

1-10-2018

Backlash or a Positive Response? Public Opinion of LGB Issues after Obergefell v. Hodges.

Emily Kazyak

University of Nebraska-Lincoln, ekazyak2@unl.edu

Mathew Stange

Mathematica Policy Research, Ann Arbor, MI, mstange@mathematica-mpr.com

Follow this and additional works at: <https://digitalcommons.unl.edu/sociologyfacpub>



Part of the [Gender and Sexuality Commons](#), and the [Public Policy Commons](#)

Kazyak, Emily and Stange, Mathew, "Backlash or a Positive Response? Public Opinion of LGB Issues after Obergefell v. Hodges." (2018). *Sociology Department, Faculty Publications*. 515.
<https://digitalcommons.unl.edu/sociologyfacpub/515>

This Article is brought to you for free and open access by the Sociology, Department of at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Sociology Department, Faculty Publications by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

RUNNING HEAD: Public Opinion after *Obergefell v. Hodges*

Backlash or a Positive Response? Public Opinion of LGB Issues after *Obergefell v. Hodges*

Emily Kazyak, Ph.D.¹ & Mathew Stange, Ph.D.²

¹University of Nebraska–Lincoln, ²Mathematica Policy Research

Contact author:

Emily Kazyak, PhD
Assistant Professor
Department of Sociology and Program in Women's and Gender Studies
University of Nebraska-Lincoln
725 Oldfather Hall
Lincoln, NE 68588
(402) 472-3664
ekazyak2@unl.edu

Acknowledgments:

This research was supported by a grant from the University of Nebraska-Lincoln College of Arts & Sciences Faculty Enhancement Program. The authors thank the University of Nebraska-Lincoln Bureau of Sociological Research (BOSR) for data collection. They would also like to thank Emma Finken and Rosalind Kichler for their research assistance.

Abstract

Following *Obergefell v. Hodges*, same-sex marriage remains controversial and anti-LGBT state legislation has been passed, which raises questions about whether the Supreme Court's ruling may have created a backlash. We use data from two waves of a general population survey of Nebraskans conducted before and after the decision to answer three questions. First, we test three theories of how the Court decision influenced public opinion. We find that support for same-sex marriage was significantly higher following the ruling, suggesting that there was not a backlash to it. Second, we assess whether people perceive that the court accurately reflects the public's opinion. We find that people who favor same-sex marriage are more likely to think that the ruling reflects public opinion very well; those who oppose same-sex marriage are more likely to think that the ruling does not at all reflect public opinion. Third, we examine the association between discussing gay rights and support for same-sex marriage, finding that those who talk about LGB issues very often are more likely to favor same-sex marriage. We discuss the implications of these findings in relation to two of the themes of this special issue: the influence of marriage equality on Americans' understandings of marriage and the impact of marriage equality on future LGBT activism.

Keywords: same-sex marriage, public opinion, lesbian and gay movement, backlash, law

Introduction

The issue of same-sex marriage has been a greatly debated and contested topic in the United States (Hopkins et al., 2013; Powell et al., 2010; Stone, 2012). Prior to the Supreme Court's ruling in June 2015, *Obergefell v. Hodges*, that extended the recognition of same-sex marriage to the entire country, scholars addressed a range of facets relating to the topic, including but not limited to: how marriage became a focal point in LGBT activism and how the achievement of marriage would affect such activism (Fetner, 2008; Hull, 2006; Kimport 2014; Richman 2014), debate within gay and lesbian communities about the desirability of marriage (Bernstein and Taylor, 2013; Etlebrick, 1997; Stoddard, 1997), and how visibility and recognition of same-sex marriage impacts public understandings of marriage and family (Badgett, 2010; Powell et al., 2010).

The inquiry about if and how recognition of same-sex marriage may change Americans' understandings about marriage and family mirrors questions about the relationship between Supreme Court decisions and public opinion, which have also garnered much attention among researchers. Research has shown both that Court rulings do and do not affect public opinion (Hoekstra and Segal, 1996; Rosenberg, 1991). Some work illustrates that following a widely publicized and visible decision dealing with a controversial issue, polarization might occur, which entails some groups' opinions becoming more positive about the issue and some groups' opinions becoming more negative (i.e. backlash) (Franklin and Kosaki, 1989). Arguably, the *Obergefell v. Hodges* can be considered one of many very visible cases dealing with a controversial topic. Moreover, since the ruling, some states have passed legislation that negatively impacts LGBT (lesbian, gay, bisexual, and transgender) individuals (Bauerlein and Kamp, 2016), which raises questions about whether the ruling on marriage created a backlash in

terms of public opinion on other LGB issues. People might also view the Court decision as ushering in social change that is not aligned with what the majority of Americans want, which could bolster a possibility of backlash (Kazyak, 2011; Parker and Barreto, 2013).

In this article, we synthesize social science literature on public opinion and sexuality to assess opinion of same-sex marriage and other LGB issues following the achievement of same-sex marriage. Specifically, we use data from a general population mail survey of Nebraskans conducted before and after the Supreme Court decision to examine three questions:

- 1) How did the Supreme Court ruling *Obergefell v. Hodges* affect public opinion of same-sex marriage and other LGB issues?
- 2) Do people perceive that the court decision accurately reflects the public's opinion about same-sex marriage?
- 3) Are people who talk about gay and lesbian issues more likely to support same-sex marriage?

We compare data from waves of the survey conducted in 2013 and 2015 to assess the impact of the ruling on Nebraskans' opinions on four LGB issues: same-sex marriage, adoption by gay and lesbian couples, and protections for gay men and lesbians from housing and job discrimination. Our findings shed light on some of the implications of the achievement of same-sex marriage. We specifically are interested in two of the questions addressed in this special issue: "How has the achievement of marriage equality influenced public understandings of the institutions of marriage and family?" and "What impact has the achievement of same-sex marriage had on LGBT activism, communities and/or identities?" We assess the first question through examining people's support for same-sex marriage. We discuss the implications of our findings with regard to how marriage equality might affect LGBT and anti-LGBT activism given both the general

public's views on LGB issues and their discussion of these issues. Nebraska serves as an illustrative case study to examine these questions insofar as the state is more politically conservative than the national average and thus may be a context where backlash is more likely to occur.

Literature Review

Public Opinion Formation: Communication, False Consensus, and the Court

Social scientists have addressed the myriad of factors that influence how people form opinions about social issues. Three factors in particular inform our analyses: communication, false consensus, and the Supreme Court. Scholars note how forming an opinion on a public issue is a process, not something that is straightforward or taken-for granted. Indeed, people form opinions in interactions and dialogues with others and engagement with media (Christen & Gunther, 2003; Eveland & Scheufele, 2001; Hoffman et al., 2007; Huckfeldt & Sprague, 1995; Moy, Domke & Stamm, 2001). In this way, scholars note that processes of communication are important in forming an opinion about a public issue, which is why we address whether people discuss gay rights (Hypothesis 3). With respect to same-sex marriage, Michelson and Harrison (2017) argue that when a person engages in dialogue and interactions with another whom she respects and sees as like her, her opinions are likely to shift to align with theirs. For instance, they note that if a Republican-identified person sees other Republicans express support for same-sex marriage, that person is likely to adjust their position to also be supportive. The importance of communication in forming an opinion underscores the degree to which individuals tell stories as a way to reach a conclusion about controversial social issues (Edgell et al., 2016).

Also of relevance to the current analyses is that researchers have identified the “false consensus effect” or the fact that people often perceive their own opinions as relatively common

and perceive opposing opinions as relatively uncommon (Ross, Greene, & House, 1977; Krueger and Clement, 1994; Wojcieszak and Price, 2009). For instance, Wojcieszak and Price (2009) analyzed public opinion on gun control, the death penalty, and teaching morality in public schools and found that as individual's support for these issues increased, so did their perception that the public supported these issues. Moreover, they found that "encountering dissimilar opinions mitigates the association between individual position and perceived public opinion on the three contentious sociopolitical issues" (p. 39). This finding in conjunction with the emphasis on communicative processes point to the fact that being in dialogue with people, particular with people who do not share the same beliefs as you, may lessen the tendency to conflate your opinion with the opinion of the general population. This literature points to the importance of asking questions about whether people are discussing same-sex marriage and gay rights issues (given the emphasis on communication in developing opinion about social issues) and how people perceive what the public's opinion is on these issues (given the emphasis on the false consensus effect); it is from this literature that we have developed our second and third research questions and hypotheses.

