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## The Effects of Gender, Religiosity, and Partisanship on Support for the Supreme Court's Decision in *Gonzales v. Carhart* (2007)

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## Abstract

This research investigates the effects of gender, religiosity, and partisanship on the public's support for *Gonzales v. Carhart* (2007). This Supreme Court decision upheld Congress's 2003 Partial Birth Abortion ban, effectively prohibiting women from seeking and doctors from performing this specific type of abortion procedure. The Court broke from precedent in a dramatic and controversial way because it was the first time in history that the Court upheld a restriction on abortion that contained no exception for the health of the mother. Data was obtained from a NBC and Wall Street Journal 2007 survey, which asked respondents if they favored the Court's ruling in *Gonzales*. There were two versions of the question each of which was asked to half of the respondents. The first version of the question is referred to in this paper as the nondescript version because it contained no information beyond asking respondents if they favored the Court's ruling. The second version is referred to as the informative version because its question stem contained several important considerations which are likely to have impacted respondents' answers. This research found that religiosity and partisanship have important effects on public opinion on partial birth abortion, with people who attend church more frequently and people who identify themselves as Republicans favoring the Court's decision more. The results for gender were inconclusive.

Keywords: *Gonzales v. Carhart*, public opinion, partial birth abortion

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THE EFFECTS OF GENDER, RELIGIOSITY, AND PARTISANSHIP ON SUPPORT  
FOR THE SUPREME COURT'S DECISION IN GONZALES V. CARHART (2007)

By

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## **The Effects of Gender, Religiosity, and Partisanship on Support for the Supreme Court's Decision in *Gonzales v. Carhart* (2007)**

Abortion is one of the most highly contested, salient, and controversial issues igniting political passions today. While the most vocal, activist groups on both sides of the debate usually advance the most extremist view of their position, most of the public lies somewhere between the two absolutist views of “abortion should be legal in all circumstances” and abortion should “never be legally permitted”. In contrast, partial birth abortion opinions tend to be far more polarized, with most people who have an opinion on the issue describing their stance as either “strongly” favor or “strongly” oppose (Freedman & Goldstein, 1998). Thus, my research revolves around seeking an explanation for the noticeable difference between the distribution of general abortion attitudes and partial birth abortion attitudes. In particular, this paper investigates which explanatory variables affect public opinion about partial birth abortions.

There are many potential causes for the extremity of partial birth abortion opinions, some of which pertain to the way partial birth abortion is framed by both sides of the debate, as well as in the media. Both sides meticulously and intentionally frame the debate in strategic ways that they believe will shift public opinion in favor of their stance. The manipulation of this framing has led to a vast disparity in the way the way that the debate is portrayed in the media (Calvo & Rosenstone, 1990). This framing of the abortion issue could affect how gender, religiosity, and partisanship influence opinion on abortion.

In order to test the effects of these variables, I used two different versions of what is essentially the same question. Half of the 1,004 person sample was asked one version of the question, and the other half of the sample was asked the second version. The first version, Question 33B, which I will refer to as the “nondescript version,” simply tells respondents that the

Supreme Court recently upheld a law that makes partial birth abortions illegal, and asks whether they favor or oppose this decision. The second version, Question 33C, which I will refer to as the “informative version,” offers several pieces of information to respondents about that particular law. This question tells respondents that partial birth abortions occur late enough in the pregnancy that the baby might be viable and that the Court upheld this law without any provision for protecting the mother’s health. Thus, my research tests whether gender, religiosity, and partisanship are significant predictors of public opinion about partial birth abortion and whether the effects of these variables change based on the wording of the survey question asked to respondents.

### **Abortion in the United States**

While the abortion debate has become more visible and publicized in the last fifty years, its origins date back to shortly after the Revolutionary War. The debate then resembled the current debate in that there was an accepted right for a woman to terminate her pregnancy during the early stages of pregnancy. Once a pregnant woman could feel the fetus moving inside her stomach, which was dubbed “quickening,” she was prohibited from taking any measures to end her pregnancy (Hillstrom, 2008). In the 1960s, the abortion debate focused on weighing two competing fundamental rights, the right to privacy (which abortion advocates argue entails the right of a woman to make autonomous decisions about her body, including choosing to seek an abortion) versus the right to life of the unborn fetus. Thus, the debate was framed in terms of whether the rights stipulated in the Constitution, specifically the unenumerated right to privacy, encompassed a woman’s right to choose to seek an abortion. If the right to seek an abortion was

protected by the Constitution, then the question was whether this right outweighed the state's interest in protecting the life of the unborn fetus (Hillstrom, 2008).

In 1973, the Supreme Court held, in the landmark *Roe v. Wade* decision, that there was an inherent right to privacy located in the Due Process Clause of the Fourteenth Amendment, and that right granted women the right to seek an abortion without state interference. The Court deemed the right to seek an abortion a fundamental right, but implemented an ambiguous trimester system to govern the level of freedom with which this right could be exercised throughout the various stages of pregnancy. Under this system, women had total autonomy over their pregnancy in the first trimester. However, during the second and third trimesters, the Court stipulated that women's rights must be balanced with the state's interests, which made abortion rights after the first trimester extremely vague and susceptible to challenges (*Roe v. Wade*, 1973). As a result, states have repeatedly drafted laws that restrict women's access to abortion, which pro-choice supporters have repeatedly challenged in response. The Court has upheld the majority of these state regulations. As a result, the abortion debate has been repeatedly re-framed, evolving from a question over fundamental rights to a question of under what circumstances and to what extent states can restrict abortion (Calvo & Rosenstone, 1990).

