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No Evidence of Backlash: LGBT Rights in Latin America

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Since the civil rights movement, scholars have warned that prominority policies can create a backlash effect in the majority. Some observers fear these dynamics may be at work in Latin America, where after dramatic advances in LGBT (lesbian, gay, bisexual, transgender) rights, voters have elected antigay leaders. To investigate, we created the Latin American Rainbow Index—a measure of LGBT rights in the continent by country—and combined it with individual survey responses to test whether granting new rights had any discernible impact on attitudes. We find no evidence of backlash and little evidence of polarization. We also provide a new index of LGBT rights in the continent, which may be used by other scholars to further examine the LGBT movement in Latin America.

When it comes to LGBT (lesbian, gay, bisexual, transgender) rights, Brazil is a puzzle. It is one of the countries with the most protections for LGBT individuals anywhere in the world. Homosexuality has been legal in the country since 1830 (Green 1999), same-sex marriage has been recognized by the judiciary since 2013, and the Brazilian Supreme Court criminalized discrimination on the basis of sexual orientation and gender identity in 2019. Yet, in 2018, the country elected as president Jair Bolsonaro, a politician with a vast history of homophobic and transphobic comments (Gstalter 2019).

Brazil, however, is not alone in this regard. Even as LGBT rights proliferated across Latin America, the political right has gained power in recent years, in countries including Chile, in 2017, and Argentina, in 2015—although a leftist government returned to power in the latter case in the 2019 election.¹ These victories have been framed, at least partially, as a reaction to the cultural liberalization that had been a priority of

leftist governments in the continent during recent decades (e.g., Bonnefoy and Londoño 2017; Corrales 2020; Encarnación 2018; Rennó 2020; Smith 2019; Staples 2018).

Since at least the civil rights movement in the United States, which pushed for the end of racial segregation and other oppressive institutions, scholars have proposed that increasing minority rights leads to a backlash reaction from the majority of voters who do not benefit from these changes (Klarman 1994). The same argument has been extended to the expansion of LGBT rights in recent decades and has been suggested as a contributor to the election of George W. Bush in 2000, as well as his reelection in 2004 (Ball 2005; Klarman 2012).

The case of Latin America suggests that the relationship between civil rights and public opinion remains complex and contradictory. Should recent conservative victories be understood, at least partially, as a particularly egregious example of backlash? Have socially conservative voters had an

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1. Others have also noted this apparent paradox. See, e.g., Corrales (2017, 2020) and Smith and Boas (2020).

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extreme reaction to recent advances in minority civil rights in the continent?

Alternatively, extending civil rights in Latin America could lead to a positive policy feedback, increasing support for minority groups. Research on US public opinion has found that legalizing same-sex marriage there may have increased support for LGBT rights (Hooghe and Meeusen 2013; Kreitzer, Hamilton, and Tolbert 2014). Other scholars, however, have proposed that, rather than either a backlash or a positive feedback, increasing civil rights generates polarization of existing attitudes (Redman 2018), although empirical research in the United States found no evidence of this phenomenon (Bishin et al. 2016; Flores and Barclay 2016).²

The question of whether pushing for civil rights generates backlash, in particular, is of practical importance, as it can inform how fast and how far members of the LGBT community and other minorities should go in their fight for equality. This is very much an ongoing debate. We contribute to it by examining the impact on mass attitudes of extending civil rights to LGBT individuals in Latin America. To measure policy change, we developed and introduce the Latin American Rainbow Index (LARI), a unique data set of LGBT rights in the continent. We tracked changes to LGBT rights since the Dominican Republic became the first Latin American country to decriminalize sodomy in 1822. We then combine this new index with repeated cross-sectional surveys from the Latin American Public Opinion Project (LAPOP). By comparing 167,852 individual survey responses to changes on eight types of rights in 17 Latin American countries, we are able to track how attitudes respond to modifications to the status quo.

Our research extends the literature in several ways. First, we go beyond previous studies of public reaction to LGBT rights, which have primarily focused on the effect of same-sex marriage or civil unions (e.g., Bishin et al. 2016; Flores and Barclay 2016; Redman 2018; Van den Akker, Van der Ploeg, and Scheepers 2013), to include other basic civil rights such as the decriminalization of homosexuality, serving in the military, and antidiscrimination policies.

Second, the choice of Latin America and LGBT rights for this study offers several advantages. Analyzing this region allows us to look at the association between policy change and public opinion in developing economies with comparatively recent and less stable democracies. This political context has been largely neglected in existing research on civil rights and public opinion. Moreover, as well illustrated by the Brazilian

case, Latin America has seen remarkable advancements on LGBT rights, while remaining relatively religious, poorly educated, and socially conservative (Encarnación 2011). We thus view the continent as an especially appropriate case for testing the backlash hypothesis.

Third, we compile the first index of LGBT civil liberties for Latin America, tracing the evolution of civil rights in the region. We use the index to measure policy changes, and it may be employed for many other research projects in the future.

We examine voters' positions on two LGBT issues for which LAPOP has consistent data, measured on the same scale: support for same-sex marriage and support for allowing LGBT candidates to run for office. We do not find any distinguishable effects of increasing rights on attitudes on these issues. We also explore the possibility of differential effects of pro-LGBT policies on attitudes. To do so, we test for heterogeneity in response to changes in civil rights, examining several groups theorized to hold particularly strong favorable or unfavorable attitudes on LGBT issues, based on education, religiosity, evangelicalism, political ideology, income, news attentiveness, political activism, urban/rural divide, age, and gender. In every case, we fail to reject the null of no effect of changing LGBT rights on attitudes. If anything, there is evidence of a small and statistically insignificant positive feedback effect.

One possible concern is that we are simply underpowered—there are not enough changes to the status quo in Latin America during the time examined for us to observe an effect. However, our estimates indicate that, if those effects exist at all, they are so small as to be substantively negligible.

Our findings, thus, paint a more optimistic view of the fight for civil rights than some scholars have proposed. We find no evidence that public opinion reacts negatively to the extension of civil rights to the LGBT community.

CIVIL RIGHTS AND PUBLIC OPINION

The association between public opinion and policy is integral to the concept of democracy itself. After all, in order for democratic theory to work, elected officials must, at least to some extent, represent voters' interests and political views (Downs 1957). Nonetheless, political scientists have shown that the opposite is also true: politicians are able to convince the public to change attitudes (Abramowitz 1978; Broockman and Butler 2017; Gabel and Scheve 2007; Grose, Malhotra, and Parks Van Houweling 2015; Lenz 2013; Minozzi et al. 2015). These studies, however, focus on the association between political discourse and attitudes. The impact of policy changes, by comparison, has received significantly less attention.

2. Although see Bishin, Freebourn, and Teten (2020) for evidence of polarization among political elites.

Existing research finds diverging results. Some (e.g., Claassen 2020; Johnson, Brace, and Arceneaux 2005; Wlezién 1995) have claimed that public opinion works as a thermostat: when policy moves too far, attitudes move in the opposite direction. Others claim that effects are contingent on specific policies and their implementation (Barabas 2009; Gusmano, Schlesinger, and Thomas 2002). Still others have detected a positive association (Colombotos 1969; Pacheco 2013; Soss 1999) or no effect at all (Soss and Schram 2007).

When it comes specifically to civil rights policy, results have been even more inconsistent. It has been argued (e.g., Ball 2005; Klarman 1994, 2012) that the 1954 US Supreme Court decision in *Brown v. Board of Education*, which ended racial segregation in American public schools, created a backlash among white Americans, who became less supportive of civil rights to African Americans. Scholars in this tradition claim that the same reaction can be observed in the case of LGBT rights, including in Latin America (Corrales 2020; Encarnación 2018; Rennó 2020; Smith 2019; Smith and Boas 2020).

Some researchers of public opinion, though, have found the opposite result. Van den Akker et al. (2013) found a correlation between support for LGBT rights and public policy in this area among European countries. The direction of causality, however, was unclear. Partly addressing that concern, Hooghe and Meeusen (2013) used a similar sample and a difference-in-differences design to show that legalizing same-sex marriage and civil unions increased favorability rates for homosexuality. Similarly, Kreitzer et al. (2014) leverage the Iowa Supreme Court's 2009 decision to legalize same-sex marriage in the state, finding that favorable views of homosexuality grew after the policy change. This result was extended to the rest of the United States by Flores and Barclay (2016).

Others, however, argued that these estimates of average effects masked heterogeneity. Redman (2018), for example, found that the positive effects of granting LGBT rights on public opinion were felt only among individuals who already favored the cause before these policy changes—a result that contradicts findings by Bishin et al. (2016) and by Flores and Barclay (2016).

