

**Public Opinion, Policy, and Evangelicals: How Religion Continues to Impact
Life in America**

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Abstract: Understanding the determinants that shape public opinion and policy preference requires a thoughtful examination of social identity. In the United States, religion has not only been a power force for group formation, but has had a consistent impact on individual opinion. To explore the role of social identity on public opinion, I primarily examine the policy preferences of Evangelicals. First, I examine whether Evangelicals and gun owners are more punitive and aggressive in their attitudes towards the death penalty and the use of military force against militant Muslim groups. Second, I explore if Evangelicals perceive discrimination against Christians, their support for the religious rights frame, and policy preferences for out-groups. Finally, using the policy diffusion framework, I examine whether or not the number of Evangelicals affects the passage of Religious Freedom Restoration Acts across the states. My findings suggest that social identity does impact public opinion and policy preference. Furthermore, religious social identity still impacts life in American.

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Chapter One

Is the United States' Religious Past Framing its Future¹?

Introduction

There is a connection between politics and religion in the United States. One foreign observer remarked that the United States had the “soul of a church” (Chesterton 1922). Today surveys indicate that anywhere between half and two thirds of adults in America are affiliated with either a church, or denomination (Kosmin and Keysar 2006, 24; Winseman 2005). Of course, there are pros and cons to the role religion can play in public life, including politics.

Moreover, in a democracy where we expect the rights of groups to be protected, where is the line between protecting religious liberty and preventing religion-based discrimination? The founders saw fit to include in the first amendment to the Constitution, a protection of the free exercise of religion, and yet, simultaneously forbade the establishment of a state-run church. Ideally, these provisions of the Constitution were inserted to protect religious minorities from a tyrannical religious majority. Ironically, in the twenty-first century, religious liberty is in conflict with minority rights. Even at the founding, Americans have struggled to maintain a balance between religious good and bad.

A current example is manifest in the Supreme Court case, *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*. The case involves a baker, Jack C. Phillips, who refused to make a wedding cake for a gay couple. Phillips's attorney argued that forcing him to make a cake undermines Phillips religious liberty. The cake represents an art form that Mr. Phillips cannot, in good conscience, provide for a ceremony which he understands to be against God's commandments. David Mullins and Charlie Craig, the couple, were humiliated and deeply hurt

¹ Historian Mark Noll said that America's religious past frames its future (Noll 2003).

by the refusal. However, the bigger problem is that by siding with Mr. Phillips, the court might undue years of civil rights progress (Liptak 2017).

This court case provides a clear example of how the policy interest and behaviors of an individual or religious organization can have enormous effects on policy decisions, laws, and the lives of Americans. Debate over the conflict of protecting both religious liberty and civil rights is only one example of the role that religion is destined to play in the coming years. As such, researchers should take greater time to investigate the role of religion in American politics.

Historic Role

It is difficult to distinguish the exact role of religion in American society. The ambiguity breeds conflict between opposing visions. Some argue that religion is the most fundamental liberty enshrined in the Constitution (Gunn and Witte 2012). Not only is it an important right, but as the argument goes, one so venerated, that it appears in the first amendment to the Bill of Rights. Another vision comes from a completely contrasting understanding. Some fear the role of religion in society (Blogowska and Saroglou 2011; Pichon and Saroglou 2009). Likewise, the founders insisted on the separation of church and state (see Jefferson's Virginia Statute of Religious Freedom). The founders were familiar with battles between Catholics and Protestants in Europe as well as struggle that the colonies had with the Church of England (Fowler et al. 2010). Conflicts between conceptualizations of the role of religion continued to influence politics in America.

Some political scientists argue that the separation of church and state has led to increased religious pluralism (Fowler et al. 2010). Since there was no state religion, people have been left free to explore different options and find what works best for them. Options came from both religious entrepreneurs (Marty 1985) and immigrants (Eck 2001) who created what has become

known as the religious marketplace (Ruthven 1989). The free market place of religious thought generated a lot of religious excitement in the nineteenth century (Noll and Harlow 2007).

Even with the United States' history of religious freedom and pluralism, religious persecution still found its way into the nation. Protestantism had a large influence on early U.S. society and feared the rise of other religious movements. This point can be best illustrated by the rise of a U.S. based religious movement in the early nineteenth century. The Church of Jesus Christ of Latter-day Saints (LDS), often referred to as Mormons, trace their founding back to a vision given to their first leader, Joseph Smith. Smith claimed to have seen God and Jesus Christ in a grove near his childhood home at the age of fourteen. He claimed further revelation from an angel who told Smith about golden plates recording the religious history of the Ancient Americas. Smith claimed to translate this record into the Book of Mormon (Ahlstrom 1972, 501-509).

The LDS church was met with instant religious persecution which, in part, was due to its theologically different approach to Christianity (Givens 2013). The early Mormon church practiced polygamy, brought new immigrants to join their movement from Europe, and created communities that rivaled those around them in size and political power (Taylor and Arrington 1958). Mobs chased the Mormons from state to state, and eventually killed the Mormon Prophet Joseph Smith. Brigham Young, the second Mormon religious leader moved his people across the plains to Utah, where they would continue to face pressures to change from the U.S. government (Ahlstrom 1972, 501-509; Fowler et al 2010, 7-8).

The LDS movement was not the only example of religious persecution in the United States. The nineteenth century also saw the growth of the Catholic population in the United States. Waves of immigrants from Catholic countries such as Ireland, Italy, and Poland led to

sharp contention between Catholics and Protestants (Layman 2001). Fights over education policy epitomize this conflict. Protestants fought hard against state funding for Catholic schools (Mahoney 2003). This split significantly shaped American political history, in part, through the development of a religious partisan divide. Within the Republican and Democratic parties today we still see lingering effects from the nineteenth century division (Layman 1997).

Then as now, the concept of religious freedom meant different things depending on who you talked to. In the twenty-first century Christians in the U.S. are in greater harmony with each other, at least compared to the past. Yet, the allusive meaning of religious freedom still conjures up conflict between the Christians and other minority groups. For instance, studies show that the public has low opinions of Muslims (Penning 2009). In fact, evidence from a national survey showed that 33.5 percent of Americans would disapprove of a child wanting to marry a Muslim (Edgell, Gerteis, and Hartmann 2006).

However, cultural conflict does not just exist between religious believers. In the same study, Americans disapproved more of a child wanting to marry an atheist (47.6 percent) than a Muslim (Edgell, Gerteis, and Hartmann 2006). Negative public opinion can act as a barrier for political activity. For instance, more Americans have indicated that they would refuse to elect a well-qualified atheist for President than any other group (Jones 2007). These studies show the social and political impacts that can arise from not being religious.

It is important to note that these current struggles are situated in a context informed by more recent history. This context centers on social and cultural revolution. In 1957, Gallup pollsters found that 69 percent of Americans felt that “religion is increasing its influence on American life” (Putnam and Campbell 2010, 90). In the sixties, a cultural shift took place, including the questioning of historic Judeo-Christian theism (Ahlstrom 1972). This can be seen

in the development of “the Pill”, Vatican II, the protests surrounding the Vietnam War, the rise in drug use, and even many of the movements such as the women’s liberation movement, and the environmental and gay rights movements (Putnam and Campbell 2010, 91).

Perhaps, the most significant changes occurred in the wake of the sexual revolution. Putnam and Campbell (2010, 92-93) claim that in 1969, 24 percent of Americans believed that premarital sex was “not wrong”. In 1973, this number increased to 47 percent and has continued to increase over time. Then, amid these social and cultural changes, the Supreme Court decided in the 1973 case, *Roe v. Wade*, that the Constitution protected the right to privacy. The decision to protect a woman’s right to choose whether or not to have an abortion has led to the greatest cultural battle in recent history (see Roh and Haider-Markel 2003; Minkenberg 2002; Mooney and Lee 1995).

In response to changes in the sixties, what has been coined as an aftershock, led to the formation of religious conservatism as seen today (Putnam and Campbell 2010, 91-133). As stated above, religious groups have historically aligned with political parties to exercise their political will. Yet in the 1970s and 1980s this took a new turn. Those who were conservative in both politics and religion started to join with Evangelical Protestant denominations. The religious right began fighting against abortion, drugs, pornography, and other policies they felt were cultural ills (see Meier 1994; Morone 2003).

The pendulum swung again in the 1990s and 2000s. Political scientists found that American voters were increasingly alarmed by the role religious organizations were playing in politics (Bolce and De Maio 1999). The percent of Americans who felt that religious leaders were too influential in their congregation’s political decisions increased from 22 percent in 2001 to 34 percent in 2008 (Chaves 2011). Terms like the “Religious Right” and “Christian Right”

captured this union between conservatives in religion and politics. Evangelical Protestants role in politics epitomize this merger.

The United States has a unique history, which in part, has to do with the decision of the founders to enshrine into the Constitution a separation between church and state. We have seen how this has led to religious pluralism, which in turn, has fostered conflict between religious organizations. The emergence of the Religious Right in the seventies and eighties created religious and political conflict between conservatives and the rest of society. In the twenty-first century, we continue to see conflict between religious movements and minority groups.

Research has yet to fully address state Religious Freedom Restoration Acts (RFRA) as a major realm of conflict between religious freedom and anti-discrimination. The line between the two has brought increased tension between the Religious Right and the LGBT rights movement.

Contemporary Conflict: Religious Freedom and LGBT Discrimination

Gay, Lesbian, Bisexual and Transgender (LGBT) individuals likewise face discrimination in the name of religious liberty. Several states have received a lot of attention from politicians, the media, special interests, and even celebrities for proposing state Religious Freedom Restoration Acts (RFRA). RFRA have been framed as needed protection for religious expression by some interest groups and religious organizations. Others are afraid that state RFRA will lead to the legalization of discrimination (see Hamilton 1998). Yet these state policy battles are not the first attempt by religious organizations to guarantee greater protection to religious liberty.

In the early 1990s, frustration with the Supreme Court's rulings on the Free Exercise Clause came to a breaking point over a decision about religious practices (see Hamilton 1998). The decision reached in *Employment Division, Department of Human Resources of Oregon v.*

Smith was particularly frustrating to these religious organizations. The Court found that the state of Oregon could deny unemployment benefits to an individual for smoking peyote (*Employment Div. v. Smith* 1990). Oregon prohibited the use of peyote but Smith argued that this violated his first amendment right because the peyote was part of a religious ritual.

In response to this decision, a coalition of churches petitioned Congress for added protection for religious exercise (see Laylock 1993). Pro-life groups such as the National Association of Evangelicals, the Christian Life Commission of the Southern Baptist Convention, the Church of Jesus Christ of Latter-day Saints, U.S. Catholic Conference, and the Home School Legal Defense Fund² were some of the most ardent supporters for congressional interference. In 1993, Congress gave these groups what they wanted by passing the federal Religious Freedom Restoration Act. The act put greater responsibility on the government to show that a law did not target religious expression. RFRA protected religious liberty unless government could show a compelling interest but, the government still had to use the least restrictive means to serve its interest (RFRA 1993, 103d). Soon thereafter, the Catholic Archbishop of San Antonio, Patrick Flores, brought suit against the City of Boerne for refusing his petition to expand his church. City of Boerne officials cited its historic preservation law, noting that the church was in a historic district and was a contributing property (*City of Boerne v Flores* 1997).

The case was shepherded through the court system by the religious coalition that promoted the passage of RFRA. They would be disappointed once again by the Supreme Court's decision. Not only did the Court rule in favor of the City of Boerne but ruled RFRA to be

² (See, e.g., The Religious Freedom Restoration Act: Hearing on S. 2969 Before the Senate Comm. on the Judiciary, 102d Cong., 2d Sess. 154 (Restoring Religious Liberty in America: An Analysis of the Religious Freedom Restoration Act by Coalitions for America) (full text on file with the B.Y.U. Law Review); Religious Freedom Restoration Act of 1991: Hearings on H.R. 2797 Before the Subcomm. On Civil and Constitutional Rights of the House Comm. on the Judiciary, 102d Cong., 2d Sess. 10 (1992) [hereinafter House Hearings] (statement of Robert Dugan, Jr., Director, Office of Public Affairs, National Association of Evangelicals); *id.* at 23 (statement of Elder Dallin H. Oaks, Quorum of the Twelve Apostles, The Church of Jesus Christ of Latter-day Saints).

unconstitutional in the process (*City of Boerne v Flores* 1997, 2172). Before the Boerne decision only two states, Connecticut and Rhode Island had adopted RFRA of their own. Since 1998, nineteen other states have adopted a RFRA (Johnson and Steinmetz 2015). .

At the same time, several cities and states have non-discrimination ordinances that protected minorities from prejudice from small business owners (Ricucci and Gossett 1996). Currently, the Supreme Court is hearing a case where a baker was sued by the state of Colorado for refusing to customize an order for a gay couple. This is certainly not the first case of its kind to be heard by the courts. Once again, the question arises: what exactly is the role of religion and religious freedom in the United States? All freedoms are limited to some degree. Religious liberty is no different. Where society should allow that line to be drawn, is a debate for the coming years.

Research Design

Broadly, this dissertation will focus on the role of religion in American Politics. Chapter Two will lay a foundation to this work by showing that religious identity is associated with policy preferences. To do this, I will focus on the distinct policy preferences of Evangelical Christians. It will be shown that Evangelical policy preferences become more distinct when individuals identify with multiple groups that share policy preferences. In this case, I will be using gun ownership as a second social identity. I theorize that the added support is due to social reinforcement and psychological homogeneity.

I propose investigating opinions on the use of military force in conflicts in the Middle East and on the death penalty. These two policy areas are ideal because research is split on the impact religion has in each of them. Putnam and Campbell (2010, 386) find that religiosity matters on attitudes about abortion and gay marriage, but less so on matters of foreign policy.

They find no support that religiosity effects opinion on the death penalty. This study, however, did not break religious denominations into religious traditions, thereby cloaking differences between Evangelical Protestants and other traditions.

Chapter two relies on survey data to investigate the combined role of religion and gun ownership. The 2016 American National Election Survey (ANES) asks respondents whether they have a gun in their home. They follow up by asking whether the gun belongs to the respondent or someone else. I will use this in combination with questions on religious affiliation as my independent variable. The ANES asks respondents, “What is your present religion, if any?” My dependent variable will be support for military force and the death penalty. ANES asks if the respondent “favors, opposes, or neither favor nor oppose the death penalty for persons convicted of murder?” I expect to find that Evangelical Protestants who own guns will be more likely to support the use of violence, military force, or harsh penalties, to address problems or infractions.

Chapter three seeks to address the question: What is meant by religious freedom? In the 1990s, religious groups banded together to oppose a series of Supreme court decisions that they felt harmed the right to free exercise of religion (Laylock 1993). Since then, Evangelicals have only increased their support for federal and state legislation to affirm the right to religious freedom. I will use data from the Public Religion Research Institute (PRRI) to show that Evangelicals are particularly supportive of the fight for religious freedom. I will also address which policies they believe fall under the protection of religious freedom.

I will conclude by theorizing what is meant by religious freedom. The French observer, Alexis de Tocqueville, notes the influence of the United States’ Puritan heritage when addressing early America’s conceptualization of freedom. Freedom did not necessitate allowing individuals to do whatsoever they pleased, rather, provided the opportunity for individuals to do that which

was good and right (Mansfield and Winthrop 2000). This insight to American religious culture could provide insight into what is meant by religious liberty and freedom by the Religious Right.

