

Rights Talk: The Opinion Dynamics of Rights Framing*

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Objective. A classic statement about rights talks in American politics argues they are a divisive force, limiting discussion and creating zero-sum questions. While we agree that rights talk has become ubiquitous, we disagree about its effects on the mass public. Rights frames are a way to provide publicly accessible reasons that should lead to perceptions of the source as less extreme, which enables discourse rather than cuts it off. We hypothesize that framing conservative issue positions in the language of “rights” (as opposed to morality) will lead to perceptions of the candidate as less conservative and less religious, enabling liberals to increase their support for the source. *Methods.* Using a simple experimental design, we compare the effects of varying issue frames on beliefs about and attitudes toward a source across a wide variety of issues: abortion, the death penalty, gay rights, healthcare, and education. *Results.* Our results support our hypothesis, though with some variation across issues that accords with the credibility of framing a conservative position in terms of rights. *Conclusion.* Contrary to prominent democratic theories, rights-based frames promote discourse and perceptions of political moderation, particularly among younger Americans.

Over 50 years ago, in his classic work *The Liberal Tradition in America*, Louis Hartz (1955) argued that the United States is a nation in which Lockean individualism provides the dominant template for American politics (see also Mill, [1869]1975). In essence, Hartz argues that Americans inhabit a social and political world of autonomous individuals exercising unalienable rights. More recently, Mary Ann Glendon (1991) reaffirmed Hartz’s contention that Americans regard themselves as bearers of rights, but argues that a “new version of rights discourse” (1991: x) is plaguing American politics. She conceives these

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new rights as nonnegotiable prerogatives that lie beyond the legitimate scope of any authority. Glendon takes the logical next step, arguing that contemporary “rights talk,” which is simple, stark, and absolute, impoverishes and polarizes democratic political discourse (see also Bellah et al., 1985; Sandel, 1998). In contrast, Jelen (2005) has suggested that the culture of individual rights constitutes a sort of political Esperanto—a rights-based rhetoric appears to be the most easily publicly accessible form of political discourse. This leaves us with a puzzle. Just what is the effect of rights talk on public opinion? Does the employment of rights claims lead to polarization or to the possibility of dialogue?

Our purpose in this study is to determine whether framing policy alternatives in terms of rights has an effect on public attitudes toward the political candidates who espouse those positions. We report the results of a set of experiments in which respondents are exposed to candidate issue frames that are based on rights or on morality in the context of five issues: abortion, capital punishment, gay rights, healthcare, and education. These issues are the subjects of ongoing political controversy, and most issues, with the exception of gay rights, are characterized by publicly accessible rights frames on both sides of the issue. They are good representatives of the expansion of civil liberties in American public discourse of which Glendon is critical, with some of the rights-based framing of these issues arriving not long ago. Arguably, some are more persuasive or plausible than others. The abortion debate pits a right to female autonomy against a fetal right to life, while the issue of the death penalty can be framed as pitting the rights of criminal defendants against a victim’s (or societal) right to justice. The health-care debate has been a pitched battle between the right to obtain a basic level of care against a right to decline that option (regarding the mandate to carry insurance). And decisions about the teaching of evolution have often been framed in terms of the community’s right to decide curricular matters. The claim of the right of gays and lesbians to participate fully in societal institutions appears to have no compelling, countervailing rights claim, though there has been a recurrent argument against granting “special rights.” *Hollingsworth v. Perry* (2013) is perhaps the leading example of GLBT rights claims prevailing over the weakness of a countervailing rights claim against them.

Our expectations are simply these. If critical reviews of rights talk are correct, then respondents should polarize in their evaluations of the source using the rights frame in ways consistent with their predispositions. If rights frames are more publicly accessible and mainstream, then the candidate employing the rights frame should be perceived as less polarizing.