Previous work has identified many factors that are associated with attitudes regarding LGBT rights. Several scholars (e.g., Herek 1984; Redman 2018; Scheepers, Te Grotenhuis, and Van Der Slik 2002) have noted that education is positively correlated with support for LGBT rights—the more years of education an individual has, the more she is likely to support members of the LGBT community. Likewise, favorable attitudes toward LGBT people are more prevalent among women than among men (Becker and Jones

2021; Kite 1984; Redman 2018). A positive correlation is also found for income (Andersen and Fetner 2008; Navarro et al. 2019), while the association with age is negative, as younger cohorts tend to hold more favorable views of LGBT issues (Becker 2012; Becker and Scheufele 2011; Herek 1984).

Researchers have also pointed to an urban/rural divide, with urban and suburban voters tending to be more supportive of LGBT rights, while rural residents oppose them (Burnett and Salka 2009; Salka and Burnett 2012). Additionally, LGBT issues have long been an issue advocated by the political left. Evidence suggests that indeed individuals who identify with left-leaning ideologies are more likely to support the LGBT community (Lax and Phillips 2009; Lublin 2005).

The strongest correlation, though, has been found for religiosity (Encarnación 2011; Jaspers, Lubbers, and De Graaf 2007; Redman 2018; Scheepers et al. 2002). The more religious an individual, the more she holds unfavorable attitudes toward LGBT rights. This is particularly true for those Christians who identify as evangelicals (Bishin et al. 2016; Fejes 2016; Lugg 1998; Olson, Cadge, and Harrison 2006; Reynolds 2015).

To contribute to this debate, we analyze the association between LGBT rights in a context that should be particularly favorable for the backlash argument: Latin America. The region has seen remarkable extensions of rights to the LGBT community. Many of these rights, however, have been implemented by judicial action, not through action by elected officials or through referenda, suggesting a lack of popular support for political change. In addition, candidates with explicitly anti-LGBT agendas have recently won election in many countries. Their victories have been linked to the rise of evangelical churches, which have generally opposed civil rights for the LGBT community (Corrales 2020; Smith 2019; Smith and Boas 2020). Finally, Latin America is the region with the highest levels of violence against homosexual, bisexual, and transgender people (Encarnación 2011). Combined, these factors suggest a significant backlash in Latin America, with minority rights extended only for the “silent majority” to manifest against them. Indeed, some have made precisely that argument (Corrales 2020; Rennó 2020).

We focus on the following two core hypotheses that we will test in the remainder of this article:

H1. We expect that, on average, increasing LGBT rights should lead to a decrease in favorable attitudes toward members of the LGBT community. If, on the contrary, we find no significant impact of pro-LGBT policies on attitudes, or if the effect is positive, we view

the results as being evidence against the backlash argument.³

H2. If, rather than backlash, polarization is the result of granting LGBT civil rights, we expect that increasing those rights will lead to polarization in attitudes toward the LGBT community. This implies an increase in variance of opinions regarding LGBT issues.

We test our hypotheses by examining main effects and testing for heterogeneous effects, allowing reactions to vary by subpopulation. Specifically, we test whether gender, age, income, urban residency, education, ideology, political engagement, news engagement, religion, religiosity, and religious affiliation interact with changes in LGBT rights and affect public opinion.

DATA AND METHODOLOGY

We gathered data on when and how legal changes occurred and combined them with survey data collected by LAPOP. We included a wide variety of LGBT rights in our analysis: the decriminalization of homosexuality, the right of openly LGBT individuals to serve in the military, the right of men who have sex with men to donate blood, protection against discrimination based on sexual orientation or gender identity, legal recognition of gender identity, the legalization of same-sex civil unions, legalization of same-sex marriage, and the right of same-sex couples to adopt children.⁴ We created dummy variables to indicate whether each of these civil rights was present in a country-year. For example, in Nicaragua, the Decriminalization of Homosexuality would be coded as 0 before 2008, and 1 for 2008 and later, reflecting the reforms of March 2008 in that country.

We combined the indicators for each type of civil rights into a broader measure that we call the Latin American Rainbow Index (LARI).⁵ We sum the indicator variables to construct the index; thus, the LARI is equal to the number of

LGBT rights in a given country-year.⁶ For each instance of a civil right being granted, we identified the actor responsible for the change, coding each as being implemented by legislative, presidential, or judicial action or by a popular referendum.⁷

Figure 1 shows our LARI for every country in Latin America since 2004.⁸ The general trend since that time has been a steady increase in equality and civil rights for the LGBT community. The average LARI for the region was less than 1.5 in 2004 and rose to almost 4.5 by 2020. Practically, this means that the typical country in Latin America gave legal recognition to gender identity, gave legal protection from discrimination based on sexuality, and legalized the donation of blood by men who have sex with men (the three most popular advancements during this 16 year period).⁹ There is substantial variation within individual cases, but nearly all show increases in civil rights over time. In some cases, the increases are quite dramatic. Brazil, for example, had the greatest increase in LGBT civil rights, from one in 2008 to eight by 2020. Overall, most countries saw at least some increase in civil rights during this period. Only two countries had no change: Paraguay and Guatemala.

Interestingly, trends appear to correlate with development. Countries with higher per capita income had the largest increases, and countries with lower per capita income have, on average, small or no increase in civil rights. The one exception is Colombia, where many of the advances came about because of action by the judiciary, often in the face of opposition from the executive and legislative branches. During this period, the Constitutional Court extended a series of rights to the LGBT community, notwithstanding efforts by some politicians to pass anti-LGBT legislation.

In order to estimate the effect of changes in the LARI on attitudes, we combined our data on changes in LGBT rights with data on Latin Americans' attitudes toward homosexuality collected by LAPOP, which conducts biennial public

3. Bishin et al. (2016, 626) define "backlash" as "a large, negative, and enduring shift in opinion against a policy or group that occurs in response to some event that threatens the status quo."

4. We compare results using the LARI with results when analyzing single policy issues in the appendix and do not find significant differences.

5. Notice that our index is concerned only with those rights granted to LGBT individuals. Honduras, Paraguay, and Bolivia have implemented constitutional bans on same-sex marriages. The public's response to restrictions on LGBT rights is an interesting question. Nonetheless, we focus on progressive changes in this article and leave negative changes to be explored by further research.

6. We chose an additive index for its simplicity and easy interpretability. We have examined the validity of this choice and found that our approach seems appropriate. Specifically, we examined alternative constructs of the LARI. We compared our results with a principal component analysis and found that a principal components index was correlated with the LARI at 0.96. We also calculated Cronbach's alpha for the components of the index and found a score of 0.74, generally considered respectable for constructing an index like this. Future scholarship might want to consider alternative measures of LGBT rights.

7. See the appendix for a table of legal changes, including dates and source of change.

8. Plots for each individual country can be found in the appendix.

9. These were passed in 11, eight, and eight countries, respectively. The two next most popular advancements were same-sex civil unions and marriage, passed in seven and six countries. The legalization of homosexuality is the most popular civil rights protection, present in 17 countries, but 15 of these countries legalized homosexuality before 2004.

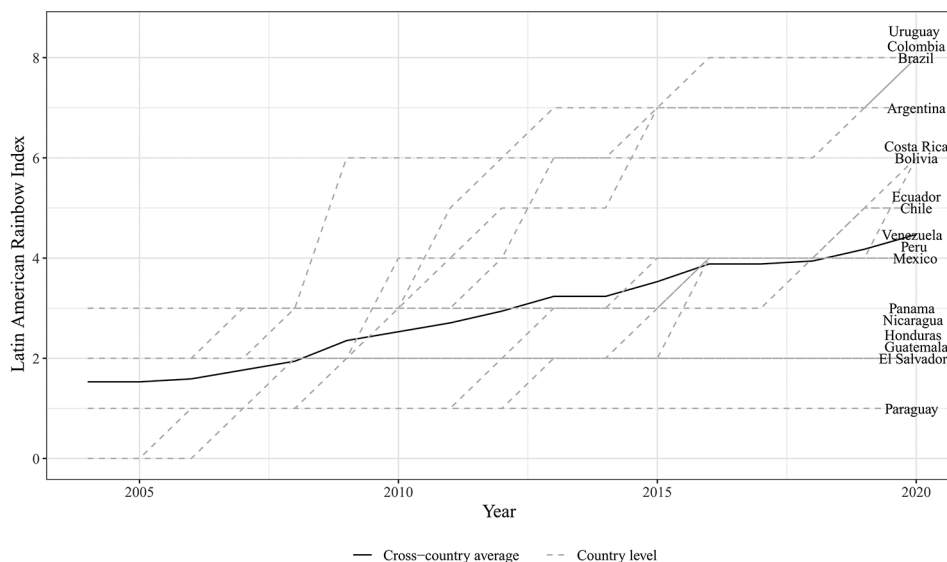


Figure 1. Latin American Rainbow Index, 2004–16

opinion surveys in the Americas.¹⁰ Of interest to us were the following questions. Run for Office: “And now, changing the topic and thinking of homosexuals, how strongly do you approve or disapprove of such people being permitted to run for public office?” Marry: “How strongly do you approve or disapprove of same-sex couples having the right to marry?” Respondents were asked to indicate their level of approval with a whole number between 1 and 10, with 1 being “strongly disapprove” and 10 being “strongly approve.” Respondents who chose “don’t know” or “not applicable,” who did not respond to the question, or who were not asked the question were coded as missing and excluded from our analysis.¹¹