In chapter four, I will be addressing American politics and policy from a higher-level. I will address the question: what effects do religious groups and public opinion has on policy adoption? Specifically, I will employ the theory of policy diffusion to understand why some states adopt Religious Freedom Restoration Acts (RFRA), while others do not. I gather state level data to test the hypothesis that religion plays a role in RFRA adoption. The dependent variable will be whether a state adopted a RFRA. Independent variables include: religiosity, citizen ideology, legislative ideology, governor's ideology, and evangelical population.

I expect to find that the presence of Evangelical Protestants will increase the likelihood of RFRA adoption. I believe their effect will be independent of other measures like diffusion effects, ideology, and religiosity. Future work will be needed to clarify whether such bills are the result of a conservative rights pushback or not. It will make it clear that religious groups mobilize and venue shop to get their preferred policies passed.

Chapter five concludes the study by addressing the implication of my research for the study of religion and U.S. politics. A pattern emerges that religious freedom allows groups to use politics and policy to oppose behavior that is not congruent with their faith. Likewise, politics and policy are used to impose harsh penalties that force conformity. The United States is institutionally designed to allow religious freedom and to prevent centralized discrimination by religious groups. Future research is needed to ascertain if these two goals are still in balance in the twenty-first century.

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Chapter 2

Support for the Death Penalty and Military Intervention: How Identity

Effects Policy

Introduction

Since the 2016 election of Donald Trump, increased attention has been given to individual and group identity in America. Research into how different social groups perceive threat and discrimination, and the types of policy preferences that are garnering more support are but two examples of areas where new research is needed.

The 2016 election, and the rise of Donald Trump in the Republican presidential nomination process, illustrated the key role played by Evangelicals and gun owners in recent elections (Fea 2018). In this chapter, I will focus on these categories as social identities and assessing whether gun ownership and identifying as Evangelical is associated with more punitive and aggressive policy preferences. To do so, I will be analyzing attitudes about the death penalty and the use of military intervention in Iraq and Syria against militant groups like ISIS.

I employ Social Identity Theory to understand why these groups might be more likely to take punitive policy or aggressive stances on these issues. In so doing, I also expand on work done by scholars of religion and politics into religious identity and policy preference (see Jelen 1993; Penning 2009; and Wilcox, Jelen, and Legee 1993). Social identity theory posits that groups become more discriminatory against out-groups in the face of negative esteem (Turner and Reynold 2008). Both groups, gun owners and Evangelicals, have reasons to believe that they are held in negative esteem by society (Hout and Fischer 2002; Kleck 1996; Patrick 2013). They also have a common disdain for those on death row and militant Muslims (Penning 2009). In each of the cases presented my hypothesis is that gun owners and Evangelicals will display an

increase likelihood of supporting the proposed policy.

My results suggest that gun owners are more likely to support the death penalty but not military intervention. Evangelicals were not statistically more likely to support either policy. This result found in this chapter on the attitudes of Evangelicals is not completely surprising. Recent work indicates that religious identity alone will not influence most policies, except when paired with another identity to activate its effects (Campbell et al. 2016). To test this theory, a measure interacting gun owning Evangelicals was modeled. Evidence suggests that gun owning Evangelicals are more likely to support military intervention. To conclude, I offer suggestions for additional research.

Social Identity

Social identities theory has two branches: social identity theory (Tajfel and Turner 1979) and self-categorization theory (Turner et al. 1987). The initial focus, (or first branch) known simply as social identities theory, was on the psychological desire to support or disavow an existing social group. Social identity is the part of our self-conceptualization that is made up of the groups to which we belong (Cottam et al. 2016). Research following this vein often distinguishes groups by a common label (see Huddy 2001, 132-133; Diehl 1990). Social identity theory explores the behavior derived from the desire to have one's groups be viewed in a positive light in comparison to others (Tajfel 1981; Tajfel and Turner 1979; Turner et al. 1987).

Another major component was the focus on how individuals dealt with their identity problems (Tajfel 1978). Tajfel (1978) outlined four basic responses to dealing with a negative social identity that could be performed by an individual or social group. First, one could leave the group to which they were associating. Second, social groups could shift from a negative image to a positive one by using a different dimension of comparison. Since social identity

theory posits that the goal is a positive image in comparison to other social groups, changing the evaluation criteria might help to change the outcome of the current comparison. Third, Social groups or individuals might reframe the comparison criteria to make it more negative or positive to suit their needs. Finally, the group could alter the group they are being compared with to a lower status group (Tajfel 1978; Tajfel and Turner 1979).

The second branch built on this work by suggesting that there are degrees to which people typify the prototypical group member (Lakoff 1999; Turner et al. 1987, 42). Therefore, motivational factors become key in understanding the degree to which members have adopted the group identity. This differs from social identity theory by adding a separate dimension. The original assumption of social identity theory was that individuals associated with a group would internalize the label as a social identity (Huddy 2001, 133) and did not initially expand on degrees of identity. From these branches of social identity theory, it can be understood that motivational factors are necessary when researching intergroup discrimination or understanding degrees of hatred for outside groups, while mere categorization is sufficient to explain the creation of a social identity (Huddy 2001).

Two notes about this research is important to mention before moving on to specific identities. Often in this research, motivational factors are derived from theory, not data (Djupe and Calfano 2014, pg. 35; Djupe and Hunt 2009; Turner and Reynolds 2008, pg. 141). Although not ideal, such work is necessary in driving new avenues for research that can incorporate data to better explain motivational factors. Second, knowledge of self-categorization theory is necessary because it often becomes conflated with social identity theory leading to erroneous claims never intended by the original developers of the theory (Turner and Reynolds 2008, pg. 134).

There are three major theoretical frameworks used to investigate religious influence on

public opinion and behavior (for discussion see Djupe and Calfano 2014). They are the religious commitment approach, social networks approach, and psychological approaches. This chapter relies on social identity theory which fits under psychological approaches. Djupe and Calfano (2014) state that psychological approaches, like identity theory, are “the least organized and potentially widest-ranging approach to studying religious influence...” (pg. 31). One reason social identity theory has not been fully utilized by these scholars is because of its reliance on logic versus data (Djupe and Calfano 2014, 35; Wilcox, Jelen, and Lege 1993). This is an oversight. Insofar as social identity theory can call attention to new research questions, methodological development, such as an increase in reliance on survey experiments, can be used.

Before abandoning the other frameworks that religion scholars rely on, an important distinction needs to be made. The religious commitment approach centers on what is commonly called the “3Bs”. The “3Bs” stand for belonging, belief and behavior, which are usually regarded as co-equal indicators of commitment. Therefore, researchers taking this approach need to capture all three measures. This is important because social identity research focuses solely on religious tradition as an indicator of group identity. Early research focused on identifying the religious affiliation of respondents. This is difficult, because people provide generic labels for their faith with “no further specifics” (NFSes). For example, the Orthodox Presbyterian Church differs on doctrine and policy from the Presbyterian Church in America, but they are both considered Presbyterian despite these differences (Mead and Hill 1995). One proposed solution was to aggregate denominations into “religious traditions” (Kellstedt et al. 1996). The most common typology used for grouping religious traditions is Mainline Protestants, Evangelical Protestant, Orthodox, Black Protestant, Jewish, Catholic, and unconventional Christian (see Steensland et al. 2000).

In the social sciences, many have taken a simpler “self-identification scheme” by asking respondents if they consider themselves to be born-again or Evangelical (see Burge and Lewis 2018). Burge and Lewis (2018) used several waves of the General Social Survey and the Cooperative Congressional Election Study to compare the two approaches. They found almost no statistical differences between the two measurements and concluded that either would suffice in capturing religious social identity.

An example of research using the social identities approach in religious studies is Penning’s (2009) study of American attitudes towards Muslims and Mormons. Since the attack on the World Trade Centers, Muslims have been categorized as outsiders. Penning (2009) found that when asked to evaluate “American Muslims” instead of Muslims, favorability ratings go up ten points. Other religious traditions that have been examined include: evangelical, fundamentalist, charismatic, liberal, and conservative Christians (See Jelen 1993; Wilcox, Jelen, and Leege 1993).

Despite these arguments for the importance of the impact of religious social identity on attitudes, there is still skepticism about what role religion plays (see Campbell et al 2016, 236). An emerging hypothesis, the indirect effect hypothesis, provides a new way of conceptualizing the effects of religion. The indirect effect hypothesis, as the name suggests, predicts that religion matters, but is often one step removed (Campbell et al 2016, 237-238). Under this theory, religion still has direct effects on some attitudes and positions, like abortion. However, on other issues, religion plays an indirect role through party affiliation.

Data shows the connection between party and religion in the minds of the public. When compared to Democrats, Americans say that the Republican Party is friendly to religion (Pew 2014). Furthermore, when asked to list groups associated with each party, voters indicated

religion groups in association with the Republicans. In fact, religious groups came second only to conservatives, which most of the public views as synonymous with the Republican Party (Campbell, Green, and Layman 2016). However, no one has examined whether other identities can be used to activate religious attitudes. Gun ownership is one such identity that might lead to the activation of religious opinions.

Gun ownership as a social identity has been examined less than religious identity. In a recent study, gun ownership was shown to have a significant electoral impact (Joslyn et al 2017). Joslyn and his colleagues (2017) point to a high proportion of gun owners in America, the salience of guns in social and political culture, the power of the gun lobbies, and a growing divide between gun owners and non-owners for this impact. They suggest that gun ownership is a political identity that rivals other social groups.

This correlates with work done by sociologists, which suggests, that gun owners share in a unique culture. For example, citizens who are concerned about defending their civil liberties from the government rely on the second amendment as a lifeline (Halbrook 2013). In their minds, gun ownership acts as a leveling effect against government power. Gun owners view themselves as “freedom fighters” that are defending individual rights (Melzer 2009). Gun culture views the gun owner as a model of personal responsibility (Halbrook 2013). This sense of culture adds to the notion that gun owners can be seen as a separate identity group.

Policy Attitudes

We have established that social groups help individuals establish their identity (Tajfel and Turner 1979). Also, social identity theory has been used to show that groups do in fact discriminate against out-groups, particularly in the face of a negative social image (Turner and Reynolds 2008, pg. 142). It is understandable that Evangelicals and gun owners feel

discriminated against. Evangelicals have arguably seen a decline in positive esteem over the decades (Putnam and Campbell 2012). This, in part, is the result of increased secularization (Hout and Fischer 2002). Not only have Evangelicals received pressure from society, gun owners, arguably, have received even greater pressure over the years (Kleck 1996). This is due to increase mass shooting, negative views of the NRA, and, consistent pressure from gun control lobbies to restrict access (Patrick 2013). If both social groups do face low amounts of positive social image, this could affect how they perceive policy.

Death Penalty

Public opinion always matters in a democracy. This is clear when looking at the history of the death penalty in America. Compared to other policy areas, the public has relatively firm positions when it comes to the death penalty (see Baumgartner, De Boef, and Boydston 2008, 166-198). Of even more significance, Baumgartner and his colleagues (2008) show that the Supreme Court takes public opinion into consideration when making rulings. Every decision made by the Court in the last century has cited polls conducted by Gallup or other major survey organizations. The American public by and large supports the death penalty. However, frames surrounding the issue do matter. Since the advent of DNA testing and the rise of the innocence frame, opinion has slowly declined (Baumgartner, De Boef, Boydston 2008, 227-230).

A great deal of attention has been paid to distinguish which groups in society support the death penalty. Of course, race has a huge role in opinion about the death penalty (Halim and Stiles 2001; Young 1991, 1992). Other demographic and political factors have also been shown to have significant impact. Ellsworth and Goss (1994) find that men, those with higher income, whites, Republicans, conservatives, members of the middle class, and those with lower levels of education tend to be more supportive of the death penalty. Others have examined the role of the

local environment. Studies find that families living in areas with high murder rates are more supportive of the death penalty (Soss et al. 2003; Taylor et al. 1979).

Of particular importance to this study, religion has been shown to effect attitudes about the death penalty (Grasmick and McGill 1994; Grasmick et al. 1992). Scholars have found a significant tie between Evangelical Protestants and support for the death penalty. Grasmick and his colleagues (1993) find that Evangelicals are more inclined to attribute crime to offenders' dispositional characteristics than to situational factors. Consequently, they are expected to be more punitive than members of other groups.

The role of religion has also been seen since the Supreme Court's 1976 ruling in *Gregg v. Georgia*. The Court declared that the public's desire for retribution can be a legitimate basis for penal policy. The mix between retributive doctrines and opinions about the death penalty is closely linked to affiliation with fundamentalist Protestant denominations and fundamentalist religious beliefs (Grasmick et al. 1992). This makes sense from a social identity perspective because those on death row can easily be viewed as the most sinful. Thus, those perceived as such great sinners might be among the out-groups that Evangelicals compare themselves to.

It has been shown that part of gun culture is founded on self-defense (Halbrook 2013). Therefore, it makes sense for gun owners to view those sentenced to death as a possible group to which they would have particular malice. Most individuals sentenced to death have committed crimes like murder, one of the very things that gun owners want to protect society from.

Military Force

Public opposition to the Vietnam War influenced early research on U.S. public support for the use of military force. Mueller (1971) found that opposition to Vietnam increased with the number of casualties. The role that casualties play on support for military force has been

consistent over time and conflicts (Gartner 2008). Other findings suggest that the public likes victories (Eichenberg 2005), success (Gelpi, Feaver, and Reifler 2009), and multilateralism (Chaudoin, Milner, and Tingley 2010). On the other hand, the public does not like inconsistencies (Tomz 2007) and high risk. These results reinforce the belief that the public acts predictably and cautiously to world events (Jentleson 1992; Kertzer 2013; Page and Shapiro 1992). In fact, some researchers suggest that the public's foreign policy orientations are stable and well-structured (Herrmann, Tetlock, and Visser 1999; Holsti 1979; Rathbun 2007; Wittkopf 1990). One reason for this could be that opinions are rooted in core values (Goren et al. 2016; Rathbun et al. 2016).

Research indicates that religion plays a role in support for military force. A study on Latinos in the U.S. finds that those who confirm that their religious beliefs are important to them are more likely to support military action (Leal 2005). A 1930s study found that Catholic and Lutheran undergraduates at the University of Chicago were the most militaristic of the religious groups (Droba 1950). Wald (1992) hypothesizes that a combination of creedal, communal and institutional forces, generate strong Catholic support for American military action. A more recent study conducted by Brown, Brown and Blase (2013), suggests that religious faith plays a role in the degree to which political discussions had within worship spaces associates with anti-war attitudes. However, they find that white Evangelical Protestants tend to be less opposed to aggressive military policy than others. These differences become more pronounced as members of these religious faiths become involved in and/or exposed to social-political discussions within worship spaces.

According to social identity theory, military aggression should be supported most by Evangelicals if against a perceived outgroup (Tuner and Reynolds 2008). Some Americans view

Muslims as religious enemies (Cimino 2005; Smidt 2005). Muslims have been categorized by Americans as outsiders since September 11, 2001 (Penning 2009). Although some evidence suggests that a reframing, such as “American Muslim”, marginally increases favorability ratings (Penning 2009). Opinion of militant Muslims abroad is going to be even worse. Some evidence is provided by Jacobson (2005) who found that “religious conservatives” accepted Bush’s justifications for war with Iraq than did other citizens (also see Guth 2004). There are some reasons why Evangelicals might consider militant Muslims, ISIS for example, as a relevant out-group. For instance, some scholars suggest that President George W. Bush’s foreign policy decisions were substantially influenced by an “evangelical mind-set”: militarism, nationalistic assertiveness, and an apocalyptic attachment to Israel (Marsden 2008). An attachment to Israel would certainly drive Evangelicals to view militant Muslims as a relevant out-group. Evangelicals have also been shown to be influenced by a belief in Manifest Destiny or special providence (McCartney 2004; Judis 2005), which could have unique undertones when applied to the Middle East.