In the 1990s, the abortion debate took on a new dimension when Congress drafted legislation to ban a specific type of late-term abortion, which the ban's advocates referred to as "partial birth abortions." This type of abortion procedure not only occurs late in the pregnancy, which raises questions about viability, but it also entails a technique that some find particularly gruesome, offensive, or immoral. While President Clinton successfully vetoed a federal bill prohibiting this type of abortion in the 1990s, many states subsequently passed laws that outlawed this procedure in that state (Freedman & Goldstein, 1998). Nebraska was one of these

states that enacted such a law, but it was challenged and eventually heard by the U.S. Supreme Court in *Stenberg v. Carhart* (2000). The Court held that the Nebraska law was unconstitutional because it placed an undue burden on women's right to choose to seek an abortion (*Stenberg v. Carhart*, 2000). Shortly after, President George W. Bush and his supporters in Congress were able to pass the 2003 Partial Birth Abortion Ban Act. This act stated that "any physician who... knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this title or imprisoned not more than 2 years, or both" (Pub. L. 108-105, 2003). The successful passage of this federal law re-framed the abortion debate in terms of support for the partial- birth abortion ban.

### **How People Form Opinions on Abortion**

There is an abundance of literature regarding different models for public opinion formation, many of which can be applied to abortion attitudes or more specifically, to partial birth abortion attitudes. I decided to use two well-respected explanations of public opinion to see how well they applied to abortion attitudes. The first is Zaller's RAS model of mass public opinion, which seeks to explain how respondents answer survey questions given the fragmented state of information available to the public (Zaller, 1992). The second model was that of Kristin Luker's world views, as discussed in "Abortion and the Politics of Motherhood" (Luker, 1984). These two models present two very distinctly opposing explanations for how abortion attitudes are formed. In using the RAS model, public opinion is the product of several factors pertaining to cognitive processing and what considerations are most accessible to respondents at the time that survey questions are asked. In contrast, Luker advances the notion that people ascribe to one of two diametrically opposed views of the world, both of which encompass all questions pertaining to sexual behavior, including abortion. This model leaves little room for moderate opinions,

people either ascribe to one world view or the other. While neither model completely explains the formation of abortion attitudes, they both shed insight on some of the likely factors involved in the process.

### *Zaller's RAS Model*

John Zaller, in *The Nature and Origins of Mass Public Opinion*, advances a four-axiom model called the Receive-Accept-Sample or RAS Model. He describes the process of respondents answering survey questions as “a process in which people *receive* new information, decided whether to *accept* it, and then *sample* at the moment of answering questions (Zaller, 1992, p. 51).” This process entails four axioms. The first axiom involves receiving new information. Zaller asserts that people are more likely to be exposed and capable of understanding political messages about a given issue if they are cognitively engaged (politically aware of) with that specific issue. The next axiom is about resistance or acceptance of information. People are more likely to accept information that is consistent with their “political predispositions.” However, this phenomenon is limited in that in order for it to occur, the person must identify that the information is related to his or her political predispositions, which is more likely if the person is more politically aware. The third axiom postulates that the more recently information has been considered, the faster a person can access that consideration (and related thoughts) to use to inform new or different opinions. The final axiom is that respondents’ answers to survey questions are the product of averaging those considerations which are most easily accessible or “at the top of the head.” In sum, the RAS model offers an explanation for how people form opinions about various issues given their level of political awareness, the political information they receive, and the ease of availability with which they may access relevant considerations.

In applying the RAS model to the formation of abortion attitudes, it holds that one forms his opinion based on the following factors: if he or she is politically aware of the circumstances surrounding the abortion debate, if he or she agrees with the political information about abortion that is presented, and if he or she has recently considered some dimension of the abortion debate, making that information easily accessible. The product of these factors is an “opinion statement” that represents the average of the considerations regarding abortion that were most salient to him or her at the time when the question was asked. Thus, when applying the RAS model to the partial birth abortion debate, it has the following implications. The axiom that is most insightful given my data is the Accessibility axiom. This phenomenon is unlikely to affect respondents who were asked the nondescript version of the question, which offers no information about partial birth abortion. However, the informative version of the question provides information that is likely to arouse certain considerations relevant to the abortion debate that may influence respondents’ answers. Because this question mentioned that partial birth abortions occur late in the term of a woman’s pregnancy, that the “baby” may be viable, and that the ruling included no exception for the mother’s health, these key pieces of information are likely to influence people’s thought processes in ways that manifest themselves in respondents’ answers. Mentioning these considerations is likely to temporarily increase the accessibility of both these considerations and related thoughts by bringing such information the “top of the head” for respondents. In doing so, respondents are more likely to form their opinions based on these considerations. Thus, when the question stem includes this information, respondents’ answers should be based on one or more of these considerations. Those given the nondescript version are answering the question without being prompted to focus on certain dimensions of the debate. These issues will be accessible if the person is aware of them.

### *World Views*

Abortion attitudes are the product of a plethora of beliefs and values, many of which can be summarized by peoples' world views. In Kristin Luker's "Abortion and the Politics of Motherhood," she argues that one of the reasons the abortion debate ignites people's passions and causes such controversy is because when the opposite side expresses its views, "individuals feel that an entire world view is under assault" (Luker, 1984, pg. 158). One's world view encompasses deeply cherished values that are seen as undeniable truths to those who ascribe to that point of view. Because of this, people cannot fathom how anyone could not share their values, and conclude that any belief that deviates from these self-evident truths must be erroneous (Luker, 1984).

