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Morality Politics in a Secular Age

Strategic Parties and Divided Governments in Europe

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For my family.

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ABBREVIATIONS

AFD	Alternative für Deutschland (Alternative for Germany)
ART	Artificial Reproduction Techniques
BFSFJ	Bundesministerium für Familie, Frauen, Senioren und Jugend
BR	Bundesrat
BT	Bundestag
BVerfG	Bundesverfassungsgericht
BZÖ	Bündnis Zukunft Österreich (Alliance for the Future of Austria)
CAP	Comparative Policy Agenda Project
CC	Coalición Canaria (Canary Coalition)
CD	Congreso de los Diputados España
CDA	Christen Demokratisch Appèl (Christian Democratic Appeal)
CDS	Centro Democrático y Social
CDU	Christlich Demokratische Union (Christian Democratic Party)
CE	Constitución Español
CiU	Convergència i Unió (Convergence and Unity)
CMP	Comparative Manifesto Project
COGAM	Colectivo Gai de Madrid
CSA	Core-sentence approach
CSU	Christlich Soziale Union (Christian Social Union)
CU	ChristenUnie (Christian Union)
D66	Democratén 66 (Democrats 66)
DE	Germany
Die LINKE	Die Linke (The Left)
Drs.	Drucksache
EC	European Commission
ECHR	European Court of Human Rights

ECJ	European Court of Justice
EKD	Evangelical Church in Germany
EM	El Mundo
EP	El País
ERC	Esquerra Republicana de Catalunya (Republican Left of Catalonia)
ES	Spain
EU	European Union
EVS	European Value Survey
FAZ	Frankfurter Allgemeine Zeitung
FDP	Freie Demokratische Partei (Free Democratic Party)
FPÖ	Freiheitliche Partei Österreichs (Freedom Party of Austria)
GDR	German Democratic Republic
GG	Grundgesetz Bundesrepublik Deutschland
GL	GroenLinks (GreenLeft)
Greens	Bündnis 90/Die Grünen (Alliance 90/Greens)
Gruene	Grüne Alternative Österreich (Green Alternative)
ICMPD	International Center for Migration Policy Development
ICV	Iniciativa per Catalunya Verds (Initiative for Catalonia Greens)
IU	Izquierda Unida (United Left)
LIF	Liberales Forum (Liberal Forum Austria)
LP	Legislative period
LPF	Lijst Pim Fortuyn (Fortuyn List)
LSU	Lesben und Schule in der Union
MORAPOL	ERC-funded research project “Moral Policy Change” led by Professor Knill
NaBai	Nafarroa Bai (Navarre Yes)
NEOS	NEOS-Das Neue Österreich (NEOS—The New Austria)
OECD	Organization for Economic Cooperation and Development
OLS	Ordinary least squares regression
ÖVP	Österreichische Volkspartei (Austrian People’s Party)
PCA	Political claim analysis
PDP	Partido Demócrata Popular
PDS	Partei des Demokratischen Sozialismus (Party of Democratic Socialism)
PoliMoral	Dataset on parliamentary attention on morality policies in Continental Europe
PP	Partido Popular (Popular Party)
PROS	Prostitution
PSC	Partit dels Socialistes de Catalunya (Socialists of Catalonia)
PSOE	Partido Socialista Obrero Español (Spanish Socialist Workers Party)

PvdA	Partij van de Arbeid (Labour Party)
PVV	Partij voor de Vrijheid (Party for Freedom)
SD	Senado des EspaÑa
SED	Sozialistische Einheitspartei Deutschland
SP	Socialistiese Partij (Socialist Party)
SPD	Sozialdemokratische Partei Deutschlands (Social Democratic Party)
SPÖ	Sozialdemokratische Partei Österreichs (Social Democratic Party Austria)
SSM	Same-sex marriage
SZ	Stüddeutsche Zeitung
UCD	Unión de Centro Democrático
UK	United Kingdom
UN	United Nations
US(A)	United States of America
VG	Verwaltungsgericht
VVD	Volkspartij voor Vrijheid en Democratie (People's Party for Freedom and Democracy)
WVS	World Value Survey

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CHAPTER 1

Introduction

Morality policies have attracted increasing societal and political attention over recent decades in Europe. Even in times of serious economic pressure and societal secularization, policies characterized by strong conflicts in religious values have remained prominent. One well-publicized example was the debate over adoption rights for same-sex couples in France and Germany. Other cases include the decriminalization of abortion in Spain and the referendum on same-sex marriage and abortion in Ireland. These legislative projects have sparked far-reaching political and societal controversies; more than ten thousand people participated in demonstrations in Paris and Dublin (*New York Times* 26.05.2013; *The Guardian* 21.02.2014; *NewsHub* 11.03.2018).

These value-loaded issues have provoked heated debates and painful dilemmas not only in the societal arena but also within national governments, where a variety of strategies are deployed to overcome the delicacies of such complex and deeply felt topics. In Spain, Minister of Justice Alberto Ruiz-Gallardón publicly defended the new proposal of the conservative cabinet that restricted abortion on demand to cases of rape, fetal abnormality, and risk to the mother's health (*El País* 20.12.2013). President Mariano Rajoy later asked his cabinet members to avoid public debates on the issue and suggested that discussions of new economic data represented much safer talking points (*El País* 05.01.2014). In the end, the government abstained from any reform plans.

In Germany, the discussion on adoption rights for same-sex couples jeopardized the government coalition between the Liberals and the Christian Democrats at the end of 2012 (*Die Welt* 06.06.2013), as well as the coalition formation between the Social Democrats and the Christian Democrats after the national election in September 2013. The negotiations were interrupted on 12 November 2013 following serious disagreements over adoption rights for same-sex couples. The vice chairman of the Social Democrats, Manuela Schwesig, explained that under the circumstances, she could not recommend signing the coalition agreement (*Handelsblatt* 12.11.2013).

These events exemplify the fact that in Europe, morality policies regularly find their way onto political agendas and cause significant value conflicts. This phenomenon is puzzling for several reasons. First, one would have expected that other societal problems—economic crises and refugee flows, for example—would have been the priority issues, consuming most of the scarce time available to politicians. Second, strong trends of secularization should have reduced the polarization on issues that are closely related to religious norms and values.¹ A shrinking number of citizens in Europe attend religious services or consider the church to be the moral authority, particularly in questions of same-sex marriage and sexual conduct (Norris and Inglehart 2012). And this trend is visible not only in Northern Europe but in many Western and Southern European countries as well. One would therefore expect that fewer people would base their opposition to liberal regulations of morality issues on their religious norms and that overall, there would be much less societal mobilization and parliamentary politicization in response to these issues. However, the contrary is the case—explosive and highly value-loaded debates on morality issues are the norm rather than the exception, not only in Spain, France, and Germany, but also in some countries of Eastern Europe (e.g., Poland).

Two groups of scholars have taken up this puzzling phenomenon and offer first answers. The first group of researcher stems from the broad and interdisciplinary *field of religion and politics* (e.g., Casanova 1994; Fox 2015; Habermas 2008; Haynes 2010; Joppke 2015; Liedhegener and Pickel 2016; Norris and Inglehart 2012; Davie 2006). In general, these scholars conclude that the primary argument of secularization theory must be revised. Religion, they argue, has not disappeared. Rather, it remains a “potent and vibrant political social force in the world” (Fox 2015, 17), especially in less developed countries and in the

USA (Norris and Inglehart 2012; Wald and Calhoun-Brown 2014). Some of the authors specify that although religion has lost its relevance in society, it has become more important in politics (e.g., Foret 2015; Fox 2015; Liedhegener and Pickel 2016; Habermas 2008; Stoeckl 2011). Fox (2015), for instance, revises the secularization theory and proposes a new perspective: secular-religious competition. Instead of focusing on processes of secularization such as decreasing religiosity and loosening state–church relationships, Fox (2015, 32) suggests that we analyze “political secularism,” which he describes as “a family of political ideologies that advocates that governments must at the very least remain neutral on the issue of religion.”

These political ideologies compete with religion to influence government policy. Foret (2015) explores the role of religion in European institutions (e.g., the European Parliament, the European Commission, and the European Court of Justice). His findings speak to Fox’s perspective but also illustrate the limited impact of religion today. Foret (2015) argues that religion is a “symbolic resource” for the political elite in Europe, no longer able to structure a collective identity and hence to build a foundation for the development of the European polity. Religion helps deepen divides between nationalists and other political families, but it does not create a fundamental political cleavage in European institutions. Therefore, Foret considers the spreading of culture wars—as we find in the USA—an unlikely phenomenon for European countries (*ibid.*, 10). Nevertheless, Foret (2015, 4, 10) confesses that religion is still a kind of “scandalizing factor” that is able to attract political attention, particularly with regard to morality policies. Emphasizing religious values is useful for symbolic posturing and sending reassuring messages. Davie (1993, 2006, 2007) provides an alternative explanation by defending a less pessimistic view on the role of religion in Europe today. Specifically, based on the concepts of “vicarious religion” and “believing without belonging,” she argues that religious standpoints are openly articulated by a minority of citizens who are silently supported by a much larger group of people as one might expect.

Overall, the new perspective on political secularism and its related findings offer a first conceptual foundation from which to understand why policy debates on issues related to religious values (i.e., morality policies) still attract so much societal and political attention in a secular age. It takes only a few religious agents to stimulate conflicts with actors

defending secular ideologies for state policies and to attract significant political and societal attention.

The second literature stream encompasses researchers from the field of *morality policy analysis*. The research on morality policies originally emerged in the USA (e.g., Meier 1994; Mooney 2001; Leege et al. 2002; Smith and Tatalovich 2003; Tatalovich and Daynes 2011; Schwartz and Tatalovich 2018) and found only recently more attention in Europe (e.g., Engeli et al. 2012, 2013; Hennig 2012; Knill 2013; Knill et al. 2015; Ozzano and Giorgi 2016; Euchner et al. 2013; Schmitt et al. 2013; van Kersbergen and Lindberg 2015; Studlar et al. 2013).² In the USA, the debate is known by the term “culture wars,” defined as the deep divide between progressives and conservatives fighting about the “right” way to live (Leege et al. 2002, 13; Smith and Tatalovich 2003). In Europe, this term is rarely used; most scholars speak instead of a battle between religious and secular actors, and research in Europe focuses either on agenda-setting processes (e.g., Engeli et al. 2012; Euchner and Preidel 2016) or on morality policy change (e.g., Knill et al. 2015; Studlar et al. 2013). The work of Engeli et al. (2013) is one of the few exceptions that links political attention with policy outputs. The authors argue that the permissiveness of morality policies in Europe depends on the way such issues are processed in politics. In countries with a strong cleavage between religious and secular parties (the so-called religious world), morality policies are governed by macro-politics and are likely to be changed substantially in the case of governmental change. In countries without such a religious-cleavage structure (the so-called secular world) by contrast, instead of macro-party conflict structuring morality policy processes, there are specific dynamics for each issue.

Religion is a much more popular factor than issue attention for explaining morality policy change (e.g., Budde et al. 2017; Fink 2008, 2009; Grzymala-Busse 2015, 2016; Hennig 2012; Budde et al. 2017; Minkenberg 2002, 2003; Knill and Preidel 2014; Knill et al. 2014, 2018; Schmitt et al. 2013; Hildebrandt et al. 2016). However, the impact of religion on morality policy reforms is controversially discussed. With regard to the explanation of morality policy attention, the picture looks different. Engeli et al. (2012) discover that religion influences the extent of the political attention that morality policies attract. The authors illustrate that morality policies are likely to be politicized in countries with a strong religious-secular party cleavage (the religious world), where secular political parties may challenge their religious opponents

with morality issues because these value-loaded questions are difficult to answer without frightening the increasingly secular voter base. In European countries without such a religious-secular cleavage structure (the secular world), the politicization of morality policies is less likely. As a result, morality policy researchers consider religion a driving force of politicization patterns in politics and society. However, not every country in Europe has a favorable-actor constellation and institutional setup that motivates competition dynamics around issues related to religious values.

In consequence, both streams of literature—from the field of religion and politics and the field of morality policy analysis—provide answers to the empirical research puzzle already introduced. First, morality policies still attract attention in Europe because secularization has not resulted in a demise of religion in modern times. Instead, religion has remained a potent force in society and politics. A minority of European citizens are still religious, and there are several religious communities that have preserved their privileged status. More importantly, some countries have a secular-religious competition structure in party systems (the so-called religious world in Europe), which motivates secular parties to politicize morality policies and may result in very permissive policy outputs.

Two aspects of the puzzling phenomenon described above remain unanswered. First, we must ask, *How can we explain the variance in political attention across time and among morality policy issues within the religious world?* Prostitution policy in Spain, for instance, attracted less political attention than the question of same-sex partnership rights in the early 2000s. This picture changed radically in the 9th legislative period (2008–2011). Within those three years, Spanish deputies tabled over one hundred initiatives on prostitution and human trafficking, a legislative process that involved secular parties and religious-party MPs alike. In the Netherlands, for instance, the issue of same-sex partnership rights attracted intermediate levels of attention in the late 1990s during the reform process, while ten years later, much higher levels of politicization, caused also by the engagement of religious actors, were visible.

Second, we ask, *Why does religion—particularly the secular-religious conflict structure—fail to explain morality policy change?* One would expect that a similar extent of political attention in countries with a lively religious-secular party cleavage would result in a comparable permissive policy output as morality policies are processed according to a macro-political logic (Engeli et al. 2013). However, we see that European countries with similar party-political competition structures often

have very different reform dynamics and degrees of policy permissiveness (cf. Knill et al. 2015). In Spain, for instance, same-sex partnership rights were debated extensively in parliament and were reformed comprehensively. In Germany and Austria, by contrast, although there have been single peaks of political attention on same-sex partnership rights in the last few years, none of these moments coincided with major policy change. On the contrary, morality policy reforms seem to have been facilitated during more “silent” legislatures.

In sum, the excellent interdisciplinary literature on religion and politics and the cutting-edge scholarship on morality policies are inspiring, since they sketch the broad lines of the interplay between secularization, political attention, and morality policies. So, we have a theoretical fundament of macro-level dynamics, but we miss a thoughtful theoretical elaboration integrating the meso- and micro-levels (i.e., behavior of political parties and their members). The main purpose of the integration of the macro-, meso-, and micro-levels is to explain the rise and fall of religion in policy making more generally and the variation of political attention across similar countries and similar policies, as well as the consequences in terms of policy change. In detail, we miss an analytically more differentiated perspective on the conflict behavior of religious *and* secular parties, as well as among their individual members, as we observe large empirical variance within countries of the religious world. Moreover, we need a theoretical link explaining the interplay between political attention and policy change beyond the emphasized policy-process logic (Engeli et al. 2013). Finally, in providing answers to the key questions formulated above, this book will help explain a much broader phenomenon, namely the question of when religion rises and falls in visibility in policy-making processes in a secular age.

1.1 MAIN ARGUMENT: STRATEGIC PARTIES AND DIVIDED GOVERNMENTS IN A SECULAR AGE

This book contributes to this research gap by introducing a *new explanatory framework* for understanding religion and morality politics in Europe today. The *primary argument* is that the visibility of religion in policy-making processes of secular societies is dependent on the presumed competitive advantage that secular and religious political parties expect when politicizing morality issues. This presumed competitive advantage strongly depends on the power position of these

political parties (i.e. being in government or not) and the unity in policy preferences toward morality issues within the government. This argument is based on the assumption that morality policies are closely associated with religious doctrines and that political parties therefore can easily emphasize religious values and norms when discussing these issues. Moreover, political parties and MPs are considered office- and vote-seeking actors for whom policy aims are important but rank second behind political empowerment (Strom 1990). Thus, the book employs a rather *functional understanding* of when morality policies are politicized and reformed and of how religion still influences the political sphere in Europe: Religion is more a strategic resource for political parties than a fundamental normative doctrine shaping political parties' policy-making behavior in a systematic and coherent way (cf. Foret 2015).

To investigate this argument, the present project disentangles two stages of the policy-making process: the initial agenda-setting stage and the final decision-making stage. Hence, two dependent variables are explored: the degree of morality policy attention in parliament and morality policy change (see Fig. 1.1). Such a two-stage approach is necessary because the pre-decision (agenda-setting) stage offers political parties and MPs room for a wider range of behaviors (i.e., different parliamentary activities) than is available to them in the decision-making (i.e., issue voting) stage; this allows us to more systematically assess the parties' and MPs' strategic behavior. In other words, the parliamentary instruments that are used by political parties and MPs to politicize policies can better help us understand when issues related to religious norms are considered strategically attractive; and with this insight on morality policies, we can also better understand the rise and fall of religion in politics more generally.

The *first stage* explores the incentive structure of secular and religious political parties to politicize morality issues. I argue that if minority

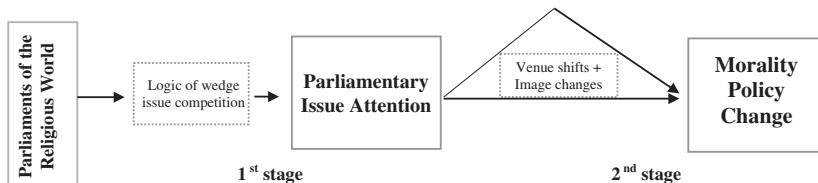


Fig. 1.1 Two-stage model of morality politics in the religious world (*Source* Author's conceptualization)

parties are able to challenge more powerful opponents on morality issues, they will politicize a topic in parliament in order to blame the opponent and disrupt existing power structures by driving a wedge between its members (Van de Wardt 2014; Van de Wardt et al. 2014). In other words, opposition parties are expected to have a particularly strong incentive to politicize morality issues when policy preferences within the ruling party or between government partners deviate because then they can easily weaken the government by blaming it for the inability to formulate policy solution. This means that there are two key conditions that determine the incentive structure of political parties to politicize these issues: the power position (i.e., whether in the opposition or in the government) and the unity in policy preferences toward morality issues within the government. Thus, the book proposes that both secular and religious parties “use” morality issues in party competitive terms when they are in opposition and therefore, we can observe an instrumental nature in appeals to morality issues even in the religious world in Europe.³

The *second stage* of the analysis deals with the effect that parliamentary attention to morality policies has on morality policy change. The book argues that this effect is very complex as it varies over time and with the institutional opportunity structure of a country. In detail, on the short run, high parliamentary issue attention is negatively related to the extent of morality policy reforms, because parliamentary attention is mainly driven by opposition parties, and therefore reform proposals often lack a parliamentary majority. Moreover in such instances, governments may shift the issue into alternative institutional venues (e.g., expert arena), which further delays policy reforms. On the long run, however, high parliamentary attention indirectly fosters morality policy change by stimulating changes in responsible institutional venues (Baumgartner and Jones 1991, 1993).⁴

1.2 THEORETICAL AND EMPIRICAL CONTRIBUTION

The book contributes to two different literature streams. First, the argument substantially advances the state of the art in *morality policy research*, because such research lacks a sound theoretical foundation explaining why secular parties sometimes politicize and at other times ignore morality issues in the religious world, why religious parties become active, and how political attention interacts with policy reforms. In particular,

morality policy research in Europe focuses either on agenda-setting processes across countries (e.g., contributions in Engeli et al. 2012) or on morality policy change (e.g., contributions in Knill et al. 2015; Studlar et al. 2013), while the causal link between both is largely disregarded (but see Engeli et al. 2013). Engeli's et al. (2012) excellent volume on agenda-setting processes of morality issues in the religious and secular worlds offers the theoretical starting point of this project. The argument for the religious world is developed further by offering theoretical explanations for variation in the politicization behavior of secular parties across legislative terms, as well as for the (unexpected) parliamentary engagement of religious parties. Moreover, the theoretical framework developed in this book proposes two different and time-variant mechanisms through which parliamentary issue attention impacts on morality policy reforms.

Second, the work contributes to the debate on *religion and politics* (e.g., Fox 2015; Haynes 2010; Foret 2015; Joppke 2015; Liedhegener and Pickel 2016). It offers an explanatory framework for the rise and fall of religion in European parliaments via the analysis of issues that are assumed to be inherently connected with religious norms and values. In doing so, the book complements the secular-religious competition perspective (Fox 2015) with concrete propositions on how the suggested competition dynamic works at the meso- and micro-levels of political systems, meaning among political parties and party members. Moreover, it adds to the research on religion in Europe by shedding light on the fact that the religious-secular cleavage offers an opportunity structure in political systems, but seems to lose its role as ideological resource that shapes the normative positions of political parties as a whole (cf. also Euchner and Preidel 2018, Foret 2015).

The main *empirical contribution* of the book is its rich cross-country, cross- policy, and cross-time analysis based on novel datasets (PoliMoral). The book's cross-country perspective includes four European countries: Austria, Germany, the Netherlands, and Spain. All four countries have equally strong religious-secular party divides, meaning that their party systems include at least one strong political party with religious roots and another party defending secular values and norms. Thus, according to Engeli et al. (2012), one can assume that all four countries belong to the religious world, and issues related with religious norms, such as morality policies, reach certain levels of attention in the political debate since secular parties can use these issues to blame religious opponents for

their “backward” positions. However, the countries differ in their governmental format (minimal winning, surplus, and minority governments) and hence in the institutional conditions allowing governmental actors to formulate joint policy proposals. Certain government formats facilitate the strategy of wedge-issue competition for opposition parties (e.g., surplus governments), while other constellations makes wedge-issue competition less attractive as it is easier to formulate joint policy proposals. In other words, a similar party conflict structure but different government formats allows us to uncover different incentive structures for politicization and thus, to examine the argument on wedge-issue competition in a controlled setting.

An additional advantage of the country selection is that the central religious denominations and the state–church relationships vary across the countries. In Austria and Spain, Catholics prevail; in Germany and the Netherlands, Catholics and Protestants are more or less equally represented (at least in recent decades). In the Netherlands, state and church are clearly separated; in Germany, Spain, and Austria, a cooperation model prevails. Most importantly, these different characteristics are not systematically related to the extent of morality policy politicization across time (very high in Germany and Spain, relatively high in the Netherlands, and relatively low in Austria). Thus, the country selection controls for typical channels of religious influence, which allows careful examination of the importance of political parties as transmitters of religion in politics.⁵

The cross-country perspectives is complemented by the analysis of two typical morality policies—same-sex partnership rights and prostitution policy—over a time span of twenty years (1995–2015). The key concern of both topics is to protect two strongly marginalized groups that often face fierce legal discrimination and a lack of legal protection. Liberalization provokes societal value conflicts and resistance from various groups, in particular religious communities and religious-oriented citizens whose approaches to sexuality, family, and partnership are guided by religious doctrine.

A final aspect strengthening the empirical contribution of the book is the triangulation of research methods. I use a mixed-method approach, combining large-N quantitative analysis with in-depth qualitative analyses of key cases to explore this innovative explanatory framework. Specifically, the project adds value by means of its innovative

measurement approach to party positions, which is capable of detecting conflicts between and within political parties—the so-called core-sentence approach (CSA) based on more than 500 newspaper articles. This novel method and dataset are complemented by an additional dataset on parliamentary attention (1995–2015, more than 1300 parliamentary initiatives) and a novel dataset on the regulatory restrictiveness of the morality policies in sixteen Western European countries (1960–2015, more than 880 country-years).

Besides its contributions in content and empirical scope, the book also contains important *educational features* for research on other public problems that relate to religious norms and values. Questions of European integration, family policy, and immigration policy are excellent cases in point, which may touch religious-secular competition structures and the reawakening of the relevance of religion. One good example is the recent conflict between Turkish president Recep Tayyip Erdogan and several European cities over the Turkish campaign strategy for the national referendum in April 2017. In the Netherlands, Austria, and Germany, city councils prevented campaign speeches of Turkish ministers for political reasons and security concerns. This in turn motivated Erdogan to accuse the governments of these countries of discriminating against religious minorities, such as Turkish Muslims, and behaving in an undemocratic, “Nazi-like” way. In response to these conflicts, the Turkish president even announced that today “we are heading towards ‘war of religion’” (*DerStandard* 16.03.2017; *DailyMail* 16.03.2017). Some argue that Erdogan used religion to justify punitive measures against opposition parties and societal actors in order to strengthen his power position within his own country. This is only one example illustrating how increasing populist engagement with the politics of values across Europe and the USA (cf. presidential campaign of Donald J. Trump) is likely to intensify the pattern of value politicization via morality issues and to modify its dynamics with the strategy of blending of nationalist values with social conservative values regarding family, gender, and sexual orientation. Populist parties increasingly use religion as a political tool in order to gain a larger electorate (Marzouki et al. 2016). Thus, this book and its theoretical framework on how and when political actors strategically deploy religious norms and morality issues provide an inspiring foundation with which to explain in more detail the rise of religion in Europe beyond the cases and policies studied.

1.3 STRUCTURE OF THE BOOK

The book is structured in four parts. After this Introduction, Part I reviews the literature the book is contributing to and presents the underlying theoretical and methodological frameworks. First, I discuss the literature on secularization and societal value change as well as the research on morality policies (Chapter 2). In Chapter 3, I introduce the new theoretical framework of the interplay between religion and morality politics in European countries with a religious-secular cleavage in their party system. Chapter 4 presents the research design, operationalization, and main methods of analysis of the book, including a discussion of the applied measurement approaches used to assess party positions, intra-party conflict, and the extent of morality policy change. Parts II and III are the empirical heart of the manuscript, in which I examine the study premises and provide deep descriptive and explanatory knowledge of the research cases in question. While Part II (Chapters 5 and 6) focus on the first dependent variable—morality policy attention in parliament—Part III (Chapters 7 and 8) analyze morality policy change and its interaction with the previous dependent variable. In Part IV, I conclude both with a summary of the study’s empirical results and the new theoretical framework’s applicability to a larger set of countries, before elaborating on the theoretical and political implications of the project more broadly.

NOTES

1. In line with Norris and Inglehart (2012, 5), I define secularization as a “systematic erosion of religious practices, values and beliefs.”
2. Besides these publications, there are several other books that explore single morality policies such as assisted reproductive technologies (e.g., Bleiklie et al. 2004), abortion policy (e.g., Stetson 2001), or prostitution policy (e.g., Outshoorn 2004). Moreover, some scholars examine several morality policies within one European country (e.g., for Italy see Ozzano and Giorgi 2016 and for Germany see Knill et al. 2015).
3. Leege et al. (2002, 6) argue more broadly that “the salience of cultural issues will wax and wane as a function of group identification, historical events, and coalition needs.”
4. Accordingly, the book does not share Baumgartner and Jones’s argument (2009) that high political attention coincides with substantial policy change, at least within a limited period of time, because then there are different logics of issue politicization in place. Moreover, I expect serious

differences between presidential and parliamentary systems and of issue politicization of morality and non-morality policies.

5. Several authors have proposed that a favorable political opportunity structure for Christian Churches (i.e., a close church-state relationship and higher levels of religiosity) leads to a strong religious influence on policy-making processes of morality issues (e.g., Knill and Preidel 2014; Minkenberg 2003). As neither parliamentary attention patterns nor morality policy output decisions across the four countries are systematically related to the different state-church regimes of the four countries or their levels of religiosity, the two factor can be disregarded and considered as controlled for by the case selection.

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PART I

Secularization, Morality Policies, and Party Conflicts in Europe



CHAPTER 2

Morality Policy as a Party Issue in a Secular Age

It is widely argued that religion is losing its importance in Western European societies, a process that is reflected in decreasing levels of religiosity, shrinking numbers of church members, and lower electoral support for political parties that represent religious values and norms (e.g., the Christian Democrats). Despite these undisputed observations in many European countries, many researchers note that religion and specifically, issues relating to religious values are attracting more attention in politics (e.g., Fox 2015; Haynes 2010; Joppke 2015; Habermas 2008; Norris and Inglehart 2012; Davie 2000, 2007; Liedhegener and Pickel 2016). This chapter begins with a brief empirical overview of the secularization trends in Western Europe along with anecdotal evidence of the increasing salience of morality policies. Thereafter, a review of the basic research on secularization, morality policies, and agenda-setting processes uncovers theoretical answers to the paradoxical rise of religion and morality policies in politics today and points to some remaining questions.

2.1 SECULARIZATION TRENDS AND THE RISE OF MORALITY POLICIES

Until at least the late 1980s, secularization theory was the dominant theory on religion (Fox 2015, 16). Although its core argument—the decline or demise of religion in modern times—now faces serious challenges, it nonetheless remains a fruitful starting point for any discussion

about religion and politics. Religious modernization exhibits three characteristics according to Casanova (1994, 2006): (1) a decline in religious beliefs and practices, (2) a privatization of religion, and (3) differentiation in the secular sphere. This distinction helps us understand the consequences of religious modernization for the political sphere and, most importantly, the environment that is stimulating the politics on morality policies in continental and southern Europe. It will also guide the following empirical description of secularization trends in Europe.

Researchers from the interdisciplinary field of religion and politics have extensively discussed secularization trends (Berger 1999a; Casanova 1994; Fox 2015; Inglehart and Baker 2000; Norris and Inglehart 2012; Davie 2000; Bruce 2003) and explored them in many countries, including Europe and the USA (Foret 2015; Joppke 2015; Kuru 2009; Davie 2006).¹ Most scholars agree that the primary argument of secularization theory must be revised. Religion has not disappeared; rather, it remains a “potent and vibrant political and social force in the world” (Fox 2015, 17; Norris and Inglehart 2012, 2–3).² Some authors note that while religion has lost its relevance in society, it is becoming more important in politics, a dynamic often summarized under the terms “post-secularization” or “political secularism” (Habermas 2008; Fox 2015). Others argue that while the influence of religion is declining in the public sphere, religion itself remains valuable in the private sphere because many people believe without belonging (Davie 1993; Chaves 1994). Thus, religion has shifted from being a public institution to being an individual choice (Bruce 2003).

A third group of researchers focus on the link between religion and modernization. Peter Berger, for instance, whose popular book *Scared Canopy* (Berger 1967) provided an important foundation of secularization theory, revised his position about thirty years later and now postulates a “desecularization of the world” (Berger 1999a). Arguing against the long-held assumption that modernization weakens religion, Berger postulates that economic and societal development stimulated serious counter-secularization in many regions of the world (Berger 1999b, 2). Norris and Inglehart (2012) indirectly contradict this argument by showing that religion has lost its impact in rich nations, since religiosity bears physical, societal, and personal risks (Norris and Inglehart 2012, 4). However, religion’s loss of influence varies across developed Western countries, across time, and across policy-making processes (Norris and Inglehart 2012, 10). The USA and Europe are popular examples. In the

USA, secularization trends are relatively weak; in Europe, churches are rapidly losing members and churchgoers (Norris and Inglehart 2012; Joppke 2015, 74ff.), although we also find differences across European countries in that regard.

The extent of religiosity and the share of unaffiliated people in Western Europe, for instance, varied between 1990 and 2010 and across the countries (see Fig. 2.1). Overall, we find either a consistently low number or a slightly decreasing number of people who state that they attend religious services (e.g., Denmark, France, Norway, or Sweden). While the monthly attendance rates have remained comparatively high in Belgium, Ireland, Portugal, and Spain since the early 1990s, we see in other countries an downwarding attendance trend (e.g., the Netherlands, Switzerland, and the UK) (see the solid black lines in Fig. 2.1). Thus, there are substantial differences among European countries concerning religious practices and rituals. However,

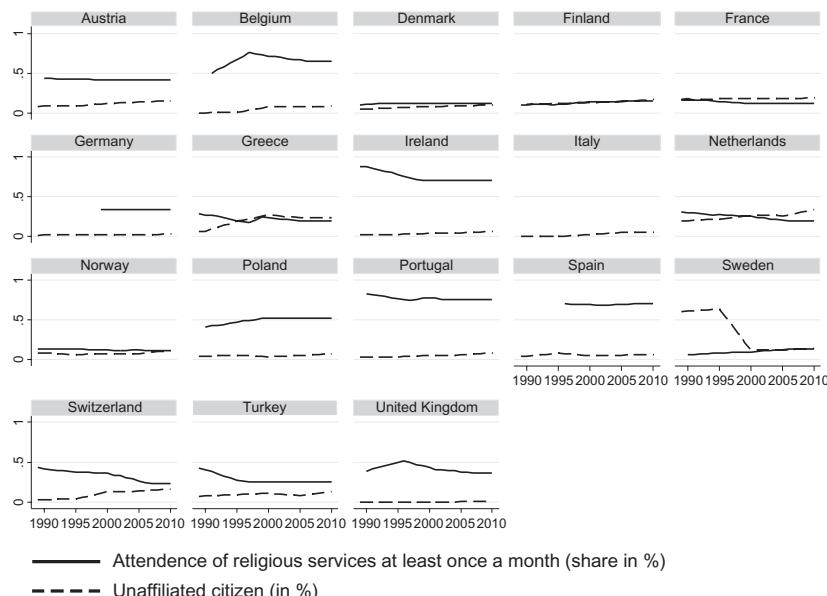


Fig. 2.1 Development of religiosity and share of unaffiliated Europeans (1990–2010) (Source MORAPOL 2016 based on WVS 2015. For Italy, longitudinal data of religiosity are missing)

independent of the de facto level of religiosity, most countries (with the exception of Poland) experienced at least some decline when employing a more long-range perspective.

The decrease in religiosity levels coincides with an increase in the share of people in Europe who are leaving religious communities and who are therefore not affiliated with any church or religion (see dashed black lines in Fig. 2.1). In Belgium, Germany, and the Netherlands, around 30% of the population has turned away from religion over the past twenty years. In Greece, Ireland, and Poland, by contrast, we find low levels of non-affiliation (cf. MORAPOL 2016; WVS 2015).

In addition to the decline in religious beliefs and practices and the increase in the number of people unaffiliated with religious institutions, there is a third aspect of secularization, termed “the differentiation of the secular sphere” (Casanova 2006, 7), that reflects the link between the private and the political spheres and which includes among others the legally defined church-state relationship (cf. Fox 2015). The legal standing of religious communities is commonly defined by a country’s constitution and is specified via a diverse set of public policies that define the funding of religious communities, the civil rights of adherents, and the duties of welfare delivery. The rise of capitalism and nation building in the nineteenth century resulted in the exclusion of religion and its institutions from governance in areas such as education, health care, social protection, and private morality (Casanova 1994). This process has always involved conflict and has rarely ended in any clear separation between religion and the state (e.g., Fox 2015; Joppke 2015).

According to Joppke (2015: 80), a good starting point to structure the diverse church-state relations in Europe is the two-fold distinction: a polarizing laicization, typical of Catholic countries; and a more consensual and conjoint secularization of state and religion, typical of Protestant and mixed-faith countries (Casanova 1994). Thus, in Protestant Europe, the mutual deference between religious and political tasks and the individualization of religious beliefs have led to increased secularization. In contrast, in Catholic Europe, the relationship between church and state has involved much more conflict between the proponents of a lay public philosophy and the supporters of Catholicism as a public religion. These two distinct paths explain the existence of a state church in Scandinavian countries (with the exception of Sweden, since 2001), and cooperation regimes in mixed-faith countries such as Germany and Switzerland

(Fox 2015, 44) as well as regimes strictly separating between the religious and the secular in Catholic countries.

Aside from this general trend over the past two hundred years and the different conflict levels in Western European countries, we also find a weakening of the most important religious intermediary between the public and the political system: religious political parties (e.g., Christian Democrats). Naturally, the decline of religious practices and rituals in many European countries affected the electoral strength of religious parties, as Fig. 2.2 shows (cf. Norris and Inglehart 2012, 210). Several European countries have had noticeably and consistently weak

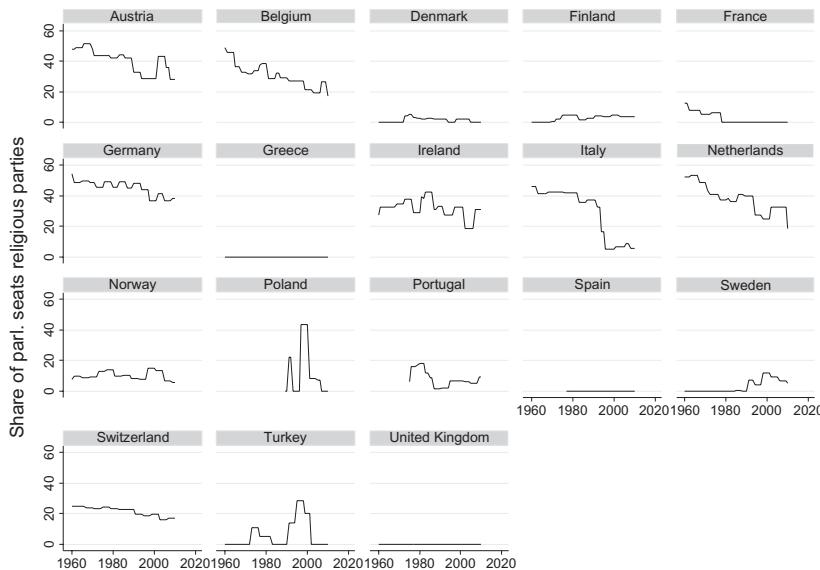


Fig. 2.2 Development of the parliamentary representation of religious parties (1960–2010) (Source MORAPOL 2016; WVS 2015; Austria: ÖVP, CSA; Belgium: CDH, CVP, CSP, PSC; Denmark: K (KrF); Finland: KD (SKL); France: CD (CDS, CDP); Germany: CDU, CSU; Greece: -; Ireland: FG (CG, NCP, RI); Italy: CD (DC, CCD, DE, CS, Rete); Netherlands: CdA (ARP, CHU, RPF), CU, KVP; Norway: KRF; Poland: AWS (KOS, BBWR, PO, ROP); Portugal: CDS; Spain: -; Sweden: KD (KDS, Ks, Kd); Switzerland: CVP; Turkey: ANAP (AKP); UK: -)

representations of religious parties since the 1960s. This mainly includes Scandinavian countries such as Denmark, Finland, and Sweden, where religious representation is around 10%. There are also countries such as Spain and the UK where no religious party has managed to overcome electoral thresholds or to even run for office. However, the graph for Spain might be misleading because the Conservative Party (PP) is closely related to the Catholic Church and openly defends religious values. Therefore, many studies see the PP as a religious party (Chaqués Bonafont and Palau 2012).³ Since the PP has received considerable electoral support since the early 1980s, Spain can be considered as having a strong religious political actor.

Next, there are countries with a traditionally high share of religious party representation, such as Austria, Belgium, Germany, Italy, and the Netherlands. In these countries, the loss of electoral support has been substantial; this is particularly the case in Belgium and the Netherlands, where representation decreased from around 50 to 20%. Many religious political parties have lost political power in Europe over the past few decades (cf. Caramani 2015; Kalyvas and van Kersbergen 2010; Krouwel 2012). However, in countries where these losses are most visible, at around 20–30 percentage points (e.g., Austria, Belgium, and the Netherlands), religious parties nonetheless exercise substantial political power. The only exception in this regard is Italy, where the Christian Democrats almost disappeared in the early 1990s. Religious messages there are no longer transmitted by one political party but by the Vatican, thanks to its privileged standing in politics and society as an “extra-parliamentary church” (Ozzano and Giorgi 2016, 24–29).

As a result, religion has lost relevance, strength, and visibility throughout the three different spheres of secularization. However, religion has not disappeared completely, as the variance across Western European countries indicates. One might assume that this general secularization process is reflected in a decreasing relevance of policies that strongly relate to religious values. However, as initial evidence shows, this is not the case. Traditional religious policies such as questions relating to the funding of churches, permission for Islamic religious education, or veil policies have provoked fierce debates in Western Europe (e.g., Fox 2015, 98; Joppke 2012). The European Court of Justice’s (ECJ) decision in March 2017 to ban headscarves in the workplace is one example. This decision attracted significant attention because the ECJ declared headscarf bans in European companies to be legal if internal company rules

required all employees to “dress neutrally” (*BBC News* 14.3.2017). Besides these traditional religious policies, today there are more specific public questions that are inherently related to religious principles and doctrines and that raise the salience of religion in the societal and political arena; these are the so-called morality issues (cf. Engeli et al. 2012a, b; Mourão Permoser 2019).

The following empirical illustration of the salience of morality policies is embedded in a theoretical discussion of the link between religion and morality issues. Because of limited data availability, for this first empirical overview, we employ a broad definition of morality policies. The most comprehensive dataset on the political salience of morality policies is the Comparative Manifesto Project (CMP), which considers a timeframe of about seventy years and a large number of European and non-European countries (see for more details Volkens et al. 2016a). An important advantage of the dataset is that CMP measures issue salience and not reform activity.⁴ The CMP project codes morality policies as any statement on the regulation of “immorality and unseemly behavior” (e.g., abortion and homosexuality), the role of religious institutions in state and society, and relationships, sex, and reproduction (Volkens et al. 2016b, 19). In other words, besides typical moral questions relating to sexuality or questions of life and death, policies defining the role of religious institution in the state and society are also included (e.g., religious education, religious schools, and religious hospitals). Accordingly, for the purpose of this project, the data must be interpreted carefully, with a focus mainly on traditional morality policies. Nevertheless, the dataset helps us get a good first grasp on the puzzling phenomenon of increasing morality policy attention in politics of secular societies.

Figure 2.3 illustrates the cumulative share of quasi-sentences dedicated to morality policies in all party manifestos being relevant for a specific year within one country from 1940 to 2010. Overall, the salience of morality policies in party manifestos oscillated throughout the last sixty years in most European countries. In other words, the empirical picture is less clear-cut, as anecdotal evidence suggests. We do not find exclusively downward trends of morality policy attention. In most countries, morality policy attention remained stable over time at a relatively low level (about 15%, e.g., Austria, Belgium, Ireland, Italy, and the UK). Some countries, however, also experienced a substantial increase in morality policy attention in recent years. Clear examples are Switzerland, the Netherlands, and Poland (oscillating between a share of 20 and 40%.

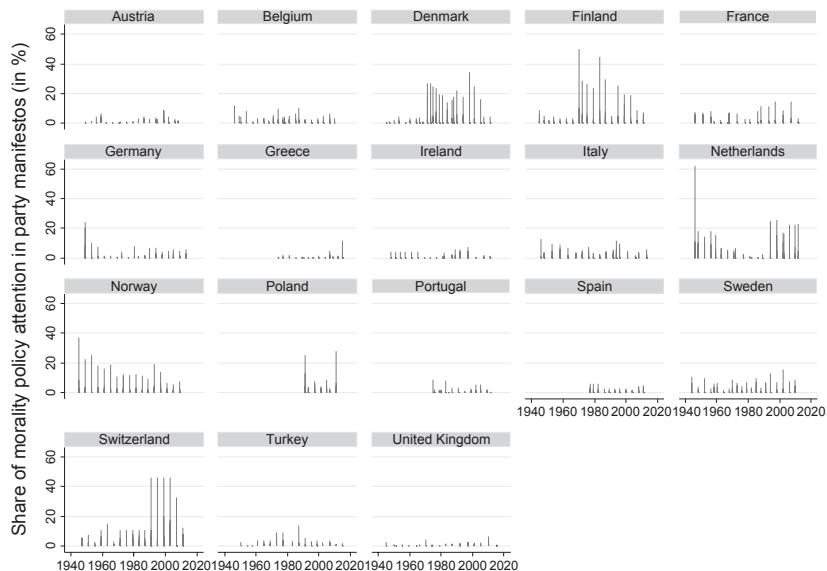


Fig. 2.3 Salience of morality policies in party manifestos in Europe (1940–2015) (*Source* Author's own compilation based on Volkens et al. 2016a)

relative to all other topics and across all party manifestos). In Finland and Denmark, we observe peaks of attention particularly during the 1970s and 1980s. In countries such as Germany, Belgium, and Austria, the general salience is much lower. Issue priority varied over time as well. In parallel with Switzerland and the Netherlands, Germany and Austria morality issues were less politicized in the 1960s and the 1970s but received increasing attention in the last few decades. As a consequence, relatively religious countries with strong religious parties in their legislatures show some parallel developments over time. The level of attention varied strongly across these countries, however. While the Netherlands and Switzerland showed very high levels of attention to morality issues, Germany, Austria, and Belgium dealt with morality policies in party manifestos to a much lesser extent. In other words, even in continental European countries with relatively high levels of religiosity and a strong representation of religious actors, no uniform pattern in morality policy politicization is visible.

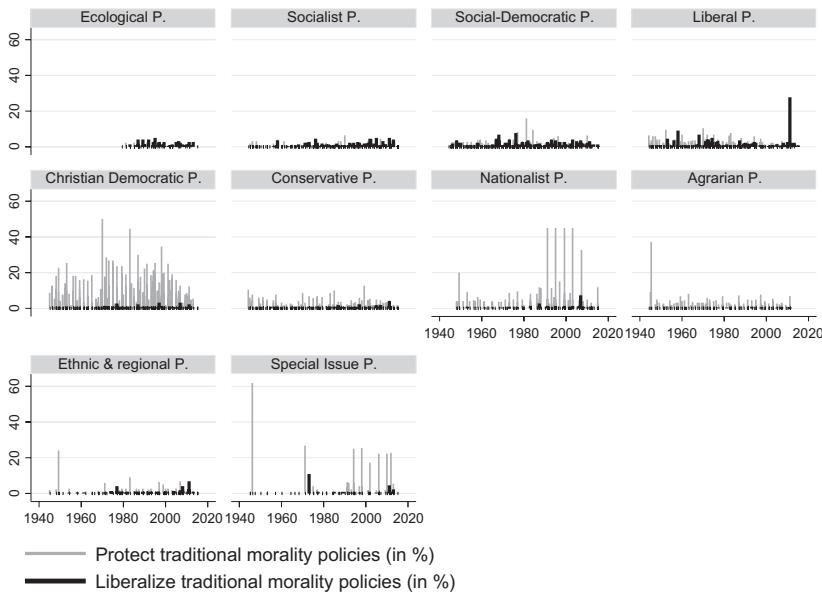


Fig. 2.4 Morality policy salience across political parties' manifestos (1940–2015) (*Source* Author's own compilation based on Volkens et al. 2016a)

This phenomenon is even more puzzling when we differentiate morality policy attention by party family. Figure 2.4 shows the average share of quasi-sentences dedicated to morality issues in party manifestos across the different party families. The graph also distinguishes between a positive and a negative attitude toward traditional morality policies. In other words, the dark-gray bar indicates a rather restrictive position toward the liberalization of morality issues, while the light-gray bar shows the average prominence of positions supporting any morality policy liberalization.

Political parties belonging to the Christian Democratic family (e.g., Christian Democratic Union in Germany, the Christian Social Party in Belgium, and the Christian Democrats in the Netherlands and Italy) discuss morality policies most intensively in their electoral programs. Thereby, they articulate their critical stances toward morality policy liberalization. Scholars of party competition literature would even speak of or assume an “issue ownership” of morality policy questions by Christian

Democratic parties (Petrocik 1996). Since the early 2000s, however, issue attention on morality policy questions within Christian Democratic electoral programs decreases to about 20%. This observation relates to recent scholarly debates on the current transformation of the Christian Democracy (van Kersbergen 2008; Kalyvas and van Kersbergen 2010). The withdrawal of morality policy attention by Christian Democratic parties is compensated for by nationalist parties and special-issue parties, which since the early 1990s have discussed morality issues more intensively in their electoral programs and that also aim to maintain the restrictive regulatory status quo of morality policies (as shown by the light-gray bars). In addition, liberal parties stand out with particularly high levels of issue attention in recent years, underlying a more permissive stance toward morality policy regulation. Ecologist, communist, or social democratic parties dedicate on average less attention to morality issues in their party manifestos but also support the liberalization of morality policy regulation (see black bars).

In sum, morality policies have attracted increasing attention in the last two decades because besides the Christian Democrats, nationalist parties, liberal parties, and special-issue parties increasingly discuss value-loaded issues in their electoral programs. This indicates that until the 1990s, the level of religiosity and the strength of religious actors had been strong indicators for morality policy salience. Thereafter, however, the relationship between religion and morality policy attention becomes more blurred, being reflected in the different patterns of attention in relatively religious European countries with strong religious parties (e.g., Belgium, Germany, the Netherlands, and Austria). As a result, the pattern of morality policy attention today is a complex phenomenon that is not related in an uniform way with religious factors and that varies across countries, time, and party families.

How can we explain this puzzling phenomenon? Why do morality policies still attract so much attention in so many European countries despite the decreasing relevance of religion? And why does morality policy attention vary strongly across relatively religious countries and over time? The religious factor in form of religiosity and the political power of religious parties seem not to account for the variation. Which alternative explanations can explain the variance across (religious) European countries? The following section reviews the two most important literature streams in the search for answers to these questions.

2.2 SOCIOLOGY OF RELIGION MEETS MORALITY POLICY AND AGENDA-SETTING RESEARCH: ANSWERS AND REMAINING QUESTIONS

In responding to this puzzling phenomenon, three different groups of scholars offer initial answers. The first group of researchers stem from the broad interdisciplinary field of religion and politics, which is dominated by sociologists and is concerned mainly with the complex phenomenon of (post-)secularization (e.g., Fox 2015; Habermas 2008; Joppke 2015; Liedhegener and Pickel 2016; Norris and Inglehart 2012; Berger 1999a; Foret 2015; Davie 2000, 2006, 2007; Bruce 2003). The second group encompasses researchers from the field of morality policy analysis and mainly includes political scientists (e.g., Engeli et al. 2012b; Grzymala-Busse 2015; Knill et al. 2015, 2018; Hennig 2012; Mooney 2001a; Ozzano 2016; Tatalovich and Daynes 2011; Budde et al. 2017). The third scientific community includes researchers dealing with agenda-setting processes from different analytical angles (e.g., Baumgartner and Jones 1991, 2009; Chaqués Bonafont et al. 2015; Baumgartner and Timmermans 2012; Green-Pedersen and Walgrave 2014a; John et al. 2013).

As outlined in the previous section, recent research from the field of religion and politics argues that religion has returned with a vengeance to challenge secular institutions (Joppke 2015; Habermas 2008; Fox 2015). These scholars critically discuss earlier understandings of secularization and analyze its dynamic evolution across time and across certain countries (e.g., Casanova 1994; Djupe and Gilbert 2009; Kuru 2009; Norris and Inglehart 2012; Joppke 2015; Davie 2006; Haynes 1998). A smaller number of researchers (e.g., Campbell et al. 2014; Joppke 2012, 2014; Kilic et al. 2008; Mayrl 2016) have investigated the influence of religion on daily politics, including the regulation of “religious policies” (e.g., religious education and public funding of religious schools). Some of these scholars explicitly consider morality issues in their research projects (Foret 2015; Foret and Itcaina 2011; Fox 2015) but more to exemplify the rise of religion in politics than to explain the influence of religion on output decisions. Overall, though these scholars defend rather divergent positions, there is general agreement that religion, far from having disappeared, remains a vibrant force; whether this phenomenon is most visible in the developed world or the developing world, or

in the private sector or the political sphere, is still debated. As a natural consequence of this dissent, few scholars are able to shed light on the visibility and influence of religion in politics today and to explain variation across countries, over time, and across political processes. Such explanations, however, are necessary to solving the empirical puzzle presented here.

Specifically, the majority of scholars in this field aim to capture, describe, and systematize the complex process of secularization in society. In doing so, religion and religiosity are conceptualized in several ways, including by assessing church attendance rates, belief in religious values, the church–state relationship, and the organization of religious communities. An important body of the literature investigates the cross-national and within-country variation of the church–state separation (e.g., Kuru 2009). Others explore the changes within religious denominations in terms of identity, internal organization, and relations with the secular environment. A final group of scholars are interested in the changing relevance of religion and religiosity in contemporary society. They have discovered an individualization of religiosity and describe the phenomenon as “religion à la carte,” “believing without belonging,” “patchwork religion,” or the “diffused religion” (Ozzano and Giorgi 2016, 10–11). Based on these observations, Casanova (1994) argued that the individualization of religion is not identical to an exiling of religion from the public sphere. By contrast, religion is a visible element in society, particularly in politics in the modern world (Casanova 2006, 2008; Davie 2000, 2006). This proposition motivated a new scientific debate about such concepts as post-secular societies, de-secularization, de-privatization, re-enchantment of the world, and vicarious religion (Ozzano and Giorgi 2016, 11; e.g., Habermas 2008; Stoeckl 2011; Davie 2007). The idea of post-secularization as a new global trend did not find much resonance in Europe at first. Since the late 2000s, however, there has been a “noticeable change in attitude and attention throughout Europe” (Casanova 2008, 101). As a consequence, an increasing number of European researchers shed light not only on the process of secularization in society but also on its influence on politics and in particular on policy making (e.g., Foret and Itcaina 2011; Foret 2015; Joppke 2015; Kuru 2009; Liedhegener and Pickel 2016; Davie 2007). However, this nascent research is also accompanied by critical voices (e.g., Bruce 2003 for Great Britain) and suffers from a lack of precise definition (Stoeckl 2011).

On the one hand, there is a group of sociologists that questions the influence of religion in politics today. They understand secularization as “differentiation,” by which religion is seen as having changed from being a dominant social institution in different areas to an institution influencing the private lives of a limited and exclusive group of people (Bruce 2003; Chaves 1994). Hence, this group of scholars largely perceives religion as an institution being limited to the private sphere and lacking influence in politics. In the same vein, some researchers argue that in the wealthy developed nations of Europe, secularization trends are particularly strong and religion increasingly powerless. In less developed countries, however, religion continues to be a resilient societal force with comprehensive moral authority (Inglehart and Baker 2000; Norris and Inglehart 2012).

On the other hand, there are scholars in this scientific community who acknowledge and explicitly discuss explanations for the rise of religion in modern states. The work of Davie (2000, 2006, 2007) deserves particular attention. Specifically, the concept of “vicarious religion” offers an inspiring and concrete response to the question of why religion receives so much attention in politics today. Davie (2006, 2007) defines “vicarious religion” as “the notion of religion performed by an active minority but on behalf of a much larger number, who (implicitly at least) not only understand, but, quite clearly, approve of what the minority is doing” (Davie 2006, 277). In other words, she argues that despite decreasing numbers of church members in Europe, a small group of religious actors are sufficient to raise awareness of religious issues because their engagement is indirectly supported by a larger group of passive citizens. Active and passive citizens in Europe share a common historical legacy of powerful Christian churches. As an alternative explanation, Davie (2006) proposes—in line with other scholars in the field (e.g., Joppke 2014, 2015; Haynes 1998, 2010)—that the arrival of a growing number of Muslim immigrants in Europe contributed to the salience of religion and religious issues in politics today. The integration of immigrants belonging to another religion requires legislative reforms and therefore challenges the liberal notion that religion is mainly a private matter and should not be decided by the state. Hence, the question of religious rights for Muslims reopens the debates about the place of religion in public as well as private life in many European societies.

Along this line, Kuru (2009), for example, examines the question of why states belonging to the same state-church regime (strict separation)

vary in their state policies toward religion. While France and Turkey explicitly exclude religion from the public sphere (e.g., by prohibiting religious symbols in public schools), the USA allows public visibility of religion. Kuru (2009, 10) explains this difference by examining the specific historical conditions that shaped the secular state-building period. These conditions favored “passive secularists” in the USA and “assertive secularists” in France and Turkey. Grzymala-Busse (2015) also emphasizes the historical development of the church-state relationship for policy-making processes. She (2015, 2) declares that the church’s influence on morality policy making depends on its historical record of defending the nation and the transformation to a democratic state. The past activity of the churches have shaped their reputation today and defined their current standing as moral authorities. Conflicts between the state and the church’s secular opponents offered some churches the opportunity to act as defenders of national identity; this occurred, for example, in Poland, Ireland, and to some extent in the USA. This in turn strengthens the position of the churches today, especially in terms of policies relating to religious values and norms (e.g., religious education, abortion, and same-sex marriage).

Besides those scholars who point to the varying historical legacies of churches in European states in order to explain the salience and power of religion in politics today, there is a second group of scholars who explain the rise of religion based on strategic considerations of political actors (e.g., Foret 2015; Fox 2015). Foret (2015), for instance, focuses on political elites in institutions of the European Union (e.g., the European Parliament and the European Commission). He (2015, 4) declares that religion is a “symbolic resource” that is unlikely to “provide cement of the building of a European polity but can mark boundaries between ‘us’ and ‘them.’” Religion is an expression of loyalty to political heritage and a marker to distinguish between competitors. Moreover, religion can have an explosive power as a “communicational raw material” in public policy-making processes (Foret 2015, 4). The idea that religion can be a marker for different competing groups in politics is also put forward by Fox (2015). He proposes a new perspective to understand religion in daily politics: the religious-secular competition perspective. Fox (2015, 32) suggests that we analyze political secularism, which he defines as “a family of political ideologies that advocates that governments must... remain neutral on the issue of religion.” These political ideologies

compete with religion to influence government policy, in the political arena as well as in the social arena.