Rights and Public Opinion

If there exists something approaching a consensus in the political culture of the United States on the legitimacy of rights as a justification for public

policies, it follows that political actors who are able to frame their policy position as applications of the exercise of rights by autonomous individuals are likely to have a persuasive advantage in political debate. For example, in recent years, support for social, political, and legal equality for gays and lesbians has been increasing steadily and rapidly, although such policies remain controversial (Brewer, 2008; Wilcox et al., 2007; Wilcox and Norrander, 2002). One possible explanation for this trend is that proponents of GLBT equality have been able to frame or describe their position in terms of individual autonomy, while opponents of gay rights have not put forth a widely accepted, countervailing rights-based frame.

By contrast, aggregate public attitudes toward abortion have been very stable over the past several decades, and, if anything, have become marginally less supportive of legal abortion (Jelen and Wilcox, 2003). This is despite demographic changes, such as increased female participation in the paid labor force, which would lead one to predict changes in the direction of pro-choice attitudes. One possible explanation for this stability is that both sides of the abortion debate have been able to frame their arguments in terms of individual rights with some plausibility. The right of the woman to choose is often contrasted with the “right to life” of the fetus. Both sides of the abortion debate have been able to use the powerful rhetorical resource of rights talk in framing their public arguments.

Numerous other examples can be found, perhaps none more persuasive of the rights turn than when rights claims are found in unexpected places. One would be from Ralph Reed (1994), the former executive director of the Christian Coalition, couching his justification for a Christian right movement in terms of the civil rights movement, in which Christian conservatives just want a seat at the table. There are even rights-based claims for the implementation of *shari'a* law in other nations (Mayer, 2006).

While we should be attuned to the different conceptions of rights—the civil, political, and social dimensions—(e.g., Bolzendahl and Coffe, 2009; Conover, Crewe, and Searing, 1991; Marshall, 1977), investigations suggest the near-universal appeal of most rights concepts. Civil rights include First Amendment “negative” freedoms, political rights include unencumbered political participation, and social rights are defined as meeting some basic standard of living threshold. Existing work indicates widespread acceptance of citizens’ rights on all three dimensions. In the United States, partisans do not differ in their support for civil and political rights, though predictably they vary in their strength of attachment to the concept of social rights (Coffe and Bolzendahl, 2011). Cross-nationally, men and women differ in their commitment to these rights domains, with women stronger advocates of rights than men (Bolzendahl and Coffe, 2009). At least in terms of political and civil rights, then, there appears to be a consensus, and this is where we focus our attention.

This approach is supported from the perspective of moral psychology, where the importance of rights is seen as universal. General concepts underpinning rights claims have been conceptualized as components of “moral foundations”

(e.g., Haidt 2007). More specifically, sensitivity to the harm of another individual (or animal) and concern for equal treatment are seen as two (out of five) dimensions of morality that are logically linked to the political conceptions of rights. Importantly, liberals and conservatives alike share a concern for harm and fairness, and they differ only in the weights placed on the other dimensions (loyalty, purity, and authority) (Graham, Haidt, and Nosek, 2009).

Lastly, we find reinforcing evidence that rights frames should shape evaluations from another perspective. Liberal political theory has long been concerned with the conditions under which dialogue between those in disagreement can take place (Rawls, 2005; Mansbridge, 1980). Guttman and Thompson (1996) label one of the most important conditions “reciprocity”—that those engaging in dialogue across lines of difference employ justifications on shared epistemological grounds. The most controversial ramification of this condition is that arguments grounded in religious teachings are unwelcome in public debate since not all people are religious nor do all religious people share the same beliefs and values. Religious justifications are, in one bold phrase, “conversation stoppers” (Rorty, 1994).