The pro-life world view predominantly revolves around religion. The pro-life world view's indomitable faith in God determines its followers' beliefs about the role of women, sexuality, contraception, parenthood, and people's ability to control their own lives. This world view holds that men and women are fundamentally different and unequal beings. Women's primary role is to raise children and nurture their families. The value of sex lies in the ability to procreate; thus, sex is sacred and should only occur between married couples. Therefore, this view holds that "the meaning of sexual experiences is distorted whenever procreation is not intended. Contraception, premarital sex, and infidelity are wrong not only because of their social consequences but also because they strip sexual experience of its meaning" (Luker, 1984, pg. 164). Consequently, contraception is unnecessary because sex is valued only in its ability to procreate and those who do not intend to procreate should not be having sex in the first place. If a woman becomes pregnant, she should embrace her pregnancy because it will enable her to enjoy her nature role of being a mother, even if it was an unplanned pregnancy (Luker, 1984).

It follows that abortion is wrong for many reasons all centering around its ability to challenge this world view. Abortion not only implies that people can plan their lives in ways that deviate from God's plan, but it also strips sex of its most cherished value and threatens women's ability to realize their natural role. Abortion is also wrong because it violates divine law by killing a human life. To those who share this world view, questions of when viability occurs are irrelevant because the fetus is undeniably both a human and alive, so aborting it is unarguably killing a human life, an act that blatantly defies God's word. Thus, for people who have a pro-life worldview, abortion is and always will be completely unacceptable (Luker, 1984).

The pro-choice world view is antithetical to the pro-life view and is the product of starkly contrasting views and beliefs. One of the key premises for this world view is the belief that men and women are "substantially equal." Women are viewed as being just as capable as men to participate in the workforce, and should not be confined to the domestic sphere of motherhood. Because of this, women must have autonomy to control reproduction because unwanted pregnancies may tremendously thwart their ability to maintain their equality by forcing them to take on a role that they view as undesirable. Because of this, women should have the ability to choose to obtain an abortion if they so desire. However, the use of contraception is not only acceptable, but encouraged. The pro-choice world view does not believe that procreation is the sole or most valued aspect of sex. They believe that sex is pleasurable and produces a degree of intimacy that offers great spiritual meaning. They assert that sex is sacred for this reason and that it should be practiced in able to achieve such a level of intimacy. Because of this, the pro-choice world view does not oppose pre-marital or even teen sex, which is viewed as inevitable since people seek to practice achieving intimacy. Thus, contraception is seen as a responsible and healthy practice that should be utilized by those who are having sex without intending to

procreate. Despite the pro-choice world view's acceptance of pre-marital sex and sex not aimed at procreation, it does not encourage the use of abortion. This world view holds that people should use contraception to avoid an unwanted pregnancy and needing an abortion, but women should nonetheless be able to seek an abortion if it becomes necessary (Luker, 1984).

These two world views are diametrically opposed to one another because each side's values and beliefs completely contradict and invalidate the other side's (Luker, 1984). If respondents form their opinions on partial birth abortion based on these world views, then the question wording should not affect their responses because their attitudes toward abortion are fixed and should not be influenced by the introduction of additional considerations. Thus, respondents who ascribe to these world views should respond the same way regardless of which version of the question they are given because their opinions on abortion are defined by the world view they believe in and therefore not affected by question frames.

### **Recent Research on Partial Birth Abortion Opinions**

Due to its increased prominence in the abortion debate, partial birth abortion has become a focal point of many studies about abortion attitudes. After partial birth abortion emerged as important issue on Congress's agenda in the late 1990s, researchers began probing people's opinion toward proposed legislation that would ban partial birth abortions (Freedman & Goldstein, 1998). Consequently, after Congress enacted such legislation in 2003, and the Supreme Court upheld it in 2007, studies focused on the public's support for the Court's ruling. Unsurprisingly, researchers discovered that general abortion attitudes and support for a partial birth abortion ban are strongly correlated; but, such abortion attitudes are not the sole predictor. Later researchers sought to determine whether certain variables alleged to influence partial birth abortion attitudes continue to be significant after controlling for general abortion attitudes. My

research differs from these studies in that I use two different versions of a partial birth abortion question and study the effects of gender, partisanship, and religiosity on each question individually. Next, I compare the differences between the two questions and seek to explain why the results vary.

Freedman and Goldstein's report about the 1997 NES Pilot Study, assesses the results of the survey's one question about partial birth abortion opinion. This question asked respondents whether they supported Congress's efforts to enact a ban on partial birth abortions, which was described to them merely as "a certain type of late term abortion." They were asked whether they favored or opposed a ban on this type of abortion, and then whether they favored or opposed it strongly. Freedman and Goldstein first highlight that a significant majority of respondents favored the ban (55.8% favor, 36.9% oppose, and 7.2% don't know), and that of those who gave an opinion, over 75% qualified their support or opposition as "strong" (Freedman & Goldstein, 1998).<sup>1</sup>

In order to explore the extremity and polarization of partial birth opinion indicated by the results of the 1997 NES Pilot Study, Freedman and Goldstein next investigate several factors that they suspect may cause partial birth abortion opinions. They quickly rule out several variables that are prominent predictors for general abortion attitudes as having no notable effects on partial birth abortion. This is because these variables manifest themselves through general abortion attitudes, so once abortion opinion is controlled for, these variables have no discernable effects. However, they found that the effects of age, income, race, partisanship, and religiosity remain important even after controlling for abortion attitudes. They further assert that the effect of partisanship is "particularly striking," which they believe to suggest that, "information about

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<sup>1</sup> Respondents' response to their opinion about the proposed ban: 45.6% favor strongly, 10.2% favor not strongly, 12.6% oppose not strongly, 24.3% oppose strongly, and 7.2% don't know

partial birth abortion is filtered largely through the lens of party identification...” In sum, Freedman and Goldstein’s 1998 findings produced much new information on a relatively new dimension of the abortion debate (Freedman & Goldstein, 1998).