Among the large body of sociological scholarship exploring secularization, the arguments of Foret (2015), Davie (2006, 2007) and Fox (2015) that religion is more of a “symbolic resource” and a “marker” for different competing groups are particularly promising for this book as they are able to explain to some extent the puzzling phenomenon of increasing morality policy attention in Europe, specifically in countries of the so-called religious world (Engeli et al. 2012b). First, these observations can explain why policy debates on issues related to religious values still attract so much societal and political attention. Religion did not disappear in modern times; instead, a small number of religious agents (e.g., churches and politicians) are sufficient to stimulate competition with actors defending secular ideologies (Davie 2006, 2007) and hence to increase attention on value-loaded issues. As a consequence, some of the basic questions of this book can be answered by the younger sociological scholarship that seeks to explain the salience of religion in politics today. However, it still remains unclear (1) why the salience in morality issues varies across and within European countries (i.e., when exactly groups use religion for competitive advantage); (2) how morality policies in contrast to typical religious policies are related to religious values; and finally, (3) whether the salience has any substantial impact on morality policy outputs.

The *second literature stream* encompasses the field of *morality policy analysis* and contributes to the remaining open questions. It conceptualizes the relationship between religion and morality issues in more detail and puts forward explanations for country-specific variance in issue attention across Europe. In terms of the consequences of morality policy attention on output decisions, however, this literature is also rather unclear in its conclusions.

Starting with the first point, we have to look at the research on morality policies that has been done in the USA, where the research field originated (e.g., Meier 1994; Mooney 2001a; Leege et al. 2002; Smith and Tatalovich 2003; Tatalovich and Daynes 2011; Schwartz and Tatalovich 2018; Wald et al. 2001). In the USA, the debate is known under the term “culture wars,” defined as the deep lifestyle divide between progressives and conservatives (Leege et al. 2002, 13; Smith and Tatalovich 2003, 13–19). Conservatives adhere to traditional values and

therefore defend traditional forms of family, reproduction, and sexuality; progressives stress the importance of individual freedom and therefore support nontraditional forms of partnerships, reproduction, and sexuality (Ozzano and Giorgi 2016, 4–5). Individual values are thus extremely important for morality policy decisions. Most scholars in the field agree that the distinctive feature of these policies is that conflicts about societal values, rather than diverging material interests, shape the political processes (Meier 1994; Mooney 2001a; Smith and Tatalovich 2003). In other words, value conflicts over “first principles” and “battles between right and wrong” are indicative of this type of policy, while monetary values fade into the background (Meier 1994, 4). Some authors also agree that these first principles and societal values are strongly shaped by *religious doctrines* and value systems since they offer clear-cut guidelines on the morally “right” way to live, while others neglect or ignore the role of religious values. It is also one reason why there is a broad debate on the definition and selection of morality policies has arisen (see Euchner forthcoming; Heichel et al. 2013; Mucciaroni 2011; Mourão Permoser 2019). While some argue that the regulation of abortion, assisted dying, homosexuality, and same-sex partnerships are typical morality issues, others consider drug policy, gambling policy, and gun policy also as morality policies.⁵

Hence, the questions arise: What issues are typical subjects of morality policies? Which societal values are central? And are religious values a key element? Three different analytical approaches can be identified in the literature, emphasizing politics, framing, or policy substance. All three approaches are briefly summarized and critically discussed regarding their position toward the role of religion in defining morality issues (see also Euchner forthcoming).

First, some scientists propose as the determining criterion the politics surrounding an issue (e.g., Knill 2013; Mooney 2001a). Mooney (2001b, 7–9), for instance, defines morality policies as issues involving “clashes of first principles on technically simple and salient public policy with high citizen participation.” Specifically, Mooney (2001b, 7) claims to observe a degree of consensus among scholars on a few simple characteristics of morality policy. His main point is that morality policies are technically simpler than most non-morality policies. Although all morality policies share certain technical and instrumental implications, controversial moral questions are far more prominent, and they dominate political and social debates. A second particularity is that given the

conflict over first principles, the debate on morality issues is highly salient to the general public. Third, these policies are related to higher levels of citizen participation (Mooney 2001b, 7–9). Knill (2013) introduces another classification of morality policy, also emphasizing the role of politics. Based on the underlying interest constellations, Knill draws a distinction between manifest and latent morality policies. Manifest morality policies are characterized by a mode of decision making that is strongly shaped by value conflicts (e.g., questions of life and death, and matters involving family, sexuality, and religious education). For the category of latent morality policies, value conflicts are not the “order of the day.” However, such topics contain elements that can easily be “morally exploited” (e.g., gambling, pornography, and drug regulations) (Knill 2013, 314).⁶ For this group of scholars, religion is one source among others that stimulates the “clash of values.” However, the authors theoreticize not in great detail on how exactly religion and religious values exert any impact on the definition of morality policies.

A second group of authors have highlighted the importance of issue framing to define morality policies. This tradition is rooted in arguments broached in early research projects. As Mooney (2001b, 4) explains, when “at least one advocacy coalition involved in the debate defines the issue as threatening one of its core values,” the policy can be defined as a morality issue. The core values are rooted deeply in a person’s belief system, determining how someone defines himself or herself. Examples of so-called primary identities are race, gender, sexuality, and religion; secondary identities include class and socioeconomic status (Mooney 2001b, 4). In other words, religion is conceptualized as an important value source shaping perceptions and problem definitions of policy makers in general and across different morality issues.

The general logic of this group has been extended by more recent research (cf., Euchner et al. 2013; Mucciaroni 2011; Roh and Berry 2008; Herrmann 2002). Mucciaroni (2011), for example, proposes that morality policies do not exist per se; rather, they are the product of a strategic approach on the part of political actors. Along that line, Euchner et al. (2013) find that the utilization of value-based arguments varies over time, potentially resulting in shifts in the classification of policies. This in turn means that scholars investigating the causes of morality policy change must be very careful in their selection of issues. Herrmann (2002, 7) concludes, for instance, that “gambling has managed to shift itself from the category of ‘sin’ to the category of leisure activity.”

Meier (1994, 25) adds to this debate the insight that most policies are multidimensional, allowing transformations from policies regulating “sin” to normal policies. Therefore, the principal idea of this approach considers religion as an important value source for individuals dealing with morality policies. However, it is just one ideological and may be strategic resource among many. Researchers in this tradition seem to question the uniform influence of religious values on morality policy definition because many policies are multidimensional, thereby allowing different problem definitions over time and across countries.

Finally, several scholars have defended an approach that concentrates on the substance of an issue. In this approach, issues are defined *a priori* as morality policies (e.g., Engeli et al. 2012b). The literature from the USA in particular provides a long list of “obvious” morality policies, including abortion, capital punishment, euthanasia, homosexuality, prostitution, pornography, fox hunting, gambling, and drug consumption (Mooney 2001a). Engeli et al. (2012a, 25–27) restrict the field to topics that address questions relating to death, reproduction, and marriage, because then the debate is most likely linked to the conflict between religious and secular groups. In other words, the close association of an issue with religious doctrines is an essential criterion underlying this definition. Along this line, Mourão Permoser (2019), inspired by the sociological research on religion and politics, argues that the unifying criterion of morality policies is an “expression of wider post-secular conflicts” reflected in “deep division within modern societies over key principles of political liberalism” (Mourão Permoser 2019, 1). It means, the author also considers the entanglement with religion to be a defining characteristic of morality policies and clearly distances herself from the second tradition (a matter of framing), which argues that the moral content of issues may vary over time. In sum, in two of the three most prominent approaches to assessing morality policies, religion is an important value source for the definition and identification of these topics and they spell out the relationship explicitly. For some scholars, morality policies are even inherently related to religious values. The manuscript follows these two traditions, assuming that morality issues are *per se* closely associated with religious values and principles, independent of whether political actors highlight religious components.

After having clarified the definition of morality policy, it is important to come back to the remaining research questions: Why does the salience in morality issues vary across (religious) countries in Europe and

over time within one country? Does morality policy salience affect policy output decisions? And, how exactly religion contributes to the process? As elaborated in the introduction, morality policy research in Europe focuses mainly on the explanation of morality policy change (e.g., Knill et al. 2015; Studlar et al. 2013). This group of researchers also discusses the explanatory power of religion but in a rather controversial way (e.g., Fink 2009; Grzymala-Busse 2016; Hennig 2012; Hildebrandt 2015; Knill and Preidel 2014; Minkenberg 2002, 2003; Schmitt et al. 2013; Budde et al. 2017; Knill et al. 2018). Religion does not seem to exert a uniform or direct effect on the direction or extent of morality policy change in Europe (Knill et al. 2015); its influence is often more indirect and complex as it seems to depend on the political, institutional and cultural legacy of a country and the role of religion therein (Grzymala-Busse 2015; Budde et al. 2017; Knill and Preidel 2014). As a result, though the numerous studies on religion and morality policy change are highly interesting, they can hardly contribute to solving the empirical puzzle presented in this book considering the oscillating attention patterns on morality issues in similar European countries as the exact link between religion and morality policy attention is largely disregarded.

The most valuable study for answering the postulated research questions here is the contribution of Engeli et al. (2012b).⁷ Similar to Fox (2015), these authors stress the relevance of the religious-secular conflict structure within a country. Specifically, Engeli et al. (2012b) argue that morality policies are likely to be politicized in countries with a strong religious-secular cleavage within a party system. In the so-called religious world, secular political parties may challenge their religious opponents with morality issues because these value-loaded questions are difficult to answer without frightening the increasing secular voter base (e.g., in Germany, Switzerland, and Spain). In European countries without such a religious cleavage structure, the politicization of morality policies is less likely (the “secular world,” e.g., the UK and Portugal). In short, these morality policy researchers consider the reflection of religion in the national party system to be a driving force of politicization patterns on morality issues. This argument explains, at least in part, the varying attention patterns across political parties in Europe. As Fig. 2.4 indicates, Christian Democrats until very recently have owned morality issues and traditional religious policies and have defended restrictive positions. Secular parties defend a more permissive regulation of moral questions. In contrast to Engeli et al. (2012b), the CMP data do not indicate

an intensified activity of secular parties (except of the liberal parties since 2010). Moreover, the difference between countries outlined in Fig. 2.3 cannot be explained by the party political-conflict structure, because we find high levels of issue salience in countries without a strong religious-secular cleavage in the party system (e.g., Finland and Norway) and comparably low levels in countries with a strong religious-secular party cleavage (e.g., Germany and Austria). Moreover, issue attention varies across countries with and without strong religious parties.

Some of this criticism against the framework of Engeli et al. (2012b) requires rectification. As said before, CMP data must be interpreted carefully because of the broad definition of morality policies, including traditional religious policies as well. Moreover, diverse case studies on Western European countries within the edited volume of Engeli et al. (2012b) convincingly report the basic propositions of the framework. Party political cleavage structures might therefore be a promising condition for explaining cross-country variance in morality policy attention in Europe when applying a narrow definition of morality policies. Moreover, the framework relates to the literature on religion and politics and the proposition that political actors use religion—and thus issues related to religious values—as “strategic resources.” This proposition is extremely fruitful for the research interest of this book. Nevertheless, the variation in issue attention over time within one country and especially within countries of the religious world cannot be captured by this approach. Finally, the relationship between issue salience and morality policy change, reflected in the second research questions presented above, is not captured in this volume.

Few studies in the field of morality issues explore the link between political attention and policy change in a systematic, cross-policy, and country-comparative way. Among the few exceptions are Engeli et al. (2013), Vergari (2001), and Arsneault (2001). The latter two researchers, in studying abstinence-only sex education in the USA, discovered that policy change can best be reached when issue salience is low. Engeli et al. (2013) idea on the link between salience and morality policy change also offers a promising starting point. The authors argue that the permissiveness of morality policies in Europe depends on the way such issues are processed in politics. In countries with a strong cleavage between religious and secular parties (i.e., the religious world), morality policies are governed by macro-politics, and in the case of governmental change, they are likely to be changed substantially. In the secular world,

rather than a macro-party conflict structuring morality policy processes, there are specific dynamics for each issue. Despite this persuasive idea, there are many empirical counterexamples in Europe that challenge the underlying argument. A prominent example is the referendum on abortion and same-sex marriage in Ireland, a country that is classified as part of the “secular world” but nevertheless faced substantial morality policy reforms. Therefore, we can see that the link between political attention and change of morality policies is a theoretically and empirically relevant phenomenon that requires a more detail investigation.

Morality policy research is not the only field characterized by scant or flimsy research into the relationship between issue attention and policy outputs in parliamentary systems; scholars in the *agenda-setting community* confess this as well (Baumgartner and Timmermans 2012, 9; Green-Pedersen and Wolfe Michelle 2009, 627; Mortensen 2010, 356).⁸ This confession is somewhat surprising, since in the early 1990s, the founding fathers of this community, Frank Baumgartner and Bryan Jones, presented the widely acknowledged “punctuated equilibrium theory,” which is rooted in the two concepts of venue-shifting and policy image and at least indirectly refers to the concept of political attention. Jones and Baumgartner’s basic argument is that policy change patterns are characterized by stability over the long term and single peaks of policy reforms, because politicians can depoliticize issues easily by shifting them into other political arenas and hence decrease the salience of an issue. On the other hand, issue attention is unable to change a policy image on the short run as such policy images rather remain stable over time.

Thus, most studies conducted by the agenda-setting community keep the punctuated equilibrium model in mind when exploring policy change (e.g., Breunig et al. 2010; Breunig 2011; Jones et al. 2003; 2009). Breunig (2011), for instance, explores the impact of issue attention on programmatic budgetary changes. Breunig assesses governmental issue attention on the basis of party manifestos presented during electoral campaigns. In one highly sophisticated study design, the author concludes that issue attention amplifies the contractions and expansions of budgetary items (cuts are larger, and increases are more dramatic) over time. In some interesting country-specific monographs on policy agendas in Spain (Chaqués Bonafont et al. 2015) and the UK (John et al. 2013), we find a similar picture. The book on agenda dynamics in Spain is highly relevant to the work presented in this book, since it points out that “politics of resentment has replaced the politics of consensus”

because Spanish political parties engage more in a “strategy of direct confrontation,” including also the politicization of controversial issues such as morality issues (Chaqués Bonafont et al. 2015, 13). Moreover, it offers extremely interesting insights into the political contest between opposition and government as well as the multilevel game in Spanish politics that affects policy agendas at the national level. In other words, the book on policy agendas in Spain is highly interesting because it shows how institutional structures of a country may affect politicization dynamics and that politicization styles may vary over time within one and the same country. Recently, some more studies have been published exploring the effect of institutional characteristics on policy agendas and thus, issue attention and issue priorities. This includes studies having such diverse dependent variables as issue attention in the Queen’s speeches, matches between government party priorities and legislative outputs, and similarities in issue priorities of national versus regional governments (e.g., edited volume of Green-Pedersen and Walgrave 2014a). It means, issue attention or priorities rather than policy output decision stand in the focus of interest in these latest research of the agenda-setting community. Thus, they also claim to miss a more fine-tuned theoretical basis for policy output decisions, especially in a country-comparative perspective (Green-Pedersen and Walgrave 2014b, 223).

Within this rapidly growing body of scholarship that explores changes in policy agendas within and across European countries, there are a few very fruitful research articles theorizing the link between policy agendas and reforms in parliamentary systems (Green-Pedersen and Mortensen 2015; Mortensen 2010; Seeberg 2013a). The work of Mortensen (2010) and Seeberg (2013a, b), for instance, come somewhat closer to the research interest of this book. Mortensen (2010) examines the link between political attention and policy outputs for six issues from 1980 to 2003 in Denmark. He concludes that political attention of all elected national policy makers has an effect on public policies, but the direction of policy change (permissive versus restrictive) depends on public opinion. Policy makers tend to be reelection oriented, avoiding unpopular reform steps. Thus, the author assesses changes in the direction of public policies at a specific point in time. Unfortunately, policy change is not measured via changes in the policy as such but via changes in the budget dedicated to the selected issues, biasing the analysis because some topics are per se more associated with financial resources than others (cf. changes in unemployment benefits or pensions).

Seeberg (2013a, b) goes one step further and specifies the theoretical argument by focusing on opposition parties. He argues that opposition parties may determine policy outputs by drawing attention to issues that “make the government look bad before the electorate.... This criticism matters to the government insofar as voters elect the party they find to be the most competent to solve the issues of greatest importance to them” (Seeberg 2013b, 9). In his first study, Seeberg (2013a) examines this argument in the case of law-and-order issues in Denmark, and in his dissertation project (2013b), the author incorporates many topics (e.g., immigration, health, and education), as well a second country (Great Britain). All in all, Seeberg discovers that an intensification in the opposition’s criticism increases the likelihood of subsequent policy changes. The probability is much higher when the opposition vehemently pursues an issue than in instances of sporadic criticism. Lastly, the government’s first response is most likely to address the issue in speeches and other symbolic reaction, but if the issue does not die by lack of attention, the government will also adjust public policies.

As a result, the agenda-setting community offers an inspiring theoretical ground and empirical findings based on highly sophisticated research methods. However, these studies often approximate policy output change by changes in budget dedicated for an issue. This approach may underestimate regulatory changes in policy sectors that are less prone to monetary conflicts because substantial policy reforms might be comparably cheap (such as morality policies). Accordingly, it remains unclear whether morality policies follow the same sequence of attention and change as non-morality policies. Finally, the community itself claims to require additional comparative research “to integrate agenda-setting theory’s typical emphasis on information about issues with classic approaches to political actors as being driven by ideological or strategic preferences” (Green-Pedersen and Walgrave 2014b, 229). Overall, however, this scholarship and especially the concepts of venue-shifting and policy image, are very inspiring and will be of relevance for developing the theoretical framework later in the book.

In sum, all three streams of literature—religion and politics, morality policy research, and the agenda-setting community—provide answers to the empirical research puzzle introduced above. First, morality issues still attract attention in Europe because secularization did not result in a demise of religion in modern times. Rather, religion remained a potent force in society and politics. A minority of European citizens are still

religious, and several religious communities could preserve their privileged status. More importantly, some countries dispose of a religious-secular competition structure in party systems that motivate religious and secular agents to compete on morality policies. In other words, attention to these issues might be a matter of strategic and ideological considerations. Finally, the politics in a specific country and its political system is relevant for explaining varying extents of issue attention.

However, two aspects of the puzzling phenomenon in Europe described above remained unanswered by the literature streams. First, how can we explain the variance in political attention across time and among morality policy issues within one country of the religious world? Generally asked, why do political parties adjust their strategic use of morality policies over time? And how does the political system and the type of policy impact on this behavior? Prostitution policy in Spain, for instance, attracted less political attention than did the question of same-sex partnership rights in the early 2000s. This picture changed radically in the ninth legislative period (2008–11); Spanish deputies tabled over 100 initiatives on prostitution and human trafficking within these three years. In the Netherlands, for instance, the issue of same-sex partnership rights attracted intermediate levels of attention in the late 1990s during the reform process, while ten years later, much higher levels of politicization are visible.

And second, why does religion—and in particular, the religious-secular conflict structure—fail to explain morality policy change? One would expect that a similar extent of political attention in countries with a lively religious-secular party cleavage would result in comparable reform steps. However, there are very different reform dynamics across European countries with similar competition structures (cf. Knill et al. 2015). In Spain, for instance, same-sex partnership rights were debated extensively in parliament and were comprehensively reformed. In Germany and Austria, by contrast, there are single peaks of political attention on same-sex partnership rights in the recent years, but none of these moments coincided with major policy change. On the contrary, “silent moments” seemed to facilitate morality policy reforms.

In sum, the interdisciplinary literature on religion and politics, the scholars of morality policies, and the agenda-setting community sketch the broad strokes of the interplay between secularization, political attention, and morality policies. Through their work, we have a theoretical foundation of macro-level dynamics, but we miss a thoughtful theoretical

elaboration integrating the meso- and micro-level in order to explain religion's influence on the variation in political attention across similar countries, across similar policies, and over time. Thus, we miss an analytically more differentiated perspective on the conflict behavior of religious and secular parties as well as their individual members on various morality policies in the religious world.

NOTES

1. See Fox (2015, 16–25) for a detailed literature review.
2. Some scholars criticize the fact that secularization theory never proposed that religion would disappear, only that it would decline, hence supporting many recent findings (Fox 2015, 24).
3. For a discussion, see Caramani (2015, 89–91).
4. Fox (2015, 98) provides a dataset of reform-making processes of religious policies, including morality issues, for 177 countries and a time period of eighteen years (1990–2008) (e.g., homosexuality and abortion policy). Thus, this dataset assesses morality policy permissiveness but not issue salience. Fox (2015, 98) concludes that support for religion and religious values consistently increased over the last twenty years in many regions of the world. The only exception to this is policies regulating relationships, sex, and reproduction, because religious values are undermined by more permissive reform steps.
5. This means that this literature stream does not deal with the individual ethics of politicians or their violations of accepted norms of morality. Thus, neither corrupt politicians nor other people in public life violating moral standards are central to scholarly interest (Hörster 2008, 8ff.; Münkler 2000; Studlar 2001, 51).
6. This idea of selection of morality policies based on characteristics related to the politics around them runs the risk of endogeneity: When morality policies are selected on the basis of particularities in the policy-making process, any future analysis following Lowi's (1964) logic of "policies determine politics" becomes obsolete because extraordinary features of the policy-making process have already driven the case selection.
7. Raymand Tatalovich and his co-author (Schwartz and Tatalovich 2018; Tatalovich 2017) explore the question of the rise and fall of morality politics in the USA and Canada and thus also link different stages of the policy cycle. These scholars investigate not only agenda setting and policy decision making but even go one step further and examine when a policy is terminated. Thus, they examine the whole "life cycle of morality policies" and propose a heuristic distinguishing between five different

processes: origin and emergence, establishment and legitimization, decline in salience or impact, resurgence, and resolution (Schwartz and Tatalovich 2018, 4). In their highly interesting book and the related journal article, they employ a historical perspective, which takes into account besides political also societal actors. In the journal article, Tatalovich (2017, 680) argues that for a moral conflict to be terminated, it needs an authoritative legal resolution and particularly an “political opportunity structure being blocked from usage by counter-movements.” I think especially the second part of the idea is highly promising, also for the European context and when aiming to explain the rise and fall of morality policies in the political as well as in the societal arena more generally. As this book is interested in issue attention patterns in parliaments exclusively and less so in issue attention in the societal arena—explores so to say a shorter part of the life cycle of morality issues—the proposed framework is interesting but cannot provide an answer for the specific question of oscillating issue attention patterns in the parliamentary arena of political systems with a multitude of political parties.

8. One reason for this is that processes of parliamentary issue attention and decision making are closely connected, and some might claim that these relations comes close to a tautology. The agenda-setting community has examined policy changes as well; however, it has been operationalized—especially in earlier studies—via many kinds of parliamentary activities, including laws and other parliamentary instruments that do not necessarily result in substantial changes of a policy.

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CHAPTER 3

A New Framework of Attention on and Change of Morality Issues in Parliaments of the Religious World

The following section introduces a new framework for understanding the politics of morality issues in a secular age. It focuses on European countries that experienced secularization trends in the last decades but still have (at least) one strong religious actor in their party systems defending religious (the so-called religious world, Engeli et al. 2012b). Based on the assumption that morality issues are inherently associated with religious values, the primary argument of this book is that in secular societies, the increased prominence of religion in politics is directly related to the competitive advantage that secular *and* religious opposition parties expect when politicizing morality issues. Thus, the book employs a rather functional understanding of when morality policies are politicized and reformed and of how religion still influences the political sphere in Europe: Religion is more a strategic resource for political parties than a fundamental normative doctrine shaping political parties' policy-making behavior in a systematic and coherent way. This primary argument is rooted in two specific sets of propositions. The first focuses on the explanation of morality policy attention; the second deals with the impact of morality policy attention on morality policy change. Figure 3.1 illustrates the two-parted division of this theoretical framework.

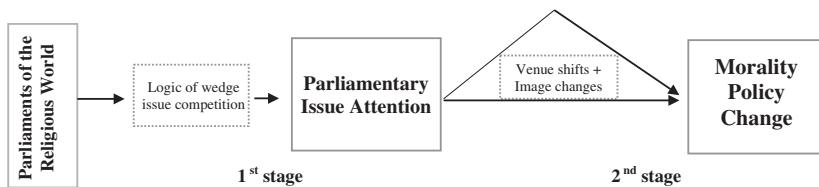


Fig. 3.1 Two-stage model of morality politics in the religious world (*Source* Author's conceptualization)

3.1 STRATEGIC PARTIES AND DIVIDED GOVERNMENTS: MORALITY POLICY ATTENTION AS RESULT OF WEDGE-ISSUE COMPETITION STRATEGIES

This section introduces the theoretical framework applied in the first stage of the analysis, namely the explanation of varying patterns of morality policy attention within and across countries with a strong religious-secular party cleavage. This stage of the analysis allows to theoretize on the strategic use of religion by religious and secular political parties and thus, on the increased salience of religion in politics today. This section further develops Engeli et al.'s (2012b) theoretical assumptions about the religious world in Europe. The new assumptions and expectations are based on the combination of three different literature streams: wedge-issue competition, post-secularization, and coalition governments (Carmines 1991; Carmines and Stimson 1989; Budge and Farlies 1983; Davie 2006, 2007; Müller and Strøm 2000; Habermas 2008).

3.1.1 *Definition of the First Dependent Variable: Parliamentary Issue Attention*

Before going into detail, it is important to define the terms “politicization” and “parliamentary attention.” Often, these two terms are used interchangeably and are differentiated only from the concept of “party conflict” (Green-Pedersen 2012)¹; however, while the terms are closely related, they are not identical. Politicization describes the strategy or the intention of individual political actors as they deal with a certain issue; parliamentary attention is often a product of such politicization. The intent of politicization is always to increase issue attention (Schattschneider 1960). Parliamentary attention, however, need

not necessarily be driven by the intention of politicization; for instance, written questions increase issue attention but do not always seem to be driven by the goal of demonstrating a party's political interests to a wider public or changing the conflict definition of a problem as these question approximate a more dialog between members of parliament and the executive. Moreover, parliamentary attention is limited to its manifestation inside parliament, while politicization strategies can be captured both inside and outside the parliament; the extent of parliamentary attention obviously concerns only the discussion among political parties and between the opposition and the government.

This book aims to explain the extent to which parliamentary attention is driven by political actors who are following a strategy of issue politicization (i.e., whose aim is to increase the salience of an issue), as well as by other actors who may be expressing their position more silently but who are nevertheless still concerned with the public issue at hand. The book assumes that all political parties are rational and that they behave strategically (Strom 1990). Thus, one might also argue that the book deals with the level of political concern about a specific morality issue as one component of a larger political strategy followed within the parliamentary arena.²

3.1.2 Morality Policy Attention in Parliament: A Result of Wedge-Issue Competition Strategies of Opposition Parties

We are faced with the question of why political attention to morality issues varies across time within one country and within similar group of countries belonging to the religious world. In the search for answers, the book develops a theoretical framework that is based on two assumptions. First, it is assumed that political actors behave rationally and that they basically follow a vote- and office-seeking strategy rather than a policy-seeking strategy (Strom 1990). Second, it is assumed that morality policies are strongly associated with religious values, especially in the religious world, where churches have long had and continue to have a strong moral authority. Moreover, the framework builds upon Engeli et al.'s (2012b) argument on morality policy politicization in countries of the religious world but revises its most basic premises. This book argues (1) that secular *and* religious parties may use morality policies to challenge opponents and (2) that these parties limit the politicization of morality issues to those times when conditions are favorable, including a

minority status in parliament (i.e. being in opposition) and a vulnerable opponent in government.

Engeli et al. (2012b) claim that morality policy attention is per se high in countries of the religious world because it is attractive for secular parties to politicize morality issues as they are able to blame religious parties for a lack of progress or for old-fashioned positions and thereby challenge their “unsecular” profile (van Kersbergen 2008).³ Christian Democratic parties employ an “unsecular” profile in order to gain support from non-religious voters and to compensate for the loss of confessional voters (Engeli et al. 2012a, 13; Kalyvas and van Kersbergen 2010, 204).

In contrast to these authors, however, this book argues that in the religious world, not all religious parties follow a “unsecular” approach but instead may openly defend Christian values. First, we learned from the literature on religion and politics (see Chapter 2) that although secularization trends are visible in Europe, religion did not disappear (Habermas 2008; Davie 2000, 2006; Joppke 2015). According to Davie (2006, 2007), religion is still influential today as a result of its strong historical heritage, which is reflected not only in the religious beliefs and norms that guide the behavior of a minority of citizens, but also in the architecture of large cities or public holidays. One might expect that in countries of the religious world, this effect of the historical heritage is particularly strong. Moreover, as secularization processes began later, disempowerment of religious actors in politics is less substantive; that is to say, churches in the religious world still have stronger agents and diverse formal as well as informal channels to exert moral authority than churches in countries of the secular world. Moreover, Davie’s (2007) idea of “vicarious religion” might be particularly applicable in the religious world because the minority of very religious actors fighting for religious principles in politics might be understood and implicitly supported by a larger—and often silent—group of citizens than in countries of the secular world. Hence, the upholding of religious principles by religious parties can be a reasonable party competition strategy within countries of the religious world (cf. Fox’s 2015 proposition on political secularism).

The key condition determining a religious party’s competition strategy with regard to morality issues is its size and position in the national party system; a political party’s strategy will be determined by whether it is a mainstream party or a niche party (Meguid 2005, 2007). A mainstream religious party will be large and will most likely to be situated in

the middle of the political spectrum. For such a party, an “unsecular” approach—the avoidance of morality issues—can be an attractive strategy because the party must attract support from a large number of secular voters and will need to appeal to only a small number of religious voters. A religious niche party will be smaller in size and will most likely be situated nearer the extremes of the ideological spectrum, which in turn allows for a focus on the smaller group of religious voters and a disregard for the secular electorate; under these conditions, an “unsecular” approach as a competition strategy is unlikely. Bonnie Meguid’s (2005, 2007) pioneering work has shown that the competitive behavior of niche parties differs from that of their more mainstream rivals (see also Ezrow et al. 2011; Meyer and Miller 2015; Adams et al. 2006). She also relies on the concept of issue competition (Budge and Farlies 1983) and demonstrates that *niche parties* emphasize a limited set of new issues that do not coincide with the predominant economic left-right divide. Instead, these niche parties are particularly likely to pick up issues that align with alternative societal cleavages such as the religious-secular divide. In consequence, for religious niche parties, there is no need to avoid morality issues due to their close association with religious doctrines. By contrast, any politicization of issue related to religious values is attractive in competitive terms. This relates also to the recent finding that some of the new, right-wing populist parties in Europe increasingly use (Christian) religious values to defend their issue positions (e.g. Marzouki et al. 2016; Ozzano 2016).⁴

In addition, the book proposes that in the religious world, the attractiveness of politicizing morality issues depends on a party’s position of power and the vulnerability of the party’s opponent. This argument is based on the concept of *wedge-issue competition*, which was developed in the USA. Here, we transpose the basic idea of party competition from the US context to parliamentary systems with multiple parties. Specifically, the concept of wedge-issue competition is a fundamental idea in the literature on issue evolution and issue manipulation that was developed by Carmines and Stimson (1989), Carmines (1991), and Riker (1986). Its basic premises are rooted in the salience theory (Budge and Farlies 1983). Scholars following this theory argue that party competition is a matter of selective emphasis rather than direct positional confrontation (e.g., Budge and Farlies 1983; Green-Pedersen 2007; Robertson 1976). Political parties compete with one another by increasing attention on specific issues that are deemed to

have competitive advantages at a specific point in time. This is very similar to David Robertson's (1976) theory of party competition based on selective emphasis and Budge and Farlies' (1983) theoretical development and empirical application published several years later (e.g., Green-Pedersen 2007; Green-Pedersen and Mortensen 2010, 2015; Seeberg 2013; Hobolt and Vries 2015; Spoon et al. 2014; Van de Wardt 2014).⁵ Budge and Farlies explain (1983, 269) that their theory of selective-issue emphasis stands in sharp contrast to the traditional view of competition in which parties present differing positions on the same issue during elections. They argue that the strategy of promoting issues favorable to one's party at the expense of the positions advanced by rivals is prevalent during elections: "Parties stress particular issues because they almost always work in their favour—they do, in a real sense, 'own' them" (Budge and Farlies 1983, 271).

Carmines and Stimson (1989) and Riker (1986) develop these arguments further by specifying how such competition strategies might work out. Their main argument is that the weaker actor in the political game will be interested in increasing attention on those issues that he or she believes will divide and thus destabilize the stronger opposing party. Riker (1986, 1) explains that "for a person who expects to lose on some decision, the fundamental heretical device is to divide the majority with a new alternative, one that he prefers to the alternative previously expected to win." Schattschneider (1975, 16) outlines this in a similar way, noting that "it is the loser who calls in outside help." Minority parties have a strong incentive to politicize issues, extend the scope of a conflict, and thus change the conflict definition.

Carmines (1991) emphasizes the potential of "new issues" in regard to a wedge-issue competition logic. These issues can split the majority party's fragile coalition relatively easily. This concept is rooted in the assumption that the identification of parties with distinct social groups is not complete; there are differences "in how fully group cleavages are aligned with party preferences" (Petrocik 1996, 826; cf. also Leege et al. 2002). These new issues can represent a potential source of political conflict, especially when issues based on the traditional lines of political cleavage are less salient. Leege et al. (2002), for instance, published a fascinating book that links electoral politics and value-loaded issues (so-called cultural policies) and emphasizes the instrumental nature of appeals to cultural tension in US elections.⁶ The authors argue that value-loaded issues are politicized in order to alter a party's electoral base

or to change the electorate by detaching and demobilizing members of the majority party. Americans continue to differentiate themselves into groups with distinct values and conflicting political agendas (Leege et al. 2002, 7). Cultural politics is used by both Republicans and Democrats, but it is of particular tactical importance for the minority party because minority parties must mobilize their own groups and similarly dissemble the majority coalition (Leege et al. 2002, 8). Thus, the authors conclude that the “salience of cultural issues wax and wane as a function of group identification” and party political intentions (Leege et al. 2002, 5–6. For more recent US applications of non-morality issues, see Hillygus and Shields 2008; Jeong et al. 2011; Sulkin 2005, and for morality issues, see Adams 1997; Rose 2001).⁷

Based on these considerations, the book argues that for morality policies, minority parties will tend to follow a strategy of wedge-issue competition to divide the majority party and thus, to weaken the main opponent. In consequence, the first general argument is as follows:

First general argument: If minority parties are able to challenge more powerful opponents on morality issues, they will politicize these issues in order to drive a wedge between members of the majority party.

When translating the US-type logic of wedge-issue competition to parliamentary systems with several political parties and to politics in between elections, one can argue more specifically that wedge-issue competition is a battle between opposition parties (the minority party) and the government (the majority party). Only very recently have studies emerged on Western Europe, in particular for multi-party systems that deal with issues such as European integration and immigration policy in electoral campaigns (e.g., Hobolt and Vries 2015; Spoon et al. 2014; Van de Wardt et al. 2014; Green-Pedersen 2012). These studies discovered that in contrast to the US system, opposition parties in Western European governments may aim not only to drive a wedge between members of one political party (i.e., provoking so-called *intra-party conflicts*), but also to divide partners of a government coalition (i.e., provoking so-called *inter-party conflicts*) (Van de Wardt et al. 2014). Both strategies may challenge governments to come up with a consensual proposal on how to deal with value-loaded policies. Therefore, it is proposed that wedge-issue competition in multi-party systems may work out via two different mechanisms:

Expectation 1: Opposition parties are especially likely to politicize morality issues when these issues provoke intra-party conflicts within one government party.

Expectation 2: Opposition parties are particularly engaged in the politicization of morality policies when these issues provoke inter-party conflicts between governing parties.

After elaborating on the relevance of the power position for wedge-issue competition strategies in between elections, it is next discussed the situations in which governments (i.e., the majority party) are particularly vulnerable to such strategies. To develop this argument, the book combines research on parliamentary behavior with the literature on morality policies and coalition governments. One may expect that opposition parties politicize morality issues in parliaments if a religious mainstream party (e.g., Christian Democrats) is ruling; because of the close association of morality policies with religion, these issues may not only threaten their “unsecular” approach (van Kersbergen 2008) but also provoke struggles between religious party members. Studies on roll-call voting and parliamentary behavior have shown significantly deviating patterns among individual members of Christian Democratic parties (cf. for Germany, e.g., Baumann et al. 2015; Engler and Dümig 2016; Euchner and Preidel 2017). In other words, the politicization of morality issues should be particularly attractive to opposition parties in legislative periods in which religious mainstream parties rule, since they can be easily divided on and blamed with these issues. Therefore, it is expected the following:

Expectation 1a: Opposition parties are especially likely to politicize morality issues when religious mainstream parties form the government.

As outlined earlier, wedge-issue competition strategies may also aim to divide two government parties (cf. Van de Wardt et al. 2014; Hobolt and Vries 2015). According to Hobolt and Karp (2010), two-thirds of all governments in Western Europe were coalition governments between 1944 and 2009. As a consequence, coalition considerations may be relevant to the logic of wedge-issue competition. This is especially true in the case of morality issues, because the religious-secular conflict line may collide with the right-left conflict line, which determines the

coalition-building process. More precisely, government coalitions in Europe are formed by parties from the right-wing ideological spectrum (plus center parties) or by parties from the left-wing ideological spectrum, because the right-left conflict line dominates the mode of competition. Therefore, it is likely that political parties defending secular values govern with parties that rely strongly on religious norms. Prominent examples are coalitions between Christian Democrats and Liberals. Such power constellations are particularly attractive for a wedge-issue competition strategy, as these government coalitions can easily be divided with the politicization of morality issues.

The literature on government coalition (Müller and Strøm 2000, 2008) confess that coalition governments are constantly challenged to serve the interests of their own voters while at the same time building consensus with their partner(s), who may attempt to defend different policy preferences. Weaker coalition partners are by large unable to push through their policy solutions. Agreements with other parties often require policy concessions; typically, those parties with more bargaining power will do better than the others. This in turn may create tension among the parties that bear a disproportional share of the costs (Strøm and Müller 2009). Such parties will have an incentive to increase parliamentary attention in order to articulate their dissatisfaction with the policy plans. For the sake of stability, however, it is important that any inter-party conflicts are resolved behind closed doors. A lack of coalition cohesion will generally be interpreted as a weakness on the part of the government and will often lead to negative electoral effects (Strøm and Müller 2009, 34). Sometimes, coalition governments choose to avoid issues entirely in order to maintain the stability of the government, especially when they know that no governmental consensus will be possible (Müller and Strøm 2000, 51). Steenbergen, Marco R. and Scott (2005, 169) call this logic “cohesion-seeking” in their study on the salience of the topic of European integration.

In countries, where coalition government are common, this logic of “cohesion-seeking” is fostered by different formalized instruments of conflict avoidance and management. This includes, for instance, coalition agreements, formal cabinet committees, coalition talks, and regular meetings with all party leaders involved (Müller and Strøm 2000, 38).⁸ However, empirical evidence has shown that while these instruments are useful to prevent government instability in terms of non-morality questions, they cannot guarantee any consensus on morality issues

(cf. Timmermans and Breeman 2012). Müller, Wolfgang C. and Strøm (2000, 55) assert, for instance, that coalition governments frequently exclude unresolved conflicts on morality policies from the coalition agreement or mention them without proposing any concrete policy plans in order to avoid criticism later on. Accordingly, even in countries being ruled by coalition governments since decades, morality policies are able to seriously challenge government unity. Based on these considerations, one could expect that Opposition parties, then, will politicize morality issues when religious and secular government parties form the government, since inter-party conflicts—and destabilization or weakening of the government as a result of those conflict—are likely. More generally, this can be hypothesized as follows:

Expectation 2a: Opposition parties are particularly engaged in the politicization of morality policies when religious and secular government parties rule together.

In addition, one may ask what the minority party must look like in order to increase the attraction of wedge-issue competition. As outlined at the beginning of this section, we not only expect secular opposition parties to engage in the politicization of morality issues in the religious world, we also expect religious niche parties to become active. Secular opposition parties can challenge ruling mainstream religious parties such as Christian Democrats because they are faced with the challenge of reaching out for the larger secular voter base and speaking to decreasing numbers of religious followers. Moreover, religious niche parties are also expected to have a competitive advantage when politicizing morality issues. This is because religious niche parties can take advantage of the religious legacies in countries of the religious world and engage both the support of a small, comparatively religious segment of voters and the sympathies of a much larger segment of the society (Davie 2006, 2007). The idea of differentiating between religious mainstream parties and religious niche parties is also supported by the latest research on wedge-issue competition in multi-party systems. Van de Wardt et al. (2014), for instance, explore the politicization of European integration in electoral campaigns of several Western European countries and discover that “opposition status is a necessary but not sufficient condition.” Specifically, political parties that are regularly part of a government coalition refrain from driving a wedge between partners of a government

coalition as they fear to jeopardize future government participation. Conversely, it is less risky for parties that have never been part of a government coalition to mobilize wedge issues such as religious niche parties. Therefore, we propose the following:

Expectation 3a: Secular mass and niche parties in opposition are particularly engaged in politicizing morality issues when these issues provoke intra-party or inter-party conflicts within governments.

Expectation 3b: Religious niche parties in opposition are particularly engaged in politicizing morality issues when these issues provoke intra-party or inter-party conflicts within governments.

Finally, after having developed explanations related to the political system of a country and the type of political parties ruling therein, we must discuss a policy-specific explanation that can also affect political attention patterns within the religious world. Assuming that political parties follow a vote- and office-seeking strategy, and assuming also that parties have limited resources (time and staff, for example) (Strom 1990) with which to accomplish their strategic goals, it follows that those parties will tend to focus on a single morality issue rather than several issues within a specific period of time. In other words, one may assume that the parliamentary attention on one issue compensates for the attention on another issue because opposition parties may reach their goal with the politicization of one issue exclusively, which is called here as *policy compensation effect*. Political parties select the morality issue that is most attractive in terms of wedge-issue competition, and they disregard others.

In line with the previous elaborations, the most attractive morality issues will be the ones to which the government is most vulnerable. A coalition government's vulnerability to a specific issue may vary to some extent across countries of the religious world depending on certain contextual factors or historical legacies (Knill and Preidel 2014; van Kersbergen and Lindberg 2015). More specifically, unexpected external events, such as national or international court decisions, societal scandals (e.g., the abuse of children by Catholic priests in Ireland), or personal stories in the media (e.g., the case of Brittany Maynard, who was terminally ill and used Oregon's assisted suicide law), may increase the salience of a specific morality issue within society, which in turn would help opposition parties pressure governments because they may claim that even the society problematizes the topic and seeks reforms.

Further, as all morality issues are multidimensional and are able to be discussed from different angles, the historical legacy of an issue may make it especially attractive to a party's competitive strategy. A prominent example is the regulation of assisted dying in Germany, a topic that is discussed in the context of Germany's history and the German "euthanasia program" during the Second World War (Preidel and Knill 2015, 96). Other examples include prostitution policy in southern European countries, where the issue is closely related to immigration and asylum policy, and the association of morality policies in the Faroe Islands, with their nationalist and language struggles (van Kersbergen and Lindberg 2015). Against this background, it finally proposes the following:

Expectation 4: Policy compensation effects may determine the extent of parliamentary attention of one morality issue over another morality issue within a specific period of time. Opposition parties choose those issues to which the government is most vulnerable.

3.2 PARLIAMENTARY ATTENTION AND MORALITY POLICY CHANGE: A COMPLEX TIME-VARIANT RELATIONSHIP

This section focuses on the second stage of the project, namely the decision-making phase on morality issues (see Fig. 3.1). It asks, how can the extent of parliamentary attention be linked to final output decisions? Do the above-presented competition strategies of political parties on morality policies have any substantial consequences for the reform process of these issues? By elaborating the theoretical foundation of this question, the manuscript not only speaks to an issue of high societal relevance and of significant interest to the general debate on the role of religion in politics today, it also fills a research gap in the literature on policy change. The literature on policy change has rarely connected parliamentary issue attention to policy change (Baumgartner and Timmermans 2012, 9; Mortensen 2010, 356). Moreover, Green-Pedersen and Walgrave (2014, 228) add that "for agenda-setting theory to develop into a full theory, the relationship between agenda setting and decision making must be spelled out in more theoretical detail." The present project contributes to this research gap by underscoring the relevance of the employed time frame of investigation and the mediating role of institutional venue shifts and policy image changes.

The *central argument* of the second stage is that the relationship between parliamentary attention and morality policy change is very complex, because it varies over time. Consequently, the period of investigation is key to defining the relationship between the two concepts in greater detail. More precisely, within a short-term period of investigation, I argue that parliamentary attention is negatively related to morality policy change, because high levels of parliamentary attention are the product of a wedge-issue competition strategy of opposition parties, whose primary aim may be more to weaken the government (cf. Sect. 3.1) than to push through policy reform in the face of insufficient parliamentary strength to adopt policy proposals. However, within a longer period of investigation, I propose that the repeated politicization of morality issues in the parliamentary arena has an indirect and positive effect on policy change; constant politicization of morality issues may stimulate venue shifts and changes in policy images (Baumgartner and Jones 1991, 2009), which in turn increase the positional congruence between governmental and initiating actors and allow for policy reforms. Before the argument is further elaborated on, first the conception of the second dependent variable is briefly introduced.

3.2.1 The Second Dependent Variable: Time-Variant Conception of Policy Change

In the second stage of the theoretical model, I will explore the interplay between parliamentary attention and policy change. Policy change is conceptualized in two ways, which I call the extent and evolution of morality policy change (Capano 2009). This two-parted conceptualization allows our analysis to embrace both a more short-term and a more long-term understanding of governmental reaction. With regard to the more short-term understanding of the dependent variable (i.e., the extent of policy change), the project relies on Hall's (1993) conception of policy change, which distinguishes between changes in policy paradigms, policy instruments, and instrumental settings and carefully measures all regulatory changes in each dimension as well as instances without any output decision (see Chapter 4 for more details on the measurement approach applied in the field of morality policies). The second conceptualization (i.e., the evolution of policy change) employs a similar approach to measure regulatory changes (no, minor or major change) but employs a more long-term perspective.

3.2.2 Two Logics of How Parliamentary Attention Affects Morality Policy Change

3.2.2.1 The Direct and Short-Term Effect of Parliamentary Issue Attention: Fostering Political Conflicts Rather Than Pushing for Morality Policy Reforms

One might argue intuitively that since governments are pressured to respond to policy demands in a comprehensive way, high levels of issue attention coincide with major policy outputs. This argument is well grounded in the “punctuated equilibrium theory” (Baumgartner and Jones 2009), which declares that long periods of policy stability are interrupted by single peaks in issue salience and comprehensive regulatory changes. Unfortunately, the relationship does not appear to be so clear-cut, particularly when focusing on parliamentary systems and when considering the particular role of morality policies in the religious world. As elaborated in the previous section, morality policies and their religious conflict potential are instrumentalized by opposition parties, which are expected to use morality policies as part of a wedge-issue competition strategy (cf. argument in Sect. 3.1). In other words, it is precisely the conflict within governments about how to deal with morality issues that amplify parliamentary issue attention. A high level of parliamentary issue attention is therefore expected to be an indicator of a government in a dilemma, not knowing how to respond to conflicting political demands and therefore not likely to adopt any new laws. Opposition parties are generally not strong enough to push through reforms. This means that when we observe high levels of parliamentary attention on morality issues within a limited period of time such as a single legislative term, (substantial) policy reforms are unlikely.

One may even assume a negative relationship between the extent of parliamentary attention and the extent of morality policy change in countries of the religious world, because the greater the attention on the plenary process of morality issues, the more vulnerable the government is likely to be on these issues and thus the more conflict will be seen in debates on the issue. If the government is vulnerable to these issues, one may expect that a larger number of actors in the opposition will engage in their politicization, since the opposition can more easily blame the government and thus strengthen its own power position. Similarly, parliamentarians of the government party who are not represented in the government but are highly involved emotionally with these issues may

also contribute to the debate in parliament in order to articulate their own views, which can deviate from governmental preferences (Euchner and Preidel 2017). Such a behavior is certainly more likely in parliamentary systems with a weaker tradition of maintaining party discipline, as is the case in the UK (Bowler et al. 1999), but it also appears in more consensus-oriented parliamentary systems (of the religious world) due to the conflictive potential of morality policies that arises as a result of the often highly individualized nature of religious principles and beliefs. Both dynamics—increased engagement of opposition parties and of party political dissidents—are certainly not favorable for policy reforms.⁹ In consequence, the book adheres to the argument that the higher the level of parliamentary attention on these issues within a limited time frame, the stronger the conflict within the government and the lower the likelihood of major policy reforms. Therefore, it is argued the following:

First general argument: Over a short period of time, high parliamentary attention negatively affects the extent of morality policy change.

3.2.2.2 *The Indirect and Time-Variant Effect of Parliamentary Issue Attention: Venue Shifts and Adjustments of Policy Images*

Besides the idea that within a limited period of time, the extent of parliamentary issue attention in the religious world is negatively related to the extent of morality policy change, this project proposes a second and indirect logic of interaction between parliamentary attention and policy change. The second logic encompasses a more dynamic understanding of morality policy change, namely the evolution of legal changes over a longer period of time. When exploring morality policy change from this angle, the project bases its argument on two concepts of Baumgartner and Jones's earlier version of their theory (1991, 1993) and argues that over time, parliamentary attention has an indirect impact on the change of morality policies in the religious world. In detail, enduring issue attention in the political arena stimulates venue shifts and adjustments of the prevailing policy images, which then opens a window of opportunity for regulatory reforms. In other words, ongoing discussion and reflection over an issue in the parliamentary arena may challenge the existing policy image and the related attribution of institutional responsibilities and thus, allow to overcome policy blockage. As the argument relies only in certain aspects on the Baumgartner and Jones's theory, the punctuated equilibrium theory is briefly introduced and later on clarified which

elements are taken over for building up the second argument of this part of the book.

In detail, as claimed before, the literature on institution- and preference-based explanations of policy change is large, but few scholars detail exactly how (parliamentary) issue attention impacts policy change. The most prominent exception is Baumgartner and Jones's (1991, 1993, 2009) pathbreaking contribution on policy agendas and instability in American politics, first published in the early 1990s and further developed in the late 2000s under the notion "punctuated equilibrium theory." In brief, Baumgartner and Jones's (2009) early contribution involves the concepts of "policy monopolies," "policy images," and "policy venues" and focuses on the evolution of policy change over time. Policy monopolies are defined as a group of policy entrepreneurs who share a common definition and understanding of a public problem, the so-called policy image. This group of actors prevails in the decision-making process and thus also determines policy outputs over a long period of time. Outsiders may challenge the existing policy monopoly (1) by either shifting the issue into a new policy venue or (2) by reframing a public problem in order to disrupt the existing policy monopoly. Hence, in their early work, Baumgartner and Jones (2009, 31ff.) consider institutions to be policy venues, defined as "location[s] where authoritative decisions are made concerning a given issue." Moreover, as they explain, "Policy venues may be monopolistic or shared, that is, a single issue may simultaneously be subject to the jurisdiction of several institutions" (*ibid.*, 31). In such situations in which political actors are successful in shifting a topic into another institutional venue, it is easier to overcome policy stability and policy conflict (*ibid.*). A second mechanism through which policy stability might be overturned is the adjustment of policy images through the reframing of issues in political debates. It is briefly summarized that political actors problematize different aspects related to an issue over several years and thus, try to establish a new problem definition (e.g., drug policy can be a problem of societal decay and nuisance or a question of health; Euchner et al. 2013). The general idea of the theory is that both mechanisms depend on each other and are directly related to increased levels of issue attention because the engagement of political and societal actors is key for any venue shift and is inherently related to processes of reframing a policy image.

Over the last decades, the punctuated equilibrium theory was revised and the idea of venue shifting became secondary (Jones et al. 2003,

2009) and the blocking effect of institutions, known as institutional friction, gained in importance. In these studies, the researchers also focused on the dynamics of policy change over time, asserting that policy-making processes are characterized by long periods of stability and minor adjustments, as well as by a few moments of significant disruptions (Baumgartner and Jones 2009, xvii). The concept of institutional friction is also invoked when Jones and his colleagues (2003, 152) propose that policy-making institutions are “sticky” and do not respond directly to political demands. The greater the extent of institutional friction, the more likely radical policy changes become (Jones et al. 2003, 152). In other words, institutions may exert not a blocking or a releasing force at a specific point in time but rather a retarding force that results in minor changes over a long period of time and occasionally a major policy change.

This new conception of institutions is innovative and promising, but it is somewhat disconnected from the early idea that issue attention matters for policy change. Instead, some of these younger contributions use issue attention patterns as an indicator for (agenda) change. This means that over time, the differences between agenda change and policy change became blurry. This might be related to the so-called dependent-variable problem in the literature on policy change (see, e.g., Green-Pedersen 2004), but it is nevertheless a weakness that prevents the theory from clearly defining the link between parliamentary attention and policy change, especially for parliamentary systems prevailing in Europe. Although the comparative agenda-setting community has been growing quickly in the last few years and has substantially advanced the applicability of Baumgartner and Jones’s research program for political systems in Europe, the relationship between agenda setting—especially the aspect of issue attention—and decision making is still not fully specified in theoretical terms (Green-Pedersen and Walgrave 2014, 228).

Against this background, this book will revive the idea of venue shifting and carefully reflect on its intermediary function between parliamentary issue attention and morality policy change in the religious world, and later on also “translates” the concept of policy image changes for morality policies but nevertheless argues more generally that the two concepts, venue shifts and policy image changes, are key factors for mediating the influence of parliamentary issue attention on morality policy change in the religious world. Therefore, I propose the following second general argument:

Second general argument: Parliamentary issue attention stimulates venue shifts and erodes dominating policy images, which in turn paves the way for morality policy changes.

The following section elaborates on the argument for each mediating factor in greater detail.

3.2.2.3 Parliamentary Attention and Venue Shifts in Countries of the Religious World

This part deals with the mediating role of institutional venue shifts for the relationship between parliamentary issue attention and morality policy change in the religious world and argues that the mediating effect of institutional venue shifts depends on the employed time frame of analysis. First and based on the early version of the punctuated equilibrium theory, this manuscript argues that enduring issue attention patterns stimulates venue shifts and hence, over time, allows for policy reforms on morality issues in the religious world. Second and in contrast to the earlier version of the punctuated equilibrium theory, the book also argues that within a shorter period of time, issue attention may stimulate venue shifts that stabilize policy blockage on morality issues in the religious world. This time-variant mediating role of institutional venue shifts goes back to the idea that not only opposition parties or societal actors may foster venue shifts but also governments. While the latter actors may initiate such shifts comparably quickly and hence, exert an immediate effect on morality policy changes, the former group of actors need much more time and therefore impact on morality policy change less quickly.

In detail, with regard to the second argument, the basic assumption is that issue attention and venue shifts are inherently related because the shift in responsibility is one way for governments in the religious world to overcome the wedge-issue competition strategy of their main opponents (see Sect. 3.1, in this chapter). The literature on morality policies has extensively discussed the releasing force of such government-induced venue shifts, and in fact, most works observe such patterns in countries with a strong religious cleavage in their party systems. Schiffino et al. (2009, 581), for instance, conclude in their study on biomedical policies in Italy and Belgium that “in deeply divided societies, non-decisions may reflect the ability of heterogeneous coalitions to limit issue expansion if they assume that the conflict cannot be solved within the specificities of the political system.” Fink (2012) comes to a similar conclusion

when examining the regulation of embryonic-stem-cell research in four multi-party systems that also belong to the religious world (Switzerland, Austria, the Netherlands, and Belgium). In three out of four countries, government coalitions with Christian Democratic participation applied a strategy of depoliticization in order to overcome the conflict in mixed governments (Fink 2012, 330). Engeli and Varone (2011) discovered a similar logic with regard to the issue of organ transplant in Switzerland, where in response to serious value conflicts in parliament, the government agreed on a vague framework law that specified only some of the broader and consensual aspects of organ transplant while shifting all delicate questions to the implementing arena (e.g., doctors, street-level bureaucrats, and subnational governments). In other words, minor legal changes were adopted while crucial aspects were left open and were shifted for decision to the subnational level.¹⁰ In sum, government-induced venue shifts in times of high parliamentary issue attention are more an instrument to stabilize policy blockage rather than an instrument to mitigate the negative impact of issue attention on morality policy change.