Indeed, John Rawls (2005) has suggested that religious or moral justifications are generally inadmissible as publicly accessible warrants for policy deliberations, precisely on the grounds that specific assertions of this type are not generally shared among mass publics in increasingly diverse democratic systems. While the demand for public reasons, which would limit explicit religious argumentation, has generated considerable pushback (Carter, 1991; Hauerwas and Wollimon, 1989; Stout, 2004; Wolterstorff, 1997, 2003), there is an empirical claim embedded in the demand. The claim is that engaging in religious reasoning will cause people who do not share the basis for that reasoning to shy away from conversation. We suspect that reasoning from a moral basis is a close cousin of religion in the public imagination. Hence, those who are less likely to use traditional morality as a basis of reasoning will see a source using morality frames as more extreme and outside of their mainstream. Conversely, the use of rights frames is universally accessible in the United States and therefore will not alienate a portion of society (with the possible exception of dedicated communitarians).

Framing

We envision that the power of rights is delivered through framing, which entails how the considerations of a policy choice are selectively presented (see Druckman, 2001; Iyengar, 1991; Nelson and Kinder, 1996). In the classic behavioral economic examples of prospect theory, from which the science of framing emerged, choices can be framed in the domain of losses or in the domain of gains (Tversky and Kahneman, 1981). In political science, framing has been broadly employed. As Chong and Druckman (2007) document, framing has been used to study a wide array of opinions, including those toward

the Supreme Court (Nicholson and Howard, 2003), a rallying KKK (Nelson, Clawson, and Oxley, 1997), and campaign finance (Grant and Rudolph, 2003). In each case, respondents are randomly given a set of considerations that generate a different attitude from those given another set of considerations. For instance, environmental regulations may be framed as job killing, job generating, and/or as regarding a healthy standard of living. Studies in which competing frames are given tend to show a null effect (e.g., Chong and Druckman, 2007; Druckman, 2004).

Given the ubiquity of the language of rights in American politics, social scientists have employed rights-based frames in previous research. Nelson, Clawson, and Oxley (1997) demonstrate the power of a rights frame (free speech) in shaping tolerance of KKK rally participants (see also Chong, 1996). Property owners tend to rely on rights frames against conservationists (Miller and Riechert, 2001). Haider-Markel and Joslyn (2001) found conditional support for the power of a gun rights frame compared to a public safety frame in gun control opinions. Not all work indicates the dominance of a rights frame. Schnell and Callaghan (2005) find that Americans were willing to sacrifice constitutional rights when presented with a “stopping terrorism” frame after the September 11, 2001 attacks when considering gun control (see also Davis and Silver, 2004).

Several pieces that bear reasonably close concept to ours merit special attention. Brewer (2008) investigated the conditional effects of the presence of moral frames on gay rights opinions. Through analysis of observational data, Brewer shows how knowledgeable citizens weighed their moral beliefs more than less knowledgeable citizens, though they were no more likely to employ their egalitarian beliefs. Again, this work highlights the universal appeal of rights frames and the conditional application of competing frames.

In a series of papers, Domke, Shah, and Wackman (1998, 2000; Shah, Domke, and Wackman, 1996, 1997) investigate how framing issues in terms of “rights and morals” affects voter decision making. “Rights and morals” frames make issues ethically charged, which elevates their importance with voters (Shah, Domke, and Wackman, 1997; Domke, Shah, and Wackman, 2000), primes individuals to consider the candidate’s integrity (Domke, Shah, and Wackman, 1998, 2000), and primes individuals to think about other issues in ethical terms (Domke, Shah, and Wackman, 1998). While important, we argue that it is important to distinguish between rights and morals. In fact, a rights approach is a subtype of a broader moral framework (e.g., Graham, Haidt, and Nosek, 2009). While the appeal of rights appears universal, depending on the rights type, there are predictable differences in how liberals and conservatives, for instance, weigh other moral foundations. Future work may seek to revisit this line of argument to assess whether more conventional definitions of rights frames activate the same considerations as more traditional moral frames might.