John H. Evans, in his study of abortion attitudes, analyzes the polarization both between and within different religious traditions, and how religion affects abortion opinions at large. Though Evans primarily studied the effects of different religious groups, he also focused on religiosity as measured by church attendance. His decision to measure respondents’ level of church attendance was based on his interest in “people who might be mobilized by social movement organizations that treat a religious tradition as their potential constituency,” which he classified as “people who have a strong connection to their tradition,” as indicated by a high level of church attendance. Most of his findings involve which religious traditions have the highest level of polarization within them and the polarization among the different religions, which is not related to my analysis. However, he did find support for the notion that people who attend church more frequently are more heavily influenced by their religions and are more likely to be mobilized by anti- abortion campaigns (Evans, 2002).

### **Data and Hypotheses**

Because this paper is focused on measuring public opinion about *Gonzales v. Carhart* ruling, the data used came from NBC and the Wall Street Journal’s April 2007 survey of 1,004 respondents, conducted three days after the Court’s decision was released. This survey focused on respondents’ opinions about President Bush, the war in Iraq, health care, the state of the economy, Congress, the 2008 elections, and several other prominent issues. In addition, this survey is particularly interesting because it included two different forms for the majority of its questions. Each version of the question was asked to half of the respondents, providing two

different data sets for how respondents reacted to the varied wording of a question that asks essentially the same thing, but provides different information in the question stem.

There are two versions of the partial birth abortion question was assigned as the dependent variable that measure respondents' support for the *Gonzales v. Carhart* decision. I made this decision based on the general nature and straightforwardness of its wording. Question 33B, the nondescript version, which followed a question about respondents' opinion about abortion in general, simply stated, "As you may know, the Supreme Court recently upheld a law that makes the procedure commonly referred to as a partial birth abortion illegal. Do you favor or oppose this ruling by the Supreme Court?" The answer choices were (1) Favor, (2) Oppose, (3) Not Sure. If a respondent favored the decision, he was coded as a "1" to indicate support for the ban, while respondents who opposed the decision or were unsure were coded as a "0" to mean they did not support the decision. While selecting "Not Sure" as a response does not necessarily indicate opposition, it does imply that one does not support the decision, which is the focus of this paper.

Some of the survey respondents were given a different form of the question. Question 33C, the informative version was worded as follows:

As you may know, the Supreme Court recently upheld a law that makes the procedure commonly known as a partial birth abortion illegal. A partial-birth abortion is a procedure performed in the late-term of pregnancy, when in some cases the baby is old enough to survive on its own outside the womb. The court's ruling outlaws using this procedure, and does not make an exception for the health of the mother. Do you favor or oppose this ruling by the Supreme Court?

The answer choices were identical to those available for nondescript version of the question and were subsequently coded in the same manner.

The informative version was included in the model for several distinct reasons. Primarily, it is a longer and more detailed version of the previous question, and shows one example of the various ways in which such a question can be strategically framed. Whereas the nondescript version offered no explanation of what a partial birth abortion entails or the circumstances surrounding the Court's ruling, the informative version intentionally provided respondents with a juxtaposition of various significant details. First, respondents are told that this procedure occurs during the "late-term of pregnancy," and many people feel strongly about how late in a pregnancy women may seek abortions. Next, respondents are told that during this late-term of pregnancy, there are some instances in which "the baby is old enough to survive on its own outside the womb." Though this stipulation does not explicitly mention the word "viability," which is an extremely loaded term in the abortion debate, it undeniably implies that the fetus (referred to as a "baby") might be viable at the time of the partial birth abortion procedure. This clause is sure to stir up the emotions of many respondents due to the use of such controversial terms. Referring to the fetus as a "baby" is likely to conjure images of a living baby rather than a developing fetus, as evidenced by previous literature. One such study found that, "participants exposed to articles featuring the exclusive use of 'baby' or 'fetus,' respectively, evinced increased support or opposition to banning PBA" (Simon & Jerit, 2007, p. 255).

While the aforementioned wording choices indicate a pro-life framing of the question, there is one additional component of the description offered to respondents that puts a more pro-choice spin on the question. By informing respondents that the Court's decision does not include "any exception for the health of the mother," this version of the question is likely to increase

respondents' opposition to the ban. The Court's decision to uphold the ban broke from precedent in one very important way. This was the first time in history that the Court upheld restrictive abortion legislation that did not contain any exception for the mother's health. The ban on partial birth abortions banned them in all circumstances, failing to allow any leeway for women who might need this type of procedure due to exigent health risks (Gonzales v. Carhart, 2007).

In sum, the informative version of the question was included in the model in order to compare the results of the nondescript version of the question with a very detailed, starkly contrasting version of the question.

Because the answers to both forms of the question represent a binary dependent variable, the most logical model to use is either a binary logit model or a binary probit model. I opted to run a logistic regression model to determine whether I could find support for my hypotheses, which are described in the following sections.

