

The Impact of Religion on US Abortion Policy

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Abstract

This dissertation investigates the impact of religion on abortion policy in the United States (US) by assessing why two states with significant religious similarities have opposing legislative stances on abortion. Since *Roe v. Wade* was overturned in 2022, legislative decisions on abortion have been devolved to the state level, causing abortion policy to vary throughout the US internally. Therefore, I aimed to discover the causes of these diversities. Montana and Idaho were selected as my comparable states because their religious metrics such as their level of religiosity and dominant religious denomination are congruent yet, Idaho has extremely restrictive abortion legislation whilst abortion is a constitutional right in Montana. In the US, pro-life views are most strongly associated with 'conservative Christian' beliefs, therefore a fundamental objective of this research was to discover why this ideology was prominent in Idaho's legislative outcomes and not Montana's (Deckman et al., 2023). Moreover, this comparative case study found that their Supreme Court justice selection procedures were the primary factor behind their divergent abortion laws. In Montana regular nonpartisan elections are held to determine Supreme Court composition, creating a court that is ideologically congruent with the broader population. Thus, because there is a strong pro-choice sentiment among citizens, Montana's court overrules the restrictive abortion bills imposed by the conservative Christian government. In contrast, Idaho has replaced nonpartisan judicial elections with interim governor appointments, resulting in a court that is ideologically aligned with the executive branch. Consequently, although the majority of Idahoan citizens favour more expansive abortion exceptions, the court upholds the restrictive bills enacted by the state governor, establishing Idaho's near-total ban. In terms of religious impact, my findings illustrate that while religious (particularly conservative Christian) beliefs are important in shaping and drafting restrictive abortion policies, their implementation into state law is mediated by judicial selection procedures. By highlighting the critical role of democratic judicial selection mechanisms in aligning legislation with majoritarian views, this research should stimulate further investigation into how judicial selection methods influence abortion legislation in other US States as it is currently heavily under-researched. Additionally, it provides guidance as to where civil society organisations should target their reproductive rights advocacy, enhancing more effective mobilisation where extreme restrictions persist.

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Ethics Approval

I declare that this research was approved by the SPAIS Ethics Working Group (Reference: 22790).

Research Question: “With abortion primarily being perceived as a religious debate, why do two US states with significant religious similarities have opposing legislative stances on abortion?”

Methodology: Sub-National Comparative Case Study

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List of Abbreviations

US - United States

SC - Supreme Court

GOP - Grand Old Party (Republican Party)

IVF - In Vitro Fertilisation

RLS - Religious Landscape Study

IFPC - Idaho Family Policy Center

MFF - Montana Family Foundation

IJC - Idaho Judicial Council

MFS - Middle Fork Strategies

LWV - League of Women Voters

LDS - The Church of Jesus Christ of Latter-day Saints

Introduction

This dissertation is assessing the impact of religion on abortion policy in the US by comparing two states with similar religious metrics yet opposing legislative stances on abortion, to identify the causes of this divergence. Feminist scholars note that reproductive rights are human rights and infringements upon these have detrimental impacts on democracy and society (Buser, 2022;565). However, in the US, abortion access is a prominently polarising topic (Carmines, Gerrity and Wagner, 2010;1136). The two sides of the US abortion debate will be referred to as "pro-life" and "pro-choice" in this dissertation as these phrases are frequently employed in the available literature to identify the contrasting perspectives. Generally, "pro-choice" refers to those who believe one has the freedom to govern their own body and choose when/if they want to have children, while "pro-life" refers to those who think that life begins at conception making abortion immoral (Paruzel-Czachura, Domurat and Nowak, 2023). Moreover, the polarisation between these two groups has been extensively heightened across the US since the 24th of June 2022, when the US SC overturned *Roe v. Wade*, which entrenched abortion as a constitutional right. Due to this ruling, legislative authority over abortion has been devolved from the federal level to the state level, therefore my research focus lies on state legislation (Deckman et al., 2023;141). Since this ruling, 13 states have banned abortion from the moment of conception and 17 states have outlawed the procedure at 6 weeks or earlier (Cohen, Reingold and Gostin, 2022;622).

Because abortion is primarily perceived as a moral issue, religious beliefs serve as a major basis for the arguments in favour of pro-life legislation. In the US, it has been found that pro-life attitudes are most strongly associated with the conservative Christian demographic, predominantly consisting of white evangelical Protestants, LDS and Jehovah's Witnesses (Deckman et al., 2023; Nili, 2023; Andrew, 2024). Based on the idea that life begins at conception, these groups frequently cite the "sanctity of life" as a guiding principle. According to this viewpoint, abortion is an immoral act that goes against their religious beliefs. Consequently, conservative Christian beliefs are expected to play a central role in shaping restrictive abortion policy (Wald and Calhoun-Brown, 2014;318). Therefore, a fundamental objective of this dissertation is to discover how/why conservative Christian ideology is enacted in abortion legislation across different US states. Nonetheless, the devolution of abortion policy to the state level has provided a new opportunity to investigate

this phenomenon on a more isolated scale, ensuring maximum consistency when comparing states and their policy outcomes.

