the general ANES sample. The racial differences are seen almost entirely among those with low levels of traditionalism; whites in this cohort seem to be more gay-rights friendly.

Table 35. Gay rights and traditionalism

Gay rights support	Low traditionalism	Moderate traditionalism	High traditionalism	Totals
Low support	10	21	31	21
Moderate support	21	34	43	33
High support	69	44	25	45
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 36. Gay rights and traditionalism (white respondents only)

Gay rights support	Low traditionalism	Moderate traditionalism	High traditionalism	Totals
Low support	6	17	31	19
Moderate support	15	34	43	32
High support	79	50	26	49
Totals	100	100	100	100

Source: ANES 2008. Values rounded

Table 37 reports the results of a multinomial logistic regression analysis that looks at the

effect of traditionalism on gay marriage and civil union support when controlling for ideology, age, education, and church attendance. Here, we see that both tested values of traditionalism maintain their statistical significance even as education and ideology falter. High traditionalism maintains higher coefficients than weekly church attendance for both gay marriage and civil unions opinion, after controlling for ideology, age, and education.

When the sample is restricted to whites, the strength of traditionalism becomes evident: with gay marriage, traditionalism succeeds with ideology, age, and religiosity held constant. All other variables, save the oldest age cohort, fail to meet statistical significance.

The strength of traditionalism in these analyses is quite remarkable, and suggestive of the idea that no matter one's age, ideology, or even religiosity, the most powerful explainer of gay marriage opinion is the degree to which one ascribes to norms associated with the traditional family²³.

²³ To guard against multicollinearity, I performed postestimation tests for the independent variables including in this last series of tests. None approached the .80 standard. The highest level of traditionalism and the highest age cohort, for instance, produced a P-value of 0, as did high traditionalism and high-church attendance. The youngest age cohort and liberal ideology produced the highest P-value in my postestimation tests, .52; while there is significant overlap within these variables, it is not nearly enough to cast aspersions on the results of this analysis.

Table 37. Gay marriage, civil unions, traditionalism, ideology, age, education, church attendance

Independent variables	Support civil unions	Support gay marriage
Constant	-.38	1.4
Moderate traditionalism	-1.4*	-1.1*
High traditionalism	-1.1*	-1.6*
Moderate ideology	.09	-.33
Liberal ideology	-.01	-.34
31 to 50	-.16	-.3*
51 to 64	-.77*	-1.4*
Over 65	-.13	-1.2*
Graduated high school/ Some college	-.02*	.1
Graduated college	.39	.4
Almost weekly church attendance	-.24	-.8*
Weekly church attendance	-.77*	-1.3*

Source: ANES 2008

* Values significant at the .05 level

Pseudo R-square = .11

Table 38. Gay marriage, civil unions, traditionalism, ideology, age, education, and church attendance (white respondents only)

Independent variables	Support civil unions	Support gay marriage
Constant	2.04	3.21
Moderate traditionalism	-2.7*	-2.4*
High traditionalism	-2.6*	-2.6*
Moderate ideology	-.34	-.62
Liberal ideology	-.43	-.76
31 to 50	-.11	-.22
51 to 64	-.34	-.92
Over 65	-.29	-1.23**
Graduated high school/ Some college	-.81	.46
Graduated college	1.61	1.56
Almost weekly church attendance	-.60	-.62
Weekly church attendance	-.004	-.44

Source: ANES 2008

* Values significant at the .05 level

**Values significant at the .10 level

Pseudo R-square = .12

CHAPTER FIVE: DISCUSSION

Attempting to pin down any one “culprit” as *the variable* that wholly explains gay rights and gay marriage debates within the US — or anywhere else for that matter — is surely a fool’s errand. The cultural, religious, sociological, and demographical underpinnings of this culture war issue cannot, and should not, be overly boiled down for the sake of simplicity. However, the research presented in Chapter 4 allows us to infer at least some of the relationships associated with gay rights issues, both on statewide and individual levels, and to some degree, begin to piece together the puzzle and gain an understanding of how these variables interact.

Before discussing these results in greater detail, I would like to make a quick point about what this research did not cover extensively: namely, institutions. As mentioned in the literature, some scholars (Kollman 2007, Lax and Phillips 2009) have found little support for institutional explanations. Specifically, Lax and Phillips argue that there is “little evidence that state political institutions affect policy responsiveness or congruence” (2009: 367). When such non-congruence happens, they continue, it is generally in a more conservative direction. Thus, from their research, one could conclude that a study of state-level opinion *is* a study of state policy choices.