The perceived difference in value systems has historically caused contention between Islam and Christianity. It has been said that Communism may have been replaced by militant Islam as the major competition in values (Guth 2009, p.249). Other scholars have taken it further by suggesting that a “messianic militarism”, based off of core values of “traditionalistic Christian religion” might account for the support of military intervention (Baker et al 2008). Either way, it is reasonable to assume that Evangelicals would view militant Islamists as a relevant outgroup.

The sociological research has focused on gun culture as a means of protecting against force by the United States government (Melzer 2009). However, the protectionist culture of gun ownership should also apply to outside militant groups. Muslims militants might be seen as a

particular threat because of 9/11 (Penning 2009). Gun owners there, might view Muslim militants as a relevant outside group.

These different strains of research lead to six hypotheses that will be tested in the following section. My first hypothesis is that Evangelicals will be more supportive of the death penalty. Second, that they will be more supportive of foreign military intervention against Islamic militants. My third and fourth hypotheses focus on attitudes of gun owners. Specifically, my third hypothesis is that gun owners will be more likely to favor the death penalty; while my fourth hypothesis is that gun owners will be more likely to support military intervention. Finally, some evidence suggests that religious identity by itself might not be salient unless primed by another identity (Campbell et al. 2016). Therefore, my fifth and sixth hypotheses are that an interaction between gun owners and Evangelicals will yield an increase in support for both the death penalty and military intervention.

Data and Results

The overall argument is that Evangelicals and gun owners will support more aggressive and punitive policies than other Americans. To test this claim, I employ the 2016 American National Elections Survey (ANES). Two distinct policy areas, foreign policy and the death penalty, were chosen to provide multiple cases for examination. Altogether, four models were generated, two focusing on the death penalty and two on the use of military intervention in the Middle East. The dependent variable for the first two models come from responses to the question, “Do you favor or oppose the death penalty for persons convicted of murder?” The military intervention models rely on the question, “Do you favor, oppose, or neither favor nor oppose the U.S. sending ground troops to fight Islamic militants, such as ISIS, in Iraq and Syria?”, to construct the dependent variable. Both dependent variables were dichotomized, with

zero indicating opposition and one meaning support for the policies.

The use of demographic controls such as gender, education, race, were used as is consistent with other public opinion studies on the death penalty and foreign policy (Holsti 2004; Page 2006). Ideology is often correlated with policy preference and is controlled for (Guth 2009). Partisan identity was added to the models during the analysis, but was left out of the final models because of its high correlation with several of the other variables as will be further addressed. Veteran status was used as a control for both studies. Psychologists have found unique perspectives on the death penalty by veterans (Feifel and Branscomb 1973). Post traumatic syndrome has also been shown to compound with other factors which increased the likelihood that veterans would commit crimes that caused them to be placed on death row (Giardino 2008). Controlling for veteran status in the death penalty models will allow for their unique attitudes to be accounted. When it comes to the use of military force, Giardino (2002) finds that when more veterans were placed in the executive branch and legislature, militarized action was less likely to be initiated by the United States. However, once a dispute was initiated, the use of military force became higher with a greater number of veterans serving in these branches. Therefore, veteran status was accounted for in the military force models.

Lastly, authoritarian attitudes were controlled for by creating an index from four questions asked in the 2016 ANES. The question asked was, “Which one is more important for a child to have?”, followed each time by two responses: Independence or Respect for Elders, Curiosity or Good Manners, Obedience or Self-Reliance, Being Considerate or Well-Behaved. Evidence suggests that support for military intervention following September 11, 2001 is not the result of an “activation of authoritarianism” in the public, but rather, it is the result of non-authoritarians becoming more aggressive in response to terrorism (Hetherington and Suhay

2011). Authoritarian attitudes have also been shown to positively correlate with support for the death penalty (Stack 2003; Stenner 2005). Controlling for authoritarianism saves the analysis from criticism of not accounting for these and other such studies.

The results of the analysis are found in Table 1. There is not support for the notion that Evangelicals are more likely to be supportive of either policy. This is a surprising result, not one that would be predicted based off of the literature on religious attitudes of military intervention or the death penalty. Yet this could be because, on its own, religion is not a significant factor (Campbell et al. 2016). Support for the claim that gun owners would be more supportive of the policies had mixed results. Gun owners did have more favorable attitudes towards the death penalty, but not towards military intervention.

Finally, my fifth and sixth hypotheses provide mixed evidence towards the notion that identifying as both a gun owner and an Evangelical would yield statistically significant results about attitudes towards the policies. Gun owning Evangelicals were more likely to support military intervention, but not the death penalty. It is noteworthy that partisan identity was left out of the models. The results were similar when adding partisanship to the models, except that the results for the interaction between gun owners and Evangelicals loses its statistical significance. Although this might indicate a lack of robust finding for the claim that gun owning Evangelicals are more supportive of military intervention, the removal of partisanship helps to eliminate a multicollinearity problem that plagues this study. Several of the independent variables contain significant overlap with each other.

Table 1: Support for Punitive Policy

	Death Penalty	Death Penalty Full	Military Intervention	Military Intervention Full
(Intercept)	0.014 (0.239)	0.020 (0.240)	-1.153*** (0.268)	-1.124*** (0.270)
Gun Ownership	0.601*** (0.121)	0.549*** (0.136)	0.246 (0.126)	0.089 (0.145)
Conservative	1.237*** (0.121)	1.241*** (0.121)	1.547*** (0.135)	1.566*** (0.136)
Education	-0.203*** (0.053)	-0.201*** (0.053)	0.001 (0.058)	0.005 (0.059)
Black	-0.964*** (0.224)	-0.961*** (0.224)	-0.849** (0.284)	-0.838** (0.285)
Gender	0.141 (0.113)	0.138 (0.113)	0.144 (0.125)	0.134 (0.126)
Evangelical	-0.214 (0.146)	-0.290 (0.172)	0.076 (0.155)	-0.191 (0.195)
Veteran	-0.199 (0.183)	-0.197 (0.183)	-0.285 (0.196)	-0.276 (0.196)
Authoritarianism	1.348*** (0.193)	1.352*** (0.193)	0.749*** (0.213)	0.757*** (0.214)
Gun Ownership:Evangelical		0.238 (0.293)		0.669* (0.302)
AIC	2086.689	2088.021	1680.336	1677.323
BIC	2136.640	2143.523	1727.611	1729.851
Log Likelihood	-1034.344	-1034.011	-831.168	-828.662
Deviance	2068.689	2068.021	1662.336	1657.323
Num. obs.	1901	1901	1412	1412

Note:*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$ Logistic regression was used to estimate the models. The dependent variable used for the death penalty models was derived by asking:

» Do you favor or oppose the death penalty for persons convicted of murder? The dependent variable used in military intervention models was derived by asking:

» Do you favor, oppose, or neither favor nor oppose the U.S. sending ground troops to fight Islamic militants, such as ISIS, in Iraq and Syria? »

Post analysis indicates that the probability of supporting the death penalty is greater among gun owners. The divergence between gun owners and the rest of the population is not only substantial, but statistically significant. The results indicate almost a 20 percent increase in probability of support for the death penalty among those owning guns. This gap between gun owners and other Americans cannot be causally associated with identity but indicates that more investigation is warranted.

Post analysis on support for military intervention indicates a large probability of support from gun owning Evangelicals. What is particularly impressive about the result is that it does single out those who identify to both social groups. There is a 14 percent increase in likelihood of support for the aggressive policy. Those who do not identify as both being a gun owner and Evangelical have a 67 percent probability of supporting intervention, while those who do identify with both groups have an 81 percent chance.

Conclusion

This chapter sought to address the question, does gun owner identity or an Evangelical identity lead to more punitive and aggressive policy preference? Support for two policies, the death penalty and the use of military force, were used to examine this question. Two of my hypotheses were that gun owners would be more supportive of both the death penalty and military intervention. I also hypothesized that Evangelicals would be more likely to support the policies. Finally, owing to the work done by Campbell et al. (2016), I hypothesized that gun owning Evangelicals would be even more likely to support the death penalty, and foreign military intervention. My analysis suggests several important conclusions. I will address three takeaways from this chapter, discuss weaknesses of the study, and finish by offering a suggestion for future research.

First, there is evidence to support the notion that gun owners are more likely to favor the death penalty when compared with other Americans. Social identity theory provides an avenue for understanding that response. It could be that gun owners become more punitive towards criminals, and perhaps other outside groups, as more pressure is placed on society to restrict gun access (see Tajfel and Turner 1979).

Second, my results do not indicate that Evangelicals are more likely to support either the death penalty or military intervention. This could be because the out-groups selected in this chapter are not the most relevant group to Evangelicals. It could also mean that, for Evangelicals, the death penalty and military intervention are not the most important policies garnering their attention.

Third, gun owning Evangelicals were more likely to support military intervention. This could be seen as support for Campbell et al. (2016) indirect effect hypothesis. The indirect hypothesis states that attitudes based off of religious identity are often not statistically significant on their own, but are when paired with another identity. Campbell and his colleagues (2016) suggest partisan identification. Here, I sought to challenge whether other social groups could interact in a meaningful way with religious identity. The statistical significance of gun owning Evangelicals on the likelihood of support for military intervention lends some credibility to the notion that other identities should be interacted with religious identity to fully understand the unique attitudes that arise from religious identity.

Not all of the hypotheses were substantiated, however, useful information can still be derived from the null results. Perhaps, as with most public opinion research relying on social identity theory, one problem is that some of the conclusions are based off of logic, not data (Djupe and Calfano 2014, pg. 35; Djupe and Hunt 2009; Turner and Reynolds 2008 pg. 141).

Turner and Reynolds (2008) note that social conflict is not the result of one psychological process. Throughout this chapter I have posited that insecure identities and the need for positive esteem in society are correlated with conflict manifest in society (see Tajfel and Turner 1979). Perhaps a study, like the one in this chapter, would benefit from a different research design. A reliance on survey data can only explain so much. Relying on an experiment, or even a survey experiment, might help to address whether gun owners and Evangelicals are more punitive in their policy preferences.

Another problem with the study is the reliance on both the death penalty and foreign policy to make an overarching claim about gun owners and Evangelicals. Both of these policies are nuanced, as are the reactions from individuals and social groups to them. It might be better if each policy were studied separately to better account for this variation or for each identity to be examined on their own. For instance, if gun owners and Evangelicals are responding to a lack of perceived esteem in society, their focus is likely to converge on a narrow set of outside groups. By separately looking at gun owners and Evangelicals, several outgroups, along with policies germane to them, might be studied.

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Chapter Three

Social Identity, Conservative Rights, and the Debate over Religious Freedom: An Investigation into Evangelical Social Identity and its impact on Religious Freedom Laws

Introduction

The United States Supreme Court recently ruled on the *Masterpiece Cakeshop v. Colorado Civil Rights Commission* case. Jack Phillips, a cake baker, sought exemption from Colorado's anti-discrimination law, because he was religiously opposed to using his talents to celebrate a gay wedding. Under the law, businesses classified as public accommodations, cannot refuse service based on race, religion, color, sex, disability, or sexual orientation. Phillip's bakery falls under the public accommodation provision of Colorado's law. The Supreme Court ruled narrowly in favor of Mr. Phillips. The overall strategy used by his lawyer is symptomatic of recent changes in how conservatives are approaching the culture wars more generally. Andrew Lewis's (2017) research documents the change in tactics made by conservatives, from using the language of morality in opposition to gay rights to instead using a religious rights frame. Phillip's legal team claimed that an exemption to the law ought to be made, otherwise the court would be violating two of Mr. Phillip's first amendment rights: the free exercise of religion and free speech.

Research is needed to better understand conservative groups' use of the religious rights frame. However, before this can be done, a more basic understanding of social identity is useful in contextualizing the drive behind the strategic use of the frame. This chapter will be addressing several questions. First, although conservative commentators have railed against group identity as an appropriate metric of understanding self, social identity theory applies to conservative and religious groups as well. Evidence suggests that religious groups might have a stronger

identification with a religious social identity than do other groups with various social identities (Kinnvall 2004; Verkuyten and Yildiz 2007). As such, I will address the question, do religious social groups manifest attitudes and behaviors consistent with social identity theory?

Second, now that activists from both sides of the political aisle are relying on support garnered by a claim to legal rights, court rooms and statehouses could be battle grounds between rights claims that seem to conflict with one another. As such, we need to better understand who is more likely to support a claim of religious rights, such as a small business owner's right to refuse service based on religious grounds, versus who is more likely to see such a right's claim as cover for discriminatory practices.

Although a turn to a religious rights frame is a recent trend, it is not unexpected group behavior. Social identity research has examined how groups respond to relevant outsiders. Of particular interest, research has shown that groups, in the face of negative social pressure, will change the dimensions surrounding an argument (Tajfel 1978; Tajfel and Turner 1979). This type of strategy can be seen by the pro-life movement, which adopted "unborn rights" language in their efforts to garner public support for their policy agenda (Lewis 2017). Now, religious freedom language is being adopted by religious groups in the face of dramatic Lesbian Gay Bisexual Transgender Queer (LGBTQ+) policy victories.

This chapter will proceed with an examination of the literature on social identity, with a focus on group attitudes and behavior. An explanation of interdisciplinary research on the use of the rights frame by conservatives and evangelicals will then be addressed. Special attention will be given to the development of Evangelical argumentation using a rights frame. Though research is beginning to investigate the shift in arguments being made by conservatives and evangelicals, research has yet to establish who is likely to agree with a religious rights frame. Furthermore,

this chapter makes a contribution by addressing the call to find a theoretical home for research on religious freedom legislation (Kazyak, Burke, and Stange 2018). Using social identity theory to understand the rise of the religious freedom frame enables researchers with an outlet to examine debates over freedoms.

I will address several questions: Do Evangelicals share a perception that Christians are being discriminated against? Do Evangelicals have a sense of shared fate as expressed by their desire to protect small business owners from anti-discrimination laws? I will analyze data from national surveys of American adults to develop a profile of who is more likely to support the religious freedom perspective. My analysis suggests that individuals who are evangelical, non-black, male, Republican, and are Conservative, are more likely to think that Christians are being discriminated against, support small business's refusal to provide services, and oppose protections to LGBTQ+ people.

Social Identity Theory

There are two components to our identities. We have an individual identity, one that is unique and distinct. We also organize ourselves and others into groups. Groups to which we belong are known as in-groups, while groups we do not belong to are called out-groups. A sense of belonging, shared fate (Kramer 1984), and perceptions of discrimination (Jetten 2001) each lead to the cohesion of a social group. Work done by Tajfel (1970) has posited that there is something inherent to group behavior, which leads to conflicts with relevant out-groups. Social identity theory was developed to explain the phenomena of inter-groups conflict (Tajfel & Turner, 1979). According to the theory, social identity is the part of an individual's self-concept which stems from the knowledge of belonging to a social group, along with the value and emotional significance of that membership (Tajfel 1978, 63). We become emotionally attached

to our social groups because such groups are a part of our identity, how we see ourselves.

Social identity theory has three basic assumptions. First, members of social groups endeavor to attain a sense of positive social identity. Second, the positive image of a social group is understood as a comparison between in-groups and relevant out-groups. This means that favorability is defined in relation to the image of other groups. Better positive social identity leads to benefits for group members. For example, individual self-esteem increases from the sense of belonging to a better group (Rubin and Hewstone 1998). Third, it is theorized that members will try to leave a group or join another group, which enjoys a more positive identity, when they are discontented with their social identity (Tajfel and Turner 1979). These assumptions explain that groups struggle against each other to positively enhance their identity to the outside world and to members inside the social group.