To maintain state consistency, I selected Montana and Idaho to conduct my comparative case study. These two states are consistent across numerous variables, including their "level of religiosity", percentage of religious adults and dominant religious denomination. However, a notable divergence between them is their abortion policy. Idaho has some of the most restrictive abortion policies in the US. It has a near-total ban except for cases of rape, incest and the potential death of the mother, and performing or attempting to perform the procedure is criminally punishable. In Montana, however, the right to an abortion is protected by the *Armstrong v. State* 'right to privacy' ruling and is entrenched in the state constitution (Institute, 2025). Therefore, the question "With abortion primarily being perceived as a religious debate, why do two states with significant religious similarities have opposing legislative stances on abortion?" has guided my research and findings. The central aim was to investigate why conservative Christian ideology is more explicitly reflected in Idaho's abortion legislation when both states appear religiously comparable. My findings indicate that this policy divergence is due to SC justice selection differences. In Idaho the Conservative Christian legislature has direct control over the appointment of justices, therefore, the court upholds its restrictive abortion bills. Whereas, because Montana's predominantly pro-choice electorate determines the SC makeup, the court strikes down the government's proposed restrictive abortion legislation. Therefore, my overall argument is that while religious (particularly conservative Christian) beliefs are important in shaping and drafting restrictive abortion policies, their implementation into state law is mediated by judicial selection processes.

This research is significant because religious beliefs and practices are consistently invoked in pro-life rhetoric and efforts to restrict a woman's reproductive autonomy. Therefore, by comparing two states, it has been insightful to discover that in the case of Montana and Idaho, the relationship between religious, pro-life views and legislative outcomes is more nuanced than existing arguments contend. It has been valuable to determine the role the judiciary and judicial selection methods have in mediating the restriction of reproductive rights. Moreover, my findings should stimulate upcoming studies on judicial influence, religion, and reproductive rights as it remains underexplored. Also, by concentrating on the subtle distinctions between Montana and Idaho, civil society organisations can better adapt their reproductive rights advocacy tactics to the unique religious, political, and cultural dynamics of each state, heightening access to abortion.

Chapter Layout

The main body of my research is divided into six chapters. My first chapter reviews the existing literature that discusses the different ways religion impacts abortion policy, and why this can manifest differing policy stances between states. This is broken down into the three points of contention identified in the literature. These include the 'citizen level', which holds that the religious beliefs of the wider population directly influence abortion policy, and 'lobbyist level', which maintains that religious lobbying organisations have the largest influence on abortion policy. Finally, the 'elite level' argument supports the idea that political elites' (i.e., politicians' or justices') religious affiliations and beliefs have the greatest impact on abortion policy. Subsequently, chapter two outlines my methodology for my state selection and comparative case study analysis. Chapter three delves into the similarities of both states' governing institutions, citing the religious rhetoric used by their political leaders in attempts to restrict abortion access, governmental interactions with religious lobbying organisations, and the bills that have been signed off by governors. Then, chapter four assesses how the SC of each state influences abortion policy, as they are the independent branch with the power to accept or strike down the restrictive legislation signed off by the state governors. This is where key differences between the two states begin to manifest, particularly regarding the method of justice selection in each state. Following this, chapter five analyses how well-reflected public opinion is in abortion legislation. This chapter is significant as it displays how Montana's court acts in line with majoritarian perceptions, whilst Idaho's does not. Finally, chapter six offers a concluding piece of my findings and how they contribute to and challenge the existing body of research regarding how religion can determine differing abortion legislation between US states.

Chapter 1: Literature Review

1.1: Introduction

In this literature review, I will be discussing the existing explanations for the ways that religion can influence reproductive rights restrictions within the US causing state legislative stances to differ. Upon reviewing the existing body of literature, I found three sets of explanations for how religion could drive differentiating abortion policies across states. I will begin my first section by summarising the research that indicates state abortion policy is directly influenced by the general public's religious views. Subsequently, I will discuss the literature that emphasises the mass influence of religious lobbying on US abortion policy

outcomes. Moreover, in my final section, I will outline the proposed viewpoint that political elites' religious convictions significantly impact abortion legislation.

1.2 The Citizen Level

The first set of arguments contend that state abortion policy is widely reflective of the religious beliefs of the general population (O'Connor and Berkman, 1995;453). Adamczyk and Valdimarsdóttir (2018), argue that the predominant religion or general levels of religious salience in a community can influence everyone's views, including nonreligious individuals. Following this, they explained how state politicians are inclined to listen to the beliefs of their constituents due to the desire for re-election, which is why legislation mirrors the majoritarian perspective (Adamczyk and Valdimarsdóttir, 2018;131). Expanding upon this perspective, O'Connor and Berkman (1995) describe how public opinion is more likely to change in favour of pro-life policies in places where there are more members of pro-life churches, resulting in the defeat of pro-choice politicians. This is because the members of those pro-life churches are influenced to vote for politicians who they believe will implement legislation congruent with their religious beliefs (O'Connor and Berkman, 1995;453). Additionally, Adamczyk and Valdimarsdóttir (2018), discuss how the presence of strongly pro-life adherents can enhance protective abortion policy. This is called the "Catholic backlash" phenomenon because pro-choice citizens are incentivised to partake in reproductive rights advocacy to counter these views, increasing pressure on state governments to enact protective abortion policies. This is because, in contrast to states with more liberal populations, the distinct pro-life presence demonstrates a greater need for pro-choice citizens to become active and resist potential religious legislative influence (O'Connor and Berkman, 1995; Adamczyk and Valdimarsdóttir, 2018).

Although these explanations highlight majoritarian religious views as a major determiner of legislation, they are unable to explain why states with comparable levels of religiosity among their population and the same dominant religious denomination (like Montana and Idaho), have radically divergent abortion laws. This particularly applies to the assumption that the general religious salience of a community determines the outcome of abortion policy.