Besides such governmentally induced venue shifts to the subnational or the expert arena in response to increased political pressure, opposition parties (and societal actors) may also initiate venue shifts as a component of their competition strategy and call upon the courts to examine existing legislation. These venue shifts, however, exert an impact on morality policy change only after a longer period of time. Several scholars have already illustrated that the juridical arena is particularly relevant for morality policies at both the national and the European levels (e.g., Heichel et al. 2013; Steunenberg 1997; Oakley 2009; Scherpe 2013). The main reason for this is that morality issues regularly suffer from vague or even contradictory legal specification (Euchner and Preidel 2018; Mooney 2001) and are very sensitive to fundamental democratic principles such as gender equality and individual freedom.

In light of this discussion, I propose the following:

Expectation 5a: Over a long period of time, parliamentary issue attention may stimulate venue shifts and thus pave the way for morality policy reforms.

Expectation 5b: Over a short period of time, parliamentary issue attention may stimulate venue shifts that stabilize the negative impact of parliamentary attention on morality policy reforms.

3.2.2.4 Parliamentary Attention and Policy Image in Countries of the Religious World

The previous elaborations have shown that the impact of venue shifts is difficult to explain without considering the underlying time dimension and also the concept of policy images (Baumgartner and Jones 2009, 25). The previously developed theory on parliamentary issue attention (cf. Sect. 3.1) links nicely to Baumgartner and Jones's (2009) conceptualization of policy images. The authors argue, based on Riker (1986), that the definition (or framing) of public problems is an important weapon with which to manipulate political debates in its own interest (*ibid.*, 29). Since a public problem can only be reframed when it is openly debated in the societal or political arena, the politicization of the issue and hence the increase in its societal and political salience follow as a logical consequence. In other words (parliamentary), issue attention and changes of policy images are inherently related.

When applying the concept of policy image changes to morality policies and their handling in the religious world, I expect such reframing processes to be difficult and enduring. The main reason is that religious belief systems have for decades been the most prominent ideological resource for the definition of morality issues. Moreover, for some political actors and a minority of voters, such religious principles still provide moral guidance in their daily lives. Accordingly, any attempt to reframe images of moral policies in such a way that religious principles are offended is difficult, since such reframing tends to provoke serious opposition. Studies of roll-call voting on morality issues inside the religious world have uncovered these conflictive debates over the problem definition of morality issues within political parties, particularly within the large religious or secular mass parties are still vivid (e.g., Haider-Markel 1999; Baumann et al. 2015; Preidel 2016). Nevertheless, one may expect that these intensified moments of discussion stimulate more critical reflections on existing issue positions on the long run and hence, lead to more moderate average positions of political parties, which in turn facilitate minor reform processes.

Although morality policies are known for their high conflict potential and the difficulty of reaching political consensus (cf. Mooney 2001), recent research shows that party positions may change over time and allow for minor policy change (cf. for prostitution policy the Special Issue edited by Crowhurst et al. 2012; for the field of same-sex partnership rights see, for instance, Platero 2007). As a consequence,

intensive debates in the parliamentary arena may reduce the number of very extreme positions and thus increase policy congruence between the involved political actors (decreasing the policy distance between them). This in turn may open a window of opportunity for reform steps without any substantial change in the government composition (from a majority of religious to secular parties). In other words, changes in morality policy images are expected to take time and to follow a more incremental process, which in turn leads me to argue that parliamentary attention may pave the way for policy image changes and that these changes should then allow for (incremental) morality policy changes over a longer period of time. Based on these considerations, the following is expected:

Expectation 6: Over a long period of time, parliamentary issue attention may change the dominant policy image and thus indirectly pave the way for morality policy change.

NOTES

1. Paraphrasing Green-Pedersen (2012), politicization and political attention are not the same as party conflict. Party conflict reflects different party political positions on an issue but is not necessarily linked to high levels of attention.
2. Finally, the book uses the terms “parliamentary attention” and “political attention” interchangeably. Although politicians may articulate their positions in the societal arena (e.g., in the media), the parliamentary arena is the main playing field for exchanging and defending political interests in parliamentary systems.
3. van Kersbergen (2008, 273f.) establishes his argument based on evidence from the Dutch party system. The Dutch Christian Democratic Party successfully coped with secularization by constructing a modernized political ideology that draws on Christian Democratic legacies but also incorporates more conservative elements.
4. Ozzano (2016) shows in his highly interesting case study that in Italy, different political entrepreneurs are eager to exploit religion as a legitimacy factor. While the Catholic Church has attempted to influence politics along its belief system via centrist Catholics, other parties, such as Lega Nord and some center-right representatives, also use Christian identity to advance their policy goals. For them, “Christian identity is not defined by the Church’s teachings, but rather represents a marker of Western civilization in opposition to Muslim civilization” (Ozzano 2016, 464).

5. The literature on issue competition has increased substantially since the mid-1980s, becoming especially prominent in the last few years following the development of the Comparative Agenda Project (CAP) and after the dataset of the Comparative Manifesto Project (CMP) was extended to include many more countries.
6. The authors prefer the term “cultural policy” rather than “morality policy” and define it as “any political controversy that turns on conflicts about social values, norms, and symbolic community boundaries” (Leege et al. 2002, 27).
7. Studies on religious voting also contribute greatly to the understanding of time-variant dynamics of morality policy politicization within countries of the religious world. Several scholars have shown via sophisticated analyses that religious voting is affected not by the number of class members but rather by the strategic activities of political parties (for Germany, see Elff 2013; Elff and Rossteutscher 2011; Jansen et al. 2013; for Spain, see Montero and Calvo 2000; Montero et al. 2008; Orriols 2013). Montero and his colleagues were among the first to propose this idea in their investigation of “religious voting” trends in Spain. The authors hypothesize that political parties occasionally but intentionally fall back on a preexisting religious cleavage: “Religious conflicts are salient in a given society if, when and only to the extent to which they are important to political parties which mobilise religious or secular citizens” (Montero and Calvo 2000, 121). In other words—and in contrast to a more static understanding of party cleavages—these authors argue that the prominence of the religious cleavage in national elections varies over time depending on the “political agency” or the political problem at the center of interest. Along the same line, Roberts (2000, 64) argues that the political agenda ultimately determines whether the religious cleavage is visible. In other words, these studies principally support the basic argument of this book, proposing that morality policies are politicized strategically dependent on the expected competitive advantage they offer. Since these studies focus on electoral times exclusively, however, they are less productive for predicting issue competition dynamics during legislative periods.
8. At times, coalition partners consent to a deal requiring them to vote in line with the agreed-upon government strategy and not to seek support among the opposition for proposals that have not been approved by the other partner (e.g., the coalition agreement of the Grand Coalition in Germany) (Miller et al. 2010).
9. Several scholars have discovered that even in the religious world, morality policy conflicts are solved with so-called votes of conscience (a roll-call-voting procedure) in which parliamentarians are freed from party discipline in terms of legislative voting (Baumann et al. 2015; Preidel 2016).

Such a behavior is visible not only in the decision-making stage of morality issues in the religious world but also in the policy agenda-setting and formulation stage, reflected in the joint politicization of these issues by members of parliament (MPs) belonging to different political parties (Euchner and Preidel 2017). In the context of the discussion of party political behavior in the religious world in Sect. 3.1.2 of Chapter 3, this is no surprise, because single religious MPs from religious mass parties especially may have a hard time following “unsecular approach” toward morality issues. However, risking serious conflicts with party leaders is certainly more likely in later stages of the policy-formulation process, when decision making becomes more concrete. In other words, these religious MPs may follow a completely different strategy from MPs from secular opposition parties. Such proposals should be few in number and should only marginally increase the overall attention pattern and not bias the general proposition that a high level of parliamentary attention on morality issues is more an indicator of the government’s vulnerability to these issues than an indicator of substantial reforms.

10. Additionally, it is very interesting that Engeli and Varone (2011) discover variance across morality issues within Switzerland. Morality policy proposals that aim at the redistribution of values and that are at the same time seriously moralized in political debates may access the governmental agenda but not result in any policy reform.

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CHAPTER 4

Comparing Attention and Change in Morality Issues

I use a mixed-method approach, combining large-n quantitative analysis with in-depth qualitative analysis of key cases, to argue that morality issues are used in a strategic way by minority parties in countries of the “religious world.” The analysis of primary and secondary sources, and interviews are the main method of detecting the underlying causal mechanisms, while correlation analysis and basic regression models examine the main expectations on an aggregated level. Moreover, the project adds value by means of its innovative measurement approach to party positions, which is capable of detecting conflicts between and within political parties: the so-called core-sentence approach (CSA) based on more than 500 newspaper articles. This novel method is complemented by a large dataset on parliamentary attention in four countries of the religious world including 1370 cases for a time period of 20 years (1994–2014) and a dataset of the regulatory restrictiveness of same-sex partnership rights and prostitution policy in 16 Western European countries for 58 years (1960–2018) (MORAPOL 2016).

4.1 TWO MORALITY POLICIES IN FOUR WESTERN EUROPEAN COUNTRIES

4.1.1 *Same-Sex Partnership and Prostitution: Two Morality Policies?*

Wald and Calhoun-Brown (2014, 317) argue that the analysis of issues relating to gender and sexual orientation helps us to understand how religion in postmodern secular societies still influences political culture. However, as outlined in Chapter 2, we are confronted with different traditions of defining morality policies today. This study follows the literature stream on morality policies defining policies ex-ante as moral ones based on the substance of the topic (Mooney 2001a) and most importantly, their closeness to religious values and norms (cf. Engeli et al. 2012a, b, Mourão Permoser 2019). This tradition offers research pragmatic advantages because a detailed frame analysis becomes obsolete. However, this approach is also vulnerable to criticism as one might always call into question whether the topic under study provokes conflicts about fundamental (religious) values at all and throughout the time of observation (cf. discussion in Euchner et al. 2013; Mucciaroni 2011). Therefore, the following section discusses exemplarily the fundamental values that are touched on when debating same-sex partnership rights and prostitution policy. A final paragraph reflects on to which extent the analysis of the two cases may be generalized to other morality issues.

Both same-sex partnership and prostitution policies have been explored numerous times under the umbrella of morality policies (e.g., Knill 2013; Schmitt et al. 2013; Mooney 2001a; Tatalovich and Daynes 2011; Wagenaar and Altink 2012). Despite the debate over the definition of morality policies, both of these policies are widely agreed to cause major political conflicts due to clashes of fundamental values. But what are these values? And is religion a central source for these value debates?

In the field of same-sex partnership rights, we find a clear-cut picture in countries of the religious world: The topic is intensively debated in light of religious values and understanding of family and marriage. Supporters of traditional conceptions of family and marriage are pitted against those defending a more modern (secular) approach. The latter group demands greater freedom with respect to the recognition of partnerships other than traditional male/female pairs. The former group relies largely on religious doctrines concerning family and partnership.

During the discussion on adoption rights for homosexual couples in Germany, Norbert Geis member of the CSU claimed, for instance:

The opinion of the Catholic Church outlined by the apostle Paul is clear: Homosexuality is not natural. Paul declared the behavior to be sinful. I agree on this, but I do not have the right to criticize others. (*Spiegel* 14.05.2012)

These words illustrate the conflict that the issue provokes. The deputy believes in and supports the religious doctrine of the Catholic Church. At the same time, he knows that discriminating against homosexuals is not acceptable today. Thus, although the politician recognizes his duty to not discriminate against homosexuals, he is reluctant to accept homosexual couples due to his religious beliefs. The quote exemplifies the dilemma which the topic provokes: It speaks to fundamental values and beliefs of a person that shapes his/her identity and thus, difficult to question as otherwise the person must call into question his/her whole belief system. Economic aspects linking up to class or socioeconomic status are secondary, especially in the primary stage of debating the issue. In consequence, it is less likely that the topic links up to other prominent conflict lines than the religious-secular divide in a party system.

In the field of prostitution policy, the picture is more complex as the issue speaks to different fundamental values and beliefs. While same-sex partnership rights mainly connect to primary identities such as religion and sexuality, debates on prostitution policy can additionally stimulate secondary identities such as the socioeconomic status (Mooney 2001b, 4). Often prostitutes are considered as victims of bad socioeconomic conditions. The Spanish deputy María Carme García Suárez (IU) outlined in a parliamentary debate on prostitution policy in February 2006:

The [Spanish] society should truly be free and egalitarian and the human relationships based on other, much more important values than those related to sexuality (...) [This is, however, not the case. Therefore,] [f]rom our point of view, the activity [of prostitution] is at least as voluntary as the one of those people working under very hard and precarious conditions, lacking any recognition. (Plenary Protocol CD n° 2006/147: 7416)

The quote indicates that values related to gender and sexuality are central in this debate but also identities related to the socioeconomic class and organization. More precisely, prostitution policy might be linked up

to the conflict between right-wing and left-wing parties by arguing that prostitution is a product of the unequal distribution of wealth in society forcing disadvantaged women into prostitution. On the other hand, there are politicians demanding that traditional moral norms and values related to sexuality must be upheld in terms of prostitution and the state has to assume responsibility for this. One example is the German Christian Democrat Ilse Falk, she posed the following rhetorical questions in one of the key parliamentary debates on prostitution policy in Germany:

Is it actually necessary to give up fundamental norms and values in order help [prostitutes]? [...] Do we truly have to accept prostitution as job like any other service? Isn't it right to consider the sale of the human body to be morally questionable? (Plenarprotokoll 14/168: 16487C–16489C)

Religious doctrines from the Catholic as well as the Protestant Church can provide important sources for the involved actors. For both Churches, prostitution is an immoral behavior that injures human dignity. Nobody should be allowed to “exploit” the body of another person because this injures the dignity of the people engaging in such exploitation (Vatican 1993, article 2355). The aim of one-sided sexual satisfaction and the purchase of sexual gratification are in opposition to the Christian concept of working and living together (Diakonie 2001, 10). The Catholic and the Protestant Church provide pastoral support via their main social-welfare service institutions and try to support disadvantaged societal groups, including sex workers as well as victims of forced prostitution. Although the Churches are less explicit in their positions on prostitution policy and more inactive in articulating it than on same-sex partnership rights, the Churches provide value orientation also in that regard mainly via their welfare organizations as they are often one of the key providers of social support in this specific area.

All in all, the religious-secular conflict line as well as the right-left conflict line in party systems can be stimulated by political actors aiming to politicize prostitution policy. It is, however, an empirical question to which extent the right-left-wing and the religious-secular conflict line is stimulated in the religious world, requiring a more fine-tuned frame analysis. Such an analysis is, however, not foreseen to be conducted in the second tradition of morality policy research to which Engeli et al.'s (2012a) work belongs (cf. Chapter 2, Sect. 2.2). Even Engeli et al.

(2012b, 196) confess in the concluding part that morality policies such as ART and stem cell research involved other conflicts than the typical religious-secular one because both policies were debated in relation to “environmental protection and the danger of new technology.” Therefore, many morality policies may be linked up to different ideological fundaments other than religion. Nevertheless, as soon as we can easily detect references to churches and religious doctrines in the political debates on these questions, we can assume a value-loaded debate and defend the policy selection as adequate to explore the complex phenomenon of religion in post-secular politics. Moreover, the selection of two morality issues that are likely to connect up to religion to different extents is rather fruitful because then, the study results can be generalized to a broader set of morality issues. While the issue of same-sex partnership rights can be considered as least likely case for any strategic use by opposition parties (independent of their religious orientation), prostitution policy is a more likely case but at the same time also approximates processes of value attribution for many more value-loaded issues. As a result, the study argues that prostitution policy and same-sex partnership rights are valid representatives of the group of morality issues adequate to capture the full range of dynamics provoking the rise and fall of religious values in countries of the religious world in Europe.

4.1.2 Austria, Germany, the Netherlands, and Spain: Four Representatives of the Religious World?

Four countries with equally strong religious-secular party divides are selected to examine the new explanatory framework for the rise and fall of morality issues in countries of the religious world in Europe. Austria, Germany, the Netherlands, and Spain are typical representatives of the religious world as they dispose of at least one strong political party with religious roots and another one defending secular values and norms (cf. Bale and Krouwel 2013; Chaqués Bonafont and Palau 2012; Fallend 2004; Timmermans and Breeman 2012). Thus, comparable structural conditions stimulate morality issue competition in these states (cf. also the discussion in Chapter 2, Sect. 2.2). In addition, it is promising for the argument on wedge-issue competition outlined in Sect. 3.1 that the countries differ in the government format (i.e., minimal winning, surplus, and minority governments) and the varying cooperation between secular and religious parties over time. In consequence, the selection

allows to explore the strategic behavior of opposition parties across changing government constellations between religious and secular parties (e.g., grand coalitions, minimal winning coalitions between secular and religious parties). Overall, the country sample and the time period of 20 years include 37 country-years in which a mixed coalition between religious and secular parties governed, 23 country-years in which non-mixed coalition governments ruled and 20 country-years characterized by a single-party government (cf. Spain).

Table 4.2 provides a more detailed overview of the composition of the governments in the four selected countries through the analyzed time period. The variable “c” is coded as one if a mixed coalition ruled the respective country and as zero if exclusively secular respectively religious political parties were in office. A typical example in Austria is the government periods of the grand coalition between the Christian Democrats (ÖVP) and the Social Democrats (SPÖ) as well as the cooperation between the ÖVP and the Liberals (BZÖ). Quasi-identical constellations are visible in Germany: Grand coalitions between the Christian Democrats (CDU/CSU) and the Social Democrats (SPD) as well as the minimal winning coalition between the CDU and the Liberals (FDP) are typical instances of mixed governments. In Spain, such constellations are absent due to a tradition of single-party governments, while in the Netherlands mixed coalitions between the Christian Democrats Party (CDA) and smaller secular parties such as the Liberals (D66) or the Social Democrats (PvdA) offered an attractive setting for a strategy of wedge-issue competition (Table 4.1).

The Netherlands and Austria share one important characteristic, namely a Liberal Party (i.e., FPÖ and VVD) defending value-conservative positions with respect to morality issues. Moreover, both “mother parties” have splinter groups supporting a much more permissive approach toward religious issues (i.e., BZÖ, D66, Lijst Pim Fortuyn). The Austrian FPÖ argues against same-sex marriage and adoption rights for same-sex couples. In the electoral program of 2011, the party outlined, for instance: “We are committed to the primacy of marriage between a man and a woman as a distinct way of protecting child welfare. Only partnerships between men and women provide our society with a wealth of children. We reject a separate legal institution for same-sex relations.” The leader of the PVV, Geert Wilders, is less sharp in his position on same-sex partnership rights but nevertheless defends a critical stance. In an interview in 2015, he said: “I have been against

Table 4.1 Government composition across countries and time (1994–2014)

<i>Austria</i>			<i>Germany</i>			<i>Spain</i>			<i>Netherlands</i>			
<i>lp</i>	<i>y</i>	<i>c</i>	<i>fam</i>	<i>lp</i>	<i>y</i>	<i>c</i>	<i>fam</i>	<i>lp</i>	<i>y</i>	<i>c</i>	<i>fam</i>	
19	1994-97	1	SPÖ-ÖVP	13	1994-98	1	CDU-FDP	5	1982-96	0	PSOE	23
20	1997-99	1	SPÖ-ÖVP	14	1998-02	0	SPD-Greens	6	1996-00	0	PP	24
21	1999-02	0	ÖVP-FPO	15	2002-05	0	SPD-Greens	7	2000-04	0	PP	25
22	2002-05	1	ÖVP-FPO	16	2005-09	1	CDU-SPD	8	2004-08	0	PSOE	26
23	2005-06	0	ÖVP-BZÖ	17	2009-13	1	CDU-FDP	9	2008-11	0	PSOE	27
23	2006-08	1	SPÖ-ÖVP	18	2013-14	1	CDU-SPD	10	2011-15	0	PP	28
24	2008-13	1	SPÖ-ÖVP								29	
25	2013-16	1	SPÖ-ÖVP								30	
											31	
											2012-14	
											0	
											VVD-PvdA	

Note *lp* legislative period, *c* Composition government of religious and secular parties (0 = no, 1 = yes), *y* = year

Table 4.2 Relevant independent variables when comparing the four countries

	<i>Austria</i>	<i>Germany</i>	<i>The Netherlands</i>	<i>Spain</i>
Religious-secular party cleavage	Comparable			
Government formats	Coalitions government			Single party government
Party system	Multi-party system			^a Two-plus party system
Religiosity (attendance religious services once per week, 2008) (%)	19	12	19	21
State-church relationship	Cooperative	Cooperative	Separate	Cooperative
Religious denomination	Catholic	Mixed	Protestant	Catholic
Constitutional Court	Yes	Yes	No	Yes
Federalism	Yes	Yes	No	Yes

^aUntil 2015 (cf. Gunther and Montero 2009)

Source Authors's compilation based on EVS (2016), Fox (2015), Minkenberg (2003), Ismayr (2009)

[same-sex marriage] from the standpoint of the Bible, from the standpoint of my teachings as growing up and going to Sunday school and going to church, and I have been opposed to it, and we will just see how it all comes out. But, you know, if I was ever in that position I would just have to explain it" (NLtimes 23.01.2017).

In consequence, the country selection offers a promising setup because the selected cases share the theoretically most important variable (i.e., religious-secular cleavage structure) but deviate in the government format and in both dependent variables over time (i.e., parliamentary attention and extent of morality policy change). Similarly, the country and policy selection allow to control for alternative explanations such as the format of religious denomination (i.e., Catholicism versus Protestantism), religiosity or the state–church relationship. The level of religiosity is largely comparable in the four countries, ranging from 12 to 21% of people attending religious services at least once a week in 2008.¹ According to Fox's (2015) 14-scaled measurement approach, Germany, Austria, and Spain are characterized by a relatively close state–church

regime, while in the Netherlands the relationship between state and church is somewhat more distant. In the same line, Germany, Austria, and Spain have a federal state organization and a comparably strong Constitutional Court, while the Netherlands have rather weak regional entities and also lack a Constitutional Court putting into question state legislation. So, one could claim that a large number of alternative institutional explanations are similar in Austria, Spain, and Germany, while the Netherlands deviates in several aspects. However, as none of these factors covary systematically with the key dependent variables (extent of parliamentary attention and change of morality policies) across the countries, these variables should be of limited explanatory power (Table 4.2).

In sum, the study design offers an excellent setting for understanding the interplay between religion, morality policies, and party politics in countries of the religious world today. So, the results should be applicable for other European countries with a strong religious-secular cleavage in their party system such as Belgium, Switzerland, Poland, or Italy until the mid-1990s. The generalization of the study results beyond the religious world is, however, limited. If the religious voter base is relatively small, most parties defend rather permissive positions toward morality policies, politicization of these issues becomes less attractive in party competitive terms. Sometimes, however, morality policies can be linked and framed to alternative fundamental conflict lines of a party system. In the Faroe Islands, for instance, morality issues and religious values became attached to the nationalist and language struggle resulting in high levels of issue attention (van Kersbergen and Lindberg 2015). Similar dynamics are visible in terms of the morality issues such as Islamic religious education. On the one hand, there is the general question whether the state should offer and organize religious education and, hence, shape the individual value system of its citizens in a very specific way. On the other hand, the question of Muslim integration comes to the forefront when discussing this policy and hence, the very conflictive debate on the European refugee crisis and the “right” way of treating the large amount of Muslim refugees. Especially, the latter aspect links up to the nationalist struggle which provoked the rise of right-wing populist parties in Europe today. As a result, the new framework on religion, morality policies, and party politics presented in this manuscript is mainly applicable for countries with a strong religious-secular party cleavage. However, in other European states, similar dynamics on classical religious questions (e.g., religious education, religious clothing) related to

Muslims may arise when linking the debate to other fundamental ideological struggles within the country, such as the traditional right-left cleavage or the new “globalization cleavage.”

4.2 OPERATIONALIZING MORALITY POLICY ATTENTION, CHANGE, PARTY CONFLICT, POLICY IMAGES, AND INSTITUTIONAL VENUES

For examining the new theoretical framework in a reliable way, we require clear-cut guidelines of operationalizing the introduced concepts: morality policy attention, extent and evolution of morality policy change, intra- and inter-party conflict, policy congruence (policy image) as well as institutional venues and venue shifts. In the following, I describe first the measurement approach of the two dependent variables and continue with the main explanatory factors.²

4.2.1 *Measuring the Extent of Parliamentary Attention*

The first dependent variable to be considered is the extent of *morality policy attention in parliament*. The measurement approach applied here follows in part a strategy developed by Frank Baumgartner and Bryan Jones in the early 1990s and further developed in recent years within the so-called Comparative Policy Agenda Project (CAP). Accordingly, parliamentary issue attention is operationalized via the collection of parliamentary initiatives published between 1994 and 2014 on the two topics of investigation. This includes eight types of initiatives: bills, non-legislative bills, motions, interpellations, written questions, oral questions, proposals of special commissions, and other types of initiatives (e.g., reports of the European Commission). Laws are collected only to operationalize the dependent variable.

The webpages of the Austrian, Dutch, German, and Spanish parliaments archive all contain the necessary information. The relevant initiatives can be obtained via the careful selection of key words. On the basis of a trial-and-error process and a subsequent comparison with the output of the “thesaurus” function, a comprehensive set of key words was identified. Operators and truncations were applied according to the respective rules of the national parliamentary databases. Thereafter, the German terms were translated into Spanish and Dutch and verified with the same

Table 4.3 Dataset for issue attention in parliament

<i>Dataset</i>	<i>Source</i>	<i>No. of cases</i>
Issue attention in parliament, 1994–2014	www.dip.de , www.dip21.de www.congreso.es , www.parlament.gv.at www.tweede kamer.nl/kamerstukken	1370

Source Author's compilation

two-step process in order to take national and cultural differences into account (see Table A.1 in the Appendix). In the next step, all hits were systematized in accordance with a predefined coding scheme. Basic categories included the date, title, type of initiative, name of initiator, type of initiator, and party affiliation. The codebook "parliamentary attention" provides a detailed overview of the coding categories (see Appendix). Overall, 1370 parliamentary initiatives are coded (see Table 4.3).

Thereafter, two indicators are developed to compare parliamentary issue attention across countries and later on also across opposition parties. The first indicator assesses the total number of relevant initiatives tabled per legislative period between 1994 and 2014, differentiating between three major categories of initiatives: first, instruments for legislative control, including oral and written questions, interpellations, and motions; second, instruments of political orientation, including all legislative and non-legislative bills from opposition parties; and third, initiatives of legislative function, consisting exclusively of governmental bills. An adjusted version standardizes the data and puts it into relation to the total amount of deputies for each legislative period, focusing once on the total number of initiatives and in another instance, only on initiatives reaching a large audience (e.g., bills or motions). This indicator captures the general extent of parliamentary issue attention within and across the four countries under examination. A second indicator concentrates on opposition parties exclusively and their engagement per year. Descriptive statistics of this first dependent variable are presented in the following part.

4.2.2 *Measuring the Extent and Evolution of Morality Policy Change*

The *extent and evolution of morality policy change* constitute the central dependent variables in the second stage of the analysis. Both conceptions of morality policy change employ the same measurement approach,

which is based on a system developed by the MORAPOL project team (see for details the edited volume Knill et al. 2015) (see discussion below as well as Tables 4.4 and 4.5). It allows to measure regulatory changes very precisely, distinguishing between changes in policy paradigms,

Table 4.4 Measurement of policy change in the field of same-sex partnerships

			<i>1st dimension Policy paradigm</i>	<i>2nd dimension Adoption rights</i>	<i>3rd dimension Entitlement to social benefits</i>	<i>Values</i>
2	Marriage	Full	Full	Full	3.0	
				Comprehensive	2.9375	
				Limited	2.875	
				Very limited	2.8125	
		Comprehensive	Comprehensive	Full	2.75	
				Comprehensive	2.6875	
				Limited	2.625	
				Very limited	2.5625	
		Limited	Limited	Full	2.5	
				Comprehensive	2.4375	
				Limited	2.375	
				Very limited	2.3125	
1	Registered partnership	Full	Full	Full	2.25	
				Comprehensive	2.1875	
				Limited	2.125	
				Very limited	2.0625	
		Comprehensive	Comprehensive	Full	2.0	
				Comprehensive	1.9375	
				Limited	1.875	
				Very limited	1.8125	
		Limited	Limited	Full	1.75	
				Comprehensive	1.6875	
				Limited	1.625	
				Very limited	1.5625	
0	Non-recognition	Very limited	Very limited	Full	1.5	
				Comprehensive	1.4375	
				Limited	1.375	
				Very limited	1.3125	
		0	0	Full	1.25	
		0	0	Comprehensive	1.1875	
		0	0	Limited	1.125	
		0	0	Very limited	1.0625	

Source Author's elaboration based on Knill et al. (2015), Hennig (2012, 98)

Table 4.5 Measurement of policy change in the field of prostitution policy

<i>1st dimension Paradigm</i>	<i>2nd dimension Locational restrictions</i>	<i>3rd dimension Regulation of pimping</i>	<i>Values</i>
3 Permission with recognition	Legal in private flats, brothels, and streets (very broad)	Allowed	4.00
	Legal in private flats and brothels but not in streets (broad)	Prohibited	3.875
	Legal in private flats and streets but not in brothels (limited)	Allowed	3.75
	Legal in private flats but not in brothels or streets (very limited)	Prohibited	3.625
	Legal in private flats but not in brothels or streets (very limited)	Allowed	3.5
	Legal in private flats but not in brothels or streets (very limited)	Prohibited	3.375
2 Permission without recognition	Legal in private flats, brothels, and streets (very broad)	Allowed	3.25
	Legal in private flats and brothels but not in streets (broad)	Prohibited	3.125
	Legal in private flats and streets but not in brothels (limited)	Allowed	3.0
	Legal in private flats but not in brothels or streets (very limited)	Prohibited	2.875
	Legal in private flats but not in brothels or streets (very limited)	Allowed	2.75
1 Abolitionism	Legal in private flats and brothels but not in streets (very broad)	Prohibited	2.625
	Legal in private flats and streets but not in brothels (broad)	Allowed	2.5
	Legal in private flats but not in brothels or streets (limited)	Prohibited	2.375
	Legal in private flats but not in brothels or streets (very limited)	Allowed	2.25
	Prohibited everywhere (very limited)	Prohibited	2.125
	Prohibited everywhere (very limited)	Allowed	2.00
0 Prohibition (buying & selling)	Prohibited everywhere (very limited)	Prohibited	1.875
	Prohibited everywhere (very limited)	Allowed	1.75
	Prohibited everywhere (very limited)	Prohibited	1.625
	Prohibited everywhere (very limited)	Allowed	1.5
	Prohibited everywhere (very limited)	Prohibited	1.375
	Prohibited everywhere (very limited)	Allowed	1.25
	Prohibited everywhere (very limited)	Prohibited	1.125
			0

Source Euchner and Knill (2015)

instruments, and settings (Hall 1993). The main difference in operationalizing both variables is that the variable evolution of morality policy change captures the long-term effect of parliamentary issue attention by employing a five-year time gap and by compiling all regulatory changes into three categories (no, minor, or major change) and later on in two categories (change or no change),³ while the other conception (i.e., extent of morality policy change) captures all legal adjustments in a disaggregated form and without any time gap.

The system of measuring regulatory changes in the fields of prostitution and same-sex partnerships looks as follows: In the first dimension, the main regulatory paradigms of same-sex partnerships and prostitution

were organized in a hierarchical structure. The second dimension distinguishes between two regulatory instruments: adoption rights and entitlement to social benefits. The third dimension differentiates between the settings of the respective instruments (see Table 4.4). This measurement allows a more precise categorization of the regulatory status quo at a specific point in time and thus an accurate measurement of the *extent of policy change* (C). The study calculates the differences in values between a country's *status quo position* (x_1) shortly before a reform and the *new position of the country* (x_2) after the reform. Reforms of policy paradigms were evaluated as more significant changes than adjustments in policy instruments or settings. Thus, a difference in value larger than or equal to 1.0 always indicates major policy change because a change in paradigm has taken place. Regulatory changes leading to a difference in value smaller than 1.0 indicate minor policy change because either policy instruments or policy settings have been adjusted. The extent of policy change was calculated as follows:

$$C = \Delta = x_1 - x_2 \quad (4.1)$$

($C \geq 1.0 \Rightarrow$ major policy change; $C < 1.0 \Rightarrow$ minor policy change)

Source Author's own composition.

With regard to same-sex partnership rights, the manuscript distinguishes in the first dimension between three different *policy paradigms*: non-recognition, registered partnership, and marriage (cf. also Hennig 2012; Knill et al. 2014; Kollman 2007; Preidel 2015; Scherpe 2013) (see Table 4.4). These categories are ordered according to their extent of permissiveness. The most restrictive category ("non-recognition") is fairly self-explanatory: It means that stable partnerships between same-sex couples are not officially recognized by any public or religious institution. In other words, same-sex couples do not have access to the same tax benefits, inheritance rights, or pension rights granted to heterosexual married couples. The second paradigm reflects a regulatory status quo that allows same-sex couples to officially register at a government agency, indicating that the country has created a new legal institution. This is a very important step; however, the European countries following this paradigm vary widely in terms of the instruments and instrumental settings implemented (e.g., Denmark and Germany in the early 2000s). In the third, most permissive policy paradigm, countries open up the institution of marriage to same-sex couples. One could argue that this is only a symbolic step, as churches still make the final decision on whether or not

same-sex couples in their congregations will be allowed to marry. In fact, this step is more than symbolic, because in most “religious countries,” marriage is a legal term that is automatically connected with the rights and duties granted to heterosexual couples (except for rights relating to family issues). Thus, in a country in which same-sex marriage becomes legal, it is very likely that same-sex couples will have access to full rights in terms of social benefits and inheritance. In addition, this ostensibly symbolic step should not be underestimated, as marriage in many countries is closely connected with the institution of family—one of the most protected and supported institutions, especially in more traditional societies following a male-breadwinner family model (Jänterä-Jareborg 2012).

The second and third dimensions cover regulatory changes at the instrumental level. To this end, the project assessed whether same-sex couples enjoy *adoption rights* and whether they are entitled to *social benefits*. Changes in adoption rights were counted as a more significant regulatory step than adjustments in social benefits. This was reflected by a larger numerical change in value (e.g., 0.25 for an adjustment in adoption rights in comparison with 0.06 for an adjustment in the entitlement to social benefits). The fourth dimension covers legal changes in the settings of instruments. In terms of adoption rights, a distinction was made between very limited, limited, comprehensive, and full adoption rights. A country was classified as having “very limited adoption rights” when successive, stepchild, and joint adoption are not fully permitted. Stepchild adoption means when it is possible to adopt the biological child of one’s registered partner, while successive adoption allows one partner to adopt a child that was taken on by his/her registered partner. Joint adoption means that both partners are allowed as a couple to adopt a child. “Limited adoption rights” means that either successive or stepchild adoption is allowed, while in the “comprehensive” category, the country permits both types of adoption. “Full adoption rights” encompass successive, stepchild, and joint adoption.

In terms of *social benefits*, a differentiation was made between full, comprehensive, limited, and very limited entitlement to social benefits. This assessment considered the three most important social benefits: tax, inheritance, and gift benefits, and family allowances. Where none of these benefits are accessible for same-sex couples, or where same-sex couples are still discriminated against in comparison with heterosexual couples due to an extraordinary arrangement in one of the three types, the country was classified as having “very limited” entitlement rights.

Situations in which same-sex couples can access only one type of social benefits were coded as “limited” rights. Where only two of the three types of benefits are accessible for same-sex couples, the country was classified under the category of “comprehensive” social benefits. Where same-sex couples are entitled to all three kinds of benefits, the regulatory status quo was coded as “full” access. Thus, a reform in one of the three types of benefits was only counted when the reform gave same-sex couples the same rights as heterosexual couples. The adoption of further exceptions in specific areas was counted as a symbolic response.

For prostitution policy, a similar measurement scheme was developed (see Table 4.5). The study distinguished between four different policy paradigms: prohibition, abolitionism, permission without recognition, and permission with recognition (cf. Outshoorn 2004; Weitzer 2012). The most restrictive regulatory paradigm, *prohibition*, indicates that selling and buying sexual services is generally prohibited by law. In the second regulatory paradigm, *abolitionism*, purchasing sexual services is largely prohibited, although offering sexual services is not directly restricted by law.⁴ The third category, *permission without recognition*, represents a regulatory approach in which both offering and purchasing sexual services are legal, but the activity is not recognized as a “regular” job as such and therefore does not automatically fall under the rules of public life (e.g., administrative or public law, access to the social security system). Moreover, the activity is often restricted so severely by various regulatory instruments that the line between illegality and legality is very thin.

In the fourth and most permissive regulatory paradigm, *permission with recognition*, prostitutes are allowed to offer sexual services, clients may legally purchase sexual services, and the activity is recognized as “regular” work; in other words, prostitution leaves the “gray zone” and becomes a service like any other (e.g., in some countries, prostitutes specialize in sexual services for the handicapped or for elderly people living in nursing homes). The adoption of a “permission with recognition” paradigm is not only a strong symbolic act but also highly important in terms of social rights and protection. When they have the opportunity of legal employment in a brothel or other establishment, prostitutes become entitled to unemployment benefits, public old-age pensions, and other benefits of the national welfare system. The second dimension covers the instrumental level, including regulations concerning locations and third parties. Regulatory changes with regard to location were weighted

more heavily than changes concerning third parties.⁵ The fourth dimension captures regulatory changes involving the settings of instruments. The project differentiated between four settings with respect to the location: very limited, limited, broad, and very broad. This assessment is based on the regulation of three different places: private flats, brothels, and streets. The general rule here was that the prohibition of the activity in three locations rather than one constituted a stronger limitation. Additionally, the prohibition of brothels was considered a stronger limitation than the prohibition of street prostitution. The exact assignment of the setting varied with the underlying paradigm. In the abolitionist model, the setting “very limited” means that the purchase of sexual services is prohibited in any place. In the regulatory regime “permission with recognition,” the setting “very limited” indicates that offering sexual services is legal in private flats but neither in brothels nor on the street. In terms of the regulation of pimping, the project assessed whether the act of pimping was prohibited or legal, with the latter constellation rated as a more permissive approach than the former.

4.2.3 Measuring Intra- and Inter-Party Conflict

In stage one, this study proposes that a strategy of wedge-issue competition determines the extent of morality policy attention in continental Europe. Coalition considerations (inter-party conflict) and intra-party conflict are expected to stimulate such a strategy for opposition parties (expectation 1 and expectation 2). To evaluate these expectations, the issue positions of individual political actors and political parties in general were assessed through a media analysis. The idea of measuring party positions via newspaper analysis is a new approach that has recently won a great deal of support in the literature (Helbling and Tresch 2011, 174; Kriesi et al. 2012). Kriesi et al. (2012) consider this approach very useful for examining party competition, as the media has gained importance in the policy formulation and decision-making process. Moreover, party competition now takes place more often in the public sphere rather than hidden in the back rooms of parliamentary committees and central offices (Dolezal et al. 2012, 39). In the same vein, Helbling and Tresch (2011, 181) assert that “party positions on sub-issues and intra-party dissent can best be captured by media data.” Commonly used strategies such as expert surveys (Benoit and Laver 2006; Laver and Hunt 1992) and analyses of party manifestos (e.g., Budge et al. 2001) cannot provide

such detailed information. The Chapel Hill expert survey, for example, offers data on sub-issues and intra-party dissent. However, these data were collected for certain predefined issues that are not always applicable to specific research interests (Helbling and Tresch 2011, 181). Similar difficulties arise with the database compiled by the CMP: Morality policies are included but only in an aggregated way (see discussion in Chapter 2, Sect. 2.2). Consequently, the assessment of actors' positions through media analysis is a valid and necessary approach for the analysis of morality issues. In the following section, the measurement process is described in greater detail, beginning with the selection of newspapers and the sampling strategies within newspapers. Thereafter, the coding procedure is outlined. Finally, a pretest conducted to justify the newspaper selection is explained. The results of this pretest are outlined in the Appendix.

4.2.3.1 Selection of Newspapers

This analysis was conducted on the basis of newspapers only, as newspaper articles are accessible rather easily, also over long periods of time. New social media networks such as Twitter can be valid sources nowadays, but were less relevant or nonexistent in the 1990s. Dolezal et al. (2012, 40–41) state that high-quality newspapers remain the leading medium for political coverage: These newspapers report on political debates in detail and influence smaller newspapers. Therefore, the decision to analyze the positions of political actors via high-quality newspapers can be regarded as valid. This includes the *Süddeutsche Zeitung* (SZ) for Germany, the *DiePresse* for Austria, the *Volkskrant* for the Netherlands, and *El País* (EP) for Spain. All of them are known as high-quality, national newspapers in their respective countries. Importantly, the online archives of the newspapers are accessible for the entire period of investigation. For instance, the online archive of the most important right-wing newspaper in Spain, *El Mundo* (EM), is not accessible before June 2002.

There is a wide range of literature discussing the selection of newspapers for analyses and the related pitfalls. One such issue involves the selection of newspapers within one country; another concerns the comparability of media systems across countries (e.g., Chaqués Bonafont and Baumgartner 2013; Hallin and Mancini 2004; Strömbäck and Luengo 2008). For example, Hallin and Mancini (2004) argue that media systems differ across Europe. The authors classify the Spanish system as

representative of the so-called polarized pluralist model; the German, Austrian as well as Dutch media system is described as reflecting the democratic corporatist model (Hallin and Mancini 2004, 67). The authors thus consider the Spanish media system to be strongly divided along the left-right party cleavage. In the other countries, the media landscape is similarly divided, but to a lesser and increasingly declining extent. Hallin and Mancini (2004) furthermore claim that newspaper circulation is much lower and more elite-oriented in Spain.⁶ In order to determine whether the national media systems could bias the study results, a pretest was conducted, exemplarily in the case of Spain and Germany. The results are presented and discussed in the Appendix. In brief, the overall results show no strong variation across the national newspapers in Germany and Spain, with only minor differences in terms of actor salience and inter-party conflict, justifying the cross-country comparison and the analysis of exclusively one high-quality national newspaper in each country.

4.2.3.2 Sampling Newspaper Articles

The newspapers were accessed through their online archives or via the online tool *LexisNexis*. The relevant articles were identified using an advanced key word search. The search terms were developed in accordance with the respective rules of truncation and operators (see Table A.2 in the Appendix). The comparative content analysis of newspapers involves enormous effort. Appropriate sampling and coding strategies are therefore crucial (Dolezal et al. 2012, 37). This study reduced the number of relevant press articles by adjusting the time frame, limiting the key word search to titles only, and concentrating on certain sections of the newspaper. First, the project limited the time frame to articles published about one year before and one year after a legislative proposal was initiated. In this time period, it is most likely that politicians would seek to publically outline their position. In the case of same-sex partnership rights, the search was limited in Spain to a time period of three months before and three months after the initiation of legislative proposals in the early 2000s. This was necessary due to the large number of hits (e.g., in *EP*, I found 539 hits in the three-month period before the initiation of the bill on 12 January 2005). In other countries, the time frame was extended when not more than 20 fitting articles could be identified (e.g., Dutch prostitution policy in the late 1990s). In the next step, the key word search was restricted to titles only. This led to

a significant reduction in non-relevant articles. The remaining non-relevant articles were manually excluded (e.g., articles such as “Hang zur Prostitution notwendig in der Schauspielerei”). Moreover, duplications of articles were excluded, particularly in the Spanish newspaper *EP*; *LexisNexis* offers this option in the advanced search function. Finally, the study selected only those articles that were published in the political or international section. In case this selection mechanism reduced the total number of articles too severely, relevant hits from regional editions were included (e.g., Catalonia, Munich, Upper Austria, Vienna, or Madrid).

4.2.3.3 Coding Newspaper Articles: The Core-Sentence Approach

This study applied the CSA in order to identify political actors and their issue-specific positions in terms of morality policies (cf. Kleinnijenhuis and Pennings 2001). This method is also known as “relational content analysis” (Kleinnijenhuis and Pennings 2001, 163, cited in Helbling and Tresch 2011, 177). The unit of analysis is not an individual article but instead certain elements within the article.⁷ According to Dolezal et al. (2012, 41), the CSA was first transformed into practical coding instructions by Osgood (1959) and was further developed by Axelrod (1976). Popular examples of its application in the field of party competition include the work of Kleinnijenhuis et al. (1997) and the recent contribution of Kriesi et al. (2012) and related project publications (e.g., Helbling 2014). The basic idea of this approach is to compare different relations between subjects and objects within one document (e.g., the relationship between two political actors or the relationship between one actor and one issue). Like Dolezal et al. (2012, 41ff.), this project focuses exclusively on the relationship between actors and political issues and reduces each sentence of an article to its most basic core sentence—that is, the subject (the actor) and the object (the issue of prostitution or homosexuality and same-sex partnerships), as well as the relationship between the two. The number of core sentences within an article is not equal to the total number of sentences, because the study is interested exclusively in objects related to prostitution and same-sex partnerships, and political actors taking any position on those issues.

The relation between subject and object was quantified with values ranging between -1 and $+1$. The value -1 describes a strong negative relationship, whereas the value $+1$ indicates a strong positive position of the subject in relation to the object. The values -0.5 and $+0.5$ refer to somewhat negative and somewhat positive relationships, respectively.

The value 0 indicates an ambivalent position. The following example contains one actor-issue core sentence:

CDU-Generalsekretär Ruprecht Polenz sagte, mit der faktischen Gleichstellung homosexueller Paare werde der im Grundgesetz verankerte Schutz der Ehe und Familie ausgehöhlt. (SZ 29.06.2000)

The subject in this example is the General Secretary of the Christian Democratic Union, Ruprecht Polenz. The object is same-sex couples. The core sentence, which is identical to the grammatical sentence, refers to the negative stance of the member of the Christian Democratic Union with regard to the legal equality of same-sex couples. Therefore, the sentence was coded as: CDU/-1/*Gleichstellung homosexueller Paare*.

The coding process was strictly actor-oriented because the positions of individual actors and the conflict within and between groups of political actors (e.g., members of the government, opposition, or specific political parties) were of primary interest. This means that only those sentences that mentioned individual actors who took any position with regard to the two topics of interest were evaluated as relevant.⁸ Where the same actor-issue relationship was articulated twice in the document, the relationship was coded only once. Where the same actor referred to two different aspects of the policies, two actor-object relationships were coded.

Sampling strategies within articles were necessary due to the enormous workload involved with manual coding (Dolezal et al. 2012). Kriesi et al. (2012) reduce the coding to a certain number of rows within an article. This study applies a different rule, as Kriesi's method might bias the results in terms of the types of actors included in the analysis. The analysis of newspaper articles has shown that governmental actors are often mentioned first, while opposition parties are cited later. Consequently, instead of reducing the number of rows considered, the project limited the analysis to the first six political actors taking any position in the document.

Coder disagreement is often a serious problem that can negatively affect the reliability of research results. In this case, the material was coded by two people, which facilitated coordination. In the early stages of the study, the coding instructions were redefined several times in order to reduce uncertainty. Moreover, the coders met regularly to discuss critical cases. A pretest resulted in a coefficient of reliability (Krippendorff's alpha) (Krippendorff 2004) of 0.93 for political actors

and 0.78 for issue position (Staudt and Krewel 2013). Acceptable levels of inter-coder agreement for formal categories are $\alpha \geq 0.80$; for complex interpretative data coding $\alpha \geq 0.70$ is acceptable (Lombard et al. 2002). As a result, the processed data can be considered a reliable source.

4.2.3.4 Indicators: Average Issue Position, Inter-Party Conflict, and Intra-Party Conflict

Three different indicators were developed to measure the concept of inter- and intra-party conflict. First, the study calculated the average issue position of each political party (IP_j). In this process, all political actors were sorted according to their partisan identification. All actor-object relationships articulated by politicians of the same political party (x_j) were then summed up and divided by the total number of actor-object relationships for the party coded in the respective time period (n_j) (Table 4.6). The time frame generally encompassed about two years in each legislative period. Hence, the dataset includes an average issue position on prostitution and same-sex partnerships of the main political parties for each legislative term between 1996 and 2014.

Table 4.6 Overview of indicators for measuring party positions

Indicators	Measurement
Average issue position party	$IP_j = \frac{\sum x_j}{n_j}$ Each actor-object relationship (x_j) for a particular political party (j) is summed up and divided by the total number of actor-object relationships (n_j) coded for this party in the respective time frame
Inter-party conflict (Coalition considerations)	$C_{\text{Inter}} = IP1 - IP2 $ The extent of conflict between coalition partners (C_{Inter}), here referred to as inter-party conflict, arises from the difference between the average issue positions of party 1 (IP1) and party 2 (IP2)
Intra-party conflict	$C_{\text{Intra}} = \frac{1}{n_j} \sum_{j=1}^J (x_j - \bar{x}_j)^2$ C_{Intra} represents the level of intra-party conflict of a particular political party (j). x_j denotes a single actor-object relationship coded for this party, \bar{x}_j is the average actor-object relationship, and n_j is the total number of actor-object relationships coded for this party

Source Author's compilation on the basis of Dolezal et al. (2012, 55ff.)

Next, an indicator was developed to measure the conflict between two coalition partners, also referred to as the inter-party conflict (C_{Inter}). The extent of conflict was calculated via the difference in the average issue position of one coalition partner (IP_1) and the other coalition partner (IP_2) (see Table 4.6). Finally, an indicator was developed to capture the alternative explanation of intra-party conflict. A very basic measure would be to rely on the interpretation of the values calculated for the average issue position of each party. In this case, the closer the average position comes to the extreme values +1 or -1, the less contested the issue, as only a few contrary positions have been expressed in the actor group (cf. Dolezal et al. 2012, 56; for a similar application, see Kriesi et al. 2012). For instance, political parties with a value of 0.4 are less cohesive in their issue position than parties exhibiting values of around 0.8 or 0.9. Dolezal et al. (2012, 57) additionally use a more sophisticated measure of conflict intensity based on a measure of polarization which is used in a slightly adjusted version here (see last row in Table 4.6).

The results are interpreted as follows: As explained above, all positions range from -1 to +1. An average issue position of 0.4 means that the political actor has expressed a positive position on the issue under consideration; a negative value of -0.8 indicates a relatively critical issue position. Conflict between coalition partners (inter-party conflict) may range from 0 to 2, where all values larger than 0.5 point to greater dissent in the coalition. For the third indicator, the measurement of intra-party conflict, measures can range between 0 and 1. Values close to 0 indicate low levels of internal dissent, while values close to 1 point to major conflicts within the party (Table 4.7 summarizes the main aspects of the dataset).

Table 4.7 Summary of the dataset of coalition considerations and intra-party conflict

<i>Dataset</i>	<i>Source</i>	<i>No. of actor-object relations/articles</i>
Issue positions of political parties per legislative period 1994–2014	LexisNexis, SZ Archive, Archive Volksrant	921/504

Source Author's compilation

4.2.4 Measuring Positional Congruence and Approximating Changes of Policy Images

The second stage of the analysis explores the impact of parliamentary issue attention on morality policy change and hereby discusses the mediating role of policy images and institutional venue shifts (Baumgartner and Jones 1993). This paragraph deals with the operationalization of changes of policy images within a specific country. The book leans on the so-called concept of *positional congruence on morality policies* between governmental and external actors and relies with regard to the measurement approach largely on the data on policy positions presented in the previous section (i.e., CSA based on a newspaper analysis). The concept of positional congruence assesses the distance between the average issue position of governments and the average issue position of the main initiator of policy reforms on same-sex partnership rights and prostitution policy. It is very difficult to consider all external actors and measure their opinion in a detailed way. Furthermore, often public opinion data are missing for the specific point in time necessary to investigate in this study. Therefore, external demands are operationalized via the issue position of the main initiator in parliament. This is very rough measurement but can be defended on the basis of early structural-functional approaches in the political science literature first developed by Almond and Easton (Almond 1965). Here, political parties have two central functions: first, aggregating all external demands and second, articulating them in the political system. Thus, the issue position of the main initiators should roughly reflect the position and image of a policy of the most important public interest groups. On the side of the government, the average issue position of all governmental partners is taken. The most extreme position an actor can take is either -1.0 or $+1.0$. Accordingly, the largest distance between two actors is 2.0 and the lowest 0.0 . This distance in policy positions among actors in the parliamentary arena is used to approximate any existence respective absence of one dominant policy image within one and the same institutional venue (i.e., the parliamentary arena). Figure 4.1 illustrates four ideal typical cases: (1) The figure in the upper left corner illustrates a situation, in which the whole positional spectrum on an issue is covered by parliamentary actors. It means, both very positive and very negative images of the policy under consideration exist for many years. Thus, political actors largely disagree on their understanding and solution of the problems related with

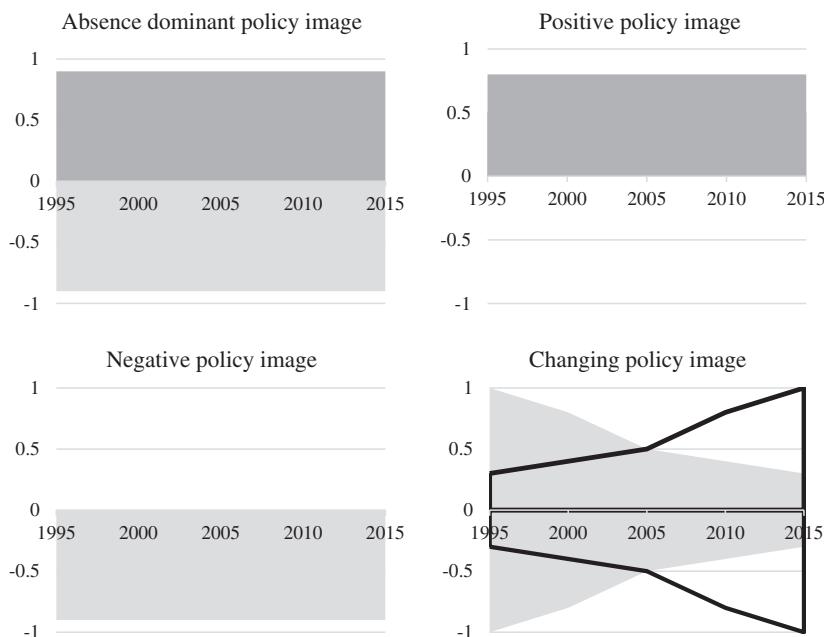


Fig. 4.1 Linking positional congruence and policy images (*Source* Author's own compilation)

a specific morality policy, and one could claim that any dominant policy image is absent in the parliamentary arena of this country; (2) the graph in the upper right corner of Fig. 4.1 shows a setting, in which all political actors have had a positive stance on the policy under consideration over decades. Thus, one positive policy image prevails in this country. The same might be visible in a reverse way in the graph in the lower left corner; (3) All involved political actors have a critical stance on the specific morality policy since many years. So, one could claim that a largely negative policy image characterizes the specific morality policy in the parliamentary arena of this country. Fourth (4) and most importantly, in some countries the positional congruence on morality issues may change over time (see graph in the lower right corner of Fig. 4.1). One option is that the positional congruence becomes larger (light gray areas), which means that the positional distance decreases over time and thus, a commonly agreed on understanding of a policy problem may be soon approached.

However, another option is that the positional congruence decreases which may indicate that a long agreed on policy image is put into question. Accordingly, when we assume that political issue attention affects morality policy change through policy images' changes, then we should find the dynamics shown in the last graph in Fig. 4.1. Similarly and more technically spoken, the study may approximate the erosion of one dominant policy image by measuring strongly increasing levels of positional distance and reversely capturing the establishment of a new policy image by observing strongly decreasing levels of policy congruence.

4.2.5 Capturing Institutional Venues and Approximating Venue Shifts

The second mediating variable, institutional venues (shifts), is measured in two different ways: (1) in the qualitative case studies, each shift into another institutional arena than the parliamentary is carefully captured (including shifts to the juridical, the expert, or the subnational arena); the (2) procedure in the quantitative cross-policy and cross-country analysis roughly approximates such responsibility shifts by taking into account the political institutional structure of a country. The POLCON dataset (Henisz 2002) includes two variables for institutional venues. The variable “polcon_iii” estimates the feasibility of policy change based on the extent to which a change in the preferences of any one actor may lead to a change in government policy (e.g., consideration of a second chamber, minority position of the government). The variable “polcon_v” follows the same logic but includes additional institutional venues such as the judiciary and subnational entities which may approximate institutional structures likely to initiate a releasing force on policy blockage (Codebook POLCON 2016). For capturing the effect of these additional institutional venues exclusively (without taking into account the government format or the existence of a second parliamentary chamber), the values of the “polcon_v” are subtracted from the values of the variable “polcon_iii.” Thus, the non-transformed values of the variable “polcon_iii” are reflected in the variable “institutional hurdle” in the following analysis and taken into account as a control variable, and the transformed values of the “polcon_v” variables are approximating the possibility of “institutional venue” shifts (and called accordingly). There is of course a large debate in the literature on the appropriate measurement of institutional veto points, and particularly on institutional venue

shifts as it is a very challenging task to classify the manifold particularities of many countries, their development over time and the de facto shifts of one issue into another institutional venue.⁹ Accordingly, the selected indicator for “institutional venues” represents only an approximation of the expected dynamic of institutional venue shifts as the indicator assesses the possibility to shift issues into different institutional venues but does not assess its de facto implementation. Still, this indicator constitutes the most reasonable and reliable measurement approach available so far for country- and time-variant analyses because any other, issue-specific dataset is not yet available. In consequence, the mixed-methods approach which complements the large-n analysis with detailed case studies is particularly valuable to explore the intermediary role of institutional venue shifts.