Yet we know that, at least in some cases, institutions, and particularly courts, have played a role, regardless of whether the courts’ actions were in line with popular sentiment. Vermont’s decision a decade ago to allow same-sex civil unions stemmed from a court ruling. So did Massachusetts’ decision to enact gay marriage in 2003, Connecticut’s extension of marriage rights in 2008, and Iowa’s endorsement of same-sex marriage in 2009. We also know, from Werum and Winders’ research, that pro-gay activists have relied upon local governments, state

legislatures and state courts for the bulk of their successes, while anti-gay forces found success in referenda (2001: 398-402). We have seen this dynamic playing out recently: In 2008, California voters overturned a court ruling that ordered the state to grant same-sex couples marriage licenses. In 2009, Maine voters overturned a legislative act that legalized gay marriage. That same year, the Iowa Supreme Court legalized gay marriage, and Washington D.C.'s City Council took the first step toward doing likewise.

This paper does not explore this aspect of SSU policy development in great detail, primarily because there are only a handful of such court actions with which to work, and consequently, any derivative analysis would be necessarily be qualitative, requiring examinations of the individual court backgrounds and cases that facilitated those rulings.

Instead, I build primarily from Lax and Phillips' argument that policy tends to adhere with public opinion and research the drivers of public opinion. In the remainder of this chapter, I will discuss the results of my research and its implications for our understanding of gay rights issue development, and also offer suggestions for future scholarship on this subject. In the next chapter, I will conclude with some thoughts of what this research tells us about the future of the gay civil rights movement.

Liberalism

It is hardly surprising that the link between affect for homosexuals and support for gay rights is quite strong. After all, those who felt the "warmest" toward gays and lesbians would be expected to support for more liberal policies, and those who professed to being "cool" toward homosexuals would not seem likely to want to expand rights. But how much does this self-

reported affect matter?

The data indicate that the answer is “quite a bit.” The positive relationship between affect toward gays and lesbians and support for gay rights policies, including marriage, is apparent: As affect increases, so does the likelihood that one supports gay rights more.

There are, however, a few things worthy of further discussion. One is the role of civil unions. This “compromise” position between affording gay and lesbian couples full relationship recognition and no recognition maintains support at between 16 and 33 percent in the four affect cohorts tested in the last chapter, cresting among those in the middle affect categories and bottoming out at the ends, with 19 percent support among those with low affect and 16 percent support among those with high affect. We could theorize that, among those with the lowest degrees of affect, civil unions offer a lesser, though permissible, degree of recognition, and that is all that these individuals are willing to abide. And in some cases, that is likely true. However, in each of these groups, more people support gay *marriage* than mere civil unions. While support for gay marriage and support for the broader category of SSU recognition are both linked to affect toward homosexuals, how this variable interacts with respondents’ support of civil unions in lieu of gay marriage is not clear from the data.

These results do show promise for gay rights advocates. Only among those in the lowest quantile of affect does SSU recognition not reach a majority status (and even then, 44 percent favor affording gay couples some or all legal rights). As Fiorina et. al. note, ANES time-series data show a steady growth in affect toward homosexuals between 1984 and 2004, particularly among those younger than 50 (2005: 113, 124). If affect continues to increase, support for gay

marriage and SSU recognition will also likely rise. It is not difficult to imagine that percentage increasing significantly over the next decade. Although the ANES cumulative data file does not include a question on gay marriage, it does include a question on whether or not gays should be protected from discrimination. Between 1988 and 2004, the percentage answering affirmatively rose from 54 percent to 75 percent. Between 1992 and 2004, the percentage of those who voiced support for gay adoption likewise increased substantially, from 38 percent to 58 percent, and the percentage who supported permitting gays to serve in the military rose from 59 percent to 81 percent. By any measure, America has become more gay friendly over the last generation. It has done so among all ideological groupings: among self-identified conservatives, for instance, the percentage that supported granting gays and lesbians legal protection from discrimination increased from 47 percent in 1988 to 66 percent in 2004.

The question is whether this trend continues, stagnates, or reverses in coming years. Although support for gay rights has risen across the ideological spectrum, the highest levels of support for gay rights and, particularly, gay marriage is intertwined with liberalism — importantly, with regard to gay marriage, especially, the defining attribute is liberalism, as moderates and conservatives tend to have similar levels of support. Similar percentages of conservatives, moderates, and liberals have low support for gay rights; among both moderates and liberals, majorities fall into the highest category of gay rights support. (Conservatives are more closely split between those with moderate and high support for gay rights.)

As Kollman (2007) has argued, gay marriage tends to be an elite-driven issue, and conservative politicians tend to oppose gay rights more so than do liberal politicians. But even

President Obama, perhaps in an effort to diffuse culture-war issues in an economically centric election, publicly opposed gay marriage during the 2008 campaign, though he did support the extension of civil unions and the repeal of the federal Defense of Marriage Act. And we do see a connection between support for his candidacy and a state's support for gay marriage (although, again, this is by no means a causal relationship) and tendency to enact policies recognizing same-sex unions.