Finally much work has addressed the Supreme Court and its impact on public opinion of social issues. Findings from the literature examining how Supreme Court decisions affect public opinion are mixed. For instance, some scholarship indicates that Supreme Court rulings shift public opinion to align with the Court's decision (Christenson and Glick, 2015; Flores and Barclay, 2016; Hoekstra and Segal, 1996). The *positive response or legitimacy hypothesis* (Hypothesis 1a) suggests that, because the public views the Supreme Court in high esteem, the public is likely to respect the Court's ruling or deem the Court's ruling as legitimate and adjust their own opinions accordingly (Dahl, 1957). One recent exemplar that provides evidence for

this hypothesis is Christenson and Glick (2015), who found increased support for the individual mandate component of the Affordable Care Act following the Supreme Court's ruling that upheld the mandate as constitutional. Work analyzing Supreme Court decisions on desegregation and interracial marriage show similar findings: that public opinion for both increased following the rulings (Carroll 2004; Combs and Combs 2003; Erskine 1973).

On the other hand, research also finds that the Court either has no effect on public opinion (Marshall, 1988; Rosenberg, 1991) or that the rulings do have an impact, but that public opinion may actually shift in the *opposite* direction of the Court, reflecting a *backlash* (Hypothesis 1b) (Klarman, 2013; Persily, Egan, and Wallsten, 2006). Public opinion on gay rights, for instance, became more negative following the Supreme Court ruling *Lawrence v. Texas* that decriminalized same-sex sex (Engel, 2013). This shift may be explained by the fact that there was negative media coverage of the ruling, which included a greater focus on the opinions of those who opposed the ruling, including the dissent by Justice Scalia (Haider-Markel, 2004; Stoutenborough, Haider-Markel, and Allen, 2006). In addition, scholars argue that the degree to which LGB individuals are sexualized leads to less support of LGB rights (Persily, Egan, and Wallsten, 2006), which may have impacted public opinion following *Lawrence v. Texas* given that the case focused on same-sex sexual relations. Other work shows that individuals may perceive the court as moving "too fast" and being out of synch with public opinion on contentious social issues including gay rights (Irvine, 2005; Kazyak, 2011; Klarman, 2013). Work that has focused on the impact of Supreme Court rulings on same-sex marriage, however, has found that no backlash occurred; the public's support for same-sex marriage did not decline (Bishin et al. 2015; Flores and Barclay, 2016).

Yet another perspective argues that Supreme Court rulings will affect the opinions of groups differently, known as the *structural response hypothesis* (Hypothesis 1c) (Franklin and Kosaki, 1989; Scott and Saunders, 2006a). According to this hypothesis, support will increase among groups that are likely to be predisposed to agree with the Court on a certain issue following a Court decision. In contrast, for groups that are likely to disagree with the Court on a certain issue, opposition to that issue among these groups will increase following a Court decision. Thus, polarization occurs. For instance, following *Roe v. Wade*, which legalized abortion, levels of opposition to abortion rose among Catholics (Franklin and Kosaki, 1989; Johnson and Martin, 1998). Likewise, following the decision that made sodomy laws unconstitutional (*Lawrence v. Texas*), women and liberals became more likely to support same-sex relations (Stoutenborough, Haider-Markel, and Allen, 2006). In addition, following the Iowa Supreme Court decision legalizing same-sex marriage, Democrats were among the groups whose opinions were more likely to become more supportive of same-sex marriage, while other groups, including Republicans and Evangelicals, were among those groups whose opinions did not change or became more negative (Kreitzer, Hamilton and Tolbert, 2014). Given the structural response hypothesis, it is important to understand which groups have been most and least supportive of same-sex marriage and other LGB issues.

Public Opinion on Same-Sex Marriage and LGB Rights

Public support for same-sex marriage has increased in the past decades and a clear majority of Americans now support same-sex marriage (McCarthy, 2017; Pew Research, 2014). The increasing public support for same-sex marriage mirrors shifts in Americans' acceptance of same-sex sexuality (Andersen & Fetner, 2008; Loftus 2001). Public opinion studies, however, show that levels of support vary among demographic, political, and religious groups (Baunach,

2012; Lewis, 2003; Olson, Cadge, and Harrison, 2006; Pew Research, 2013a; Powell, Yurk Quadlin, and Pizmony-Levy, 2015). Consistently, studies find that women, higher educated people, non-religious individuals, younger generations, and political liberals support same-sex marriage at higher levels than men, lower educated people, religious individuals, older generations, and political conservatives (Andersen and Fetner, 2008; Brumbaugh et al., 2008; Galupo and Pearl, 2007; Haider-Markel and Joslyn, 2005, 2008; Kreitzer, Hamilton, and Tolbert, 2014; Lewis, 2011; Lewis and Gossett, 2008; McCarthy, 2015, 2014; Sherkat, de Vries, and Creek, 2010; Whitehead, 2010; Woodford et al., 2012). Also, work has shown that heterosexual people who report having a personal connection to gay, lesbian, and bisexual individuals are more likely to have a positive attitude towards gay rights (Fetner, 2016; Herek, 2002; Herek & Capitano, 1996).

Along with assessing public opinion on LGBQ rights and how it varies across groups, researchers have also discussed the changing social landscape with regard to sexuality more broadly and the impact that same-sex marriage might have for gay and lesbian couples, activism, and the general public's understandings of marriage and family and support for other LGBTQ rights. Most relevant for our analyses (Hypothesis 1d and 1e), there are competing perspectives on these questions, with scholars emphasizing what they view as both negative and positive potential outcomes.

Some scholars, for instance, discuss the possibility that same-sex marriage and increasing inclusion of LGBQ people into American society could lead to a *backlash* or a lessening of support and increasing hostility for LGBTQ rights and people. A backlash could manifest in different ways: public opinion reported on surveys (how we operationalize it in this paper), an increase in anti-LGBT groups' mobilization, the introduction of other anti-LGBT legislation, or

future Supreme Court cases that rescind LGBTQ rights. Parker and Barreto (2013) outline how reactionary anti-LGBT activism embodied in the Tea Party and its supporters is undergirded by certain groups, namely white, middle-class, heterosexual, evangelical Protestant men, feeling a sense of anxiety over what they view as a “displacement” of their values (p. 30). Anti-LGBT activists may continue to capitalize on this anxiety and work to make same-sex marriage a rallying issue to oppose following *Obergefell* in a similar way that anti-choice activists did with abortion following *Roe v. Wade* (Fetner, 2008; Klarman, 2013; Luker, 1984). Additionally, in the wake of marriage equality, states have introduced and passed laws that provide “religious exemptions” for certain services and benefits for LGBTQ persons as well as debated so-called “bathroom bills” that target transgender individuals (Miller 2017). Some argue that the surge in these laws illustrates a backlash to the *Obergefell v. Hodges* decision (Bauerlein and Kamp, 2016; Thee-Brenan, 2016). Indeed, scholars contend that the narrow focus on marriage equality has been detrimental insofar as other LGBTQ and sexual freedom-related issues have received less attention and thus may garner less support (Pew Research, 2013b; Walters, 2014); and relatedly, the public may believe that LGB Americans experience full equality and thus may have less support for other issues that they do not view as being necessary (GLAAD, 2016). Further, the question of whether business owners should have to provide wedding services for same-sex couples has garnered much media attention following *Obergefell v. Hodges*. The cases involving business owners denying services, such as the case that the Supreme Court is hearing in the fall of 2017 centering a Colorado baker who refused to make a wedding cake for a same-sex couple, could be considered a backlash to the decision (Liptak, 2017). Finally, scholars have argued that same-sex marriage may be detrimental to queer visibility and to the ability to imagine queer ways of forming relationships (Duggan, 2004; Eittlebrick, 1997).

In contrast, other scholars point to the rapid pace with which the public has embraced same-sex marriage (Fetner, 2016). Same-sex marriage has caputpaulted and monopolized the public's attention in comparison to other LGB issues (Becker, 2014; Bernstein and Taylor, 2013; Kimport, 2014). Same-sex marriage has been the token gay rights issue since 2000, with judicial decisions, elections, and campaign rhetoric basically equating same-sex marriage with gay rights (Engel, 2013). Given this rhetoric, it may be the case that with marriage equality achieved, the public will embrace other LGB rights. Studies do indicate increasing public support for policies protecting LGB people from housing and job discrimination (Becker, 2014; Lax and Phillips, 2009; Lewis and Rogers, 1999). Such work suggests that there may be an increase for LGB rights among the American public following the *Obergefell* decision. Additionally, there is some evidence that Americans have become more inclusive in their understandings of family and marriage and report more acceptance of same-sex couples (Powell et al, 2010). In this way, rather than view same-sex marriage as limiting the potential for visibility of queer culture and people, scholars contend that it may actually increase visibility as well as offer the ability to transform understandings of marriage (Bernstein, 2015; Green, 2013; Stoddard, 1997).