Within this line of argument, the importance of the dominant religious denomination is frequently cited (Deckman et al., 2023; Nili, 2023). Deckman et al. (2023) and Nili (2023) emphasise how the "Christian right", particularly white evangelical Protestants, dominate the US pro-life movement due to their dedication to the "sanctity of life" (Deckman et al., 2023; Nili, 2023). Moreover, this is demonstrated in their voting patterns, for instance, it is asserted that their 81% support for Trump in the 2016 election was driven by his strong anti-abortion

stance (Adamczyk and Valdimarsdóttir, 2018;129). Therefore, it is argued that white evangelical regional dominance creates mass support for pro-life politicians and pressurises elected officials to align with their ideology in pursuit of re-election, generating restrictive abortion policy (Nili, 2023;81). This implies that state legislation may differ depending on the prevailing religious denomination within a state. Furthermore, Légier (2023) and Roat (2022) articulate how particular religious denominations can hold pro-choice sentiments, therefore, substantial reproductive advocacy takes place in states with a strong presence of these groups. For example, Murawski (2023) explains how the Jewish community strongly supports abortion rights due to the clarity of abortion validation in their religious texts. Moreover, a prominent example of Jewish congregants partaking in bottom-up activism was in October 2022 when three Jewish women in Kentucky filed an ongoing lawsuit proclaiming that reproductive restrictions were violating their religious freedom. They argued that state restrictions on IVF infringed their "divine injunction to multiply" (Légier, 2023). This direct legal action against the state serves as an example of how religious ties can result in direct pressure on the government. As a result, it is maintained that in areas where these pro-choice denominations are prevalent, they will exert pressure on state governments to uphold laws that safeguard reproductive rights (Roat, 2022;3).

Despite the coherent argument that the dominant religious denomination among citizens is impactful upon the state legislature, both Montana and Idaho have a similar number of religious individuals and the same dominant religion. Therefore demonstrating that this argument alone would not serve as a substantial explanation as to why they have opposing abortion legislation, indicating the necessity for further research to determine the other contributing factors to restrictive abortion policies.

1.3 The Lobbyist Level

From an alternative standpoint, a second set of arguments in the literature argues that religion is most impactful on reproductive rights policy through the strategic use of religious lobbying. Here, it is contended that religious lobbying groups in the US have the power to put pressure on legislators to shape abortion policy in a way that reflects their religious beliefs (Daniel, 1995;449). In the literature, scholars describe the variety of religious lobbyists, from specialised single-issue groups like the National Committee for a Human Life Amendment to well-known church lobbies like the US Conference of Catholic Bishops and emphasise the significant impact these interest groups can have on US policy (Hafsa, 2015). Daniel (1995) explains how because of their private organisational status, they enjoy some benefits such as being tax-free and exemption from disclosing lobbying expenses unless they are substantial (Daniel, 1995;449). However, Robinson (2015) highlights that what truly

distinguishes religious lobbying groups from other US interest organisations is their predominantly radical character. She contends that religious organisations want legislation altered to align with their religious view of society, rather than pursuing material gains (such as a tax reduction in a certain industry) (Robinson, 2015;1063). Because the sole acceptable solution reflects their religious viewpoint, Robinson has contended that this renders them ideologically intense. While other interest groups look for compromise to get closer to their desired political outcome, religious groups cannot reach a compromise; therefore, if their faith deems abortion as immoral, they view the complete prohibition of abortion as the only acceptable outcome. Furthermore, by making their demands non-negotiable, inspiring supporters, and pressuring legislators, this lack of compromise arguably exacerbates their influence over legislation (Robinson, 2015;1063). Thereby, implicating that differences in state abortion laws are shaped by the presence of powerful religious lobbying organisations.

Moreover, Hafsa (2015) and O'Connor and Berkman (1995) focus on how religious denomination largely intersects with lobbying. They argue that through lobbying efforts, the American Catholic Church exerts the most influence over abortion policy in the US, with Hafsa (2015) describing it as a "decisive force in shaping opposition to abortion in the U.S" (Hafsa, 2015; O'Connor and Berkman, 1995). Scholars have argued that because Catholics are a unified and hierarchical organisation, their lobbying efforts have a higher impact (O'Connor and Berkman, 1995;449). Expanding upon this, Hafsa (2015) implies that the Catholic church's lobbying powers are partially dependent on the extent of Catholic support it receives from both Houses of Congress, making it the "largest single religious group in Congress" and this partially relates to the concept of elite determinants of abortion policy, which will be discussed in the section that follows (Hafsa, 2015). Nonetheless, Catholics' position of having religious members in Congress may hold less importance now that abortion legislation is decided at the state level. However, this mechanism suggests that certain religious lobbying groups may have privileged lobbying efforts if their denomination has congregants in the legislative or executive branch.

Despite the literature's informative insights into the large amount of influence that religion can have on abortion policy through the church's strategic lobbying, it primarily focuses on federal-level policies. Moreover, with the devolution of abortion legislation to the state level, it is increasingly vital to discover whether these lobbying effects persist in state policymaking processes and whether they determine differing policy stances between states. Therefore, my dissertation will assess this in the context of Montana and Idaho.