Figure 2 shows the trend in our two dependent variables from the 2004/2005 to the 2018/2019 survey wave (2010/2011–2018/2019 for opinions on same-sex marriage, which was only added to the survey in 2010).¹² For both variables, there is a gradual increase in mean support for LGBT rights over that period. Mean support toward running for office was just 3.88 in the 2004/2005 survey wave but increased to 5.39 by the 2018/2019 wave. Regarding marriage equality, support was and remains lower than support for political rights. Mean

support was 3.46 during the 2010/2011 wave (compared to 4.91 for support toward running for office) and increased to 4.55 by the 2018/2019 wave. As these variables are measured on a 1–10 scale, this means that average scores were closer to strong disapproval of rights than to strong approval for nearly the entire period (the center of the theoretical distribution is 5.5). Country public opinion rankings partly diverge from LARI rankings. Some countries have similar placement in both opinion and policy (Uruguay, Argentina, Brazil), but in others, policy is far ahead of opinion (Colombia) or may lag opinion (El Salvador).

Figures 3 and 4 show the underlying distribution of responses to the “office” and “marriage” questions and reveal substantial opposition to basic LGBT rights.¹³ Both issues were, and remain, polarizing. The modal response for either question during either wave is “strongly disapprove.” The second-most-popular response is “strongly approve.” The majority of respondents in 2004/2005 did not approve of the right to run for office, but opinion has since shifted and by 2018/2019 was nearly evenly divided between approval and disapproval. The majority of respondents continue to disapprove of same-sex marriage, although the proportion of respondents that approve has increased substantially.

We test our hypotheses by estimating models of the following form:

$$Y_i = \hat{\beta}LARI_{g,t,-1} + \hat{\gamma}Z_i + \hat{\delta}T_i + \hat{\omega}G_i + \varepsilon_i,$$

10. See the appendix for a list of countries included in our study and the country-years in which each question was asked.

11. Ideally, we would have a much broader range of questions regarding attitudes about LGBT issues. In the absence of further measurements, however, our two dependent variables should be viewed as our best attempt to capture favorability to homosexuality and transgender policies in general. We compared results when examining individual survey responses with an index constructed by combining the individual measures. Results and details are presented in the appendix and are indistinguishable from those we put forward in the main body of this article.