Liberalism, by itself, is an overly simplistic explanation. The expansion of gay civil rights has long been identified with liberal politicians, and opposition to those policies associated with Republicans, for decades. Under the George W. Bush administration, Republicans rallied social conservatives to their banner with calls for a constitutional amendment banning gay marriage. In the current Congress, Democrats have proposed repealing both the federal Defense of Marriage Act (Whittemore 2009), which was passed by a Republican Congress (and signed by Democratic President Bill Clinton) in the 1990s, and "Don't Ask, Don't Tell," the policy on gays in the military (Lochhead 2008).

Thus, it is unsurprising that the link between gay rights policy and liberalism exists; indeed, Hetherington and Weiler (2009) argue that partisan divisions on culture war issues, including gay rights, stem from party sorting based on authoritarianism, a claim I will discuss more later in this chapter.

But for this research, the primary role of ideology is to serve as a control variable for tests on other variables. The interesting thing here is not so much that liberalism works, but how it interacts with other potential explainers.

Demographics: Age, education & urbanization

Among individuals, the relationship between age and gay rights support is striking. For instance, it is only among those older than 65 that a majority opposes any recognition of same-sex couples. Among those under 50, clear majorities have high support for gay rights. Among those 18 to 30, nearly 80 percent support SSU recognition, and 61 percent support full marriage rights. In the next chapter, I will discuss in more depth the central question this raises for gay and anti-gay rights activists: is the relationship between gay rights and age a matter of socialization, or something that evolves over the course of one's life cycle. If the answer is the former, that would suggest that, as older voters exit the voter pool, voters will become decidedly more gay friendly, and consequently, the full adaptation of gay marriage is perhaps only a matter of time.

There does appear to be support in the literature for the socialization hypothesis: Those who were between 18 and 30 years old during the 2008 ANES would have been born sometime between 1978 and 1990. As discussed in the literature, the 1990s were a remarkable period for the mainstreaming of gay rights and gay culture. Brewer (2003) argues that, with increasing public awareness of gay rights came increasing acceptance; drawing from Hetherington and Weiler's arguments that the much anti-gay sentiment is rooted in threat, we can surmise, quite simply, that these younger voters do not feel threatened gays and lesbians because they are not seen as posing a threat to the social order.

The link between educations and the liberalization of gay rights appears similarly robust: Only 24 percent of those who have graduated college oppose all SSU recognition, whereas 45 percent of those in the lowest education cohort do so. Fifty-eight percent of college graduates fall

into the highest category of gay rights support, significantly higher than the 34 percent of those in the lowest education group. This link between education and liberal gay rights support appears across the ideological spectrum: conservatives, moderates, and liberals who have at least graduated high school are more amenable to gay rights and gay marriage.

With statewide data, it is noteworthy that the age variable — the percentage over 65 — does not achieve statistical significance until we control for the percentage of those who have received a tertiary education. The effects of education, it seems, mask the role of age. More importantly, perhaps, after controlling for education, the age variable has a positive effect on support for gay marriage, meaning that, if we hold education constant, states with larger elderly populations are more likely to support gay marriage. Most certainly, this counterintuitive finding presents fertile ground for future scholarship.

As discussed in the literature review, Weld et. al. (1996) posit a link between liberal gay rights policies and urbanization. This would not be surprising: urban areas have long been the epicenters of gay culture. Those who live in cities are more likely to have had encounters with gays and lesbians, and are perhaps more apt to see them as less threatening to the social order. Moreover, the literature suggests that urbanization offers individuals an escape of sorts from agrarian societies that place a greater emphasis on traditional values. And on a statewide level, this variable does seem to have a relationship with gay marriage opinion, though after controlling for age and education, it loses its significance. The role of urbanization, it appears, is that young and educated individuals are drawn to urban centers, and these individuals are thus more likely to support the liberalization of SSU policy.

Those who live in rural areas are more likely to oppose gay civil rights, in keeping with the urbanization hypothesis. However, the differentiation among urbanites and suburbanites exists only among whites, and not among the entire GSS sample. This finding is borne out by the literature, specifically, Hetherington and Weiler's (2009) argument that urban blacks tend to have smaller support for gay rights, thus obscuring the differences between urban-dwellers and those in the suburbs.

Religiosity

There is no question from the data that religious service attendance has a profound impact on both individual- and state-level SSU policy opinion. It is certainly one of the strongest opinion determinants on both opinion and actual policy. On a state level, it produces the strongest coefficients after controlling for age and education (though those variables maintain their viability). On its own, church attendance produces an adjusted R-square value of .82; combined with age and education, that value is .88. Similarly, the percentage of a state's population that considers themselves evangelicals has a statistically significant effect on SSU policy, though it is not as strong an opinion driver as church attendance, which boasts a coefficient that is three times higher than the evangelicals variable. More devout and more evangelical states are certainly less gay-rights friendly. More devout individuals, too, are less likely to support gay rights and gay marriage.