1.4 The Elite Level

The third set of arguments in the literature contends that political elite's (e.g., political parties, politicians, justices) religious beliefs and affiliations dictate abortion policy (Clifford and Gaskins, 2016; Wilson, 2020). This underlies that religious influence is a top-down phenomenon, setting it apart from the two grounds of dispute above that centre on how citizens and lobbyists influence elites to decide abortion policy. This suggests that political elites may be influenced by, or strategically invoke, religious ideology to enact abortion policies based upon their own initiative (Wilson, 2020; Andrew, 2024). Some scholars argue that a political party's religious affiliations determine their abortion stance (Andrew, 2024;37). For instance, Wilson (2020) explains how the GOP's pro-life rhetoric only began in 1980, due to presidential candidate Reagan's strategic alignment with the white evangelist community (Wilson, 2020). Arguably, this alignment was because the Christian Right was recognised as a powerful influence in electoral outcomes in the prior election. Consequently, for electoral success, Reagan aligned party policy with evangelicals on social issues such as abortion and same-sex marriage (Andrew, 2024;38).

Moreover, it has been found that this strategic affiliation remains central to the GOP's identity, dictating their policy decisions (Nili, 2023;81). Wilson (2020) reiterates this, referring to the overturning of *Roe v. Wade* as a critical example. They contend Trump's appointment of "pro-life justices" to the court which drove the overturning of *Roe v. Wade* was facilitated by the Republican's close ties and allegiance to this demographic. Thus, this illustrates how political leaders can implement religious beliefs into policy. By aligning with white evangelicals, the GOP has prioritised their ideology therefore mitigating the ideological standpoint of the justices that finalise abortion decisions (Wilson, 2020;371). These findings of Republican alignment with evangelical beliefs imply that Republican-dominated states follow this pattern. However, both Montana and Idaho have republican majorities yet oppositional abortion policies, indicating the necessity for further research into this mechanism.

Moreover, regarding individual politicians, Westfall and Russell (2019) discuss the importance of religious group identity cues. To create a consensus on a specific policy issue, political leaders consciously identify with a particular religious group or identity utilising a top-down processing approach. Because of the "in-group" and "out-group" that this approach creates, members of that religious group risk alienation if they don't support the politician's policy positions (Westfall and Russell, 2019;3). Therefore, if a political candidate associates with a particular religion and expresses a critical stance on abortion, congregants within that state will feel obliged to vote accordingly with those policy preferences, gaining popular support for them to be approved on the ballot. This has shown to be particularly effective

where certain religious groups hold regional dominance within states (5). Similarly, Clifford and Gaskins (2015) contend that politicians highlight their religious affiliations to improve public opinions of their trustworthiness and morality. They found that candidates who pride their religious identity are more likely to gain public support for their policies. Thereby, this implies that a politician's religious affiliations can bolster the credibility of their abortion stance, and gain popular support for them, implementing them into state policy (Clifford and Gaskins, 2016). Nevertheless, this research on political leaders' religious associations has not yet been done within Montana and Idaho, thereby signifying the relevance of my research in this area, to identify if this manifests their opposing stances on abortion legislation.

Moreover, the religious affiliations of federal and state court justices have been argued to impact abortion policy outcomes. Referencing Trump placement of "pro-life justices" on the SC to overturn *Roe v. Wade*, Wilson (2020) forefronts that justices have overt moral positions expected to influence their judicial decisions, determining whether political elites will place them on the court to advance their desired policy outcomes (Wilson, 2020;371). Furthermore, Bornstein and Miller (2009) assert that justices' religious affiliations signal whether they are "pro-life" or "pro-choice", implying that their appointment rests heavily on the expectation that they will rule in line with their religious convictions (Bornstein and Miller, 2009;113). Nonetheless, there is scholarly disagreement regarding the legitimacy of judges' decisions being influenced by their religious convictions; yet Lipez (2015) firmly maintains that judges cannot be expected to "create a wall of separation between religious identity and decision making" (Lipez, 2015;136). Therefore, this suggests that US judicial decisions are influenced by religious and moral ideology. This could significantly dictate differentiating legislative stances between states because SC justices finalise legislative decisions on abortion (Bornstein and Miller, 2009;113).

Nonetheless, much of this existing research is based on federal SC justices. With the transfer of abortion legislation authority to the state level, more research on state justice's religious affiliations must be conducted. Furthermore, Hasfa (2015) notes that at the federal level, justices are often appointed based on their religious and political standpoints (Hafsa, 2015). However, at the state level, justice selection methods may differ, therefore my research will dissect state-level justice selection methods, the potential religious motivations behind this, and how this may influence abortion legislation outcomes.

1.5 Conclusion

Overall, this literature review summarises the three tiers of argument surrounding the impact of religion on abortion policy, and why the presence/absence of these mechanisms might determine different legislative stances on abortion between US states. However, despite providing useful insights into how religion can impact abortion, it does not provide me with a substantial answer as to why states with many religious (and non-religious) similarities, may have opposing abortion stances. Therefore, this literature will guide me in answering the research question: "With abortion primarily being perceived as a religious debate, why do two states with significant religious similarities have opposing legislative stances on abortion?" Despite coherent explanations from each perspective, the volume of competing theories highlights the need for more investigation to determine if these arguments can be applied to my comparative case study between Montana and Idaho.

Furthermore, I identified numerous gaps in the research which will need to be filled by my dissertation. Firstly, regarding the citizen level of religiosity and its impact on abortion policy, the literature fails to account for those states with very similar levels of religiosity however starkly opposite abortion policy (such as Montana and Idaho). Second, there was significant attention paid to religious lobbying at the federal level, but as abortion laws are now devolved, more research is required on lobbying at the state level. Finally, at the 'political elite' level, the literature implies that the GOP has a strong affiliation with white evangelicals, which influences Republican abortion laws. This does not, however, offer a workable explanation for states (like Montana) with protective abortion laws but majoritarian Republican governance. Therefore, this dissertation will work to identify how these numerous mechanisms apply to specific cases of Montana and Idaho, and whether these arguments can answer why they have contrasting abortion policies.