12. Plots for each individual country can be found in the appendix.

13. Figures only include countries where the respective questions were asked in both waves.

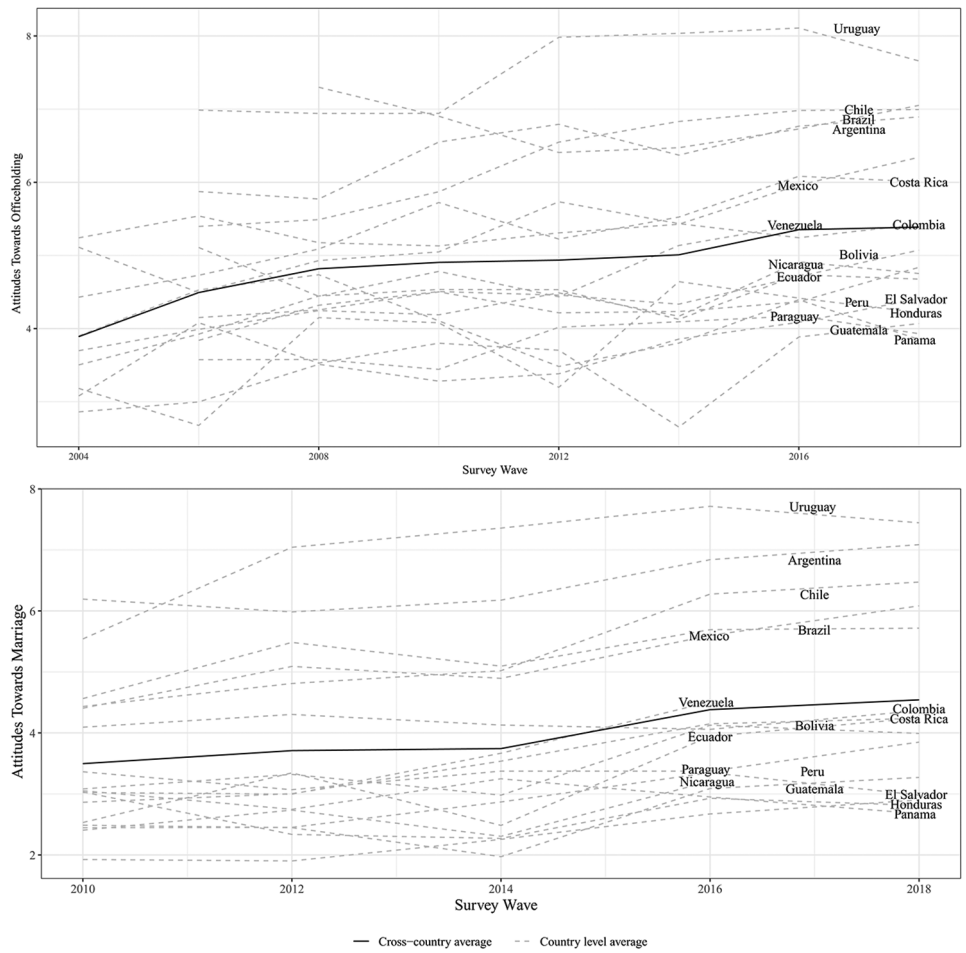


Figure 2. Mean attitudes toward LGBT rights, 2004-18

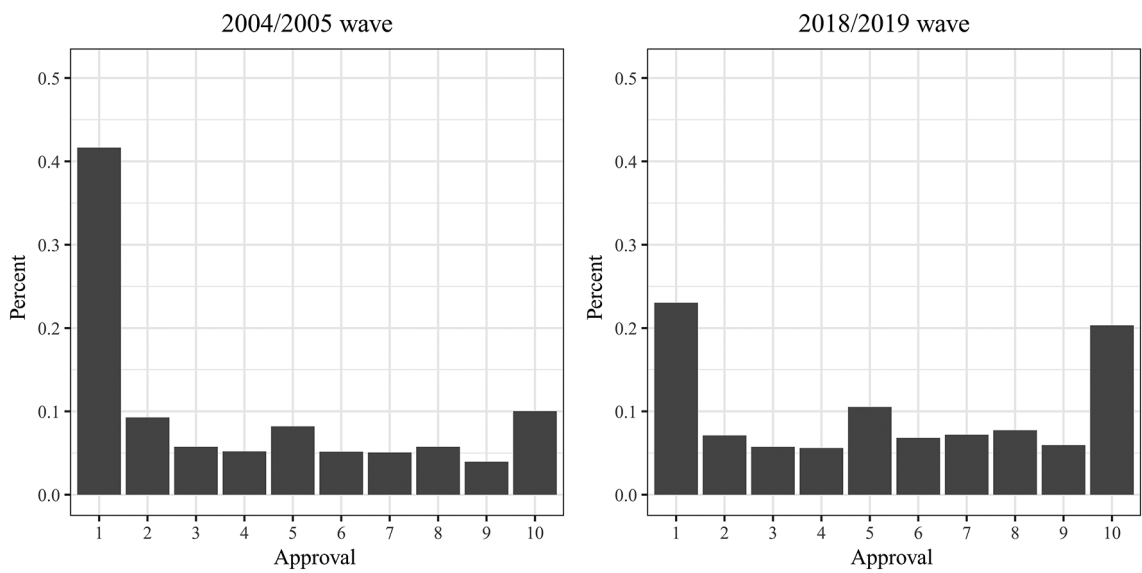


Figure 3. Approval of right to run for office

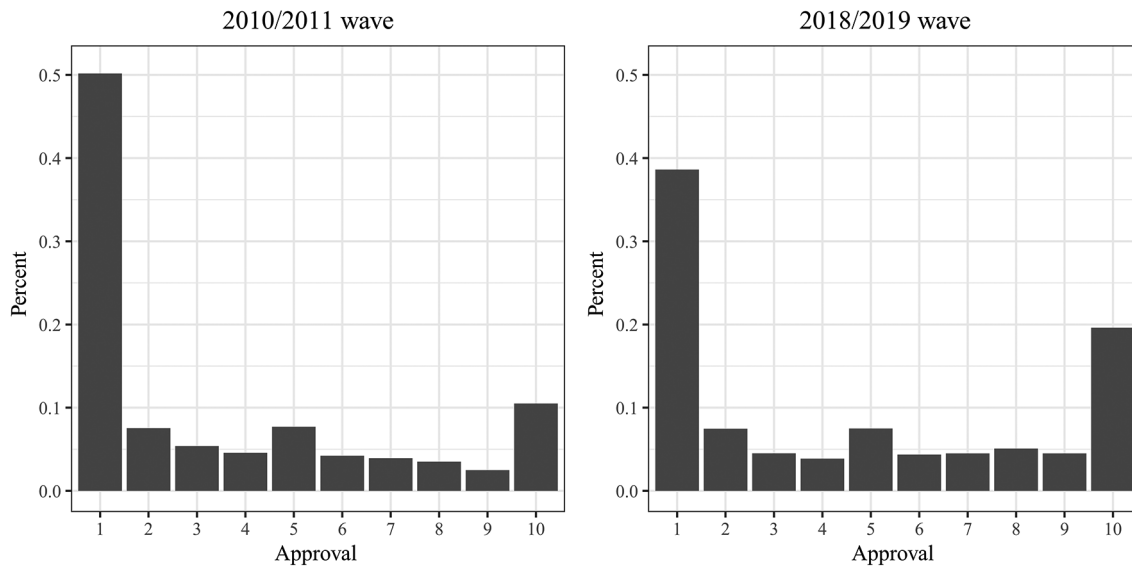


Figure 4. Approval of right to marry

where Y_i is the answer of respondent i ; g_i is the country of respondent i , and t_i is the year in which respondent i was surveyed; $LARI_{g_i,t_i-1}$ is the Latin American Rainbow Index for country g_i in year $t_i - 1$, our main independent variable; Z_i is a set of individual demographic control variables; T_i are indicator variables for year; and G_i are indicator variables for country. The quantity of primary interest is $\hat{\beta}$, the estimated change in public opinion in response to a change in LGBT rights. We used ordinary least squares (OLS) regression to estimate the models.¹⁴ This is a two way fixed effect regression that allows us to identify any overall movement in attitudes corresponding to a policy change, holding country and year specific confounders constant.¹⁵

Control variables (Z) included age, self-placement on a left-right ideological scale, indicator variables denoting whether the respondent was from a rural area and whether a respondent identified as female, frequency of attendance at political meetings on a scale of 1 (once a week) to 4 (never),

income, importance of religion, whether the respondent identified as evangelical, years of education, and frequency of paying attention to the news on a scale of 1 (daily) to 5 (never).

We also tested whether policy changes had differential effects on attitudes for some demographics. To do so, we estimated models with multiplicative interaction terms. In each of these models, we include the product of one of the controls (Z) with the lagged LARI. These allow us to estimate the effect of changes in the LARI on attitudes toward the LGBT community in the following year, while allowing for this effect to vary depending on respondents' characteristics and controlling for a variety of potential confounds.

The approach discussed above is effectively examining changes in average attitudes. We also examined whether extending rights resulted in polarization, which we measure using a respondent's absolute deviation from the country-year mean. To do this, we transformed our attitudinal variables, generating measures of dispersion. For each country-year, we calculate the arithmetic means of Run for Office and Marry and then calculate the absolute value of the difference between the response of each individual in that country-year and the mean response of that country-year. A positive association between the lagged LARI and these transformed variables would indicate that the typical respondent's attitudes are further from the average attitude when additional civil rights are granted, suggesting an increase in polarization. Notice that such an operationalization is testing for both extremism, as some scholars have defined polarization (e.g., Abramowitz and Saunders 1998, 2008), and a split in the population among two opposing groups, as others have conceptualized it (e.g., Fiorina and Abrams 2008).

14. Although our dependent variable is ordinal, the structure of our data poses challenges to using nonlinear models such as ordered logistic regression. In general, there is an incidental parameters problem when using fixed effects with such models that results in inconsistent estimates. There exist proposals for consistent estimators with one-way fixed effects, but we choose to use OLS because of the lack of literature on and software implementing consistent estimators with two-way fixed effects and bootstrap clustered standard errors. Interactions, their significance, and marginal effects are also easier to interpret using OLS.

15. To assuage potential concerns with power and group and time heterogeneity in the main effect, we also examined auxiliary mixed effects models that allow slopes to vary by country and year. Results from those analyses can be viewed in the appendix and are substantively identical to those we present here.

Four additional considerations deserve mention. One is the time frame during which a backlash might be expected to occur. We code a transformation as taking place in the year in which it was realized, regardless of when in the year that realization took place. For Nicaragua's March 2008 legalization of homosexuality, we code the variable Homosexuality Legal as 0 for 2007 and earlier and as 1 for 2008 and beyond. A more precise approach might leverage the exact day of the change and link this to survey data accordingly. In our case, we tested for the robustness of our approach by running several different time lags for when a backlash might occur, up to five years after the policy change. None of these results were substantively different from those presented herein, and all are available in the appendix.

Second, analyses such as the one we conduct in this article always raise the possibility of reverse causality—it could be that policy moved in response to public opinion. We find this alternative unlikely, as much of the changes observed were driven by the judiciary and not by the legislature or executive, which would have a stronger incentive to respond to public pressure. Nonetheless, we ran additional regressions reversing the lags between the dependent and independent variables. The results are shown in the appendix and are also null.

Third, given the polarized nature of LGBT issues, it may be that there was little room for opinions to become even more polarized after policy changes. This places an upper bound on our estimates of polarization.

Finally, the country-level nature of policy change introduces the possibility of heteroskedastic errors. In particular, the errors of respondents from the same country may be correlated. Given the relatively small number of countries,

robust clustered standard errors may be biased, and so we instead opt to use bootstrapped clustered standard errors (BCSE; Harden 2011).

RESULTS

Figures 5–9 show results for all tests. In each case, as we will see, there is no impact of policy backlash in public opinion, in aggregate or among key subconstituencies. In addition, there is little evidence of increased polarization among respondents.

Figure 5 shows main effects of increases in civil rights on support for gay marriage, support for gay office seeking, and polarization on each of those issues. Regarding support for gay marriage and gay office seeking, the estimated impact of an increase in civil rights is slightly positive and very close to zero in both cases (less than 0.1, when both outcomes are on a scale of 1–10). The confidence intervals are also wide, and effects are not statistically significant.

Regarding polarization, granting civil liberties slightly increases the variances of opinions on LGBT office seeking and same-sex marriage. However, in both cases the effects are very small and not statistically significant. Given the wide confidence intervals and the very small estimated effects, we believe these indicate effectively no change in public opinion in response to civil rights expansions for the LGBT community. If anything, a small positive effect seems more likely than backlash.

One possibility, however, is that changes in policy have varying impacts in different subconstituencies. Perhaps civil rights increase support in one group but decrease it in another. Consequently, aggregate results might hide heterogeneous changes in opinion. To test this possibility, we

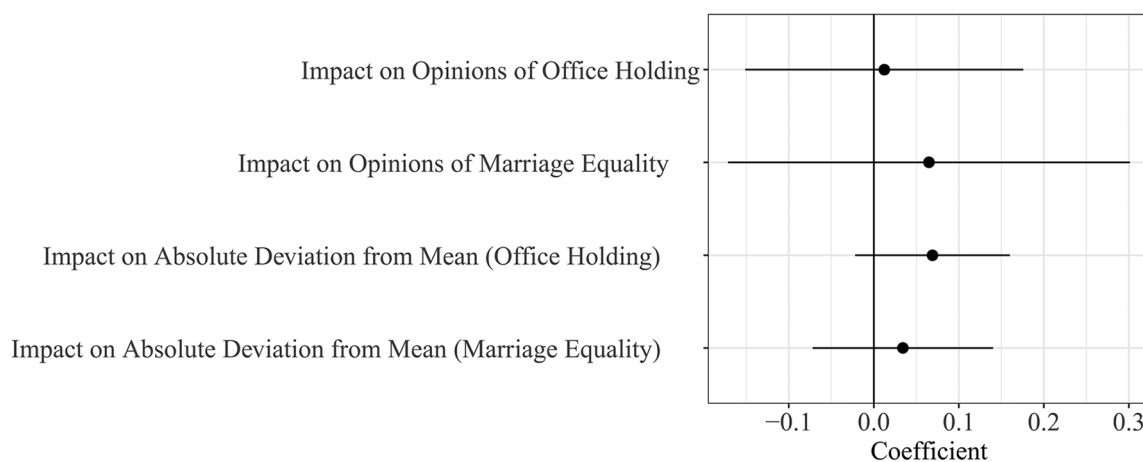


Figure 5. Estimated impact of a 1-unit change in the Latin American Rainbow Index on support for LGBT rights to marry and run for office in subsequent years, with 95% confidence intervals. Standard errors are clustered at the country level and calculated using bootstrapping. All models include year and country fixed effects and individual-specific controls. See the appendix for full results.