Although church attendance is perhaps the most widely recognized measurement of religiosity, the results of the evangelism test above and the literature reviewed in Chapter 2

indicate that there is more to the story. After all, there are liberal and gay-friendly religious denominations within the US; a frequent attendee of one of these may not be expected to oppose gay rights, as might be expected of those who are devotees of more conservative traditions. Thus, I tested attributes associated with protestant orthodoxy and adherence to fundamentalism. The data support the hypothesis; even holding church attendance constant, fundamentalism produces statistically significant negative coefficients for both gay marriage and civil unions support. In fact, fundamentalism produces stronger coefficients than does church attendance, even after holding ideology constant.

Also drawing from Karpov (2002), I hypothesized that those who professed confidence in religious organizations would be less likely to support gay marriage. This, too, is supported by the data, even after holding church attendance constant. (The effect is somewhat stronger among whites than the population at large.)

While church attendance is indeed associated with decreased support for gay rights and gay marriage, this relationship is augmented by adherence to orthodoxy and professed trust in religious institutions. This is, of course, somewhat intuitive: those who go beyond weekly church attendance and try to absorb and practice the teachings of their religious traditions — especially if those traditions are conservative and teach adherence to orthodoxy — would be more likely to oppose rights for those who they believe engage in immoral behaviors.

Authoritarianism & tolerance

In keeping with Hetherington and Weiler (2009), I find that those who have a high level

of foreign policy hawkishness and the perception of threat are considerably less likely to support same-sex marriage and gay rights than those without those characteristics. This relationship appears to be more pronounced among whites than among the entire population, in that whites with fewer hawkishness attributes appear more willing to extend rights to gays and lesbians. Notably, I find the stronger links between affect toward homosexuals and affect toward Muslims, atheists, and feminists, than I do between affect toward gays and affect toward blacks and Hispanics (though these relationships are statistically significant). Under this theoretical construct, it seems, those who find Muslims, atheists, and feminists more threatening to their existing social order are also more likely to view homosexuals the same way, and thus have a “cooler” affect toward gays and lesbians.

Unsurprisingly, then, those who have lower affect toward these categories of individuals are less likely to support gay civil rights, up to and including marriage. Similarly, I find that those who place a great deal of emphasis on the maintenance of social order are considerably less likely to support gay marriage and gay rights than those who do not value the social order as much.

Moral traditionalism

As with religiosity, the literature linking the liberalization of same-sex marriage policy to the cultural deemphasizing of moral traditions, particularly those associated with gender roles and family life, is quite robust. The premise is elegantly simple: As societies become increasingly individualized, the importance of traditional family structures is subsumed by the

development of personal happiness; along the way, gender roles — men working as the home's primary breadwinners, women staying home and caring for the children — and the role of marriage lose at least some of their cultural primacy. Therefore, we would expect that as the markers of traditional family and gender roles decline, societies will grow more amenable to new lifestyles and become more supportive of gay rights and gay marriage policies.

And yet, our state-level data show that the divorce rates actually has a *negative* relationship with gay rights and gay marriage opinion, which at first blush, would seem to run contrary to our expectations (and certainly, counter to the stated hypothesis). However, the literature on authoritarianism and threat perception may offer us an explanation: In states with low rates of divorce, changes to the traditional family are perhaps seen as more of a threat, which Hetherington and Weiler might suggest would lead to more favorable views on new, emergent lifestyles. But as these rates increase, the perceived threat to traditional norms increases, and with it, so does opposition to these new lifestyles. Of course, this explanation requires more rigorous scholarship between any definitive conclusions could be reached, and without that, this relationship must be treated skeptically.

In keeping with my hypothesis, however, an increase in nonmarital cohabitation — “living in sin,” if you will — is linked to an increase in support for gay marriage. In this case, it seems that as the institution of marriage is devalued — or at least, at it is no longer viewed as a prerequisite to cohabitation — there is a greater propensity to grant gays and lesbians access to this institution. This variable succeeds after controlling for age, education, and church attendance (theoretically, younger, more educated, and less religious people would be less likely to approve

of nonmarital cohabitation).

Reconciling this finding with the finding on divorce rates — one indicates that gay marriage is linked to a devaluation of marriage, the other seemingly contradicts that view — is beyond the scope of this thesis. More research is needed.

The popularity of gay marriage does, however, appear to be linked to a deemphasis on traditional gender roles, as indicated by the fact that states in which higher percentages of women are elected to the legislature are more approving of gay marriage. Among individuals, too, those who prefer traditional gender roles and cultural norms are similarly disinclined to support gay rights. Sixty-nine percent of those with low levels of traditionalism have high support for gay rights (79 percent when the sample is whites only). Traditionalism has a negative pull on gay marriage and civil unions support even when controlling for age, education, ideology, and church attendance, all variables that we might expect to be linked to traditionalism.