Chapter 2: Methodology

2.1 State Selection

To understand how religion impacts abortion policy, this dissertation is focused on a comparative case study of two states with different legislative stances on abortion but are similar on a wide range of metrics. This study aimed to discover why two states with similar religious indicators have opposing abortion legislation. To determine my state selection, I conducted a quantitative examination of state-specific statistics, utilising anonymised survey data to identify factors such as levels of religiosity and population size. Nevertheless, these findings drove me to select Idaho and Montana because they appear to be generally consistent across these metrics, but crucially differ in abortion legislation. I gathered the

initial religious data from the Pew Research Center's 2014 RLS. This study found that 71% and 70% of Idaho and Montana's population identify as religious and evangelical Protestantism is the dominant denomination of both states (Pew Research Center, 2015). Furthermore, Lipka and Wormald (2016) conducted supplementary research for this study and measured religiosity averaging four responses to survey questions: whether religion is significant in their lives, whether they attend worship services at least once a week, whether they pray every day, and whether they firmly believe in God. Their findings declared that Idaho's religiosity is 51% while Montana's is 48% (Lipka and Wormald, 2016). Therefore, because I am using this data on religiosity, the metrics of these four questions will be the basis for my discussion of religiosity throughout my research.

Moreover, it is crucial to note that RLSs occur decennially in the US, therefore, in February 2025 a new RLS was released detailing that 65% and 61% of Idaho and Montana are religiously identifying (Pew Research Center, 2025). Therefore, this could result in state selection alterations if the study were to be replicated. However, when this data was released, I had already completed my research. Also, no further analysis asking the rich and nuanced questions (as with the 2016 Lipka and Wormald study) to determine the state's overall levels of religiosity has been conducted on these findings which has been critical to my research. Nevertheless, another vital component of my study is the two states' opposing abortion legislation. The Guttmacher Institute's Interactive Map: U.S. Abortion Policies and Access After Roe provided information on abortion laws. By dividing the data into seven categories ranging from most protective to most restrictive this website categorised Montana as protective and Idaho as most restrictive, which was fundamental to my comparative state selection (Institute, 2025).

Nevertheless, two other critical metrics that determined their selection were their geographical location, as they are neighbouring states, and their population sizes, which I retrieved from the US Census Bureau (Bureau, 2024). Keeping these metrics consistent was critical as it allowed me to control the factors that could contribute to states' opposing stances on abortion.

2.2 Comparative Analysis

After this quantitative analysis and selection of the two states I conducted a mixed methods documentary analysis on a wide range of publicly available sources from both states to pinpoint why, despite their parallels, they had opposing abortion legislation. By observing a broad variety of sources, I was able to engage with diverse perspectives and mechanisms, enhancing the validity and comprehensiveness of my argument. This analysis primarily

draws on data from July 2022 (when *Roe v. Wade* was overturned) to the present day, since this signifies the delegation of legislative power to the state level, which is my key focus area. In the literature, there were three points of contention regarding religion's impact on abortion policy, therefore I used this to guide me to the political actors and institutions to analyse. I predominantly analysed state governments, religious lobbying organisations, state SCs and citizens, to identify the most significant divergence that could serve as an explanation for the differentiating abortion policies.

Upon analysing these political actors, I was driven to group my findings into three subsections. The first group of findings assesses both state's governing institutions as this is where they demonstrated significant parallels. This section analyses the religious rhetoric and abortion policy in each state's dominant political party manifestos, and interviews and statements from both state governors. Secondly, the involvement of religious lobbying organisations in state policy was assessed, observing news articles, and organisation websites, and how well their ideology was reflected in proposed legislation. Furthermore, chronological documents of the restrictive abortion policies each governor had signed since the overturning of *Roe v. Wade* were fundamental to this evaluation. This allowed me to gauge the presence of Conservative Christian beliefs at this level, and how they affected attempts to pass restrictive abortion legislation. Moreover, at this stage, the key divergence was that Idaho's court upheld restrictive bills whilst Montana's struck them down.

The second subsection contains an assessment of both state SCs, identifying why, despite the institutional similarities, their courts make oppositional rulings. The website Ballotpedia (2025) informed me of the current and historical makeup of each SC, their elections and nonpartisan electoral methods. Furthermore, news articles surrounding judicial elections, governmental judicial reports and academic research on judicial selection patterns informed me of their judicial selection processes, the weight of their judicial elections, the ideological stance of their current justices and the existing legal frameworks that limit or bolster judicial authority. This analysis uncovered a fundamental divergence which was both states' practical judicial selection methods.

The final section dissects citizen opinion to assess how well-reflected popular views are in legislative outcomes. I utilised state/policy-specific quantitative data from recent public opinion surveys (MFS, 2023; May et al., 2024). Furthermore, since some literature has suggested that religiosity levels can be directly linked to legislative outcomes, the data from the 2014 RLS and academic research on religiosity levels and abortion policy were used as points of comparison. What was found was that both states have similar levels of religiosity,

opposing abortion legislation, and the majority of both populations are against extreme restrictions. Meaning this link is inapplicable to these states. Moreover, this data bolstered my findings at the judicial level, demonstrating how state selection processes can determine whether legislative outcomes align with public opinion.