### *Gender*

Gender is traditionally thought to be an influential factor in determining abortion attitudes. There are many different reasons for this. First, men are not directly affected by the state of abortion rights. Whether abortion is outlawed entirely or access is restricted, men's rights have not been infringed upon because they still possess autonomy to make decisions concerning their bodies. Additionally, many abortion advocates consider abortion to be a gender equality issue. Thus, women's right to privacy and to choose to seek an abortion has often been linked to women's liberation or feminist movements, the supporters of which are predominantly women. This argument typically focuses on the concept that becoming a mother may thwart women's ability to participate in the workforce and obtain the corresponding social and economic equality derived from working. Conversely, many opponents of abortion view motherhood as women's

natural role and think that allowing women to ignore this role is harmful to social order. Thus, there are many different logical reasons that explain why gender is thought to be predictive of abortion attitudes.

Because women are generally more supportive of abortion rights, it follows that women are more likely to oppose the Court's decision to uphold the partial birth abortion ban. In addition to this reasoning, there is further incentive for women to oppose the ban due to new safety concerns. The Court's decision to affirm the partial birth abortion ban despite its lacking a health exception presented unique risks for women. Several doctors testified in *Gonzales* that there have been certain circumstances in which the abortion procedure in question was necessary to save the mother's life or preempt certain risks. Thus, it follows that women may be opposed to this ban based on the lack of health exception even beyond their general abortion attitudes. This leads to Hypothesis One.

- $H_{1A}$ : If the respondent is a male, then he is more likely to support the Court's decision to uphold the ban.

"Male" is coded as "1" for respondents who identified themselves as male and "0" for those who identified themselves as female. Therefore, the "male" coefficient is expected to be positive. The Zaller model would also expect that the "male" coefficient will show a stronger effect for informative version of the question since it introduces several considerations that are likely to increase men's support for the Court's ruling.

- $H_{1B}$ : The effect of being a male on support for the Court's decision will be greater for the informative version of the question.

### *Religion*

Religion plays an extremely large role in the formation of abortion attitudes. Religious doctrine is one of the most influential sources for people's attitudes towards sex and more

specifically, towards abortion. Though each of the various denominations and faiths advances a particular set of beliefs about sex, the intensity of one's beliefs and commitments to his or her religion are typically more predictive than his or her specific religious identification. Many studies include a question about the frequency of attending church services to measure religiosity. The more frequently one attends religious services, the more dedicated he or she is to his or her religious beliefs and the more committed he or she is to his or her religion; thus, frequent church attendance indicates that religion affects one's political views about social and moral issues such as abortion. Therefore, extremely religious people are more likely to oppose abortion in general (Evans, 2002).

In addition to religiosity's effect on general abortion attitudes, there are two reasons to surmise that religiosity further influences people's opinion about partial birth abortions. Partial birth abortions occur late in the pregnancy, and in some cases the fetus is considered viable. Due to religious people's moral opposition to killing a living fetus, it is likely that this additional condition increases their opposition to partial birth abortions. The informative version of the question brings the issue of viability to prominence by stating that, "in some cases the baby is old enough to survive on its own outside the womb." This detail not only invokes debates about viability, but by referring to the developing fetus as a "baby," it indicates that the fetus is a living person, which is the foundation of most religious arguments against abortion (NBC & Wall Street Journal, 2007). Additionally, the type of method used to perform partial birth abortions is viewed by many as particularly gruesome and immoral, which also serves to reinforce staunchly religious people's opposition to the procedure (Evans, 2002). This leads to Hypothesis Two.

- H<sub>2A</sub>: If respondents attend church frequently, indicating a high level of religiosity, then they will be more likely to support the Court's decision to uphold the ban.

- $H_{2B}$ : The effect of religiosity on support for the Court's decision will be larger for the informative version of the question.

The survey asks respondents, "How often do you attend services at a church, synagogue, mosque, or other place of worship?" The response categories were "never," "once a year," "a few times a year," "once a month," "about twice a month," "once a week or more," and "not sure." Because I expect that the more frequently one attends church, the more likely he or she is to support the Court's decision, I recoded the "religiosity" variable and collapsed several categories that possessed similar implications for the effect on partial birth abortion attitudes. Thus, respondents' I recoded the categories in the following way: "never" was coded as "0," "once a year" and "a few times a year" as "1," "once a month" and "about twice a month" as "2," and "once a week or more" as "3." Thus, increasing values correspond to an increasing level of church attendance, which is how I measured religiosity. I excluded respondents who choose "not sure" from the analysis. Based on this coding, the "religiosity" coefficient is expected to be positive.

### *Party Identification*

Partisanship has a large effect on public opinion on a vast array of issues, and the party that one identifies himself or herself as belonging to is often a reliable predictor about various polarizing social issues, including abortion. Because Republicans as a whole are so vehemently opposed to abortion, it is highly probable that they will support the Court's decision to uphold the partial birth abortion ban. In addition, the ban was passed by a Republican president and a Republican Congress, which lends further support to the notion that they will likely support the Court's ruling. Republicans are also likely to support the partial birth abortion due to the lateness of the procedure and viability issue. Conversely, Democrats are typically among the strongest advocates for abortion rights. Because of their objection to legislation that restricts abortion,

respondents who identified themselves as belonging to the Democratic Party are more likely to oppose the Court's ruling (Killian & Wilcox, 2008). Given the lack of health exception, it is even more probable that Democrats will oppose the partial birth abortion ban.