CHAPTER SIX: CONCLUSION

In the previous two chapters, I tested and discussed a number of hypotheses associated in the literature with the development of gay marriage policy and the liberalization of gay civil rights, both among individuals and in states. And, for the most part, the tests supported the hypotheses. (This was not without exception: divorce rates had results opposite than the hypotheses predicted.) Broadly, we saw relationships between gay marriage and support for gay rights and ideology, age, education, religiosity, authoritarianism, tolerance traditionalism, and urbanization.

However, these relationships were not of equal import. In this conclusion, I will discuss what this research tells us about how gay rights opinion and policies liberalize, and offer some thoughts on what it adds to the literature of the development of gay rights policy, particularly gay marriage, as well as what my findings auger for the future of gay rights policy development (or, at least, the evolution of gay rights opinion).

Throughout this paper, the variables that have succeeded perhaps the strongest are those associated with high religiosity — particularly high-frequency religious service attendance and those who have high levels of fundamentalism — and moral traditionalism. This is hardly surprising, based on what we know of the gay rights literature. Indeed, many, if not most, of the arguments against the legal sanctioning of homosexual relationships are rooted in either religious prohibitions (Staver 2004) or in fears that granting government approval to such relationships would undermine heterosexual families (Badgett 2009: 5-6, 65). But even in the case of the latter, the argument, if versed in secular terminology, is nonetheless derived from a religiously based conception of what a family should look like.

Given this, we would expect that those with characteristics of high religiosity — the most frequent levels of church attendance and adherence to values associated with fundamentalism and evangelicalism — would be most likely to oppose the liberalization of gay civil rights and gay marriage, and that states with the highest percentages of these individuals will have lower support for these policies, and, consequently, be less likely to enact them. And that is, indeed, what we find.

However, the data presented here do not appear to adhere with what Kollman (2007: 354) reported about SSU recognition in Europe: Among European policy adapter states — those that had granted same-sex couples some recognition — those that more religious, such as Belgium, were more likely to grant gays the right to marry, while those that were more secular, such as France, would tend to opt for a lesser form of recognition, including civil unions and domestic partnerships. However, in the US, the least two religious states (as measured by weekly religious service attendance), Vermont and New Hampshire, both have gay marriage policies (Newport 2006). Perhaps, this is because the US has a relatively small percentage of adapter states, and as more states expand SSU recognitions, they will differentiate themselves as we see in Europe; under this framework, we would argue that the non-religious states would be the first to expand rights, which was certainly the case with Vermont, a state that granted recognitions to same-sex couples a decade before it bestowed them with full marriage rights.

This question, on the differentiation of support between gay marriage and civil unions in the US, has not been thoroughly explored in this paper. Future research may allow us to pinpoint the reasons why one would choose to support civil unions but not gay marriage; in this research,

support for civil unions appears to be something of a compromise position between those who want to grant gay couples full rights and those who would not recognize their relationships at all. And yet, the reasons why one might select the compromise position over full rights position have not themselves itself clear in this paper.

And despite Lax and Phillips' arguments on the congruence of state gay rights policies and public opinion, there has been no detailed examination of how states come to choose the policies they do. With only five states (and Washington, D.C.) affording gay couples marriage rights, and another seven granting some form of lesser relationship recognition, this low N perhaps does not allow for sophisticated quantitative analysis, though it may allow for qualitative analysis, particularly as to the role of the courts. After all, court rulings paved the way for gay marriage in California, Massachusetts, Connecticut, and Iowa; referenda, meanwhile, have played a strong role in limiting the spread of gay marriage, specifically in Maine and California, where voters overturned gay marriage laws and court rulings, respectively. Thus, the role of institutions needs further analysis.

Within states, the interplay between measures of adherence to traditional norms and support for gay marriage also warrants more detailed testing and analysis. As discussed in the previous chapter, we see a negative relationship between divorce rates and support for gay marriage, counter to expectations. And yet tests involving the percentage of nonmarital cohabitators and the percentage of women in the legislature both produced results that fit my hypotheses.

One's level of tolerance, particularly toward groups seen as challenging the social order

— Muslims, feminists, and atheists especially — also has an effect on gay marriage and gay rights opinion, in keeping with Hetherington and Weiler’s (2009) arguments. This finding not only confirms this element of Hetherington and Weiler’s research, but demonstrates how this affect relates to feelings on gay civil rights and marriage more exhaustively, and perhaps would indicate that, as gays become seen as less of a threat, a larger percentage of Americans will be inclined to support relationship recognition and marriage rights.