4.2.6 Measurement Control Variables: Government Composition and Regulatory Status Quo

The quantitative analyses examining morality policy change also control for some additional factors. Among others, this includes the government composition, which assesses whether the country is governed by a religious-secular government coalition or not. Such a composition may stimulate increased levels of issue attention and at the same time hinder comprehensive morality policy change. A second control variable captures the regulatory status quo of a policy. The more permissive a policy is already regulated, the less likely it receives any additional policy reform. The measurement approach of this variable is based on the previously introduced calculation of the extent of morality policy change. Instead of capturing the difference in the regulatory approach of a country before and after any reform, this indicator just reflects the values in regulatory permissiveness as outlined in Tables 4.4 and 4.5 for the two issues under consideration.

4.3 ANALYZING ATTENTION AND CHANGE IN MORALITY POLICIES

This extensive workload in terms of data collection and coding allows to compile a unique dataset, capturing attention and change as well as party political positions on morality policies in four countries, over 20 years and for more than 30 political parties. I use a mixed-method approach,

Table 4.8 Summary statistics of the main variables

<i>Variable</i>	<i>N</i>	<i>Mean</i>	<i>Standard deviation</i>	<i>Min</i>	<i>Max</i>
<i>Dataset 1</i>					
Parliamentary attention opposition parties	1100	87.62	34.38	14	144
Extent of morality policy change	1370	0.17	0.56	0	2.99
Positional congruence (<i>Distance/P. Image</i>)	1283	0.59	0.37	0.08	1.56
Institutional venue	1370	0.19	0.15	0	0.51
Institutional hurdle	1370	0.47	0.10	0.27	0.69
Government constellation (religious-secular versus secular)	1370	0.60	0.49	0	1
Regulatory permissiveness	1370	5.06	1.41	2.38	6.98
<i>Dataset 2</i>					
Extent of morality policy change 2	78	1.23	0.60	1	3
Evolution of morality policy change	58	1.24	0.63	1	3
Evolution of morality policy change 2	58	0.14	0.35	0	1
Parliamentary attention opposition parties	78	68.27	37.29	0	144
Positional congruence (<i>Distance/P. Image</i>)	65	0.63	0.43	0.08	1.56
Institutional venue2	75	0.19	0.15	0	0.51
Institutional hurdle	78	0.48	0.11	0.27	0.69
Government constellation (religious-secular versus secular)	75	0.48	0.50	0	1
Regulatory permissiveness	78	4.63	1.57	2.38	6.98

Source PoliMoral. Unit of analysis in the dataset 1 is the country-initiative, in the dataset 2, it is the country-year

combining large-n quantitative analysis with in-depth qualitative analysis of key cases, to argue that issues related with religious values are used in a strategic way by minority parties in countries of the religious world. First, correlation analysis and basic statistical regression models are estimated to examine the main expectations. The first dependent variable, the aggregated engagement of opposition parties in morality policy politicization in parliament, ranges between a minimum value of 14 and a maximum value of 144 (see Table 4.8). Bivariate and multivariate correlation coefficients are estimated to receive a first overview at the aggregated level.

The second dependent variable, the extent of morality policy change observed for one country within a certain year, oscillates between values of 0 and 2.99. Ignoring the panel structure of the data, very basic OLS regression models are estimated in order to get a first grasp on the data. Next, the dependent variable is recoded into three different categories (no change, minor change, and major change) and it is later on also transformed by a time lag of five years in order to approximate more long-term consequences of parliamentary issue attention; the transformed variable thus approximates the evolution of morality policy change over time. The non-metric structure of this transformed variable is captured by an ordered logic model for panel data where the year is defined as a time variable and the country as a panel variable. In that realm, the dataset is also restructured in a later stage, in which country-years become the main unit of analysis instead of country-initiatives. The appropriate statistical modeling for such a complex dynamic relationships is still under discussion (Hall 2003; Loftis and Mortensen 2018). Therefore, the estimated regression coefficients require very careful interpretation and future examination, and the qualitative case studies are an essential element to trace the arguments in a valid and reliable way.

Besides these two dependent variables, summary statistics for the main independent and control variables are included in Table 4.8. The variable positional congruence is recoded for the analysis as “positional distance” which is the reciprocal value ($1-x$) of the original value. In other words, the data measure the average positional distance between governmental actors and policy initiators in terms of both morality policies. The higher the value, the stronger both actors disagree on the morality policy under consideration and the more likely it is that any dominant policy image is absent in the parliamentary arena of a country. The mean value of “positional distance” is 0.59. It oscillates between a minimum value of 0.08 and 1.56. The second intermediary variable “institutional venue” has a mean value of 0.19 and varies between values of 0.00 and 0.51. One may claim that the higher the value the more likely is a releasing force of additional political institutions because more institutional venues are de facto available.

Finally, summary statistics of the variable “institutional hurdle,” “government constellation (mixed or non-mixed)” as well as the variable “regulatory permissiveness” are presented. The variable “institutional hurdle” has a mean of 0.47 and ranges between 0.27 and 0.69.

For this indicator, one may argue that the higher the value the larger the blocking force of institutions characterizing a political system (i.e., second chamber, minority position of the government). The variable “government constellation” has a binary structure, coding whether a mixed coalition is ruling or not, the variable “regulatory permissiveness” captures the overall permissiveness of a country toward both morality issues. The minimum value is 2.38, while the maximum value is 6.98, meaning that both policies are regulated very permissively. The average value is 5.06, indicating that despite serious conflicts all four countries follow on average a relatively permissive approach toward moral questions (see for more details Chapter 5).

The quantitative analysis is complemented by an in-depth qualitative analysis of key cases. Hereby, the analysis of primary and secondary sources (e.g., plenary protocols, party manifestos), and interviews are the main method of uncovering the underlying causal mechanisms. Overall, five telephone interviews with different actors in the field of prostitution policy were conducted because here primary sources are difficult to access, particularly in retrospect. Instead of drawing a systematic sample of a larger population, I selected the experts on the basis of what they might know to help us fill in the pieces of the remaining puzzle, which is a common procedure for case study designs (Aberbach and Rockman 2002, 673). Nevertheless, I selected one expert for each key group of involved societal actors to do justice to the diversity of actors in the field (i.e., sex workers’ organizations, sex industry, and organizations of social workers working in the wider field of prostitution). In detail, this includes interviews with speakers of the two oldest sex workers’ organizations in Germany (i.e., *Hydra e.V.* and *Madonna e.V.*), an interview with the association of the German sex industry (*UEDG e.V.*), an interview with a representative of the *Deutsche Aidshilfe e.V.*, and lastly, an interview with a judge being involved with the landmark decision on prostitution policy in 1999 (i.e., *Berliner Verwaltungsgericht*). Most of these experts have been working for more than 15 years in the field and hence could provide valuable historical knowledge on the development and the main critical junctures of German prostitution policy.

In the pre-interview period, an introductory letter was prepared describing the research project, the time frame, and the key questions (Goldstein 2002, 671). The key questions defined the areas to be explored but left room to diverge in order to pursue an idea or response in more detail. This mix of open and closed questions allows to discover and elaborate on something that is important to participants but may not

have previously been thought of as pertinent. All interviews are audiotaped with a portable taping machine and a speakerphone and later on transcribed in line with the guidelines proposed by Dresing and Pehl (2011) (cf. Table A.3 in the Appendix).

NOTES

1. This pattern remains true in earlier years as well because all countries had somewhat higher level of religiosity, ranging from 16% of Germans to 28% of Spaniards (EVS 2016).
2. Within the group of explanatory factors, the operationalization of policy compensation effects lacks a larger elaboration because the study simply distinguishes here between issue attention on homosexuality or same-sex partnership rights and issue attention on prostitution policy or human trafficking.
3. A time lag of five years is chosen because in all four countries, the parliament is elected for four years only (Ismayr 2009), which means that policy responses have to be formulated by a newly elected government after a longer deliberation process. Moreover, the results of the analyses do not change substantially if we employ larger time lags (up to 10 years). The disadvantage of such an operationalization is, however, that we lose a large number of cases.
4. I assigned a country to this coding category when any law valid for a broader jurisdiction prohibited the purchase of sexual services for clients.
5. From a normative point of view, it is difficult to defend this hierarchical order, since pimps and procurers are important players in this policy field.
6. Recently, Chaqués Bonafont and Baumgartner (2013) have found evidence for Hallin and Macini's (2004) model in the Spanish case. The scholars compared issue attention and actor attention across the most popular national newspapers in Spain (*EP* and *EM*) without identifying differences in issue coverage or issue shifts across time. However, they did discover differences in actor attention. The left-wing newspaper *EP* focuses mainly on the Conservative Party, while the right-wing newspaper *EM* more often discusses the role of the PSOE.
7. An alternative coding procedure is the so-called political claim analysis (PCA) (Koopmans and Statham 1999). The main difference between CSA and PCA is that the latter focuses primarily on the claims of political actors (Helbling and Tresch 2011). Helbling and Tresch (2011, 181) present a neat example of the distinction. The sentence "Party X supports the European Constitution but opposes the EU accession of Turkey" does not qualify as a claim according to the PCA coding strategy because it is not clear whether the party has intentionally expressed this argument.

Empirically, the approaches are almost equivalent in the assessment of actor positions. However, there is a significant difference in terms of measuring an actor's issue attention because the empirical analysis in this study should not be limited to the strategic and intentional activity of governmental actors.

8. It is not necessary for the political actor to articulate a general position on prostitution or same-sex partnerships; rather, it is sufficient if any specific aspect of regulation is commented on (e.g., adoption rights, inheritance rights, and street prostitution).
9. Jahn (2010) has recently criticized the rough measurement of institutional veto points in previous studies, including a debate on the role of the second chamber.

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PART II

Religious-Secular Divide
and Politicization of Morality Policies



CHAPTER 5

The Rise and Fall of Morality Policies in Austria, Germany, Spain, and the Netherlands

In the following part two, the book explores the newly developed explanatory framework for understanding the interaction of *religion* and *morality policies* in the “religious world.” The *primary argument* finds large empirical support in the four countries under study (i.e., Austria, Germany, Spain and the Netherlands): If minority parties are able to challenge more powerful opponents on morality issues, they will politicize a topic in order to blame the government and disrupt existing power structures by driving a wedge between its members (either within one ruling party or between several ruling parties). Thus, two logics of wedge-issue competition are reflected in the data (supporting *expectation 1* and *expectation 2*). First, we observe that opposition parties politicize morality policies when intra-party conflict is high within a government party. Second, the analysis reveals an extraordinary parliamentary activity of opposition parties in times of mixed coalitions between religious and secular government partners, meaning in times of high inter-party conflicts between ruling partners. In addition, the Spanish case demonstrates an unexpected and novel logic of wedge-issue competition, aiming at divided minority governments and their ad hoc coalition partners. Finally, in contrast to previous research, the study also uncovers that not only secular opposition parties but also religious (niche) parties being in opposition politicize morality policies in some years more than in other years and, hence, seem to use issues related with religious values in a strategic way.

5.1 HISTORICAL REGULATION OF TWO MORALITY ISSUES

Before exploring the extent of morality attention in the four countries of the religious world, the regulatory history of the two morality issues in Europe are presented in detail (1960–2015). This helps us to understand politicization processes in later moments of time because party political behavior with regard to an issue might also be influenced by its country-specific legacy.

5.1.1 *Regulating Homosexuality and Same-Sex Partnership Rights*

At the international level, the regulation of homosexual conduct and same-sex partnerships is a comparably recent phenomenon. The European Union and its related institutions, such as the European Parliament, are forerunners in terms of anti-discrimination initiatives. The issue is part of the general debate on gender equality, which has found substantial support from the Member States and has been implemented via a variety of measures (Hennig 2012, 103), also reflected in countries of the “religious world.”¹ In the 1980s, equality between men and women stood at the center of debate, but later the call for equal rights for homosexuals emerged. The European Parliament is the most active European institution in this regard (*ibid.*, 104). In 1994, for instance, the parliament published a report (the “Roth Report”) on the legal situation of homosexual couples in all Member States and subsequently formulated a resolution on Equal Rights for Homosexuals and Lesbians in the European Union (European Parliament 1994, A3-0028/94). Moreover, the parliament requested that candidates for accession abolish laws discriminating against the rights of homosexuals (*ibid.*). Another milestone was the resolution on homophobia in Europe adopted in January 2005. The normative basis of all these measures has been Article 13 of the Treaty of Amsterdam, which empowers the European Union to “take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation” (Treaty of Amsterdam 1997, article 13, 97C/340/01).

The European Charter of Fundamental Rights of 2000 further extends the normative basis, with Article 21 prohibiting discrimination

on the basis of sexual orientation. The Charter became binding after the entry into force of the Lisbon Treaty on 1 December 2009. A substantial legal consequence is the Employment Equality Directive (2000/78/EC), which obliges all Member States to introduce legislation banning discrimination in employment on a number of grounds, including sexual orientation. Moreover, all countries wishing to join the European Union are obligated to introduce corresponding legislation (ILGA Europe 2013). The European Court of Human Rights (ECHR) has also become an active player in recent years. A few decades ago, entirely different patterns of regulation characterized the European landscape, but today, there is an unambiguous understanding of the need to eliminate discrimination.

Figure 5.1 presents the regulatory history based on data from the MORAPOL project, which were updated.² This project differentiates between three regulatory regimes: same-sex marriage, registered

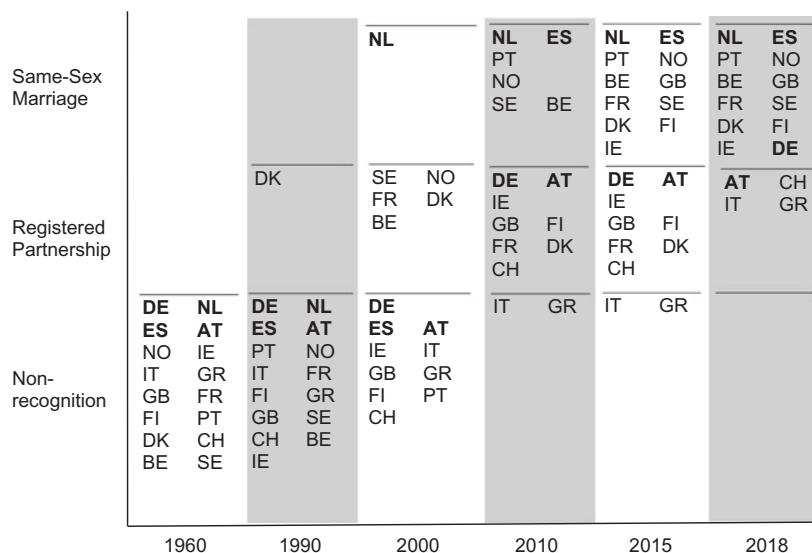


Fig. 5.1 Regulation of same-sex partnerships in Europe (1960–2018) (Source Based on Preidel (2015) in Knill et al. (2015)). N=16. Data Source MORAPOL. Germany (DE), the Netherlands (NL), Spain (ES) and Austria (AT) are marked in bold)

partnerships, and non-recognition (Preidel 2015). Until the early 1990s, most European countries did not recognize same-sex couples in any form. Thereafter, the regime of registered partnerships gained prominence, especially in the Scandinavian countries. Today, many Member States have implemented the most permissive regime, opening marriage to same-sex couples. The Netherlands and Spain are forerunners in that regard, while Germany and Austria have been resistant to adopt more liberal models for a long time as the following more detailed discussion complements.

5.1.2 *Spain*

Like many other European countries, until the mid-1970s, Spain had a tradition of severely punishing homosexuality (see for a summary Schmitt et al. 2013; López et al. 2007). In 1954, homosexuals were defined as criminals and punished in the same way as pimps (*Ley de Vagos y Malenantes*). The “Hazards and Social Rehabilitation” act (Law 16/1970) reformed the punishment of homosexual activities. Homosexual citizens were still sent to so-called reeducation camps, but it was no longer necessary to separate them from the other residents. However, they were still sanctioned with fines up to fifty thousand pesetas. In the transition period to democracy, the government decriminalized all acts of homosexuality (Law 77/1978) and passed further measures oriented toward abolishing discrimination against homosexuals in Spain (e.g., abolition of the “Public Scandal Article” of the Penal Code in 1988 and amendment of the Spanish Army Act (Law 8/1988)). Hence, during the 1980s, anti-discrimination rights reached the parliamentary agenda several times.

At the beginning of the 1990s, the first legislative bills on homosexual partnership rights emerged at the regional level. Paraphrasing López et al. (2007, 65ff.), Spanish homosexual rights organizations (*Colectivo Gai de Madrid* (COGAM) and later *Comité Reivindicativo y Cultural de Lesbianas* (CRECUL)) persuaded politicians in the regional parliament in Madrid to put forward two different legislative proposals on domestic partnerships in June 1993. In September 1993, a member of the parliament from the Catalonia Nationalist Party (CiU), Lluís Recoder, presented a parliamentary question to the Socialist government, asking for the regulatory recognition of non-married couples. The government answered that the issue was “sufficiently regulated” and that there was

no need to promote further legislation (*ibid.*, 66). López et al. (2007, 65f.) outline moreover: “In March 1994, the mayor of Vitoria (Basque Country), Mr. José Angel Cuerda, created the first register of ‘domestic partnerships’ in Spain, for both same sex and opposite sex partners.” Several city councils followed suit in the mid-1990s, creating registers for civil unions (Platero 2007, 331; López et al. 2007, 66).³

In the years that followed, several regional parliaments asked the national government to create a Domestic Partnership Law. Consequently, pressure to take action at the national level increased. Later on, in 1994, the Spanish Constitutional Court picked up the topic and “denied partnership rights to a widow who was not married to her partner,” a decision that triggered heated debates (*EP* 23.04.1994; López et al. 2007, 66). Ultimately, the socialist minister of social affairs Cristina Alberdi announced that she would promote a partnership law. Alberdi explained that her staff was already collaborating with several non-governmental (LGTB) organizations. However, she claimed, the time remaining before the next national election was probably too short to propose a bill (*EP* 24.10.1995); in the end, the law proposal expired before reaching the Council of Ministers (López et al. 2007, 67). The electoral victory of José Luis Zapatero in 2004 finally paved the way for a major reform: same-sex marriage including comprehensive family rights was permitted.

5.1.3 *Germany*

Like Spain, Germany had a rigid system of regulating homosexual behavior until the mid-1970s. Homosexual activity was prohibited and strictly punished. Especially during the dictatorship under Adolf Hitler, homosexuals were persecuted and sent to concentration camps. After the downfall of the Third Reich (1933–1945), the policy regime continued. In 1957, the Constitutional Court confirmed that homosexual conduct was immoral (*sittenwidrig*). Moreover, the court declared that the respective paragraph in the Criminal Code was not merely the legacy of the Nazi regime: Even in democratic times, homosexual conduct had been considered immoral behavior (BVerfG, 10.05.1957). In 1969, a much-needed reform was adopted by the West German parliament. The act prohibiting homosexual conduct was abolished and replaced with a new norm, a paragraph (§175 Criminal Code) stating that sodomy

between men was prohibited when one party was under 21 years of age; all other constellations between two partners were legal. In 1974, the parliament reduced the age of consent to 18 and changed the phrasing: The word “sodomy” (*Unzucht*) was replaced by the more neutral term of “sexual conduct” (*sexuelle Handlung*). Finally, in 1994, the criminalization of homosexual conduct was completely abolished. From that moment on, homosexual conduct was regulated via the same decrees and laws as heterosexual conduct. The Green Party and the PDS proposed the first legislative attempts with respect to homosexual couples in the early 1990s. However, these proposals lacked any regulatory consequences until 2001, when the new government coalition between the Social Democrats and the Greens took over and introduced the institution of registered same-sex partnerships. As the following chapters will illuminate, many small reform steps followed after 2001 in order to compensate for the rather limited social and family rights, and finally resulted in legalization of same-sex marriage in 2017.

5.1.4 *The Netherlands*

In comparison with Spain and Germany, the Netherlands has a relatively permissive regulatory history in terms of the regulation of homosexuality. Homosexual acts were decriminalized in 1811 when the country was integrated into the French Empire.⁴ In the 1970s, the topic reached the political agenda due to a discussion on more fine-graduated questions of the regulation, such as age limits. For instance, in 1971, the Dutch parliament equalized the minimum age for sexual conduct of homosexuals and heterosexuals (Waaldijk 2004, 438; Timmermans and Breeman 2012, 54). Thereafter, laws explicitly prohibiting the discrimination on the basis of sexual orientation followed in 1992 and 1994. As a next step, the Netherlands permitted the registered partnership for same-sex couples in 1995 and finally also the institution of same-sex marriage in 2000 (Waaldijk 2004, 438). In consequence, the Netherlands was the first country in Europe which offered full legal equality for same-sex couples. This reform process decreased but did not stop political attention because many problems regarding policy implementation required a more detailed debate (e.g., refusal of religious civil servants to marry same-sex couples) (Timmermans and Breeman 2012, 56).

5.1.5 *Austria*

Austria is “the regulatory laggard” in terms of same-sex partnership rights within Europe (besides Italy). Although the country ruled homosexuality in the 1970s similarly restrictive as Germany or Spain, Austria equalized age limits for homosexual acts and rights for homosexual couples much later in time. Homosexual acts were legalized in 1971 and minimum age limits equalized by a court decision in 2002. Not before 2009, however, the institution of registered partnerships was introduced. The law abandons legal discrimination in tax-, inheritance-, and social-law but contains discrimination in terms of artificial reproduction and adoption rights. This delay of regulatory reforms is very puzzling because the country received already in 2003 a complaint from the ECHR, arguing that non-married same-sex couples should have the same rights than non-married heterosexual couples (Case Kärner vs. Austria, 2003). The case received far-reaching national and international attention. But it took more than six years until the government coalition could agree on any consensus. Juridical pressure stimulated also further reform steps. Joint co-adoption for same-sex couples was ordered by the Constitutional Court of Austria in January 2015 and implemented via an administrative decree in January 2016 (DerStandard 14.01.2015). It also ordered the permission of same-sex marriage in December 2017, which is expected to be put into place in January 2019.

5.1.6 *Regulating Prostitution and Human Trafficking*

Generally, prostitution policy has a longer regulatory history than the field of same-sex partnership rights, and its regulation also deviates much more within Europe. Although within the “religious world”, we find many parallels. Prostitution is often called the “oldest profession” in the world. It is rooted in the discussion on slave trafficking, which emerged on the international agenda in the late nineteenth century (Outshoorn 2004, 7–8). Outshoorn, Joyce Victoria (2004, 8ff.) summarize nicely the developments after the First World War. There are two important conventions of the League of Nations: the Convention to Combat the Traffic in Women and Children (1921) and the International Convention for the Suppression of the Traffic in Women of Full Age (1933). The UN continued this tradition, passing a new Convention for the Suppression of the Traffic in Persons and of the Exploitation of the

Prostitution of Others in 1949 (UN 1949, 317 (IV)), which came into force in 1951. In contrast to the previous agreements, this convention was more precise with regard to the supply of sexual services. First of all, signees were asked to punish all procurers and pimps who exploited prostitutes, even with their consent (Article 1). Moreover, the managers of brothels profiting from prostitution were to be criminalized (Article 2) and any form of administrative provision regulating prostitution to be abolished (Article 6; United Nations 1949).

In the mid-1990s, a new trend in international agreements was visible. The Vienna Declaration on the Elimination of Violence against Women (1993) and the UN Beijing Conference's Platform for Action (1995) denounced forced prostitution and trafficking, but not prostitution per se. Accordingly, there were no clear-cut recommendations regarding voluntary prostitution (i.e., sex work). This trend continued with the UN Protocol on Trafficking (2000), a comprehensive international attempt to stop human trafficking. Again, the lack of recommendations regarding prostitution policy has facilitated divergent interpretations. Some organizations have argued that the protocol declares any migration that involves sex work to be trafficking and that all migrating sex workers are the victims of traffickers (Outshoorn 2004, 11). Other advocacy groups assert that the protocol intentionally does not regulate voluntary prostitution and therefore does not condemn prostitution as such. In this way, the UN Protocol has contributed to the conflation of trafficking in human beings and prostitution (Global Alliance against Traffic in Women 2013). Overall, the UN refrained from formulating clear recommendations regarding adult prostitution policy.

These findings coincide with the policy strategy at the European level, although the issue entered the political agenda much later. In 1986, the European Parliament adopted a Resolution on Violence against Women including references to prostitution policy (European Parliament 1986, A2-44/86). Article 54 of this resolution criticizes the condemnation and punishment of prostitutes when clients are not even stigmatized. Therefore, the document calls all Member States to decriminalize the exercise of prostitution, guarantee civil rights for prostitutes, and protect their independence, health, and safety (Article 55). However, these recommendations were not translated into binding rules. In other words, prostitution policy was left to the individual Member States, in line with the principle of subsidiarity (Outshoorn 2004, 12).

Human trafficking, in contrast, has been merged with issues such as illegal immigration and human smuggling and therefore falls under the

responsibility of the European Union. Several binding regulations have been adopted, including the Council Framework Decision (2002/629/JHA) of July 2002 on combating trafficking in human beings. The Council of Europe's Convention on Action against Trafficking in Human Beings adopted in 2005 constitutes another case in point (2005/C 311/01). The new Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims has replaced the Council Framework Decision of 2002. This directive declares that trafficking in human beings also covers trafficking for forced begging, for the exploitation of criminal activities, and for the removal of organs. It introduces higher penalties for traffickers and increased protection for victims (European Commission 2013).

In sum, the regulation of prostitution per se has been largely ignored by the EU and the UN, whereas related aspects such as human trafficking for sexual exploitation have been captured in several legal frameworks (Euchner and Engeli 2018). This might be one of the reasons why I find widely varying regulatory regimes in Europe as Fig. 5.2 displays for 16 European

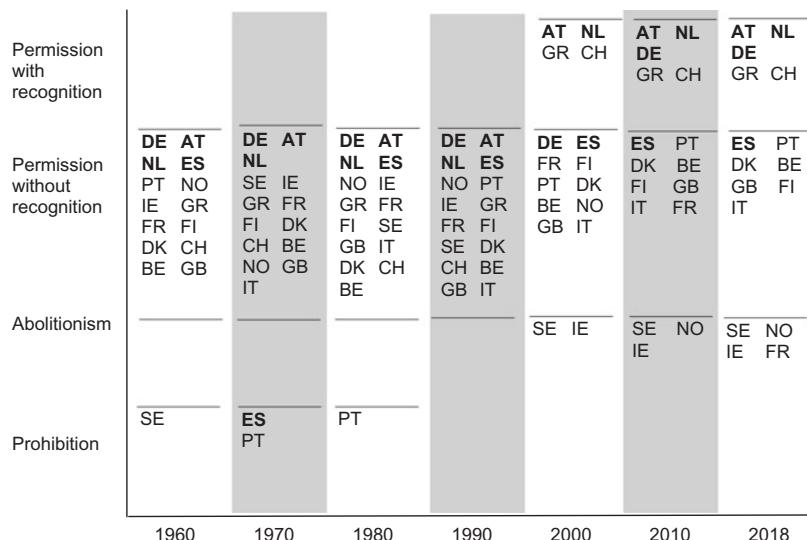


Fig. 5.2 Regulation of prostitution in Europe (1960–2018) (Source Based on Euchner (2015) in Knill et al. (2015). N=16. Data Source MORAPOL)

countries between 1960 and 2018. The data stem from the MORAPOL project and were up-dated until 2018. We differentiate between four regulatory regimes: prohibition, abolitionism, permission without recognition, and permission with recognition (Euchner and Knill 2015). Up through the 1990s, the number of regulatory regimes shrank; most countries decided to permit prostitution but refrained from recognizing the activity. Over the last decade, a trend of divergence is observable: Some countries have kept the same regime, while others have decided to follow either an abolitionist model (e.g., Sweden and Norway) or the regime of permission with recognition (e.g., Switzerland, Greece) (Euchner 2015). While Spain has maintained a regime of permission without recognition, the other countries under study (i.e., Austria, Germany and the Netherlands) adopted the most permissive model and now recognize prostitution as a “regular” activity as the following description outlines in greater detail.

5.1.7 *Spain*

During the dictatorship of Francisco Franco (1936–1975), brothels and related establishments were banned (Decree of March, 3 1956); pimps and traffickers were fined and sent to labor camps (Law 79/1961) (Schmitt et al. 2013; López et al. 2007). The “Hazards and Social Rehabilitation” act (Law 16/1970) of 1970 declared prostitutes to be dangerous for society and threatened them with reeducation camps. Alternatively, prostitutes could be sent into interior exile (Valiente 2004). In subsequent years, Franco increased fines and sanctions for pimps, traffickers, and owners of brothels. The situation of prostitutes remained unchanged. With the transition to democracy, the prostitutes’ situation improved considerably, as laws adopted during the dictatorship were abolished or no longer enforced. Offering sexual services was no longer considered dangerous for society as such. Nevertheless, the legal situation of prostitutes remained unclear and inconsistent due to a variety of local decrees (Consejo de Estado 2011, 11). The activity of third parties was still illegal and severely punished. This included the establishment of brothels or bars facilitating the supply and demand of sexual services. In the early 1990s, the issue again became a priority on the parliamentary agenda. The “Commission for the Investigation of Violence against Women” and the Women’s Institute, supporters of a pro-abolitionist approach, held large conferences on prostitution policy in 1994 and 1995 (López et al. 2007). The reform of the Penal Code in 1995 (Law 10/1995) changed

Spanish prostitution policy considerably. From that point on, facilitating the prostitution of third parties was no longer considered criminal behavior, except in the case of minors, disabled people, or forced prostitution. However, the legal situation of prostitutes remains unclear due to the contradictory regulatory setup (Consejo de Estado 2011).

5.1.8 *Germany*

Like Spain, Germany has a tradition of stigmatizing prostitution as asocial and immoral (*sittenwidrig*). In 1901, the *Reichsgericht* officially stated that prostitution contradicted public morality. This interpretation was valid until 2001 and declared any contract between prostitutes and clients to be “null and void” (Schmitter 2013, 23). Moreover, various regimes of registration, health checks and locational limitations restricted the purchase and offer of sexual services in West Germany. All prostitutes had to pay taxes, and procurers and pimps risked prosecution. In the 1970s, several large-scale brothels were established due to loopholes in the legal framework; however, the discrepancy between the societal and legal reality did not achieve priority in the German parliament until the 1990s. The first proposal on prostitution policy was put forward by the Green Party in 1990 (BT-Drs. 11/7140). In response, the ruling coalition of Christian Democrats and Liberals commissioned a group of scientists to conduct a study on the legal and social situation of prostitution (BFSFJ 1994). Other than this study project, the government refrained from adopting any substantial changes. With the governmental change in 1998, a policy window opened, facilitating paradigmatic policy change toward the regime of “permission with recognition”. This regime is valid until today, although the grand coalition specified in 2016 duties of sex workers and brothel managers (e.g., obligatory health checks, adjustments in terms of the minimum age, registration duty).

5.1.9 *The Netherlands*

As in the other countries, prostitution policy has a long regulatory history in the Netherlands. While prostitution was permitted already in the nineteenth century, the Morality Laws of 1911 criminalized prostitution besides other morality policies such as abortion and contraceptives (Outshoorn 2012, 234). Brothels were prohibited, pimps criminalized, but not the prostitutes, who were seen as “women in need

of redemption” (*ibid.*). In the 1960s, when secularization and modernizations led to the breakdown of pillarization (i.e., organization of the Dutch society along the cleavages of religion and class), abortion and contraceptives were legalized but the regulation on prostitution remained unchanged. After a long debate in the 1980s and early 1990s, the Netherlands lifted the ban on brothels, recognized prostitution as sex work, and delegated the regulation of the sex industry to the local level. In so doing, the Netherlands were again a forerunner in the regulation of a morality policy, by switching from a regulatory paradigm of “permission without recognition” to the regulatory regime of “permission with recognition”. Like Germany, the Dutch government discusses nowadays registration duties of sex workers and a new age limit of 21 years.

5.1.10 Austria

Austria is the third country within the sample which switched from a relatively restrictive legal status quo to the most permissive regime of “permission with recognition”. Until the 1970s, the “law against vagrancy” from 1885 classified prostitution as “morally wrong” activity. In 1973, the Constitutional Court ruled the law as unconstitutional (Sauer 2004, 41–45). The government picked up this complaint in the comprehensive reform of the Penal Code in 1975. The new Penal Code no longer considered prostitution as criminal activity but as “illicit sexual acts in public” (§ 219), prohibiting soliciting (§ 219) and pimping (§ 216). In 1985, the Ministry of Finance reformed the tax law and obligated sex workers to pay taxes. This changes stimulated a debate on the recognition of prostitutes as “regular workers” as they were forced to pay taxes but not eligible to apply for a “business licence”, nor were they granted access to the social security system. After a long and conflictive debate (Sauer 2004, 53–54), the national parliament reformed the social insurance law for private enterprises, allowing also sex workers to enroll in the public insurance system (December 1997). In contrast to Germany and the Netherlands, Austria started the reform process already in the 1980s and adjusted prostitution policy in a piecemeal approach resulting, however, in a similarly permissive policy regime.

In sum, the legacy of both issues in the four countries of the religious world are more similar than one might have expected in the first place. The central exception is the regulation of homosexuality policy in the Netherlands and to some extent the problematization of prostitution

policy in Spain in the early 1990s. Except for the Netherlands, all three countries had criminalized homosexuality policy until the late 1960s or early 1970s and thereafter followed a piecemeal approach of legalization until the early 1990s. As the dictatorship in Spain under Francisco Franco stopped in 1975, it allowed Spain to follow a similar liberalization process with regard to homosexuality policy as other countries with a longer democratic history. In all three countries, the legacy of prostitution policy is characterized by vague legal guidelines, officially not criminalizing prostitution but stigmatizing severely for many years. While in the early 1990s, prostitution started to be problematized in Spain as an issue of immigrants or asylum seekers, in the other countries, the issue was debated as a negative side effect of poverty as well as the result of old-fashioned sex morals among the political elite. In consequence, the policy legacy is comparably similar in all four countries of the religious world, except for two cases which should be taken in mind when aiming to understand parliamentary attention patterns in more recent times (1994–2014).

5.2 PATTERNS OF MORALITY POLICY ATTENTION IN PARLIAMENT

How did morality policy attention pattern look like in the religious world? Figure 5.3 summarizes the annual number of morality policy initiatives proposed in all four countries and over a time frame of 20 years (1994–2014). The figure on the left-hand side displays the aggregated

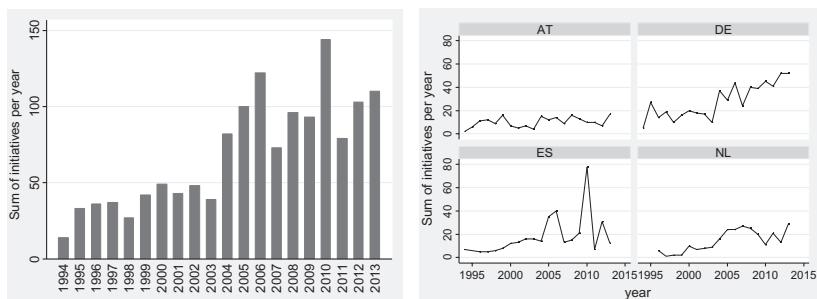


Fig. 5.3 Morality policy politicization across country and time (1994–2014) (Source PoliMoral. N=1370. AT=Austria, DE=Germany, ES=Spain, NL=Netherlands)

number of initiatives proposed per year and across all four countries. The amount ranges from about 20 annual initiatives to more than 140 initiatives per year. In total 1370 parliamentary initiatives were proposed: 617 are concerned with the governance of homosexuality and same-sex couples, while 716 proposals deal with problems related to prostitution policy (e.g., rights for sex workers, human trafficking, and forced prostitution). Parliamentary issue attention is rather moderate during the 1990s and early 2000s but increased substantially in the last ten years. This trend is observable in both morality policy fields and remains roughly stable when disaggregating the data by country (right-hand Fig. 5.3). Both, in Germany and Spain, issue attention is particularly high from the mid-2000s onward, while in the Netherlands attention increases but to a more moderate extent. In Austria, however, issue attention is much lower and increases only slightly in the last years. Intuitively, one might argue that the different number of MPs in each parliament explains the variance because the measure of issue attention includes not only legislative proposals being initiated by party groups but also specific initiatives being proposed by individual MPs (e.g., written questions or oral questions). In others words, one may argue that issue attention in Germany is very high because the German Bundestag has the largest number of MPs.⁵ At a second glance, however, it becomes clear that the number of MPs is not a reasonable explanation: It does not clarify why Germany has similar low levels of attention in the 1990s as the other countries and how the Spanish parliament was able to come up with the largest number of initiatives in 2008 across all countries. One final point, the book does not aim to explain differences in the number of parliamentary initiatives across countries. Instead, the major aim is to understand whether issue attention within one of these countries is stimulated by similar dynamics of party competition.

Who is responsible for these peaks of issue attention? Which parliamentary parties are most engaged in putting these morality policies onto the parliamentary agenda? And do we find systematic differences between religious and secular actors? Figure 5.4 (left-hand side) groups parliamentary proposals by political party and party family (secular parties, religious parties or a combination of both). Secular actors submitted the largest number of initiatives over time. With about 913 proposals, they are responsible for 68% of all initiatives tabled between 1994 and

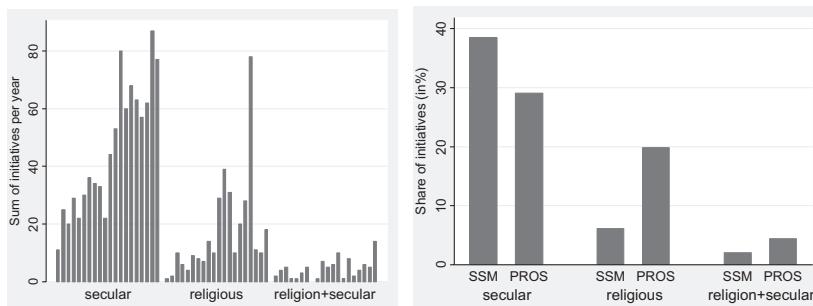


Fig. 5.4 Politicization pattern across actors and type of policy (1994–2014) (*Source* PoliMoral. Left-hand figure: n1 = 1348 (22 non-partisan initiatives are excluded). Right-hand figure: n2 = 1333 = 100% (37 unclear initiatives are excluded). SSM = Rights of single homosexual individuals and couples, PROS = Prostitution policy, including regulation regarding sex-work, human trafficking and forced prostitution)

2014. Religious actors submitted 345 parliamentary initiatives, representing about 26% of all initiatives. Shared initiatives by secular and religious actors are rare (90 initiatives in total, representing about 7% of all initiatives). The extraordinary engagement of secular political parties goes in line with previous studies and arguments in the literature on Christian Democracy and morality policy politicization (Engeli et al. 2012; van Kersbergen 2008).

Finally, one may ask whether there is a difference between the two morality policies under consideration. Figure 5.4 on the right-hand side displays the sum of initiatives proposed by either secular, religious or a conjunction of both actors in the last 20 years and differentiates between two policy fields. The previously observed pattern of increasing engagement of secular parties remains constant across both morality policies. However, it is more distinct in the field of same-sex partnership rights. In the latter field, almost 40% of all initiatives are proposed by secular actors (about 500), whereas religious actors are responsible for about 5% and coalitions of both actors for no more than 3% of all initiatives. The difference between religious and secular actors is less significant when it comes to the topic of prostitution policy: whereas religious actors put forward about 20% of all morality policy initiatives (around 250 proposals), secular actors proposed about 30% of all initiatives (around 400 initiatives).

A more detailed analysis reveals that religious actors are particularly concerned with the problem of human trafficking and forced prostitution: about 200 initiatives—which is 80% of all proposals on prostitution policy put forward by religious actors concerning the latter aspects. In sum, secular actors still remain the dominant initiator in this policy field when focusing on sex work; but religious political parties are also active, especially regarding questions relating to clear criminal activity.

5.3 BLAMING RELIGIOUS GOVERNMENTS BY INTENSIFYING INTRA-PARTY CONFLICT

Having the politicization pattern and dominance of certain partisan actors in mind, the question is how can we explain the variance across time and political actors? Which factors drive the politicization of morality policies in secular times? This book expects first (*expectation 1a*) that intra-party conflict on morality policies within religious government parties motivates opposition parties to increase parliamentary issue attention. In other words, parliamentary issue attention should be particularly high in moments in which a religious party governs and seriously disagrees on policy solutions related to morality issues. The underlying logic relies on the idea of wedge-issue competition (cf. Van de Wardt et al. 2014; Leege et al. 2002; Riker 1986): with the politicization of morality issues, minority parties are able to intensify the conflict within the government party which in turn weakens the problem solution capacity of the government and its general reputation.

One may question whether members of religious mass parties disagree at all on morality policy solutions and whether these conflict levels changed in the last 20 years. Unexpectedly, I find considerable disagreement on morality policy solutions and a changing pattern over time, not only within religious mass parties but also among party members of the main secular party in continental Europe. Figure 5.5 illustrates the average extent of intra-party conflict on both morality policies separately by religious (dark gray) and secular mass parties (light gray) for the whole period of investigation and across all four countries (1994–2014). The underlying dataset is unique in its form and comprehensiveness as it is based on the analysis of 504 newspaper articles and 921 actor–object relations coded for all countries (cf. Chapter 4 for more details on the so-called core-sentence approach [Kriesi et al. 2012]). Up to three

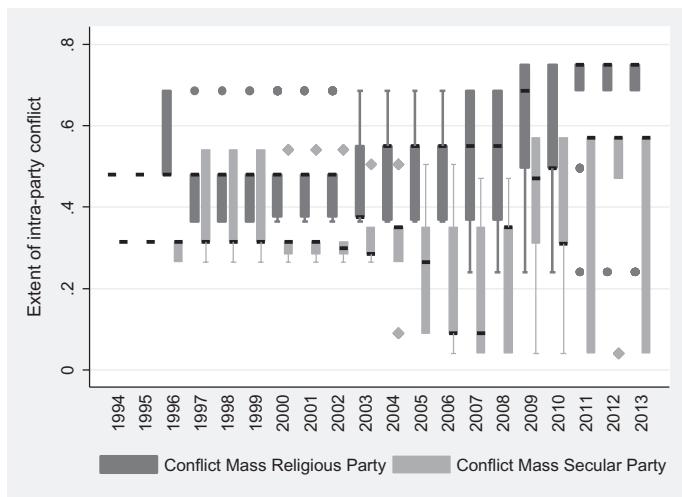


Fig. 5.5 Development intra-party conflicts on morality policies across mass parties (1994–2014) (*Data PoliMoral. N=1370*). Based on the analysis of 504 newspaper articles and 921 actor-object relations across all four countries and the main religious parties (i.e., CDU/CSU, CdA, ÖVP, PP) and the main secular parties (i.e., SPD, PvdA, SPÖ, PSOE). Minimum = 0.0 (low conflict level), maximum = 1.0 (high conflict level))

different time periods are coded for each country in order to consider positional adjustment of political parties over time (in a distance of about five to ten years). The values range between 0.0 and 1.0; the higher the value, the stronger the conflict within the party. I observe that the average extent of intra-party conflict varies over time and later on also across the country sample, indicated by the growing length of the box plots. In detail, the average conflict level of both religious and secular mass parties has increased since the early 2000s, respectively, the late 2000s. While the median of intra-party conflict of religious parties was about 0.50 in the 1990s, it increased up to about 0.70 in the last years. The median value for secular mass parties was about 0.30 in the early 1990s and increased up to 0.55 in the late 2000s. In consequence, mass religious parties are on average more divided on morality policies than secular mass parties. Moreover, I observe variance across time which may have influenced opposition parties and their parliamentary behavior.

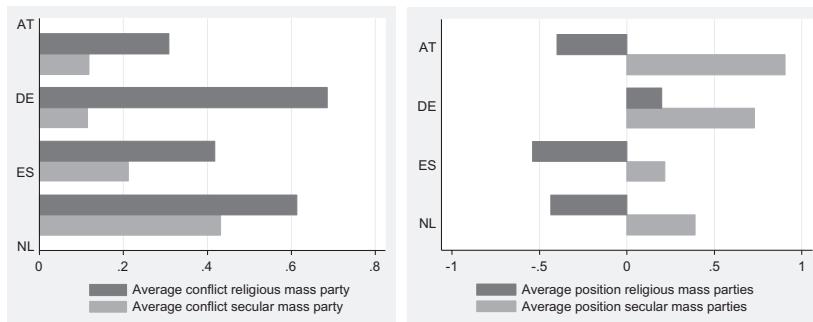


Fig. 5.6 Intra-party conflict and issue position of mass parties across countries (1994–2014) (*Data PoliMoral*, $N=1370$). Based on the analysis of 504 newspaper articles and 921 actor-object relations across all four countries and the main religious parties (i.e., CDU/CSU, CdA, ÖVP, PP) and the main secular parties (i.e., SPD, PvdA, SPÖ, PSOE). Minimum = 0.0 (lowest conflict level), Maximum = 1.0 (highest conflict level)

These differences in intra-party conflict between religious and secular mass parties are still visible when disaggregating the data by country (see left-hand Fig. 5.6). In all four countries, religious mass parties suffer from more serious conflicts (dark gray bars) than secular mass parties (light gray bars). Intra-party conflict is highest in the German Christian Democratic Union. Next, the Dutch Christian Democrats (CdA) follows, then the Spanish Conservative Party (PP) and finally, the Austrian Christian Democrats (ÖVP) with a conflict level of about 0.30. The average issue positions of all religious and all secular mass parties in continental Europe point into the same direction (see Fig. 5.6). It means, all secular mass parties prefer more permissive regulatory steps with regard to morality policies (light gray bars), whereas mass religious parties opt for more restrictive solutions or even the containment of the legal status quo (dark gray bars). The only exception in that regard is the German Christian Democratic Union which has on average a slightly positive position with values of around 0.2 but coping similarly with relatively serious internal conflicts of an average value of 0.65 (cf. left-hand Fig. 5.6).

Having these different levels of intra-party conflict especially for religious mass parties in mind, the question is whether this variance drives parliamentary attention on morality policies in the four countries. Are opposition parties prone to politicize morality in times of high

intra-party conflict of religious government parties (*expectation 1a and 1b*)? And do we find any difference in engagement between religious and secular opposition parties during such legislative periods (*expectation 3a and 3b*)?

For exploring these questions in more detail, summary statistics and different correlation tests are calculated for each of the expectations. Table 5.1 summarizes the relative and total amount of initiatives proposed by opposition parties over the different conflict levels of religious government parties. The engagement rate of opposition parties

Table 5.1 Correlation analysis of intra-party conflict and opposition's engagement

		<i>Level of intra-party conflict with religious government parties</i>				
		<i>Very low</i>	<i>Low</i>	<i>High</i>	<i>Very high</i>	<i>Total</i>
Engagement rate of opposition parties (per year)	<30 Initiatives (%)	0	50	50	0	100
		0 (1)	8 (8.9)	8 (3.5)	0 (7.9)	16 (21.3)
	<60 Initiatives (%)	0	59.74	36.36	3.90	100
		0 (9.9)	92 (145.7)	56 (6.3)	6 (64.4)	154 (226.4)
	<90 Initiatives (%)	6.29	9.09	27.27	57.34	100
		9 (0)	13 (6.5)	39 (0.1)	82 (1.9)	143 (8.5)
	<120 Initiatives (%)	9.87	3.29	15.79	71.05	100
		30 (5.6)	10 (37.2)	48 (12.2)	216 (29.1)	304 (84.1)
	>120 Initiatives (%)	7.08	8.85	34.51	49.56	100
		8 (0.1)	10 (5.4)	39 (3.1)	56 (0)	113 (8.6)
	Total (%)	6.44	18.22	26.03	49.56	100
		47	133	190	360	730 (349)
		(16.6)	(203.8)	(25.3)	(103.3)	
Pearson's chi ² (12)=348.96***						
Spearman's $\rho=0.37^{***}$						
Cramer's $V=0.40$						

Note Row percentages in bold, estimated data in brackets, empirical observation without brackets.
*** = p -value < 0.01, * = p -value < 0.10. $N=730$. Data PoliMoral

is measured as the sum of initiatives supported per year (minimum=7, maximum=144) and re-classified into five categories ((1)<30 initiatives per year, (2)<60 initiatives per year, (3)<90 initiatives per year, (4)<120 initiatives per year and (5)>(more) than 120 initiatives per year). The variable average “intra-party conflict of religious parties” ranks between 0.24 (minimum) and 0.75 (maximum). The variable is re-categorized into four classes ((1) very low values<0.30, (2) low values<0.45, (3) high values<0.60, and (4) very high values>0.60). The sample size shrinks to 730 parliamentary initiatives because only in a limited number of years religious parties formed the government.

The correlation analyses widely confirm a strong relationship between opposition parties’ engagement and the level of intra-party conflict. The chi-square test is highly significant (p -values of <0.01). Cramer’s V has a value of 0.40 confirming a strong relationship.⁶ A brief look at the summary statistics point into the same direction (see last row “Total”): We observe that the relative amount of initiatives proposed increases with the conflict level. In times of very low conflict, 47 initiatives were tabled and, hence, only 6% of all initiatives. In moments of very high conflict, 360 initiatives were put forward and, hence, almost 50% of all proposals. In consequence, the null-hypothesis that the two variables—engagement of opposition parties and extent of intra-party conflict within a religious government party—are completely independent from each other has to be rejected. On the contrary, there seems to be a close association between the two variables, indicated in addition by a highly significant Spearman’s correlation coefficient $\rho=0.37$ (p -value of <0.01).

The following Fig. 5.7 visualizes the main results of the correlation analysis: the left-hand side figure contrasts the engagement rate in times of very low intra-party conflict (dark gray circle) with the engagement rate in times of very high intra-party conflict (light gray triangle) across an increasing number of annual initiatives (divided into 5 classes). I observe that the difference in the relative engagement rate increases over the classes of initiatives. In other words, in times of very low intra-party conflict, the engagement rate remains relatively low across all the five classes of annual initiatives, while the engagement rate increases with the classes when intra-party conflict is very high. The right-hand Fig. 5.7 offers a simpler graphical interpretation by illustrating the average distribution of the extent of intra-party conflict (unclassified) across the different classes of annual initiatives. It is clearly visible that the median value of intra-party conflict is much lower in years in which relatively few

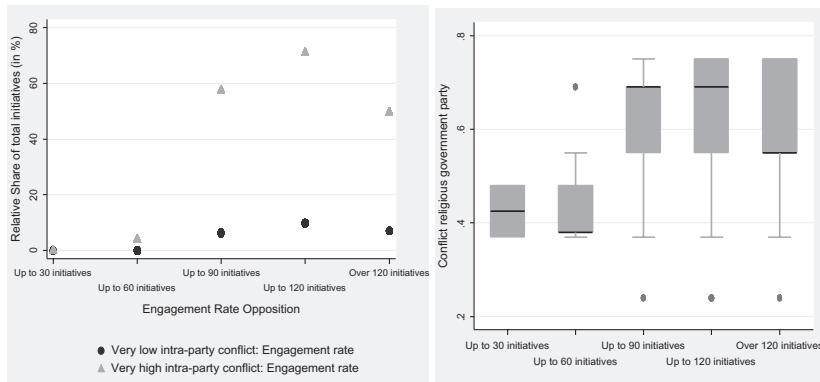


Fig. 5.7 Intra-party conflict religious mass parties and opposition's engagement (*Data PoliMoral*)

initiatives were proposed (e.g., up to 30 initiatives or up to 60 initiatives), while the median of intra-party conflict increases with the annual number of initiatives.

An additional test for expectation 1a is conducted in order to exclude any influence from a secular government partner potentially increasing the overall conflict in the government. In consequence, correlation tests are calculated for instances in which religious mass parties are governing alone or without any partner having secular roots. In other words, conflict levels are considered exclusively for moments of non-mixed government coalitions or single party government presented by mass religious parties. Given that country-years with mixed coalitions prevail and some country-years are excluded due to data availability problems, the number of initiatives reduces to 93. However, even under this constellation, the chi-square test between opposition's engagement in issue politicization and intra-party conflict of religious government parties is positive and highly significant ($p\text{-value} < 0.000$). Cramer's V is extremely high with a value of 0.83 and Spearman's Correlation coefficient remains similarly strong with a value of 0.37. In sum, expectation 1a receives strong empirical support based on these correlation analyses.⁷

The next question is whether there is any difference in issue politicization between single opposition parties? Expectation 3a and 3b in Chapter 3 propose that not only secular opposition parties (mass and

niche parties) have an incentive to politicize morality issues in times of high intra-party conflict of religious government actors but also small religious parties. Secular opposition parties may follow a wedge-issue competition strategy because they aim to challenge the “unsecular” approach of religious mass parties. They intend to uncover that religious values still influence the behavior of religious mass parties and, hence, gain the support of the large number of secular median voters in the next election (Engeli et al. 2012, 13; Kalyvas and van Kersbergen 2010, 204). Small religious parties, by contrast, may increase parliamentary attention on morality policies in order to send positive signals to the “remaining” religious electorate, and particularly to those who traditionally voted for the Christian Democrats, and now feel disregarded by their “unsecular” signaling. Particularly in the religious world, we should dispose of a comparably large religious minority and this minority should be silently supported and understood by a large number of passive citizens (cf. Davie’s 2007 concept of “vicarious religion”).

The first correlation analysis reveals that secular opposition parties are in fact more engaged in times of divided religious government but small religious parties are not systematically more active. Tables 5.2, 5.3 and Fig. 5.8 provide summary statistics, results of correlation tests and a visualization of the relationship between levels of intra-party conflict and engagement rates of secular mass parties, respectively, religious niche parties. The tests include the same re-classified dependent variable as described above, and re-classifies the engagement of secular opposition parties and small religious opposition parties again into five categories. Overall, the analysis includes 609 instances when focusing on all secular opposition parties and 413 cases when analyzing the behavior of small secular niche parties. The summary statistics in Table 5.2 and the visualization of them in Fig. 5.8 indicate clear descriptive support of expectation 1b. The chi-square test for the relationship is highly significant (p -values of < 0.01). Cramer’s V has a value of 0.41 confirming the strong relationship. A brief look at the summary statistics point into the same direction (see last row named “Total”): We observe that the relative amount of initiatives proposed by secular opposition parties increases with the conflict level. In times of very low conflict, only 36 initiatives and thus 5.9% of all initiatives were tabled, whereas in moments of very high conflict 301 initiatives and, hence, about 50% of all proposals were put forward. In consequence, there seems to be a close association between the two variables. In addition, the Spearman’s correlation coefficient ρ is highly

Table 5.2 Correlation analysis of intra-party conflict and engagement of secular opposition

		<i>Level of intra-party conflict with religious government parties</i>				
		<i>Very low</i>	<i>Low</i>	<i>High</i>	<i>Very high</i>	<i>Total</i>
Engagement rate of secular opposition parties (per year)	<30 Initiatives (%)	0	38.46	61.54	0	100
	<60 Initiatives (%)	0 (0.8)	5 (2.5)	8 (6.7)	0 (6.4)	13 (16.4)
	<90 Initiatives (%)	0	62.02	37.21	0.78	100
		0 (7.6)	80 (123.0)	48 (7.0)	1 (61.8)	129 (199.4)
	<120 Initiatives (%)	6.84	10.26	22.22	60.68	100
		8 (0.2)	12 (4.9)	26 (0.5)	71 (3.0)	117 (8.5)
	>120 Initiatives (%)	8.47	4.03	14.52	72.98	100
		21 (2.7)	10 (29.7)	36 (11.7)	181 (27.8)	248 (72.0)
	Total (%)	5.91	19.21	25.45	49.43	100
		36 (11.5)	117 (164.9)	155 (30.5)	301 (99.2)	609 (306.0)
Pearsons chi ² (12)=305.97***						
Spearman's $\rho=0.37^{***}$						
Cramer's $V=0.41$						

Note Row percentages in bold, estimated data in brackets, empirical observation without brackets.
*** = p -value < 0.01, ** = p -value < 0.50, * = p -value < 0.10. N=609. Data PoliMoral

significant ($\rho=0.37$, p -value of <0.01). Figure 5.8 summarizes these findings visually: In times of low levels of intra-party conflicts, we see a minor increase in opposition's engagement in morality issues, while in times of high conflict the engagement rates are very high. The correlation test for secular niche parties is similarly clear-cut and strong (see Table A.7 in the Appendix).