Hypotheses

If the primacy of rights-based discourse is in fact correct, and there is good evidence that it is, we would expect that public officials and political candidates who invoke rights-based rhetoric should seem more attractive to ordinary citizens and could be expected to be perceived as less ideological or partisan than those who justify their issue positions on other bases. Candidates who base their appeals on the preservation or advancement of rights seem likely to be perceived as more mainstream or typical, and less ideologically or religiously extreme. Thus, in this study, we investigate two hypotheses:

H₁: *Framing conservative issue positions in terms of rights reduces perceptions of the ideological and religious distinctiveness of political candidates, making them appear less conservative and less religious.*

H₂: *Framing conservative issue positions in terms of rights increases the likelihood that liberal voters will support candidates who utilize such frames. That is, the rights frame will raise support conditional on a liberal ideology.*

Data and Method

Data for this study were gathered from students in introductory American government classes at four universities in late 2010 and early 2011. One of these schools is located in the “Rim South,” while the other three are located in regions that Elazar (1972) has described as “individualist” political cultures: the lower Middle West, the Mid-Atlantic region, and the Mountain West. Of course, the use of student convenience samples involves certain risks, since such samples often differ systematically from the general population (Sears, 1986; for a contrasting view, see Druckman and Kam, 2011). There is considerable diversity in this sample, which is 57 percent female, 54 percent white, 9 percent black, 13 percent Hispanic, and 16 percent Asian. Eighteen percent of the sample is “born again or evangelical” and 38 percent claim to attend church at least once a month (22 percent at least once a week, 28 percent never). Twenty-three percent claim to be secular, 27 percent Catholic, and 36 percent Protestant (or “other Christian”—a label that nondenominational evangelicals often adopt). Thirty percent are Republicans (including leaners), while 56 percent are Democrats. The average number of political knowledge questions correctly answered was 3.7 of 8 (identifying officeholders plus party control of Congress). Thus, while the sample is slightly more female, Democratic, and nonwhite than the adult population, the differences are not extraordinary.

Since this is an experimental design, the main independent variable, the treatments, varies randomly across respondents. Moreover, randomization was successful and there are no significant differences in demographic variables across treatments. To the extent that the sample may reflect atypical

homogeneity across key unmeasured variables, this reduces the likelihood of identifying statistically significant differences between treatment groups. Of course, the use of such samples does suggest that the results reported below should be treated as preliminary and exploratory, a subject we return to in the discussion section.

The main independent variable in this study consists of competing frames across conditions on five issues: abortion, capital punishment, gay rights, healthcare, and education. Respondents were randomly assigned to 1 of 10 conditions. In each, a hypothetical congressional candidate was described as taking a very strong conservative position on the issue: calling for a ban on abortion, for the death penalty, against same-sex marriage, against the individual health insurance mandate, and for teaching creationism in public schools. In the “rights frame,” the candidate justifies his conservative position by invoking a “right” appropriate to the issue. In the “morality” frame, the same conservative positions are defended as guided by our morals or morality (see the online Appendix for the wording of our experimental conditions).

There are three dependent variables in this study. Respondents were asked to assess the candidate’s ideological position by rating the candidate from 1 (extremely liberal) to 10 (extremely conservative). Respondents were also asked to rate the candidate in terms of his perceived religiosity, with 1 being “not at all religious” and 10 being “very religious.” Finally, we asked respondents to rate their likelihood of supporting the candidate, with 1 indicating “could not vote for the candidate at all” and 10 showing that the respondent “would absolutely vote for this candidate.”

The analytic strategy is quite simple. We assess whether perceived candidate ideology, perceived candidate religiosity, and support for the candidate vary across experimental treatments by issue. In an attempt to control for the small, though insignificant, differences in demographics that do exist across treatments, our OLS models include several covariates, including gender, political ideology, and university affiliation. The sample sizes are not equal across treatments since three of the issues (gay rights, healthcare, and education) entered our data collection operation later than the other two (abortion and the death penalty).