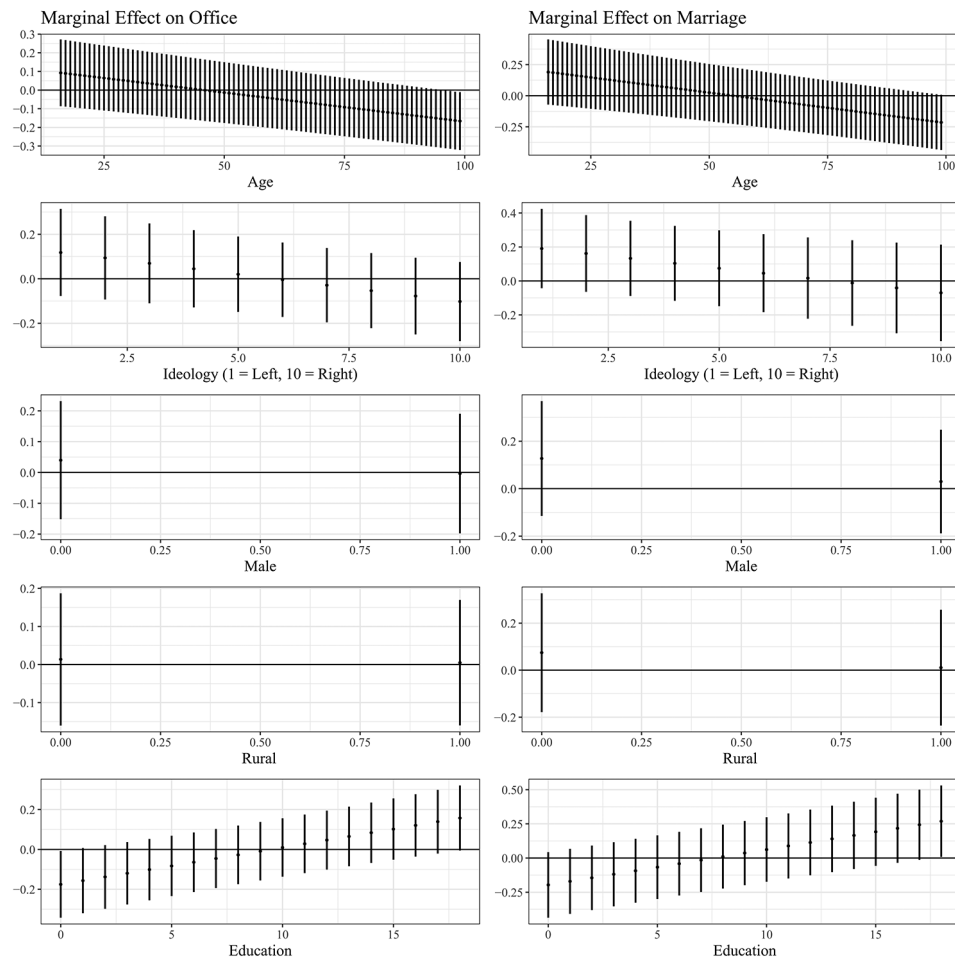


Figure 6. Marginal effect of civil rights and key covariates on support for LGBT rights to marry and run for office in subsequent years, with 95% confidence intervals. Standard errors are clustered at the country level and calculated using bootstrapping. All models include year and country fixed effects and individual-specific controls. See the appendix for full results.

interacted the LARI score with individual characteristics, including age, self-placed ideology, income, gender, news attentiveness, political activism, religiosity, evangelicalism, geography (urban vs. rural respondents), and education. Figures 6 and 7 show heterogeneity in responsiveness. Figures 8 and 9 show heterogeneity in polarization for the same variables.

From the first sets of interactions (figs. 6 and 7), there are weak and insignificant but consistent trends in support for LGBT rights. Younger respondents react favorably to LGBT rights, increasing support for same-sex marriage and LGBT office seeking; older respondents react negatively with decreased support in the wake of such policy changes. Similarly, more conservative respondents, on average, responded negatively to rights extensions, while more liberal (leftist) respondents saw an increase in support for same-sex marriage and LGBT office seeking after rights extensions. There is little impact of rural residency but an expected trend in education, in which higher education respondents react positively and low education respondents react negatively to change in

policy. The effect on opinions toward marriage is significant for the most highly educated individuals and insignificant on opinions toward running for office. Political activity, as measured by attendance at political meetings, is not an important dimension of heterogeneity. Income may be, with higher-earning individuals being more positively affected. Individuals who pay more attention to the news are estimated to have more negative reactions, as are evangelicals. Interestingly, religiosity does not seem to be an important dimension of heterogeneity for the effect on opinions toward running for office, but it is potentially important for the effect on opinions toward marriage. All of the patterns in figures 6 and 7 follow the expected trend. None, however, are statistically significant when using BCSE.

A second set of interactions in figures 8 and 9 test for polarization—whether some groups move farther from the country mean in response to changes in rights. Positive coefficients indicate an increase in polarization, while negative values indicate a decrease. In this case, there are some

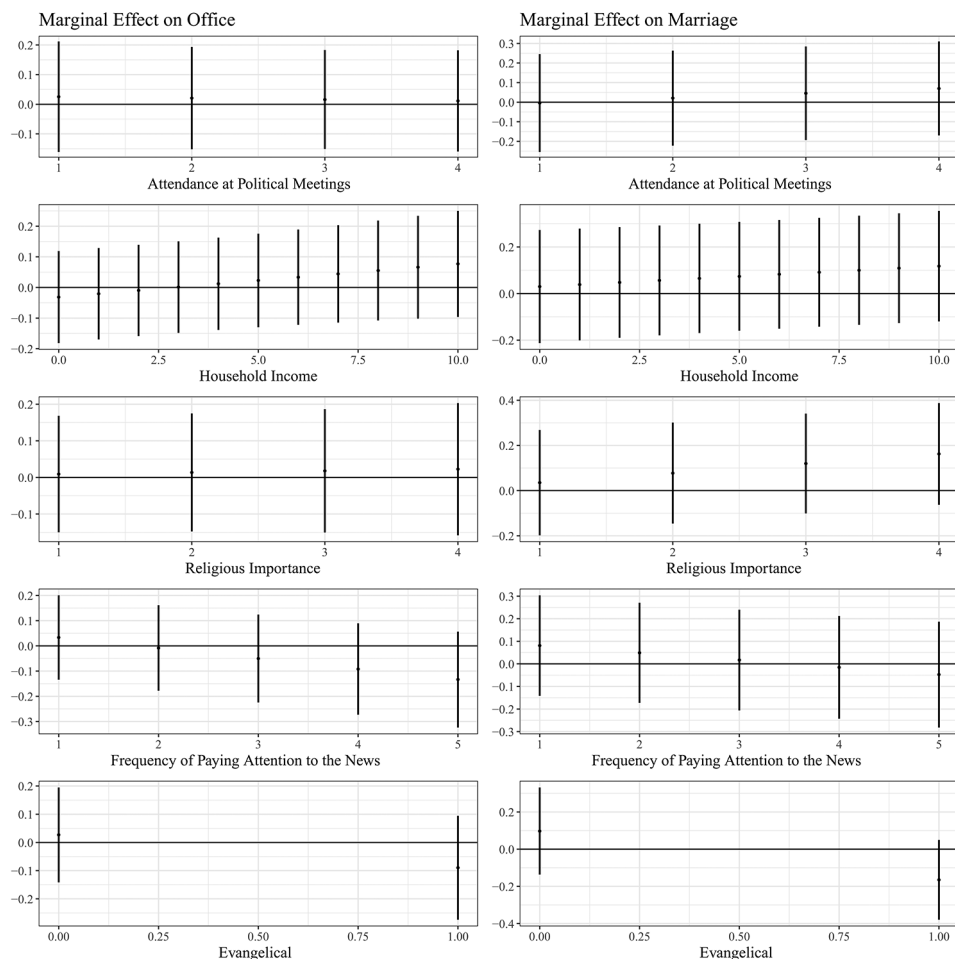


Figure 7. Marginal effect of civil rights and key covariates on support for LGBT rights to marry and run for office in subsequent years, with 95% confidence intervals. Standard errors are clustered at the country level and calculated using bootstrapping. All models include year and country fixed effects and individual-specific controls. See the appendix for full results.

significant estimates. One possible interpretation of these results and our positive (although insignificant) point estimates of the effect of policy change on average attitudes is that voters tend to become more favorable to LGBT rights, but the attitudes for some groups stagnate.