Finally, I take a look at expectation 3b and the role of small religious actors (i.e., religious niche parties). The analysis is limited to the Netherlands and Austria exclusively because Germany and Spain lack small religious niche parties being represented in the national parliament

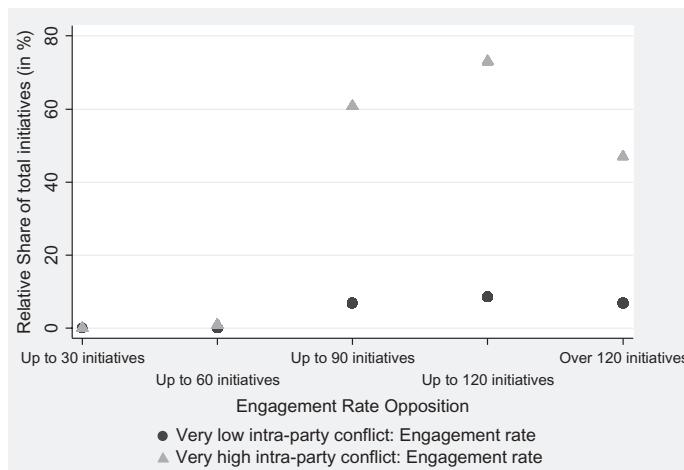


Fig. 5.8 Intra-party conflict and engagement secular parties (*Data PoliMoral*)

and competing directly with the large religious party (at least until 2014).⁸ Therefore, the study sample includes only 43 cases, requiring thus a very careful interpretation. The statistical analysis uncovers an unstable and less systematic relationship between the level of intra-party conflict of religious government actors and the engagement of small religious opposition parties. While the chi-square test is significant and Cramer's V with a value of 0.67 relatively high, Spearman's correlation test is non-significant and with a value of 0.11 relatively low (see Table 5.3). In other words, at least at a first glance, the politicization behavior of small religious parties seems not to be systematically stimulated by the internal conflict of its main competitor.

In sum, expectation 1, 1a, and 3a receive relatively strong empirical support from these first correlations tests, whereas expectation 3b has to be taken with caution. More generally spoken, morality policy politicization in parliaments of the religious world seems to follow a “classical” logic of wedge-issue competition known from the US context: opposition parties prioritize public policies that are highly likely to internally divide a governmental party. Morality policies and thus issues related to religious values and norms are not constantly high on the political agenda in the religious world. Instead, they are salient in parliament only in particular moments. These moments have in common that

Table 5.3 Correlation analysis of intra-party conflict and engagement of small religious opposition

	<i>Level of intra-party conflict with religious government parties</i>					
	<i>Very low</i>	<i>Low</i>	<i>High</i>	<i>Very high</i>	<i>Total</i>	
Engagement rate of small religious opposition par- ties (per year)	<30 Initiatives (%)	0	100	0	0	100
		0 (0.8)	3 (7.6)	0	0 (1.5)	3 (9.9)
	<60 Initiatives (%)	0	87.50	0	12.50	100
		0 (2.0)	7 (14.2)	0	1 (2.3)	8 (18.6)
	<90 Initiatives (%)	20	0	0	80	100
		1 (0.1)	0 (1.2)	0	4 (0.8)	5 (2.0)
	<120 Initiatives (%)	36	0	0	64	100
		9 (1.1)	0 (5.8)	0	16 (0.8)	25 (7.7)
	>120 Initiatives (%)	50	0	0	50	100
		1 (0.5)	0 (0.5)	0	1 (0.0)	2 (0.9)
	Total (%)	25.58	23.26	0	51.16	100
		11 (4.4)	10 (29.2)	0	22 (5.5)	43 (39.1)
Pearsons chi ² (8)=39.1300***						
Spearman's $\rho=0.11$						
Cramer's $V=0.67$						

Note Row percentages in bold, estimated data in brackets, empirical observation without brackets.
 *** = p -value < 0.01, ** = p -value < 0.50, * = p -value < 0.10. N=43. Data PoliMoral

they are attractive in terms of electoral competition for opposition parties because the main competitor (government) is particularly vulnerable. The vulnerability results from intra-party conflicts (i.e., conflicts within one government party) and thus, a logic of wedge-issue competition known from US election campaigns (Leege et al. 2002; Adams 1997). Second, in line with the literature, I observe that secular opposition parties are key-drivers of these politicization processes in the religious world but religious niche parties not necessarily follow an “unsecular approach” as they also contribute to the politicization of morality issues, but not in a similarly systematic way as secular opposition parties in times of high intra-party conflicts in the government. The following part will deal with the question of whether structural features specific for party systems in Europe (i.e., coalition governments) stimulate a particular dynamics of wedge-issue competition beyond the one known from the US context.

5.4 BLAMING RELIGIOUS-SECULAR COALITIONS BY STIMULATING INTER-PARTY CONFLICT

In countries of the religious world in Europe, I expect opposition parties to be particularly active in times of mixed coalitions between secular and religious partners because then morality issues can easily divide government partners (*expectation 2*). This in turn allows opposition parties to blame them as being incompetent or ineffective with regard to the solution of important public problems.⁹ Figure. 5.9 provides a first descriptive account of the engagement rates of opposition parties over all government coalitions between 1994 and 2014 ($N=793$). Overall, opposition parties politicize morality policies more often in times of mixed coalitions than under alternative government constellations. This difference is particularly strong in the last ten to fifteen years, while it was less prominent in the early 1990s. In some years of such mixed

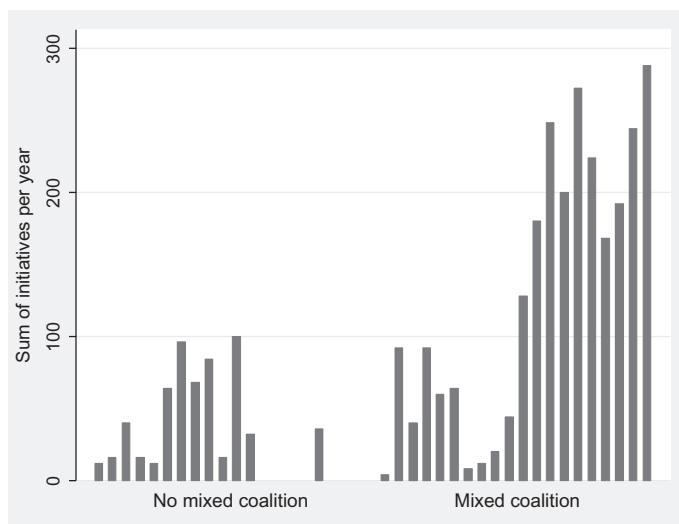


Fig. 5.9 Engagement of opposition parties over government coalitions (1994–2014) (*Comments* Distribution of government formats: no mixed coalitions $n=37$ country years, religious-secular coalition $n=23$ country years. Total initiatives of the opposition $n=793$. Other opposition parties include religious parties but also non-partisan actors (e.g., expert commissions). *Data PoliMoral*)

government coalition up to 300 proposals were tabled. The maximum number of initiatives is with 100 annual proposals much lower in years of non-mixed coalitions. One may argue that the variation results from the difference in country-years included in the data sample for coalitions formed by secular and religious parties (in total 37 country-years) and other government constellations (in total 23 country-years). However, when I standardize the total number of initiatives by these country-years, the difference in issue politicization remains true over the two government constellations: In times of mixed government, 17 initiatives would be proposed per year, while under other government formats about 6 annual initiatives would be tabled.

Second, the correlation analyses widely confirm the strong relationship between opposition engagement and the type of government coalition (see Table 5.4).¹⁰ From the total amount of initiatives, about 80% are proposed under a mixed government coalition, whereas 20% of all initiative is tabled under a non-mixed coalition. The chi-square test

Table 5.4 Correlation analysis of opposition's engagement and coalition type

	<i>Coalition between religious and secular actors</i>		
	<i>Not mixed</i>	<i>Mixed</i>	<i>Total</i>
Engagement rate of opposition parties (per year)	<30 Initiatives (%)	27.27	72.73
	<60 Initiatives (%)	6 (0.9)	16 (0.2)
		51.81	48.19
	<90 Initiatives (%)	100 (113.9)	93 (26.1)
		16.13	83.87
	<120 Initiatives (%)	25 (0.5)	130 (0.1)
		2.58	97.42
	>120 Initiatives (%)	8 (43.0)	302 (9.9)
		7.96	92.04
	Total (%)	9 (6.9)	104 (1.6)
		18.66	81.34
		148 (164.9)	645 (37.8)
			793 (202.8)
Pearsons $\chi^2(4)=202.79^{***}$			
Spearman's $\rho=0.42^{**}$			
Cramer's $V=0.51$			

Note Row percentages in bold, estimated data in brackets, empirical observation without brackets. N=793. *** = p -value < 0.01, ** = p -value < 0.50, * = p -value < 0.10. Data PoliMoral

is highly significant (p -values of <0.00) and Cramer's V has a value of 0.51. In addition, the Spearman's correlation coefficient ρ for the interaction between opposition parties and mixed coalition governments is highly significant ($\rho=0.42$, p -value of <0.01). In consequence, the null-hypothesis that the two binary variables—engagement of opposition parties and government constellation—are completely independent from each other has to be rejected. On the contrary, there seems to be a close association between the two variables. Furthermore, Table 5.4 indicates that the difference in the relative share of opposition party engagement increases with the size of the class of initiatives. Figure 5.10 displays this relationship visually: While the second class of initiatives (less than 60 but more than 30) is equally prominent in times of mixed as well as of non-mixed coalitions, the following classes prevail in times of mixed coalition. In other words, the larger the proportion of initiatives opposition parties propose on an annual basis, the more likely it is that the government is formed by secular and religious political agents.

From the literature, we know that secular opposition parties should be particularly active in politicizing morality issues because reform requests generally ask for a more liberal regulatory approach, fitting with their

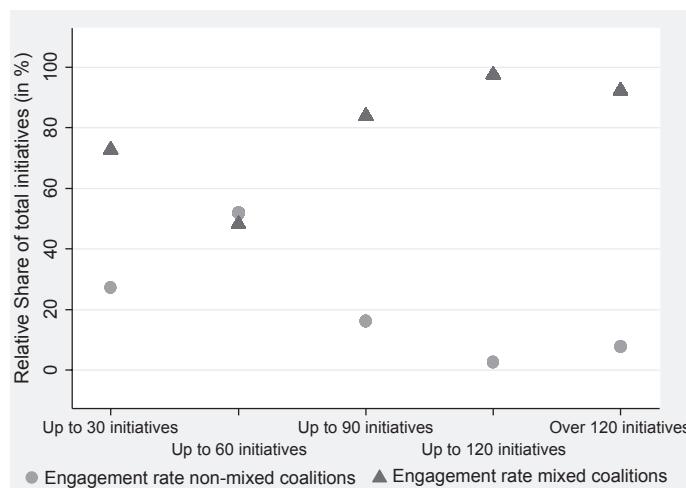


Fig. 5.10 Engagement rate of opposition parties over coalition types (Note N (total)=793. N (not mixed)=148, N (mixed)=645. Data PoliMoral)

policy aims, at the same time allowing them to criticize the “unsecular” approach of Christian Democrats (van Kersbergen 2008). However, does this logic hold true across different government coalitions? And what about religious niche parties? Especially in the religious world, one would expect the upholding of religious values an attractive party competition strategy (cf. expectation 3a and 3b in Chapter 3). For exploring these questions in more detail, two different types of operationalization of the engagement of different opposition parties are used: (1) In line with the previous approach, a count variable is calculated assessing the number of parliamentary initiatives proposed per year by secular opposition parties on the one hand (minimum=7, maximum=144), and the number of initiatives proposed by all religious opposition parties (minimum=27, maximum=144) and religious niche parties exclusively on the other hand; (2) A binary variable is calculated indicating whether a parliamentary initiative is proposed by either secular opposition parties (value 1) or religious opposition parties (value 0).

Table 5.5 displays the results of different correlation tests for the count variables. The correlation coefficients for all three types of actors are positive and significant; meaning that religious mass and religious niche parties as well as secular parties are more engaged in times of mixed coalitions than in other times. In other words and in contrast to the literature, this study detects that not only secular but also religious parties prioritize morality issues during certain legislative periods and

Table 5.5 Correlation analysis of the type of opposition party and the coalition type (mixed vs. not mixed)

Engagement rate of secular opposition parties per year	Pearson's chi ² (19)=335.84*** Spearman's ρ =0.39*** Cramer's V =0.76	p =0.000 N =576
Engagement rate of religious opposition parties per year	Pearson's chi ² (17)=47.71*** Spearman's ρ =0.18** Cramer's V =0.60	p =0.000 N =132
Engagement rate of religious niche parties in op-position per year	Pearson's chi ² (22)=64.37 Spearman's ρ =0.26* Cramer's V =0.87	p =0.000 N =43

Note *** = p -value < 0.01, ** = p -value < 0.05, * = p -value < 0.10. Data PoliMoral

hence seem to use morality policies in a strategic way. However, religious niche parties are not extremely active compared to religious mass parties.

Finally, a brief note on the idea that policy compensation effects may determine parliamentary issue attention patterns over time (1994–2014). One could expect that opposition parties focus on one, particularly conflictive morality issue and ignores the other issue in order to save resources and time. When comparing now issue attention pattern of the two morality policies studied in this book, the idea does not find much empirical support. Figure 5.11 illustrates that both issues receive rather comparable and parallel levels of parliamentary attention over the years in the four different countries. While from the mid-1990s until the early 2000s, about 20 initiatives are proposed by year and issue, thereafter issue attention increases for both issues up to 40 initiatives or more. Hence, it does not look like as opposition parties focus in one year or legislative term more on one issue rather than on another issue in order to save resources. As this is a first descriptive overview, we need some more qualitative insights in order to back up the impression.

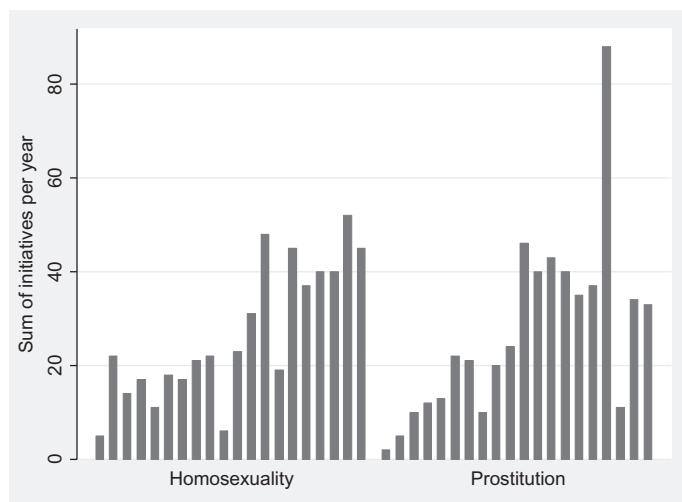


Fig. 5.11 Attention patterns separated by policy (1994–2014) (Source PoliMoral)

All in all, the analyses reveal empirical support for the primary argument and more specifically expectation 1 and 2. Opposition parties use value-loaded issues in strategic terms. In detail, if they are able to challenge the main opponent (i.e., the government) by intensifying the conflict within (*expectation 1*) or between (*expectation 2*) the party group(s), morality policies are prioritized in the parliamentary arena. In other words, wedge-issue competition in multiparty systems in continental Europe work along two logics and not only along one mechanism known from the US literature on electoral campaigns (Adams 1997; Leege et al. 2002). The issues receive large parliamentary attention if the religious government party is seriously divided on the issue and when religious (mass) parties and secular partners form a government coalition. One puzzling finding of the analyses is that not only secular opposition parties but also religious (niche) parties politicize morality policies in some years more than in others. In other words, even those actors following a strong religious values system seem to use value-loaded issues in a strategic way. They uphold these issues in instances when it is attractive in party competitive terms and this seems to not exclusively include religious niche parties as one might expect based on Meguid (2005, 2007). The following case studies will complement the correlation analyses with more detailed empirical insights on the conditions motivating such politicization behavior and, hence, can also illuminate the underlying mechanisms driving the behavior of religious parties in a secular age.

NOTES

1. The webpage of the EU on Gender Equality provides an overview of the variety of policy programs, policy briefs, and legislation (European Commission 2014).
2. MORAPOL (2010–2016) is a research project funded by the European Research Council and chaired by Prof. Dr. Knill. The project collected data for in total 16 European countries: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Great Britain, Ireland, Italy, the Netherlands, Norway, Portugal, Spain, Sweden, and Switzerland.
3. The activity at the regional level is probably the product of a reform that has thus far been widely neglected in the literature. In 1992, the CiU proposed a bill that demanded changes in the procedure of conducting civil marriages. The party suggested authorizing mayors to conduct civil marriages in municipalities lacking magistrates. The proposal was adapted by some amendments proposed by the Senate and finally adopted (Ley

- 35/1994). Although the law did not directly affect same-sex partnership rights at the national level, it increased the autonomy of regional actors.
4. France was the first country that decriminalized homosexuality in 1791, followed by Belgium and Luxembourg in 1972 (Waaldijk 2004, 438).
 5. The German Bundestag is with about 600 MPs the largest parliament of the sample, followed by the Spanish parliament with 350 MPs, the Austrian Nationalrat with about 180 MPs and finally the Second Chamber in the Netherlands with about 150 MP (Ismayr 2009).
 6. Wenzelburger (2014, 67) argues that if Cramer's *V* is higher than 0.3 one can assume a strong correlation as this indicator hardly reaches values of 0.95.
 7. Additional statistical analyses indicate only a weakly significant and unstable correlation between the level of intra-party conflict of secular government parties and the engagement of opposition parties on morality policies. The chi-square test is highly significant (*p*-value < 0.01) but the Spearman's is with -0.08 rather low and significant only at a level of *p*-value < 0.50. The results point toward a negative relationship, meaning that opposition parties politicizes morality policies to a lesser extent when secular mass parties govern and suffer from strong intra-party conflicts. In consequence, the idea of wedge-issue competition is particularly used to challenge religious mass parties on morality policies and not other mass parties in the countries under observation. This findings relates to the general debate in the literature on morality policies, Christian Democrats and cultural politics because most reforms on morality policies are initiated by secular parties. In consequence, it is quite unlikely that opposition parties blame secular government for minor struggles on certain policy instruments.
 8. The CSU in Germany or the CiU in Spain are not considered as "real" religious competitors of the mass religious parties in their countries because both are running for election exclusively in one region of the country and, hence, defending mainly regional interests. Moreover, the CSU in Germany forms a parliamentary group with the CDU in the Bundestag.
 9. The following analysis focuses on Germany, the Netherlands and Austria exclusively because Spain is governed by single-party governments since the late 1970s.
 10. The sample size is with 793 cases higher as in the previous analysis on intra-party conflict levels because all country-years could be maintained as no data availability problems came up.

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CHAPTER 6

Mechanisms of Wedge-Issue Competition

After having explored the dynamics of wedge-issue competition on morality policies at an aggregated level across all four countries of the “religious world,” a more detailed look on the underlying mechanisms and motives of single political actors will complement the previous findings. In detail, this part uncovers (1) how exactly opposition parties employ blaming strategies with regard to value-loaded morality issues along the two proposed logics (i.e., intra-party and inter-party conflict), (2) which role religious and secular niche parties take over, and (3) how other side conditions (e.g., policy compensation dynamics or unexpected events) may foster the opposition’s politicization approach with regard to morality issues.

Germany and Spain are selected as exemplary cases. Germany is known for its stable multi-party system, in which coalitions between secular actors from the center-left of the political spectrum, coalitions between political actors from the center-right, including Christian Democrats and Liberals, and so-called grand coalitions between the main secular actor and the main religious actor (Social Democrats and Christian Democrats) are prominent. All three constellations are common in Austria and the Netherlands, as well. Although, there are certain structural differences across all three party systems, the broader logic of the struggle between the opposition and the government should be similar. Moreover, as discussed in Chapter 5.1, the legacy of both morality

issues is comparable across two countries. The only exception is the early legalization of homosexuality in the Netherlands.

The German case study is split into two parts; the first one explores wedge-issue competition dynamics in a legislative period (17th LP, 2009–2013), in which the main religious party rules with the small secular parties (i.e., the Liberals). In the second part, wedge-issue dynamics are explored in times of a grand coalition (16th LP, 2005–2009), being formed by the main religious and the main secular party. Through this separation, I expect to gain more diverse insights into inter-party blaming strategies of opposition parties as they most likely should vary across niche and mass opposition parties (Meguid 2005, 2007) as well as across parties regularly participating in government, respectively, rarely doing so (Van de Wardt 2014) (cf. Sect. 3.1). Finally, a case study on Spain offers insights on how wedge-issue competition works in countries of the religious world with a tradition of single-party governments. The chapter concludes with a summary and discussion of both parts of analysis, the quantitative and the qualitative analysis, with regard to the key question of why morality policy attention patterns vary over countries of the various world and within one country over time.

6.1 USING THE DILEMMA OF CHRISTIAN DEMOCRATS AND LIBERALS IN GOVERNING GERMAN HOMOSEXUALITY POLICY

Same-sex partnership rights were reformed in Germany in 2001. Since that point in time, same-sex couples are allowed to register their partnership. Thereafter, minor regulatory changes were adopted such as stepchild adoption in 2004 until 2016, when finally via a vote of conscience same-sex marriage was permitted. Despite these major reforms in 2001 and the follow-up project in 2016, the issue remained salient in the German parliament also between. Figure 6.1 (left-hand side) displays parliamentary issue attention clustered by legislative periods. We observe first intermediate levels of issue attention with up to 50 initiatives per term until the early 2000s. Thereafter, during the second red-green government period, issue attention decreases but finally rises again from 2005 onward when mixed coalitions started to govern the country. In the 16th LP, a grand coalition between the Christian Democrats and Social Democrats was in office, while in the 17th LP the Christian Democrats formed a minimal winning coalition with the Liberal Party (FDP). This general picture of issue attention provides first support for

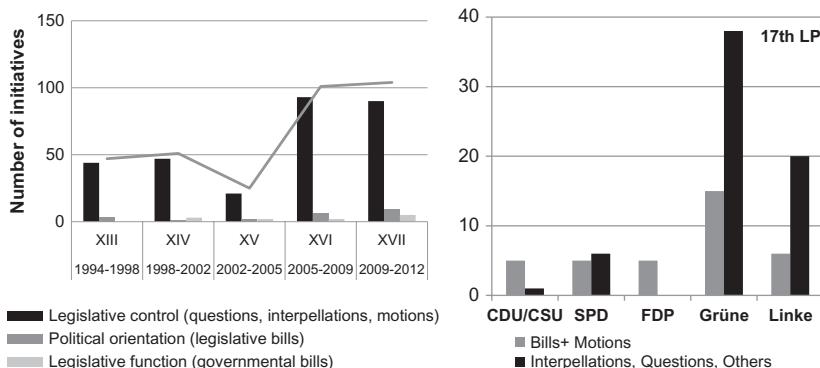


Fig. 6.1 Parliamentary attention on same-sex partnership rights in Germany (1994–2012) (*Source* PoliMoral)

the main argument, proposing that minority parties step in when they could easily drive a wedge between members of the government and thus accelerate inter-party conflicts. The question remains, however, whether the theoretically assumed mechanisms are visible in the parliamentary debates on morality policies. It is very promising to start with an analysis of the 17th LP as a mixed coalition between Christian Democrats and Liberal Parties is very common in continental Europe (cf. the coalitions between the CDA and the VVD or D66 in the Netherlands or the coalitions between the ÖVP and the BZÖ in Austria).

As a starting point, I observe in the left-hand side of Fig. 6.1 that issue attention was extremely high in the 17th LP—especially given that only three rather than four years was covered (the period of investigation ended on 31 December 2012). Overall, about 100 initiatives were put forward; the largest proportion involved instruments of legislative control (i.e., oral and written question or interpellations), followed by legislative bills from the opposition and a few bills from the government. The disaggregated overview of parliamentary initiatives in Fig. 6.1 (right-hand side) shows that the Green Party was the most active, with 52 initiatives, followed by the Left Party with 26 initiatives and the Social Democrats with 11 proposals. The Christian Democrats and the Liberal Party were the least active, with six and five initiatives, respectively. The Greens and the Left Party prevailed in both categories of instruments, meaning that they proposed the largest number of bills and motions as well as initiatives aimed

at a smaller audience. Logically, the Liberals and the Christian Democrats refrained from using the typical instruments of the opposition (e.g., interpellations or questions). The Social Democrats used an equal number of initiatives from both categories. In sum, opposition parties are much more active than the two government partners; and within the group of minority parties, the small secular niche parties are particularly engaged.

The question is now how did the small secular opposition parties (i.e., the Green Party) defend their behavior? And how did the Liberal Party handle their position as the coalition partner of the main religious actor? In contrast to the 14th LP, where the Green Party had to limit their demands regarding the regulation of same-sex couples in order to reach a compromise with its government partner, the Social Democrats, the Green Party was free from coalition considerations. In its role as an opposition party, the Greens could loudly demand legal equality for registered same-sex partners. Party members decried legal discrimination in inheritance and civil service law, among other things (BT-Drs. 17/740). In all, the Greens proposed five different legislative bills. Two of them dealt with the legal recognition of same-sex couples in the civil service (BT-Drs. 17/906, BT-Drs. 17/10769); for example, homosexual civil servants living in a registered partnership were not entitled to provisions for dependents. Another bill concerned the question of adoption rights (BT-Drs. 17/1429). Since 2004, stepchild adoption has been legal, but successive or joint adoption was still prohibited. It was therefore possible to adopt the biological child of one's registered partner (stepchild adoption), but not a child that was adopted by one's registered partner (successive adoption). Heterosexual spouses are granted both options, stepchild adoption and successive adoption (Constitutional Court, Press Statement no. 9/2013, 19.02.2013). Moreover, the Green Party addressed another "hot" topic, namely joint taxation rights for registered same-sex partners. This is a core element of the conception of family and marriage in Germany, and therefore, the discussion on the issue was particularly heated. Finally, the party proposed a change in the definition of marriage in the German Constitution (BT-Drs. 17/6343) so that the terms used would encompass all kinds of stable relationships, including those of same-sex couples. This bill constituted a strong provocation for the Christian Democrats, as they had always defended their restrictive position on the basis of the extraordinary protection of marriage and family in the German Constitution and the "holy symbiosis between man and woman."

These last two bills were debated together in a parliamentary session in June 2012. The speaker of the Green Party confronted the Christian Democrats with the comprehensive reforms in other European countries. Even the British Prime Minister David Cameron had defended comprehensive rights for same-sex couples as an instrument that would strengthen conservative core values, namely the protection of stable and trusting partnerships. Toward the end of the speech, the Green deputy claimed that a rejection of the bill would be tantamount to a lack of respect for homosexuals, and if the discrimination against same-sex couples could not be abolished with the current government, it would be necessary to change the government (BT-Drs. 17/187: 22405). In other words, the Greens were sharply attacking the government and the religious party in particular. The speaker of the Christian Democratic Union (CDU), Thomas Silberhorn, responded that the creators of the German Constitution had long ago defined marriage as a relationship between a man and a woman. Its primary characteristic is that the partners inherently differ; this constitutes the “germ cell of the family.” Therefore, he argued, same-sex couples and heterosexual couples are by definition different and should not enjoy the same rights (*ibid.*).

The Liberal representative tried to avoid a strong confrontation. Their deputy highlighted the already-adopted reforms of same-sex partnership rights in the past (e.g., reforms of local property taxation (*Jahressteuergesetz 2010*), inheritance and gift taxation (*Jahressteuergesetz 2012*), and civil service laws). Additionally, the Liberal deputy claimed that reforms of adoption rights and income taxation could be expected in the near future. However, the Liberal Party shared the concerns of the CDU with respect to the definition of marriage, asserting that it would be necessary to examine in detail whether a constitutional change was indeed necessary (*ibid.*: 22408). The second speaker from the Liberal Party, Michael Kauch, was even more critical. He attacked the Green Party more explicitly and also criticized the coalition partner. First of all, the deputy complained that the Green Party’s bill included formal mistakes and was carelessly formulated. Furthermore, Kauch argued that the suggested policy of window-shopping (*Schaufensterpolitik*) would be inadequate to resolve contentious issues in parliament, including the call for building up new ad hoc government coalitions with the opposition (*ibid.*: 22411). The deputy then asked the Christian Democrats to act in line with the coalition agreement. The Liberals had also acted in line with the agreement when dealing with the *Betreuungsgeld* (a special child

benefit for women raising children at home) which caused serious conflicts between the CSU and FDP (*ibid.*).

As the analysis of the plenary debate indicates, the “coalition discipline” was strongly challenged through the politicization of the issue of same-sex partnership rights (e.g., open criticism of Christian Democrats; BT-Drs. 17/187: 22411). The Liberal deputy even reminded the Christian Democrats of the coalition agreement, in which the parties had agreed to abolish discrimination against homosexuals in tax law but also wait for the decisions of the Constitutional Court. This illustrates that the coalition agreement is normally an important instrument of conflict management. In this case, however, the coalition agreement was useless because the agreement contained contradictory promises, enabling the Christian Democrats to reject legal activity without directly violating the agreement. A second sign of the challenges to discipline members of the government coalition was that some Liberals abstained or voted against the official “coalition line” in the decision-making process. Another indicator was the fact that the liberal minister of justice Leutheusser-Schnarrenberger prepared a legislative proposal on same-sex partnership rights in August 2012. The minister suggested adding the term “same-sex partners” to all laws dealing with rights and duties for spouses or married partners. Some Christian Democratic deputies officially explained they trusted that the cabinet meeting would overrule this suggestion (SZ 24.08.2012).

These passages neatly illustrate the logic of wedge-issue competition stimulating further conflicts between governments that are formed by secular and religious partners (i.e., inter-party logic). First of all, it was extremely attractive for (small) secular opposition parties to increase parliamentary attention. They could openly defend its permissive position and at the same time challenge the government coalition between Liberals and Christian Democrats, as the topic divided the two partners seriously. Furthermore, the Green Party succeeded in “uncovering” the religious value system of the CDU. The speaker abandoned his “unsecular” approach (i.e., the strategy to avoid issues related to religious values; van Kersbergen 2008) and explained his issue position regarding same-sex partnership rights based on religious values and norms. Moreover, the small secular coalition partner had major difficulties in dealing with the delicate situation. On the one hand, Liberal deputies tried to defend themselves by highlighting their own liberal reform plans, and on the other hand, they openly criticized the religious coalition partner.

One last question is whether an “intra-party conflict-logic” of wedge-issue competition was relevant in this case, as well. In other words, were serious conflicts within the CDU another incentive of morality policy politicization by opposition parties. The analysis of party positions via newspapers reveals some important insights. Figure 6.2 summarizes the coding of 54 newspaper articles and 79 actor-object relations published between April 2010 and November 2012. The appended table shows the values of conflicts within political parties (C_{Intra} , continuous lines) and the conflict level between the coalition partners (C_{Inter} , dotted lines). Long lines indicate high levels of conflict, while short lines point to more consensual positions.

First, the media analysis confirms the permissive issue position of the Green Party (value +0.7); many party members fully supported same-sex partnership rights. The Liberal Party has a similar permissive position with an average value of 0.8 which is accompanied by some sort of heterogeneity ($C_{\text{Intra}} = 0.34$). With a value of -0.1, the CDU exhibits a more critical stance: The party generally rejected further reforms in reaching out full legal equality for same-sex couples. In comparison with the 14th LP (1998–2002), however, the Christian Democrats had developed a

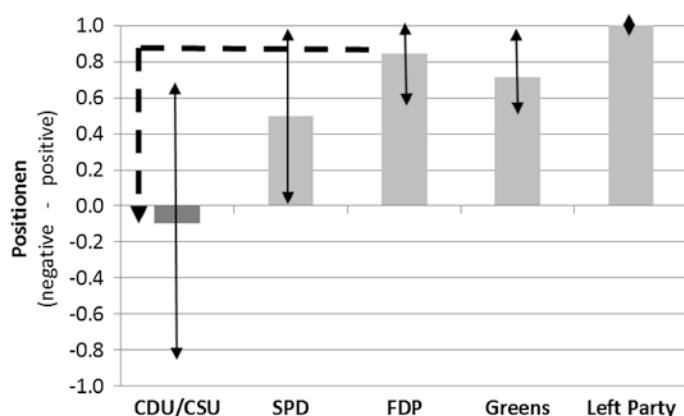


Fig. 6.2 Position of German political parties on same-sex partnership rights in the 17th LP (Note Coding of 54 newspaper articles and 79 actor-object relations. C_{Intra} = Continuous black line = level of intra-party conflict, Dotted line = level of inter-party conflict. Data PoliMoral)

more moderate position and seemed to accept the current regulatory status quo. Nevertheless, the Liberals and the Christian Democrats differed by about 0.94 points, a significant distance (see broken line in the figure). Formulating a compromise would have meant a loss of face for both parties.

In addition, the Christian Democrats had to cope with major intra-party conflicts ($C_{Intra} = 0.84$; see black arrows). These conflicts were primarily caused by a group of 13 Christian Democrats who openly demanded equal rights for registered same-sex couples in terms of income taxation (SZ 23.11.2012). These demands provoked strong opposition from some local party associations (SZ 22.11.2012). This conflict climbed up the hierarchical ladder and was even fought out between Christian Democratic ministers. The minister of family affairs, Kristina Schröder, supported more permissive regulations, while the minister of finance, Wolfgang Schäuble, and the chairman of the Christian Social Union (CSU), Horst Seehofer, strongly criticized the idea (SZ 08.08.2012). As a result, it is very likely that the CDU aimed to avoid the issue in order to calm down intra-party conflict (Zeit 04.03.2013). In consequence, secular opposition parties had an additional incentive to politicize the issue and it looks like they explicitly rubbed salt into this wound. In detail, they put those aspects on the table which were most controversial in the CDU (e.g., income taxation and child adoption).

All these examples of inter- and intra-party conflicts illustrate that the issue of same-sex partnership rights was very successful in challenging the majority parties. In comparison with Chancellor Schröder, Angela Merkel was less powerful in disciplining the participants in her coalition and party. Obviously, this task was much more difficult in the 17th LP than in the 14th LP because the coalition partners differed much more in terms of issue positions. Another reason is that Merkel had to find a common solution for three rather than two political partners: the CSU, the CDU, and the Liberal Party (FDP). The CSU and its chairman, Horst Seehofer, represented the most conservative actors with respect to morality policies. Thus, Merkel had to indirectly share the leadership of the CDU with Horst Seehofer. In addition, Merkel is known for a rather cautious and hesitant style of leadership, probably less suited to resolving such contentious issues (cf. Korte 2010). There is only one official instance in which Merkel used at least her formal power to limit the conflict in the plenary session. The government scheduled the plenary

discussion on the most provocative proposals of the Green Party for the afternoon of the 26 June 2012. On that evening, the semi-final of the European Championship was to take place, in which Germany would play against Italy. Consequently, the president of the *Bundestag* restricted the plenary discussion to 30 minutes (BT-Drs. 17/187). All in all, however, Chancellor Merkel seemed to wield limited power resources to pacify the coalition conflict. As a result, the empirical picture provides substantial support for expectation 1 and 2, underlining the logics of inter- and intra-party conflicts as important incentives for opposition parties to follow a strategy of wedge-issue competition.

In addition to these “attractive” government constellations, external conditions seem to have further stimulated the politicization strategy of the Green Party. The infringement proceedings brought by the European Commission against Germany further strengthened the Green Party’s resolve. In October 2009, during the national election campaign in Germany, the Commission sent formal requests to Germany asking the government to fully comply with the Race Equality Directive (2000/43/EC) and the Employment Equality Directive (2000/78/EC). The Commission claimed that Germany was discriminating against same-sex partners in the civil service law, especially in terms of subsidies and surviving dependant pensions. This external support further motivated the Green Party to increase issue attention, as they knew that sooner or later regulatory steps would have to be adopted.

Finally, a brief note on the main secular party, the Social Democrats: Fig. 6.2 illustrates that the party is less active in politicizing the issue and that it was more critical of more permissive regulations than any of the other secular opposition parties (value of 0.5). The main issue of discussion concerned the entitlement of family rights for same-sex couples. This is also the reason of intermediate high levels of internal conflicts ($C_{\text{Intra}} = 0.46$). One might discuss whether the extent of internal conflict hindered the Social Democrats to politicize same-sex partnership rights more intensively or whether other reasons stood behind this behavior. The entitlement to family rights constituted a central demand in the 17th LP (cf. SZ 11.05.2012). Therefore, any politicization would have stimulated major internal debates. Nevertheless, the Social Democrat Peer Steinbrück claimed in an interview that he would submit a motion in order to force the government to put its cards on the table (SZ 24.08.2012), but ultimately, the party refrained from doing so. This is puzzling because it would have been relatively easy

to challenge the majority partners. In consequence, there seems to be a difference between secular mass opposition parties and secular niche opposition parties when it comes to the attractiveness of wedge-issue competition with regard to morality policies.

Which alternative reasons could explain the turning away of the Social Democrats from the strategy of wedge-issue competition? First and in line with Meguid (2005, 2007), one may assume that secular mass parties follow a different issue competition strategy than secular niche parties. Secular mass parties aim to persuade the median voters that are in countries of the religious world more resistant toward very permissive reform steps than in countries of the secular world. Some first reforms were adopted but further were less welcome in the population. In 2008, about 25% of the population rejected the institution of same-sex marriage (cf. data from the year 2008 in EVS 2015). Guido Westerwelle, the former leader of the Liberal Party in Germany, even claimed “The SPD was not much better [in the reform process of same-sex partnerships]. In terms of narrow-mindedness, we have in Germany in fact a big grand coalition” (ntv 15.01.2014).

This might be related to the comparably strong religious heritage of the churches in these states which is not only visible in the architecture of cities but in long-established cultural routines and practices. Thus, policy proposals based on religious principles may be supported not only by a minority of very religious voters but also by a larger amount of silent citizen (non-voters), approximating Davie’s (2007) idea of “vicarious religion.” In consequence, from a certain point of time, it becomes less attractive for secular mass parties in the religious world to politicize the issue because the median voter not necessarily supports far-reaching regulatory steps with regard to morality policies. So, the party would not gain more voters (from the religious mass party) but even risk to lose some of the more religious supporters of the social-democratic idea. The intermediate level of intra-party conflict within the Social Democrats also speaks for such a complex temporal dynamic underlying wedge-issue competition strategies of secular mass parties with regard to morality issues in the religious world.

Second, another reason could be that the Social Democrats governed in the past with the large religious party and now did not want to jeopardize their government participation in the next legislative turn (cf. Van de Wardt et al. 2014). In the 2009 election, they suffered a serious electoral

defeat, resulting in a share of not more than 23% of votes. This was the lowest electoral support the party received in the last 50 years, and hence, it was clear that they needed an electorally strong coalition partner in order to form a government. The only feasible option in that time was the CDU. Other study results in this field speak for the explanation. Van de Wardt et al. (2014, 986), for instance, discovered that “opposition status is a necessary but no sufficient condition” to follow a strategy of wedge-issue competition in multi-party systems. In detail, political parties that are regularly part of a government coalition refrain from driving a wedge between the government coalitions as they fear to jeopardize future government participation. Conversely, it would be less risky for parties that have never or rarely been part of a government coalition to mobilize wedge issues. These strategic considerations might have motivated the reluctant behavior of the Social Democrats, too.

The following case study will explore dynamics of wedge-issue competition during the grand coalition in Germany in the 16th LP and with regard to the second morality issue. It allows to examine the role of Social Democrats in more detail and generally will deliver important insights on the different system-internal conditions influencing wedge-issue competition in multi-party systems in Europe. A careful examination of party politics during grand coalitions is important because this government constellation is a reasonable alternative in times of an increasing radicalization of the European electorate. Finally, it allows to translate some insights into the Austrian case where grand coalitions are the rule rather than an exception.

6.2 DIVIDING GRAND COALITIONS: OPPOSITION’S ABILITY OF REFRAMING MORALITY POLICIES

Both morality policies were reformed during the secular coalition between Social Democrats and the Green Party between 1998 and 2002. While the recognition of sex work as regular profession in 2001 was considered a major regulatory adjustment, its implementation was very challenging due to a vague legal basis (Euchner 2015a). As outlined in the previous part, the reform of same-sex partnership rights in 2001 was an important regulatory step but still a minimal winning consensus disregarding many social rights for same-sex couples. In consequence, most of the parliamentary initiatives proposed in the 16th LP dealt with

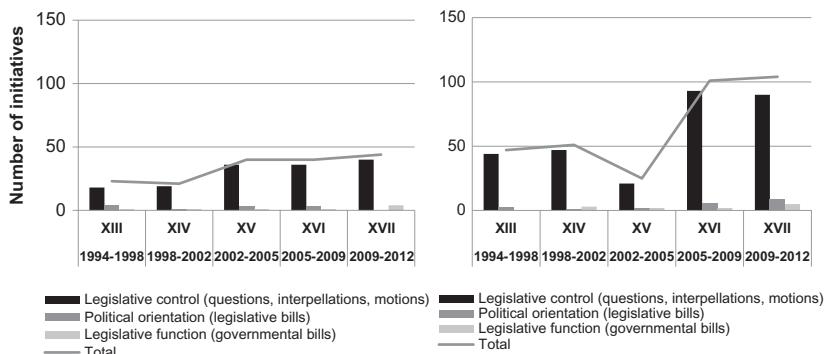


Fig. 6.3 Parliamentary attention prostitution policy and same-sex partnership rights in Germany (1994–2012) (*Data PoliMoral*)

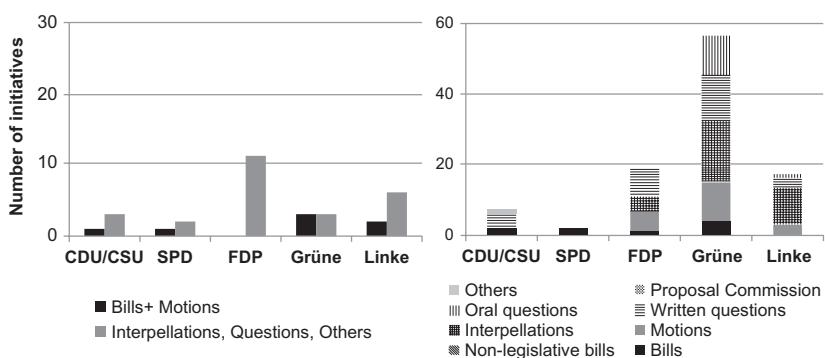


Fig. 6.4 Distribution of parliamentary instruments on German prostitution policy and same-sex partnership rights (2005–2009) (*Source PoliMoral*)

underspecified implementation guidelines for sex workers or absent social rights for same-sex couples. Figure 6.3 summarizes the extent of parliamentary attention and illustrates that prostitution policy provoked an intermediate level of attention with about 50 initiatives during the 16th LP and the topic of same-sex partnership rights a relatively high level with about 100 proposals. Moreover, Fig. 6.4 shows for both public policies that secular opposition parties are particularly active. In the field of prostitution policy, the Liberals presented the largest number of

initiatives (11 in total), followed by the Left Party with eight initiatives and the Green Party with seven initiatives. The Liberals and the Left Party most often used instruments aimed at a smaller audience, while the Green Party maintained its tradition and proposed the largest number of bills and motions, indicating its interest in politicizing the topic.

With regard to same-sex partnership rights, the Green Party is the main initiator, followed by the Liberals and the Left Party. The parliamentary debates followed similar dynamics as in the 17th LP: small secular opposition parties intended to increase the conflict between the coalition partners and in addition pointed out aspects of the policy which were particularly controversial within the CDU. This included, for instance, demands for changes in income taxation and adoption rights, as well as regulations concerning the responsible authority for registration at the local level¹ (e.g., the Green Party's motion "Completing equality of registered same-sex partnerships," BT-Drs. 16/497).

In consequence, the secular niche parties were most active with regard to both issues, while the ruling secular mass party, the Social Democratic Party, was rather reluctant and abandoned after the first reforms steps a prioritization of these morality policies. It means that at a first glance politicization patterns seem to follow the idea of wedge-issue competition in times of mixed coalitions; minority parties politicize those issues with which they expect to divide the majority parties. However, the picture is somewhat clearer in the case of same-sex partnership rights (cf. also Sect. 6.1) than in the case of prostitution policy. So, the remaining questions are: (1) How did the idea of wedge-issue competition work out in the case of prostitution policy?, and (2) Do we find any side conditions (e.g., external events or policy compensation effects) that hindered an increased politicization of the issue?

In prostitution policy, somewhat specific dynamics are in place. Although small secular opposition parties are the main actors in politicizing the issue, many political parties adjusted their issue positions during the mid-2000s. A main reason was that the prostitution market changed strongly due to new national and international developments (Euchner 2015b; interview with Speaker Deutsche Aidshilfe e.V., 2014, July 17; interview with Speaker Madonna e.V., 2014, August 13). The beginning of the 16th LP coincided with the first criticisms of the prostitution reform of 2002. In 2006, many cities experienced an increase in brothels and sex clubs due to the World Cup. Some cities even reacted proactively, adopting new permissive regulations on street prostitution.

Other city councils began to permit the so-called *Verrichtungsboxen*, first implemented in Cologne.² These developments prompted very negative headlines in the international and the national press. Germany was accused of “importing” prostitutes from Eastern Europe in order to satisfy the extraordinary demand for the World Cup (BT-Drs. 16/4146). In addition to the negative press, complaints regarding the implementation of the prostitution reform were expressed (Pates 2012; interview with Speaker Hydra e.V., 2014, August 12). The most salient problem was related to the control of brothels (interview with Speaker UEDG e.V., 2015, November 19). In Baden-Württemberg, for instance, the so-called flat-rate brothels had been established. These brothels were promoted with slogans such as “Sex with all women, as long as you like, as often as you like, and how you like” (SZ 28.07.2009). Such establishments could operate legally in Germany because neither the police nor local administrations could easily shut them down based on the legal status quo. Thus, it was claimed that the reform of 2002 did not improve the situation of sex-worker but rather that of brothel owners (interview with Speaker Deutsche Aidshilfe e.V., 2014, July 17). As a result, all political parties and most importantly the secular parties became increasingly skeptical with regard to permissive regulations. Most visible is this change, however, for the Social Democratic Party, resulting in a negative issue position.

The media analysis conducted between October 2005 and September 2009 identified an average issue position of -0.2 for the Social Democrats which was accompanied by a relatively high level of intra-party conflict at a value of 0.68 ($C_{\text{Intra SPD}}$) (see Fig. 6.5). The Green Party, the Liberals, and the Left Party abandoned their definitively positive position with regard to prostitution policy. Unexpectedly, the Christian Democrats did not strengthen their negative position. Instead, the party maintained its critical stance, with values of around -0.4 . Consequently, the Social Democrats and the Christian Democrats ended up defending very similar positions (see the broken line in Fig. 6.5; $C_{\text{Inter}} = 0.2$). Thus, coalition conflict was much lower than in the case of same-sex partnership rights, and therefore, it was less attractive for opposition parties to highlight the issue, as the government coalition could scarcely be blamed. Moreover, the opposition parties themselves suffered from some internal conflict (see Fig. 6.5). Is this first empirical picture from the media analysis also reflected in the parliamentary debate and the reasoning in plenary session?

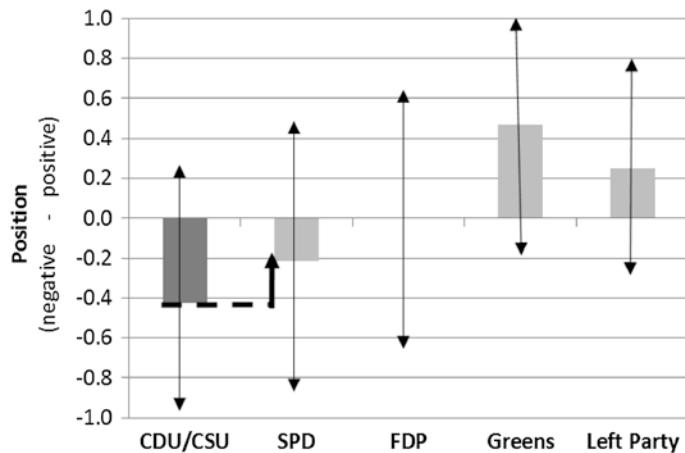


Fig. 6.5 Position of German political parties on prostitution policy in the 16th LP (*Source* Author's compilation on the basis of newspaper analyses. Coding of 25 newspaper articles and 40 actor-object relations. Continuous black line = intra-party conflict, Dotted line = inter-party conflict. *Data* PoliMoral)

First, the governmental report of January 2007 (BT-Drs. 16/4146) on the prostitution reform illustrates the catching up of the Social Democrats and the Christian Democrats (Bolgherini and Grotz 2010, 195). The Christian democratic minister of family affairs, Ursula von der Leyen, coordinated an official report on the consequences of the prostitution reform of 2002. The report combines evidence from external researchers and political recommendations developed within the government. Unexpectedly, the arguments of the explanatory memorandum of 2002 were now also supported by the Christian democratic minister. This included the statement that sex-worker cannot be protected against their will; otherwise, their right of self-determination would be violated. The Christian democratic minister even confirmed in this document that prostitution falls under the protection of Article 12 GG (*Berufsfreiheit*) (ibid.).³

Second, there is only one aspect in the report which bores the hallmarks of the Christian Democrats and finds no support by its coalition partner: The document recommended examining whether clients buying sexual services from trafficked women should be criminalized (ibid.: 5ff.). This idea was promoted by the CSU in particular. Like the regional party CiU in Spain, this party primarily represents sub-national interests and

often finds it difficult to develop a more national profile. In contrast to the CiU, however, the CSU has always formed an electoral coalition with the CDU at the national level. Beate Merk, a member of the CSU and the minister of justice in Bavaria, launched a widespread campaign and submitted via the *Bundesrat* a corresponding legislative proposal demanding criminalization of the clients of trafficked sex-workers (BT-Drs. 16/033, SZ 09.03.2006). Merk's proposal was motivated by one of the main criticisms of the prostitution reform of 2002—namely, that the reform of 2002 improved the situation of brothel owners rather than that of prostitutes. An incident in Bavaria was cited in support of this accusation. In the summer of 2006, a brothel “disguised” as an FKK (nudist) club obligated the sex-workers employed there to work naked and to leave their mobile phones at the entrance during working hours, with 10-euro fees for disobedience. The public prosecutor's office registered a complaint, accusing the brothel managers of pimping in an extreme manner. The domestic court in Augsburg rejected the lawsuit, ruling that the reform of 2002 classified prostitution as a regular profession, including rights of instruction (*Weisungsrechte*) for employers (SZ 01.09.2006). As a result, the Bavarian minister of justice was highly motivated to change the regulatory status quo with a particular focus on human trafficking. Thus, it was again the small and more religious partner of the CDU that challenged coalition stability. The Social Democrats clearly rejected the proposal, and thus, minor issue conflict arose in the government coalition. However, it was difficult for the opposition to publicize this dissent, as the coalition used its agenda-setting power to reduce criticism within the parliament.

There is one interesting example which illustrates that the grand coalition used its power position to steer parliamentary process in such a way that extensive debates on prostitution policy could be avoided and hence a humiliating situation for the government partners. The example concerns two motions of the Left Party and the Green Party. In April 2006, both of these political parties proposed changes to the regulations concerning human trafficking and forced prostitution (BT-Drs. 16/1006, BT-Drs. 16/1125). The first reading of the motions was scheduled one day before the Easter break. The timing was used to delegate the motions directly to the Committee on Family Affairs and Women, and to allow the speakers from the parties to submit their speeches in written format. In this way, the government succeeded in concealing its internal conflicts by avoiding any sharp exchange of words between the government partners. The written speeches demonstrate, however, that the

topic entailed greater conflict potential within the government coalition. The speaker from the Social Democratic Party clearly rejected the idea of criminalizing the clients of trafficked prostitutes, explaining that many social workers and advisory centers consider such regulatory steps to be inadequate (Plenary Protocol BT-Drs. 16/033, Supplement 7). All in all, it was a clever move to submit the speeches in written format, as the conflict over prostitution policy was not further intensified.

The “written debate” on these two motions reveals two additional aspects. First of all, the discussion on prostitution policy focused much more on forced prostitution and human trafficking than on voluntary prostitution. Second, this emphasis implied both advantages and new risks for the grand coalition. Highlighting the aspect of human trafficking and forced prostitution was attractive for the Christian Democrats because prostitution policy could then be easily linked to conservative core issues such as national security and public order. Moreover, the real conflict over whether sex work was “right” or “wrong” could be avoided. In addition, both government parties (and also all other parties) agreed on a more restrictive handling of human trafficking and forced prostitution (cf. the party manifestos of all parties in 2005). However, the major challenge was that human trafficking and forced prostitution are closely related to immigration policy, another hotly debated topic separating the Christian Democratic Union from all other parties (Benoit and Laver 2006, 261, 286).

One might therefore argue that the small opposition parties used their chance to provoke inter-coalition conflict by reframing the topic. For instance, the Left Party demanded the lengthening of the residence permits of victims to up to six months (BT-Drs. 16/1006). The Social Democrats proposed an intermediate time period of three months when the victims were collaborating with the police (Plenary Protocol BT-Drs. 16/033, Supplement 7). The Christian Democrat Michaela Noll rejected such steps, explaining that a time period of four weeks would be sufficient; otherwise, misuse was likely and other immigrants might be lured to the country (Plenary Protocol BT-Drs. 16/033, Supplement 7). The Liberal deputy Ina Lemke wondered how the Christian Democrats were planning to protect trafficked women, given that the minister of interior, Wolfgang Schäuble, had just stated that immigration law would be tightened. A Green deputy claimed that the CDU was not interested in granting the victims of forced prostitution more rights; the party would instead aim to smear the reputation of its opponents (*ibid.*). Other

examples include the motion of the Liberal Party on “Woman and Migration,” which provoked a similar debate (BT-Drs. 16/4242), and the motion of the Green Party on a more humanitarian immigration law (BT-Drs. 16/5103). In sum, the small secular parties reframed the topic of prostitution policy in order to highlight other controversial aspects for the coalition partners. By focusing on the related aspect of asylum rights for trafficked women, the secular parties were able to compensate in part for the difficulties coming up in terms of voluntary prostitution. In other words, the “normal” game of driving a wedge between government partners was still in place, and hence, the government coalition still had an incentive to downplay the topic of prostitution policy in order to maintain government stability.

As a result, at first glance, one might have expected that this “mixed government” would be a guarantor of high levels of parliamentary attention. Given the parties’ different positions on morality policies, the opposition could easily have blamed the government for inactivity and internal conflict. In the field of same-sex partnership rights, such dynamics are clearly visible. However, the situation turned out differently in the case of prostitution policy. The intermediate levels of parliamentary issue attention were the product of shifting issue positions and intermediate levels of inter-party conflict between government partners. Nevertheless, the analysis found that the logic of wedge-issue competition was still in place. The small secular parties reframed the topic of prostitution policy in order to divide the coalition government, focusing on human trafficking and forced prostitution, issues that are strongly linked to immigration policy—a topic separating the CDU from all other parties (Benoit and Laver 2006, 261, 286). The issue also caused internal conflict within the CDU, due to the extreme stance of the CSU. Accordingly, the grand coalition had two incentives to downplay the topic: first, concealing internal conflicts within each mass party, and second, hiding coalition conflicts in order to maintain the stability of the government. Thus, by focusing on human trafficking and linking it with immigration policy, the secular niche parties in the opposition were able to compensate for the difficulties coming up in terms of voluntary prostitution. Accordingly, the case study discovers a policy compensation effect, but in contrast to the theoretical expected mechanism, this effect does not manifested itself through the exchange of one issue for another issue but rather through the reframing of one and the same issue, which allows an association with other public problems (cf. van Kersbergen and Lindberg 2015).

In sum, the case study largely supports *expectation 2* that inter-party conflicts between government partners affect wedge-issue competition of opposition parties. The opposition reframed the topic in such a way that major dissent between coalition partners became visible and thus the formulation of a uniform governmental proposal unlikely. In consequence, wedge-issue competition is not only a matter of which issue to emphasize but also a question of which aspect of an issue to highlight (supporting *expectation 4* only indirectly). In addition, the study provides some evidence that the intra-party conflict within the CDU (particularly caused by the CSU) further motivated opposition parties to politicize the topic (*expectation 1*). Furthermore, the analyses reveal also that mass and niche parties employ a different strategy of wedge-issue competition; this was particularly visible for small secular niche parties (supporting only in parts *expectation 3*).