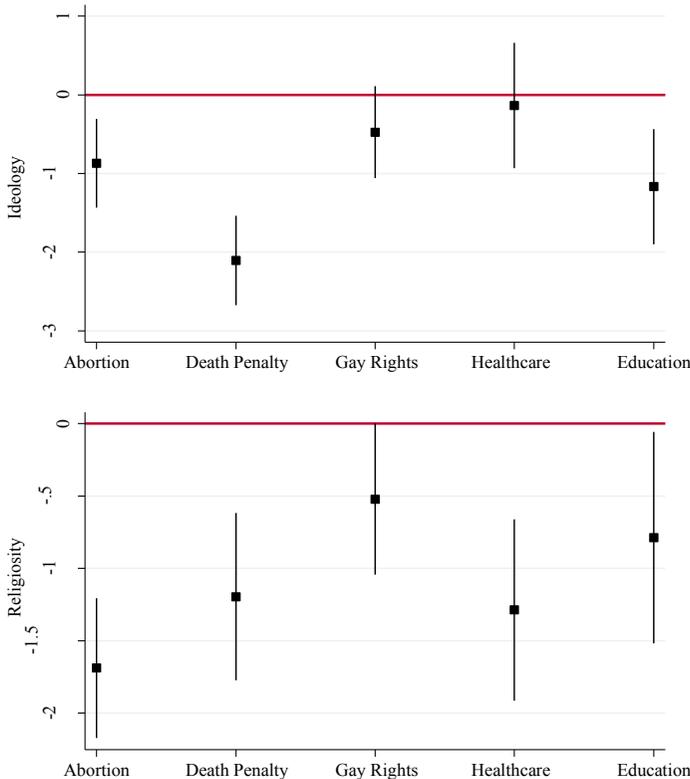
Finding significant sample-level treatment effects does not reify those effects necessarily. That is, subgroups in the sample may be moving at rates sizable enough to enable sample-level effects (Bullock, Green, and Ha, 2010). We test a variety of interaction terms to assess this possibility, including the treatments interacted with political knowledge, evangelical identification, and political ideology.

Findings—Candidate Ideology and Religiosity

The full model results can be seen in the online appendix (Tables A1–A3). We concentrate on the treatment effects of interest, which can be seen in

FIGURE 1

Estimated Treatment Effects (Rights vs. Morals) on Perceived Candidate Ideology and Religiosity, by Issue (90 Percent Confidence Intervals)



NOTE: Estimates come from OLS models including controls for issue stance, attitude on government size, gender, political ideology, church attendance, religious guidance, and university affiliation. Full estimates and model statistics are available in the online appendix, Tables A1 and A2.

Figure 1. There we show the estimated effects of the treatments on perceptions of the candidate’s ideology and religiosity with 90 percent confidence intervals. The negative treatment effects across the board suggest that groups given the rights frames see the candidate as less conservative and less religious than groups given the morality frames. The magnitudes and significance vary by issue.

The effects of the rights frames do not induce significant variation in perceptions of the candidate’s ideology from the morality frame concerning gay rights and healthcare. It makes sense that the gay rights framing would fail in part because the rights frame is less compelling—while claims to a state’s right to define marriage have been advanced, this is not the forefront of the

movement. But this is why the health-care null result cuts against expectations—a rights claim *has* been the central, public claim, while a morality frame has not. That said, participants did perceive the candidate in the health-care rights condition as less religious than in the morality condition (bottom panel of Figure 1). And they saw the candidate's religiosity as only marginally different between the two gay rights frames.

In the other three issues, the rights frame induces perceptions of the candidate as less conservative and less religious. In the context of abortion and education policy, the rights frame produces a 10 percent difference (1 point out of 10) in perceived ideology, a figure that grows to 20 percent in the death penalty context. Perceptions of the candidate's religiosity vary by similar amounts across issues. The greatest difference appears in the context of abortion (a 17 percent difference), while the remaining issues show variation in the range of 10 percent. Given that the policy position does not change across these conditions, the simple change from a morality justification to a rights argument produces marked shifts in perceptions of the candidate.