The estimated marginal effects on polarization for both outcomes is significant and positive for older individuals and for evangelicals. The effect on polarization of opinions toward running for office is also significant and positive for individuals with low education, with low income, and who pay more attention to the news, but the effect on polarization of opinions toward marriage is not significant for these same individuals. The estimated interaction is even of an opposite sign for frequency of paying attention to the news. Age, education, and income are also all highly correlated, so the interactions may be describing the same dimension of heterogeneity.

The results for evangelicals are particularly noteworthy, given recent scholarship suggesting the importance of evan-

gelicalism (Corrales 2020; Smith 2019). However, the estimates on polarization are still of a small magnitude (less than 0.2 on a scale of 1–10), and the estimated main effects for evangelicals presented in figure 7 are even smaller. Also note that even if these results are actually meaningful, they solely describe popular opinion and do not contradict earlier works that define backlash in terms of organizational capacity (e.g., Corrales 2020; Smith and Boas 2020).

Moreover, we caution against overindexing on “significant” results given the extreme number of models we have tested. Indeed, using the Benjamini-Hochberg (BH) procedure we fail to reject any null effect at $\alpha = .1$.¹⁶

16. The BH(α) controls the false discovery rate (FDR) at level α if the p -values are independent or positive regression dependent on a subset, which in this case they may not be. FDR control under dependency is an active research area with limited high-powered procedures, so many opt to use BH regardless of the dependence structure of their data. The Bonferroni correction controls for family-wise error rate at level α regardless of dependence structure, and the Benjamini-Yekutieli procedure (described in Benjamini

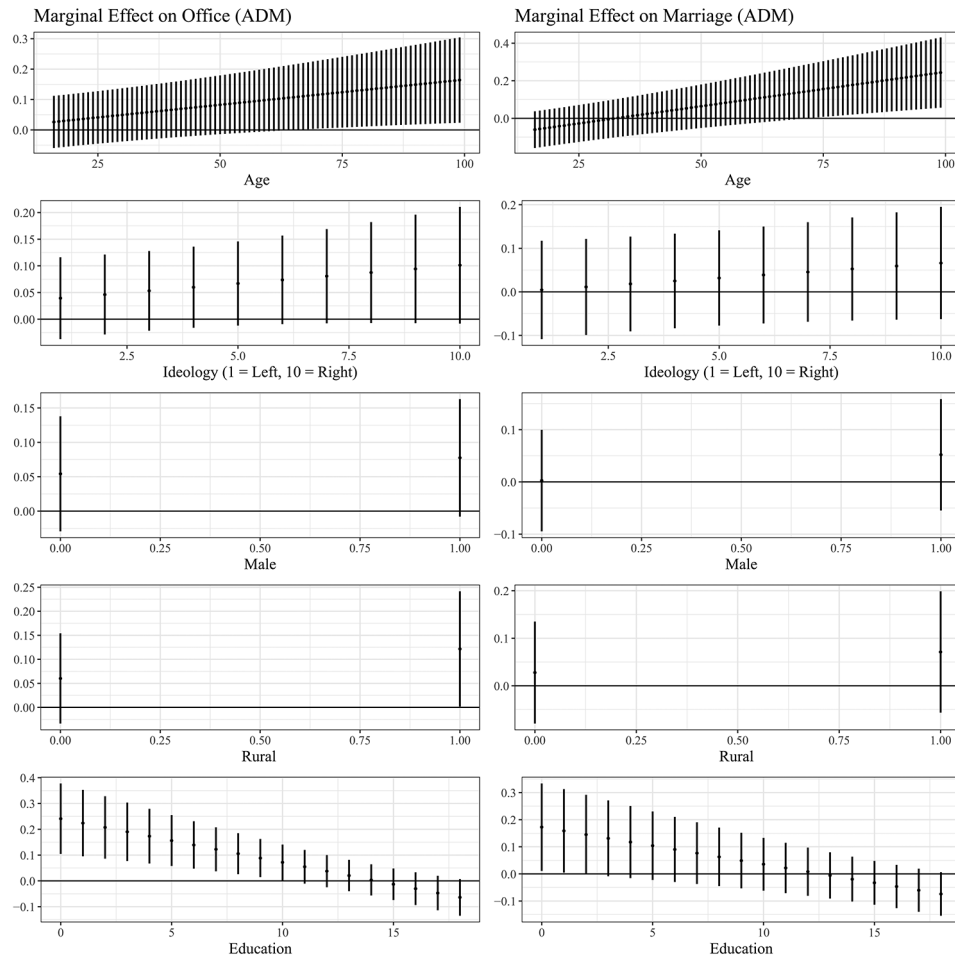


Figure 8. Marginal effect of civil rights and key covariates on polarization in support for LGBT rights to marry and run for office in subsequent years, with 95% confidence intervals. Dependent variable is respondent’s absolute distance from country-year mean attitude (ADM). Standard errors are clustered at the country level and calculated using bootstrapping. All models include year and country fixed effects and individual-specific controls. See the appendix for full results.

In sum, there is little evidence that extending civil rights has a significant impact on public opinion in Latin America, and our results are especially opposed to the theory of backlash. Our point estimates are very small and positive, with confidence intervals containing zero. Note that even if these were statistically significant (which they are not), they are substantively very small. We include the results from a myriad of robustness checks using alternative specifications in the appendix. In every case, the effect is substantively small and statistically insignificant. Results from the interaction models showed weak and insignificant trends, where older, less educated, more conservative, and evangelical respondents reacted negatively to increases in civil rights, while younger,

more educated, higher earning, more liberal, and evangelical respondents had positive reactions. Results from our interactive polarization models are significant for certain demographics, namely, for older, less educated, and lower income individuals and for evangelicals. It may be that there is a small increase in average opinion, while some groups’ opinions stagnate. However, we caution against the trap of selective inference and interpreting these results as evidence in favor of polarization. Our results are composed of many models, and confidence intervals have not been adjusted to address multiple testing. Using BH, we do not reject any null effects at the 10% level. Estimates are again of very small magnitude.

CONCLUSION

We asked, in this article, whether pushing for civil rights for specific minorities leads to backlash among the majority of the population. To answer this question, we examined the case of LGBT rights in Latin America. The countries in this

and Yekutieli [2001] and which is equivalent to BH with a more conservative critical value) controls FDR at level α , again for arbitrary dependence, but both methods are more conservative than $BH(\alpha)$. Thus, since we fail to reject any nulls with $BH(\alpha)$, we would also fail to reject with either Bonferroni or Benjamini-Yekutieli.

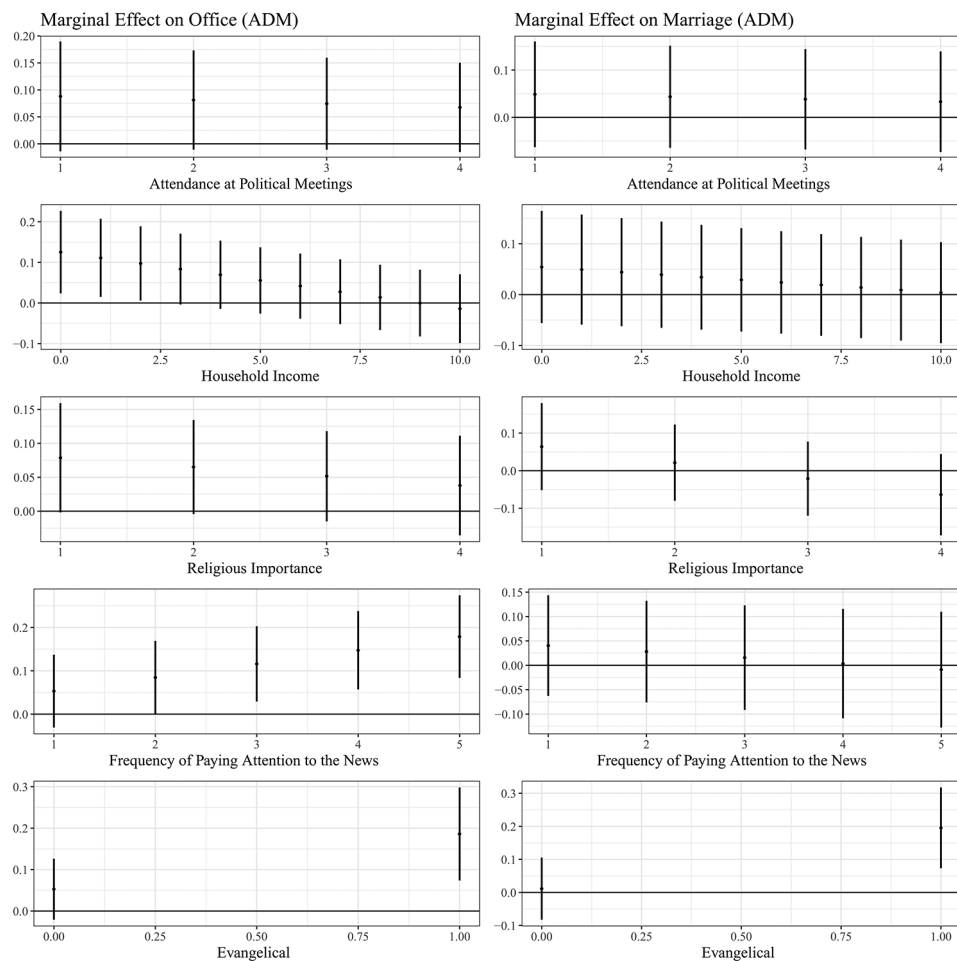


Figure 9. Marginal effect of civil rights and key covariates on polarization in support for LGBT rights to marry and run for office in subsequent years, with 95% confidence intervals. Dependent variable is respondent’s absolute distance from country-year mean attitude (ADM). Standard errors are clustered at the country level and calculated using bootstrapping. All models include year and country fixed effects and individual-specific controls. See the appendix for full results.

region are a particularly appropriate place for this test: while the LGBT community has acquired substantial rights over the last two decades, anti-LGBT politicians have been winning office, threatening these advances. Understanding how voters respond to policy changes has important implications for the future of the LGBT movement.