Hypotheses

Drawing on the literature outlined above, we have the following hypotheses about how the *Obergefell v. Hodges* ruling might affect public opinion of same-sex marriage and other LGB issues:

H1a: The positive response or legitimacy hypothesis suggests that we should expect to observe an increase in support for same-sex marriage from 2013 to 2015.

H1b: The backlash hypothesis suggests that we should expect to observe a decrease in support for same-sex marriage from 2013 to 2015.

H1c: The structural response hypothesis suggests that we should expect to observe an increase in support from 2013 to 2105 among groups that are more likely to support same-sex marriage, such as women, Democrats, and less religious individuals and a decrease in support among groups that are more likely to oppose same-sex marriage, such as men, Republicans, and religious individuals.

We also draw on literature that discusses changes in attitudes towards LGBTQ rights and people more broadly and hypothesize:

H1d: We should observe an increase in support for other LGB rights following the 2015 Supreme Court decision.

H1e: We should observe a decrease in support for other LGB rights following the 2015 Supreme Court decision.

Finally, since we are interested in how the decision may impact future activism, examined here by how the public views the court decision (i.e. if they view it as ushering in social change that is out of synch with what Americans want, which would bolster the possibility of a backlash) and whether the public discusses gay rights issues, we offer the following hypotheses:

H2: Given the false consensus effect, we should expect that those who favor same-sex marriage will believe that the majority of others also favor same-sex marriage; thus, they should be more likely to perceive that the court decision accurately reflects the public's opinion.

H3: Since people form their opinions through interactions and communications with others, we should expect no difference between those who favor and oppose same-sex marriage with regard to whether they discuss gay rights.

Methods

Nebraska Annual Social Indicators Survey (NASIS)

We analyze data from the 2013 and 2015 waves of the Nebraska Annual Social Indicators Survey (NASIS). NASIS is an annual, cross-sectional, omnibus survey of Nebraska adults ages 19 and older conducted by the Bureau of Sociological Research at the University of Nebraska-Lincoln. The 2013 NASIS and 2015 NASIS were both mail surveys sent to randomly selected address-based samples— $n=6,000$ Nebraska households in 2013 and $n=3,500$ Nebraska households in 2015. Survey Sampling International (SSI) provided the address-based samples for both years. Respondents were selected within sampled households using the next birthday technique. NASIS 2013 included four mailings (initial survey packet, postcard reminder, and two replacement survey packets) during its data collection period from June 2013 to August 2014 (NASIS 2012-2013 Methodology Report). NASIS 2015 included three mailings (initial survey packet, postcard reminder, and a replacement survey packet) during its data collection period from August 2015 to October 2015 (NASIS 2014-2015 Methodology Report). The initial mailing of the 2015 NASIS also included a \$1 cash incentive. A total of $n=1,608$ respondents completed NASIS 2013 for a response rate of 27.3% (American Association for Public Opinion Research Response Rate 1 [AAPOR RR1]—AAPOR Standard Definitions 2009), and a total of $n=1,143$ respondents completed NASIS 2015 for a response rate of 32.7% (AAPOR RR1—AAPOR Standard Definitions 2009).

NASIS 2013 and NASIS 2015 included the same four questions about LGB issues. The questions asked respondents whether they favor or oppose: same-sex marriage, adoption by gay and lesbian couples, and protections for gay men and lesbians from housing and job discrimination (see table 1 for question wording). NASIS 2015 also included questions about how often respondents talked about gay and lesbian issues as well as questions about their

perception of the Supreme Court decision representing the opinion of a majority of Americans and a majority of Nebraskans.

<INSERT TABLE 1 HERE>

Nebraska Context: Strengths and Limitations

We treat Nebraska as a case study of a more politically conservative state. Although not nationally generalizable, Nebraska's composition provides a good opportunity to examine whether a backlash, especially among more politically conservative groups, results from the Supreme Court ruling on same-sex marriage. It is also an instructive case study insofar as the state is actually comparable to the rest of the nation when it comes to attitudes about LGBTQ rights. In 2013, the majority of Nebraskans supported same-sex marriage and other LGBTQ rights and Nebraskans' opinions mirrored national public opinion on these issues (Stange and Kazyak, 2016). Nebraska is also fairly average when it comes to measures of religiosity. A Pew Research Study (2014) ranks it the 22nd most religious state, based on the percentage of residents who say religion is very important in their lives (54 percent), that they attend worship services weekly (39 percent), that they pray daily (52 percent), and that they believe in God with certainty (69 percent). Additionally, the NASIS surveys are a good data source to assess if and how the Supreme Court ruling on same-sex marriage impacts public opinion about LGB rights for a number of reasons. The 2015 survey was fielded two months after the Supreme Court ruling, which provides the opportunity to compare opinion pre- and post-ruling. Moreover, state-level public opinion data on same-sex marriage and other LGB issues is quite rare (Becker, 2014; Flores and Barclay, 2015, p. 2), making an analysis of data collected by the NASIS a unique opportunity. Finally, being able to examine multiple LGB issues, instead of only same-sex marriage, is a strength of NASIS data (Becker, 2014).

Our findings, however, are only generalizable to the Nebraska context. The demographic, makeup of Nebraska differs from other states in important ways, such as racial and ethnic diversity; a more racially and ethnically diverse sample could result in more positive attitudes on LGB rights related to discrimination yet more negative attitudes related to same-sex marriage (Lewis, 2003; Moore 2010). Another consideration is that our data also come from two waves of a longitudinal survey that had two separate, independent samples. A panel study with the same respondents reporting their opinions of LGB issues before and after the ruling would provide a more complete examination of how the ruling affected individuals' opinions. Also, the 2015 wave was conducted very shortly following the *Obergefell* decision (the first mailing was sent on August 12th and the decision was June 26th). Given that people's attitudes about social and legal changes may not shift simultaneously with the changes themselves, it could be that we did not adequately capture negative sentiments just two months after the decision. Finally, it is important to note that the survey did not ask questions about transgender rights. This is an important limitation to highlight particularly given the degree to which scholars contend that hostility over transgender rights and the introduction of "bathroom bills" reflects a backlash to increasing gains of LGBT people, especially marriage equality. Indeed, research indicates less support for rights for transgender people compared to gays and lesbians (Lewis et al., 2017). Despite these limitations, our study uses a unique dataset from a more politically conservative state to understand how the Supreme Court ruling on same-sex marriage affects public opinion on this and other LGB issues.

Analysis Plan

We first report descriptive results of Nebraskans' opinions of same-sex marriage, adoption of children by gay and lesbian couples, and protections for gay men and lesbians from housing and job discrimination for 2013 and 2015. Using two-tailed t-tests, we examine if the distribution of responses to these questions significantly differ between 2013 and 2015. Next, in regression models (logistic for favor/oppose outcomes and multinomial for the nominal outcomes of the same-sex marriage question—favor/favor civil unions only/oppose) using pooled 2013 and 2015 NASIS data (n=2,751), we examine if the Supreme Court ruling affected opinions of LGB issues. The main independent variable is a dichotomous indicator of pre- (2013) or post-ruling (2015). Control variables in the models include respondent demographic, political, and religious characteristics. Lastly, in additional regression models, we examine if opinions of same-sex marriage significantly differed pre-/post-ruling for men, women, Democrats, Republicans, Independents, those who do and do not identify as born again Christian, and those who do and do not personally know an LGB person.

To answer our second research question, we use chi-square tests with the NASIS 2015 data to examine how people's perceptions of the Court's ruling reflecting majority American and Nebraskan opinion relates to their own opinions of same-sex marriage. For our third research question, we use chi-square tests using NASIS 2015 data to examine if support for same-sex marriage differs by how often people discuss LGB issues.

Weighting

For our analyses, we use weighted NASIS data with the corresponding *svy* commands in Stata14. The data are weighted to account for within-household selection, unit nonresponse, and population characteristics. The weights for both 2013 and 2015 were for household size and sex, age, and region of Nebraska using 2010 US Census data (NASIS 2012-2013 Methodology

Report; NASIS, 2014-2015 Methodology Report). Table 2 displays the weighted demographic, political, and religious characteristics of the completed NASIS samples for 2013 and 2015. T-tests indicate no significant differences in respondent characteristics between the 2013 and 2015 data. One important exception is that more respondents in 2015 reported knowing an LGB person than in 2013. We control for this in the regression models and also return to the importance of this fact in the discussion in light of our other findings. The 2015 NASIS also asked whether respondents heard or read about the *Obergefell v. Hodges* ruling, and 92.6% of the sample reported yes,¹ meaning the vast majority of respondents were aware of the ruling.