Lastly, the ethical considerations associated with this project are somewhat limited as no new data was formulated (Israel and Hay, 2006). However, it was vital to consider the sensitivities affiliated with abortion such as discussions of rape and incest (Buser, 2022). Rape and incest are sensitive topics because there are risks that they may re-traumatise victims reading the text, and if the correct language is not used, stigma could be reinforced (Evans et al., 2023). Therefore, I will approach these topics with care ensuring my language does not act as a trigger or reinforce stereotypes.

Chapter 3: Parallels in Governing Institutions between Montana and Idaho

3.1 Introduction

To understand what drives Montana and Idaho's opposing legislative stances on abortion it is critical to gauge an understanding of the parallels between the two states. By acknowledging their similarities in drafting, developing and proposing abortion policy, we will be able to pinpoint the vital diverging factors that manifest opposing legislation in practice. Therefore, in this first chapter, I will be drawing on the similarities between Montana and Idaho's governing institutions. I will cover how both states are dominated by the GOP, how both state governments have close ties with and are influenced by religious lobbying organisations, and how both state governors hold strong pro-life views. The purpose of this chapter is to demonstrate that, contrary to one line of argument in the existing literature, the presence of conservative Christian ideology due to GOP dominance, and the religious ideology of political elites cannot serve as an isolated explanation for restrictive abortion policy (Nili, 2023; Wilson, 2020; Andrew, 2024). This is because this ideological dominance is present in both state's political institutions, yet only Idaho has restrictive abortion policies, demonstrating the significance of alternative prevailing factors.

3.2 Republican Dominance

Governing Montana and Idaho is an executive branch, which is run by an elected governor, and a legislative branch, which consists of the Senate and House of Representatives. Moreover, since 2021 for Montana and 1995 for Idaho, both states have had a "Republican trifecta" meaning the GOP dominates both governmental branches (Ballotpedia, 2024).

Wilson (2020) asserts that the GOP has strategically aligned its values and policy stances with the beliefs of conservative Christians to gain popular support among this influential demographic. This insinuates that where the GOP is dominant, it will aim to implement these values into state policy, particularly regarding moral issues such as abortion (Wilson, 2020;371). Nevertheless, this notion is evidenced by the GOP Platform in both states. The Christian scriptural doctrine of the "sanctity of life" is invoked in both manifestos to denounce abortion. Montana's GOP Platform states its desire to outlaw elective abortion and its opposition to the use of public funds for the procedure and organisations affiliated with it (MRP, 2024;7). Idaho has similar initiatives, but it also considers abortion to be "murder," indicating a slightly stronger moral position on the matter (IRP, 2024;14). Nonetheless, these stringent similarities demonstrate the prevalence of GOP affiliation with conservative Christian ideology regarding the procedure, and how this influences state governing bodies in formulating and advocating for restrictive abortion policies (Andrew, 2024;37). However, the congruence between the two states illustrates how GOP dominance cannot serve as a substantial explanation for why Montana and Idaho have opposing abortion legislation, insinuating the prevalence of alternative mechanisms.

3.3 Powerful Religious Lobbying Organisations

Another parallel between Montana and Idaho's political institutions is the governmental relationships with religious lobbying organisations. In both states, numerous religious lobbying groups interact with and petition against the state governing bodies. However, I predominantly observed the two organisations that have been documented to have the closest governmental ties and therefore the largest impact (Moseley-Morris, 2022; Silvers, 2022). In Idaho, the IFPC has had significant influence over Idaho's abortion laws (Moseley-Morris, 2023). On their website they state that they are the "premier of conservative Christian research" and their primary goal is "promoting biblically sound public policy that protects the sanctity of life" (Family Policy Center, 2024). Since 2020, this group has spearheaded efforts to pass numerous abortion-related laws that have been implemented since Roe was overruled (Moseley-Morris, 2023). They assert that they oversaw the drafting and advocating for Idaho's Trigger Law, which resulted in the state's current near-total ban on abortion. Moreover, they describe numerous "victories" referring to bills that have been signed and passed by Idaho's governor, alluding to their first-hand involvement in the process (Family Policy Center, 2024; Moseley-Morris, 2022). Nonetheless, these findings which demonstrate a direct alignment between the IFPC's ideology and legislative outcomes strongly reflect Robinson's (2015) discussion of the ideological intensity of religious lobbying groups. She contends that because these

organisations are fundamentally driven by the goal of implementing their religious standpoint into legislation, they tend to be uncompromising, which means their demands hold influence (Robinson, 2015;1063). These claims are materialised in the case of the IFPC whose beliefs are not only reflected in policy outcomes, but they have also drafted legislation directly. Therefore, demonstrating that, in Idaho, powerful religious lobbying organisations directly contribute to the implementation of Conservative Christian ideology into the state legislature.

In Montana, the government has close ties with the MFF (Silvers, 2022). This organisation engages in substantive advocacy to promote the "biblical truth" about the traditional family. They facilitate research and help to inform the government about policy directions, particularly considering their robust pro-life stance (Family Foundation, 2024). Through his charity, the Gianforte Family Foundation, Governor Greg Gianforte has donated \$1.7 million to this organisation between 2017 and 2022, accounting for nearly half of its total revenue during this period (Olness, Silvers and Dietrich, 2024). This therefore demonstrates that this organisation holds a significant stake in informing and promoting the abortion bills that the executive signs off, illustrating how the interaction between conservative Christian lobbying groups and government institutions can impact policy proposals. However, the fact that this phenomenon is present in both governing institutions, but only Idaho outlaws abortion in practice, demonstrates that although religious lobbying is influential in terms of drafting and advocating for restrictive policy, in isolation it is not the most influential factor in determining abortion policy outcomes, countering the ideas proposed in the literature by Hafsa (2015), and Cammisa and Manuel (2016). This therefore illustrates that powerful religious lobbying cannot serve as an explanation for why Montana and Idaho have opposing abortion legislation.