Another reason that Republicans are more likely to support the Court's ruling involves elite rhetoric and framing. Republicans use the word "baby" frequently in elite discourse about partial birth abortion, which is reflected in media coverage of the debate. In Adam Simon and Jennifer Jerit's study, they observed that in the brief for *Stenberg v. Carhart*, the 2000 Supreme Court case over Nebraska's partial birth abortion ban, the word "baby" was used "almost exclusively 93% of the time." They also found that it was seldom used by Carhart's attorney and used roughly "80% of the time" by opposing counsel and "roughly 60% of the time" by the Supreme Court justices. In looking at Congressional rhetoric, they found that Republicans used the word "baby" more often than Democrats and that "this gap grew over time" (Simon & Jerit, 2007, p. 259-261). Thus, people who are exposed to information pertaining to the abortion debate often see or hear the word "baby" associated with the debate, especially in Republicans' discussion of the issue, which frames the information they receive in such terms. This suggests that Republicans should be even more opposed when asked the informative version of the question.

- H<sub>3</sub>: If respondents identify themselves as being Republican, then they will be more likely to support the Court's decision to uphold the ban.
- H<sub>3A</sub>: The effect of partisanship on support for the Court's decision will be greater for the informative version of the question.

Thus, the model included a final variable for respondents' party identification, which was labeled "partisanship." Respondents were asked whether they think of themselves as a Democrat, Republican, independent, or something else; then they were asked branching questions based on

their answer. Those who identified themselves as being a Democrat or Republican were asked to describe themselves as being either “strong” or “not very strong.” Independents were asked to select between being “strictly independent,” “independent/lean Democrat,” “independent/ lean Republican.” I collapsed the categories into three broader categories to combine respondents who initially identified themselves as Democrats, Republicans, or independents, dismissing the quantifying levels of those ideologies as unimportant to the results. Those who initially identified themselves as Democrats were coded as “1,” independents “2,” and Republicans “3”. I assigned the categories these values based on my belief that Republicans are more likely to be pro- life and consequently, against partial birth abortions and supportive of the Court’s decision. Based on this coding, the “partisanship” coefficient should be positive.

To evaluate these hypotheses, I ran a binary logistic regression model:

$$\log(\text{ODDS}) = \beta_0 + \beta_1 \text{Gender} + \beta_2 \text{Religiosity} + \beta_3 \text{Partisanship}$$

## **Results**

Figure 1 shows the percentage of respondents who selected each answer choice for both versions of the question. For both questions, more respondents favored the Court’s decision to uphold the Partial Birth Abortion Act of 2003 in *Gonzales v. Carhart*. For the informative version of the question, both men and women were less supportive of the Court’s decision. Additionally, the gap between the amount of respondents who favored the decision and those who did not favor it (either opposed it or were not sure) was greater for the informative version of the question. After noting these general findings, I wanted to explore the fluctuations for each variable to understand the reasons for these differences.

I opted to run a binary logistic regression model to determine whether I could find support for my hypotheses. The results are displayed in Table 1 and Table 2. The results are similar for the religiosity and partisanship coefficient. Both are positive and statistically significant at the 0.00 level throughout all models. The coefficient for religiosity is .363 for the nondescript version and .349 for the informative version. Because both of these coefficients are repeatedly statistically significant at the highest level, the results lend much support for my hypothesis that higher levels of religiosity indicate increased likelihood for supporting the Court's ruling. I found nearly the same results for partisanship. For both questions, the coefficient was positive and statistically significant at the 0.00 level, lending support for the hypothesis that respondents who identified themselves as Republicans are more likely to support the Court's ruling. The coefficient for the nondescript version was .771 and for the informative version was .514.

In order to evaluate the effect of my decision to collapse several categories for both religiosity and partisanship, I ran several other logit models experimenting with different versions of coding for these two variables, the results of which are displayed in Table 3 for nondescript version and Table 4 for informative. The sign and significance level for each coefficient on partisanship and religiosity remained the same despite changes in collapsing categories and coding. This seems to indicate that my decision to collapse several categories for religiosity and partisanship did not significantly impact the results of the logistic regression tests. This also reinforces my finding support for my hypothesis regarding religiosity and partisanship.

Unlike the other two coefficients, the male coefficient varied both with respect to the two different questions and variations in coding and collapsing. The results for the nondescript show consistency in that the coefficient is repeatedly negative and insignificant throughout all

variations in coding and collapsing, lending no support for my hypothesis. However, for the informative version, the male coefficient is consistently positive and statistically significant at the .05 level, with the exception of one model. In the model in which I used the survey's original coding, but still threw out the "not sure" and "don't know" answers, the male coefficient was positive but insignificant.

Based on the fact that the male coefficient was negative and insignificant throughout all models for the nondescript version and was negative and significant throughout most models for the informative version, there seems to be evidence that wording affects men and women's opinions differently. Nonetheless, the results for gender's effect on partial birth abortion opinion and the Court's ruling found in this study were inconclusive.

The findings for the religiosity and partisanship coefficients indicate that the wording of the survey question did not affect the influence of these variables on respondents' support for the *Gonzales* ruling. Because of this, Zaller's model for public opinion formation does not seem to explain partial birth abortion attitude formation. The consistency of respondents' responses, which were unaffected by wording, lends support for the contention that people ascribe to one of two world views, as suggested by Luker. In contrast, respondents' gender did seem to cause them to respond differently depending on the wording of the question. This suggests that gender might have increased the accessibility of pertinent considerations mentioned in Question 33C, causing respondents to change their opinion. These findings indicate that public opinion about partial birth abortion is the result of some combination of world views and the process described by Zaller, or some other process entirely.

