

# The Legalization of Same-Sex Marriage

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**ABSTRACT:** *The current study tested whether the introduction of government policy, signaling the local majority's dominant attitudes, was correlated with shifts in the attitudes of residents. Specifically, we tested whether state-by-state same-sex marriage legislation was correlated with decreases in implicit and explicit antigay bias with about 1 million responses over a 12-y window. The findings consistently provide evidence for this possibility across five operationalizations. Until same-sex marriage legalisation, both implicit and overt prejudice decreased, but decreased after legalisation at a sharper pace. Whether states passed legislation locally was to moderate this impact. While a greater decrease in bias following legislation was experienced by states passing legislation, states that never enacted legislation reported increased antigay bias following federal legalisation. Our research illustrates how government policy may inform the attitudes of individuals, even though these attitudes may be deeply ingrained and volatile socially and politically.*

**KEYWORDS:** *Attitudes, American National Election Studies (ANES), Behaviors, Implicit Association Test (IAT), Vulnerable.*

## INTRODUCTION

Social norms can have a strong influence on behaviors and attitudes. In order to comply with the established norms in their community, people often change their views and behaviors. Norms are not inherently clear and need to be inferred sometimes. Via social contact, people tend to deduce and improve social norms. The attitudes and behaviors considered appropriate are likely to change over time, considering the implicit existence of social norms. Even if an individual personally disagrees with a normatively agreed action, through cognitive dissonance, they may uphold it. In particular, to the degree that one continually modifies their actions to be compatible with perceived norms; personal attitudes can often shift over time, including bias against social groups. The current study focuses on the role of local government in signaling such norms. In particular, we analyze whether the local changes in government policy that benefited a vulnerable social group influenced citizens' prejudices against that group[1][2].

There are several reasons why legislation passed by a democratic government could be considered a standard. The "rule of the people" is the literal translation of democracy, and a democracy is theoretically a system of government in which elected representatives create laws that align with the interests of the majority of the population. Realistically, although the manner in which legislation is produced is far more nuanced, people will usually interpret laws within a democratic framework to represent the people's will. Consequently, they can perceive enacted legislation as being consistent with the majority's values and beliefs. Consistent with this view, people conclude that policies adopted by a group represent the support of the group, even though a majority opinion did not enact the policy. Therefore, passed laws may be seen as a powerful symbol of existing municipal values. If any legislation influences the effects of particular social classes, this legislation may be viewed more generally as representing dominant cultural attitudes towards such groups. Indeed, over time, people change their interpretations of social norms based on environmental signals. Similarly, individuals may learn from local laws to what degree they might be in the majority or minority, and therefore how appropriate it is to convey any attitudes towards certain social classes[3][4].

There are very rare possibilities for analysing the effect of government policy on attitudes towards disadvantaged social groups, but there is some evidence that government policy can alter attitudes. For example, after legalisation in 1978, there was a 60 percent rise in support for interracial marriages, a move that different scholars have partly attributed to the decision of the Supreme Court. Participants identified a rise in the acceptability of racism against stigmatized groups in more recent history, following Donald Trump's 2016 U.S. presidential election. In addition, experimental work is supportive of these findings, showing that consensus evidence induces shifts in the attitudes of participants[5][6].

Same-sex marriage legalisation is a fascinating development that offers an opportunity to research the relationship between local law and the attitudes of residents. This is because, though the US Supreme Court ruled that on June 26, 2015, 35 states and Washington, DC, had passed state-level same-sex marriage legalisation in some form before this date at various times over the previous 11 years, the right to marry remained basic and inalienable. A natural, quasi-experimental, multiple groups, disrupted time series offers this pattern of legalisation over time, with phased treatments across groups (states), a design that mitigates many of the challenges to causal conclusions usually associated with observational evidence[7].

The evidence is mixed as to whether government policy has an effect on the attitudes of people. While organizations may under some circumstances effectively alter personal attitudes about political or social problems, attitudes about controversial issues involving personal interactions or strong religious and political beliefs are less malleable. Therefore, it could be less likely to alter views towards same-sex marriage legalisation and sexuality concerns in general. There has only been minimal previous research on the effect of same-sex marriage legalisation on personal perceptions, with mixed conclusions. For example, researchers found increased support for the legalisation of same-sex marriage after legalisation, but only within certain demographic groups, and their data was only from Iowa. Others discovered warmer views towards gay men and lesbians after legalisation, while three states were restricted to the panel results. In comparison, researchers analysing nationally representative two-wave panel data found that the largest reduction in overt antigay prejudices was reached by citizens of states in which same-sex marriage legalisation laws were adopted, but these data were collected for a plurality of legalizing states before state-level legalisation and before national legalisation. Recent studies focusing on the 1-y span around federal legalisation showed that there was no shift in attitude towards gay people after legalisation, yet improvements in expectations of social norms were found. We are extending this research in many main ways. Second, depending on the analysis, we examine the attitudes of around 500,000-1 million individuals, while the largest samples previously collected were about 1,000 participants. Second, compared with 1- to 2-y windows of previous study, attitudes towards gay people were gathered over a 12-year period, offering a broader lens with which to capture consistency or shift in social attitudes over time. Most notably, the current study uniquely examines attitudes measured with approaches that are less sensitive to social desirability rather than self-reports[8].