Social identity theory recognizes three variables that explain intergroup distinctions. The first may seem obvious. Members must internalize their perception of belonging to the group as part of their self-conceptualization. In simple terms, they have to identify as belonging to a social group. Another variable important when differentiating groups is the right social circumstances. A relevant out-group has to be manifest in society to allow for comparisons between groups. Remember, social identity theory posits that conflict derives from the desire to have a positive image in contrast to the out-group. Finally, out-groups have to be perceived by the in-group as a valid group for comparison. Otherwise, no conflict will occur. For instance, a school sponsored soccer team is unlikely to find a serious rival in a private debate team. Similarity, proximity, and situational salience have been shown to determine whether an out-group will be considered a viable comparison (Campbell 1958).

As mentioned above, individuals might attempt to leave a group if they are not gaining

benefits from membership (Tajfel and Turner 1979). Leaving one's social groups is no easy task. Remember that social identity becomes internalized by members and thus become part of their self-conceptualization (see van Knippenberg and Ellemers 1990; Roccas et al. 2008). Therefore, other, less drastic, responses are typically sought for before one leaves a social group. Reactions to a lowering in positive social identity include: comparing the in-group with the out-group on different dimension; reevaluating the comparison dimension, so that previous negative dimensions become positive; comparing one's in-group to an out-group with lower status (Tajfel 1978; Tajfel and Turner 1979).

The first two responses deserve some clarification. An example of shifting the comparative dimension can be seen in a group which turns its focus from how much money they earn in a year, to how good their customer service record is. By playing to their strengths, this hypothetical group has changed where the finish line is and thus has placed them in a more positive light. By reevaluating the comparison dimension, we are referring to a change in how the dimension is framed. A recent example of reevaluating dimensions can be seen in a 2018 initiative to stop illegal immigration. Opponents to the Trump administration have sought to change a dimension for comparison, zealously of protecting the border, into a negative thing by highlighting the separation of children from their parents.

With this understanding, we can now look at specific social groups. Research has focused on social identities based on race (Branscombe, Schmitt, and Harvey 1999), gender (Schmitt, Branscombe, and Postmes 2003), and nationality (Bond 2006). Less work has been done to utilize social identity theory to explain religiosity. Ysseldyk, Matheson, and Anisman (2010) present empirical evidence that religious identity can lead to individual well-being, while simultaneously, generating unyielding conflict with out-side groups. Religion seems especially

salient during times of trial or when an individual's sense of safety and security are threatened (Freeman 2003; Muldoon et al. 2007). Religion is also particularly useful to members in the face of an uncertain future (Kinnvall 2004). It has been suggested (Ysseldyk, Matheson, and Anisman 2010), that part of the draw to religious social groups comes from their organized support networks (Graham and Haidt 2010; Lim and Putnam 2009) or the shared reliance on faith in a "higher power" (Pargament 2002).

Social groups benefit members by providing a sense of personal or collective self-esteem (Luhtanen and Crocker 1992). They also lead to the development of strong bonds between members (Cameron 2004). This might explain why group members have consistently shown a tendency to give rewards to in-group members (Billic and Tajfel 1973; Tajfel and Billic 1974), have a heightened sense of in-group attractiveness (Rabbie and Wilkins 1971), perceive similarities of other members (Allen and Wilder 1979; Linville and Jones 1980), and assign positive traits to in-group members (Howard and Rothbart 1980).

Religion is unique in providing "internal affective experiences" through rituals and sacred texts and stories (Wellman and Tokuno 2004). Such experiences might make religious social groups more personally significant to individuals than other social groups (Kinnvall 2004; Verkuyten and Yildiz 2007). Like other social groups (see Deaux 1985; Jost, Nosek, and Gosling 2008; and Robinson and Kirkeby 2005), religion provides a belief system for members to funnel their experiences through and infuses meaning (Park 2007). Yet religion also invokes epistemological beliefs regarding what can (or cannot) be known, as well as ontological beliefs regarding what can (or cannot) exist (Nelson 2006). This in combination with a certainty that one's religion is the only truth further inculcates members of religious groups with a strong sense of self-concept (Kinnvall 2004; Stark 2001; Wellman and Tokuno 2004).

Although religion provides a distinct social identity, research indicates that there is some overlap between Christianity and political conservatism (Jost, Nosek, and Gosling 2008). This could be due to a shared desire in upholding traditional structures, like the family. Bonanno and Jost (2006) suggest that the overlap in identity is the result of desires to minimize uncertainty and threat that may be fulfilled by both types of ideologies.

Public Opinion and the Religious Rights Frame

Over the recent decades, public opinion about policies effecting LGBTQ+ individuals have seen a gradual shift. More Americans support same-sex marriage than oppose it (McCarthy 2014, 2016, 2017; Pew Research Center 2014; Silver 2013). There is also increased support for policies protecting LGBTQ+ people from job and housing discrimination (Lax and Phillips 2009; Lewis and Rogers 1999; Powell et al. 2010). Analyzing the data further, we find that women, the young, liberals, and non-religious individuals are the most supportive of pro-LGBTQ+ policies (Brumbaugh et al. 2008; Haider-Markel and Joslyn 2005; Lewis 2011; Lewis and Gossett 2008; Olson, Cadge, and Harrison 2006; Pearl and Galupo 2007; Rowatt et al. 2009; Sherkat, de Vries, and Creek 2010; Swank, Woodford, and Lim 2013; Whitehead 2010; Woodford et al. 2012). While enjoying an increase in positive public support, opposition has come from the religious right.

Conservative and religious groups have consistently advocated for policies that upheld their worldview, while vehemently opposing those that threatened the underpinnings of what they believe is morally acceptable. In 1997, the Supreme Court sided with the city of Boerne against Catholic Archbishop Flores leading to the diffusion of state religious freedom restoration acts (see chapter 3). Since that time, LGBTQ+ advocates won major victories in legalizing gay marriage (*Obergefell v. Hodges*), getting sexual orientation included in anti-discrimination

legislation, and winning over public opinion (Lax and Phillips 2009). Part of the success of LGBTQ+ activists have been in effectively using rights language to make their cases.

Recent research has examined a shift in the reasoning used by the religious and social conservatives to persuade the larger public of their policy and legal objectives. Lewis (2017), in a recent book, has documented a shift in tactics during the debates over abortion. Pro-life groups started framing the debate in terms of “the rights of the unborn child”. Religious groups and their allies have likewise relied on both free market and rights frames in recent disputes over religious freedom legislation and legal battles in the courts (Kazyak, Burke, and Stange 2018). This shift in framing strategy follows the expected pattern established by the social identity literature.

If we are to take an identity that is almost synonymous with social conservatives, Evangelical Christians provide a compelling illustration. Cultural schemas are developed and believed by social groups. We might question, how does social identity lead to a shift in framing? Social identity theory posits that when members of social groups are confronted with a negative social image, they will seek to shift perception by either focusing on another group, shifting perception of a criteria of evaluation from negative to positive, or shift the criteria being used (Tajfel 1978; Tajfel and Turner 1979). In the case of religious freedom laws and litigation, we see a shift of frames.

Limited research has been done, on what can be termed, religious freedom bills. Recent studies have shown that varying levels of support in polls on religious freedom issues. For example, in an experimental survey, 53% of respondents said that a photographer should be allowed to deny their service for a gay wedding (Powell et al. 2017). Another survey, conducted in 2017, showed that only 32 percent of Americans believe that small business owners should be able to refuse services to gay and lesbian people on religious grounds (Cox and Jones 2017).

This discrepancy could indicate that wording is key when asking about religious rights.

At the same time, sociologists have found that when religious groups perceive discrimination from the outside, church membership increases in devotion (Starke and Finke 2000). Perceived discrimination is also a core component of strong bounds within a social group. The tendency to become more entrenched in one's faith in the face of outside disapproval prevents affiliates from leaving the social group, another option for those facing negative social pressure.

These findings lead me to three hypotheses that if substantiated will open the door to greater research using social identity theory and to better understand where Evangelicals fall on the question of religious freedom. The first hypothesis (H1) is that Evangelicals are more likely to perceive greater discrimination against Christians. If this is true, Evangelicals should be seeking a way to shift the negative perception. Large Evangelical support for small business owner's right to refuse service to gays and lesbians on religious grounds would indicate that the rhetorical use of religious rights will be effective in garnering support from Evangelical religious communities. I believe this is because the rights frame is supported by most Americans. My second hypothesis (H2) is that Evangelicals will be more supportive of small business owner's refusing service to gays and lesbians. Finally, to better solidify the use of social identity research in this area, I test to see if Evangelicals perceive discrimination against gays and lesbians, and their support for anti-discrimination legislation. I hypothesize (H3) that Evangelicals will perceive less discrimination against gays and lesbians and be less supportive of anti-discrimination measures for sexual orientation.

Results and Discussion

According to social identity theory, a social identity is established by three components. First, the individual must belong to the social group. Second, there is often perceptions of discrimination. Third there is a sense of shared fate. This analysis seeks to establish evangelical identity as a social identity by demonstrating that evangelicals do perceive discrimination and have a sense of shared fate. To do so, I rely on data from two national surveys. The first was commissioned by the Atlantic and the Public Religion Research Institute (PRRI) and conducted by Social Science Research Solutions (SSRS). The survey is titled “PRRI/The Atlantic Poll: 2016 White Working-Class Survey”. The survey was conducted by telephone and the sample size consisted of 3043 adults. The timeframe for the survey was between September 22, 2016 and October 09, 2016.

The questions being addressed by this analysis are to establish who in the United States perceives discrimination against Christians and who supports allowing small business owners the ability to refuse services to gays and lesbians. Again, the hypothesis is that Evangelicals, who belong to a Christian social group, will be more likely to perceive discrimination against them. Second, Evangelicals should share a sense of common fate with other Christians in their social group. Therefore, I hypothesize that they will be supportive of allowing small business owners the ability to deny services for religious reasons. This makes sense, because of compounding factors. If Evangelicals, in particular, feel that they are being discriminated against, they will feel a shared fear of future discrimination from society. It is clear that this shared sense of fate would turn them to favor supporting religious business owners from what is being described as an attack on religious liberty (Kazyak, Burke, and Stange 2018).

The dependent variable for the first model is constructed from a question which asked, “Just your impression, in the United States today, is there a lot of discrimination against

Christians or not?” Independent variables include two measures for religious adherence. Religious attendance is included, as well as a variable for those who self-identify as Evangelical Christians. The survey asks those who identify as either Protestant or simply Christian: “would you describe yourself as a ‘born-again’ or evangelical Christian, or not?” Control variables included gender, age, education, race, income, partisan leanings, and ideology. The latter two control variables are particularly important because a competing hypothesis could be that ideology or party association is what is driving attitudes about small business owners and perceived discrimination (for instance, see Guth et al. 2006). While the Republican Party and evangelical religious groups have found common political rivals, and support each other’s world view, this does not take away from the independent effects of an Evangelical Christian identity.

Table 1 presents the results of a logistic regression model on the agreement or disagreement with whether Christians face discrimination. Identifying as Evangelical increases the log odds of perceiving discrimination against Christians. This evidence supports my first hypothesis.

Other variables that were statistically significant include those who attend religious services “at least weekly”. This makes sense, because attending services regularly shows commitment to the social group. Not surprisingly, conservatives and Republicans were both more like to perceive Christian discrimination. As Evangelicals have been partnering with the Republican Party for decades to form the conservative right, this is not surprising. A result that was surprising was that as age increased, likelihood of perceiving discrimination decreased. I have no explanation for this result. It could be that older Americans are more likely to view society, in general, as one dominated by Christianity and thus do not buy into the notion that they are being discriminated against.

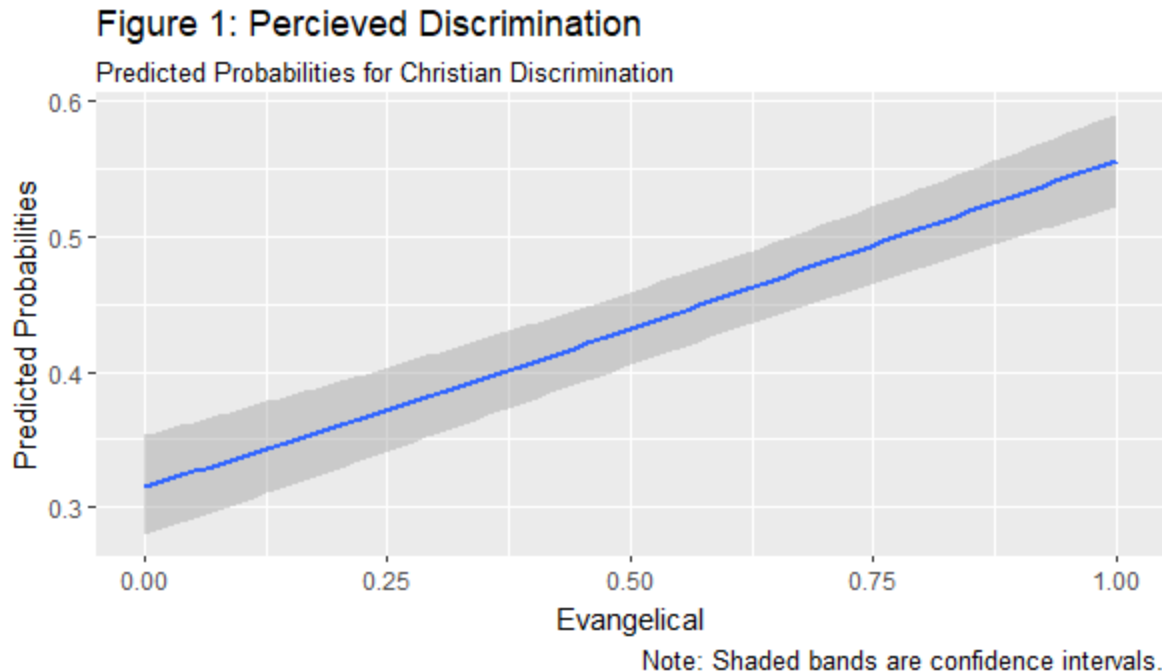
Figure 1 graphs the predicted probability that either an Evangelical or non-Evangelical perceives discrimination. The probability of selecting a Non-Evangelicals that perceives discrimination against Christians is just over 30 percent; while the probability of choosing an Evangelicals with a perception of discrimination is around 55 percent. These numbers show a clear contrast in attitudes between those associated with the social group compared to those who do not. Evangelicals perceive discrimination from society. As such we should expect them to act in ways consistent with that perception.

Table 1: Atlantic/PRRI Models

	Christian Discrimination	Denying Services
(Intercept)	-0.754 (0.418)	-1.429** (0.442)
Attend: A few times a year	0.105 (0.297)	0.060 (0.311)
Attend: At least weekly	0.678* (0.276)	0.325 (0.287)
Attend: Once or twice a month	0.330 (0.300)	-0.211 (0.317)
Attend: Seldom	0.292 (0.308)	0.160 (0.323)
Evangelical	0.712*** (0.137)	0.829*** (0.148)
Female	-0.132 (0.131)	-0.426** (0.137)
Age	-0.012*** (0.003)	-0.005 (0.004)
Graduated college	0.328 (0.234)	0.070 (0.243)
High school graduate	0.285 (0.229)	0.204 (0.238)
Less than high school graduate	0.925** (0.296)	0.534 (0.307)
Some college	0.467* (0.219)	0.212 (0.227)
Income	-0.140** (0.051)	0.068 (0.054)
Black	-0.240 (0.175)	-0.324 (0.191)
Conservative	0.846*** (0.140)	0.810*** (0.146)
Republican	0.400** (0.153)	0.537*** (0.157)
AIC	1492.989	1352.370
BIC	1574.391	1432.650
Log Likelihood	-730.495	-660.185
Deviance	1460.989	1320.370
Num. obs.	1197	1116

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Note: Logistic regression was the estimation technique used for these models. The dependent variable used for the death penalty models was derived by asking: "Just your impression, in the United States today, is there a lot of discrimination against Christians or not?" The dependent variable used in denying service model was derived by asking: "Now, I'd like to get your views on some issues that are being discussed in the country today. All in all, do you strongly favor, favor, oppose or strongly oppose allowing a small business owner in your state to refuse to provide products or services to gay or lesbian people if doing so violates their religious beliefs?"