Relatedly, gay rights activists might also take comfort in the fact that demographics appear to be working heavily in their favor: Among those under 50 years of age, and especially among those between 18 and 30, we see high support for gay rights and gay marriage. Through attrition, as the older — and more traditionally oriented — generations die and exit the voter pool, the increasing support for (and affect toward) homosexuals shown in the data looks only to continue increases, thus making it entirely likely that, unless anti-gay rights activists can convince future generations that gay marriage will infringe upon societal cohesion, state gay marriage policies may become the norm, rather than outliers, in the foreseeable future. Even since 2004, when Republicans championed an anti-gay marriage amendment to the US Constitution, we have seen the saliency of this issue appear to dissipate: opposition to gay rights was not a central plank of John McCain’s platform; and while court decisions regarding gay marriage in California brought an outcry from religious conservatives and an ultimately successful effort to overturn the court’s ruling, it did not manifest in another full-throated bid to amend the US Constitution. Similarly, recent Democratic proposals to abolish “Don’t Ask, Don’t Tell” and the federal Defense of Marriage Act have not been the clarion call of conservative

opposition, the way they might have been a few short years ago. Instead, conservatives have focused primarily on non-moral issues in their opposition to President Obama, particularly issues of taxes, spending, and health care reform. The issue of homosexuality has, in short, seemed to lose some of its divisive power.

The central question is whether this demographic relationship is a matter of socialization or life cycle; that is to say, whether individuals are more likely to become more conservative on gay rights issues as they become older, or whether, because they came of age at a time when homosexuality was more culturally acceptable, they will, throughout their lives, see it as something of a non-issue, and be more inclined to extend civil rights protections to homosexuals.

The data also indicate that younger individuals are less likely to have high levels of fundamentalism and traditionalism and to attend church frequently than are their peers. Among those 65 and older, just 16 percent fall into the lowest cohort of traditionalism; among those in the youngest age cohort, 40 percent do. Similarly, 69 percent of those who are 65 and older attend church frequently, while just 40 percent of those who are 18 to 30 do so. More notably, perhaps, just 13 percent of those who are 18 to 30 have high levels of fundamentalism, while 29 percent of those in the oldest age cohort do. Forty-one percent of those in the lowest age cohort score low on the fundamentalism scale, while roughly half of the percentage of those in the 65 and older cohort do so.

The literature on political socialization tends to support the notion that younger persons' more liberal attitudes toward homosexuality are the product of pre-adult socialization. In a study of adolescents in a presidential election year, for instance, David O. Sears and Nicholas A.

Valentino argue that “periodic political events catalyze preadult socialization, generating predispositions that persist into later life stages” (1997: 45). This is not an apples-to-apples comparison, of course; Sears and Valentino studied socialization on issues associated with a specific campaign, and report that political issues peripheral to the campaign largely fell to the wayside. Richard G. Niemi and Barbara I. Sobieszek (1977) argue that while pre-adult socialization does occur, that does not mean that mature adults do not change their positions. M. Kent Jennings writes that, in his study of 1960s protesters, “generational persistence, while real, is subjected to stringent tests over time” (1987: 380). Duane F. Alwin and Jon A. Krosnick find support for the hypothesis that younger adults have less stable attitudes, but these become more stable with age (1991: 169).

Importantly, Marc Hooghe and Dietland Stolle claim that “socialisation effects tend to be more limited in scope during one’s adult life, and ... the adherence to core values and identities is relatively stable during the life cycle. Of course changes in attitudes do occur during adulthood However, in general these changes do not interfere with the basic pattern, established early in the life cycle. The most important foundation for political attitudes is shaped at a relatively early age ... ” (2003: 49).

Thomas C. Wilson sums up the literature on generational tolerance toward minorities thusly: “Studies have shown that younger people typically are less prejudiced than are older people This was originally attributed to a tendency for people to become less tolerant and more prejudiced as they age But more recent studies have found no evidence of this aging effect and imply instead that recent cohorts are not only less prejudiced than earlier cohorts but

tend to remain so as they grow older” (1996: 254).

However, Wilson’s original research should provide a glimmer of hope for anti-gay rights activists. In assessing the generational attitudes toward minorities, he concludes, “The findings I have presented in this study are, to my knowledge, the first to show that the youngest American adults are actually more prejudiced than their elders, documenting a reversal in the liberalization process among successive cohorts as it pertains to attitudes toward minorities” (1996: 270).

In other words, just because one generation is more tolerant of a minority group, that does not necessarily mean that the generation that follows will be even more tolerant. To extrapolate from affect toward minorities to affect toward homosexuals: even if today’s 18 to 30 year olds are more tolerant of homosexuals and supportive of gay rights throughout their lives than were their parents and grandparents, that does not necessarily mean that their children or grandchildren will be more tolerant still. It is entirely possible that, pursuant to some unforeseen event — a fundamentalist religious revival, for instance, or perhaps some other event that causes individuals to more strongly view homosexuals as a threat to the social order — generations that come will be less gay friendly than modern 18 to 30 year olds, who the literature suggests will probably maintain much of their gay friendliness throughout their lifetimes.