Our empirical strategy was to create a unique LGBT rights index for every Latin American country from 1992 to 2020, which we term the Latin American Rainbow Index (LARI). We then combined the LARI with over a decade of survey data from the region. We used OLS with the lagged LARI to estimate change in public opinion after an increase in civil rights. We find no evidence of backlash and little evidence of polarization. Our estimates are both substantively small and statistically insignificant—although, if anything, there is some evidence of a positive policy feedback loop.

We suggest four possible reasons for these results. First, we may simply be underpowered—we have too few countries to

detect a statistically significant effect. The fact that the results are consistent regardless of model specification and that the point estimates are substantively very small indeed makes us doubt that this is the case. Moreover, our results are consistent with similar analyses in other contexts (Bishin et al. 2016; Flores and Barclay 2016).

Another possibility is that attitudes on sexual matters, which are closely linked to one’s morality, are immutable and thus unmoved by policy change. Unfortunately, this is a difficult hypothesis to test with cross-sectional data. LAPOP’s surveys do not track the same set of respondents through the years. The fact that attitudes on the LGBT community are improving overall, however, makes us hesitate before embracing that attitudes on sexual behavior are so immutable. Nonetheless, experimental researchers should engage this argument before dismissing it.

A third possibility is that there is backlash but exclusively among elites. Such an effect was observed by Bishin

et al. (2020) in the United States. If so, it could be the case that political leaders anticipate a policy change before it happens and mobilize the public against it. In this case, we would not observe backlash after the change, as attitudes had been crystallized by then. This is an intriguing possibility that may be particularly well suited to qualitative analysis of how elites mobilized before these changes were implemented. Such an analysis is beyond the scope of this article, and, thus, we leave it as a future area for exploration. Nonetheless, we notice that, even if this were the case, any such mobilization was unsuccessful in preventing LGBT rights from being granted.

A final possible explanation is simply that the arrow of causality is going on the opposite direction; attitudes change first and, then, as a result, policy responds. This is what democratic theory would expect (Downs 1957; Key 1966). In other words, we are simply observing democracy working as predicted, with voters pushing for changes they deem to be of importance. According to this view, we should not expect to see results of granting civil rights, since voters already achieved what they wanted and thus dropped the issue. Nonetheless, our supplemental tests did not find significant results when the dependent and independent variables are reversed. In addition, were this the case, we would expect to see more extensions of rights through legislative and presidential action, or through referenda, instead of through judicial action.

We suggest several next steps in this agenda. One would be to extend our LARI to other countries and contexts beyond Latin America, in particular, to countries in the developing world and countries with different cultural and religious traditions. Our findings may of course be unique to Latin America. Likewise, looking at a broader range of issues than those we examined in this article could yield interesting results. In particular, we focus in this article on de jure changes in LGBT rights. A promising area for future research is to look at whether the public responds differently to de jure versus de facto civil rights. Third, we suggest experimental work to prime subjects on various policy possibilities and measure individuals' reactions. Such designs could isolate individual responses and provide additional evidence of whether there is an effect and, if there is an effect, its direction. Fourth, we cannot say anything about preference intensity. It may be that, even though policy changes do not create backlash or polarization on attitudes on LGBT issues, their relative salience is affected. Indeed, Smith and Boas (2020) show that questions surrounding sexuality have realigned party coalitions in Latin America. If extending rights increases salience but does not change mean attitudes, this might explain recent electoral outcomes. Finally, it may be the case that, as suggested by Claassen (2020), increasing civil rights leads to

support for authoritarian candidates, which may explain the resurgence of the right in Latin America.

Our results have empirical and theoretical consequences. Empirically, we hope that the LARI we created can help other scholars to further the study of the LGBT movement in the region. Theoretically, we find no evidence in favor of the argument that increasing civil rights leads to a backlash among a so-called silent majority, an argument that has been made since the fight for equality of African Americans in the United States.

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REFERENCES

- Abramowitz, Alan I. 1978. "The Impact of a Presidential Debate on Voter Rationality." *American Journal of Political Science* 22 (3): 680–90.
- Abramowitz, Alan I., and Kyle L. Saunders. 1998. "Ideological Realignment in the U.S. Electorate." *Journal of Politics* 60 (3): 634–52.
- Abramowitz, Alan I., and Kyle L. Saunders. 2008. "Is Polarization a Myth?" *Journal of Politics* 70 (2): 542–55.
- Andersen, Robert, and Tina Fetner. 2008. "Economic Inequality and Intolerance: Attitudes toward Homosexuality in 35 Democracies." *American Journal of Political Science* 52 (4): 942–58.
- Ball, Carlos A. 2005. "The Backlash Thesis and Same-Sex Marriage: Learning from *Brown v. Board of Education* and Its Aftermath." *William and Mary Bill of Rights Journal* 14:1493–538.
- Barabas, Jason. 2009. "Not the Next IRA: How Health Savings Accounts Shape Public Opinion." *Journal of Health Politics, Policy and Law* 34 (2): 181–217.
- Becker, Amy B. 2012. "Determinants of Public Support for Same-Sex Marriage: Generational Cohorts, Social Contact, and Shifting Attitudes." *International Journal of Public Opinion Research* 24 (4): 524–33.
- Becker, Amy B., and Philip Edward Jones. 2021. "Experience with Discrimination, Perceptions of Difference, and the Importance of Gender Conformity on Support for Transgender Rights." *Politics, Groups, and Identities* 9 (5): 1051–67.
- Becker, Amy B., and Dietram A. Scheufele. 2011. "New Voters, New Outlook? Predispositions, Social Networks, and the Changing Politics of Gay Civil Rights." *Social Science Quarterly* 92 (2): 324–45.
- Benjamini, Yoav, and Daniel Yekutieli. 2001. "The Control of the False Discovery Rate in Multiple Testing under Dependency." *Annals of Statistics* 29 (4): 1165–88.
- Bishin, Benjamin G., Justin Freebourn, and Paul Teten. 2020. "The Power of Equality? Polarization and Collective Misrepresentation on Gay Rights in Congress, 1989–2019." *Political Research Quarterly* 74 (4): 1009–23.
- Bishin, Benjamin G., Thomas J. Hayes, Matthew B. Incantalupo, and Charles Anthony Smith. 2016. "Opinion Backlash and Public Attitudes: Are