3.4 State Governor Religious Affiliations and Abortion Rulings

Bill	Context	Signed	Outcome
Senate Bill 1385	"Trigger" Law: Following the overturning of Roe v. Wade in 2022, abortion would be virtually prohibited with the exception of rape, incest, and concerns of maternal mortality.	2020	Upheld
House Bill 242	"Abortion Trafficking" Ban: Assisting minors to travel out of the state to obtain any form of abortion procedure is a criminal offence.	2023	Upheld

Appendix 1* Abortion Bills Signed by Governor Brad Little (Stanger, 2023)

Bill	Context	Signed	Outcome
House Bill 721	Ban of "dilation and evacuation" abortion procedures, therefore prohibiting most second-trimester abortions.	2023	Struck Down as "Unconstitutional" Citing "Right to Privacy"
Senate Bill 154	Clarification that the constitutional <i>Armstrong v. State</i> "right to privacy" ruling (1999) does not include the right to abortion.	2023	Struck Down as "Unconstitutional" Citing "Right to Privacy"
House Bill 575	"Prohibit abortion of an unborn viable child unless necessary to preserve the life of the mother."	2023	Temporarily Blocked
House Bill 303	Medical practitioners and healthcare professionals have the right to refuse to provide an abortion if it goes against their religious or moral beliefs.	2023	Temporarily Blocked

Appendix 2* Abortion Bills Signed by Governor Greg Gianforte (Sillers, 2024; Dietrich, 2024; Gov, 2023)

The governor is one of the most important political figures within a state. As the head of the executive branch, the governor is responsible for selecting officials, enforcing state laws, and vetoing or signing proposed bills into law (National Governors Association, 2020). A bill must pass through a rigorous nine-step legislative process in Montana and five steps in Idaho before it can be decided by the governor, then once it reaches them, they hold the authority to either veto or sign that bill into law (Guide, 2025; Dawson, 2024). Therefore, as individuals, they have distinct power over proposed legislation, and it has been argued that their religious/ideological standpoints influence the laws they approve, which has been evidenced by the actions of Idaho's Governor Brad Little and Montana's Governor Greg Gianforte (Warner, 2022; Mccarty et al., 2016).

Brad Little has been Idaho's governor since 2019 and he is a "devout" Presbyterian Christian who is recognised for his dedication to his faith through his active participation and frequent service attendance (Moseley-Morris, 2022b; Conzatti, 2024). Also, it has been noted that "his faith has provided him with a moral compass that guides his decision-making process and shapes his policy positions" (Aisha, 2024). Moreover, given that abortion is viewed as a moral matter and that the Church he associates with is a fervent supporter of the "sanctity of life," this is especially noteworthy in his position on abortion policy (Conzatti, 2024). For instance, the abortion bills Little has signed off, demonstrated in Appendix 1*, illustrate how

his legislative rulings directly align with his strong religious values. Idaho is currently among the most abortion restrictive states in the US due to this legislation that has been supported by the governor, and authorised by the state SC (Institute, 2025). Therefore, this demonstrates that Little's commitment to conservative Christian principles has significantly impacted and materialised abortion legislation outcomes, as this dedication has been evidenced as a key driver of his executive decisions (Aisha, 2024). However, the findings from Montana illustrate that the governor's religious views cannot serve as an individual explanation for both states differing abortion policies.

Montana's Governor Greg Gianforte also cites his religious beliefs in his efforts to pass restrictive abortion policies. Gianforte has been Montana's Governor since 2021, and he has been a strongly pro-life member of the Grace Bible Church for 30 years. In a 2020 interview, he reiterated the influence that his faith has over his decisions. In particular, he discussed how his devotion to his faith has driven him to make various donations to Christian organisations who lobby for pro-life policy and restrictions on same-sex marriage (Silvers and Aronson, 2020). Therefore, his religious convictions wield momentous influence over his political decisions as reflected in his numerous executive rulings on abortion policy since the overturning of *Roe v. Wade* (see Appendix 2*). Little has noted that these decisions are driven by his belief that every child should have the "opportunity to reach their God-given potential" (Office, 2023). Nonetheless, despite shared religious beliefs and similar legislative actions by both states executives, A1* and A2* display that Idaho's SC has upheld restrictive abortion bills whereas Montana's have either struck them down or blocked them, resulting in protective abortion legislation. This therefore bolsters Wilson's (2020) claims that religious convictions are impactful on political elite's legislative behaviours, however, the case of Montana demonstrates that the ability for these to be enacted into policy can be mediated by institutional practices.

3.4 Concluding Statement

Overall, this chapter has demonstrated how Conservative Christian beliefs are deeply intertwined in both Montana and Idaho's governing institutions, which drives restrictive abortion policies to be drafted, processed and signed off into the law by both governors. Moreover, discovering their institutional parallels was critical in helping me pinpoint the key diverging factor that determines their opposing abortion policy because it displayed that elite-driven, pro-life advocacy cannot single-handedly determine a state's legislative stance on abortion. Therefore, a prominent explanation for their opposing legislation is that

Montana's SC consistently overrides these bills whilst Idaho's SC upholds them. Consequently, my next chapter offers a substantive analysis of each state's SC, identifying what deliberates these diverse judicial decisions.