We reflect on how, over time, state-level same-sex marriage legalisation altered latent and overt antigay prejudice. Relatively direct (i.e. explicit) or implicitly, bias can be calculated (i.e., implicitly). Explicitly calculated biases are thought to represent relatively intentional and conscious mental processes, often predicting deliberate decisions and behaviors, whereas unconscious biases have historically been conceptualized as representing less deliberate or regulated processes that can affect judgments and behaviors outside of conscious awareness. All previous studies investigating shifts in attitudes towards gay people as a result of the legalisation of same-sex marriage have assessed attitudes through specific responses (e.g., "How warmly or coldly do you feel towards gay men and lesbians?"). These previous outcomes may have been at least partly due to the reluctance of respondents to report behaviors at odds with perceived expectations. It is important to analyze such attitudes with indicators that are less prone to social desirability than overt self-reported attitudes in order to conclude that modifying government laws will inform the actual attitudes of citizens. This problem is solved by the use of implicit tests to determine bias, since they measure bias indirectly from the speed or precision of the response, rather than from the substance of the response itself. This concern is explored in the current study by analysing both implicit and overt anti-gay prejudices over time[9].

#### ➤ *The Current Research:*

When they completed implicit and explicit antigay bias interventions at Project Implicit, we did so by geo-locating ~1 million respondents. Project Implicit has been running a website since 2002 that can be visited by individuals to complete an implicit association test (IAT), one indicator of implicit bias. The vast majority of research into discrimination has concentrated on individuals, but researchers have only recently begun to explore correlations between different findings by geo-locating the millions of responses to Project Implicit.

In accordance with the research finding that norms affect personal attitudes and vice versa, if implicit and explicit antigay prejudice decreased after state-level legalisation, evidence will be obtained in support of our hypothesis. We hypothesized, in other words, that government policy will lead to improvements in the behaviors of those affected locally by the policies. Our findings were permitted by the way in which same-sex marriage legalisation took place in the United States at the state level. Legalization took place with phased treatments through groups in a normal, quasi-experimental, multiple groups, disrupted time sequence (i.e., states). Since we have a large number of pre- and post-legalization bias findings, and because the procedure (i.e. same-sex marriage legalisation) took place in a phased fashion over a 12-year span in a wide sample of various states, it is doubtful that an unmeasured variable could systematically explain bias reductions. Since the knowledge is empirical, this design is not conclusive evidence of causality. Nonetheless, it does allow for clearer conclusions as to whether legalisation of same-sex marriage triggered the decreases in implicit and explicit prejudice in antigay. In a multilevel regression model, in which Project Implicit respondents ( $n = 1$  million) were clustered within states and Washington, DC ( $k = 51$ ), we checked our assumptions. Implicit and explicit antigay prejudices have been regressed in different models on our primary interest variables (i.e. time and whether the date was pre- vs. post same-sex marriage legalisation) and demographic covariates. All models for gender, age, and racial majority-minority status were monitored at the respondent level. All models regulated at the state level for the average rate of employment, education, wages, and population density. When testing zero-order correlations, the results were similar [10].

We assume that our first model is the best test of our theory, limiting tests to those who have described themselves as heterosexual. We conducted a variety of additional studies on variants of this dataset, however, to ensure that our results were not the product of biased researcher choices made in the analytical pipeline. To ensure that our initial findings were not due to the sexuality of our sample, Model 2 included participants of all sexualities. Model 3 tackled the generalizability of our findings by replicating results with a nationally representative American National Election Studies (ANES) dataset using a self-identifying heterosexual sample. In states that passed legislation locally to those in which same-sex marriage was legalized only after federal legalisation, Model 4 compared shifts in prejudice following same-sex marriage legalisation. In short, we followed a "multiverse" approach, evaluating how stable our impacts were in the course of analyses on inevitable subjective researcher decisions. In different models, we analyze the effect of same-sex marriage legalisation on both implicit and explicit bias. Stronger proof in favor of our findings is continuity across all studies.

## CONCLUSION

In support of the hypothesis that local government policy informs shifts in the behaviors of people, we find clear evidence. We find, consistent with previous studies, that both implicit and explicit antigay bias decreased or stable over time before legalisation of same-sex marriage. However, on average, antigay racism decreased at a steeper pace following the passage of legislation viewed as inclusive of this oppressed group. This result converges with previous research findings that there was the largest decline in antigay perceptions among residents of states passing state-level legislation. Evidence for five distinct operationalization and data from two separate sources is consistent. The restricted "multiverse" strategy we adopted helps ensure that these results are resilient to eventual subjective decisions of the researcher. As a multiple-group, time-staggered quasi-experimental design, the way in which same-sex marriage legalisation naturally progressed across the United States mitigates many of the challenges to causal conclusions usually associated with observational evidence. The findings suggest that there could be reciprocal reinforcement of behaviors and legislation. More precisely, since outcomes typically show that attitudes towards the gay community changed before legalisation in all states, changing attitudes towards same-sex marriage may have acted as an impetus and support for both state and federal legalisation. In essence, these enforced laws reinforced and consolidated favorable views towards lesbians and gay men.

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