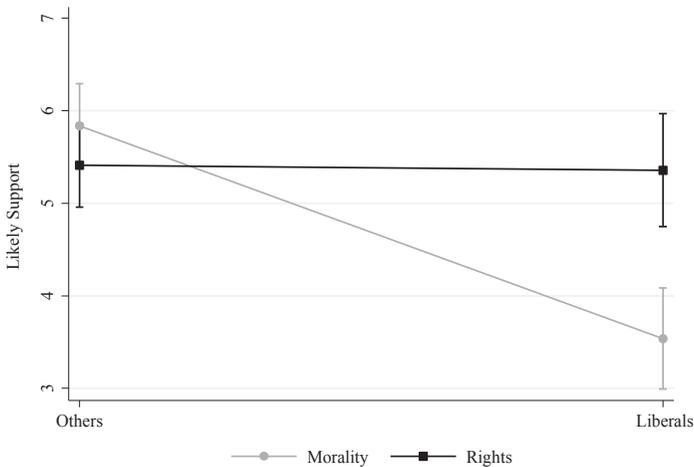
We tested a variety of interactions to assess whether subsets of the sample were driving what appeared to be general effects (Bullock, Green, and Ha, 2010; Mutz, 2011). We tested interactions between the treatments and ideology, evangelical identification, and political knowledge. By and large, these interactions failed to find statistical purchase, though there were a few exceptions. None of the interactions of the treatments with ideology or political knowledge achieve significance (save one) in models of the candidate's religiosity or ideology. The one exception is that the more politically knowledgeable demonstrate the rights framing effect in the context of the death penalty on the candidate's religiosity—they see the candidate as less religious when receiving the rights treatment. Evangelical identification interacts with the treatments to affect perceptions of the candidate's ideology in the context of abortion—only nonevangelicals are susceptible to the rights frame, seeing that candidate as less conservative. The same effects can be seen in the interactions between evangelical identification and the treatments when predicting the candidate's religiosity in the context of abortion and the death penalty. In both cases, nonevangelicals are affected by the rights frame, seeing the candidate using the rights frame as less religious. These four significant interactions are aberrations in the 30 models run, which therefore tends to affirm that there are relatively uniform effects across the sample. However, the differences seen comply loosely with an approach grounded in moral foundations and public reason. Since conservatives tend to value rights equally with other moral frames (including authority, purity, and loyalty) (Graham, Haidt, and Nosek, 2009), it would stand to reason that only liberals (and correlated groups) would distinguish a candidate employing rights versus morality frames. This interpretation gains steam in the following section.

Findings—Candidate Support

Our strategy to evaluate the effects of the treatments on candidate *support* varies slightly from the above. Instead of looking for sample-wide treatment effects (none of which were significant), we expect conditional effects. More specifically, drawing on moral foundations theory and theory about public reasons, we expect that those who shy away from making morality-based claims will naturally see the candidate employing the morality frame as more objectionable. More specifically, as stated in our hypothesis, we expect liberals and the nonreligious would present with lower support for the candidate using the morality frame. We tested this through an interaction between the treatment and ideology. The interaction terms for ideology and the conditions were significant for three of the five issues (death penalty, gay rights, and healthcare) and produced a consistent pattern that is shown in Figure 2. We display the death penalty effects; the others look the same. Remarkably, the candidate employing the rights frame enjoys an equivalent level of support from both liberals and others (black line). Only liberals who were exposed to the morality frame dropped their level of support (gray line). The same basic pattern was reproduced using a dummy variable for religious guidance (not at all = 1, 0 = otherwise)—marginally significant interactions between religious

FIGURE 2

Interactive Effects of Ideology and the Issue Frame Regarding the Death Penalty on Candidate Support (90 Percent Confidence Intervals)



NOTE: Estimates come from OLS models including controls for issue stance, attitude on government size, gender, political ideology, church attendance, religious guidance, and university affiliation. Full estimates are available in the online appendix, Table A3.

guidance and the conditions were found on abortion, death penalty, and gay rights that aligned with the ideology interaction results.