## Conclusion

People's attitudes about abortion are typically the product of a variety of factors, ranging from demographic factors to social attitudes, morals, gender, values, religion, marital status, education, partisanship, and upbringing. Abortion is an undeniably controversial issue, but it has not really produced the polarizing culture war that some media outlets advertise. In reality, the majority of people's abortion opinions lie somewhere in the middle of the two extremes, but the debate is typically framed in antithetical, extremist terms by the activists of both sides who are the most passionate, outspoken, and extreme. People's attitudes about partial birth abortion are strongly correlated with their general abortion opinion, but tend to be far more extreme, with the majority of people feeling very strongly about their opinion. There are many potential causes for this polarization and the severity of people's convictions. Partial birth abortions are an even more emotional issue than general abortions due to the method used and the late timing of the procedure. Additionally, framing is often skewed or biased in one direction or the other, with different sides strategically using certain words or labels to cast favor on their position. Many people do not know exactly what a partial birth abortion is or have an inaccurate conception of what the federal ban on this procedure entails. For all of these reasons, people's opinions about partial birth abortion are typically extreme and offered with much confidence.

Because people's general abortion attitudes and opinions about partial birth abortion are highly correlated, identifying what variables affect partial birth abortion opinion is difficult. Based on my research, I concluded several things about public opinion on partial birth abortion. For the informative version of the question, respondents were less supportive of the Court's ruling. This supports Zaller's explanation for public opinion formation. Partisanship and religiosity are associated with partial birth abortion opinion and are not affected by question

wording, which supports Luker's theory of world views. The results for the male coefficient are very different depending on the question asked, suggesting that gender is driving the results in Figure 1. This most likely occurs because the informative version of the question tells respondents that the Court upheld the act despite lacking any health exception for the life of the mother. The change caused by the inclusion of this information shows that making certain considerations more accessible can indeed change public opinion. More research on the role of gender in partial birth abortion opinion should be conducted in the future to further dissect the true influence of gender given variations in question wording. Because partial birth abortion is a relatively new element of the abortion debate, there is not an abundance of information on this topic, though there will likely be more information on this topic in the future.

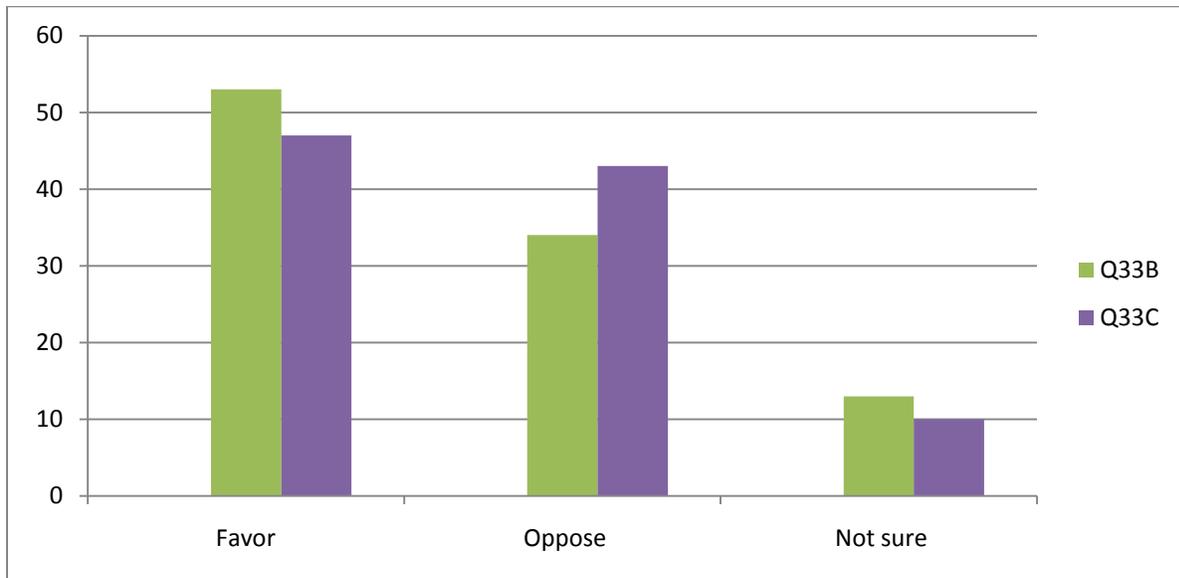
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## Appendix

**Figure 1: Support for the Court's *Gonzales v. Carhart* Decision**



*Note:* Each column represents the percentage of respondents who selected that answer choice for the particular question. Each question was asked to half of the 1,004 respondents, so 502 people were asked each question. Question 33B was the nondescript version of the question and Question 33C was the informative version.