On the other hand, the black civil rights movement demonstrates that once rights are extended — as they were to African Americans in the 1960s — they are not easily revoked, no matter the changes in tolerance or affect among succeeding generations. Based on both the literature and my research, it does seem entirely possible, if not probable, that by the time this generation of 18 to 30 year olds reaches seniority, gays and lesbians in the US will be afforded

some legal relationship recognition, likely full marriage rights. Once that happens, it will be very difficult for those who oppose the extension of such rights to turn back the tide.

APPENDIX A: EUROPEAN CASE STUDY

Religiosity

Belgium 9

Italy 29

UK 14

Percentage that attends church weekly

Source: Eurofound

Belgium 11.9

Italy 10.2

UK 5

Percentage that belongs to religious organizations

Source: World Values Survey

Belgium 5.5

Italy 6.7

UK 6.3

Percentage that volunteers for religious organizations

Source: World Values Survey

Belgium 43.6

Italy 72.8

UK 58.3

Percentage that believes in life after death

Source: World Values Survey

Belgium 42.9

Italy 73.2

UK 66.9

Percentage that believes in sin
Source: World Values Survey

Belgium 61.6

Italy 78.9

UK 49.8

Percentage that prays
Source: World Values Survey

Belgium 45.4

Italy 72.1

UK 37.3

Percentage that says religion is important in their lives
Source: World Values Survey

Belgium 73.4

Italy 67.8

UK 65.3

Percentage that believes church should not influence government
Source: World Values Survey

Belgium	27
Italy	43.5
UK	27

Percentage that agrees that churches give answers to social problems
Source: World Values Survey

Belgium	40.1
Italy	67.1
UK	34.4

Percentage that expresses confidence in churches
Source: World Values Survey

Belgium	5.4
Italy	4.9
UK	4.9

Mean score on question of whether homosexuality is justifiable (1=never/10=always)
Source: World Values Survey

Urbanization

Belgium	97.3
Italy	67.5
UK	89.2

Percentage of population that is urban (2005)
Source: Globalis

Higher education

Belgium 56

Italy 47

UK 52

Percentage of the population aged 19 to 24 that is enrolled in higher education (1996)

Source: Eurofound

Belgium 80

Italy 73

UK 77

Percentage of 20 to 24 year olds who have completed secondary education

Source: Eurofound

Gender equality

Belgium 35.3

Italy 11.5

UK 17.9

Percentage of national Parliament that is female (2004)

Source: Globalis

Belgium 51.6

Italy 27.6

UK 30.8

Percentage that always approves of women as single mothers

Source: World Values Survey

Moral traditionalism

Belgium 81.1

Italy 92.4

UK 66.8

Percentage that agrees that children always need a mother and father

Source: World Values Survey

Belgium 30.6

Italy 17

UK 25.9

Percentage that believes marriage is an outdated institution

Source: World Values Survey

Belgium 75
(2003)

Italy (2002) 15

UK (1999) 53

Divorces per 100 new marriages
Source: Eurofound

Belgium 27

Italy 17

UK 43

Percentage of births that are out of wedlock (2005)
Source: Eurofound

APPENDIX B: STATE GAY RIGHTS OPINION ESTIMATES

Source: Lax and Phillips (2009: 373)