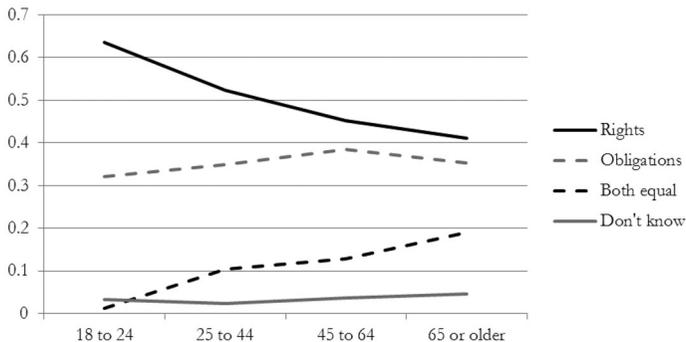
This pattern is not some quirk in the nature of ideological identifiers in these data—liberals have significantly more liberal attitudes on all five issues compared to others (not shown). Liberals were also not less attentive to the treatments than others. We included a manipulation check, asking about a detail from the treatment—where the candidate was speaking from or to. Liberals have the same level of recognition of the correct answer as others (two-thirds of the sample answered “my hometown” correctly). We also reran all models with an interaction to see if those recalling this detail responded differently than those who did not. The results are suggestive in a few cases, but none of the interactions breach even the $p = 0.10$ threshold.

Discussion

Perhaps the obvious question at this point is how these results might apply in the broader population. Since we do not have comparable results from the population, we can try and contextualize them through other, related measures. First, a Southern Focus Poll from 1993 asked a useful question—“As a citizen, what comes to mind first—your rights, such as freedom of speech and religion, or your obligations, such as obeying the law and paying taxes?” The responses across four age divisions are shown in Figure 3. We see that the proportion claiming “rights, solely” as the first thing that comes to mind declines precipitously as age increases. While 63 percent of those 18–24 claimed rights as the first to come to their minds, only 41 percent of those over 65 claimed likewise. The proportions naming obligations solely as

FIGURE 3

Commitment to Rights Over Obligations Across Four Age Groups



SOURCE: 1993 Southern Focus Poll (southern and nonsouthern components combined).

the first thing to their minds is equivalent across the generations, so that the difference between young and old is generated by older people recognizing the balance between rights and obligations. Claiming a balance increases from just 3 percent of those 18–24 to 20 percent of those over 65. Unfortunately, this question was not asked again so we do not know if the differences are generational or shift across the life cycle. However, it is clear that there is a dominant commitment to rights among Americans (see also Conover, Crewe, and Searing, 1991; but see Conover, Searing, and Crewe, 2004), with about two-thirds of all Americans claiming rights or a balanced sense of rights as their essential sense of citizenship. We would suspect that the dominance of rights has not diminished in the meantime.

We also examined the 2004 General Social Survey rights module that included questions tapping the three rights dimensions identified by Marshall (1977)—civil, political, and social. Negative freedom civil rights are the most relevant here and are represented by questions asking about commitment to respecting the rights of minorities and equal treatment for all regardless of position. In simple models including sex, party identification, and education, age is positively and significantly linked to equal treatment of minorities but shows no difference on equal treatment for all (see Table A2 in the online appendix). Letting age vary across its entire range (18 to 90) produces an increase in the probability of answering “very important” (vs. other answers) of 15 percent—the marginal change is 0.2 percent per year of increased age. Thus, we might infer that the framing effects may be even greater among older than among younger people or are at least no different based on the perceived importance they attach to civil rights. At the same time, younger participants have been found to be less sophisticated and more malleable in their opinions (Sears, 1986). If so, then it is possible that these framing effects may have less impact among older people.