For the next hypothesis, I not only utilize the “PRRI/The Atlantic Poll: 2016 White Working Class Survey”, but also a PRRI August 2016 Survey on LGBT issues. The dependent variable is generated from identical questions asked in both surveys. They ask, “Now, I’d like to get your views on some issues that are being discussed in the country today. All in all, do you strongly favor, favor, oppose or strongly oppose allowing a small business owner in your state to refuse to provide products or services to gay or lesbian people if doing so violates their religious beliefs?” The responses to these questions were dichotomized into those who favor or oppose the refusal of services.

This question is important to this research for two reasons. First, Evangelicals should support the refusal of services based off of religion because they should feel a sense of shared fate with other members of their social group. Second, although the question does not explicitly evoke rights language, it would prime Evangelicals to think in that frame. The question asks if religious beliefs are protected by the state law or not.

The independent variables in Table 2 differ from those in Table 1 in that religious attendance is not measured. Instead Table 2 adds responses from the question, “Now, please tell me if you completely agree, mostly agree, mostly disagree or completely disagree with the following statement... Gay marriage goes against my religious beliefs.” This variable is dichotomized with 1 meaning the respondent agreed and 0 meaning they disagreed. This variable does not measure commitment to the social groups like attendance does, but does control for Evangelicals that either do not believe or do not know if gay marriage is against their religious beliefs. Many evangelicals point to certain passages of the Bible as a means of definitive proof against gay marriage. Evangelicals who are not aware of this, probably do not attend as often as those who do.

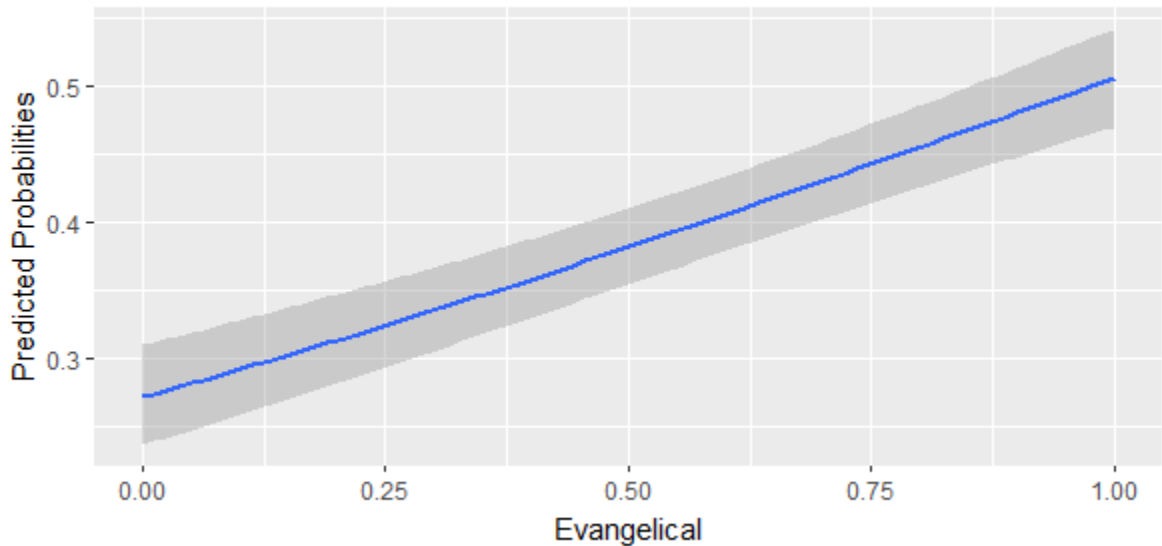
Models from both surveys reflect that Evangelicals favor the right of a small business owner to refuse services to gay or lesbian couples. Republicans and conservatives were in agreement with Evangelicals but females were not. The results align well with what social identity theory would predict. Evangelicals perceive discrimination from society. Yet, they are willing to incur the disapproval of society by supporting other religious individual’s right to refuse service to the out-group. Although this analysis does not address it, social identity theory suggests that religious conservatives should try to shift or reframe the comparison dimension. Other research leads me to suspect that this is occurring in the form of a new religious rights frame that was successfully adopted by pro-life activists (Lewis 2017).

Figures 2 and 3 show the probability that Evangelicals will support a small business owner’s right to refuse service based off religious beliefs. Figure 2 comes from the Atlantic sponsored survey, while Figure 3 comes from the in house PRRI survey. Not only do models from both surveys confirm the significance of an Evangelical identity, the graphs confirm the

impact of being Evangelical on attitudes towards the refusal of service to gays and lesbians. It is interesting to note that Evangelicals are quite ambivalent on the issue. The graphs show that if we were to take a random Evangelical out of the population, it is 50 percent probable that they will support the right to refuse service. This then might not seem that significant until we consider that the probability of a non-Evangelical favoring the right to refuse service to gays and lesbians is less than 30 percent.

Figure 2: Refusal of Service

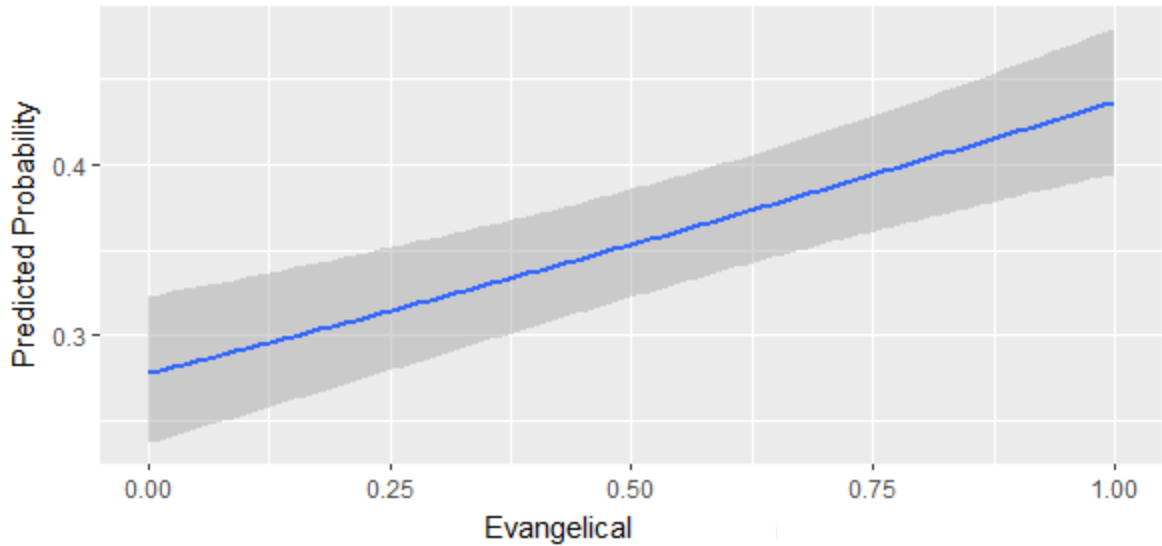
Predicted Probabilities for Favoring Refusal Based on Religion



Note: Shaded bands are confidence intervals.

Figure 3: Refusal of Service (PRRI)

Predicted Probabilities for Favoring Refusal Based on Religion



Note: Shaded bands are confidence intervals

Finally, not only should Evangelicals be sensitive to a perception of discrimination, not only should they support the rights of in-group members; they should also be ignorant of and even hostile towards the out-group. The Gay and Lesbian Discrimination and Anti-discrimination legislation models in Table 2 provide some evidence for this claim. These models are constructed from questions asked in the PRRI August Survey on LGBT Issues. The dependent variable for perceptions of discrimination against gay and lesbians came from the following question: “And thinking about American society... just your impression, in the United States today, is there a lot of discrimination against gays and lesbians, or not?”

To get attitudes about anti-discrimination legislation, the survey asked, “Now, we would like to get your views on some issues that are being discussed in the country today. Do you strongly favor, favor, oppose or strongly oppose laws that would protect gay, lesbian, bisexual, and transgender people against discrimination in jobs, public accommodations, and housing?” The answers to both questions were dichotomized. Once again, logistic regression was applied

and the results, shown in Table 2, indicate that Evangelicals do not perceive discrimination against their out-group, nor do they support policy protecting them from discrimination.

If we were to look at non-Evangelicals, the probability of randomly drawing a respondent from the population that perceives discrimination against gays and lesbians is over 60 percent. Among an Evangelical population, the probability of finding a respondent who perceives discrimination is around 52 percent.

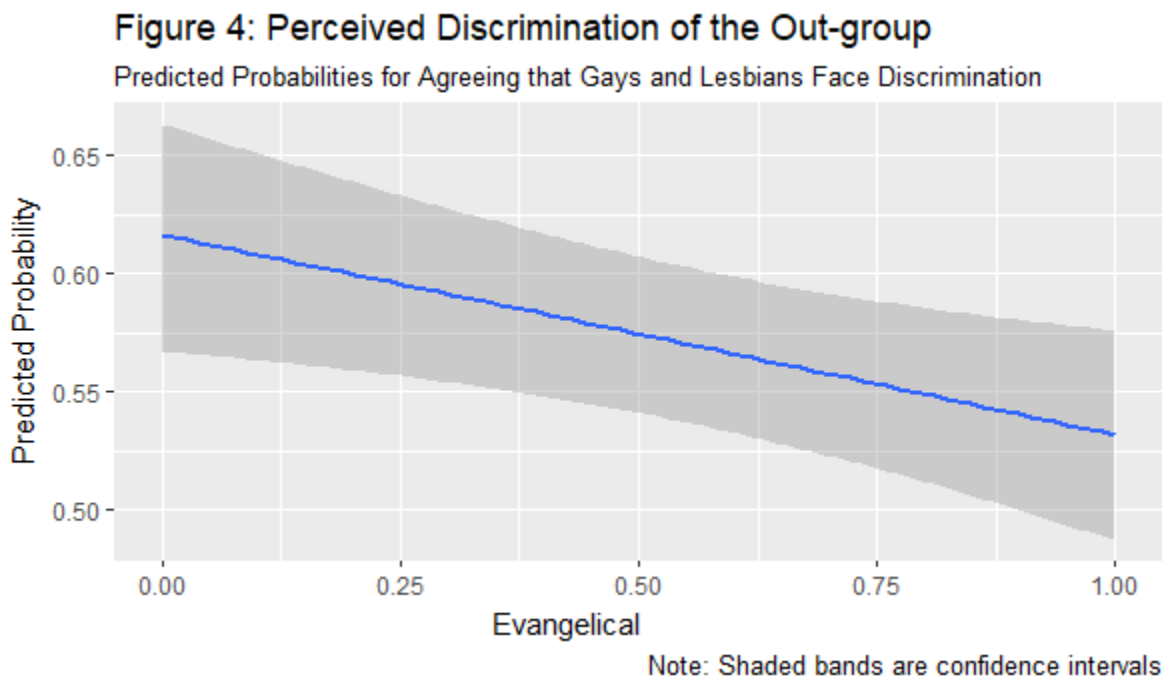
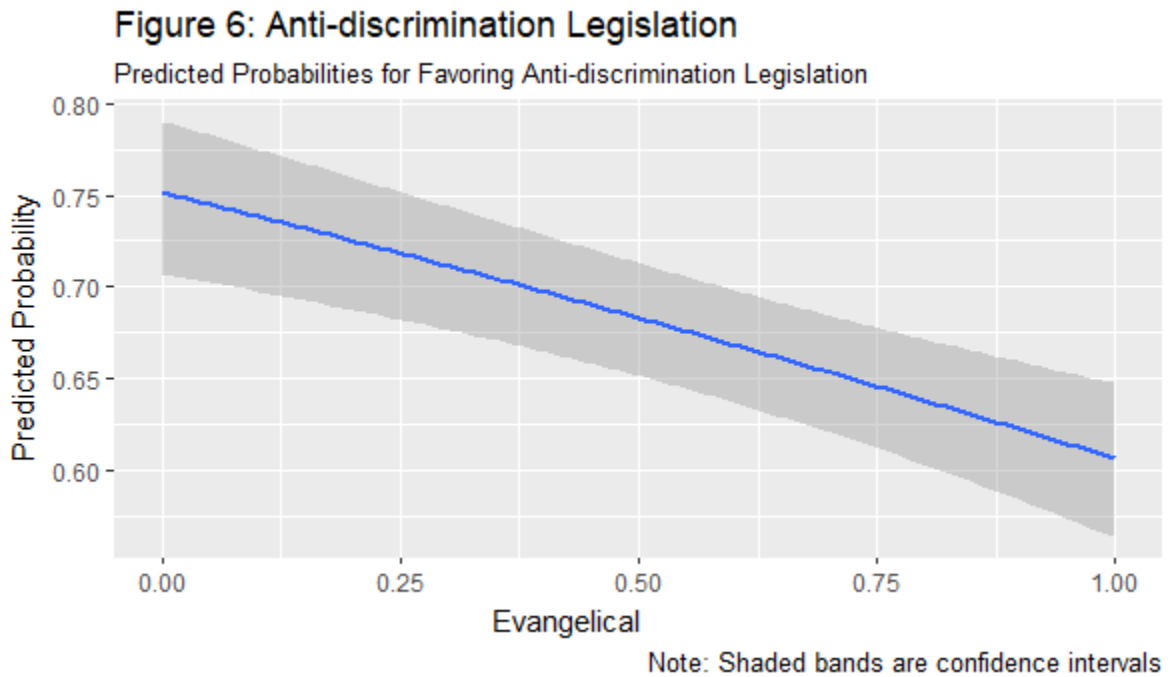


Figure 6 Shows the probability of an Evangelical favoring anti-discrimination legislation. If we were to take a random non-evangelical from the population, the probability that they would support some legislative measure to protect against discrimination is 75 percent. If we were to draw a random Evangelical out of the population, the probability of them supporting such legislation is 60 percent. Even though this is still above a 50 percent probability, compared to the rest of the population, Evangelicals stand out. Remember, the question asked about legislation

protecting against discrimination in employment, housing, and public accommodations. Many see these protections as necessities for LGBT individuals but they go largely ignored by Evangelicals. This blindness to an out-group is consistent with social identity theory, and the basic psychology of groups.



For Evangelicals, it goes beyond the desire to protect the rights of the in-group. They are also blinded to threats to the out-group, and thus are not worried about legislation to protect them. These findings are consistent with social identity theory. Groups are in competition with one another. Individuals take on group characteristics as part of their identity. They become connected to the status of the social group and compare that status with a relevant out-group. This research demonstrates that groups are not able or willing to understand the plight of out-groups or to support policy to aid them.