- Political Advances in Gay Rights Counterproductive?" *American Journal of Political Science* 60 (3): 625–48.
- Bishin, Benjamin G., Thomas J. Hayes, Matthew B. Incantalupo, and Charles Anthony Smith. 2020. "Elite Mobilization: A Theory Explaining Opposition to Gay Rights." *Law and Society Review* 54 (1): 233–64.
- Bonnefoy, Pascale, and Ernesto Londoño. 2017. "Sebastián Piñera Wins Chile's Presidential Election." *New York Times*, December 17. <https://www.nytimes.com/2017/12/17/world/americas/chile-presidential-election.html>.
- Broockman, David E., and Daniel M. Butler. 2017. "The Causal Effects of Elite Position-Taking on Voter Attitudes: Field Experiments with Elite Communication." *American Journal of Political Science* 61 (1): 208–21.
- Burnett, Raymond Christopher, and William M. Salka. 2009. "Determinants of Electoral Support for Anti-gay Marriage Constitutional Amendments: An Examination of 2006 Votes on Ballot Measures in the States." *Journal of Homosexuality* 56 (8): 1071–82.
- Claassen, Christopher. 2020. "In the Mood for Democracy? Democratic Support as Thermostatic Opinion." *American Political Science Review* 114 (1): 36–53.
- Colombotos, John. 1969. "Physicians and Medicare: A Before-After Study of the Effects of Legislation on Attitudes." *American Sociological Review* pp. 318–34.
- Corrales, Javier. 2017. "Understanding the Uneven Spread of LGBT Rights in Latin America and the Caribbean, 1999–2013." *Journal of Research in Gender Studies* 7 (1): 52–82.
- Corrales, Javier. 2020. "The Expansion of LGBT Rights in Latin America and the Backlash." In Michael J. Bosia, Sandra M. McEvoy, and Momin Rahman, eds., *The Oxford Handbook of Global LGBT and Sexual Diversity Politics*. New York: Oxford University Press, 185–201.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper & Row.
- Encarnación, Omar G. 2011. "Latin America's Gay Rights Revolution." *Journal of Democracy* 22 (2): 104–18.
- Encarnación, Omar G. 2018. "The Trumpification of the Latin American Right." *Foreign Policy*, April 16. <https://foreignpolicy.com/2018/04/16/the-trumpification-of-the-latin-american-right/>.
- Fejes, Fred. 2016. *Gay Rights and Moral Panic: The Origins of America's Debate on Homosexuality*. Dordrecht: Springer.
- Fiorina, Morris P., and Samuel J. Abrams. 2008. "Political Polarization in the American Public." *Annual Review of Political Science* 11:563–88.
- Flores, Andrew R., and Scott Barclay. 2016. "Backlash, Consensus, Legitimacy, or Polarization: The Effect of Same-Sex Marriage Policy on Mass Attitudes." *Political Research Quarterly* 69 (1): 43–56.
- Gabel, Matthew, and Kenneth Scheve. 2007. "Estimating the Effect of Elite Communications on Public Opinion Using Instrumental Variables." *American Journal of Political Science* 51 (4): 1013–28.
- Green, James N. 1999. *Beyond Carnival: Male Homosexuality in Twentieth-Century Brazil*. Chicago: University of Chicago Press.
- Grose, Christian R., Neil Malhotra, and Robert Parks Van Houweling. 2015. "Explaining Explanations: How Legislators Explain Their Policy Positions and How Citizens React." *American Journal of Political Science* 59 (3): 724–43.
- Gstalter, Morgan. 2019. "Brazil's New President Removes LGBT Concerns from Human Rights Ministry." *Hill*, January 2. <https://thehill.com/policy/international/human-rights/423594-brazils-new-president-removes-lgbt-concerns-from-human>.
- Gusmano, Michael K., Mark Schlesinger, and Tracey Thomas. 2002. "Policy Feedback and Public Opinion: The Role of Employer Responsibility in Social Policy." *Journal of Health Politics, Policy and Law* 27 (5): 731–72.
- Harden, Jeffrey J. 2011. "A Bootstrap Method for Conducting Statistical Inference with Clustered Data." *State Politics and Policy Quarterly* 11 (2): 223–46.
- Herek, Gregory M. 1984. "Beyond 'Homophobia': A Social Psychological Perspective on Attitudes toward Lesbians and Gay Men." *Journal of Homosexuality* 10 (1–2): 1–21.
- Hooghe, Marc, and Cecil Meeusen. 2013. "Is Same-Sex Marriage Legislation Related to Attitudes toward Homosexuality?" *Sexuality Research and Social Policy* 10 (4): 258–68.
- Jaspers, Eva, Marcel Lubbers, and Nan Dirk De Graaf. 2007. "'Horrors of Holland': Explaining Attitude Change towards Euthanasia and Homosexuals in the Netherlands, 1970–1998." *International Journal of Public Opinion Research* 19 (4): 451–73.
- Johnson, Martin, Paul Brace, and Kevin Arceneaux. 2005. "Public Opinion and Dynamic Representation in the American States: The Case of Environmental Attitudes." *Social Science Quarterly* 86 (1): 87–108.
- Key, Valdimer Orlando. 1966. *Responsible Electorate*. Cambridge, MA: Belknap.
- Kite, Mary E. 1984. "Sex Differences in Attitudes toward Homosexuals: A Meta-Analytic Review." *Journal of Homosexuality* 10 (1–2): 69–81.
- Klarman, Michael J. 1994. "How Brown Changed Race Relations: The Backlash Thesis." *Journal of American History* 81 (1): 81–118.
- Klarman, Michael J. 2012. *From the Closet to the Altar: Courts, Backlash, and the Struggle for Same-Sex Marriage*. Oxford: Oxford University Press.
- Kreitzer, Rebecca J., Allison J. Hamilton, and Caroline 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.
- Lax, Jeffrey R., and Justin H. Phillips. 2009. "Gay Rights in the States: Public Opinion and Policy Responsiveness." *American Political Science Review* 103 (3): 367–86.
- Lenz, Gabriel S. 2013. *Follow the Leader? How Voters Respond to Politicians' Policies and Performance*. Chicago: University of Chicago Press.
- Lublin, David. 2005. "The Strengthening of Party and Decline of Religion in Explaining Congressional Voting Behavior on Gay and Lesbian Issues." *PS: Political Science and Politics* 38 (2): 241–45.
- Lugg, Catherine A. 1998. "The Religious Right and Public Education: The Paranoid Politics of Homophobia." *Educational Policy* 12 (3): 267–83.
- Minozzi, William, Michael A. Neblo, Kevin M. Esterling, and David M. J. Lazer. 2015. "Field Experiment Evidence of Substantive, Attributional, and Behavioral Persuasion by Members of Congress in Online Town Halls." *Proceedings of the National Academy of Sciences* 112 (13): 3937–42.
- Navarro, María Camila, Jaime Barrientos, Fabiola Gómez, and Joaquín Bahamondes. 2019. "Tolerance of Homosexuality in South American Countries: A Multilevel Analysis of Related Individual and Sociocultural Factors." *International Journal of Sexual Health* 31 (3): 257–68.
- Olson, Laura R., Wendy Cadge, and James T. Harrison. 2006. "Religion and Public Opinion about Same-Sex Marriage." *Social Science Quarterly* 87 (2): 340–60.
- Pacheco, Julianna. 2013. "Attitudinal Policy Feedback and Public Opinion: The Impact of Smoking Bans on Attitudes towards Smokers, Secondhand Smoke, and Antismoking Policies." *Public Opinion Quarterly* 77 (3): 714–34.
- Redman, Shane M. 2018. "Effects of Same-Sex Legislation on Attitudes toward Homosexuality." *Political Research Quarterly* 71 (3): 628–41.
- Rennó, Lucio R. 2020. "The Bolsonaro Voter: Issue Positions and Vote Choice in the 2018 Brazilian Presidential Elections." *Latin American Politics and Society* 62 (4): 1–23.
- Reynolds, Andrew. 2015. "Why Does the Republican Party Still Oppose LGBT Rights?" *Washington Post*, June 18. <https://www.washingtonpost.com/news/monkey-cage/wp/2015/06/18/why-does-the-republican-party-still-oppose-lgbt-rights/>.

- Salka, William M., and Raymond Christopher Burnett. 2012. "Determinants of Electoral Support for Anti-gay Marriage Constitutional Amendments: An Examination of Ballot Issues in California and Florida." *Sexuality and Culture* 16 (1): 59–75.
- Scheepers, Peer, Manfred Te Grotenhuis, and Frans Van Der Slik. 2002. "Education, Religiosity and Moral Attitudes: Explaining Cross-National Effect Differences." *Sociology of Religion* 63 (2): 157–76.
- Smith, Amy Erica. 2019. *Religion and Brazilian Democracy: Mobilizing the People of God*. Cambridge: Cambridge University Press.
- Smith, Amy Erica, and Taylor C. Boas. 2020. "Religion, Sexuality Politics, and the Transformation of Latin American Electorates." Unpublished manuscript.
- Soss, Joe. 1999. "Lessons of Welfare: Policy Design, Political Learning, and Political Action." *American Political Science Review* 93 (2): 363–80.
- Soss, Joe, and Sanford F. Schram. 2007. "A Public Transformed? Welfare Reform as Policy Feedback." *American Political Science Review* 101 (1): 111–27.
- Staples, Louis. 2018. "What Brazil's Election of the Far-Right's Bolsonaro Means for LGBTQ People." Dazed, November 5. <https://www.dazeddigital.com/politics/article/42099/1/brazil-election-far-right-jair-bolsonaro-homophobia-lgbtq-people>.
- Van den Akker, Hanneke, Rozemarijn Van der Ploeg, and Peer Scheepers. 2013. "Disapproval of Homosexuality: Comparative Research on Individual and National Determinants of Disapproval of Homosexuality in 20 European Countries." *International Journal of Public Opinion Research* 25 (1): 64–86.
- Wlezien, Christopher. 1995. "The Public as Thermostat: Dynamics of Preferences for Spending." *American Journal of Political Science* 39 (4): 981–1000.