Conclusion

The results of this exploratory study can be summarized rather simply. First, issue frames matter. Our results are troubling in the traditional way that framing effects are damning. The most uplifting finding would have been no shifts in perceptions of the source based on the framing of these highly conservative policy positions. Instead, invoking rights appears to be a cloak of invisibility for candidates. A simple shift of frame allows ideologically extreme candidates to hide in public sight, appearing to be something different than they are and much more acceptable than they otherwise would be. As such, rights talk becomes a cover for elite polarization. That citizens do not consistently recognize this does not mean that polarization ceases to exist, but that polarization can exist without reliable public input. While our research cannot offer comment on whether there is mass polarization (see, e.g., DiMaggio, Evans, and Bryson, 1996; Fiorina and Abrams, 2008; Hunter, 1991; Layman, Carsey, and Horowitz, 2006; McCarty, Poole, and

Rosenthal, 2006; Wolfe, 1998), we can offer a reason why there may be a disconnect between elite and mass and hence why elite polarization may exist independently of public opinion. While we are in no way solely attributing congressional polarization to the rights turn and framing, these dynamics may have contributed to the current state of American politics.

The argument could be made that it is possible that the reverse is true, that candidates using morality frames set off polarizing fire alarms, sending a powerful cue that they are extreme. We did take steps to mitigate this possibility by employing conservative positions at the ceiling. But we also tested this possibility through interaction terms with the treatments and ideology, which showed that liberals and conservatives did not differ in their perceptions of the candidates given the treatments. They did vary in their response to the treatments regarding support, but only in a way to neutralize polarization when given the rights frame on several issues.

In one sense, these results are not surprising. If there are consensual values in the political culture of the United States, one such value would be strong support for the idea of rights. In the United States, the dominant template of political issues is the exercise of individual rights by autonomous individuals. In American political discourse, civil rights are neither liberal nor conservative, nor are they religious or secular. Invoking what Mary Ann Glendon has termed "rights talk" appears to activate a common, highly legitimate rhetorical symbol widely available in political rhetoric.

However, the invocation of rights talk appears to work quite differently, at least on one level, than Glendon suggests. Glendon claims that contemporary rights claims are too frequently exaggerated absolute claims of individualism. As such, she fears that groups will invoke a rights claim to shut down policy debates, thereby at least contributing to polarization and perhaps to the breakdown of the political process itself. Debate rife with rights claims has no room for middle ground, no room for a tempering role of responsibility.

Though rights claims may shape *legal* debate in the ways Glendon claims, the use of rights appears to have the opposite effects on the mass public. Invocation of rights does not polarize, but instead moderates perceptions. Even very conservative policy stances can appear more moderate when couched in rights terms and those using rights talk engender an equivalent amount of support across the ideological spectrum. Therefore, we might say that couching policy claims in the cloak of rights is a sort of universal language that enables public engagement.

We can turn that around and suggest that the employ of moral claims that are closely related to religious claims has a polarizing effect on views of political elites. Liberal theorists have long argued that the use of restricted justifications would preclude some from public engagement and in the long run undermine the legitimacy of the state. These results justify those claims to the extent that particular justifications raise ideological defenses and thereby help to preclude consideration of a policy stance. We do not stake out a position on the normative implications of this conclusion, though the strategic implications have long been noted (e.g., Reed, 1994).

On another level, our findings may support some of Glendon's arguments, though not quite in the way she argued them. Since most of the respondents in our sample were toddlers or younger when Glendon's book was published, rights-based discourse may be the only language they understand. They may be socialized to view rights claims as most valid. As such, an understanding of civic responsibility and shared morality, important components for democracy according to Glendon's political theory, may have become eradicated from our collective values and public discourse (see also Bellah et al., 1985; Sandel, 1998).

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Supporting Information

Additional Supporting Information may be found in the online version of this article at the publisher's website:

Appendix Treatments

Appendix Variable Coding

Appendix Full Model Results

Table A1 – OLS Estimates of the Rights Treatment on Perceived Candidate Ideology Across Five Issues

Table A2 – OLS Estimates of the Rights Treatment on Perceived Candidate Religiosity Across Five Issues

Table A3 – OLS Estimates of the Rights Treatment on Candidate Support Across Five Issues