Finally and in addition to the theoretical framework, the case study shows that grand coalitions dispose of large formal agenda-setting power (e.g., scheduling of plenary debates, speaking time etc.), which facilitated to postpone or downplay conflictive parliamentary debates and hence to repeal the wedge-issue competition strategies of opposition parties. Moreover, external events such as the public dispute about the demand of prostitutes during the World Cup or the new “business approaches” of brothel managers further stimulated politicization of prostitution policy in parliament.

6.3 WEDGE-ISSUE COMPETITION IN TIMES OF MINORITY GOVERNMENTS: DIVIDING AD HOC COALITIONS IN SPANISH HOMOSEXUALITY POLICY

Finally, one may ask how wedge-issue competition works out in a country with a tradition of single-party governments. Does it mean that the US logic of wedge-issue competition is prevailing in Spain? In other words, will opposition parties mainly aim to drive a wedge between the members of the dominant government party instead of pointing to the ideological distance of two government partners in non-economic areas? The following case study on the politicization of same-sex partnership rights in Spain uncovers some unconventional findings, illuminating a completely new aspect of wedge-issue competition which was not considered so far in the literature. In detail, it concerns the minority status

of governmental parties. In such instances, opposition parties are not only able to challenge the government by politicizing unpopular issues dividing the government party or by withdrawing support in the decision-making process. In addition, the Spanish case study reveals a third alternative of weakening the government: Some opposition parties may challenge the collaboration of other opposition parties with the government by emphasizing aspects of a planned policy reform on which the two ad hoc coalition partners disagree. The following case study traces these three mechanisms in greater detail for the 8th legislative period (2004–2008) in Spain.

Parliamentary attention on same-sex partnership rights followed a one-peaked distribution in Spain, with the peak coinciding with the central reform of same-sex partnership rights in 2005. Spanish deputies submitted almost 60 initiatives during the 8th LP (see the left-hand side of Fig. 6.6). Most common were instruments of legislative control such as questions, interpellations, and motions. Governmental bills represented the smallest number, while legislative and non-legislative bills from the opposition were relatively frequent, with 13 initiatives in total. In other words, we observe the largest issue attention under a secular government who fundamentally extended the rights for same-sex couples in the same legislative turn. This regulatory change was prepared by the Socialist Party (PSOE) since many years and was a very emotional and important

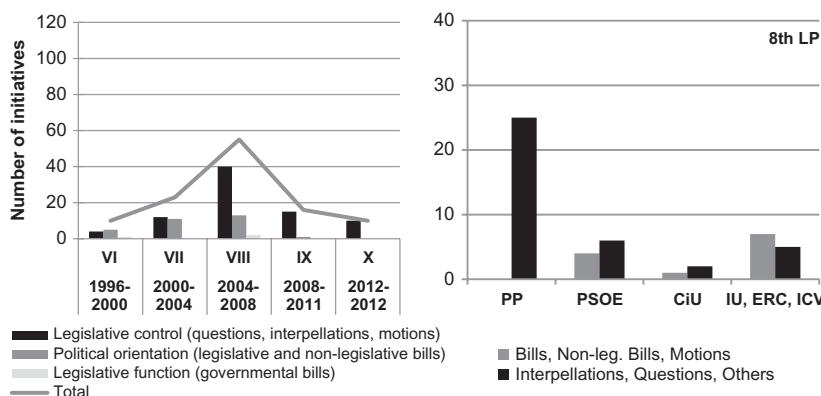


Fig. 6.6 Parliamentary attention on same-sex partnership rights in Spain (*Source PoliMoral*)

signal for the electorate. In March 2004, the Socialist Party won the national election after eight years in the opposition. Even the opinion polls had predicted that the Conservative candidate, Mariano Rajoy, would win the election. The tragic train bombings in Madrid in the early morning of the 11 March 2004 interrupted the electoral campaign. The event and an unprofessional response of the leading government mobilized many left-wing voters for the Socialists (Montero et al. 2008) and thus fit perfectly into its election strategy. The Socialist Party prioritized morality issues and topics related to the church-state relationship in order to mobilize left-wing voters and hence blame the main religious party for backward policy positions (cf. Party Manifesto PSOE 2004; Chaqués Bonafont and Palau 2012). The interplay between these circumstances ultimately paved the way for the Socialist victory (Montero et al. 2008). However, the party could only govern in minority. Nine additional parties were represented in the parliament, holding a total of 38 of the 350 parliamentary seats. The most powerful was the conservative Catalan Convergence and Union Party (CiU) with ten seats, followed by the Catalan Republicans (ERC) with eight seats and the electoral coalition between the United Left (IU) and the Green Catalans (ICV) with five parliamentary seats. Six additional regional parties fell into the category “others.” Except for the Socialists, the Conservatives, and the United Left, all other parties exclusively ran for elections in their *Comunidad Autónoma*.

Given this specific party constellation, the question is why issue attention is high under a secular government promising reform steps already during the electoral campaign? What have opposition parties to win when politicizing morality issues during the 8th legislative term? The distribution of parliamentary instruments by political party can help to answer these questions. The right-hand side of Fig. 6.6 differentiates between the two categories of initiatives, as introduced in previous chapters. With 25 initiatives, the Conservative Party (PP) proposed the largest number of initiatives, but all of them were relatively “silent” (in this case, written questions). The smaller religious party, the CiU, was rather inactive, with one non-legislative bill and two questions, indicating little interest in politicizing the topic but general political concern. The two secular actor groups submitted various visible initiatives in combination with more discreet instruments illuminating the intention to politicize the topic. However, what were these parties aiming at in party competitive terms?

The PP dealt with the issue of same-sex partnerships in the form of written questions instead of avoiding the topic completely. The PP intended to receive information very early about the Socialists' policy plans and in particular about their plans in terms of adoption rights. On the one hand, the religious party was seriously concerned about such reform steps, and on the other hand, it was able to highlight the main conflict point within the Socialist Party as well as between the Socialist Party and its potential ad hoc coalition partners. In the 1990s, the question of adoption rights split the secular actor group. While the Socialist Party was rather critical, all other smaller secular parties demanded comprehensive adoption rights for same-sex couples (Chaqués Bonafont and Palau 2012; EP 03.10.2004). In consequence, not only the initiatives of the PP but also the proposals of the small secular opposition parties (IU-ICV and ERC) dealt with the question of family rights for same-sex couples. For instance, the deputy Alicia Castro, member of the PP, asked the government to make a statement on a project that was investigating the development of children in families with two parents of the same sex. This study had concluded that difficulties arise when children grow up in such families (CD n° 184/033983). The small secular parties (IU-ICV, ERC), for example, proposed a relatively large number of legislative and non-legislative bills, considering also the aspect of adoption rights. Even the small religious party, CiU, developed a legislative proposal in order to shape the discussion. During the 1990s, the CiU was the main supporter of the Socialist minority government; Prime Minister Felipe González (1993–1996) formed a so-called *pacto de legislatura* with the CiU in order to push through governmental proposals. At that time, a number of legislative bills from the opposition—namely, the CiU—were adopted. The newly elected prime minister, José Luis Rodríguez Zapatero, did not negotiate such an informal agreement with any party in advance due to negative experiences during the preceding electoral campaign. In 2000, the PSOE had lost a large number of votes due to their campaign promise to collaborate with the United Left (Magone 2009, 23). Consequently, in the 8th LP, the PSOE relied largely on ad hoc support or shifting alliances.⁴ It means the PSOE could search for the “least expensive” coalition partner on different issues instead of always relying on a single ally or set of allies (Field 2013, 64). In terms of same-sex partnership rights, the CiU and the small secular parties, IU-ICV and ERC, were potential partners for an ad hoc coalition as they required the support of at least 12 additional deputies, preferring permissive reform steps.

The assessment of party positions via newspapers confirms the central location of the Socialist Party and thereby its freedom to switch ad hoc coalition partners (see Fig. 6.7). The coding of 47 newspaper articles and 82 actor-object positions resulted in an average issue position of 0.89 for the Socialist Party, indicating that the main secular party largely supported same-sex partnership rights. There were only a few critical voices within the party ($C_{\text{Intra PSOE}} = 0.12$). The small secular parties (ERC and IU-ICV) had an average issue position of 1.0, indicating that same-sex partnership rights were fully supported. Moreover, intra-party conflict was largely absent. The CiU, in contrast, defended a position with values around 0.33, a more critical stance and struggled with larger dissent within the party. As expected, the main religious party exhibited a negative average issue position, with a value of -0.3, but also a considerable level of intra-party conflict. Figure 6.7 points to the most suitable and least “costly coalition partner.” The CiU and the PSOE differed much more in their average issue position than the small left-wing parties and the PSOE. In theory, the most suitable ad hoc coalition partner is evident, but how does this link up to the activity of the small secular

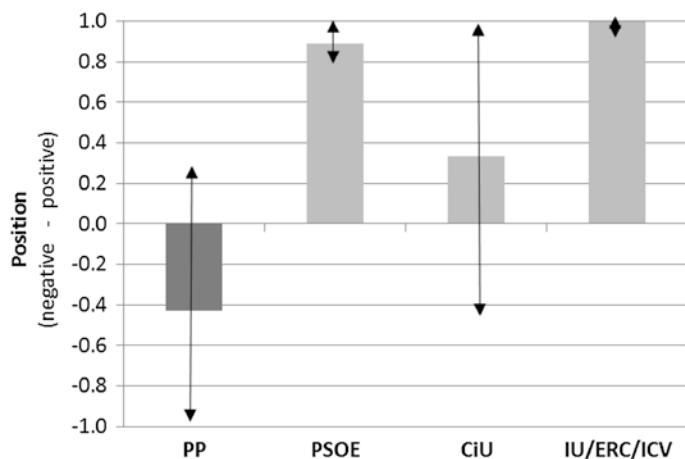


Fig. 6.7 Position of Spanish political parties on same-sex partnership rights in the 8th LP (Source Author's compilation on the basis of newspaper analyses of 47 newspaper articles and 82 actor-object relations. Continuous line = level of intra-party conflict)

parties? Why were they so active? Did they really intend to blame the government in their role as opposition?

The analysis of parliamentary documents indicates that the small secular parties did not follow a strategy of blaming the government but rather addressed the priority of the issue requiring a fast and far-reaching reform process. They continued the strategy of the previous legislative turn in which the small secular parties and the PSOE criticized together the PP and its close links to the Catholic Church avoiding any reform. The Catalan Republicans and the coalition between the United Left and the Green Catalans submitted several legislative proposals already in the spring of 2004, long before the Socialists had proposed their first bill (January 2005). The United Left and the Green Catalans demanded an end to discrimination and the possibility of marriage for same-sex couples, including comprehensive adoption rights. Isaura Navarro Casillas (IU-ICV) defended the bill, explaining that neither the Vatican nor the central organ of the Catholic Church in Spain had the right to govern the private lives of all Spaniards. The concept of family should be defined and interpreted within a laical and democratic legal framework. Therefore, she asserted, relics of a time in which the Catholic Church was much more involved in public life should be abandoned. She argued that it was necessary to acknowledge societal realities and adjust the legal status quo accordingly (Plenary Protocol CD n° 2004/21: 917f., 931). The Catalan Republicans submitted their proposal in May 2004. This party opted for another solution, namely the creation of a new institution called *uniones estables* or *parejas de hecho*. This institution would be open to same-sex couples and different-sex couples that did not want to marry and would grant same-sex couples the same rights as married couples. Cerdà Argent, the speaker of the Catalan Republicans, explained that the Spanish Constitution supports stable and trustful relationships between two individuals. Therefore, two homosexual people willing to live in a stable relationship should also be acknowledged under the law (Plenary Protocol CD n° 2004/21: 913f.). Finally, the Mixed Group also proposed a bill on same-sex partnership rights, demanding similarly extensive rights as the United Left and the Green Catalans had. In sum, the strong engagement of the small secular opposition parties was more a signaling of supporting the long-discussed reform plans instead of blaming the government.

The step-by-step approach of the POSE in proposing concrete reform plans indicated that the Socialist Party had major difficulties in drafting

a law. Shortly before the first parliamentary reading on the introduced initiatives of the opposition parties, the PSOE developed a so-called non-legislative bill. The Socialist Party demanded that the institution of marriage be opened to same-sex couples but did not specify further the topic of adoption rights (CD n° 162/000111). Pérez Rubalcaba, the minister of interior, defended the approach and the general discussion as a positive development after so many years of Conservative blockades (Plenary Protocol CD n° 2004/21: 927f.). As explained above, the proposal to open marriage to same-sex couples was a far-reaching step for the PSOE. Before 2000, the party had demanded equal rights for married and unmarried people without referring to other unions as marriages (Chaqués Bonafont and Palau 2012, 86f.; cf. Party Manifesto PSOE 2000). However, when the party discovered that the only way to regain power at the national level was to introduce policy issues that unambiguously and radically distinguished them from the ruling Conservatives, they began to accept more “extreme” demands (Calvo 2007, 304). This was necessary because the Conservatives had also developed a more moderate position toward same-sex partnership rights. In the plenary debate of June 2004, for instance, the main religious party considered a separate institution such as the registered same-sex partnerships found in Germany and France as a potential feasible solution (Plenary Protocol CD 2004/21: 923). Finally, in July 2004, the non-legislative bill of the Socialist Party was approved. The legislative bills of the secular opposition parties passed the first hurdle, as the government presented no objection. The bills were submitted to the full Congress for a special debate to decide whether or not to accept them for parliamentary processing (Newton and Donaghy 1997, 69). However, this special debate never took place because in January 2005, the Socialist government proposed a legislative bill that opened marriage to same-sex couples including comprehensive adoption rights which was adopted by the support of the small secular parties.

In sum, the relatively high levels of parliamentary attention on same-sex partnership rights under a secular government were the product of two different factors. While both aspects are related to the minority position of the Socialist party, only one part of the explanation relates to the idea of wedge-issue competition and hence to the central argument. First of all, in times of secular minority governments issue attention on morality policies can be high because small secular opposition parties continue to politicize the topics in order to underline their priority and to put

forward their plans with regard to specific policy instruments. In other words, negotiations between potential ad hoc coalition partners will not take place behind closed doors but within the parliamentary arena. Accordingly, this behavior does not follow a logic of wedge-issue competition because these parties do not aim at intensifying the anyhow low conflict level within the PSOE. At the same time, however, I observe an increased engagement of the PP pointing to a new logic of wedge-issue competition in political systems with minority governments. In detail, the major opponent of the PSOE highlights aspects of the policy under consideration which divides the government and its potential partners for an ad hoc coalition. Therefore, this case study also supports the main argument. However, it uncovers a third mechanism of wedge-issue competition, namely the strategy of driving a wedge between potential ad hoc coalition partners in a more silent way.

6.4 SUMMARY AND DISCUSSION

The three case studies provide evidence for the newly developed explanatory framework for understanding the interaction of *religion* and *morality politics* in the religious world and uncover unexpected dynamics and underlying mechanisms. In contrast to the available literature, these studies show that morality policies are not constantly salient. Instead, parliamentary issue attention is driven by two dynamics: (1) It is the minority party that politicizes morality issues; and (2) only if a minority party is able to challenge a more powerful opponent on morality issues will it politicize a topic in order to drive a wedge between the opponent's members and thereby blame the opponent for the incompetence to formulate policy solution. Two specific logics of wedge-issue competition—*intra-party conflict* (*expectation 1*) and *inter-party conflict* (*expectation 2*)—are reflected in the case studies on Germany. Finally, the Spanish case study uncovers *a new and neglected logic* in the literature on wedge-issue competition: Religious opposition parties may contribute to the parliamentary politicization of morality policies in order to drive a wedge between potential ad hoc coalition partners and thereby challenge coalition building.

Despite these novel findings on the parliamentary logic of wedge-issue competition, this chapter discovered some interesting insights on the involved political actors and some relevant side conditions. Although *secular mass parties* are key actors in politicization of morality issues (cf.

Chapter 5), their engagement in morality policy politicization seems to decrease over time and with the permissiveness of the specific morality policy; the more permissive the regulatory status quo and the more extreme the reform proposals, the more hesitant the secular mass parties become. Secular mass parties in both Germany and Spain, for example, initially refrained from demanding to open marriage and full adoption rights for same-sex couples. This behavior might be related to the fact that secular mass parties in the religious world reach out to median voters who are not strictly religious (e.g., through regular attendance at religious services) but who may still support basic religious principles consistent with the cultural legacies of the churches in these countries (Davie 2006, 2007). Therefore, it is not always attractive for secular mass parties to politicize morality issues and to ask for “extreme” regulatory changes, because under certain circumstances—especially when the majority of voters would be likely to reject far-reaching reforms—religious majority parties can be immune to pressure to agree to permissive regulatory demands. So the politicization behavior of secular mass parties in opposition depends very much on their specific location on the ideological spectrum of the national party system, their competitors, and the regulatory status quo of a morality policy.

For instance, in Germany’s multi-party system, the secular mass party (the Social Democratic Party; SPD) directly competes with three different secular niche parties—Gruene, Linke, and FDP—known for their long struggle for a liberal approach to morality issues. In other words, voters on the extreme secular end of the religious-secular axis are absorbed by the secular niche parties, decreasing the attractiveness of politicizing morality issues over time for secular mass parties. In Spain’s two-and-a-half party system that prevailed until 2011, by contrast, the secular mass party (the Spanish Socialist Workers’ Party; PSOE) was able to reach out to more extreme secular voters because the only secular niche party at the national level (the United Left; IU) was very weak. As a consequence, the PSOE was able to mobilize more—and more extreme—secular voters (Gunther and Montero 2009). Such a political party constellation increases the attractiveness of demanding extreme morality policy reforms for secular mass parties as they approach an electorate not covered by other parties. This study therefore observes that politicization strategies of secular mass parties vary over time and are highly dependent on the permissiveness of the specific morality policy as well as the underlying structure of the political party system.

The regulatory status quo of a morality policy and the structure of the national party system have an impact not only on the politicization strategy of secular mass parties but also on the behavior of *religious parties*. The more permissive the regulatory status quo and the more extreme the demands are in the policy proposals in countries of the religious world, the easier it becomes for religious parties to reject such reform steps based on their religious belief system because a large (maybe silent) group of voters is likely to support such a behavior (Davie 2000, 2006). This means that the blaming strategies of that are deployed by secular opposition parties become less effective. The only exception in that regard is instances in which religious mass parties rule together with religious niche parties, such as the CDU and the CSU in Germany; in such cases, religious mass parties are forced to defend their religious profile against attacks from religious niche parties without frightening their secular electorates. With regard to the politicization strategy of opposition parties in terms of morality policies, one additional remark is in order: Even if an advanced reform process of a morality issue challenges the blaming strategy of some secular mass parties, these parties may further use morality issues competitively *by reframing* the issue and focusing on aspects that are likely to stimulate conflict within the government, as was revealed by the case study on prostitution policy in Germany.

A brief comment on the relevant side conditions influencing the politicization behavior of opposition parties may also be apt. Two aspects are important to highlight here. First, external events such as court rulings may foster the engagement of opposition parties in the politicization of morality issues at specific points in time (cf. the case study on same-sex partnership rights in Germany and the decision of the European Court of Justice). However, these events rarely determine a party's overall politicization strategy with regard to such issues, which sometimes lasts for decades. Second, the government format (whether grand coalition, minimal winning coalition, or single-party government) determines the formal agenda power of governments and thus may increase or limit opposition parties' leverage in politicizing morality issues in the parliamentary arena. For instance, when a country is ruled by a grand coalition, the government has comprehensive formal agenda power, and it may schedule unpopular proposals for late evenings or shortly before vacations or reduce speaking time for opposition parties (cf. the second case study on Germany). Parties ruling as minimal winning coalitions may do the same but in a much more limited way because of their

comparably smaller number of parliamentary seats. In short, government format may not only shape politicization behavior of opposition parties but also limit its effectiveness.

Contrary to expectations, these analyses do not reveal any empirical evidence for the so-called policy compensation effects (*expectation 4*). Even in the second case study, in which both morality issues are explored within one legislative period, it does not appear that the debate on prostitution law had any impact on the debate on same-sex partnership rights. However, the tendency to reframe morality issues by focusing on specific conflictive aspects and link them to different policy debates can be interpreted as a kind of “within-policy compensation effect,” but this dynamic does not coincide with the propositions made in the theoretical chapter.

In sum, morality policies have become an attractive instrument of wedge-issue competition for minority parties in the religious world precisely because of—not despite—secularization processes. More specifically, the three factors—secularization, format of the party system and government constellation—offer an opportunity structure for minority parties and thus shape their competitive behavior. Only specific constellations of these three aspects motivate minority parties to use the “scandalizing and conflictive potential” of morality issues that are related to their religious foundations. As a consequence, only under certain conditions should we be able to observe the rise of policies related to religious values in the parliamentary arena. Thus, the “new age of post-secularization” is not characterized by the continuous political salience of religious issues but rather by an oscillating pattern following strategic concerns of political parties.

NOTES

1. The authority responsible for the registration of same-sex couples varies across states (*Länder*). In some states, registry offices register same-sex couples, but in others, other regulatory agencies have assumed responsibility for this task. Often this is associated with different registration fees (Debus et al. 2012). Thus, same-sex couples suffer from not only symbolic but also economic discrimination.
2. One might describe these facilities as sex drive-ins where cars can park and street prostitution can take place in a controlled and safe way for women. Zurich has recently followed the example of some German cities in this regard.

3. There is a long debate in Germany whether sex workers can rely on the article 12 GG. Even the landmark decision of the Administrative Court in Berlin (VG Berlin 2000; 35 A 570/99) could not fully clarify this question (interview with Richter Verwaltungsgericht Berlin, 2013, November 8). Felicitas Weidmann, owner of the “Café Pssst!” in which prostitutes and clients could meet in order to get to know each other and reach an agreement (so-called *Anbahnungsgaststätte*), took legal action against the withdraw of her license to operate a bar in 1997. The city council of Berlin accused her to foster immorality and thus, violating German law. In the end, the Administrative Court in Berlin supported her complaint arguing that prostitution cannot be considered anymore as morally wrong activity today (guiding principle 2, VG Berlin 2000; 35 A 570/99).
4. This strategy is known in Spain as *geometría variable* (Field 2013).

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PART III

Linking Parliamentary Attention and Change in Morality Policies



CHAPTER 7

Explaining Patterns of Morality Policy Change in Austria, Germany, Spain, and the Netherlands

7.1 THE EVOLUTION AND EXTENT OF MORALITY POLICY CHANGE OVER TIME

Same-sex partnership rights and prostitution, the two morality policies under study in this book, have experienced an increasing number of reforms in the last five decades in Europe (for a historical overview from 1960 to 2015, see Chapter 5, Sect. 5.1). While converging patterns of regulation are visible in the field of same-sex partnership rights, prostitution is treated very differently across European Union member states. Accordingly, the four countries representing the religious world in this book (Austria, Germany, Spain, and the Netherlands) also show large variance in the evolution and extent of morality policy change over the last twenty years (see Figs. 7.1 and 7.2).

Figure 7.1 provides a visual overview of the evolution of change (left-hand side) and the extent of change (right-hand side) in the field of same-sex partnership rights in the four countries under study from 1994 until 2016. The left-hand side of Fig. 7.1, for instance, illustrates Austria's late and incremental responses (light-gray line) to the judicial pressure on the development of same-sex partnership rights. Only in 2009 did the country permit same-sex couples to register their partnerships and to be eligible for several but not all of the social benefits afforded to married heterosexual couples. Small regulatory adjustments to social benefits and adoption rights followed, and in 2019, same-sex

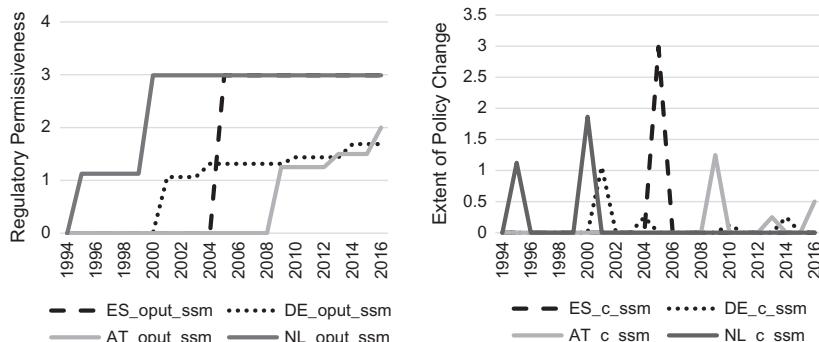


Fig. 7.1 Evolution and extent of change in same-sex partnerships across countries (1994–2015) (*Source* PoliMoral. *Note* Exclusively regulatory changes adopted at the national level are considered. Regulatory permissiveness: 0 = non-recognition, 1.0–1.9 = registration model, 2.0–3.0 = same-sex marriage. AT = Austria, DE = Germany, NL = The Netherlands, ES = Spain. Ssm = same-sex partnership rights)

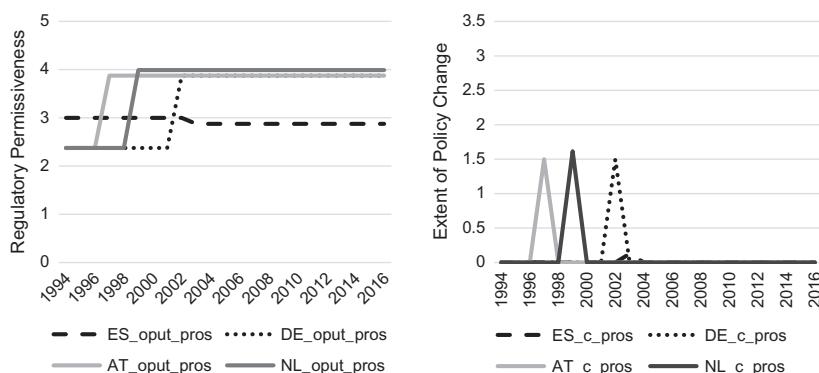


Fig. 7.2 Evolution and extent of change in prostitution policy in the religious world (1994–2015) (*Source* PoliMoral. *Note* Exclusively regulatory changes adopted at the national level are considered. Regulatory permissiveness: 0 = prohibition, 1.0–1.9 = abolitionist regime, 2.0–2.9 = permission without recognition, 3.0–4.0 = permission with recognition. AT = Austria, DE = Germany, NL = The Netherlands, ES = Spain. Pros = prostitution policy)

marriage will be fully permitted. A similar incremental evolution of morality policy change is visible in the German case (Fig. 7.1, dotted black line). The main difference between Austria and Germany is that in Germany, the reform process started earlier (in 2001). The Netherlands, by contrast, was the first country in the religious world to fully abolish discrimination against homosexual couples, doing so with a radical reform step (dark-gray line); Spain followed suit in 2005 (broken black line). In terms of the extent of policy change, Spain is the only country to have reached its permissive regulatory status quo with a single major reform, which it did in the mid-2000s (broken black line in the right-hand side of Fig. 7.1). The other countries, especially Germany and Austria, follow an incremental, step-by-step reform process of diverse minor policy adjustments.

The trends toward more permissive regulations in the field of same-sex partnership rights are also visible in the field of prostitution policy within the countries under study, but they are reached through another evolution of morality policy change. Specifically, parallels in regulatory permissiveness are illustrated in the left-hand side of Fig. 7.2; except for the broken black line (Spain), all other lines converge toward the most permissive regulatory regime, being almost equal to a value of 4.0 (see Chapter 4 for more details on the operationalization of regulatory permissiveness). This indicates that since the early 2000s, Germany, the Netherlands, and Austria have followed a very permissive approach toward morality policy regulation, called here “permission with recognition” (see Chapter 4). The right-hand side of Fig. 7.2 summarizes the evolution of regulatory changes over time. It shows that three strong peaks in the late 1990s and early 2000s resulted in the later regulatory status quo.¹ The Netherlands, Germany, and Austria began their reform processes from an equally restrictive regulatory status quo and adjusted them through a single major reform. Spain, by contrast, has since the early 1990s employed the intermediate permissive regulatory paradigm of “permission without recognition” and adopted only one minor reform in 2003 related to pimping.²

Overall, I observed several regulatory changes in both policy fields and across the last twenty years (1994–2014). While the direction of public policy change seems to point to a more permissive direction in all four countries, the extent and dynamic of policy change varied across the cases under study. The main question is whether the evolution and extent of morality policy change observed was systematically related to

the levels of political attention in the national parliaments explored in Part II. The following section examines this question on an aggregated level, meaning across the four selected countries, the two morality policies, and over a time period of twenty years (1994–2014).

7.2 THE DYNAMIC EFFECT OF PARLIAMENTARY ISSUE ATTENTION ON MORALITY POLICY CHANGE AND THE MITIGATING POWER OF INSTITUTIONAL VENUES AND POLICY IMAGES

Does high parliamentary attention negatively impact the extent of morality policy change on the short run in the religious world? How does the long-term effect of parliamentary issue attention look like? And can we observe a mediating role of institutional venues and policy images? To answer these questions, I will first provide a descriptive overview of all reform moments and parliamentary attention levels and then conduct a correlation analysis and some basic bivariate as well as multivariate (panel) regression analyses.

The dataset used for these analyses includes 1370 initiatives and twelve policy reforms over a twenty-year period (1994–2014) across four countries. For the first tests, the initiatives are aggregated on an annual basis. The descriptive overview shows that the peaks of attention are not necessarily related to reform activity in the last twenty years (see Fig. 7.3,

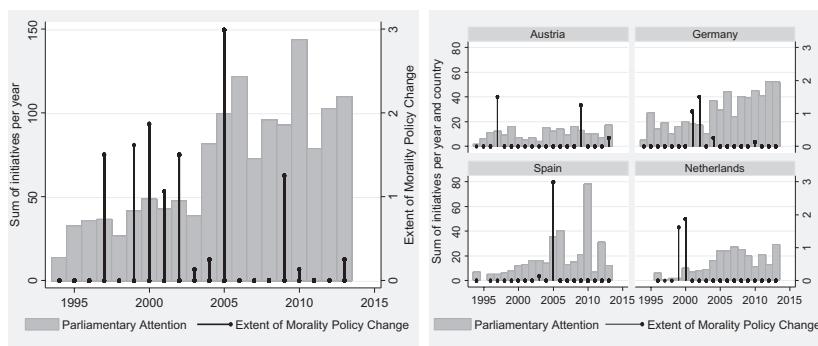


Fig. 7.3 Parliamentary attention and extent of morality policy change (1994–2014) (*Data PoliMoral. N (initiatives)=1370. N (reforms)=12*)

extent of parliamentary attention [left *y*-axis] and extent of morality policy reforms [right *y*-axis]). Many comprehensive reforms were adopted in the late 1990s and early 2000s (see black lines), a period in which parliamentary attention was comparatively low (see gray bars). I find several changes in the policy paradigm indicated by values larger than 1.0 (right-hand *y*-axis) (e.g., the introduction of registered partnerships for same-sex couples and the recognition of sex work as regular profession). Thereafter, from the mid-2000s onward, regulatory adjustments were less substantial, concerning single policy instruments or settings of these instruments. Parliamentary attention, however, increased on average up to about 100 initiatives per year across all countries. There was only one case, in 2005, where high levels of parliamentary issue attention coincided with a major policy reform.

The disaggregated overview reveals that the case in 2005 is a policy reform in Spain (introduction of same-sex marriage; see right-hand Fig. 7.3). Except for this reform, however, there is no evidence of a positive and direct relationship between high parliamentary issue attention and the extent of policy change. In the Netherlands, for instance, same-sex couples have been allowed to register since 1997, and prostitution was recognized as regular profession in 1999. The number of parliamentary initiatives increased much later, however. A similar process occurred in Germany, where same-sex couples have been able to register since 2001 and sex workers have been recognized since 2002. In these years, parliamentary attention was much lower than in the late 2000s. Austria also failed to support this intuitive relationship. Central reforms took place in 2009 for same-sex partnership rights and in 1997 for the field of prostitution policy, but issue attention did not change substantially in parliament. Only in Spain did the peak of attention coincide with the major reform of same-sex partnership rights in 2005. So overall, the disaggregated data fail to support a positive and direct relationship between parliamentary attention and extent of morality policy change within a limited time frame in the religious world.

In line with the latter findings, some descriptive statistics and first correlation analyses also provide evidence for a negative interaction (see Table 7.1). The correlation analysis depicts a significant and weakly negative relationship between parliamentary issue attention and the extent of morality policy change. The chi-square test is highly significant (*p* values of <0.00) and Cramer's *V* has a value of 0.24. In addition, the

Table 7.1 Correlation analysis of parliamentary attention and extent of morality policy change

		<i>Extend of morality policy change</i>			
		<i>No change</i>	<i>Minor change</i>	<i>Major change</i>	<i>Total</i>
Parliamentary attention (aggregated initiatives per year)	<30 Initiatives	3.57% 41 (1.3)	0% 0 (3.4)	0% 0 (3.2)	2.99% 41 (7.9)
	<60 Initiatives	21.95% 252 (1.8)	13.91% 16 (4.8)	55.14% 59 (43.8)	23.87% 327 (50.4)
	<90 Initiatives	17.16% 197 (0)	31.17% 37 (15.3)	0% 0 (18.3)	17.08% 234 (33.6)
	<120 Initiatives	38.07% 437 (0.6)	14.78% 17 (15.0)	44.86% 48 (2.0)	36.64% 502 (17.6)
	>120 Initiatives	19.25% 221 (0.0)	39.13% 45 (23.0)	0% 0 (20.8)	19.42% 266 (43.8)
	Total	100% 1148 (3.7)	100% 115 (61.6)	100% 107 (88.1)	100% 1370 (153.3)
Pearson's chi ² (8)=153.34***					
Spearman's $\rho=-0.06^{**}$					
Person's $r=-0.09^{***}$					
Cramer's $V=0.24$					

Note Column percentages in bold, estimated data in brackets, empirical observation without brackets

Data PoliMoral

*** = p -value < 0.01, ** = p -value < 0.05, * = p -value < 0.10. N = 1370

Spearman's correlation coefficient ρ for the interaction between issue attention and extent of policy change is significant and has a weak negative value ($\rho=-0.06$, $p<0.01$). Person's correlation coefficient r points in the same direction. In consequence, there seems to be a weakly negative association between the two variables. This negative relationship is also illustrated visually by a simple bivariate regression analysis between parliamentary attention and the extent of morality policy change, shown in Fig. 7.4. The dotted lines indicate the means of both the dependent and the independent variables. The linear regression line illustrates a weak negative trend. Moreover, I observed a large number of cases having a value of 1 in terms of morality policy change. This means that we have many years in which the governments in the different countries were passive.

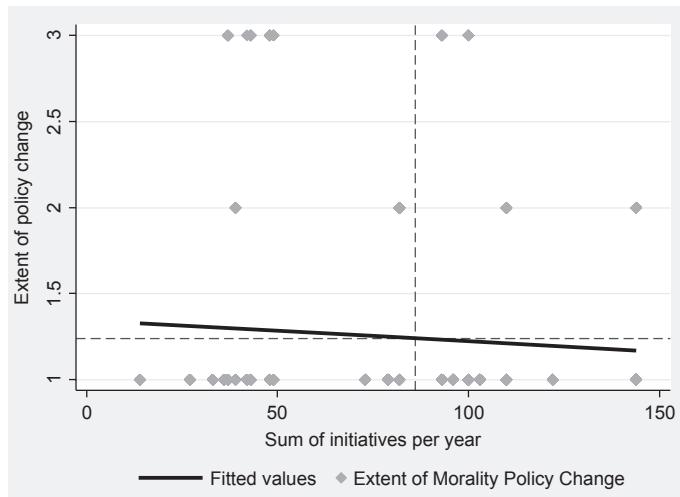


Fig. 7.4 Bivariate regression analysis of parliamentary attention and policy change (1994–2014) (*Data PoliMoral*. $N=1370$). Extent of policy change: $y=1$ means no change, $y>1$ means minor or major change)

Accordingly, it appears that there is no positive relationship between an party's engagement and the extent of morality policy change in the past twenty years in countries of the religious world in Europe. Instead, the more these topics are politicized by (opposition) parties in parliament, the more difficult it seems to become for governments to adopt reforms or comprehensive reform steps; this coincides with the main theoretical argument of the second part of the book (cf. Chapter 3, Sect. 3.2). Nevertheless, two questions remain: Will these results remain stable when conducting more sophisticated analyses? And do the two variables—venue shifts and changes in policy images—mediate the negative relationship on the long run, and can they even mitigate the negative effect?

In order to explore the complex interaction between parliamentary attention and morality policy change, I first model simple multivariate ordinary least squares (OLS) regression models and then ordinal regression models that consider the panel structure of the data as well as the categorical measurement structure of the transformed second dependent variable (i.e., the evolution of morality policy change). In the first set of

models, the units of analysis are proposal-years by country, whereas in the second set of models, country-years are the basic unit of analysis due to a reorganisation of the dataset which facilitates the interpretation of the results. Besides the key dependent variables (extent of morality policy change and evolution of morality policy) and the key explanatory factor (parliamentary issue attention), all models include a variable capturing the institutional opportunity structure for venue shifts within a country (called “institutional venue”) and another variable measuring the agreement on one dominant policy image, which is assessed as positional distance between the government and the main policy initiators (called “positional distance”). Moreover, several control variables are included, such as institutional veto points (in particular, taking into account minority positions of governments and the existence of a second chamber), the regulatory permissiveness (i.e., the status quo of the morality policy regulation within a country), and the government constellation (i.e., religious-secular vs. secular; for more details on the operationalization and descriptive statistics of the key variables, see Chapter 4).

As part of the first set of analyses, I estimate pairwise correlations between the dependent variables—the extent of policy change and the evolution of policy change—and all other theoretically relevant variables. The correlation matrix in Table 7.2 summarizes the main results.³ First, a weak but strongly significant negative correlation between the extent of policy change and parliamentary attention is reaffirmed. Second,

Table 7.2 Correlation matrix key variables

	<i>Extent of change</i>	<i>Evolution of change</i>	<i>Parliamentary attention</i>	<i>Positional distance</i>	<i>Institutional venues</i>
Extent of change	1.00				
Evolution of change	0.65***	1.00			
Parliamentary attention	-0.07**	-0.07**	1.00		
Positional distance	-0.01	-0.09***	-0.17***	1.00	
Institutional venues	-0.27***	-0.28***	0.10***	0.11***	1.00

Data PoliMoral. N=1283. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.10$. Time Frame = 1994–2014

it seems that parliamentary issue attention also negatively impacts the evolution of morality policy change. Third, the policy distance of government actors and reform initiators (approximating the relevance of one policy image) correlate negatively with the extent and evolution of morality policy reforms. In other words, as the distance in issue positions between the key actors increases, the less likely becomes comprehensive regulatory change. However, the correlation is not statistically significant for the extent of policy change and has rather small values of -0.01 and -0.09 . Fourth, the variable approximating the possibility of institutional venue shifts to the juridical, the expert, or the subnational arena seems to significantly and strongly constrain morality policy change. This means that the possibility of shifting an issue to another venue makes comprehensive reform steps less likely. The main question is whether this effect remains stable, when we consider relevant control variables and take into account how precisely the variables interact over time.

To answer these questions, all variables are included first in a simple multivariate OLS regression model (see Table 7.3), which take into account all control variables. Then the data are reorganized and ordered logistic panel regression models as well as logistic panel regression models are estimated due to the particular measurement structure of the two dependent variables (see Table 7.4). Although the first set of models are not ideal for estimating the effects of the independent variables, because of the zero inflation of the first dependent variable and the panel structure of the data, these models nevertheless offer an initial descriptive overview between the interplay of the extent of morality policy change and the extent of parliamentary attention. Moreover in the OLS regression models, years, and countries, dummies are included as control variables to capture at least to some extent the mentioned particularities of the first dependent variable (i.e., extent of policy change).

The models in Fig. 7.3 focus on the relationship between parliamentary issue attention and the extent of morality policy change within a limited period of time, exploring thus the more short-term effect of parliamentary issue attention. They also successively examine the interaction effects between issue attention and institutional venue shifts and positional distance (approximating the existence of a dominant policy image), although this relationship is expected to matter for policy change mainly on the long run. Specifically, model 1 is in line with the correlation matrix that the parliamentary issue attention seems to exert a small but significant negative effect on the extent of morality policy change.

Table 7.3 Impact of parliamentary attention on the extent of morality policy change

	<i>Model 1</i> <i>DV2a</i>	<i>Model 2</i> <i>DV2a</i>	<i>Model 3</i> <i>DV2a</i>	<i>Model 4</i> <i>DV2a</i>
Parliamentary attention	-0.00*** (0.00)	-0.00*** (0.00)	-0.01*** (0.00)	-0.01*** (0.00)
Positional distance	0.23*** (0.05)	0.21*** (0.05)	-0.62*** (0.09)	-0.59*** (0.1)
Institutional venue	-0.83*** (0.13)	-1.93*** (0.20)	-1.06*** (0.12)	-1.33*** (0.26)
Interaction attention + Institutional venue		0.01*** (0.00)		0.00 (0.00)
Interaction attention + Positional distance			0.01*** (0.00)	0.01*** (0.00)
Institutional hurdles	-0.92*** (0.22)	-1.80*** (0.26)	-1.72*** (0.19)	-1.73*** (0.22)
Regulatory permissiveness	0.20*** (0.02)	0.21*** (0.02)	0.19*** (0.02)	0.19*** (0.02)
Government constellation (religious-secular vs. secular)	-0.03 (0.04)	-0.07 (0.04)	-0.01 (0.04)	-0.02 (0.04)
Country	0.00 (0.02)	0.01 (0.02)	0.024 (0.02)	0.02 (0.02)
Year	-0.03*** (0.00)	-0.03*** (0.01)	-0.024*** (0.00)	-0.03*** (0.01)
Constant	49.58*** (10.61)	61.36*** (10.80)	48.92*** (10.17)	52.00*** (10.61)
<i>N</i>	1283	1283	1283	1283
<i>R</i> ²	0.17	0.19	0.24	0.24
Adjusted <i>R</i> ²	0.17	0.18	0.23	0.23

Note Cell entries are unstandardized OLS regression coefficients with standard errors in parentheses. DV2a: dependent variable 1 (i.e., extent of morality policy change). Two-sided significance test:

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

The same is true for institutional constellations facilitating venue shifts to the juridical branch or the subnational level. In other words, in political systems in which subnational levels exist and where courts are comparably powerful, comprehensive morality policy change is less likely, since governments may shift morality issues to other arenas without adopting any reform. The same effect is visible for the control variable “institutional hurdles,” which assesses “alternative institutional veto points” such as the existence of a second chamber or a minority position of the

Table 7.4 Impact of parliamentary attention on the evolution of morality policy change

	<i>Model 5</i> <i>DV2a</i>	<i>Model 6</i> <i>DV2a</i>	<i>Model 7</i> <i>DV2b</i>	<i>Model 8</i> <i>DV2b</i>	<i>Model 9</i> <i>DV2b</i>	<i>Model 10</i> <i>DV2brb</i>
Parliamentary attention	-0.01 (0.01)	-0.07* (0.04)	0.02 (0.02)	0.07* (0.04)	0.09** (0.04)	0.09*** (0.01)
Positional distance	-0.16 (0.98)	-2.06 (2.23)	-2.15 (2.02)	3.07 (5.50)	2.17 (6.93)	2.17 (4.76)
Institutional venue	-4.83* (7.98)	-23.12** (11.70)	-1.14 (3.76)	10.29 (6.33)	17.91 (18.95)	17.91 (15.06)
Interaction attention + Institutional venue		0.21* (0.12)		-0.13** (0.05)	-0.18 (0.19)	-0.18 (0.12)
Interaction attention + Positional distance		0.04 (0.04)		-0.05 (0.05)	-0.04 (0.07)	-0.04 (0.07)
Institutional hurdle	-6.92 (0.05)	-7.26 (4.69)	-10.60 (7.03)	-10.17 (7.09)	-10.94 (8.01)	-10.94** (3.61)
Regulatory permissiveness	0.33 (0.38)	0.63 (0.44)	1.08 (0.90)	0.77 (0.93)	1.14 (1.14)	1.14 (0.73)
Government	0.71	0.71	1.06	1.46**	1.42	1.42**
Constellation (religious-secular vs. secular)	(0.90)	(1.02)	(1.28)	(0.72)	(1.51)	(0.67)
Year					-0.34 (0.22)	-0.34* (0.20)
<i>N</i>	65	65	55	55	55	55
Country	4	4	4	4	4	4

Note Cell entries are unstandardized regression coefficients of (ordered) logit panel models with (robust) standard errors in parentheses. DV2a (short-term effect): extent of morality policy change (none, minor, major). DV2b (long-term effect): evolution of morality policy change (no, yes). rb.=estimated with robust standard errors. Two-sided significance test: * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

government (cf. Chapter 4). The variable capturing the positional distance between governmental actors and policy imitators, and thus, the existence or erosion of a dominant policy image indicates a positive correlation, which at first glance may seem counterintuitive for some scholars. One may argue that the greater the distance between policy positions, the more difficult it becomes to agree on a policy reform (Tsebelis 1995, 2002). On the other hand and in line with the theoretical framework, one may also claim that the greater the distance between

policy positions, the greater the pressure will be on the “old” policy image and the more likely it will be for the image to change, which in turn facilitates policy reforms (Baumgartner and Jones 1993).

Against these reflections, it is interesting to consider the interaction effect of parliamentary issue attention and institutional venues respectively parliamentary issue attention and positional distance as these relationships and their impact on morality policy change stand in the focus of interest of the theoretical Chapter 3 (models 2–4). Model 2 shows that parliamentary attention seems to interact systematically with institutional venues and to have a potentially releasing force on morality policy change. First, the impact of parliamentary attention on morality policy change remains significant and negative. Second, the interaction term has a significant and positive impact on morality policy change. This means that a strong Constitutional Court or subnational entities reduce the negative effect of parliamentary attention on the extent of morality policy change. In other words, even when the opposition challenges the government with the politicization of morality issues, the chances of policy change increase in political systems with a strong Constitutional Court or subnational actors than in political systems lacking such institutions.

Besides institutional venues, the positional distance between governmental actors and the main initiators of morality policy reforms (which approximates the existence of a dominant policy image) is expected to mediate the relationship between parliamentary attention and morality policy change, as well. This argument is explored in more detail in models 3 and 4. Model 3 includes positional distance as an independent variable and an interaction term. The combination first provokes a change in the sign of the independent variable (value of -0.62). This means that an increase in the distance between actors reduces the likelihood and extent of morality policy change; this is more intuitive for scholars following Tsebelis’s (1995) veto-player approach but less persuasive when employing Baumgartner and Jones’s (1991, 1993) understanding of the relevance of issue positions. However, when looking at the interaction term that seems to mitigate the negative effect of parliamentary attention, then the theoretical ideas are empirically reflected again. In line with the theoretical assumption that root on Baumgartner and Jones’s (1991, 1993) discussion of policy images, one might claim that any increase in the positional distance approximates an erosion of the dominant policy images, which facilitates opposition parties to push through policy reforms.

When including both interaction terms in model 4, all coefficients remain stable, but the interaction effect between institutional venues and attention loses its significance. One could carefully interpret this finding as being a sign of the dominance of the second interaction effect (parliamentary attention and positional distance). In other words, if the positional distance is very low, it already mitigates the relationship between parliamentary attention and policy change so strongly that the releasing force of some alternative institutions loses its explanatory power. This assumption is supported by the comparison of the beta-coefficients of each variable in model 4. They allow us to compare the effects of the different variables. In fact, the interaction term of attention and positional distance exerts the strongest effect, with a beta-coefficient of 0.68, followed by the negative effect of parliamentary attention, with a beta-coefficient of -0.54 and the two independent variables of positional distance and institutional hurdles, with values of -0.39 and -0.37, respectively. Among the control variables, the extent of regulatory permissiveness of a country in a specific year also has a strong impact (beta-coefficient of 0.46). Generally, the explanatory power of the models with R^2 -adj. is rather low, varying between 0.17 and 0.23.

The next central question is of whether the described trends remain stable when estimated more sophisticated models that consider the panel structure of the dataset and hence, allow to model the long-term effect of parliamentary issue attention (i.e., the evolution of morality policy change) much better. For assessing this effect, so-called logistic panel regression models are estimated due to the categorical measurement structure of these dependent variables. The five-year time lag comes along with the loss of twenty country cases ($n=58$ instead of $n=78$), and thus, only six major and two minor policy change cases as well as fifty country-years with without any change.⁴ This data structure and the theoretical interests on the long-term effect of issue attention (focusing more on reform activity in general and less on the exact extent of reform) motivated me to recode variable into two categories: no change and policy change. At the same time, the first dependent variable of stage two (i.e., the extent of morality policy change) is recoded into three categories (no, minor, major), which allows to run the similar models and thus compare the different effects of the independent variables more easily. Moreover, the dataset was reorganized: Countries are defined as panel variable, years are defined as time variables, and all parliamentary initiatives are aggregated by year and country. Again, I included the main

independent and control variables in a first step and analyzed the interaction terms in a second step (cf. model 5 to 10 in Table 7.4). While models 5 and 6 explore the short-term effect of parliamentary issue attention and thus focus on the extent of morality policy change (DV2a), model 7 and 10 investigate the long-term effect and therefore examine the evolution of morality policy change (DV2b, recoded).

First, models 5 and 6 largely confirm the previous findings: On the short run, parliamentary issue attention seems to reduce the chances for comprehensive morality policy change, which was theoretically also expected, but this effect is mitigated by an increased number of institutional venues, which comes more as a surprise.

Second, the analyses modeling the long-term effect of parliamentary issue attention on morality policy change systematically deviate from the previous findings (models 7 to 10). In detail and most importantly, on the long run, increased issue attention seems to significantly increase the chances of morality policy change. This effect also remains stable across different specifications of the model (controlling for years and biased standard errors, model 9 and 10). While positional distance between political actors seems not to mediate this relationship systematically, the number of available institutional venues in a country seems to influence this relationship. In other words, over a longer period of time, increased levels of parliamentary issue attention seems to foster morality policy change, but if a couple of alternative institutional venues are available, then the chances for morality policy reforms decrease. As the time dimension of the relationship between parliamentary issue attention and morality policies seems to be central but difficult to model on a aggregated level, these findings have to be taken with caution and clearly need a more in-depth examination (Hall 2003), which follows in the next Chapter 8 (for a discussion on the challenge to model dynamic effects of public policy change see Loftis and Mortensen 2018).

In brief, what are the main findings of this aggregated analysis? Overall, three results are relatively stable throughout the different models. First on the short run, large extents of parliamentary attention seem to negatively impact the extent of morality policy change. Second, the effect is mediated by the availability of different institutional venues and partly by the positional distance between governmental actors and policy initiators, but the interaction effects are somewhat theoretically unexpected. For instance, on the short run the availability of different institutional venues seems to undermine the negative effect of

parliamentary issue attention rather than foster policy stillstand. Third, when exploring the long-term effect of parliamentary issue attention on morality policy change (called here as evolution of morality policy change), we clearly discover different dynamics because increased issue attention level over longer periods of time seems facilitate morality policy change. Accordingly, we find large evidence for the first and second core arguments of part three, proposing that over a short period of time, high parliamentary issue attention negatively affects the extent of morality policy change, while on the long run, high parliamentary issue attention fosters morality policy change. The third argument theoreticizing on the intermediary role of policy images and institutional venues is supported only in parts (expectations 5a, 5b and 6).

As argued before, these statistical analyses enrich our understanding of the interplay between attention and morality policy change. Nevertheless, correlation does not imply causation; therefore, additional country case studies will complement these first insights.

NOTES

1. Major regulatory adjustments are all peaks larger than or equal to a value of 1.0; they indicate a change in the regulatory paradigm (cf. Hall 1993; see Chapter 4 for more details on the operationalization). Minor reforms, by contrast, are adjustments of policy instruments or their settings; they are reflected in values smaller than 1.0.
2. One additional, very small reform step was adopted in 2009 that prohibited the advertisement of sexual services in public newspapers (*El País* 22.07.2011). This very specific regulation is not captured by the index of prostitution regulation developed in this manuscript. Moreover, some city councils (e.g., in Barcelona and Madrid) adopted new laws regulating street prostitution and management of so-called *bars de alterne*. These regulatory adjustments are not taken into account either, because the dataset focuses on national regulation exclusively.
3. The sample size reduces from 1370 to 1283 cases because for some country-years, data are missing for the variable “policy congruence.”
4. Employing a larger time lag does not change the results substantially; it only reduces the total number of cases.

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CHAPTER 8

The Indirect Effect of Parliamentary Attention on Morality Policy Change Through the Stimulation of Venue Shifts and Changing Policy Images

After having explored the interaction between parliamentary attention and morality policy change at an aggregated level in the “religious word” (Engeli et al. 2012), an in-depth exploration of the underlying dynamics and mechanisms will enrich the previous analysis. This chapter uncovers how exactly institutional venue shifts and eroding policy images moderate the relationship between parliamentary issue attention and morality policy changer over shorter as well as over longer periods of time within one country. Given this research interest, legislative periods (LPs) that face high parliamentary issue attention are particularly relevant to the analysis; this will also include a historical contextualization of the findings for a longer period of time. The 8th LP in Spain (2008–2011) and the 17th LP in Germany (2009–2013) represent the most extreme cases in terms of parliamentary attention (cf. Fig. 7.3 in Chapter 7 or Fig. 5.3 in Chapter 5) and, therefore, are interesting cases in point. Moreover, the previous case studies in Chapter 6, that explored issue attention patterns over time, also facilitate to discuss the long-term effects of parliamentary issue attention on morality policy change in Spain and Germany. The difference in the underlying institutional systems of each country is relevant to the examination because study results cannot be transferred easily between the two cases. Mechanisms of morality policy change in the German parliament, however, are likely to coincide with political process in the Dutch or the Austrian parliament because all three countries share the tradition of coalition governments, a long prevalence of the main

Christian Democratic Party in government, and a more consensus style of policy-making.

The chapter starts with the case study on German morality policies and continues with the Spanish case before summarizing and discussing in a final part both, the results of the quantitative and the qualitative analyses.

8.1 VENUE SHIFTS TO THE JURIDICAL ARENA AS A RELEASING FORCE IN GERMAN HOMOSEXUALITY POLICY

The German parliament extensively discussed the regulation of same-sex partnership rights in the 17th LP (2009–2012) as well as in the years before (cf. Fig. 6.1 in Chapter 6). Despite the high level of issue attention, the “mixed” government of Christian Democrats and Liberals adopted minor reforms. The government first adjusted inheritance tax law (*Jahressteuergesetz* 2010), applying the same income-tax bracket for life partners as for married partners. Hence, the regulatory setting of the third dimension shifted from very limited social benefits to limited social benefits (according to the index proposed in Table 4.4 in Chapter 4), constituting a minor policy change ($C=0.06$ points). In addition, the government agreed on a second reform that entitled life partners working in the civil service to additional family allowances, thus abolishing discrimination in the laws governing the German federal civil service (BT-Drs. 17/3972). This second change lifted Germany’s status with regard to same-sex couples from the category of limited entitlement to social benefits to the category of comprehensive rights.¹ Overall, the difference in values before and after the reforms amounts to 0.12 points, indicating a minor extent of policy change (see Fig. 8.1 second and third bars).

The main question now is which conditions facilitated the minor policy change in times of high parliamentary attention? The previous chapters showed that high parliamentary issue attention has a negative effect on the extent of policy change, since it results from competition strategies of opposition parties. So what happened in this case? Did these issue attention levels stimulate shifts in responsible venues and changes in policy image, which in consequence facilitated morality policy change? And which effect has the temporal angle for understanding this interaction between venues images and policy change?

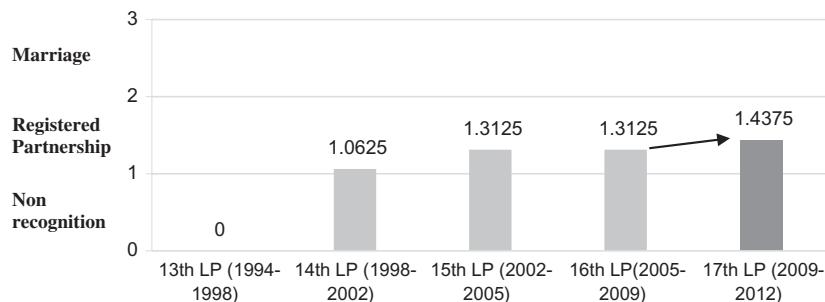


Fig. 8.1 Extent of policy change (same-sex partnerships, 17th LP) (*Source* Author's compilation on the basis of the dataset PoliMoral)

To answer these questions, I will first elaborate on the role of policy image changes, then explore how increased issue attention patterns provoked institutional venue shifts and finally, discuss to what extent enduring politicization of the issues over years have fostered policy reforms. The policy positions of all political parties in the 17th LP (2009–2012) were presented in detail in Sect. 6.1 of Chapter 6 in the context of examining the competition strategy of opposition parties in times of a mixed coalition between religious and secular government parties. The government parties largely differed in their issue positions; the Liberals exhibited a positive position (value around 0.8), while the Christian Democratic Union (CDU) still defended a more critical stance (value of −0.1). Thus, the inter-party conflict in the coalition was significant and stable over time, because both the Christian Democrats and the Liberals have adjusted their issue positions over the years (see, in Fig. 8.2, the dashed line for the Christian Democrats and the dotted line for issue positions of the Liberal Party). Until the mid-2000s, the main religious party defended a very restrictive policy position, with values around −0.7, and maintained an image that same-sex couples clearly were not entitled to the same rights as heterosexual couples. This picture changed in the last ten years as more and more members supported a new, more liberal view on same-sex couples.