Table 2: PRRI Models

	Gay and Lesbian Discrimination	Anti-discrimination	Denying Services
(Intercept)	0.983*	1.672***	-1.413**
	(0.463)	(0.474)	(0.495)
Gay Marriage Against Beliefs	-0.480**	-0.410*	1.127***
	(0.184)	(0.187)	(0.196)
Evangelical	-0.174	-0.259	0.414*
	(0.179)	(0.181)	(0.191)
Female	0.756***	0.481**	-0.663***
	(0.170)	(0.171)	(0.180)
Age	-0.013**	-0.012*	-0.001
	(0.005)	(0.005)	(0.005)
Graduated college	0.366	0.202	-0.307
	(0.285)	(0.296)	(0.307)
High school graduate	0.227	0.009	-0.599*
	(0.284)	(0.285)	(0.304)
Less than high school graduate	0.729	-0.455	-0.301
	(0.423)	(0.397)	(0.436)
Some college	0.417	0.261	-0.140
	(0.270)	(0.274)	(0.285)
Income	-0.013	0.105	-0.022
	(0.069)	(0.069)	(0.073)
Black	1.199***	-0.227	-0.436
	(0.272)	(0.237)	(0.260)
Conservative	-0.844***	-0.475*	1.118***
	(0.188)	(0.189)	(0.193)
Republican	-0.135	-0.611**	0.574**
	(0.202)	(0.200)	(0.209)
AIC	891.870	885.680	808.130
BIC	951.526	945.759	868.209
Log Likelihood	-432.935	-429.840	-391.065
Deviance	865.870	859.680	782.130
Num. obs.	727	751	751

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Note: Logistic regression was the estimation technique used for these models. The dependent variable used for the GL discrimination model was derived by asking: "And thinking about American society... just your impression, in the United States today, is there a lot of discrimination against gays and lesbians, or not?" The dependent variable for the anti-discrimination model, stated: "Now, we would like to get your views on some issues that are being discussed in the country today. Do you strongly favor, favor, oppose or strongly oppose laws that would protect gay, lesbian, bisexual, and transgender people against discrimination in jobs, public accommodations, and housing?"

Conclusion

This chapter focused on understanding conflict between social groups. To conclude, I will address three key takeaways from the research. First, Evangelicals in America today perceive themselves to be the targets of discrimination. We know from social identity theory that

when a social group is viewed negatively as compared to a relevant out-group, that they react in one of four ways. They could leave the group, although this is difficult because group identity is connected to an individual's identity. In light of this, three other options are to change the dimensions upon which the group is compared to the relevant out-groups, change the framing of the current dimension from negative to positive, or the group could find another out-group that is not viewed positively by society to compare themselves with. One way in which religious groups have been changing the comparative dimension is by evoking rights language.

This leads to our second takeaway; Evangelicals show increased support for the rights of small business owners to refuse services to gays and lesbians because of religious objection. The shift from the focus on what is morally right to the religious objection rights of business owners is consistent with research showing an overall change in conservative strategy (Lewis 2017). This research shows that Evangelicals, conservatives, Republicans, and men are more likely to agree with religious objections. Future research is needed to see how impactful this new frame is. Research should also address if the new frame is more impactful on Evangelicals than other strategies, like the moral frame previously used.

Third, in-groups generally do not perceive discrimination towards the out-group (Turner and Reynolds 2008). The results suggest that Evangelicals are unlikely to agree with the claim that gays, lesbians, bisexuals, and transsexuals are being discriminated against. The models do not provide understanding into why this is the case; however, social identity theory posits that group identity is comparative in nature; therefore, it seems reasonable to suggest that groups are blinded to the plight of groups they are in competition with. This research does not get at where Evangelicals perceive the sources of discrimination against their groups to be coming from. Such research would be useful in tying in some of the findings here. For instance, if the perceived

discrimination is coming from LGBT activists, this could explain blindness to discrimination against LGBT individuals. This might also explain why Evangelicals do not support anti-discrimination policies.

Another key question needing to be addressed is what form does this perceived discrimination take. It seems that Evangelicals see rights as a zero-sum game. If so, anti-discrimination laws would be threatening to Evangelicals who see them as a means for government and activists to clamp down on their religious freedoms. Research addressing the perceived threat to religious freedom is necessary for understanding this group conflict.

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Chapter Four

Responding to the Court: The Diffusion of Religious Freedom Acts

Introduction

The Religious Freedom Restoration Act (RFRA) of 1993 passed without much controversy. It had bipartisan support, passed unanimously in both houses (apart from three senators), and signed into law by President Clinton (Hamilton 1998). Since 1993, states have passed their own versions of RFRA. Today such bills are the center of controversy. Some worry that such bills will legalize discrimination. A simple appeal to religion would thwart years of civil rights legislation. This is of particular concern for LGBTQ+ citizens and their allies in the wake of the Supreme Court's 2015 decision in the *Obergefell v. Hodges* case legalizing marriage equality. Can a refusal to bake a cake, or arrange flowers be made for religious reasons? Others argue that RFRA protect religious groups from being the targets of government coercion (see Laylock 1993). Perhaps due to initial bipartisan support on the federal level, political scientists have failed to give needed attention to state RFRA. More research, like a better understanding of RFRA, sheds light on the balance between two essential freedoms protected by the Constitution of the United States.

This chapter examines the question: What causes state governments to adopt a religious freedom restoration act (RFRA)? By using event history analysis, we can get a sense of the internal and external determinants impacting the likelihood of state adoption. Specifically, this article looks at the impact of factors such as evangelical population (Berry and Berry 1990; Mooney and Lee 1995; Roh and Berry 2008), regional diffusion (Mooney and Lee 1995; Boehmke and Witmer 2004), and vertical influences coming from the federal government (Allen, Pettus, and Haider-Markel 2004; Hoekstra 2009).

The rest of this chapter will proceed as follows. First, I will explain a brief history of

RFRA. Then I will address the two theoretical frames that will be used to understand the passage of RFRA in the states: morality policy and innovation and diffusion. I will test theories of the role of evangelicals, regions, and the federal government on the passage of state RFRA. I do so by employing pooled cross-sectional time series data (1993-2015). My findings provide mixed evidence that the presence of evangelicals influences the passage of RFRA in certain regions of the United States (the south). I also present evidence that states respond to decisions made on the federal level. I conclude by discussing the theoretical and empirical implications of my findings.

Setting the Stage: Federal RFRA

In the early 1990s, frustration with Supreme Court rulings surrounding the Free Exercise Clause came to a breaking point for some religious organizations. The decision reached in *Employment Division, Department of Human Resources of Oregon v. Smith* was particularly frustrating to these religious organizations (see Hamilton 1998). The Employment Division of the state of Oregon had refused to give unemployment benefits to Alfred Smith, who was fired for smoking peyote. At the time, Oregon prohibited the use of peyote, but Smith argued that this violated his first amendment right, because the use of peyote was part of a religious ritual. He belonged to the Native American Church. The case went all the way to the Supreme Court, which decided that the state of Oregon could deny unemployment benefits to an individual for smoking peyote, even if the drug was part of a religious ritual (*Employment Div. v. Smith* 1990).

In response to this decision, a coalition of churches and religious organizations petitioned Congress for added protection for religious exercise (see Laylock 1993). Groups such as the National Association of Evangelicals, the Christian Life Commission of the Southern Baptist Convention, the Church of Jesus Christ of Latter-day Saints, U.S. Catholic Conference, and the

Home School Legal Defense Fund³, were among some of the most active in petitioning Congress. These groups received bipartisan support from the legislature and in 1993, Congress passed the federal Religious Freedom Restoration Act.

The act put greater responsibility on the government to show that laws did not target religious expression. RFRA protected religious liberty claims, unless government could show a compelling societal interest in prohibiting religious behavior. In these instances, the government still had to use the least restrictive means to serve its interest (RFRA 1993, 103d). Soon thereafter, the Catholic Archbishop of San Antonio, Patrick Flores, sued the City of Boerne, Texas, for refusing his petition to expand his church. City of Boerne officials cited its historic preservation law, noting that the church was in a historic district and was a contributing property (*City of Boerne v Flores* 1997).

The case was shepherded through the court system by the same religious organizations that promoted the passage of RFRA. They would be disappointed once again; the Supreme Court ruled in favor of the City of Boerne (*City of Boerne v Flores* 1997, 2172). Before the Boerne decision only two states, Connecticut and Rhode Island had adopted a state version of the RFRAs. Since 1998, nineteen other states have adopted a version of RFRA (Johnson and Steinmetz 2015).

Morality Policy

The study of public policy is complicated by the sheer amount of policies enacted on the local, state, and federal levels. Researchers have developed different approaches to make sense

³ (See, e.g., The Religious Freedom Restoration Act: Hearing on S. 2969 Before the Senate Comm. on the Judiciary, 102d Cong., 2d Sess. 154 (Restoring Religious Liberty in America: An Analysis of the Religious Freedom Restoration Act by Coalitions for America) (full text on file with the B.Y.U. Law Review); Religious Freedom Restoration Act of 1991: Hearings on H.R. 2797 Before the Subcomm. On Civil and Constitutional Rights of the House Comm. on the Judiciary, 102d Cong., 2d Sess. 10 (1992) [hereinafter House Hearings] (statement of Robert Dugan, Jr., Director, Office of Public Affairs, National Association of Evangelicals); *id.* at 23 (statement of Elder Dallin H. Oaks, Quorum of the Twelve Apostles, The Church of Jesus Christ of Latter-day Saints).

of policymaking. Some scholars focus on the policy process. Early work in this area utilized the stages heuristic, which broke down the process into “stages”. Such stages include formation, implementation, and evaluation (Jones 1970; Anderson 1975; and Peters 1986). Later research has criticized the stiffness of the process as described in the stages heuristic juxtaposed to reality (Cochran et al. 2006, 7). The stages heuristic is not a causal theory, contains no assumptions about what drives the process, and has few falsifiable hypotheses (Sabatier 1991). Later work has expanded this original conceptualization by developing theories of the policy process (see Sabatier and Weible 2014).

A second approach divides policies into substantive areas to be examined. Some common areas include budgetary policy, health care, welfare, and foreign and military policy. In more recent years, scholarship has turned to policies surrounding social values. Categories like abortion, drugs, and the death penalty were studied using the morality policy framework (Meier 1994; Mooney, Christopher Z., and Mei-Hsien Lee 1995; Mooney and Lee 2000).

The third approach relies on categorization of policies based on their characteristics (Lowi 1964). The very nature of a policy, its categorization, produces a unique political environment. Policy scholars have created several categories over the years including distributive, redistributive, and regulatory policies (Hwang and Gray 1991; Gormley 1986; Hopkins and Weber 1976). Such research has focused on the atmosphere surrounding economic policy. Another type of policy, morality policy, is governed by different politics and adoption patterns (Meier and McFarlane 1992). A greater understanding of the context by which policies are debated paves the way for researchers to develop and test hypotheses. The latter two approaches have informed, what has been termed, morality policy.

There have been several definitions of morality policy proposed throughout the years.

Haider-Markel and Meier (1996) propose that so long as one advocacy coalition involved in a policy debate portrays an issue as one of morality, or sin, then it can be categorized as a morality policy. Therefore, it is not necessary for both sides to use moral arguments. In fact, most of the time, conservatives, particularly the religious right, are the ones that make an issue into a moral policy debate (Gibson 2004). Meier (1999, 681) described morality policies as “the politics of sin”, that are either condoned or condemned by society. According to Tatalovich and Daynes (1988) morality policies are designed to instigate behavioral change in society. These definitions indicate that morality policies seek to regulate social norms or evoke strong moral responses from citizens (Tatalovich and Daynes 1988; Mooney and Lee 1995).

Depending on the definition, morality policies can be categorized into Lowi’s (1964) typology differently. There are four categories in the typology: distributive, protective, regulatory, competitive regulatory, and redistributive. Meier (1999) argues that morality policies should be seen as redistributive, because groups are seeking to place their values on others. As Mooney and Lee (2000) put it, “values are ‘redistributed’ because one group has its values affirmed by a policy change, while another has its values repudiated.” At the same time morality policies have been argued to fall within the category of distributive policy (see Meier 1999) and regulatory policy (Gormley 1986).

Morality policies are characterized by high salience to the public, leave little room for compromise, and are marked by value-driven arguments. These three characteristics create an environment where widespread public engagement is likely (Mooney and Schuldt 2008). Some researchers have found that perhaps morality policies are not always extremely salient to the public. Haider-Markel and Meier (1996) find that there are two models that can be used to describe gay and lesbian politics in the United States. Salience to the public is what determines

which model is most appropriate. When salience is high, the morality politics model is a better fit. When salience is low, an interest group model provides a better explanation for policy adoption. Under the latter model, policy is determined by coalition resources, support from elites, and prior public policy (Haider-Markel and Meier 1996).

Morality policies are distinct in four ways. First, morality policies are tied to deep held value systems, which leave little room for compromise (Mooney and Lee 1995; Gibson 2004). Compromise on foundational values, often referred to as “first principles” (Mooney 1999), necessitates the sacrifice of at least one of those core values. Understanding this primary characteristic is important for determining other important qualities of morality policies.

Morality policies tend to be highly salient to the public (Haider-Markel 1999), although some scholars have found evidence to suggest otherwise (Mooney and Schuldt 2008). Either way, morality policies are certainly salient to certain groups, namely the religious right, and those their policies would impact. States with higher proportions of religious citizens should be more likely to have elites that pay attention to its religious citizenry. Democratic theory would suggest that citizen values ought to direct public policy (Key 1961). The fact that morality policies are salient to some groups impacts most legislatures.

Due to the value-based arguments usually made for morality policy, there is less need for the opinions of elites or for the public to look into an issue for more information (Mooney and Schuldt 2008). Morality policies are perceived as “easy issues”, therefore everyone can claim to be legitimately informed (Carmines and Stimson 1980). However, when saliency is low, interest groups are able to generate influence on political actors (Haider-Markel 1999). Ambitious elected officials benefit from adopting positions close to their constituents. Whereas economic regulatory policy is driven by sociological variables like income and urbanization, we expect

morality policy to be driven by religious factors or political factors (Mooney 2001; Koopman 2009, 550).

The last characteristic of morality policy is that they tend to have widespread citizen participation (Mooney and Lee 2000). Research shows that despite constituencies' low interest and knowledge of state governments, policy creation and adoption are influenced by ideological orientations of mass publics (Erikson, Wright, and McIver 1993). In his seminal piece on congress, Mayhew (1974) suggests that legislatures' primary goal is to get re-elected. A legislature who perceives that their constituents are mobilized to participate based off of morality polices are more likely to use caution to not alienate voters. This includes the adoption of policies that are perceived favorable by the public (Miller and Stokes 1963).

Morality policies have historically been left to the states. The reservation of power to the states, embodied in 10th Amendment, allowed for closer policy-opinion congruence (Mooney 2000). Mooney argued that actions by the federal government to usurp state authority on morality policies can lead to extended policy activity, especially in states high in preference heterogeneity and religiosity.

Diffusion of Innovations Framework: State RFRAs

This paper draws on the diffusion of innovations framework to understand the spread of state RFRAs. Policy diffusion models clarify how states can adopt policies relatively quickly, despite institutional frictions (Walker 1969). Governments do not operate within a vacuum. They learn from the policy decisions made in other jurisdictions. The process of watching and emulating other governments is known as diffusion (Berry and Berry 1990). The policy diffusion of innovations framework allows researchers to study the factors leading to new innovations in policy. According to the diffusion framework, a policy is innovative so long as it is new to the

jurisdiction adopting it (Walker 1969). Therefore, if a state adopts a bill emulating another, it is still considered an innovation to that state.

In their study, Berry and Berry (1990) combine diffusion models with policy models utilizing characteristics of governments, internal determinants, to predict policy adoption. Internal determinants are political, economic, and social characteristics that lead to policy innovations (Walker 1969). For example, religious and ideologically conservative states are more likely to adopt morality polices that seek to regulate “sinful” behavior (Haider-Markel 2001). A high number of religious groups and an ideologically conservative population are examples of social factors impacting policy innovation. The other component needed to utilize this theoretical perspective is a diffusion explanation.