<INSERT TABLE 2 HERE>

Findings

Table 2 shows the distribution of Nebraskans' opinions of LGB issues for 2013 and 2015. Support for all four LGB issues that we examined—same-sex marriage, adoption by gay and lesbian couples, and protections from discrimination in housing and employment—was nominally higher in 2015 than 2013 indicating there was not a backlash to the Court's decision in terms of public opinion. T-tests show that significantly more Nebraskans favored same-sex marriage in 2015 than 2013 (40.5% vs. 48.04%; $t=-3.13$, $p<0.01$) and significantly more Nebraskans favored policies to protect LGB people from housing discrimination in 2015 than 2013 (71.78% vs. 77.10%; $t=-2.55$, $p<0.05$). Differences in opinions between 2013 and 2015

1. A logistic regression model showed that people from Omaha and Lincoln and those who know an LGB person were significantly more likely to have heard about the ruling. No other demographic, political, or religious characteristics were statistically significant in the model, suggesting that other subgroups did not differ in the likelihood that they heard about the ruling.

were not statistically significant regarding adoption rights for gay and lesbian couples and policies to protect LGB people from job discrimination.

As seen in table 3, the indicator of pre-/post-Court ruling was statistically significant in the multinomial regression model predicting views of same-sex marriage by demographic, political, and religious characteristics of respondents (favor vs. oppose: Relative Risk Ratio [RRR]=1.63). This finding suggests that the Court's ruling contributed to changes in public opinion even when controlling for demographic, political, and religious characteristics of respondents. Consistent with the t-tests, additional logistic regression models show that the pre-/post-Court ruling indicator was not statistically significant for views on adoption rights for gay and lesbian couples and policies to protect LGB people from job discrimination. Support, however, was significantly higher for policies to protect LGB people from housing discrimination in 2015 than 2013, even when controlling for respondent demographic, political, and religious characteristics. Results of models predicting opinions of non-marriage LGB issues are available upon request.

In each regression model, the demographic, political, and religious characteristics of respondents were associated with views of the LGB issues in ways that are consistent with past research. For example, women, younger people, people with higher education levels, political liberals, and less religious individuals were significantly more supportive of LGB rights. In addition, respondents who live in Omaha and Lincoln – Nebraska's two largest urban areas – were significantly more supportive of LGB rights than their counterparts in the less urban parts of the state. This result likely stems from residents of Omaha and Lincoln reporting, on average, significantly higher education levels, lower levels of religious identification, and identifying more as Democrats compared to respondents from the rest of the state. For example, 79.5% of

Omaha and Lincoln residents identified as religious while 89.2% of people in the rest of Nebraska identified as religious ($t=-5.04$, $p<0.001$).

Similar to the findings reported in table 2, the indicator of pre-/post-ruling was statistically significant in the logistic regression model predicting support for policies to protect LGB people from housing discrimination ($\beta=0.344$, $p=0.009$) but not in the models predicting support for adoption by gay and lesbian couples ($\beta=0.223$, $p=0.079$) or policies to protect LGB people from job discrimination ($\beta=0.226$, $p=0.106$). For each of these models, respondent demographic, political, and religious characteristics were associated with support of LGB policies in ways that are consistent with past research. For example, women were significantly more likely to support all LGB policies compared to men. Full model results available upon request.

<INSERT TABLE 3 HERE>

Separate multinomial regression models for specific demographic, political, and religious groups show that opinions of same-sex marriage significantly differed before and after the Court ruling for some, but not all, groups (we do not report these tables due to space consideration, but they are available upon request). Similar to the trend among all respondents, in comparison to opposing same-sex marriage, support of same-sex marriage was significantly higher in 2015 than in 2013 for women (RRR=2.04, $p<0.001$), Democrats (RRR=2.41, $p=0.004$), Independents/other political party (RRR=2.28, $p=0.008$) and for respondents who do not identify as born again Christian (RRR=1.52, $p=0.029$) and for respondents who do not know an LGB person (RRR=2.04, $p<0.001$). Conversely, there was no significant difference in views of same-sex marriage between 2013 and 2015 for men (RRR=1.49, $p=0.123$) and Republicans (RRR=1.48, $p=0.143$), and those who know an LGB person (RRR=1.48, $p=0.138$).

The change in views of same-sex marriage between 2013 and 2015 by gender, political party, born again Christian identity, and knowing a LGB person is evident in Table 4 which shows the distribution of opinions for these groups in 2013 and 2015. For example, while 44.2% of women favored same-sex marriage in 2013, significantly more women (52.8%) favored it in 2015. Among men, however, 37.0% favored same-sex marriage in 2013 and 43.4% favored in 2015, which was not a statistically significant increase. The differences among political parties is even more pronounced. In 2013, 64.4% of Democrats favored same-sex marriage, which significantly increased to 73.8% in 2015. Similarly, among Independents and those affiliated with other political parties, support for same-sex marriage significantly increased from 47.2% in 2013 to 62.0% in 2015. The change between 2013 and 2015, however, was not statistically significant among Republicans: 19.9% favored same-sex marriage in 2013 and 24.3% favored it in 2015. Support increased between 2013 and 2015, though, among born again Christians (16.8% vs. 25.6%; $t=-2.23$, $p=0.026$) and those who do not identify as born again Christian (49.4% vs. 56.8%; $t=-2.56$, $p=0.011$). Finally, 58.3% of those who reported knowing an LGB person in 2013 favored same-sex marriage while 60.8% favored it in 2015, which is not a significant increase ($t=-0.74$, $p=0.462$); however, people who do not know an LGB person became significantly more supportive of same-sex marriage between 2013 and 2015 (25.3% vs. 33.7%; $t=2.66$, $p=0.008$).

Overall, these findings suggest that support for same-sex marriage increased significantly among groups that have historically supported same-sex marriage at higher levels, while support/opposition was unchanged among groups that have historically been less supportive of same-sex marriage. Combined with the findings among all respondents, these data suggest there was not a backlash of public opinion in response to the 2015 Supreme Court ruling on same-sex marriage. Support increased among some groups and remained unchanged among others.

<INSERT TABLE 4 HERE>

Our next set of analyses examine respondents' perceptions of the Supreme Court decision. Specifically, we look at whether Nebraskans believe that the court's ruling reflects the opinions of Americans and the opinions of Nebraskans. As seen in Table 5, views of same-sex marriage significantly differs by how well respondents think the Court's ruling reflects the opinion of a majority of Americans ($X^2(6)=720.03$, $p<0.001$). Specifically, 95.0% of those who think the ruling reflects American opinion very well favor same-sex marriage, while 89.5% of those who think the opinion does not at all reflect American opinion oppose same-sex marriage. With regard to perceptions about Nebraskan public opinion, similar results emerge (table 6; $X^2(6)=450.41$, $p<0.001$). These findings support the false consensus effect hypothesis.

<INSERT TABLE 5>

Finally, we assess whether there is an association between talking about gay and lesbian issues and support for same-sex marriage. Our results indicate that those who talk about gay and lesbian issues very often are more likely to favor same-sex marriage, while those who never talk about gay and lesbian issues are more likely to oppose same-sex marriage (table 6; $X^2(6)=56.36$, $p<0.001$). Specifically, 69.2% percent of those people who reported talking about gay and lesbian issues very often reported that they support same-sex marriage, but only 28.9% of people who reported never talking about LGB issues reported that they favored same-sex marriage. In comparison, only 24.4% of people who said they talk about gay and lesbian issues very often said that they opposed same-sex marriage and 52.2% of respondents who said they never talk about gay and lesbian issues report that they opposed same-sex marriage. Although our results show a strong association, more research is needed to determine the causal direction between support for same-sex marriage and talking about LGB issues.

<INSERT TABLE 6 HERE>

Discussion

Our results indicate support for the positive response or legitimacy hypothesis of how the Supreme Court's ruling in *Obergefell v. Hodges* affected public opinion of LGB issues. We observed a significant increase in support for same-sex marriage among Nebraskans from 2013 to 2015. Additionally, we found that even when controlling for respondent demographic, political, and religious characteristics, there was a significant increase in support for same-sex marriage from 2013 to 2015. This finding suggests that the court had an influence on public opinion and, specifically, that public opinion shifted to be aligned with the Court's decision. Moreover, our findings also support the structural response hypothesis insofar as the groups who tended to be pro-LGB rights became significantly more supportive of same-sex marriage, while other groups did not change significantly between years. For instance, women reported significantly higher levels of support for same-sex marriage, whereas men's opinions remained statistically the same. Interestingly, we found that those who reported not knowing a LGB person (i.e. a group whose opinions we would expect either to not change or to become more negative) in fact reported significantly higher levels of support for same-sex marriage in 2015 than in 2013.