**Table 1: Logit Results for Nondescript Version**

| Coefficients | Estimate | Standard Error | Z     | Significance |
|--------------|----------|----------------|-------|--------------|
| Male         | -2.06171 | .33976         | 6.608 | ***          |
| Gender       | -0.09917 | .20387         | -.486 |              |
| Religiosity  | .36260   | .08626         | 4.204 | ***          |
| Partisanship | .77058   | .14263         | 5.403 | ***          |

*Note:* The entries are binary coefficients with standard errors shown in parentheses. The dependent variable is support for the Court's decision to uphold the partial birth abortion ban (0= Don't Favor Ruling; 1= Favor Ruling). This version of the question was given to 502 respondents. Significance codes: 0<sup>(\*\*\*)</sup> 0.001<sup>(\*\*)</sup> 0.01<sup>(\*)</sup> 0.05<sup>(.)</sup> 0.1<sup>( )</sup>

**Table 2: Logit Results for the Informative Version**

| Coefficients | Estimate | Standard Error | Z      | Significance |
|--------------|----------|----------------|--------|--------------|
| (Intercept)  | -1.98277 | .33382         | -5.940 | ***          |
| Male         | .35471   | .19895         | 1.783  | .            |
| Religiosity  | .34913   | .08488         | 4.113  | ***          |
| Partisanship | .51357   | .13537         | 3.794  | ***          |

*Note:* The entries are binary coefficients with standard errors shown in parentheses. The dependent variable is support for the Court's decision to uphold the partial birth abortion ban (0= Don't Favor Ruling; 1= Favor Ruling). This version of the question was given to 502 respondents.. Model 5 uses the coding I used throughout the paper, collapsing and recoding “religiosity” and “partisanship”. Model 6 uses the original coding used in the survey for “religiosity” and “church attendance” except for having excluded those who chose “not sure” or “don’t know”. Model 7 uses the original coding used in the survey for “religiosity” (except for having excluded those who chose “not sure” or “don’t know”), but uses my collapsing and recoding for “partisanship”. Model 8 uses the original coding used in the survey for “partisanship” (except for having excluded those who chose “not sure” or “don’t know”), but uses my collapsing and recoding for “religiosity”. Significance codes: 0<sup>(\*\*\*)</sup> 0.001<sup>(\*\*)</sup> 0.01<sup>(\*)</sup> 0.05<sup>(.)</sup> 0.1<sup>0</sup>

**Table 3: Logit Results with Various Differences in Coding and Collapsing Categories for the Nondescript Version**

| Coefficients | Model 1            | Model 2            | Model 3            | Model 4           |
|--------------|--------------------|--------------------|--------------------|-------------------|
| (Intercept)  | -2.06 ***<br>(.34) | -2.00 ***<br>(.34) | -2.27 ***<br>(.37) | -1.79***<br>(.28) |
| Male         | -.10<br>(.20)      | -.10<br>(.20)      | -.09<br>(.20)      | -.15<br>(.21)     |
| Religiosity  | .36 ***<br>(.09)   | .36 ***<br>(.09)   | .22 ***<br>(.05)   | .36 ***<br>(.09)  |
| Partisanship | .77 ***<br>(.14)   | .77 ***<br>(.14)   | .76 ***<br>(.14)   | .34 ***<br>(.05)  |

*Note:* The entries are binary coefficients with standard errors shown in parentheses. The dependent variable is support for the Court's decision to uphold the partial birth abortion ban (0= Don't Favor Ruling; 1= Favor Ruling). This version of the question was given to 502 respondents. Significance codes: 0<sup>(\*\*\*)</sup> 0.001<sup>(\*\*)</sup> 0.01<sup>(\*)</sup> 0.05<sup>(<sup>^</sup>)</sup> 0.1<sup>(<sup>o</sup>)</sup> Model 1 uses the coding I used throughout the paper, collapsing and recoding “religiosity” and “partisanship”. Model 2 uses the original coding used in the survey for both “religiosity” and “partisanship,” except for having excluded those who chose “not sure” or “don’t know”. Model 3 uses the original coding used in the survey for “religiosity” (except for having excluded those who chose “not sure” or “don’t know”), but uses my collapsing and recoding for “partisanship”. Model 4 uses the original coding used in the survey for “partisanship” (except for having excluded those who chose “not sure” or “don’t know”), but uses my collapsing and recoding for “religiosity”.

**Table 4: Logit Results with Various Differences in Coding and Collapsing Categories for the Informative Version**

| Coefficients | Model 1           | Model 2            | Model 3            | Model 4           |
|--------------|-------------------|--------------------|--------------------|-------------------|
| (Intercept)  | -1.98***<br>(.33) | -1.92 ***<br>(.31) | -2.16 ***<br>(.36) | -1.75***<br>(.28) |
| Male         | .35 .<br>(.20)    | .33<br>(.20)       | -.35 .<br>(.20)    | .33 .<br>(.20)    |
| Religiosity  | .35 ***<br>(.08)  | .19 ***<br>(.05)   | .2 ***<br>(.05)    | .34 ***<br>(.09)  |
| Partisanship | .51***<br>(.14)   | .21 ***<br>(.05)   | .51 ***<br>(.14)   | .21 ***<br>(.05)  |

*Note:* The entries are binary coefficients with standard errors shown in parentheses. The dependent variable is support for the Court's decision to uphold the partial birth abortion ban (0= Don't Favor Ruling; 1= Favor Ruling). This version of the question was given to 502 respondents. Significance codes: 0<sup>(\*\*\*)</sup> 0.001<sup>(\*\*)</sup> 0.01<sup>(\*)</sup> 0.05<sup>(.)</sup> 0.1<sup>( )</sup> Model 1 uses the coding I used throughout the paper, collapsing and recoding “religiosity” and “partisanship”. Model 2 uses the original coding used in the survey for both “religiosity” and “partisanship,” except for having excluded those who chose “not sure” or “don’t know”. Model 3 uses the original coding used in the survey for “religiosity” (except for having excluded those who chose “not sure” or “don’t know”), but uses my collapsing and recoding for “partisanship”. Model 4 uses the original coding used in the survey for “partisanship” (except for having excluded those who chose “not sure” or “don’t know”), but uses my collapsing and recoding for “religiosity”.