The most predominate diffusion explanation is that states learn from each other (see Gilardi 2006; Sylvester and Haider-Markel 2015). This is particularly true when the policy is successful in its attended purpose (but see Volden 2006). For example, state officials were more likely to propose tax and expenditure limits when geographical neighbors passed similar legislation (Seljan and Weller 2011). Government leaders imitate effective leaders from other states (Karch 2007). This can be due to the credibility of neighboring state leaders, or if jurisdictions have similar partisan and ideological orientations (Grupp and Richards 1975; Grossback, Nicholson-Crotty, and Peterson 2004). Government leaders take cues from similar states to help them understand how the electorate and other state elites will react to policy. Mississippi’s adoption of academic bankruptcy laws is an excellent example (Grossback, Nicholson-Crotty, and Peterson 2004). The laws are slightly different across the states, but the laws essentially allow state elites the ability to take over operating school districts that consistently fail to meet standards. State’s that had conservative leaders were more likely to

adopt the policy than states with liberal elites.

Although many studies have shown that states influence each other, there has been debate over the years about how diffusion works. Early studies used neighbor models (Mintrom 1997; Mintrom and Vergari 1998). They hypothesized that the probability of a state adopting a policy is directly influenced to the proportion of bordering states that had previously adopted. Other models expanded the scope of interactions by assuming a collectivity of jurisdictions, a region, had a greater impact on governmental adoption (Mooney and Lee 1995). Both types of models add to our understanding of the different influences that nearby jurisdictions have on governments. Since, scholars have argued that states learn from and emulate states that are similar to them (Grossback, Nicholson-Crotty, and Peterson 2004; Sylvester and Haider-Markel 2016). States learn and emulate states that share an ideological view. These scholars measure the diffusion of policy by capturing ideological distances using Berry et al. (1998) state government liberalism indicator.

Diffusion models have been used to understand the effects of the National government on the states (Allen, Pettus, and Haider-Markel 2004; Hoekstra 2009). Allen, Pettus, and Haider-Markel (2004) show how vertical dimensions effect policy diffusion. The authors put forward five propositions to account for federal influence on state policy adoption, two of which pertain to our study on state RFRAs. Their third proposition states that a state will be more likely to adopt a policy when it is consistent with an unambiguous United States Supreme Court decision regarding that policy (Allen, Pettus, and Haider-Markel 2004). Their fifth proposition states that when the national government is split in their policy preferences, the states are more likely to adopt relevant new policies on their own. This work provides a case study for when the U.S. Supreme Court takes a clear constitutional stance, but members of Congress clearly disapprove

of the decision. This provides two distinct signals from the federal government. This entanglement between two separate powers within the federal government likewise provides added cover for states to enter the policy arena. Diffusion models can indicate when states work together to try and ignore or circumvent federal prerogatives in the face of dual signals from the national level. Despite a clear signal from the Court, I suspect that opponents to the decision will be emboldened by Congress' prior repudiation of the Court's authority. Upon reflection of the morality policy and innovation and diffusion literatures, I put forward three hypotheses and the passage of RFRA.

First, Although the morality policy literature does inform us that greater portion of religious influence in a state will affect the adoption of morality policies, little work has been done to show how this influence leads to policy diffusion (Berry and Berry 1990; Mooney and Lee 1995; and Roh and Berry 2008). To move the literature on morality policy forward I test a religious influence hypothesis. The religious influence hypothesis suggests that states with higher proportions of evangelical (sometimes referred to as fundamentalists) populations will be more likely to pass state versions of the RFRA.

Second, the literature on innovation and diffusion suggests that states will learn from other states which are ideologically similar to them (Grossback, Nicholson-Crotty, and Peterson 2004; Sylvester and Haider-Markel 2016), or are in the same region of the country (Berry and Berry 1990; Boehmke and Witmer 2004). However, when the policy in question is couched in terms of morality, we should expect that religious influence should still play a role in adoption. I hypothesize that states with higher amounts of religious population and that are ideologically or regionally similar will be more likely to adopt a RFRA.

Conservative states promote traditionalism, or in policy terms, the status quo. This is

especially true for morality policies, and policy surrounding institutions like the family and churches. Therefore, it makes sense that RFRA policies should diffuse in those states that are more conservative or have Republicans in office. Although different, ideology and partisanship are related. Under this same logic, we should expect that certain regions of the country, those that are more traditional, should be more likely to support the adoption of RFRA. Research has classified the southern states as having a traditional political culture (Elazar 1970). I expect that the southern states will be most likely to diffuse RFRA.

Third, the vertical diffusion hypothesis is built off of the work of Allen, Pettus, and Haider-Markel (2004), who suggest that vertical diffusion forces play a role in the adoption of state policy. I test a variation of their fifth proposition, that when the federal government is unclear in their preferences states will take the lead in adopting policy. It is not the case that the Supreme Court was unclear about its position in the 1997 *Boerne V. Flores* decision, however, there are two distinct signals being sent from the court and the legislature. Groups who favored the federal RFRA were once again dealt a defeat by the Supreme Court. The actions of Congress provided some cover to those states interested in passing similar legislation. Therefore, the vertical diffusion hypothesis suggests that innovations are more likely to occur in the years following the Supreme Court's 1997 decision in *Boerne V. Flores*, a time in which the legislative and judicial branches sent different signals to the religious community.

Research Design and Variable Measurement

Following most work in policy diffusion, event history analysis (EHA), was used to examine the effects of internal and external factors (see Berry and Berry 2007; Box-Steffensmeier and Jones 2004). Event history analysis also goes by the name of survival models. This is because they analyze the length of time before an event happens. Early on, these models

were used in biostatistics to determine the time before the death of patients. In this case, we are examining the time before a state adopts a RFRA. Researchers relying on such models are implicitly interested in risk. For example, what is the risk that a state adopts a proposed policy? Since we are dealing with discrete events, either a state adopts the bill or does not adopt, I use logistic regression models to analyze the data (Berry and Berry 2007).

A benefit of event history analysis is that it is comparative in nature. Not only can we compare states, but these models allow us to account for regional patterns, and the influence of shared state partisan and ideological leanings. RFRA's draw support from two sources. First, religious groups. The initial push for legislation came from religious groups that felt slighted by the opinions of the Supreme Court on religious questions. I theorize that Evangelical Christians would take up the fight for securing religious freedom. Evangelicals are not spread evenly across the states. Therefore, accounting for region is important. Second, because of the close association between conservative religious groups and the Republican Party, I suspect that ideologically similar states will be at more risk of adopting RFRA's.⁴

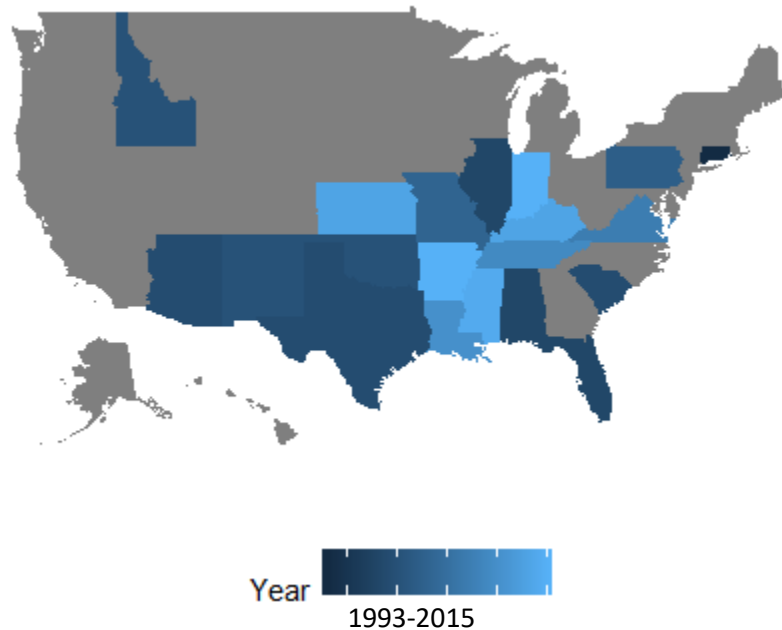
Dependent Variable

I used Johnson and Steinmetz's (2015) timeline to account for the years in which states adopted RFRA's. I verified the adoption years through the National Conference of State Legislatures website. States were coded with a zero from 1993 until they adopted a version of the bill. Once they did, they were coded as a one and dropped from the model. This is because event history analysis is supposed to be used on non-reoccurring events. Theoretically, a state could readopt a different version of the original state RFRA. This has only occurred once with state RFRA's; therefore, this should not impact the study. Figure 1 provides a diagram of the United

⁴ I use the term risk not to denote some opinion on RFRA's but rather because the literature on survival models uses this terminology in reference to the likelihood of adoption.

States in which those states that have adopted a RFRA are shaded. Most recent adopters are shaded in a lighter color than previous adopters.

Figure 1: Map of RFRA adoption



Note: data compiled by the author based on information from the National Conference of State Legislatures

Independent Variables

State Internal Factors. A measure for evangelical population and the number of evangelical congregations in each state were used as proxies for religious interest group mobilization. I use evangelical population in two models and number of congregations in another model. This is because congregations seem to be a better measure of support from religious organizations because churches were big supporters of the federal RFRA. Evangelical population was used because some organizations supporting the federal RFRA were not actually churches but organizations with religious members.

The evangelical population measure was created using Gibson's (2004) measure for evangelicals. This measure captures the percentage of evangelicals per state. However, the data is only for the year 1990. I used his percentage for all of the years. This is a major limitation of my study. The evangelical congregation's measure utilized the Glenmary data from 2000 and 2010 (see Jones 2010). The Glenmary Mission is an organization which does religious censuses every ten years. They have a measure for evangelical congregations that were used. Interpolation was used to fill in the missing years.

Vertical Dimension. A variable for the year 1998 was included in the model because that is the year after the Supreme Court's *Boerne V. Flores* decision. Those favoring RFRA had already been frustrated with the Court's past decisions regarding the free exercise of religion. Congress signaled their disapproval of the Court by passing the federal RFRA. By overturning the federal RFRA, the Court not only angered supporters of RFRA but once again highlighted the ambiguity of the federal government on the issue. This "Court Decision" variable will allow us to test Allen, Pettus, and Haider-Markel's (2004) proposition that under conditions of ambiguous national preferences, states will respond by taking the lead in passing legislation. This is compounded by the fact that evangelicals might be looking for another outlet to show their displeasure with the Court.

External Variables. A regional diffusion variable was created by dividing the number of states within a region that had previously adopted a bill by the total number of states within that region. For example, to calculate the regional diffusion score for Mississippi in the year 2014, I divided the number of southern states that had adopted the bill previous to 2014 by all southern states. Evidence suggests that states within a region look to each other (Canon and Baum 1981; Walker 1969).

My second measure of external forces follows Grossback et al. (2004) measure of ideological distance. They argue that states are more likely to learn or emulate those states which are ideologically similar. A state with a high liberal score is less likely to adopt a policy favorable to a conservative state. Like others in the diffusion literature, I utilize the state government liberalism scores created by Berry et al (1998). Then, I calculated the distance using the following formula:

$$\text{Ideological Distance} = \text{ABS}([\text{MostRecentAdopterIdeo.} \\ + \text{AllOtherAdopterIdeo.}] / 2] - \text{PotentialAdopter})$$

Other formulas for capturing ideological distance have been proposed (see Sylvester and Haider-Markel 2016), however, the original formula proposed by Grossback et al. (2014) fits this project best. Since I am looking at years from 1993-2015, giving greater weight to the most recent adopter's ideology is necessary.

Control Variables. A measure of citizen ideology was taken from the revised 1960-2013 citizen ideology series (Berry et al. 1998). Since this data did not go to 2015, the 2013 score was used for the subsequent years. Since, churches from several denominations supported the federal RFRA, it is important to control for citizen ideology. It seems that the Religious Right has been more supportive of state RFRA's even if the federal law received bipartisan support. The citizen ideology measure will make sure that state RFRA's are not merely a response to ideological pressures.

State government ideology is important to control for because the hypothesis suggests that it is the presence of evangelicals will influence the likelihood of policy adoption. This should be the case whether or not state elites are supporting the passage of RFRA's. Government ideology was measured using the NOMINATE measure of state government ideology (Berry et al. 2010). The most current update to this data correlates highly, .9894, with the previous

version. Berry et al. (2010) recommend relying on the NOMINATE version of state government ideology due to its stronger performance in the various validity tests reported in their article.

Governors hold a lot of state power; however, the literature is mixed on whether the partisanship of the governor has a significant effect on morality policy (Wetstein 1996) or whether the presence of a governor has the side effect of mobilizing those not of their party (Camobreco and Barnello 2008). In either case, the governor's power to veto legislation is a key factor in the passage of any bill; therefore, a control was added to account for this influence.

Governor's ideology was measured by combining the Nominat 1960-2004 government ideology series (Berry et al. 2010) with information from the National Governor's Association. Years during which a Republican governor was in office received a 1 otherwise 0 was used for all other parties. Berry et al. (2010) expects that the orientation of a governor is equal to the average orientation of state legislators. This is how governors were measured through 2004. Since the nominat 1960-2004 government ideology series only went until 2004 information from the National Governor's Association on past and present governors was used to fill in the gaps through 2015. If there was a discrepancy due to replacement in the middle of the year, the party identification of the governor who had been in most of the year was used.

Finally, a control for the year after Congress adopted the federal version of the RFRA, was included. This is to see if Congress' signal of approval would influence state adoption. The year after the adoption of the federal bill was used because of the time it would take the states to adopt policy in response to the federal government.

Results and Discussion

Table 1 displays the results of the logistic regression models. There are two models that were used to analyze the data. The first model is the full model with all independent variables

included. The second model adds an interaction between the regional diffusion variable and Evangelical population. Remember that three hypotheses were proposed to explain the passage of state RFRA. First, the religious influence hypothesis suggests that a higher presence of Evangelicals as a proportion of overall state population, would increase the likelihood of RFRA adoption. The results from the first model do not support the hypothesis. Evangelicals were not a statistically significant factor in the passage of state RFRA.

However, by interacting Evangelical population with the regional diffusion variable, we start to get a clearer picture of Evangelical influence. The interacted term is significant at the .1 level. This is not conclusive evidence of the role of Evangelicals, but does suggest that within regions where adoption of RFRA is higher, Evangelical presence might make a greater difference. This makes sense because religious groups and the southern states share a similar culture of traditionalism when it comes to protecting church activities. However, further evidence is needed to make a more conclusive argument.

Another explanation for the lack of Evangelical influence could be that these policies have been generally accepted by the Republican Party, and conservatives. The variables accounting for partisan and ideological influence appear to be insignificant, however, here is high multicollinearity among these variables which accounts for their lack of significance.