The Liberals, too, adjusted their policy position and defended much more permissive regulations, visible in values around 0.8. The primary policy initiators were still the Green Party and the Left Party; both parties sought full equality between heterosexual and homosexual couples,

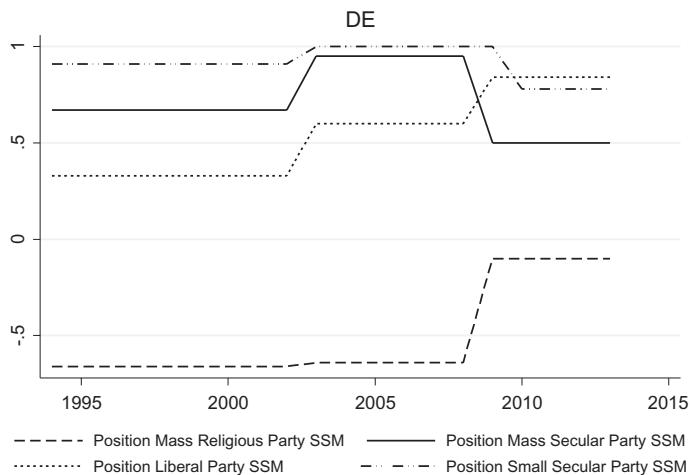


Fig. 8.2 Policy positions on same-sex partnership rights in Germany (1994–2014) (*Source* Author's calculation. *Data* PoliMoral)

resulting in an average issue position of 0.85 (see dashed dotted line in Fig. 8.2). These small secular parties have consistently maintained their policy positions over time. The largest mass secular party, the Social Democrats, defended a moderately permissive policy position in the 17th legislative period, with a value of 0.5, because serious value conflicts between party members challenged them to defend a uniform policy position demanding full legal equality of same-sex couples. In consequence, Figure 8.2 clearly demonstrates that since the mid-1990s, there has not been a prevailing dominant policy image on the regulation of same-sex partnerships in the parliamentary arena in Germany. The long-prevailing image that homosexual relationships are immoral and that they contradicted basic German values was eroded over time, but despite the increased level of issue attention in the parliamentary and societal arenas, no new policy image could be established that was supported by all-powerful players in the parliamentary arena.

Moreover, although the Christian Democrats moderated their issue position over time in response to internal initiatives and hence decreased the positional distance of the government from the main policy initiators, an agreement on far-reaching permissive steps and thus comprehensive policy change would have been very unlikely, as the following

analysis shows. In the 17th LPs, a group of thirteen Christian Democrats openly demanded equal rights for registered same-sex couples in terms of income taxation, thus acting against the party line (SZ 23.11.2012). These demands provoked strong opposition from some local party associations (SZ 22.11.2012), and the conflict escalated to the level of the Christian Democratic ministers; the minister of family affairs, Kristina Schröder, supported more permissive regulations, whereas the minister of finance, Wolfgang Schäuble, and the chairman of the Christian Social Union (CSU), Horst Seehofer, strongly criticized attempts at reform (SZ 08.08.2012). Consequently, the issue provoked serious struggles within the Christian Democratic Party as well as between the coalition partners. Records of the plenary debate on same-sex partnership rights demonstrate the severity of the conflict. The speaker of the Liberal Party even publicly asked the Christian Democrats to adhere to the coalition agreement in which the government partners had agreed to abolish discrimination against homosexuals in tax law and wait for the decisions of the Constitutional Court (BT-Drs. 17/187: 22411). As a consequence, agreement between the Christian Democrats and the Liberals was already very low and vague, indicating that consensual resolution on many of the far-reaching demands proposed by the Green Party and the Left were essentially unattainable, despite the intermediate level of policy distance. Thus, increased levels of positional congruence in times of high parliamentary attention point to the formation of a new policy image but seems not to increase the likelihood for policy change (cf. expectation 5). Moreover, the increased levels of positional congruence are not a direct product of the high levels of issue attention in the 17th LP but rather the result of the enduring debate on the issues in the last years. This leads us to ask, then, what were the alternative conditions that ultimately paved the way for a response in the form of minor policy outputs?

The concept of institutional venues is a fruitful source from which to seek an answer to this question. A venue shift from the parliamentary to the juridical arena released the blockage between all actors and paved the way for minor adjustments. The Constitutional Court was very active during the 17th LP, publishing six decisions on same-sex partnership rights over four years, all of which criticized the former regulatory status quo as unconstitutional and discriminatory against same-sex couples. One of these decisions concerned the regulation of gifts and inheritances, whose unequal application in marriages and civil partnerships the Constitutional Court declared unconstitutional (BVerfG, I BvR 611/07;

21.07.2010).² The judges acknowledged the amendments of 2008 but criticized the fact that “registered civil partners continue to be treated like distant relatives and unrelated persons and taxed at the highest tax rates” (Constitutional Court Germany 17.08.2010). Civil partners were burdened significantly more than spouses under inheritance tax law. Spouses were subject to the most advantageous tax class (I) and a tax rate of between 7 and 30%. Civil partners, by contrast, were classified as “other recipients” and placed in tax class III, resulting in tax rates of between 17 and 50% (BVerfG, 1 BvR 611/07; 21.07.2010). This legal situation was incompatible with the general principle of equality of the Basic Law. The Constitution Court explained their finding as follows:

Granting a privilege to spouses and not to civil partners under the law regarding the personal exemption cannot be justified solely by reference to the state’s special protection of marriage and the family (Article 6.1 GG). If the promotion of marriage is accompanied by unfavorable treatment of other ways of life, even where these are comparable to marriage with regard to the life situation provided for and the objectives pursued by the legislation, the mere reference to the requirement of protecting marriage under Article 6.1 of the Basic Law does not justify such a differentiation. The authority of the state to become active for marriage and the family in fulfilment of its duty of protection as set forth in Article 6.1 GG remains completely unaffected by the question of the extent to which others can assert claims for equal treatment. (Constitutional Court Germany 17.08.2010)

The government was obligated to adapt the regulatory status quo by 31 December 2010, and the regulation was to be backdated to the February 2001 introduction of registered same-sex partnerships. This decision was the result of a constitutional complaint: any person who alleges that his or her constitutional rights have been violated may put forward such a complaint (cf. Kimmers 1997, 11). In this case, two individuals initiated the procedure; complainant number one was the sole heir of his male civil partner who had passed away in August 2001, and complainant number two was the heir of her female civil partner who had died in February 2002 (Constitutional Court Germany 17.08.2010). At first, both lawsuits were unsuccessful, rejected by the domestic Financial Court in Köln in June 2005 (9 K 1041/03) and the *Bundesfinanzhof* in February 2007 (II R 43/05).

In the same vein, the Constitutional Court also declared unconstitutional the unequal treatment of registered civil partnerships and marriages in terms of family allowance under the Civil Service Law (BVerfG, 2 BvR 1397/09; 19.09.2012). More precisely, the Constitutional Court argued that the regulation then in force was incompatible with the general principle of equality under Article 3.1 of the Basic Law (Constitutional Court Germany 01.08.2012):

The general principle of equality under Article 3.1 GG requires that all persons be treated equally before the law, as well as that equal treatment be applied to what is essentially alike and unequal treatment to what is essentially different... The requirements as to the justification of unequal treatment of groups of individuals become stricter the more the personal characteristics permitting a distinction approximate those listed in Article 3.3 GG, that is the greater the risk is that unequal treatment related to them leads to discrimination against a minority. This is for instance the case with distinction by sexual orientation. (Constitutional Court Germany 01.08.2012)

In addition, the Constitutional Court specified that Article 6.1 GG place marriage and the family under the special protection of the state. Marriage is viewed as a “binding value decision” between a man and a woman for the entire sphere of private and public law relating to marriage and family. Special protection means that the state is tasked with impeding anything that would damage or impair marriage and with promoting it through appropriate measures. However, the special protection of marriage in Article 6.1 GG alone would not have been sufficient to justify the unequal treatment of marriage and registered civil partnerships. The legally binding nature and the mutual liabilities of marriage and civil partnership have been largely equalized in recent years. The Federal Civil Servants’ Remuneration Act describes the family allowance as a “social, namely family-related equalization function” contributing to the functionality of the system of professional civil servants and judges (cited in Constitutional Court Germany 01.08.2012). Based on this definition, excluding registered civil partners from these regulations is unjustifiable. Therefore, the Constitutional Court asked the government to eliminate the violation from the Constitution, reversing the judgment of the Higher Administrative Court from May 2009 (I A 2379/08.Z). The proceeding was based on the constitutional complaint of a federal

civil servant who had been living in a registered civil partnership since 2002 and whose application for payment of a family allowance had been rejected in 2003.

Thus, the Constitutional Court did not act as an institutional veto player blocking newly adopted reforms, but instead assumed the role of an alternative institutional venue, which released pressure. From the perspective of the initiating actors (the Greens and the Left Party), the constitutional litigation significantly reduced the extent of institutional hurdles. This alternative institutional venue was mobilized by society at large, and the ongoing political attention that was brought to bear on the issue probably also functioned to pressure parliament to reach a decision.

In addition, the decision of the Constitutional Court offered the Christian Democrats a good opportunity to respond to these political and societal demands without offending their religious constituents. They were able to “sell” the response as a necessary evil while emphasizing their loyalty to the German Constitution and Christian values. However, the Christian Democrats were unwilling to respond to demands for homosexual rights without being “forced” to do so by the Constitutional Court. The debate and the procedural maneuvers on the issues of adoption rights and income taxation support this assertion. Previous decisions had already illustrated the increasingly permissive stance of the Constitutional Court, and the CDU knew that sooner or later, new decisions on adoption rights and income taxation would be issued, since constitutional challenges had already been raised for several years. The minister of finance, Wolfgang Schäuble, and the chairman of the CSU, Horst Seehofer, rejected any regulatory steps on income taxation before the Constitutional Court took its decision (SZ 10.08.2012). Minister Schäuble defended his position by stressing the protection of marriage and family in the German Constitution. Moreover, the minister claimed that he did not want to weaken the position of the government in relation to the Constitutional Court by proposing a regulation before the decision had been taken (SZ 08.08.2012). In the end, the government did not present any proposal on income taxation. At the beginning of 2013, the Constitutional Court finally published two decisions in line with the previous trend. The government was asked to make income-splitting available to same-sex couples and to legalize successive adoption for registered life partners (BVerfG, 2 BvR 909/06; 07.5.2013, BVerfG, 1 BvL 1/11; 19.02.2013).

In summary, despite strong political pressure and the positive stance of its coalition partner, reducing the positional distance over time between the main religious party and secular policy initiators, the Christian Democrats would not have agreed to minor policy change without the request of the Constitutional Court. In other words, the supplementary concept of institutional venue shifts motivated by ongoing societal and political attention on the issue of same-sex partnership rights is a necessary element to understand this reform process in a moment of high parliamentary issue attention, whereas the idea of incrementally adjusted policy images is less fruitful. This idea of the interaction between parliamentary attention and policy image changes points in the right direction (especially when considering the internal struggles in the government coalition and the slightly adjusted average position of the Christian Democrats), but it cannot explain the exact output decision. As a result, expectation 5a (i.e., that the releasing force of society-induced institutional venues shifts mitigates the negative impact of high parliamentary attention over a long period of time) finds strong support, while the underlying dynamics of expectation 6 are visible (i.e., that a reduced level of policy distance mitigates the negative effect of high parliamentary attention), but the adjusted policy positions refrain from exerting a clear-cut effect on policy output decisions in times of high and enduring parliamentary attention because a previously dominating policy image was eroded but not replaced by a commonly agreed upon new understanding. It also means that even a longer temporal angle of analysis would be required for exploring the influence of changes in morality policy positions and hence of policy images on output decisions. However, in contrast to changes in policy images of non-morality issues, such changes of morality issues require considerable time, and in countries of the “religious world” whose parliaments still include several religious MPs, such changes might never (or at least not in the near future) be brought to fruition.

8.2 ABSENCE OF RELEASING VENUE SHIFTS AND OF A UNIFORM POLICY IMAGE: STANDSTILL IN SPANISH PROSTITUTION POLICY

The other case of particularly high political attention is the debate on prostitution policy in Spain between 2008 and 2011 (9th LP). The topic was very salient, despite the early dissolution of the second LPs

of Prime Minister José Luis Zapatero in July 2011. The political actors put forward more than one hundred initiatives, even more than during the debate on same-sex partnership rights. There was a strong controversy between the Socialist minority government, the Convergence and Union Party (Convergència i Unió, CiU), and small secular parties on the left of the political spectrum; once again, I find specific issue competition dynamics in Spain, which is typical for minority governments searching for the “most appropriate” ad hoc coalition partner. The main controversy centered on the general regulatory regime of prostitution policy. The small secular parties demanded a much clearer and more finely tuned policy approach with regard to adult prostitution. Deputies debated the general approach to prostitution policy: Should Spain move toward a stronger abolitionist approach or switch to a regulatory scheme permitting and acknowledging prostitutes? The parliament also dealt with the question of advertising sexual services in national newspapers, and a many of the written questions concerned the regulation of human trafficking.

The main questions are now: Which policy output brought forth the larger debate? Is the high level of parliamentary attention this time an indicator for the absence of any reform? Or do institutional venue shifts and adjusted policy positions (policy images) mediate again the relationship between parliamentary attention and morality policy change?

The enormous issue attention in parliament coincided with regulatory changes that were more symbolic than substantive. The government was unable either to agree on a move toward a more abolitionist scheme or to settle on a clear-cut regulatory approach recognizing prostitution as a “regular job.” Instead, Zapatero’s cabinet focused on a side aspect concerning the advertisement of sexual services in newspapers. In the end, however, substantial reforms failed even in that regard. At first, the government responded to the demands via a non-legislative initiative proposing an informal agreement with the main Spanish newspapers (CD n° 162/000702). Then, Zapatero ordered a study investigating possible regulatory paths toward the abolishment of the advertisement of sexual services via so-called lonely-hearts advertisements. In other words, one could argue that the government shifted the topic to the expert arena in order to respond to the increased political pressure related with the issue. Thereafter and hence during the working process of the experts, single members of the Socialist cabinet publicly emphasized the cabinet’s willingness to initiate a reform process in order to pacify the opposition;

Prime Minister Zapatero himself referred to the policy plans in the *debate de la política general* held in July 2010 (CD n° 200/000002; Plenary Protocol CD n° 2010/178). In the following months, the state secretary of equality, Aído Almagro, repeatedly underlined the intentions of the government, defending governmental passiveness by pointing to the lack of study results (CD n° 181/003391; Plenary Protocol CD n° 2011/734: 6).

By the end of the legislative term, however, the Socialist government had withdrawn the non-legislative initiative and ultimately refrained from adopting any measure on adult prostitution. Instead, with the support of the CiU, the cabinet reformed the regulations on human trafficking and child prostitution (Law 5/2010). Specifically, the Penal Code now defines profiting from the advertisement of child prostitution as a crime; in addition, the sanctions on third parties involved in human trafficking for the purpose of sexual exploitation were tightened. In sum, the aspects that caused major parliamentary conflicts reached the government's attention and were added to its agenda, but no comprehensive reform steps resulted. The government undertook a symbolic measure and ordered a study of prostitution policy and promised to work on the implementation of the study's results. At the end of the 9th LP, the dominant paradigm of adult prostitution policy, instruments, and instrumental settings all remained unchanged.

In consequence, Spain maintained the vague regulatory status quo that had been adopted as part of the reform of 2003. Prostitution is currently permitted, but the activity is neither recognized as a "normal" service nor prohibited for clients. In addition to societal stigmatization, sex-worker face significant discrimination in terms of social security and labor laws. Moreover, it is unclear whether brothel owners are allowed to employ sex-worker or whether this activity violates the paragraphs in the Penal Code regulating pimping. Therefore, even in academic and juridical circles, prostitution is described as an *alegal* activity (Consejo de Estado 2011). As a result, Spain is classified as following the policy paradigm of "permission without recognition," an intermediate permissive category, typically characterized by a vague legal foundation.³ In the second dimension of the measurement scheme, the instrument level, Spain applies a rather lax rule in terms of locational restrictions; however, with regard to the activity of third parties, very harsh regulations are in place. Sex-worker are allowed to offer sexual services in private flats and

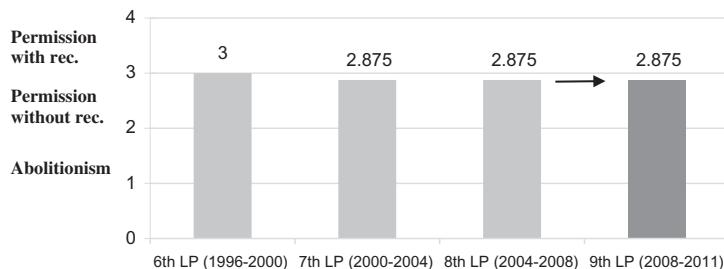


Fig. 8.3 Extent of policy change (prostitution, 9th LP) (*Source* Author's compilation. *Data* PoliMoral)

on the street; only a few regions prohibit street prostitution completely. In terms of third parties profiting from adult prostitution, the Spanish regulations are restrictive: Pimps can be sanctioned with fines of between twelve and twenty-four times their daily income and prison terms of between two and four years. Spain has therefore retained its intermediate permissive scheme of regulating prostitution (value = 2.875, $C=0$; see the last bar of Fig. 8.3).

This case is another example of the complex relationship between issue attention and policy outputs. A high level of attention restrains major output decisions. The following analyses will clarify the underlying mechanisms of the mediating effect of positional congruence and institutional venue shifts and answer the question of whether they interact with parliamentary attention in the theoretically expected way.

I turn first to the role of policy images based on different policy positions of the involved actors. The main activists in the parliamentary debate over adult prostitution policy are the party coalition of the United Left (Izquierda Unida; IU), the Green Catalans (Iniciativa per Catalunya Verd; ICV), and the Catalan Republicans (Esquerra Republicana Catalunya; ERC). These three parties formed a parliamentary group in the 9th LP and demanded substantial changes in the form of legislative and non-legislative bills, resulting in an average issue position of 0.25 (see dashed dotted line in Fig. 8.4). Hence, they clearly moderated their issue position over time. Nevertheless, all of these regional parties sought to challenge the government by raising questions that it would find difficult to answer. The central dilemma in the government party was that the Catalan Socialists supported policy positions on

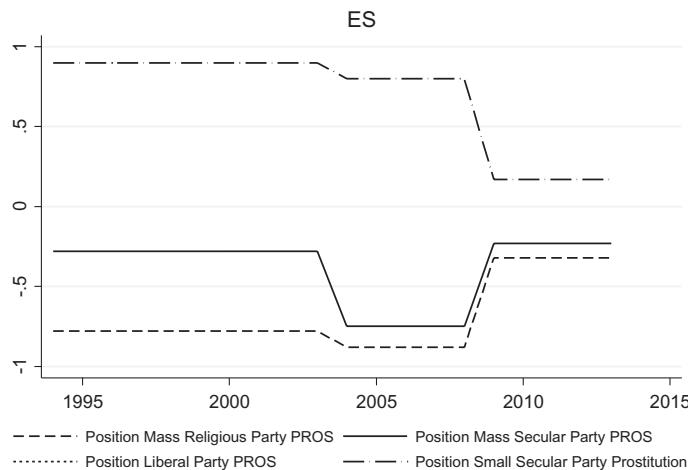


Fig. 8.4 Policy positions on prostitution policy in Spain (1994–2014) (Source Author's calculation. *Data PoliMoral*)

prostitution policy that differed from those of the national party organization, the Spanish Socialist Workers' Party (Partido Socialista Obrero Español; PSOE) (cf. Plenary Protocol CD n° 2009/106). Thus, Socialist deputies in the national government were also less cohesive in their positions on how adult prostitution should be regulated. Most deputies demanded a prohibition on street prostitution and the sanctioning of clients as well as sex-worker. However, many felt that offering sexual services in bars, brothels, and private flats should not be prohibited. Thus, the national Socialists oscillated between the paradigms of "permission without recognition" and "abolitionism," resulting in an issue position of -0.20 , hardly deviating from the regulatory status quo in the 9th LPs (cf. Fig. 8.4).⁴

Thus, the level of issue congruence between both conflict associations is moderately high. Both coalitions defended different solutions but refrained from defending one of the paradigms in an extreme way. In consequence, policy congruence between governmental actors and policy initiators was intermediately high, but any agreement on one policy image was quasi-absent, which challenged the negotiation of a compromise, even on a peripheral aspect of the policy field. The conflict between the government and the policy initiators of a new prostitution

regime was further complicated by the nomination of a new state secretary of equality. In July 2011, the office of the state secretary of equality changed hands: Bibiana Aído was replaced by the former director of the Instituto de la Mujer, Laura Seara (EP 22.07.2011). This change meant that a woman who strongly supported the abolitionist perspective of regulating prostitution took over at a moment of high issue politicization. Hence, the demands of the abolitionist tradition of the women's movement were articulated in the inner circle of the government, in contrast to the ideas of the branch actors defending a regulatory approach. Although Laura Seara was not powerful enough to push through her plans on the regulation of prostitution policy in Spain, she was able to challenge the formulation of any compromise on a side aspect of the policy. As a consequence, the intermediate levels of policy congruence between the government and the policy initiators—and thus the absence of any prevailing policy image—could not mitigate the negative effect of high parliamentary attention, which resulted from a strong policy agent in the government contradicting the plans of the policy initiators from the opposition. Thus, as in the case of same-sex partnership rights in Germany, the ongoing political issue attention on adult prostitution illustrates that a long-established policy image is put into question, but no common understanding among the main political actors is thus far visible.

Changes in institutional venues seem to have more potential to explain the link between high parliamentary issue attention and morality policy change. This case study nicely illustrates that institutional venues shifts coinciding with high parliamentary issue attention may be put into place through two different mechanisms, which then effect morality policy output change in completely different ways. On the one hand and as briefly mentioned before, the high level of parliamentary issue attention motivated to Socialists government to call for experts in order to clarify the complex legal situation on Spanish prostitution policy and to work out policy recommendations. This shift of the issue to the expert arena allowed the government to talk about the issue but at the same time excuse its inactivity by underlining the complexity of the issue and challenges the experts are faced. Thus, we have a situation where the government initiated a institutional venue shift to the expert arena, which delayed the processing of the issue and hence, stabilized the negative effect of high level of parliamentary issue attention on morality policy change.

On the other hand, one may question why this time multilevel game in Spanish politics and hence, issue shifting and policy compensation deals between the national and the subnational level did not work out. Specifically, one can wonder why the Catalan actor coalition was unable to use the minority position of the government to bargain for a solution, as occurred in the previous legislative term on same-sex partnership rights. As in the previous legislative turn, Zapatero was obligated to govern in the minority, requiring support from the opposition for any policy reform (Field 2011, 2013a). Again, he did not reply to one specific “coalition partner” from the opposition but switched between the parties depending on the policy issue.⁵ In this way, opposition parties can overcome their weakness by negotiating policy deals with governmental actors. Specifically, the opposition parties might agree to support the minority government in the reform process of a particular issue, demanding governmental support for another project in exchange. The main initiator of reforms on prostitution policy, the actor coalition of secular parties (IU-ICV-ERC), however, lost their position as an attractive “policy coalition partner” because of their reduced number of parliamentary seats. Thus, in the 9th LP (2008–2012), it was not possible for the pro-regulatory actor coalition to bargain for a compromise on prostitution policy.

A second tool for opposition parties to stimulate releasing institutional effects and force the national government to bargain any compromise goes back to the complex, multilevel games in Spain. When the regional parties in national parliaments are powerful at the regional level, they may pressure for policy deals at the national level. In particular, such multilevel deals arise in times of negotiation over the contracts of regional competences (*Estatuto de Autonomía*). During such periods of negotiation with regional governments, the national government requires the support of the majority of regional actors in the regional parliament and the second chamber. The second chamber has to approve any agreements, thus wielding a de facto veto power of regional parties (Field 2013b; Fundación Alternativa 2009). The small secular Catalan parties (IU-ICV-ERC) joined with the Catalan Socialists (PSC-PSOE) to form the government in Catalonia between 2006 and 2010. During this period, the negotiations on the new *Statute de Catalonia* started again with the national government. In 2006, internal disputes constrained the coalition between the small secular parties and the Catalan Socialists, motivating Zapatero to deliberate the new *Statute de Catalonia* with the

CiU rather than the tri-party government. Consequently, the small secular parliamentary group that supported a pro-regulatory approach in the national parliament was unable to exert a releasing force on policy blockage by playing out the “multilevel card” (Fundación Alternativas 2009). Furthermore, in contrast to the debate on same-sex partnerships in Germany, the Constitutional Court did not step in and mitigate the negative effect of high parliamentary attention.⁶

Finally, there is one additional condition that must be taken into account to explain the policy failure in the 9th legislative term: the economic situation at this time in Spain. Policy-making processes in Spain in the 9th LP (2008–2012) cannot be explored without considering the economic state of affairs. Spain was severely affected by the economic crises in Europe, suffering a crash in its construction market that led to the bankruptcies of many companies and a surge in unemployment. According to Field (2013a), Zapatero’s second term in office was characterized by a strong orientation toward improving Spain’s dire economic situation; public issues that were not directly related to improving the economy were put on hold or abandoned completely—as were the reform plans related to advertisement of sexual services (which was also discussed in parliament), since the idea to prohibit so-called lonely hearts advertisements would have had a negative economic effect, particularly for Spanish newspapers for whom the ads provided much-needed revenue. The main interest group for national newspapers, Asociación de Editores de Diarios Españoles, strengthened its case with additional arguments concerning the fundamental right of freedom of the press (EP 23.03.2011).

As a result, the case of Spanish prostitution policy is a good example of how high levels of parliamentary attention coincide with policy standstill and under which conditions venue shifts and policy image changes can not mitigate the negative impact of high issue attention. Specifically, the analysis also shows that governmentally induced venue shifts to the expert arena foster policy standstill rather than policy change. This finding supports other studies on morality policy change, showing that venue shifts to the expert arena is a popular instrument to depoliticize these topics and to fend off the wedge-issue competition strategy of opponents (Engeli and Varone 2011; Fink 2008). In addition, and in line with the German case study, comprehensive debates in the political arena seem to have stimulated a more careful reflection of issue positions on prostitution policy, especially among members of the PSOE and the small

secular parties. Policy positions have been adjusted over time and the dominant policy image put into question, but in the absence of a new and shared understanding of the policy, this factor was not able to mitigate the negative effect of high parliamentary attention. An open question remains as to whether one needs only to expand the time frame in order to detect a new policy image on prostitution policy or whether it is a false assumption to believe that for this morality issue, one dominant policy image will prevail in the parliamentary arena, since in Spain, there will always be opposition positions in the party political landscape on this issue. On the one hand, this might be related with the ongoing representation of a minority of religious MPs in parliament. On the other hand and probably more importantly, the close association of the issue with (illegal) immigration and the prevalence of a radical understanding of feminism may continue to split opponents and supporters of a regulatory approach, which in turn challenges the establishment of a new and coherent policy image on prostitution policy in Spain. This means also that the country-specific legacy and understanding of an issue may certainly impact on the process of establishing a new policy image in times of enduring issue attention. However, this country-specific factor is more likely to explain the direction of morality policy change rather than the extent or evolution of morality change being in the focus of interest in this manuscript; particularly in policy fields, where regulatory convergence is not visible across European states.

Overall, the first main argument of part 2 (high levels of parliamentary issue attention are negatively related with policy change) showed a high degree of empirical support. The second argument of part 2 (the negative effect of high parliamentary issue attention can be mediated by institutional venue shifts and policy image changes) is only partly supported. First, adjusted issue positions over time and thus the erosion of the dominant policy image through a constant debate on the issue do not necessarily stimulate policy change (contradicting expectation 6). Second, this case study illustrated that only very specific venue shifts can exert a releasing force (from the governmental to the juridical arena) on policy blockage, while others stabilize policy standstill (from the governmental to the expert arena). Hence, two different mechanisms may lead to institutional venue shifts in times high political attention: First, a situation in which governments initiate institutional venue shifts to the expert arena in order to respond to the increased political pressure, which in turn, however, stabilize policy standstill (supporting expectation

5b); and second, a situation in which opposition parties are able to negotiate minor policy adjustments through complex multilevel issue shifts and policy compensation deals between the national and the subnational level, although within a shorter period of time (contradicting thus expectation 5a).

8.3 SUMMARY AND DISCUSSION

What can we learn from these two case studies, and how do they complement the aggregated analysis presented in Chapter 7? Overall, four points are decisive. First, the case studies also provide evidence for a negative and direct effect of high levels of parliamentary attention on comprehensive morality policy change within a limited time frame. Governments are strongly pressured by the opposition and are neither able nor willing to respond with policy reforms to the competition strategy of the opposition. Second, the availability of different institutional venues within a political systems and concrete shift of issues into alternative institutional venues in fact mediate the interplay between parliamentary attention and morality policy change; however, this mediation effect is very complex as it seems to vary over time, with the initiating actor and the specific institutional venue called upon, which to some extent explain the counterintuitive findings of the quantitative analysis. The long-term effect of institutional venue shifts is nicely covered by the case study on German morality policy and also observable in similar countries of the religious world, such as Austria. Briefly stated, the case study on German morality policy (17th LPs, 2009–2013) illustrates that on the long run a venue shift to the Constitutional Court exerted a releasing effect on the political blockage in the parliament, resulting in minor policy changes in terms of social rights for same-sex couples. A similar process paved the way for more comprehensive adoption rights for same-sex couples, as well as the permission of same-sex marriage in the subsequent legislative period (2013–2017) (for adoption rights, see Law Proposal 18/1258, 22.05.2014, BVerfG, 1 BvL 1/11, 19.02.2013). These findings are visible in Austria, as well. The Constitutional Court in Austria initiated more comprehensive adoption rights for same-sex couples in 2015 (VfGH 14.01.2015, G 119–120/2014), adjusted the ceremony for registered couples in 2012 (VfGH 12.12.12, B 121/11, B 137/11) and struck down the ban on assisted medial procreation for lesbian couples in 2013 (VfGH 10.12.2013, G 16/2013, G 44/2013)

(Lambada Austria 2015). Furthermore, the major reform in Austria in 2009 that permitted same-sex couples to register was substantially influenced by a juridical complaint at the European Court of Human Rights (ECHR), called *Schalk and Kopf v. Austria* (Application no. 30141/04) (Knill et al. 2014).⁷ Finally, the latest decision of the Constitution Court in 2018 is now expected to lead to the permission of same-sex marriage beginning in 2019.

Moreover, the analysis shows that the court decision was anticipated by several German MPs and also explicitly mentioned in their speeches. It means, party political attention on morality policies has not only motivated homosexual citizens to search support in the juridical arena but similarly soon approaching court decisions seem to motivate opposition parties to further engage with the issue. So, it is good to see that parliamentary attention patterns and venue shifts to the juridical arena are clearly not independent from each other; however, the direction of the causal relationship may work out in both ways: On the one side, high issue attention patterns may motivate venue shifts to the juridical arena, which facilitate governments to excuse inactivity but also may foster morality policy change on the long run; on the other side and on the short run, soon approaching court decisions that are expected to criticize a government's policy approach may motivate opposition parties to engage even more in the politicization of morality issues. These findings speak even more for a careful separation between short-term and long-term effects of institutional venue shifts on morality policy change (and issue attention patterns).

The Spanish case study on prostitution policy supports the argument that on the short run venue shifts tend to stabilize policy blockage in times of high issue attention. Zapatero responded to the increased pressure by opposition parties with a shift of the issue into the expert arena; the experts prepared a report but the report did not result in any concrete policy reform. Moreover and in contrast to the case study on the reform of same-sex partnership rights in the previous part 2, regional opposition parties were not able to play “their multi-level game” and hence, pressure for any reform. In sum, the case study on Spain enriches the previous finding by showing that the institutional setup of the political system—specifically, the multilevel dynamics and the minority position of government—decisively determines the mediating role of institutional venue shifts for the relationship between parliamentary issue attention and morality policy change and that government-initiated

venue shifts delay policy reforms. These new insights on the intermediary role of institutional venue shifts contradict to some extent the results of the quantitative analysis (see models 5–8 in Chapter 7) but as the variable “institutional venue” approximates venue shifts only very roughly by measuring the relative number of institutional venues available in a country, the case study is expected to deliver somewhat “superior” findings (cf. also the discussion of properly modeling dynamic effects of intermediary variables in time-series analyses Hall 2003; Loftis and Mortensen 2018).

A third finding is that the positional distance between the government and the policy initiator, and thus the erosion of dominant policy images, seems to only weakly influence the relationship between parliamentary attention and morality policy change, neither on the short nor on the long run, which is also partly reflected in the quantitative analysis (see model 8 in Chapter 7). The underlying logic of the argument is visible in both case studies because high and enduring parliamentary attention stimulates a critical reflection of policy positions within the large political parties and often coincides with more moderate issue positions. However, intermediate levels of policy distance and the absence of a new policy image do not mitigate the negative impact of high parliamentary attention. In other words, a decrease in policy distance between the government and the policy initiators is not sufficient to stimulate minor reform steps. This finding coincides with previous literature on morality policies that argues that political compromise is difficult when questions about “right” or “wrong” behavior stand at the center of political debate (Knill 2013; Mooney 2001), especially in countries of the religious world, where very religious MPs are still represented in different political parties.

One may offer the criticism that in terms of positional distance, the results are less puzzling because high levels of parliamentary attention are per se related to strong conflict between the majority and the minority parties as well as with conflict between coalition partners, as outlined in part 2. However, from the literature based on Baumgartner and Jones’s (1993) punctuated equilibrium theory, we know that issue attention stimulates changes in policy positions over time, which may result in a new policy image that opens a window of opportunity. For instance, due to changed economic conditions in the 1990s and increased issue attention, several Social Democratic governments severely dismantled social benefits, although such a step had for decades been considered

a fundamental violation of basic ideological principles (e.g., Green-Pedersen 2002). Cultural modernization and increasing secularization pressure hit Christian Democracy in a similar way (van Kersbergen 2008). As a result, the argument of adjusted issue positions as a moderating factor relies on a theoretically reasonable foundation but lacks stable empirical support in the in-depth analysis and to some extent also in the aggregated analysis. As discussed earlier, although religious mass parties may slightly adjust their issue positions over time in countries of the religious world in Europe, there will always be a minority of religious citizen and MPs rejecting liberal stances on these value-loaded questions, which in turn challenges today the development of a single shared image of these policies (cf. Davie 2006).

However, the focus on the interaction with (high) parliamentary attention should not underrate the explanatory capacity of the exact positional distance between policy initiators and governments as independent factor of morality policy change. In three out of four continental European countries, substantial policy reforms were adopted in times of high positional congruence between the government and policy initiators and relatively low parliamentary attention. Most commonly, secular mass parties took over the government and ruled with the support of some minor secular parties. Prominent examples include the reforms of prostitution policy and same-sex partnership rights in the Netherlands and Germany in the late 1990s and early 2000s, respectively. The electoral defeat of the Christian Democrats in both countries—the Christian Democratic Appeal (CDA) in the Netherlands and the CDU/CSU in Germany—paved the way for a secular coalition between the Social Democrats (The Labor Party [Partij van de Arbeid; PvdA] and SPD [Sozialdemokratische Partei Deutschlands]) and Liberal parties in the Netherlands (the Peoples Party for Freedom and Democracy [VVD] and Democrats 66 [D66]) and the Green Party (Bündnis90/Die Grünen) in Germany.

Finally, a last comment on the expected relevance of the temporal dimension of analysis: In fact, the underlying time frame for capturing the (indirect) effect of parliamentary attention is relevant but more complex than is theoretically expected. This finding is related with the generally weak and unstable mediating role of adjusted policy images, the various mechanisms through which venue shifts may exert any influence, and finally with the theoretically ignored long-term effect of parliamentary issue attention on morality policy change. First of all, issue attention

is able to erode existing policy images only through a long and enduring debate, but as the establishment of new and commonly agreed upon policy images on morality issues have thus far been absent in most countries of the religious world in the last twenty years, the time dimension becomes secondary in this analysis but maybe fruitful for future studies. Second, the case studies have demonstrated that venue shifts to the juridical arena need time before they can exert a mitigating effect on high parliamentary attention. But the analyses also revealed that in times of high parliamentary attention, government-initiated venue shifts to the expert arena and the complex multilevel games between the national and the subnational arena may impact the extent of morality policy change relatively quickly. In other words, for describing the theoretical impact of venue shifts on the relationship between parliamentary attention and policy change, a much more finely tuned theoreticization is needed capturing the temporal dimension of institutional venue shifts and the relevant venue. Moreover, issue attention and venue shifts are not fully independent, because political parties may, for instance, anticipate decisions from the Constitutional Court and table policy initiatives to demonstrate their superiority with regard to the solution of serious public problems.

This complex dynamic of how venue shifts mediate the relationship between parliamentary issue attention and morality policy change is related with a third point: The long-term and direct effect of parliamentary issue attention on morality policy change, which is not theoreticized on in Chapter 3 but based on the quantitative analysis there seems to be a positive relationship. It means, in contrast to the short-term effect, parliamentary issue attention over many years seems to foster morality policy change. This also means that the intermediary role of institutional venues changes over time. In the realm of a couple of years (i.e., one legislative period) venue shifts mediate a negative effect of parliamentary issue attention on morality policy change, whereas on the long run venue shifts intervene in a positive effect relationship between issue attention and morality policy change.

In sum, part 3 offers a promising and innovative way to explain the link between parliamentary issue attention and morality policy change in countries of the religious world in Europe. It responds to the open question of why the religious-secular conflict structure characterizing all four countries under analysis fails to explain morality policy change patterns. The investigation reveals that conflicts between religious and secular parties provoke high levels of parliamentary attention that negatively

impact on morality policy change at least within shorter periods of time. This negative effect seem to be further stabilized by venue-shifts to the juridical or expert arena. On the long run, however, parliamentary issue attention seems to foster morality policy change directly and indirectly through institutional venue-shifts, but less so through the mechanism of policy image change.

NOTES

1. The demands regarding changes in the adoption law for same-sex couples were blocked, keeping Germany in the category of limited adoption rights, as neither successive nor joint adoption is allowed.
2. Although the official decision was not published until 21 July 2010, the previous decisions of lower courts had pointed toward the ultimate interpretation.
3. The legal vagueness at the national level is partly covered by local legislation regarding street prostitution or so-called *bars de alcalde*.
4. Notably, several Socialists deputies tried to “sell” a proposal to prohibit street prostitution as part of an abolitionist regulatory regime (Plenary Protocol CD n° 2009/106). This means that some Spanish politicians either intentionally or unconsciously sub-order the call for prohibiting street prostitution under the paradigm of abolitionism, although this step does not reflect the core idea of this school.
5. Opposition parties are more powerful when they constitute—formally or informally—the main “coalition partner”; in such cases, the government cannot pressure the partner by seeking out another opposition party (cf. Gunther and Montero 2009). During the 1990s, when the Socialist Prime Minister González governed in minority, the CiU under Jordi Pujol was the primary “coalition partner.” Hence, the CiU had considerable bargaining power. In those years, the CiU as an opposition party was able to push through its own legislative bills (Gunther and Montero 2009, 223–25).
6. Although there has been no clear decision by the Constitutional Court in this regard, the juridical arena has sent more positive signals with respect to a policy paradigm of regulation and recognition of sex-workers. The *Tribunal Supremo*, for instance, in its decision of 7 April 1999, accepted the reform of the Penal Code in 1995. In this reform, pimping was legalized. The *Tribunal Supremo* declared: “The reform [...] was adopted from a juridical point of view which is not based on public morality or honesty, but rather on the broad understanding of sexual liberty. The Penal Code punishes third parties abusing and forcing victims of sexual exploitation” (quoted in Consejo de Estado 2010/2: 12).

7. The ECHR ruled on a complaint of a homosexual couple in Austria who were denied the right to marry. The applicants in this case complained both under Article 12 (right to marry) and Article 14 (prohibition of discrimination) in conjunction with Article 8 (right to private and family life). The court found no violation of their human rights, but it was divided on the issue of discrimination (four votes against three in holding that Austria did not discriminate). Although the ECHR presented its decision in June 2010, about one year after the government coalition between ÖVP and SPÖ created the possibility to enter into a registered partnership for same-sex couples, the complaint attracted considerable international attention, which put pressure on Austria, being a laggard country in Europe concerning the fight against homosexual discrimination (*The Guardian* 24.06.2010, ECHR Application no. 30141/04).

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PART IV

Conclusions



CHAPTER 9

Morality Politics in a Secular Age

In this book, I have introduced a new theoretical framework for understanding religion and morality politics in a secular age. This framework provides a first and rather provocative answer to the general debate on why religion—particularly issues related to religious norms—rises and falls on political agendas in secular times. More specifically, the framework proposes a mechanism that explains oscillating attention patterns on morality issues and what kind of consequences we may expect in terms of policy reforms. The book takes up the secular-religious competition perspective that was proposed by Fox (2015) and developed for morality policies by Engeli et al. (2012) and complements the perspective by providing concrete propositions on how the suggested competition dynamic affects morality policy attention patterns within European countries that have a religious-secular cleavage in the party system (i.e., the so-called religious world).

Based on the assumption that morality issues are inherently associated with religious values, the primary argument of this book is that in secular societies, the increased prominence of religion in politics is directly related to the competitive advantage that *secular* and *religious opposition parties* expect when politicizing morality issues. Specifically, I argue that secular and religious parties primarily politicize morality issues when they are in opposition in parliament and able to divide the government on these issues and can therefore expect to improve their power position in the long run

(*main argument stage 1*). In contrast to other scholars, I also propose that a high level of parliamentary issue attention is rarely connected with comprehensive morality policy change, at least in the short run. Parliamentary issue attention may only indirectly affect policy change by shifting morality policies to other institutional venues that may overturn policy blockage over a longer period of time (*main argument stage 2*).

Accordingly, I propose a fairly *functional understanding* of when morality policies are politicized and reformed and how religion still influences the political sphere in Europe today. Religion is more a strategic resource for political parties than a fundamental normative doctrine shaping political parties' policy-making behavior in a systematic and coherent way, even in the most religious areas of Europe. This understanding links to the latest research in the field of religion and politics (e.g., Foret 2015; Fox 2015; Davie 2006, 2007) and complements it with an innovative theoretical framework that specifies underlying meso-level and micro-level mechanisms (i.e., behavior of individual MPs and political parties), which allows us to determine when exactly "religion" is particularly salient in the parliamentary arena. Moreover, a focus on countries of the religious world is promising not only because we lack a theoretical explanation for varying morality policy attention patterns in these states but also because these states reflect broader modernization trends in terms of religion in many more regions of the world. Secularization is a gradual process that is more advanced in Europe than in the US, South America, Africa or South Asia. However, I expect that this gradual process of secularization leads in every region of the world to a minority of very religious people who actively support—and a majority of people who support more silently—the religious norms upon which issues of morality are weighed (Davie 2006). Accordingly, the main argument of the book should be applicable for many more countries of the world in the future.

These conclusions about religion and morality politics therefore bear on a number of important and enduring questions in the broader literature on morality policy making, religion and politics, as well as on party competition in post-secular times. However, before debating these implications, I will review first the key findings from this investigation and some potential criticisms and alternative explanations. Finally, I will conclude with a discussion of some avenues for future research and an appraisal of political implications.

9.1 EMPIRICAL SUPPORT FOR THE FRAMEWORK: STRATEGIC PARTIES AND DIVIDED GOVERNMENTS

9.1.1 *Stage 1: Parliamentary Attention to Morality Policies as a Product of Wedge-Issue Competition*

This study uses a two-step approach to explore morality politics in secular times. In stage 1, I focus on the politicization of morality policies in the parliamentary arena (cf. Chapters 5 and 6). In stage 2, I examine the subsequent link between parliamentary issue attention and policy adoption (cf. Chapters 7 and 8). The key research puzzle that drives stage 1 is the question of how we can explain the variance in parliamentary attention across time and among morality policy issues in four similar countries (i.e., Austria, Germany, the Netherlands, and Spain). All four countries are characterized by religious-secular cleavages in their party system and hence can be considered as belonging to the religious world in Europe (cf. Chapter 4) (Engeli et al. 2012). This similarity, however, does not account for the differences in issue politicization across the countries and over time within one country.

The analysis uncovers that parliamentary attention to morality policies is driven by a specific rationale of political parties, which I consider a dynamic of wedge-issue competition. This rationale comprises three key elements: (1) It is the minority party that politicizes morality issues; (2) only when the minority party is able to challenge its more powerful opponents on morality issues does it politicize a topic in order to drive a wedge between an opponent's members and therefore blame the opponent for its inability to formulate policy solutions (Riker 1986; Van de Wardt et al. 2014); and (3) both secular and religious parties politicize morality issues in parliament (*main argument stage 1*).

The empirical analysis reveals that three instances are particularly attractive for minority parties to follow such a wedge-issue competition strategy with morality policies: (1) during times of high intra-party conflict within one government party (*expectation 1*); (2) during times of high inter-party conflict between governing partners (*expectation 2*); and (3) during times of minority governments when potential ad hoc coalition partners disagree on concrete policy solutions (for a summary, see Fig. 9.1). This third logic of wedge-issue competition is inductively uncovered by a case study on Spain and is a novel finding that has to date been neglected by the literature on issue competition. The Spanish

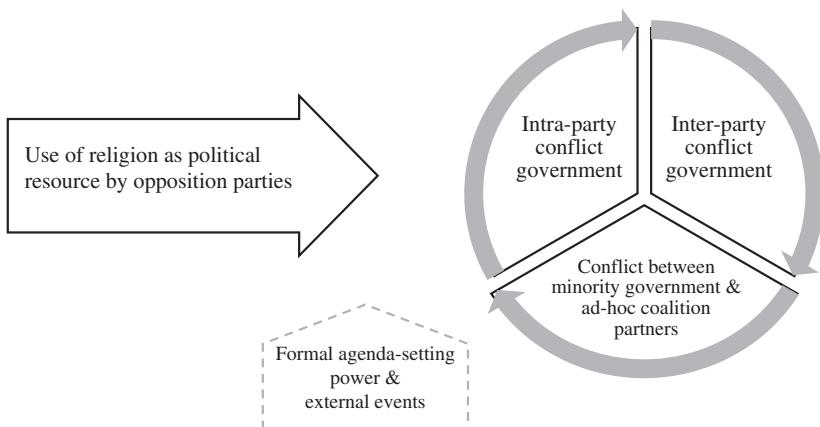


Fig. 9.1 Dynamics of wedge-issue competition on morality policies (*Note* Author's own compilation)

People's Party (Partido Popular; PP) and, likewise, the main religious opposition party in Spain politicized morality policies via written questions in order to divide the PSOE and its potential ad hoc coalition partners, the IU-ICV, thereby challenging their reform plans in the 8th legislative term (2004–2008). Additional, the study discovers differences between mass and niche parties in using morality policies as instrument of a wedge-issue competition strategy, which largely goes back to the regulatory status quo of a morality policy. The more permissive the regulatory status quo and the more extreme the demands are in the policy proposals in countries of the religious world, the more difficult becomes for secular mass parties to use such proposals in party competitive terms because for religious mass parties it becomes easier to reject such reform steps based on their religious belief system. Differently than expected, this logic affects not only religious mass parties but also secular mass parties (*expectation 3*). Finally, these analyses do not reveal any empirical evidence for so-called policy compensation effects (*expectation 4*). Even in the case studies, in which both morality issues are explored within one legislative period, it does not appear that the debate on prostitution law had any impact on the debate on same-sex partnership rights. However, the tendency to re-frame morality issues by focusing on specific conflictive aspects for the government and link them to different contentious

policy debates can be interpreted as a kind of “within-policy compensation effect” (cf. case studies on prostitution policy in Germany and Spain in Chapter 8, Sects. 8.2 and 8.3). Finally and in addition to the theoretical framework, the case studies demonstrate that external events such as court rulings may foster the engagement of opposition parties in the politicization of morality issues at specific points in time (cf. the case study on same-sex partnership rights in Germany, Chapter 8, Sect. 8.1). Second, the formal agenda power of governments, which is determined by the government format (whether grand coalition, minimal winning coalition, or single-party government), may increase or limit opposition parties’ leverage in politicizing morality issues in the parliamentary arena, and thus, the effectiveness of a wedge-issue competition strategy.

9.1.2 Stage 2: The Complex Time-Variant Effect of Parliamentary Attention on Morality Policy Change

In stage 2, I deal with the question of how parliamentary issue attention affects morality policy change and specifically why the religious–secular conflict structure fails to explain morality policy change patterns (cf. Chapters 7 and 8). Stage 2 responds to this research puzzle by illustrating that conflicts between religious and secular parties may provoke high parliamentary attention levels that have a direct but negative impact on the extent of morality policy change (*main argument stage 2*). In other words, the higher the parliamentary attention, the less likely comprehensive morality policy change becomes within a limited time frame. Governments are put under heavy pressure by opposition parties and are neither able nor willing to respond immediately with policy reforms to minority parties’ competition strategies. Over time, however, continuous parliamentary issue attention may impact positively on morality policy change by stimulating shifts in alternative institutional venues and the erosion of dominating policy images (e.g., Baumgartner and Jones 1991, 1993). Thus, for understanding the relationship between parliamentary issue attention and morality policy change it is key to distinguish between short-term and long-term as well as between direct and indirect effects (for a summary, see Fig. 9.2). I will now explain the specific effects and in particular the indirect effect of institutional venues and policy image changes in greater detail.

First, this book finds large support for a direct and negative effect of high levels on parliamentary issue attention on the extent of morality

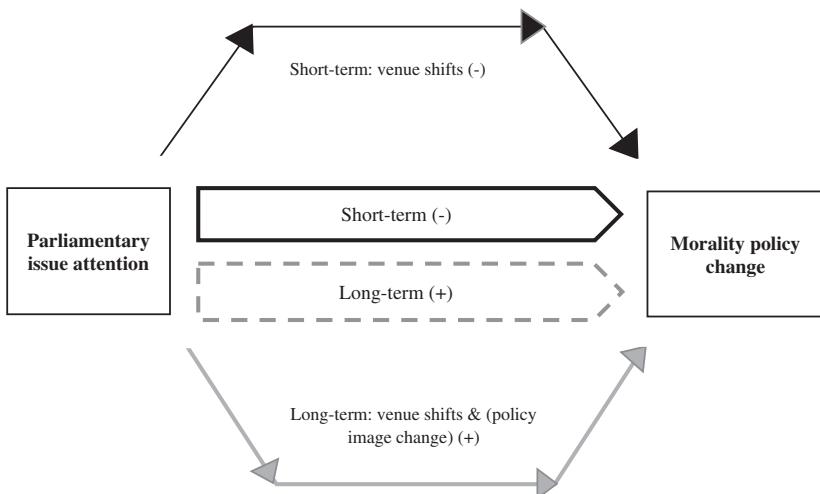


Fig. 9.2 The dynamic relationship between parliamentary issue attention and morality policy change (*Source* Author's own compilation. (–)=negative effect; (+)=positive effect)

policy change in the short run (cf. black arrows in Fig. 9.2). This effect is stabilized by governmentally induced venue shifts to the expert arena (cf. *expectation 5b*). Such a maneuvering helps the government respond to the political pressure of the opposition without reforming the policy as such (cf. case study on prostitution policy in Spain in Chapter 8, Sect. 8.2). It means that on the short run, high levels of parliamentary issue attention directly and indirectly foster morality policy standstill. On the long run, however, parliamentary issue attention impacts positively on morality policy change. Besides the direct and positive effect of enduring issue attention levels on morality policy change, the book also discovers that on the long run, high parliamentary attention stimulates venue shifts to alternative political arenas (e.g., juridical arena), which in turn helps to overcome policy blockages (*expectation 5a*). Thus, different institutional venues may not only delay output decisions but also support policy advocates in advancing their policy aims, which is one of the key ideas of Baumgartner and Jones's (1991, 1993) "punctuated equilibrium theory." In other words, attention-induced venue shifts have two faces: On

the one side, they may stabilize the negative effect of parliamentary issue attention and hence policy blockage; on the other side, such shifts may facilitate morality policy change. More precisely, to theorize the effect of institutional venue shifts, one must consider the temporal dimension of venue shifts and who initiated the institutional venue shifts (governments or policy change initiators such as society or the opposition parties).

A second finding is that the existence or erosion of any policy image (approximated via the positional congruence between the government and the policy initiator) seems to only weakly mediate the relationships between parliamentary attention and morality policy changes on the long run (contradicting *expectation 6*). The argument's underlying logic is visible in the case studies because high parliamentary attention stimulates a critical reflection of policy positions in the large mass parties and often coincides with more moderate average issue positions from these political parties, thus increasing party congruence. However, intermediate policy distance levels do not mitigate the negative impact of high parliamentary attention. A decrease in policy distance between a government and policy imitators is not sufficient to stimulate minor reform steps in times of high parliamentary attention because it is difficult to formulate any compromise on these value-loaded issues. The debate on social rights and adoption rights for same-sex couples in Germany during the coalition between the Christian Democrats and the Liberal Party (2009–2013) clearly illustrates that despite a reduced positional distance between the government and the Green Party (due to adjusted issue positions of the Christian Democrats), the government refrained from supporting an adjusted legislative proposal. Moreover, when the Constitutional Court made the decision on adoption rights for same-sex couples in 2013, the minimal legal requirement—allowing successive adoption—was legalized, but all other pending aspects in other juridical procedures were ignored. This finding coincides with the previous literature on morality policies, which argues that political compromise is unlikely when questions on morally “right” or “wrong” behavior are at the center of a political debate (Knill 2013; Mooney 2001a), particularly in countries of the religious world. In sum, the destruction of the existing “monopoly on morality policies” (Baumgartner and Jones 1993) is particularly hard and enduring in countries of the religious world because new policy images are very difficult to establish.

To sum up, the primary arguments and expectations of the two stages of analysis are largely supported by the mixed-methods approach of the empirical analysis; the approach also uncovered some novel and unexpected findings further advancing existing research on morality policies (see for a summary Table 9.1, Figs. 9.1 and 9.2). Overall, the conjunction of the primary arguments of stage 1 and 2 provides a *new explanatory framework* that substantially deepens our understanding of religion and morality politics in countries of the religious world in Europe and thus complements existing literature in a remarkable way. Before I elaborate on the broader theoretical and political implications of this framework, I will discuss the main quibbles of the study's design. While most theoretical arguments can explain some variation, few can explain every variation. A more relevant question is whether the theoretical framework can explain more than can competing arguments. Consequently, a discussion of the project's limitations and alternative explanations for the identified variations will help us evaluate the contributions of the theoretical framework and the related empirical analysis.

Table 9.1 Support of the theoretical framework and its expectations

<i>Stage 1: Parliamentary issue attention</i>	<i>Empirical support</i>	<i>Stage 2: Morality policy change</i>	<i>Empirical support</i>
Argument I (wedge issue competition)	+	Argument I (direct, short-term ef. parliamentary attention)	+
Exp. 1. intra-party conflict	+	Argument II (indirect ef. venues & images)	+/-
Exp. 2. inter-party conflict	+	Exp. 5a. venue shifts: indirect, long-term ef.	+
Exp. 3. mass vs. niche parties	+/-	Exp. 5b. venue shifts: indirect, short-term ef.	+
Exp. 4. policy compensation	-	Exp. 6. image changes: indirect, long-term ef.	-

Source Own compilation. ef. = effect

9.2 LIMITATIONS AND BALANCE OF THE PROJECT

Despite controlling for many important factors when selecting countries, most study designs have weaknesses that limit the generalization of their results and offer room for alternative explanations. A critical discussion and evaluation of these alternative explanations underlines the added value of the new theoretical framework I have developed and tested empirically. I will now focus on the most important alternative explanations, which mainly concern policy selection. This includes the topic's association with religious values and the extent of regulatory convergence and international harmonization in Europe on both issues; both factors are prominently discussed as valuable explanations of morality policy change in both fields (e.g., Ayoub 2016; Kollman 2009; Paternotte 2011; Paternotte and Kollman 2013).