We found no support for the backlash hypothesis. There was *not* an increase in opposition to same-sex marriage among Nebraskans following the Supreme Court ruling in 2015. It is important to note that a backlash of public opinion did not occur even among groups who tend to be less supportive of same-sex marriage historically, such as born again Christians and Republicans. Moreover, we did not find an increase in opposition to other LGB rights issues (such as housing or employment protections). Our findings contrast previous research that *did*

show that public opinion on LGB rights became more negative following the Supreme Court ruling that decriminalized same-sex sex (*Lawrence v. Texas*) (Engel, 2013; Stoutenborough, Haider-Markel, and Allen, 2006). The difference may reflect the extent to which media coverage following the 2015 marriage ruling was more positive than the coverage following the 2003 sodomy ruling insofar as media coverage plays an important role in shaping how the public responds to Supreme Court decisions (Linos & Twist, 2016). It may also reflect the degree to which the *Lawrence v. Texas* ruling explicitly dealt with sexual relations in a way that the marriage ruling did not. We cannot assess these questions with the current study, but they warrant attention in future research. Future research could also analyze how born again Christians make sense of same-sex marriage and other LGB issues and what leads to some supporting such issues (Gjelten and Peñaloza, 2016). Additionally, the fact that there was an increase in support for same-sex marriage from people who reported *not* knowing an LGB person (also a group associated with lower level of support) raises questions that can be addressed in future research.

Despite the increase in support for same-sex marriage and lack of backlash, it is nonetheless important to note that we did not find an increase in support for other issues (with the exception of policies to protect LGB people from housing discrimination). This may indicate that, as some scholars predicted, the narrow focus on marriage means that the public will not see the importance of other issues and thus the embrace of marriage will not extend to support of other gay rights (GLAAD, 2016; Pew Research, 2013b; Walters, 2014). It could be that if activists are able to utilize similar strategies to make visible the negative impact of not having employment protections, for instance, we would see increasing support of these other issues with time. At the very least, our findings echo other research and point to the importance of

recognizing that there are differing levels of support depending on which LGB right is in question and offers a caution that the public's support for same-sex marriage will not automatically translate into support for other LGB rights (Lax and Phillips, 2009; Powell et al., 2010). Yet, related to another facet that scholars have debated with respect to the impact of same-sex marriage, we also find that there was an increase in the number of people who reported knowing an LGB person from 2013 to 2015. In light of this finding, research should continue to address how increasing legal protections translates into visibility of LGBQ people and relationships (Bernstein, 2015; Kimport, 2014).

Our analyses did reveal differences in how people perceived the Supreme Court's ruling. Specifically, we found that the group of people who believe that the ruling reflects American and Nebraskan opinion very well are more likely to support same-sex marriage. In a similar vein, those who think that the ruling does not at all reflect the country or Nebraskan public opinion are more likely to oppose same-sex marriage. These findings are consistent with prior literature on the "false consensus effect" (Krueger and Clement, 1994) as each group assumes that their opinion aligns with the majority opinion. One implication of this finding is that people who are unsupportive of gay rights may view the *Obergefell v. Hodges* ruling as indicative of the Supreme Court members being liberal elites who are out of touch with the general public's sentiments regarding same-sex marriage (Irvine, 2005; Kazyak, 2011). Such a sense might dovetail with the sentiment that gays and lesbians are gaining rights at the expense of what the "real" Americans (understood as heterosexual) value (Baretto et al., 2011; Parker & Baretto, 2013).

This implication is particularly important to consider in light our last finding that those who oppose same-sex marriage are more likely to never talk about gay rights issues. Scholars

who stress the importance of the communicative process in forming public opinion note that interacting and having dialogue with others not only shapes a person's own perspective, but that it also may give that person a better understanding of others' perspectives. In this way, communicating about a social issue may lessen the tendency to conflate your personal opinion with the opinion of the general public (Wojcieszak and Price, 2009). With the case of same-sex marriage, the majority of Americans in fact do support the right for same-sex couples to marry. Thus, despite the fact that of course not everyone agrees on the issue of same-sex marriage, the court's decision in *Obergefell v. Hodges* is aligned with the majority of American's and Nebraskan's viewpoints. Those who do not talk about gay and lesbian issues and who are unsupportive of same-sex marriage may not have a good understanding of what other people's perspectives actually are; they therefore may mistakenly assume that more people than actually do share their viewpoint and thus perceive that the court's ruling is not aligned with the majority of American and Nebraskan opinion. The lack of dialogue about gay and lesbian issues among all Americans may perpetuate the misunderstanding of public opinion about same-sex marriage and thus the misunderstanding about whether the court was or was not aligned with the majority of the public. The degree to which these sentiments may continue to emerge and coalesce among some groups of people and anti-LGBT activists would mean that more negative opinions or backlash could be seen in future waves of the survey.

The findings that there was not a backlash in term of public opinion against same-sex marriage and other LGB issues among Nebraskans following *Obergefell v. Hodges* are also interesting to consider in light of recent legislation that critics argue repeal and reverse gains made with regard to LGBT rights (Epps 2016; Stern 2016). For instance, Mississippi and North Carolina have passed laws that allows business owners to deny services to individuals based on

the owner's religious views. Discussion of these bills are often framed around the rhetoric of "religious freedom" and some argue that their passage reflects opposition to the Supreme Court case extending marriage recognition for same-sex couples (Bauerlein and Kamp, 2016). Indeed, the Mississippi bill specifically outlines that business owners are able to deny wedding services to same-sex couples based on their religious beliefs (Stern, 2016). Likewise, the issue of transgender individuals and bathroom use has taken center stage in much of the debate of legislation passed in North Carolina and introduced in other states (Bauerlein, 2016). Thus, it is important for future research to address how public opinion on same-sex marriage may or may not align with how the public makes sense of other issues affecting LGBT individuals, particularly transgender rights. Moreover, the introduction and passage of anti-LGBT legislation following *Obergefell* reflects a backlash that is distinct from public opinion. Future work should focus on how state legislatures are successful in passing such legislation, especially if it passes despite a lack of public support.

References

- American Association for Public Opinion Research. (2009). *Standard Definitions: Final Disposition of Case Codes and Outcomes for Surveys*. 6th ed. Retrieved Feb. 15, 2015 (<http://www.aapor.org/>).
- Andersen, R. and Fetner, T. 2008. "Cohort Differences in Tolerance of Homosexuality: Attitudinal Change in Canada and the United States, 1981–2000." *Public Opinion Quarterly* 72 (2): 311–330.
- Badgett, M.V. L. (2010). *When Gay People Get Married: What Happens When Societies Legalize Same-Sex Marriage*. New York: NYU Press.
- Bauerlein, V. (2016). "'Bathroom Battles' Erupt over Transgender Issue," *The Wall Street Journal*, March 24. Retrieved March 24, 2015 (<http://www.wsj.com/articles/bathroom-battles-erupt-over-transgender-issue-1458862031>).
- Bauerlein, V. and J. Kamp. (2016). "Social Conservatives Try New Tack with State-Level Efforts on Religious Freedom," *The Wall Street Journal*, April 13. Retrieved April 13, 2016 (<http://www.wsj.com/articles/social-conservatives-try-new-tack-with-state-level-efforts-on-religious-freedom-1460504840>).
- Baunach, D. M. (2012). "Changing Same-Sex Marriage Attitudes in America from 1988 through 2010." *Public Opinion Quarterly* 76(2): 364-378.
- Matt B., B. L., B. Gonzalez, C. S. Parker, and C. Towler. "The Tea Party in the Age of Obama: Mainstream Conservatism or Out-Group Anxiety?" *Political Power and Social Theory* 22 (2011): 105-137.
- Bartels, B. L. and D. C. Mutz. (2009). "Explaining Processes of Institutional Opinion and Leadership." *The Journal of Politics* 71(1): 249-261.