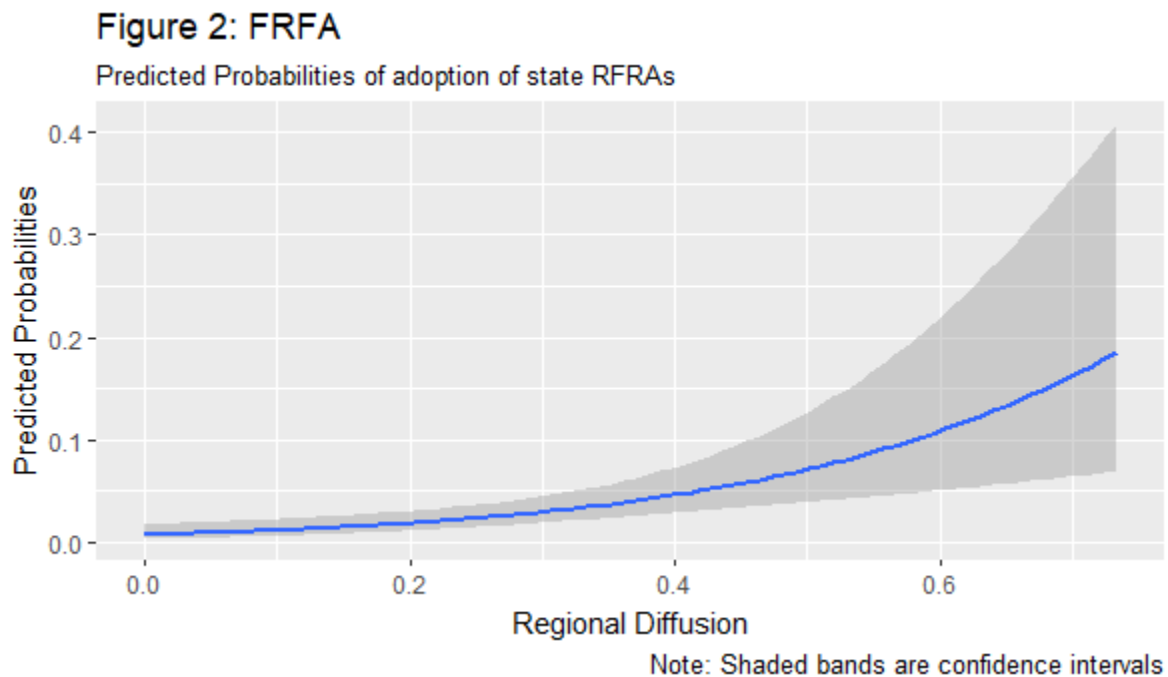
Table 1: Passage of State Religious Freedom Restoration Acts

<i><u>Independent Variables</u></i>	Full Model	Regional Interaction
Intercept	-2.500* (1.075)	-1.888# (1.141)
Evangelical Population	-7.286 (5.513)	-22.030* (10.863)
Government Ideology	-0.006 (0.015)	-0.017 (0.017)
Governor	0.158 (0.711)	0.521 (0.761)
Citizen Ideology	-0.040# (0.021)	-0.033 (0.022)
Boerne Decision	2.064** (0.779)	1.903* (0.770)
Congress HR	-13.475 (914.483)	-13.721 (888.337)
Regional	5.376*** (1.284)	2.267 (2.128)
Ideological Distance	-0.008 (0.016)	-0.002 (0.017)
EvangelicalXRegional	----	54.138# (29.632)
Log Likelihood	-86.269	-84.525
Deviance	172.538	169.051
BIC	233.889	237.218
AIC:	190.538	189.051
Number of Cases	913	913

Notes: Coefficients are logistic regression coefficients; standard errors are in parentheses. ** p < .01, * p < .05, # p < .10. The dependent variable equals 1 in the year a state adopted a RFRA law, otherwise it is coded as zero.

Further work might focus on the effect that the Republican Party has on promoting state RFRA and other morality policies supported by Evangelicals.

The first model shows that the regional diffusion variable is significant. The second model does not because of the interaction term. To better grasp the effect of regional diffusion, Figure 2 is a graph of the predicted probabilities by how many states within a region already adopted a RFRA. The graph shows that adoption was more probable once more than half the region had adopted the legislation. Looking back at Figure 1, which shows which states adopted RFRA, we can see that the south is driving this effect. Once 70 percent of the states in the South adopted a RFRA, the probability that other states would adopt went up about 15 percent. Although this is a modest finding, it does suggest regional support for RFRA adoption.



Finally, the vertical diffusion hypothesis suggest that the states would respond to the Supreme Court's 1997 *Boerne V. Flores* decision. Figure 3 shows the predicted probabilities before and after the Boerne decision. The graph shows a modest, 3 percent increase in probability for the years after the decision. However, I suspect that the Boerne decision had greater influence the years right after the decision was made and then that effect slowly tapered off. To demonstrate this effect, diffusion studies often include a Hazard Rate variable (Box-Steffensmeier and Jones 1997; Mooney and Lee 1995; Sylvester and Haider-Markel 2016). The Hazard Rate accounts for the risk of adoption (Mooney and Lee 1995). It is generated by taking the number of RFRA adoptions each year and divide it by the total number of states not previously having adopted a state RFRA (See Mooney and Lee 1995).

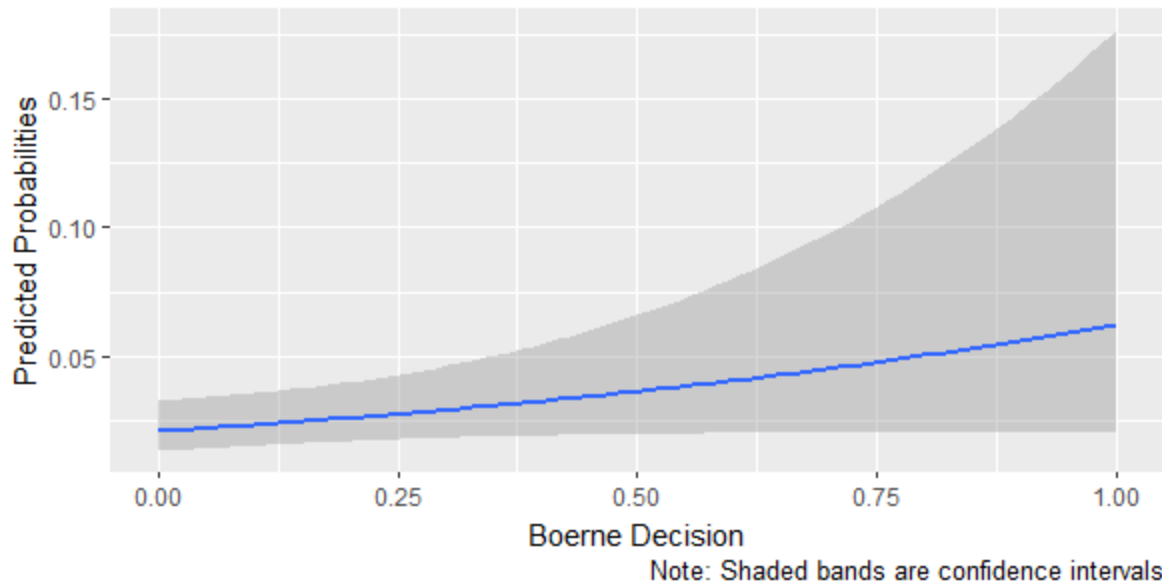
The Hazard Rate variable was not included in the final models presented in Table 1. This is because it is collinear with the Boerne decision variable. Table 2 shows the hazard rate for each year covered in the study. The probability of adoption is greatest from 1998 through 2000. The following year, the probability goes down to zero. This indicates that the Boerne decision did have an impact for only a few years.

Table 2: Annual Hazard Rates for State Adoption of RFRA

Year	Hazard Rate
1993	0.040
1994	0
1995	0
1996	0
1997	0
1998	0.063
1999	0.067
2000	0.071
2001	0
2002	0.026
2003	0.026
2004	0
2005	0
2006	0
2007	0.027
2008	0
2009	0.028
2010	0.029
2011	0
2012	0
2013	0.059
2014	0.031
2015	0.063

Figure 3: RFRA

Predicted Probabilities of adoption of state RFRA before and after Boerne



Conclusion

Since 1993, several states have adopted religious freedom restoration acts (RFRA), to give added protection to the free exercise of religion. In recent years these bills have been at the center of controversy. The primary question is if, and to what extent does the Constitutional protection of religious exercise supersede other constitutional rights. Of particular concern are civil rights protections against discrimination. My research explored the diffusion of state RFRA, which I classified as morality policies. By using Event History Analysis and state level data, we found mild support for the conclusion that Evangelical population influenced the passage of state RFRA within regions where high adoption already occurred. This stands in contrast to other research that found a more robust effect of Evangelicals on the adoption of morality policies (Berry and Berry 1990; Mooney and Lee 1995; and Roh and Berry 2008).

Regional diffusion played the largest role out of the two external factors included in the study. Although most innovation and diffusion work has moved away from regional-fixed

models, my research suggests that in some cases, these models might best capture policy adoption by the states.

The research supports the work of other scholars, that the federal government can play a role in the adoption of policy on the state level (Allen, Pettus, and Haider-Markel 2004; Hoekstra 2009). The federal policy adoption by Congress had no effect on state adoption, because the states did not need to act if the federal government chose to pass their preferred policy. However, when the Supreme Court overturned the federal RFRA, the states reacted by adopting state RFRA. Future work should continue to test federal influence on state adoption and diffusion of policy.

There are a few notable limitations to my study of state RFRA. Evangelical population might not be the best measure of religious involvement. For instance, religious organizations might be a better indicator because of the increased pressure they would face from losing increased protections for free exercise. They might also be more aware of policies effecting religious people in their states.

Another limitation is that my models do not have a way of parsing out the effect of LGBTQ+ interest groups on the policy debate. Future work might be able to use such a measure to explain more fully what might cause a state to accept or reject RFRA. Recent RFRA debates have seen the mobilization of big business, Hollywood, and sport organizations on behalf of LGBTQ+ communities. This effect might not have an impact on the religious, however, state politicians are certainly concerned about alienating these groups. These would be helpful additions to the study of RFRA adoption.

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Chapter Five

Conclusion: Where Do We Go from Here?

For religious Americans, a belief in God binds them to their nation and in many ways to each other (Kosmin and Keysar 2006, 24). Many Christians share a belief that America is divinely guided (McCartney 2004; Judis 2005). This is not a new notion. As far back as the American Revolution, founding fathers relied on religious thought (Murrin 2007; Noll 2003). George Washington's farewell address highlighted the role religion would play if the Constitution were to endure (see Hutson 2003). The promotion of slogans like "In God We Trust," are seen as a unifying call for all citizens.

Yet, 72 percent of Americans say that the country is divided on religious lines (Putnam and Campbell 2010, 516). The mixture of the Christian God with the future of the nation is not a welcoming one. Fears of discrimination from a state devotion to Christian faith are reasonable to those who are left out of that tradition of faith. For instance, it is probably the tie of Christian faith to national pride that led Americans to fear and dislike Muslims, even those American Muslims who love this country (Penning 2009). Furthermore, claims of religious belief have been used as a defense for government exemption from laws protecting against discrimination based on sexual orientation. In the United States we expect the rights of groups to be protected.

This dissertation is unified by a focus on the role of religion in American Politics. Chapter two focused on Social Identity Theory, which I employed as the theoretical undergirding for this study (see Tajfel and Turner 1979). Tajfel and Turner (1979) suggest that groups and individuals are driven by a need for positive group identity. They posit that the need for positive identity leads to the comparison of an in-group with a relevant out-group. My analysis of data from nationally representative surveys suggests that religious identity plays a role in shaping

policy preferences. Two policies, the death penalty and military intervention in Iraq and Syria against militant Muslim groups, like ISIS, were used to test the hypothesis. Gun owner identity was also used to illustrate the influence of identities on the likelihood of support for policy. Evangelicals and gun owners share a mutual disdain for militant Muslims and those on death row (Gath 2009, p.249; Grasmick et al. 1992; Halbrook 2013; Jacobson 2005), which would perhaps target them as relevant out-groups.

Findings in Chapter 2 also provide support for the arguments made by Campbell and his colleagues' (2011) concerning an indirect effect hypothesis. The hypothesis states that religious identity alone does not lead to policy preference except for some unique cases like abortion and gay marriage (Campbell et al. 2011). Instead a second identity, in their case partisanship, is needed to activate the effects of religious belief. In my study the evidence suggests that an Evangelical and gun owner identity interact to increase the likelihood of supporting military intervention.

Chapter three investigates the likelihood of support for a religious freedom frame. Social Identity Theory was again used to understand possible motivational factors for this support (See Tajfel and Turner 1979). Special attention was paid to Evangelicals. Religious groups are unique in providing “internal affective experiences” through rituals, sacred texts, and stories (Wellman and Tokuno 2004). These experiences are personally significant to members, thus creating strong attachments to the religion (Kinnvall 2004; Verkuyten and Yildiz 2007).

Evidence from Chapter three suggests three major points. First, Evangelicals are more likely to perceive societal discrimination against Christians. As stated above, negative group esteem leads to action from that group, usually in the form of conflict with a relevant out-group (Tajfel and Turner 1979). Therefore, we should expect Evangelicals to be more reactive to out-

groups. One such out-group, which have been garnering more support by the public, are lesbian, gay, bisexual, transgender, and queer (LGBTQ+) individuals (Lax and Phillips 2009; Lewis and Rogers 1999; Powell et al. 2010).

Second, Evangelicals are more likely to support the religious freedom frame. More specifically, I found that Evangelicals support the right of a small business owner to refuse service to gays and lesbians on religious grounds. This kind of support for the in-group has been demonstrated by social identity researchers (Tajfel and Billic 1974). Tajfel and Billic (1974) in their research created two groups for their participants to join. The groups were based on whether the participants overestimated or underestimated how many miles a car could run from a tank of gas. After separating participants, they found that even in arbitrarily created groups members favor in-group members over out-group members (Tajfel and Billic 1974).

Thirdly, there is debate whether or not Social Identity Theory posits, or should posit, that groups actively seek to discriminate against relevant out-groups (see Turner and Reynold 2008). Evidence provided in this chapter suggests that Evangelicals are less likely to perceive discrimination against LGBTQ+ individuals, and are less likely to support policies that would protect them against discrimination. These findings, while not conclusive in solving the debate, indicate that groups do not only support the in-group but actively support discrimination against out-groups.

Chapter Four takes a different angle from the previous chapters by focusing on state adoption of Religious Freedom Restoration Acts (RFRA). RFRA have sparked large debate in and outside of academia (Hamilton 1998; Laylock 1993). Hamilton (1998) outlines that state RFRA are unconstitutional and decries the use of them for discriminatory purposes. Laylock (1993) has commented on RFRA laws to be a means of protecting religious minorities. By using

event history analysis on a 22-year pooled cross-sectional dataset of the American states, I investigate the internal and external determinants impacting the likelihood of state adoption of RFRA laws (Berry and Berry 1990; Walker 1969).

My findings suggest mild support for the conclusion that Evangelical population influences the passage of state RFRA, but only within regions where high adoption is already occurring. However, the research does support the work of other scholars, that the federal government can play a role in the adoption of policy on the state level (Allen, Pettus, and Haider-Markel 2004; Hoekstra 2009). I find that the Supreme Court's *Boerne V. Flores* decision lead to a burst of RFRA adoption in the states. My findings do not indicate the Evangelical beliefs are the sole driver of RFRA adoption, yet, these policies are certainly sought for in the name of religious beliefs.

Some have argued that debates over religion are debates over fundamental values (Putnam and Campbell 2010, 493). The adage that religion should not be discussed at the dinner table, is proof of the volatile nature of religion. Yet, America continues to be influenced by religion well into the twenty-first century. Little evidence, and certainly none provided here, indicates that "religion is doomed" (see Stark and Finke 2000, pg. 29).

How do we balance protecting religious liberty and preventing religion-based discrimination? The answers are not going to be easily found. My project indicates that religious groups will defend their policy preferences even while ignoring the calls of help by minority groups. Perhaps, as more attention is paid by the courts, the public, political elites, interest groups, and the like, compromise between religious liberty and anti-discrimination will be developed. It certainly is important for all of us to come together and advocate for equal justice.

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