9.2.1 *Prostitution Policy: Between Religion and Gender*

The study's policy selection is an element of the analysis that might be contested. Both policies under investigation—same-sex partnership rights and prostitution—have been cited by various sources as being typical representatives of morality policies (cf. Knill 2013; Mooney 2001c; Wagenaar and Altink 2012). However, one might reasonably question whether prostitution policy is adequate for examining the interaction between religion and morality politics because its debate in parliament does not necessarily follow the divide between religious opponents and secular supports. Opponents reject more comprehensive reforms on the basis of their religious beliefs but also due to concerns related to public order and security, which are not necessarily linked with a person's religious belief system. Concerning same-sex partnership rights, the religious-secular conflict line seems to be the central dividing line that separates opponents and supporters. This might be partly due to the fact that the Catholic Church is very active in the counter-movement on this issue (e.g., Fink 2009; Hennig 2012; Ozzano and Giorgi 2016; Platero 2007; Schmitt et al. 2013). For instance, in Spain, the Catholic Church, together with the Family Forum, organized sizable demonstrations against Zapatero's comprehensive proposal (López et al. 2007). The same phenomenon was visible in Austria, Italy, and Ireland (cf. Hennig 2012; Knill and Preidel 2014; Knill et al. 2014). However, extraordinary

engagement by the Catholic Church was not visible with regard to reforms on prostitution policy.

Regarding prostitution policy, two conflict lines seem to divide supporters and opponents: the religious-secular divide and the pro-abolitionist vs. pro-regulatory divide among women's rights advocacy groups. Along the first conflict line, religious parties reject more permissive steps, since the activity is considered to be inconsistent with norms of human dignity (cf. Kirche 1994; Vatican 1993). On the other hand, secular actors defend sexual freedoms and reject conservative perspectives on sexuality. The second conflict divides feminist advocacy groups. One group of feminists argues that prostitution, as the product of a patriarchal system, violates female dignity and should be abolished by punishing clients. Another group of women's rights advocates argues that women who voluntarily decide to work as prostitutes require better legal protection and public recognition via a regulatory approach (Euchner 2015; Outshoorn 2001, cf. Chapter 4, Sect. 4.2.1). The analytical difficulty is that this divide seldom coincides with religious-secular party cleavages. Secular parties are often divided on prostitution policy, with one group of deputies defending a pro-abolitionist stance and another group supporting a pro-regulatory approach. Thus, opponents of more permissive regulation of prostitution policy may include single members of secular parties as well as members of religious parties. This complicates the examination of coalition considerations of partisan strategies of issue competition.

I address this problem by precisely measuring party positions and conflicts within political parties. Additionally, in recent years, we have seen the dividing line between secular and religious mass parties also become more blurred regarding same-sex partnership rights, since Christian Democrats are becoming increasingly divided on the regulation of same-sex partnership rights. In Germany, for instance, a group of Christian Democrats founded the intra-party organization Bundesverband Lesben und Schwule in der Union (LSU). Accordingly, a more precise measurement of party positions and levels of internal conflict on morality issues is important in any case. Moreover, it is not only prostitution policy but many other traditional morality policies that are characterized by value conflicts on an additional ideological conflict line. The most important examples include the debate on abortion policy and artificial reproductive technologies, which mobilize not only around a religious-secular conflict line but also around a women's rights dimension, which may

cut across the religious-secular divide (Engeli 2009, 2012; Euchner and Preidel 2016).

In consequence, I believe that this difference in the capacity of ideological alignment between the two policies has enriched the analysis. This enrichment was made possible because I was able to more precisely examine party positions and consider intra-party heterogeneity. Thus, the policy selection of same-sex partnership rights and prostitution policy serves to increase rather than limit the generalizability of the study results.

9.2.2 Differences in Regulatory Convergence and International Harmonization in Europe

An alternative explanation is that differences in regulatory convergence in Europe have influenced the policy-making processes in both fields and thus challenge the interpretation of the study results (for a discussion of the mechanisms of policy convergence, see Knill 2005). Concerning same-sex partnership rights, most European countries have converged toward a permissive regulatory approach. But prostitution policies vary widely (cf. Chapter 5), and pressure for conformity might also encourage political parties to increase their issue attention on same-sex partnership rights, since their position can easily be defended by pointing to developments in neighboring countries. This could motivate governments to adopt similarly permissive regimes by imitation or by drawing lessons from the experiences of other states (Heichel et al. 2013; Oakley 2009).

In the labor market, the Employment Equality Framework Directive (2000/78/EC) has obligated countries to abolish discrimination on the basis of sexual orientation. However, there is a lack of such concrete instruments of harmonization regarding same-sex couples; for prostitution policy, there are no such incentives. There are many international and regional treaties dealing with related aspects of prostitution, such as human trafficking for the purpose of sexual exploitation, illegal immigration, and child prostitution (e.g., the Council Framework Decision 2002/629/JHA of 19 July 2002, on combating human trafficking), but there are no concrete recommendations regarding non-forced prostitution. The European Parliament represents an exception, since it has passed two concrete resolutions on voluntary prostitution (though these resolutions have opposite recommendations; for further information,

see Chapter 5). These nonlinear patterns of European reform trends are reinforced by different transnational networks. Interest groups at the European level that demand equal rights for same-sex couples are much better organized, more visible, and clearer in their statements than the group of feminists who advocate for prostitution policy reform (cf. Ayoub 2016; Kollman 2007, 2009; Paternotte and Kollman 2013).¹ Most importantly, the influence of the advocacy group of feminists has been weakened by contradictory policy positions (cf. Crowhurst et al. 2012; Outshoorn 2004).

Theoretically, these are serious queries. It is plausible that political parties might be more likely to increase the attention on same-sex partnership rights than on prostitution policy owing to EU recommendations, stronger societal mobilization at the national level, and the role models of neighboring countries. However, the different peaks of parliamentary attention on one issue over time cannot be explained by a uniform policy convergence trend in Europe. Concerning the second dependent variable—the extent of policy change—the link is also less intuitive and lacks significant empirical support—especially in Germany and Austria. The parliaments in these two countries adopted far-reaching prostitution policy reforms within one legal act but failed to agree on comprehensive changes for same-sex partnership rights for many years. In other words, a more professional organization of transnational and interest groups does not necessarily result in more comprehensive public-policy reforms (at least as a single independent aspect).

Despite the limited explanatory capacity inherent in the varying attention patterns in one country or the exact extent of morality policy changes, the differences in external influences in the two policy fields seem to have shaped incentives for political parties. It would be too simplistic to state that parliamentary issue attention is always higher for same-sex partnership rights than for prostitution policy. Regulatory divergence does not guarantee low issue politicization levels; neither does regulatory convergence guarantee high parliamentary attention levels. However, especially in recent years, the activities of some German secular parties seem to have been reinforced by supportive signals from the European Commission or from neighboring countries. Austria is another case in which activities at the EU level directly affected political parties' politicization behaviors and governmental regulatory activities (cf. Knill et al. 2014). And also in Spain, the EU played an important role: Representatives of the Socialist government in Spain defended

their comprehensive policy project by arguing that Spain would thereby become a role model in Europe and would not need to adopt minor reform steps in the future (cf. Plenary Protocol CD 2004/21, 927).

In sum, in recent years, regulatory convergence in Europe seems to have influenced strategies of issue competition concerning same-sex partnership rights, as the overall trend has become clear. Concerning prostitution policy, such a stimulus has been absent for a long time. However, since the early 2010s, the group of pro-abolitionist countries in Northern Europe seems to have stimulated policy campaigns in many European countries (e.g., reforms of prostitution policy in France in 2015) and European institutions (e.g., European Parliament). Thus, regulatory convergence may have affected certain political parties' issue competition strategies and is an important background factor; however, it cannot account directly either for the varying extent of political attention over time or the extent of morality policy reforms in countries of the religious world.

To summarize the discussion of alternative explanations, there is considerable support for the new theoretical framework and the related expectations set out in Chapter 3. No other theoretical argument can explain the variation in parliamentary issue attention or morality policy change in all four countries with such precision. Other arguments predicting parliamentary issue attention and morality policy changes in the religious world do exist. However, upon closer examination, the empirical evidence fails to support these theories for all examined instances, limiting their explanatory capacity.

9.3 THEORETICAL IMPLICATIONS AND AVENUES FOR FUTURE RESEARCH: RELIGION AND POLICY MAKING IN SECULAR TIMES

The discussion of alternative explanations of morality policy attention and change has shown the large leverage of the *new explanatory framework* of this book. It substantially deepens our understanding of religion and morality politics in secular times and thus enriches three different literature streams: (1) the research on morality policies, (2) the literature on religion and politics, and (3) the discussion on issue competition and agenda-setting research. Besides these theoretical implications, the analysis also points out new directions for future research and some political implications for political systems in Europe being confronted with an increasing radicalization of different religious demographics of the society.

9.3.1 *Theoretical Implications*

9.3.1.1 *First Pillar: Implications for Morality Policy Research*

The new theoretical framework substantially advances the state of the art in *morality policy research*, which lacks a sound theoretical foundation from which to explain why political parties politicize morality issues at different points of time in countries of the religious world and how parliamentary issue attention interacts with policy reforms.

The finding that secular *and* religious mass parties politicize morality issues strategically—even in countries of the religious world—instead of treating them in a coherent way guided by their fundamental value systems is a novel finding with far-reaching consequences for our understanding of the role of the two different parties in this process. Such a finding requires that we revise our view on the behavior of the Christian Democrats in morality policy-making processes. Although the Christian Democrats in Continental Europe have taken up a blocking function in terms of more permissive regulatory steps, over time, the resistance has crumbled, especially concerning same-sex partnership rights. Thus, with regard to same-sex partnership rights, we are on the way to permissiveness in Europe; religious governments are reluctant to revise previous decisions and return to more restrictive regulatory settings, and they sometimes even approve of permissive regulatory reforms. Moreover, contrary to expectations, it appears that Christian Democrats cannot sustain their “unsecular approach” (van Kersbergen 2008) in countries of the religious world today, because they are seriously pressured by small religious parties and by right-wing populist parties that use Christian values to defend their anti-immigrant policy programs. The CDA in the Netherlands, for instance, faces strong pressure from the right as Geert Wilders’ Party for Freedom (Partij voor de Vrijheid; PVV) publicly extols the importance of Judeo-Christian values and beliefs in Dutch identity (van Kessel 2016). In the 2017 campaign for national elections, Wilders stated, “Dutch values are based on Christianity, on Judaism, on humanism. Islam and freedom are not compatible” (*Independent* 22.02.2017). Timmermans and Breeman (2012) point to a similar conclusion when analyzing the morality policies in the multi-party system in the Netherlands. The authors claim that the CDA “is squeezed between an increasingly failing ‘unsecular’ strategy and the impossibility of regaining voters who expect more explicit attention to religious principles” (Timmermans and Breeman 2012, 60).

A similar dynamic is visible in Austria, although the Christian Democrats were able to uphold its “unsecular approach,” at least in the 1990s, by intensifying its contact with the church’s official lay organizations, which later lobbied for the conservative value positions of the party (Müller and Steininger 1996, 91–92). In the early 2000s, when the Austrian People’s Party (Österreichische Volkspartei; ÖVP) was increasingly pressured by the Freedom Party of Austria (Freiheitliche Partei Österreichs; FPÖ), who also sought to persuade a value-conservative electorate, this network was even more important, but it did not prevent the ÖVP from taking a more explicit stance on religion and religious issues. Fallend (2004, 95), for example, reported that the Christian Democrats publicly condemned the FPÖ for its “Christian fundamentalism” and accused it of leading a Kulturkampf against the open society and the liberal constitutional state (see also Hadj-Abdou 2016). In other words, if the few remaining religious mass parties in Europe want to maintain their Christian profile and attract religious votes, then they need to explicitly defend their religious roots and their transference of religious principles onto public policies by clearly distancing themselves from more radical niche parties. Morality policies are particularly useful to follow such a strategy in countries where we still find a minority of very religious voters.

Second, the book also shows that on the short run, strong political conflict in the parliamentary arena reduces the chances of *morality policy change*, and venue shifts to the expert arena, for instance, further stabilize such moments of policy standstill. This finding on the negative relationship between parliamentary attention and morality policy changes coincides with the few systematic studies conducted in this field. For instance, Vergari (2001) and Arsneault (2001) discovered, for the case of abstinence-only sex education in the USA, that policy change can best be achieved when issue salience is low.² Moreover, several studies on European countries also show that governments use venue shifts to the expert arena as instrument to depoliticize morality issues (e.g.; Fink 2012; Schiffino et al. 2009; Engeli and Varone 2011).

On the long run, however, venue shifts that are induced by opposition parties or societal actors may not have a blocking or delaying force but a releasing one. The call of the Constitution Court in both Germany and Austria finally paved the way for comparably permissive rulings on same-sex marriage. Thus, in contrast to the existing literature, I argue that countries with many institutional venues may also have advantages for

reformers, because in times of high political attention, opposition parties and societal actors are as likely to use these alternative venues to further increase the political pressure on the government. Therefore, future studies must operationalize the role of institutional venues more carefully, especially in large-N studies, when aiming to explain their indirect effect on policy change via parliamentary issue attention. Furthermore, the finding that institutional venues are a key determinant in times of enduring parliamentary issue attention relates to a long discussion of the influence of institutions on morality policy changes. The general tenor of that discussion is that institutions are less important (e.g., Engeli 2009; Montpetit et al. 2007) and are exclusively valuable for opponents of permissive approaches, who use them to delay or limit policy output decisions. Yet this analysis reveals that the possibility to shift morality issues in between institutional venues may also help supporters of permissive morality policies.

The latter discussion on institutional venues and the primary argument that political parties use morality issues very strategically in the religious world lead to a third implication for the morality policy literature and its fundamental question, “Do morality policies and non-morality issues proceed in politics different ways?” I would argue that the only difference in the processing of morality and non-morality policies is that the discussion of morality policies may coincide with larger levels of issue attention, since the fundamental values of someone’s belief system are often challenged, which requires a direct response from government parties as well as from members of the opposition. But despite the contentiousness of these policies and the potentially value-loaded discussions that accompany them, morality policies are still part of the “*normal*” political game, which emphasizes office- or vote-seeking objectives. This means that these issues are mainly politicized by political parties when they are in a minority position and when such politicization can be expected to weaken the government, and not in other instances.

9.3.1.2 Second Pillar: Implications for the Literature on Religion and Politics

These specific insights into morality politics in countries of the religious world contribute to the general debate on *religion and politics* in secular societies because these issues are generally discussed with regard to fundamental religious values and therefore allow us to draw conclusions about why religion rises in politics in secular times. This book is one of

the first studies to offer an explanatory theoretical framework of the rise and fall of religion in politics across countries in Europe. It complements the religious-secular competition perspective (Fox 2015) with concrete propositions on how the suggested competition dynamic works at the *meso level and micro level* of political systems and explanations of how the enduring societal secularization (Davie 2006) excels out in policy-making processes.

I show that the visibility of religion in the politics of secular societies rises and falls in direct relation to the presumed competitive advantage expected by secular and religious political parties when politicizing issues related with religious norms. In other words, *religious principles* are important in daily politics in the explored European countries, but they are not the fundamental decision criterion for how to deal with specific value-loaded questions at the agenda setting or any later stage. The religious principles of religious mass parties have eroded as a result of an increasingly secular voter base, non-religious party members, and members with a redefined understanding of religion. However, this does not mean that religious MPs have disappeared in Europe. Instances of roll-call voting or referenda voting on some morality policies show that there are still a few very religious MPs who act according to their religious belief system and who object to permissive reform steps (e.g., Engler and Dümig 2016; Preidel 2016; Rapp et al. 2014). Most of them (especially in Germany) belong to the Christian Democratic Union (e.g., Baumann et al. 2015; Euchner and Preidel 2016). However, they are seldom able to steer the behavior of their entire party. Generally, party unity is protected at the expense of the religious beliefs of the individuals in the party.

Thus, while *religion is still alive* in daily politics, it does not structure political party behavior in any clear-cut way. The strategic concerns of mass political parties overrule moral considerations based on religious value systems, even in European countries, where religiosity among citizens is still comparatively high. As a result, there is no uniform effect of religion and its multiple facets on the extent of morality policy change. Instead, religion offers an opportunity structure for minority parties to strategically use value-loaded policies, but the final output decision (the extent of morality policy change) depends on the conjunction of an alternative set of factors.

My perspective offers a novel framework that can help to predict the future rise and fall of religion and value-loaded issues in other areas and

countries that will see substantial economic and cultural modernization over the next decades (e.g., South America, Africa, the Maghreb States, and India). However, the recent political disruptions in the Maghreb states also illustrate that a functional democratic political system and the structures for equal and fair competition between political parties upon which such systems depend are a necessary condition to explain the rise and fall of moral issues by means of the new theoretical framework of this book.

9.3.1.3 Third Pillar: Implications for Issue Competition and Agenda-Setting Research

Finally, I also contribute to party competition research by uncovering different mechanisms of issue competition in multi-party systems and systems with minority governments. Issue competition has been discussed since the early 1980s as an alternative or a complementary way for political parties to compete (Budge and Farlies 1983; Green-Pedersen 2007). Over the past few years, particularly within the realm of the Comparative Agendas Project (CAP), the emphasis of certain issues at the expense of others has experienced new scientific interest (cf. the edited volume of Green-Pedersen and Walgrave 2014). Nonetheless, very few studies in this field have examined the specific idea of wedge-issue competition in the European context (but see Van de Wardt et al. 2014; Spoon et al. 2014; Hobolt Binzer and Klemmensen 2008; Spoon and Klüver 2015). The idea of wedge-issue competition emerged in the USA and has therefore been examined mainly in a two-party system (e.g., Adams 1997; Riker 1986; Rose 2001). Accordingly, wedge-issue competition on morality policies in Continental Europe has been an ideal test case, first because morality policies are known for their potential to drive a wedge between party members as well as between political parties, and second because multi-party systems are the rule rather than the exception in Europe, which, in turn, offers new insights into issue competition, given different structural conditions.

In line with Van de Wardt et al. (2014), I uncovered that minority parties particularly politicize morality policies at moments when they are able to drive a wedge between coalition partners and can intensify conflict within certain government parties. I also revealed that niche parties behave differently than mass parties when they are in opposition. However, I found no clear-cut evidence for the second part of Van de Wardt's et al. (2014, 986) argument that "parties that are regularly part

of a coalition are not likely to exploit wedge issues as it could potentially jeopardize relationships with future coalition partners.” The Left Party in Germany, which has never been part of the government, was similarly engaged or even less active than other opposition parties. In Austria, the FPÖ was relatively active, as was the Liberal Party D66 in the Netherlands, although both were junior government partners for only few years. In Spain, the regional parties and the small secular party IU were most engaged, not merely because they sought to drive a wedge between the members of the majority party, but rather because the government’s minority position allowed them to negotiate policy deals (cf. multilevel games). The Spanish case study also reveals additional mechanisms of wedge-issue competition that to date have been neglected in the literature. In times of minority governments lacking any informal coalition partner, opposition parties politicize aspects of public policies that are most contentiously debated among the government and the potential ad hoc coalition partner. Thus, my detailed examination of parliamentary documents and plenary debates complements the few existing large-N studies with essential additional insights into wedge-issue competition dynamics in multi-party systems and under minority governments, thereby substantially enriching the pool of research.

In addition to these new insights into the dynamics of wedge-issue competition, this book contributes to our understanding of the strategic uses of issue attention in party competition. Previous work has emphasized that political parties increase attention on the issues they “own” (Petrocik 1996). In other words, only those issues that are associated with a political party and its competence to solve the main problems are politicized. Since wedge-issue competition is largely aimed at internally dividing the parties in government, issue ownership is secondary. Political parties highlight issues at particular moments because they expect a competitive advantage and not because they are known for their expertise in the field. In line with Van de Wardt et al. (2014, 997), I propose that “playing up the weakness of competitors may constitute as much of a strategic advantage over competitors as highlighting one’s own strengths.”

Furthermore, this study supports the scholarship that has found that the right-left dimension is insufficient to structure the ideological space and to capture the developments over recent decades. New issues, such as the environment, immigration, and morality policies, have created a new conflict line in party systems, known as the authoritarian vs.

libertarian dimension or as “globalization cleavage” (Kriesi 2010, 2012, 96ff.; Kriesi et al. 2012; Flanagan and Aie-Rie 2003; Inglehart and Baker 2000; see Green-Pedersen 2012). More traditional policies, such as those relating to family and child benefits or questions of regional autonomy, are also likely to divide a government coalition traditionally formed based on the proximity on the right-left-wing ideological axis. The government coalition in Germany between Christian Democrats (CDU and CSU) and Liberals (2009–2013), for instance, was seriously challenged by the debate on family benefits for home childcare. The Christian Democrats defended the traditional male-as-bread-winner model, in which families—especially women—are supported in their efforts to care for children full time at home. The Liberals, however, supported a more modern notion of family and a family’s work-life balance (cf. similar debates in the Netherlands between the CDA and the VDD or D66). In addition, the small coalition partner, CSU, challenged the CDU from the right (cf. conflict in Austria between the ÖVP and the liberal but value-conservative FPÖ). Thus, the theoretical argument on wedge-issue competition and the strategic use of issues that do not follow the traditional right-left dimension are applicable to many more public policies and should be able to explain their rise and fall on the political agendas in Europe today.

The last point and most of the previous points are not only interesting for literature on issue competition literature but also for the *agenda-setting community* because it has become increasingly interested in the role of political parties for shaping political agendas, as well as in country comparative studies (e.g., contributions in Green-Pedersen and Walgrave 2014). The two core messages of this book for the community are: (1) Issue attention patterns in parliamentary systems are seriously determined by strategic considerations of opposition parties (following a so-called wedge-issue competition logic; cf. also Seeberg 2013) and (2) the impact of parliamentary issue attention on policy change varies with the employed temporal angle of analysis (short term: negative; long term: positive) and this dynamic effect is reinforced by institutional venue shifts (cf. Loftis and Mortensen 2018).

9.3.2 *Avenues for Future Research*

The book and its fresh theoretical framework contributes to several open questions in the literature, but it also uncovers several remaining research

gaps and thus proposes four central avenues for future research. One promising avenue for future research would first extend the arguments of the explanatory framework to other *regions of the world* in which societal secularization is not yet so advanced that show, particularly those regions in which other religions prevail, such as *Islam* or *the Orthodox Church*. Outside Europe, South American countries with highly fragmented party systems like Brazil, Mexico, or Argentina would be interesting cases for evaluating the theoretical framework. Although the religious-secular divides are less marked in these countries (Dix 1989; Barrington 2013, 115), initial studies point to significant differences between religious and non-religious voters, as well as between Catholic and Protestant voters (Boas and Smith 2015).

Turkey would also be an interesting country case for reexamining the main theoretical framework concerning another religion: Islam. The clear-cut separation between religion and the state established under Mustafa Kemal Atatürk, in combination with comparable high religiosity levels, offers an interesting cultural opportunity structure for the examination of the argument, because a fundamental principle of organizing a state might clash with many party members' value systems (cf. EVS 2015; Kuru 2009). Thus, in contrast to the religious world in Europe, political (mass) parties with religious roots should not need to hide their religious positions and thus follow an "unsecular" approach because the religious voter base is still comparably large (39% go to the mosque once a week; 2008; EVS 2015); these parties could claim that their religious rights have been undermined for years and one could expect that opponents defending an laic approach should also have religious party members, which in turn facilitates to divide the opponent based on issues related with religious norms. In fact, recent developments under President Recep Tayyip Erdoğan indicate an activation of the religious-secular conflict line (cf. Fox 2015, 161). Erdoğan reformed many state policies toward religion in schools and public institutions, including abolishing the headscarf ban in public universities and revising the curriculum of compulsory courses on religious culture and morality (Law on Amendments to the Primary Education Law, 2012, No. 2547) (US Department of State 2013). Furthermore, Erdoğan has increasingly politicized the divide between Islam and Christianity, particularly during the electoral campaign for the scheduled referendum on the reorganization of the political system in April 2017. Thus, Erdoğan seems to use religion also in a strategic, party competitive way in order to strengthen

his party's power position and his own position as political leader as well as to legitimize his political plan. Accordingly, also for political leaders in less secular areas of the world, religion seems to be a strategic resource rather than a fundamental value system shaping the behavior of political actors in a coherent way. Exploring the exact logic of wedge-issue competition in such a young democracy, that has undergone serious political transformations (e.g., serious cuts of rights of the parliamentary opposition) would be very interesting because we could re-examine the theoretical framework for a country in which a non-Christian religion is prevailing and where democratic rules are increasing abandoned.

A second theoretically interesting spin-off would be a systematic analysis of *minority governments*, which seem to stimulate a unique dynamic of parliamentary issue attention and wedge-issue competition strategies, especially when the government lacks an “informal” coalition partner. Several interesting questions might be explored in this regard: Do we also find higher parliamentary attention levels focused on morality policies in secular countries owing to political games between opposition parties and minority governments? Or does this expectation always depend on minority governments’ style (favoring either ad hoc coalitions or the same partner over time)? And are there differences between political systems in which minority governments are formed by several political parties (e.g., Denmark) compared to political systems in which one political party governs in minority (e.g., Spain)? Countries with multi-party systems and minority government constellations may have developed informal and formal routines on how to negotiate policy deals with several political partners, which in turn may facilitate limiting the political conflict in the parliamentary arena. The search for a coalition partner for the PP in Spain in 2016 is a popular negative example. Spain lacks a long consensus-oriented tradition of negotiating policy deals and, in particular, of routines and structures that facilitate the formation of a government coalition. Spain suffered from a political paralysis for more than three hundred days as the PP gained the most seats in the national elections in December 2015 (35.1%) and June 2016 (39.1%); however, it failed to win an outright majority that would have enabled it to confirm Mariano Rajoy’s return as prime minister. Thus, the conservatives launched talks with potential coalition partners such as the new parties Cuidanos and Podemos. These coalition talks failed; it was only because the Socialist Party abstained in parliament that Rajoy could take office again (*The Guardian* 29.10.2016).

It is also worth considering to what extent a *country's federal organization* and, in particular, the representation of regional parties allow for specific issue competition strategies (e.g., Vliegenthart et al. 2011). Regional actors are represented in national parliament and often politicize morality issues, since these actors more directly face problems arising from implementation; good examples are the CiU in Spain (cf. Chaqués Bonafont et al. 2015) and the CSU in Germany. Given that it is very difficult to implement morality policies (Mooney 2001b, 13), it would be interesting to discover whether morality issues experience different politicization patterns in more centrally organized countries.

A final promising spin-off would be to examine the links between *religion*, *identity*, and *populist parties* in Europe. All typical representatives in Europe, such as the Alternative for Germany (Alternative für Deutschland; AfD) in Germany, the FPÖ in Austria, and the PVV in the Netherlands, emphasize Christian values and norms and their importance for German, Austrian, or Dutch identity (cf. edited volume by Marzouki et al. 2016). Their basic premise is that Muslim citizens—especially refugees—are different and should assimilate or leave the country. Paradoxically, these value-conservative parties reject stronger European integration or a core European identity, even though they emphasize Christian values as the main heritage that unifies a country's people. Thus, one may reasonably question how these populist parties—especially their party leaders—understand religion and religious values. Is religion in fact part of their core identity, or is religion used as a source of political mobilization and scandalization? And do they circumvent the ideological contradiction of emphasizing the importance of a shared Christian heritage characterizing most EU member states while opting to dissolve or disentangle the EU?

9.3.3 Political Implications

Aside from these highly promising avenues for future research, the key findings of this study in terms of religion and morality policies also have important political implications. One should ask whether the uses of religion and issues relating to religious values in Europe have coincided with the expected advantages not only for political parties but also for democratic integrity. The strategy might benefit single political opposition parties, strengthen the toolbox of controlling political governments, and intensify democratic deliberation. However on a large

scale and with more of a long-term perspective, we observe an inefficient policy-making process and maybe an insufficient response to the rise of an additional set of political actors who instrumentalize religion for their anti-Islam campaigns (cf. PVV in the Netherlands, AfD in Germany, FPÖ in Austria) (Hadj-Abdou 2016; van Kessel 2016). The increasing strength of right-wing populist parties in Europe and their anti-Islam campaigns will provoke international conflicts with Muslim countries or at least provide fruitful ground for external actors to similarly use the conflict between religions to legitimate a value-conservative policy in national contexts. In these ways, the strategic use of religion in daily politics threatens not only national democratic structures but also international relations with Muslim countries. Therefore, political systems require strategies and formal rules—perhaps through strengthening of direct-democratic structures or a loosening of party discipline—that provide incentives for a more honest and value-driven—rather than politics-driven—use of religion and religious arguments in daily politics.

NOTES

1. For an analysis of processes of policy diffusion stimulated by the organization of regional interest groups, see Haider-Markel (2001) or Berry and Berry (1990).
2. In contrast, Engeli et al. (2013) argue that the high levels of issue attention provoked by a religious-secular cleavage structure in national party systems lead to more permissive regulation of morality policies and thus to more comprehensive reforms. These authors are less precise in measuring issue attention, since they assume *per se* high attention levels for countries with a religious-secular party cleavage. However, as this book has shown, there are large differences over time within one country as well as across countries in the *religious world*. Thus, a more fine-tuned measurement and analysis is necessary to better understand the underlying dynamics of political attention and morality policy changes.

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APPENDIX

KEYWORDS MORALITY POLICY ATTENTION PARLIAMENTS AND NEWSPAPER ANALYSIS

See Tables A.1 and A.2.

Table A.1 Overview of keywords indicating parliamentary attention

<i>Prostitution policy</i>			<i>Same-sex partnership rights</i>		
<i>ES</i>	<i>DE + AT</i>	<i>NL</i>	<i>ES</i>	<i>DE + AT</i>	<i>NL</i>
prostitución	Prostitution	prostitutie	homosexual*	Homosexualität	homoseksueel
prostituta	Prostituierte	prostituee	homoparent*	Homo*	homoseksuele
prostibulo	Prostitutions-	prostitu*	mismo sexo	Lebenspartner-	homoseksual-
trata de blancas	gesetz	raamprosti-	orientación	schaft	iteit
proxenetas	Sexarbeit	tutie	sexual	Lesbisch	homohuwelijk
explotación	Menschenhandel	sekswerk	pareja de hecho		homo*
sexual	Bordell	sekswerker	uniones de		lesbisch
trata de seres	Straßenstrich	seksclub	hecho		lesbiennne
humanos		bordeel	matrimonio		lesbo
trabajadoras		bordeelverbod	homosexual		
sexuales					
trabajo de sexo					

AT = Austria, DE = Germany, ES = Spain, NL = the Netherlands

Source Author's compilation

Table A.2 Overview of keywords used in the newspaper analysis

<i>Prostitution policy</i>			<i>Homosexual and same-sex partnership rights</i>		
<i>ES</i>	<i>DE + AT</i>	<i>NL</i>	<i>ES</i>	<i>DE + AT</i>	<i>NL</i>
prostitu!, “prostitu*” or burdel, “bordell” or trabajo “Sexarbeit*” del sexo	prostitutie prostitutee prostitu*	prostitutie prostitutee raamprostitutie sekswerk sekswerker seksclub bordeel bordeelverbod	homosex! or gay or mat- rimonio gay or homosex! discriminació or lesbia!	“Gleichgeschlechtliche Partnerschaft” or “Homosex*” or “Homosex*” and “Diskriminierung” or “Schwul” or “Lesbisch” or “Homoche” or “Homo*”	homoseksueel homoseksualiteit homohuwelijk homo* lesbisch lesbienne lesbo

AT = Austria, DE = Germany, ES = Spain, NL = the Netherlands

Source Author's compilation

CODEBOOKS PARLIAMENTARY ATTENTION AND MEDIA ATTENTION

See Tables [A.3](#) and [A.4](#).

Table A.3 Codebook parliamentary attention

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
c	Country	Country name	AT, DE, ES, NL
c_y	Country year	Country name and year	n/a
y	Year	Year in which the initiative was proposed	1990–2013
d	Date	Date of proposal	dd.mm.yyyy
n	Number	Each initiative is counted	n/a
n2	Number in the legislative period	Each initiative is counted in one legislative period	n/a
lp	Legislative period	Specification of the legislative period	VI-X
plenary	Plenary	Venue in which the initiative is proposed	0 = Initiative not in the plenary 1 = Initiative in the plenary 1 = parliament (first and second chamber)
venue	Main arena	Main arena where the issue is discussed/initiated	1 = expert commission 2 = European Union 3 = European Union
gov_name	Name of government	Which party holds government?	n/a
gov	Party supporting the government	Which party holds government?	1 = CDU/CSU/FDP 2 = SPD-Grüne 3 = CDU/CSU-SPD 11 = ÖVP-FPÖ 12 = ÖVP-BZÖ 13 = SPÖ-FPÖ 14 = SPÖ-ÖVP 31 = CDA-PvdA
tpros0	Type of policy	Difference between prostitution policy and rights of homosexuals	32 = PvdA-VVD-D66 33 = CDA-LPF-VVD 34 = CDA-VVD-D66 35 = CDA-CU 36 = VVD-CDA 37 = CDA-PvdA-CU 51 = PP 52 = PSEO
tit	Title	Title of initiative (shortcut)	n/a

(continued)

Table A.3 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
tpros	Type of policy	Difference between voluntary prostitution and aspects related to involuntary prostitution (e.g., trafficking etc.) plus difference between homosexual discrimination in general and rights for same-sex couples	0 = discrimination of homosexuals 1 = rights for homosexual couples (parenting, marriage) 2 = voluntary prostitution 3 = involuntary prostitution (e.g. trafficking, forced prostitution, child prostitution etc.)
tin	Type of initiative	Type of initiative	1 = bill 2 = non-legislative bill 3 = motion 4 = interpellation 5 = written question 6 = oral question 7 = propose special commission or panels 8 = petition of study 9 = others
ini	Initiator	Name of the party or person	n/a
ini_t	Type of initiator	Member of the government or not	0 = governmental member 1 = no governmental member 99 = unclear
party	Political Party	Party of the author of initiative	1 = CDU/CSU 2 = SPD 3 = Bündnis 90/DIE Grünen 4 = FDP 5 = Die Linke 6 = Others
			31 = Pv.dA 32 = VVD 33 = D66 34 = CDA 35 = LPF 36 = PVV 37 = SGP

(continued)

Table A.3 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
chr_p	Religious versus secular party	Rough ideological orientation of the party in terms of religious values and doctrines	0 = secular 1 = religious 99 = unclear
drs	Identification number	Number of printed document	n/a
con	Content initiative	Short description of the initiative (mostly summarized briefly under the title)	n/a
regh	Regulatory history	Short description of the history of the respective initiative in the following months (mostly summarized briefly under the title)	n/a

Source Author's compilation

Table A.4 Codebook media analysis

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
ID	Number	Each article gets a number	n/a
c_iso	Shortcut country	Shortcut country name according ISO norm	AT, DE, ES, NL
pfd	Type of policy	Homosexuality/Same-sex marriage or prostitution	0 = prostitution 1 = homosexual issues
med	Medium	Kind of newspaper	1 = SZ 2 = FAZ 3 = EP 4 = EM 5 = DP 6 = VK
y	Year	n.a.	n/a
tt	Date	n.a.	dd.mm.yyyy
zpk	Point in time	Is the article published after the initiation of a governmental bill or before?	0 = after 1 = before
ttl	Title	Title plus sub-title	n/a
res	Resort name	Part of the newspaper in which the article is published	n/a
res_pol	Resort politics	Article is published in the resort “politics”	0 = no 1 = yes
res_mu	Resort regional or local	Article is published in the resort “local or regional news”	0 = no 1 = yes
res_oth	Resort others	Article is published in other resorts (e.g., Culture, Economy)	0 = no 1 = yes
pp	Page	Page where the articles is published	n/a
polt	Politics in general	Discussion about a legislative reforms or activity of single political actors or pure description of an event related to the topic (e.g., report of a crime on foreign prostitutes)	0 = no 1 = yes

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
polt_in	Politics: national, abroad	Discussion of national politics	0 = abroad 1 = inland 2 = both
polt_ac	Political actor	Political actors is mentioned in the article and talks about the policy issues	0 = no 1 = yes
polt_nr	Total number of political actors	Total number of political actors which are mentioned in the article (maximal 4 since we code maximum 4 actors)	0-4
polt_nr_n	Total number of national political actors	Total number of national political actors which are mentioned in the article (maximal 4 since we code maximum 4 actors)	0-4
polt_nr_t	Total number of governmental actors	Total number of national governmental actors which are mentioned in the article	0-4
pac1	Political actor 1	Name of the first political actor mentioned in the article	n/a
pac1_tp	Type of first political actor	Opposition or government party	0 = opposition party 1 = government party
	Membership of first political actors	Type of Party	1 = CDU/CSU 2 = SPD 3 = Bündnis 90/DIE Grünen 4 = FDP 5 = Die Linke/PDS 6 = Others 11 = ÖVP 12 = SPÖ 13 = Grüne 14 = FPÖ

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
pac1_des		Argument of actor 1	Summary of argument
pac1_ol		First object mentioned of actor 1	First aspect to which the actor 1 is referring
			to (e.g. homosexuality in general, adoption rights, etc.)
		n/a	n/a

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
pac1_ol_posi	Position of actor 1 in regard to object 1	Position of actor 1 in regard to the object 1	-1 = negative -0.5 = rather negative 0 = no direction identifiable, 0.5 = rather positive 1 = positive n/a
pac1_o2	Second object mentioned of actor 1	In case the actor mentions another issue aspect (e.g., child prostitution, forced prostitution, voluntary prostitution, trafficking)	
pac1_o2_posi	Position of actor 1 in regard to object 2	Position of the actor 1 in regard to the object 2	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac1_posi	Average position of actor 1	Average position of actor 1 in regard to the policy	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac2	Political actor 2	Name of political actor 2 mentioned in the article	
pac2_t	Type of second political actor	Opposition or government party	0 = opposition party 1 = government party
pac2_tp	Membership of second political actors	Type of Party	See coding for pac1_tp
pac2_des	Argument of actor 2	Summary of argument	n/a
pac2_ol	First object mentioned by actor 2	First issue aspect to which actor 2 is referring to	n/a

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
pac2_o1_posi	Position of actor 2 in regard to object 1	Position of actor 2 in regard to object 1 (issue or issue aspect)	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac2_o2	Second object mentioned by actor 2	In case the actor mentions another issue aspect	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac2_o2_posi	Position of actor 2 in regard to object 2	Position of actor 2 in regard to the object 2 (issue aspect)	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac2_posi	Average position of actor 2	Average position of actor 2 in regard to the policy	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac3	Political actor 3	Name of the political actor 3 mentioned in the article	0 = Opposition party 1 = Government party See coding for pac1_tp n/a
pac3_t	Type of third political actor	Opposition or government party	0 = Opposition party 1 = Government party See coding for pac1_tp n/a
pac3_tp	Membership of third political actors	Type of Party	0 = Opposition party 1 = Government party See coding for pac1_tp n/a
pac3_des	Argument of actor 3	Summary of argument	0 = Opposition party 1 = Government party See coding for pac1_tp n/a
pac3_ol	First object mentioned by actor 3	First issue aspect to which the actor 3 is referring to	0 = Opposition party 1 = Government party See coding for pac1_tp n/a

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
pac3_ol_posi	Position of actor 3 in regard to object 1	Position of actor 3 in regard to object 1	-1 = negative -0.5 = rather negative 0 = no direction identifiable, 0.5 = rather positive 1 = positive n/a
pac3_o2	Second object mentioned by actor 3	In case the actor mentions another issue aspect	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac3_o2_posi	Position of actor 3 in regard to object 2	Position of the actor 3 in regard to the object 2	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac3_posi	Average position of actor 3	Average position of actor 3 in regard to the policy	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive n/a
pac4	Political actor 4	Name of the political actor 4 mentioned in the article	n/a
pac4_t	Type of fourth political actor	Opposition or government party	0 = opposition party 1 = government party See coding for pac1_tp
pac4_tp	Membership of fourth political actors	Type of Party	
pac4_des	Argument of actor 4	Summary of argument	n/a
pac4_ol	First object mentioned by actor 4	First issue aspect to which the actor 4 is referring to	n/a

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
pac4_ol_posi	Position of actor 4 in regard to object 1	Position of actor 4 in regard to object 1	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
pac4_o2	Second object mentioned by actor 4	In case actor 4 mentions another issue aspect	n/a
pac4_o2_posi	Position of actor 4 in regard to object 2	Position of actor 4 in regard to the object 2	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
pac4_posi	Average position of actor 5	Average position of actor 4 in regard to the policy	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
pac5	Political actor 5	Name of the political actor 5 mentioned in the article	n/a
pac5_t	Type of fifth political actor	Opposition or government party	0 = opposition party 1 = government party
pac5_tp	Membership of fifth political actors	Type of Party	See coding for pac1_tp
pac5_des	Argument of actor 5	Summary of argument	n/a
pac5_ol	First object mentioned by actor 5	First issue aspect to which the actor 5 is referring to	n/a

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
pac5_ol_posi	Position of actor 5 in regard to object 1	Position of actor 5 in regard to object 1	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
pac5_o2	Second object mentioned by actor 5 Political actor 6	In case actor 5 mentions another issue aspect in the article	n/a n/a
pac6	Type of sixth political actor	Opposition or government party	0 = opposition party 1 = government party See coding for pac1_tp
pac6_t	Membership of sixth political actors	Type of Party	n/a
pac6_tp	Argument of actor 6	Summary of argument	n/a
pac6_des	First object mentioned by actor 6	First issue aspect to which the actor 5 is referring to	n/a
pac6_ol	Position of actor 6 in regard to object 1	Position of actor 5 in regard to object 1	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
pac6_ol_posi	Position of actor 6 in regard to object 1	Position of actor 5 in regard to object 1	n/a n/a
pac6_o2	Second object mentioned by actor 6 Other actors	In case actor 5 mentions another issue aspect Other actors are mentioned in the article (e.g., scientists, police, public administration)	0 = no 1 = yes n/a
oth			n/a
oth_ac1	Name of the other actor 1	n.a.	
oth_ac1_des	Argument of the other actor 1	Summary of the arguments	n/a

(continued)

Table A.4 (continued)

<i>Shortcut</i>	<i>Variable</i>	<i>Description</i>	<i>Codes</i>
oth_ac1_posi	Position of the other actor 1	Position of the other actor 1 in regard to the topic	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
oth_ac2	Name of the other actor 2	n.a.	n/a
oth_ac2_des	Argument of the other actor 2	Summary of the arguments	n/a
oth_ac2_posi	Position of the other actor 2	Position of other actor 2 in regard to the topic	-1 = negative -0.5 = rather negative 0 = no direction identifiable 0.5 = rather positive 1 = positive
ref	Reference to reform	Does the article refer to any legislative reforms?	0 = no 1 = yes
ref_sp	Specification of reference	Possibility to add a comments	n/a
sour	Source	Short-cut with which the article is saved	n/a

Source Author's compilation

PRE-TEST: DEFENDING THE SELECTION OF NEWSPAPERS

The pre-test revealed few differences in terms of actor attention and average issue positions across right-wing and left-wing newspapers, exemplarily conducted for the Spanish and the German newspaper outlet. This justifies the analysis of one fairly left-wing-oriented newspaper (*DiePresse, El País, Süddeutsche Zeitung, Volkskrant*) for all four countries (Austria, Spain, Germany, and the Netherlands). Below, the results of the comparison between German newspapers are introduced, followed by the results from the Spanish media landscape.

Pre-test: German Newspapers

This test assessed issue positions and issue salience across two high-quality national newspapers, namely the left-wing-oriented SZ and the more right-wing-oriented FAZ. Two exemplary moments of politicization were selected for each of the investigated policies. In terms of same-sex partnerships, the governmental legislative proposal of the 4 January 2000, was the focus of analysis. In the field of prostitution policy, the governmental initiative of the 6 June 2001, represented the event of interest. Overall, 88 newspaper articles were collected according to the search process and sampling procedure described above. 137 international and national political actors could be identified. When all foreign political actors were excluded, 115 German politicians remained. Overall, the positions of 67 national governmental actors and 43 national actors from the opposition were coded (the positions of five actors from the municipal level were excluded). All politicians who were members of the ruling parties were coded as governmental actors; all other deputies were coded as representatives of the opposition (see Table A.5). In the field of prostitution policy, the two newspapers published a similar number of relevant articles. For same-sex partnerships, the SZ printed a slightly higher number of relevant articles (38 articles) than the FAZ (26 articles). This resulted in a higher number of political actors appearing in the SZ (68 actors) than in the FAZ (29 actors). When the relative data is examined, this difference virtually disappears.

A more detailed analysis reveals that there were very minor differences across the two newspapers in terms of the relative salience of governmental actors across the two policies and the two newspapers (see Fig. A.1). In the field of prostitution policy, about 62% of all actors coded in the

Table A.5 Results of the pre-test for German newspapers

<i>Issue</i>	<i>Source</i>	<i>No. of articles</i>	<i>No. of national political actors</i>
Prostitution	FAZ	13	13
	SZ	11	22
Same-sex partnerships	FAZ	26	20
	SZ	38	60
Total		88	115

Source <http://www.ub.uni-konstanz.de/a-z/w-z/zeitungsarchive/>; <http://www.faz-archiv.de/biblio>. The period of investigation for same-sex partnerships was 04.01.2000–04.01.2001 (proposal: 04.07.2000); for prostitution, the period was 08.11.2000–08.11.2001 (proposal: 08.05.2001). SZ = *Süddeutsche Zeitung*; FAZ = *Frankfurter Allgemeine Zeitung*

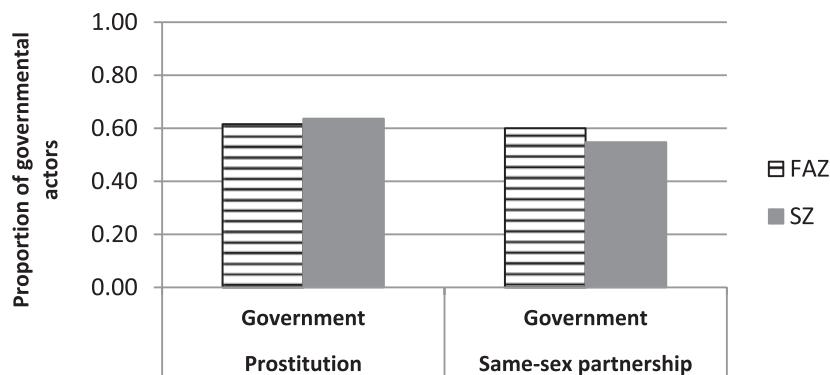


Fig. A.1 Relative actor salience across national newspapers (Germany) (*Source* Author's compilation on the basis of coded newspaper articles. FAZ = *Frankfurter Allgemeine Zeitung*; SZ = *Süddeutsche Zeitung*)

FAZ were governmental actors (grey-striped bar); in the SZ, 64% of all actors were members of governmental parties (grey bar). With respect to the regulation of same-sex partnerships, governmental actors represented about 60% of all coded actors in the FAZ and 55% in the left-wing-oriented SZ. In other words, actor salience was only negligibly biased by the selection of newspapers.

The measurement of issue positions across the two newspapers results in a similar picture, indicating that average issue positions scarcely differ between the SZ and the FAZ. For the graphical overview, the study again distinguishes between governmental actors and representatives of

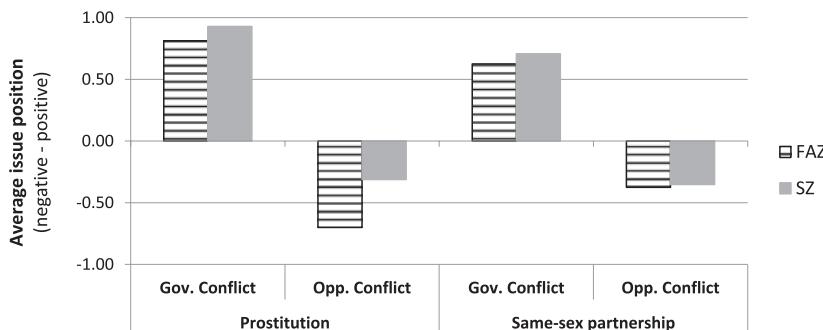


Fig. A.2 Average issue position of actor groups across national newspapers (Germany) (Source Author's compilation on the basis of coded newspaper articles. FAZ = *Frankfurter Allgemeine Zeitung*; SZ = *Süddeutsche Zeitung*. Gov. = Government; Opp. = Opposition)

the opposition (see Fig. A.2). Positive values indicate a positive position of the actor group. Negative values indicate a critical attitude towards the issues and the related governmental initiatives. The closer the average position approaches the extreme values +1 or -1, the less contested the issue (cf. Dolezal et al. 2012).

First of all, the FAZ and the SZ both portray the government as having a positive position with respect to both policies. In the field of same-sex marriage, there are hardly any differences in the level of governmental conflict, while the data on prostitution policy indicate minor deviations; specifically, the FAZ presents the group of governmental actors as less cohesive than the SZ does (0.81 versus 0.93). When the group of opposition members is examined, a similar picture emerges. The opposition held a negative position towards both issues. Particularly in the field of same-sex partnerships, the data indicate high levels of conflict, with the average issue position approaching -0.35 in both newspapers. In the field of prostitution policy, there were major differences across the two newspapers: Whereas the average issue position in the SZ was around -0.31, the FAZ depicted the opposition as much more united, with a value of around -0.7. This is an interesting difference, however, the deviation in one indicator does not justify an analysis of two newspapers per country. Overall, the FAZ and the SZ did not significantly deviate in the expression of the issue positions of political actors.

Pre-test: Spanish Newspapers

In general, the Spanish newspapers *El Mundo* (EM) and *El País* (EP) represent distinct political tendencies and seem to play advocacy roles for specific political parties (Chaqués Bonafont und Baumgartner 2013, S. 67). The pre-test conducted in this study did not confirm this claim. Again, two exemplary incidents of parliamentary politicization were selected: the reform of same-sex partnerships in 2004 and the failed reform of prostitution policy in May 2007. All in all, 59 newspaper articles were coded and the position of 60 national political actors calculated (see Table A.6), with 28 actors belonging to the governmental party and 32 actors representing the opposition. The third column (number of articles) shows that the two newspapers published a similar number of articles on the subjects. In the case of prostitution policy, EM published six relevant articles and EP published nine articles. With respect to same-sex partnerships, the sampling mechanism found 21 relevant articles in EM and 23 articles in EP. Hence, the newspapers are quite similar in terms of issue salience.

Overall, regarding the total number of political actors, the last column of Table A.6 indicates that the left-wing-oriented newspaper EP considered a larger number of actors; however, this difference disappears when the relative number of actors is calculated. In the case of prostitution policy, governmental actors constituted about 25% of all coded actors in both newspapers; for same-sex partnerships, there was of 15 percentage points in the relative amount of oppositional actors. In the left-wing-oriented EP, about 60% of all mentioned actors were affiliated with the governing party (PSOE). In the conservative newspaper EM,

Table A.6 Results of the pre-test for Spanish newspapers

<i>Issue</i>	<i>Source</i>	<i>No. of articles</i>	<i>No. of national political actors</i>
Prostitution	EM	6	4
	EP	9	12
Same-sex partnerships	EM	21	19
	EP	23	25
Total		59	60

Source <http://www.lexisnexis.com/de/business/>. The period of investigation for same-sex partnerships was 12.10.2004–12.01.2005 (proposal: 04.07.2000); for prostitution policy: 03.11.2006–03.11.2007 (proposal: 08.05.2007). EM = *El Mundo*; EP = *El País*

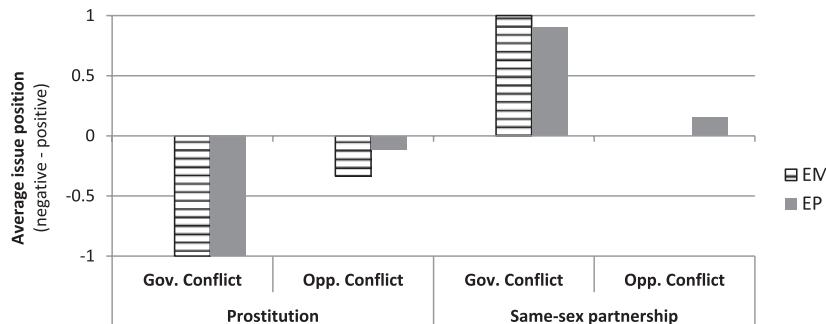


Fig. A.3 Average issue position of actor groups across national newspapers (Spain) (Source Author's compilation on the basis of coded newspaper articles. PROS = prostitution; SSM = same-sex partnerships; EM = *El Mundo*; EP = *El País*)

the affiliates of the government party constituted “only” 40%. In other words, the left-wing newspaper EP referred slightly more often to members of the PSOE than the conservative newspaper EM did.

The calculation of average issue positions across the two newspapers produced largely comparable results (see Fig. A.3). Strongly negative positions were expressed by governmental actors in the field of prostitution policy, whereas these actors exhibited positive attitudes with regard to same-sex partnerships. The opposition seemed to be divided on both issues, as the average positions oscillated between 0 and −0.3. In terms of inter-party conflict in the opposition, there were minor differences across the two newspapers. In the case of prostitution policy, for instance, the conservative newspaper EM drew a slightly more united picture (−0.33) than the left-wing EP did (−0.11). This is interesting, as the same trend was detected in the pre-test of the German media system.

As a result, the pre-test revealed very similar results across newspapers in terms of actor salience and inter-party conflict. The minor exceptions were first, the large number of socialist actors found in EP on the issue of the regulation of same-sex partnerships, and second, slightly higher levels of intra-party conflict in the opposition in the case of prostitution policy in both countries. All in all, the results for the two newspapers surveyed in each country deviated only moderately. In conclusion, the pre-tests for

both countries indicate that the results obtained indicate that the results of this project's data analysis are not significantly dependent on the left-right orientation of the newspapers surveyed. Therefore, measuring coalition considerations on the basis of one high-quality newspaper per country only appears to be a feasible approach.

TRANSCRIPTION GUIDELINES EXPERT INTERVIEWS

See Table A.7.

Table A.7 Guidelines transcription

<i>Interview</i>	<i>Transcription</i>
Interviewer	I
Interviewee	B
Break	(...)
Stress	Underline; e.g. This was very <u>important</u>
Unsure or not understandable sentences/words	(unv.)
Unfinished sentences	/
Quotation of any text, person by the Interviewee	“...”
Dialect: ‘hasch’, ‘hamm’, ‘gonna’	Proper word: ‘hast’, ‘haben’, ‘going to’
Contraction: ‘so’n’, ‘wasn’t’	Complete form: ‘so ein’, ‘was not’
Supporting comments of the interviewer: ‘mhmm’, ‘aha’ when the interviewee is not interrupted	Not to transcribe
Non-verbals: laughter, gestures	(lacht)

Source Dresing und Pehl (2011)

ADDITIONAL TABLES

See Table A.8.

Table A.8 Correlation analysis of intra-party conflict and engagement of small secular opposition

Level of intra-party conflict with religious government parties						
		Very low	Low	High	Very high	Total
Engagement rate of small secular oppo- sition parties (per year)	<30 Initiatives (%)	0	25	75	0	100
		0 (0.4)	2 (1.8)	6 (3.4)	0 (3.9)	8 (9.6)
	<60 Initiatives (%)	0	38.89	61.11	0	100
		0 (3.7)	28 (60.8)	44 (12.8)	0 (35.4)	72 (112.7)
	<90 Initiatives (%)	7.14	4.29	37.14	51.43	100
		5 (0.6)	3 (2.2)	26 (0)	36 (0.1)	70 (2.9)
>120 Initiatives (%)	<120 Initiatives (%)	4.84	3.23	18.82	73.12	100
		9 (0)	6 (8.4)	35 (15.0)	136 (21.7)	186 (45.2)
	>120 Initiatives (%)	9.09	2.60	48.05	40.26	1
		7 (2.4)	2 (4.2)	37 (3.2)	31 (1.2)	77 (11.0)
Total (%)		5.08	9.93	35.84	49.15	100
		21 (7.1)	41 (77.5)	148 (34.5)	203 (62.4)	413 (181.5)
Pearsons chi ² (12) = 181.50***						p = 0.000
Spearman's ρ = 0.30***						N = 413
Cramer's V = 0.38						

Note Row percentages in bold, estimated data in brackets, empirical observation without brackets

Data PoliMoral

*** = p -value < 0.01, ** = p -value < 0.05, * = p -value < 0.10

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