- Becker, A. B. (2014). "Employment Discrimination, Local School Boards, and LGBT Civil Rights: Reviewing 25 years of Public Opinion Data." *International Journal of Public Opinion Research* 26(3): 342-354.
- Bernstein, M. and V. Taylor. (2013). *The Marrying Kind? Debating Same-Sex Marriage within the Lesbian and Gay Movement*. Minneapolis, MN: University of Minnesota Press.
- Brickman, D. and D. A. M. Peterson. (2006). "Public Opinion Reaction to Repeated Events: Citizen Response to Multiple Supreme Court Abortion Decisions." *Political Behavior* 28(1): 87-112.
- Brumbaugh, S. M., L. A. Sanchez, S. L. Nock, and J. D. Wright. (2008). "Attitudes Toward Gay Marriage in States Undergoing Marriage Law Transformation." *Journal of Marriage and Family* 70(2): 345-359.
- Bureau of Sociological Research. 2015. "NASIS 2014-2015 Methodology Report."
- Bureau of Sociological Research. 2013. "NASIS 2012-2013 Methodology Report."
- Carroll, Joseph. 2004. "Race and Education 50 Years After *Brown v. Board of Education*" Gallup, May 14. Retrieved July 18, 2017.
(<http://www.gallup.com/poll/11686/race-education-years-after-brown-board-education.aspx>)
- Christen, C.T. and Gunter, A.C. (2003). "The Influence of Mass Media and other Culprits on the Projection of Personal Opinion. *Communication Research* 30 (4): 414-431.
- Christenson, D. P. and D. M. Glick. (2015). "Issue-Specific Opinion Change: The Supreme Court and Health Care Reform." *Public Opinion Quarterly* 79(4): 881-905.
- Clawson, R. A. and E. N. Waltenburg. (2003). "Support for a Supreme Court Affirmative Action Decision: A Story in Black and White." *American Politics Research* 31(3): 251-279.

- Combs, M. W. and Combs, G. 2003. "Revisiting *Brown v. Board of Education*: A Cultural, Historical-Legal, and Political Perspective." *Howard LJ* 47 (2003): 627.
- Dahl, R. A. (1957). "Decision-Making in a Democracy: The Supreme Court as a National Policy-Maker." *Journal of Public Law* 6: 279-295.
- Edgell, P., K. Hull, K. Green, D. Winchester. 2016 "Reasoning Together through Telling Stories How People Talk About Social Controversies." *Qualitative Sociology* 39(1):1-26.
- Engel, S. M. (2013). "Frame Spillover: Media Framing and Opinion of a Multifaceted LGBT Rights Agenda." *Law & Social Inquiry* 38(2): 403-441.
- Epps, G. (2016). "North Carolina's Bathroom Bill is a Constitutional Monstrosity," *The Atlantic*, May 10. Retrieved May 10, 2016 (<http://www.theatlantic.com/politics/archive/2016/05/hb2-is-a-constitutional-monstrosity/482106/>).
- Erskine, Hazel. 1973. "The Polls: Interracial Socializing." *Public Opinion Quarterly* 37 (2): 283-294.
- Ettelbrick, P. 1997. "Since When is Marriage a Path to Liberation," pp. 817-818, in *Sexuality, Gender, and the Law*. Westbury, New York: The Foundation Press.
- Eveland, D.A. and W.P. Scheefe. (2001). "Perceptions of 'Public Opinion' and 'Public' Opinion Expression." *International Journal of Public Opinion Research* 13 (1): 25-44.
- Fetner, T. 2016. "US Attitudes Toward Lesbian and Gay People Are Better Than Ever." *Contexts* 15 (2): 20-27.
- Flores, A. R. and S. Barclay. (2016). "Backlash, Consensus, Legitimacy, or Polarization: The Effect of Same-Sex Marriage Policy on Mass Attitudes." *Political Research Quarterly* 69(1): 43-56.

- Flores, A.R. and Barclay, S (2015). "Trends in public support for marriage for same-sex couples by state." The Williams Institute. <http://www.williamsinstitute.law.ucla.edu>
- Franklin, C. H. and L. C. Kosaki. (1989). "Republican Schoolmaster: The U.S. Supreme Court, Public Opinion, and Abortion." *The American Political Science Review* 83(3): 751-771.
- Galupo, M. P. and M. L. Pearl. (2007). "Bisexual Attitudes Toward Same-Sex Marriage." *Journal of Bisexuality* 7(3/4): 287-301.
- Gjelten, T. and M. Peñaloza. (2016). "As U.S. Attitudes Change, Some Evangelicals Dig In; Others Adapt," *National Public Radio*, May 10. Retrieved May 10, 2016 (<http://www.npr.org/2016/05/10/476651373/as-u-s-attitudes-change-some-evangelicals-dig-in-others-adapt>).
- GLAAD. (2016). *Accelerating Acceptance 2016*. Retrieved Feb. 15, 2016 (http://www.glaad.org/files/2016_GLAAD_Accelerating_Acceptance.pdf).
- Haider-Markel, D. P. (2004). *Media Coverage of Lawrence vs. Texas: An Analysis of Content, Tone, and Frames in National and Local News Reporting*. New York, NY: The GLAAD Center for the Study of Media and Society.
- Haider-Markel, D. P. and M. R. Joslyn. (2008). "Beliefs about the Origins of Homosexuality and Support for Gay Rights: An Empirical Test of Attribution Theory." *Public Opinion Quarterly* 72(2): 291-310.
- Haider-Markel, D. P. and M. R. Joslyn. (2005). "Attributions and the Regulation of Marriage: Considering the Parallels between Race and Homosexuality." *Political Science and Politics* 38(2): 233-239.
- Herek, G. 2002. Heterosexuals' Attitudes Toward Bisexual Men and Women in the United States. *Journal of Sex Research* 39(4): 264-274.

- Herek, G. and J.P. Capitano. 1996. "Some of My Best Friends': Intergroup Contact, Concealable Stigma, and Heterosexuals' Attitudes Toward Gay Men and Lesbians." *Personality and Social Psychology Bulletin* 22 (4): 412-424.
- Hoekstra, V. J. (2000). "The Supreme Court and Local Public Opinion." *The American Political Science Review* 94(1): 89-100.
- Hoekstra, V. J. and J. A. Segal. (1996). "The Shepherding of Local Public Opinion: The Supreme Court and Lamb's Chapel." *The Journal of Politics* 58(4): 1079-1102.
- Hoffman, L., C. J. Glynn, M. E. Huges, R. B Sietman and T. Thomson. (2007). "The Role of Communication in Public Opinion Processes: Understanding the Impacts of Intrapersonal, Media, and Social Filters." *International Journal of Public Opinion Research* (3): 287-312.
- Hopkins, J. J., A. Sorensen, and V. Taylor. (2013). "Same-Sex Couples, Families, and Marriage: Embracing and Resisting Heteronormativity." *Sociology Compass* 7(2): 97-110.
- Huckfeldt, R. and J. Sprague. (1995). *Citizens, Politics and Social Communication: Information and Influence in an Election Campaign*. Cambridge: Cambridge University Press.
- Hull, K. E. (2006). *Same-Sex Marriage: The Cultural Politics of Love and Law*. Cambridge: Cambridge University Press.
- Irvine, J. (2005). "Anti-Gay Politics Online: A Study of Sexuality and Stigma on National Websites." *Sexuality Research & Social Policy*, 2: 3-21.
- Johnson, T. R. and A. D. Martin. (1998). "The Public's Conditional Response to Supreme Court Decisions." *The American Political Science Review* 92(2): 299-309.
- Kazyak, E. (2011). "Same-Sex Marriage in a Welcoming World: Rights Consciousness of Heterosexuals in Liberal Religious Institutions." *Sexuality Research and Social Policy* 8 (3): 192-203.