TABLE 1. Opinion Estimates and Summary Statistics

State	Second-Parent Adoption	Hate Crimes	Health Benefits	Housing	Jobs	Marriage	Sodomy	Civil Unions	Mean Opinion
Alabama	29 ✓	61	54	68	53	23 ✓	28 ✓	34 ✓	44
Alaska	43 ✓	66	59	75	62	42 ✓	49	50	56
Arizona	44 ✓	70 ✓	62	76	64	44 ✓	52 ✓	54	58
Arkansas	27 ✓	65	51	68	50	25 ✓	30	34 ✓	44
California	51 ✓	78 ✓	65 ✓	81 ✓	68 ✓	50 ✓	58 ✓	58 ✓	64
Colorado	48	74 ✓	61	78 ✓	66 ✓	47 ✓	55 ✓	56	61
Connecticut	54 ✓	77 ✓	68 ✓	81 ✓	70 ✓	52 ✓	56 ✓	62 ✓	65
Delaware	49 ✓	76 ✓	66	81	68	41 ✓	46	54	60
Florida	45 ✓	71 ✓	63	76	64	39 ✓	49 ✓	52	57
Georgia	36 ✓	68	58	74	60	30 ✓	39	43 ✓	51
Hawaii	50 ✓	76 ✓	62	78 ✓	65 ✓	49 ✓	56 ✓	57 ✓	62
Idaho	33 ✓	59	51	67	53	34 ✓	42 ✓	40 ✓	47
Illinois	48	77 ✓	64 ✓	80 ✓	66 ✓	42 ✓	50 ✓	53	60
Indiana	41 ✓	66	54	74	60	35 ✓	42	45 ✓	52
Iowa	45 ✓	72 ✓	58 ✓	76 ✓	62 ✓	38	44	51 ✓	56
Kansas	39 ✓	65 ✓	54	73	61	36 ✓	41 ✓	46 ✓	52
Kentucky	32 ✓	63 ✓	52	69	53	28 ✓	35	39 ✓	46
Louisiana	36 ✓	67 ✓	58	76	62	30 ✓	34 ✓	40 ✓	51
Maine	52	75 ✓	64 ✓	79 ✓	67 ✓	49	52 ✓	58 ✓	62
Maryland	49 ✓	79 ✓	67	82 ✓	69 ✓	41 ✓	50	55	61
Massachusetts	57 ✓	81 ✓	68 ✓	82 ✓	70 ✓	56 ✓	61 ✓	69 ✓	68
Michigan	47 ✓	74	60	78	64	39 ✓	44 ✓	49 ✓	57
Minnesota	47 ✓	74 ✓	60	78 ✓	64 ✓	42 ✓	49	51	58
Mississippi	29 ✓	64	55	71	55	23 ✓	28 ✓	34 ✓	45
Missouri	40 ✓	69 ✓	54	73	57	34 ✓	44 ✓	45 ✓	52
Montana	43 ✓	66	58 ✓	73	61	41 ✓	51 ✓	52	56
Nebraska	39 ✓	62 ✓	53	72	60	32 ✓	39	43 ✓	50
Nevada	48 ✓	73 ✓	63	78 ✓	65 ✓	46 ✓	51 ✓	55 ✓	60
New Hampshire	52	75 ✓	66	80 ✓	68 ✓	51 ✓	53 ✓	61 ✓	63
New Jersey	53 ✓	76 ✓	67 ✓	81 ✓	70 ✓	48 ✓	53 ✓	61 ✓	64
New Mexico	47 ✓	73 ✓	61 ✓	78 ✓	65 ✓	45 ✓	52 ✓	53	59
New York	56 ✓	79 ✓	71 ✓	82 ✓	70 ✓	52	58 ✓	63	66
North Carolina	36 ✓	68	58	74	60	31 ✓	34 ✓	40 ✓	50
North Dakota	41 ✓	63	55	73	62	33 ✓	41	44 ✓	51
Ohio	46 ✓	73	60	78	64	39 ✓	42	46 ✓	56
Oklahoma	26 ✓	59	49 ✓	65	50 ✓	25 ✓	32 ✓	35 ✓	43
Oregon	47 ✓	75 ✓	61 ✓	77 ✓	63 ✓	45 ✓	54 ✓	56 ✓	60
Pennsylvania	46	73 ✓	61	78	66	43 ✓	47	52	58
Rhode Island	55	79 ✓	67 ✓	82 ✓	70 ✓	53	57	64	66
South Carolina	33 ✓	66	57	73	59	28 ✓	33 ✓	42 ✓	49
South Dakota	40 ✓	65	55	73	60	35 ✓	40	44 ✓	51
Tennessee	31 ✓	65 ✓	54	70	53	26 ✓	29	35 ✓	45
Texas	37 ✓	65 ✓	59	74	61	32 ✓	38 ✓	43 ✓	51
Utah	22 ✓	55	41 ✓	57	40 ✓	25 ✓	33 ✓	31 ✓	38
Vermont	55 ✓	79 ✓	66 ✓	81 ✓	69 ✓	53 ✓	56 ✓	62 ✓	65
Virginia	43 ✓	71	62	77	64	37 ✓	44 ✓	45 ✓	55
Washington	51	76 ✓	61 ✓	79 ✓	65 ✓	49 ✓	56 ✓	57 ✓	62
West Virginia	41 ✓	67	57	75	62	33 ✓	38	44 ✓	52
Wisconsin	44 ✓	73 ✓	56	77 ✓	62 ✓	42 ✓	51 ✓	50 ✓	57
Wyoming	37 ✓	59	54	70	58	36 ✓	45	45 ✓	51
Mean	43	70	59	75	62	39	45	49	55
SD	8	6	6	5	6	9	9	9	7
Total congruent	43	31	16	20	22	46	32	37	247

Notes: Estimates of explicit pro-gay policy support are shown by state (see the Appendix for details). The last column shows mean opinion across all eight policies by state. Checkmarks indicate policy congruence with opinion majorities (of the eight entries for which majority opinion is ambiguous due to rounding, only the following are strictly above 50%: Arkansas-Jobs, Illinois-Sodomy, and Alaska-Civil Unions).

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