- Klarman, M. J. 2013. *From the Closet to the Altar: Courts, Backlash, and the Struggle for Same-Sex Marriage*. Oxford: Oxford University Press.
- Kreitzer, R. J., A. J. Hamilton, and C. J. Tolbert. (2014). "Does Policy Adoption Change Opinions on Minority Rights? The Effects of Legalizing Same-Sex Marriage." *Political Research Quarterly* 67(4): 795-808.
- Krueger, J. and R. W. Clement. (1994). "The Truly False Consensus Effect: An Ineradicable and Egocentric Bias in Social Perception." *Journal of Personality and Social Psychology* 67 (4): 596-610.
- Lax, J. A. and J. H. Phillips. (2009). "Gay Rights in the States: Public Opinion and Policy Responsiveness." *American Political Science Review* 103(3): 367-386.
- Lawrence v. Texas*, 539 U.S. (2003)
- Lewis, G. B. (2011). "The Friends and Family Plan: Contact with Gays and Support for Gay Rights." *The Policy Studies Journal* 39(2): 217-238.
- Lewis, G. B. (2003). "Black-White Differences in Attitudes toward Homosexuality and Gay Rights." *Public Opinion Quarterly* 67(1): 59-78.
- Lewis, G. B. and C. W. Gossett. (2008). "Changing public opinion on same-sex marriage: The case of California." *Politics & Policy* 36(1): 4-30.
- Lewis, G. B. and M. A. Rogers. (1999). "Does the Public Support Equal Employment Rights for Gays and Lesbians?" Pp. 118-145 in *Gays and Lesbians in the Democratic Process: Public Policy, Public Opinion and Political Representation*, edited by Ellen D. B. Riggle and Barry L. Tadlock. New York, NY: Columbia University Press.
- Lewis, D. C., A. R. Flores, D. P. Haider-Markel, P. R. Miller, B. L. Tadlock, J. K. Taylor. 2017. "Degrees of Acceptance: Variation in Public Attitudes toward Segments of the LGBT Community." *Political Research Quarterly*. DOI: 10.1177/1065912917717352.

- Linos, K. and K. Twist. (2016). "The Supreme Court, the Media, and Public Opinion: Comparing Experimental and Observation Methods." *Journal of Legal Studies* 45 (2).
- Liptak, A. (2015). "Supreme Court Rules for Same-Sex Marriage," *New York Times*, June 26. Retrieved June 26, 2015 (<http://www.nytimes.com/live/supreme-court-rulings/supreme-court-rules-for-same-sex-marriage>).
- Liptak, A. (2017). "Cake Is His 'Art.' So Can He Deny One To A Gay Couple?," *New York Times*, September 16, 2017 (<https://www.nytimes.com/2017/09/16/us/supreme-court-baker-same-sex-marriage.html>)
- Luker, K. (1984). *Abortion and the Politics of Motherhood*. Berkeley: University of California Press.
- Maher, J. (2015). "Welcome to my Homophobic State," *Gawker*, April 7. Retrieved April 7, 2015 (<http://gawker.com/welcome-to-my-homophobic-state-1696050912>).
- Marshall, T. R. (1988). "Public Opinion, Representation, and the Modern Supreme Court." *American Politics Quarterly* 16(3): 296-316.
- McCarthy, J. (2017). "US support for Gay Marriage Edgest to New High." Washington, D.C.: Gallup. Retrieved May 15 2017 (<http://www.gallup.com/poll/210566/support-gay-marriage-edges-new-high.aspx>).
- Michelson, B.F. and Harrison. M.R. (2017). *Listen, We Need to Talk: How to Change Attitudes about LGBT Rights*. Oxford: Oxford University Press.
- Moore, M. R. and M. Stambolis-Ruhstorfer. (2013). "LGBT Sexuality and Families at the Start of the Twenty-First Century." *Annual Review of Sociology* 39: 491-507.
- Moore, Mignon R. 2010. "Black and Gay in L.A.: The Relationships Black Lesbians and

- Gay Men have with their Racial and Religious Communities.” In *Black Los Angeles: American Dreams and Racial Realities*, D. Hunt and A. Ramon (Eds.), pp. 188-212. NY: NYU Press.
- Moy, P., D. Domke, and K. Stamm. (2001). “The Spiral of Silence and Public Opinion on Affirmative Action.” *Journalism & Mass Communication Quarterly* 78 (1): 7-25.
- Obergefell v. Hodges*, 576 U.S. (2015)
- Olson, L. R., W. Cadge and J. T. Harrison. (2006). Religion and Public Opinion about Same-Sex Marriage.” *Social Science Quarterly* 87(2): 340-360.
- Parker, C. S. and M.A. Barreto. 2013. *Change They Can't Believe In: The Tea Party and Reactionary Politics in America*. Princeton: Princeton University Press.
- Persily, N., P. Egan, and K. Wallsten. (2006). “Gay Marriage, Public Opinion and the Courts.” *Faculty Scholarship*. Paper 91. Retrieved Feb. 15, 2016 (http://scholarship.law.upenn.edu/faculty_scholarship/91).
- Pew Research Center. (2014). “Changing Attitudes on Gay Marriage.” Retrieved Sept. 24, 2014 (<http://www.pewforum.org/2016/05/12/changing-attitudes-on-gay-marriage/>).
- Pew Research Center. (2013a). “Growing Support for Gay Marriage: Changed Minds and Changing Demographics.” Retrieved March 26, 2013 (<http://www.people-press.org/files/legacy-pdf/3-20-13%20Gay%20Marriage%20Release.pdf>).
- Pew Research Center. (2013b). “A Survey of LGBT Americans.” Retrieved June 13, 2013 (<http://www.pewsocialtrends.org/2013/06/13/a-survey-of-lgbt-americans/>).
- Powell, B., N. Y. Quadlin, and O. Pizmony-Levy. (2015). “Public Opinion, the Courts, and Same-Sex Marriage: Four Lessons Learned.” *Social Currents*, 2(1): 3-12.

- Powell, B., C. Bolzendahl, C. Geist, and L. C. Steelman. 2010. *Counted Out: Same-sex relations and Americans' Definitions of Marriage*. New York: Russell Sage Foundation.
- Roe v. Wade*, 410 U.S. (1973)
- Rosenberg, G. N. (1991). *The Hollow Hope: Can Courts Bring About Social Change?* Chicago: University of Chicago Press.
- Ross, L., D. Green, and P. House. (1977). "The "False Consensus Effect": An Egocentric Bias in Social Perception and Attribution Processes." *Journal of Experimental Social Psychology* 13 (3): 279–301.
- Rowatt, W. C., J. LaBouff, M. Johnson, P. Froese, and J. Tsang. (2009). "Associations Among Religiousness, Social Attitudes, and Prejudice in a National Random Sample of American Adults." *Psychology of Religion and Spirituality* 1(1):14-24.
- Scott, K. M. and K. L. Saunders. (2006a). "Courting Public Opinion: Supreme Court Impact on Public Opinion Reconsidered." Presented at the Annual Meeting of the Midwest Political Science Association. Retrieved Feb. 15, 2016 (<http://www.kevinmscott.com/SSmpsa06.pdf>).
- Scott, K. M. and K. L. Saunders. (2006b). "Supreme Court Influence and the Awareness of Court Decisions." Presented at the Annual Meeting of the American Political Science Association. Retrieved Feb. 15, 2016 (<http://www.kevinmscott.com/apsa06.pdf>).
- Sherkat, D. E., K. M. de Vries, and S. Creek. (2010). "Race, Religion, and Opposition to Same-Sex Marriage." *Social Science Quarterly*, 91(1): 80-98.
- Stange, M. and E. Kazyak. (2016). "Examining the Nuance in Public Opinion of Pro-LGB Policies in a 'Red State.'" *Sexuality Research and Social Policy* 13 (2): 142-157.

- Stern, M. J. (2016). "Mississippi Governor Signs LGBTQ Segregation Bill into Law," *Slate*, April 5. Retrieved April 5, 2016 (http://www.slate.com/blogs/outward/2016/04/05/mississippi_lgbtq_segregation_bill_signed_into_law_by_gov_phil_bryant.html).
- Stoddard, T. (1997). "Why Gay People Should Seek the Right to Marry," pp. 818-822, in *Sexuality, Gender, and the Law*. Westbury, New York: The Foundation Press.
- Stone, A. (2012). *Gay Rights at the Ballot Box*. Minneapolis: University of Minnesota Press.
- Stoutenborough, J. W., D. P. Haider-Markel, and M. D. Allen. (2006). "Reassessing the Impact of Supreme Court Decisions on Public Opinion: Gay Civil Rights Cases." *Political Research Quarterly* 59(3): 419-433.
- Thee-Brenan, M. (2016). "Public is Divided Over Transgender Bathroom Issue, Poll Shows," *The New York Times*, May 19. Retrieved May 19, 2016 (http://www.nytimes.com/2016/05/20/us/politics/transgender-public-bathroom-poll.html?_r=1).
- Ura, J. D. (2009). "The Supreme Court and Issue Attention: The Case of Homosexuality." *Political Communication* 26(4): 430-446.
- Whitehead, A. L. (2010). "Sacred Rites and Civil Rights: Religion's Effect on Attitudes toward Same-Sex Unions and the Perceived Cause of homosexuality." *Social Science Quarterly* 91(1): 63-79
- Wojcieszak, M. and V. Price. (2009). "What Underlies the False Consensus Effect? How Personal Opinion and Disagreement Affect Perception of Public Opinion." *International Journal of Public Opinion Research* (1): 25-46.
- Woodford, M. R., J. Chonody, K. Scherrer, P. Silverschanz, and A. Kulick. (2012). "The

‘Persuadable Middle’ on Same-Sex Marriage: Formative Research to Build Support among Heterosexual College Students.” *Sexuality Research and Social Policy* 9(1): 1-14.

Table 1: Wording of NASIS questions about LGB legal rights.	
Question	Response Options
Do you favor or oppose allowing gay and lesbian couples to legally marry?	Favor Favor Civil Unions only Oppose
Do you favor or oppose allowing gay and lesbian couples to adopt children?	Favor Oppose
Do you favor or oppose laws to protect gay men and lesbians from housing discrimination?	Favor Oppose
Do you favor or oppose laws to protect gay men and lesbians from job discrimination?	Favor Oppose
Have you heard or read about the June 2015 Supreme Court ruling concerning same-sex marriage?	Yes No
How often would you say you talk to your family members, relatives, neighbors, coworkers, or close friends about gay and lesbian issues?	Very often Often Sometimes Never
How well do you think the Supreme Court's decision reflects what the majority of Americans think about same-sex marriage?	Very well Well Not well Not at all
How well do you think the Supreme Court's decisions reflects what the majority of Nebraskans think about same-sex marriage?	Very well Well Not well Not at all

Table 2: Characteristics of NASIS respondents (weighted percentages).			
	2013	2015	T-Value
Sex			
Female	50.86	50.77	-0.06
Male	49.14	49.23	0.06
Age			
19-24	6.00	4.98	0.76
25-34	16.77	17.11	-1.16
35-49	30.10	34.05	-1.63
50-64	28.93	25.40	1.91
65+	18.20	18.46	-0.19
Education			
HS or <	19.01	17.53	0.98
Some College	36.26	35.08	0.58
BA+	44.74	47.39	-1.27
Political Party			
Democrat	25.69	26.52	-0.17
Republican	41.23	45.11	-1.70
Independent	33.08*	28.37*	1.98
Political Ideology			
Very Liberal	3.98	3.96	0.07
Liberal	16.07	16.15	0.12
Moderate	37.78	39.46	-0.92
Conservative	32.51	30.59	0.82
Very Conservative	9.67	9.84	0.06
Born-Again Christian			
Yes	26.01	27.43	-0.44
No	73.99	72.56	0.44
Sexual Orientation			
Non-LGB	96.75	96.23	-1.03
LGB	3.25	3.77	1.03
Know LGB Person			
Yes	46.72*	52.81*	2.52
No	53.28*	47.19*	-2.52
Heard about <i>Obergefell v. Hodges</i> Ruling			
Yes	-	92.60	
No	-	7.40	
Same-Sex Marriage			
Favor	40.54	48.04	-3.13**
Favor Civil Unions Only	19.28	16.72	1.41
Oppose	40.19	35.24	2.18*
Adoption by Gay and Lesbian Couples			
Favor	55.87	58.95	-1.30
Oppose	44.13	41.05	1.30
Protection from Housing Discrimination			
Favor	71.78	77.10	-2.55*
Oppose	28.22	22.90	2.55*
Protection from Job Discrimination			
Favor	74.54	78.41	-1.90
Oppose	25.46	21.59	1.90
<i>Note.</i> *Indicates p<0.05 difference between 2013 and 2015 **p<0.01, ***p<0.001.			

	Favor Same-Sex Marriage^a		Favor Civil Unions Only^a	
	Relative Risk Ratio	SE	Relative Risk Ratio	SE
Pre-/Post-Ruling (2013=0, 2015=1)	1.63**	0.27	0.99	0.16
Live in Omaha/Lincoln (Yes=1, No=0)	2.18***	0.36	2.19***	0.35
Sex (Male=1, Female=0)	0.48***	.08	0.69*	0.11
Age				
19-24 (Reference)	-	-	-	-
25-34	0.56	0.38	0.41	0.27
35-49	0.21*	0.14	0.41	0.26
50-64	0.15**	0.10	0.37	0.23
65+	0.12**	0.08	0.32	0.20
Education				
HS or < (Reference)	-	-	-	-
Some College	1.47	0.37	1.11	0.27
BA+	2.71***	0.71	2.02**	0.51
Political Party				
Democrat (Reference)	-	-	-	-
Republican	0.35***	0.08	0.72	0.17
Independent/Other	0.60*	0.13	0.82	0.19
Political Ideology				
Very Liberal	1.36	0.85	0.52	0.39
Liberal	1.80*	0.49	0.59	0.20
Moderate (Reference)	-	-	-	-
Conservative	0.29***	0.06	0.87	0.16
Very Conservative	0.11***	0.05	0.29***	0.09
Religion (Yes=1, None=0)	0.50	0.18	0.68	0.29
Born-Again Christian (Yes=1, No=0)	0.37***	0.07	0.54**	0.10
Religious Attendance				
Several Times a Week (Reference)	-	-	-	-
Once a Week	0.93	0.44	0.88	0.29
Nearly Every Week	1.26	0.63	0.88	0.32
About once a month	4.23**	2.36	1.37	0.59
Several times a year	3.12*	1.58	1.03	0.39
About once a year	3.44*	1.98	1.76	0.78
Less than once a year	4.88**	2.83	1.88	0.82
Never	4.32*	2.47	1.62	0.76
Religious Influence				
Very Much (Reference)	-	-	-	-
Quite a Bit	1.62*	0.35	1.58*	0.32
Some	2.76***	0.77	1.72	0.42
A Little	1.49	0.57	0.94	0.35
None	1.98	0.91	0.70	0.38
Know LGB Person (Yes=1, No=0)	3.38***	0.58	2.04***	0.34
Sexual Orientation (LGB=1, Non-LGB=0)	1.03	0.87	0.23	0.26
Intercept	2.77	2.48	1.26	1.06

Note. ^a“Oppose” is the base outcome. N=2,170. ⁺p<0.10, *p<0.05, **p<0.01, ***p<0.001.

Table 4. Views of same-sex marriage pre- and post-Supreme Court ruling by sex, political party affiliation, and Born Again Christian identity (weighted percentages).									
	Favor			Civil Unions Only			Oppose		
	2013	2015	T-value	2013	2015	T-value	2013	2015	T-value
Sex									
Female	44.2	52.8	-2.92**	19.4	17.3	0.90	36.4	29.9	2.39*
Male	37.0	43.4	-1.65	19.3	16.2	1.10	43.7	40.4	0.86
Political Party									
Democrat	64.4	73.8	-2.39*	15.0	7.4	2.81**	20.6	18.9	0.54
Republican	19.9	24.3	-1.37	22.6	24.5	-0.59	57.5	51.3	1.67
Independent	47.2	62.0	-3.32***	19.7	13.4	1.85	33.1	24.2	2.27*
Born-Again Christian									
Yes	16.8	25.6	-2.23*	19.4	14.7	1.29	63.8	59.7	0.89
No	49.4	56.8	-2.56*	19.1	17.7	0.66	31.5	25.6	2.34*
Know LGB Person									
Yes	58.3	60.8	-0.74	19.0	16.7	0.85	22.7	22.4	0.09
No	25.3	33.7	-2.66**	19.6	16.9	1.11	55.0	49.4	1.69

Note. N=2,170; *Indicates p<0.05 difference between 2013 and 2015 **p<0.01, ***p<0.001.

Table 5. Views of same-sex marriage by how well respondents think Supreme Court ruling reflects majority public opinion, weighted percentages (NASIS 2015).				
	View of Same-Sex Marriage			X² (p-value)
	Favor	Favor Civil Unions Only	Oppose	
Reflects Majority American Opinion				
Very well	95.0	1.9	3.1	720.03 (<0.001)
Well	78.7	13.3	8.0	
Somewhat	14.0	30.0	56.0	
Not at all	0.5	10.0	89.5	
Reflects Majority Nebraskan Opinion				
Very well	83.7	2.3	14.0	450.41 (<0.001)
Well	86.6	8.7	4.7	
Somewhat	41.3	23.7	35	
Not at all	5.5	13.97	80.5	

Table 6. Views of same-sex marriage by how often respondents talk about gay and lesbian issues.				
	View of Same-Sex Marriage			X² (p-value)
	Favor	Favor Civil Unions Only	Oppose	
Very often	69.2	6.4	24.4	56.36 (<0.001)
Often	59.9	12.0	28.1	
Sometimes	42.7	18.6	38.8	
Never	28.9	18.9	52.2	