Chapter 4: Judicial Selection Processes and Their Legislative Impact

4.1 Introduction

As noted in Chapter 1, a vital divergence in Montana and Idaho's abortion policy outcomes lies with judicial rulings. Because states have become the political battleground for abortion laws since *Roe v. Wade* was overturned, state judicial influence has become fundamental in determining abortion legislation (Kim et al., 2023;569). The SC is the highest in the state legal system, and it has the final say on all state-wide legal issues, making it one of the most important bodies in abortion policy decisions (United States Courts, 2024). Notably, Montana's SC has acted as a blockade for the government's desired abortion restrictions, whereas Idaho's court has upheld them (Silvers, 2024). Therefore, because independent judicial decisions determine legislative outcomes, it is crucial to understand why the court's rulings diverge. Both state constitutions declare that SC justices are elected through nonpartisan elections, which are public elections in which justices appear on the ballot without indication of their political affiliations (Ballotpedia, 2025). Moreover, Dinan (2023) contends that state judicial rulings are more likely to align with citizen opinion when this elective procedure is present. This is because justices face public pressure to maintain their seat on the court and because they are elected based on perceived policy standpoints rather than party affiliation (Dinan, 2023;43). However, by observing each state's judicial makeup and selection practicalities, I have found a prominent difference in how justices achieve their places in each SC, and I will contend that this manifests the diverse judicial ruling on abortion legislation.

4.2 Montana's Supreme Court Composition and Selection Procedure

Montana's SC consists of seven justices who have predominantly been elected through non-partisan elections (Report, 2024). Over the last decade, SC elections have been held every two years, featuring multiple opposing candidates (Ballotpedia, 2025). This makes their elections highly competitive and arguably formulates a judiciary with congruent ideology to the public because justices are directly appointed by the electorate (Dinan, 2023;43). Nonetheless, Montana's SC has been heavily critiqued by the Republican government and media for being too 'liberal leaning' due to its active opposition to the government's desired

abortion restrictions. Therefore, when the November 2024 judicial elections arose, Republican newspapers regarded it as an "opportunity to reshape the court in their favour" in the hopes that two justices with past conservative backing would fill the vacancies, securing a 'conservative majority' (Nichanian and Burness, 2024; Miller, 2024). In this election period, Montana's judicial race was regarded as one of the most important in the US because a conservative shift within the court could have altered the legislative landscape and stopped the persistent tensions between the executive and judiciary (Keith, 2025). However, the electoral results demonstrate that this did not materialise.

In this election, there were four opposing candidates vying for two judicial seats and Justice Cory Swanson was elected to be Chief Justice, while Justice Katerine M. Bidegaray was elected to be the Associate Justice (Montana Gov, 2024). A prominent argument in the literature is that justices' religious ideology influences their policy stances (Lipez, 2015; Bornstein and Miller, 2009). However, because nonpartisan elections are neutral, there is no available data on the competing justice's religious/political views. Nevertheless, the electorate can pinpoint justice ideology through political endorsements and candidate statements (Kim et al., 2023;586). For instance, because of his public support from Montana's Governor, Swanson was expected to be ideologically aligned with the conservative Christian government (Axelrod, 2024; Keith, 2025). Whereas Bidegaray was viewed as a liberal candidate because she explicitly cited the protection of women's rights as a motivation for running for the SC, signalling her support for abortion protections to the electorate (Axelrod, 2024). Also, Planned Parenthood, a nationally recognised pro-choice organisation, launched a one-million-dollar negative campaign against her opponent, Dan Wilson, further reiterating who was expected to prevent abortion restrictions (Silvers, 2024b).

Bidegaray's electoral victory was critical for the future of Montana's SC rulings because it meant that the court continued to fall short of a conservative majority, rendering an ideological shift from its previous abortion stance unlikely (Axelrod, 2024). Therefore, it is expected that the SC will continue to block the conservative Christian government's attempts to restrict abortion access (Keith, 2025). Moreover, the discussion of Montana's 2024 judicial election is fundamental for my research as it highlights the relationship between the court's abortion rulings and public opinion. By electing a justice who was expected to uphold abortion rights, the broader public affirmed their satisfaction with the court's actions regarding abortion and their desire for them to persist. Nonetheless, the principal insight of this is that by delegating judicial selection powers to the broader public, Montana's institutional processes mediate the ideologically Conservative Christian government's influence on policy outcomes (Dinan, 2023;43; Kim et al., 2023;587). Conclusively, this

illustrates that a prominent driver of Montana's protective abortion policy is the population's election of pro-choice justices to the judiciary, who actively block the restrictive measures proposed by the government.

4.3 Idaho's Supreme Court Composition and Selection Procedure

Idaho's SC consists of five justices and its constitution declares that they are elected by the "state at large" (Ware, 2023;992). However, if a justice departs the court prior to the expiration of their term, the governor will conduct a "mid-term" appointment where they select an interim justice from a list of two to four candidates provided by the ICJ to complete the term (Ballotpedia, 2024). Although Idaho's judicial selection and appointment system appears similar to Montana's in theory, its practical implementation differs significantly. The most recent Idaho SC election was held in May 2024, and it featured only G. Richard Bevan, an unopposed incumbent seeking re-election (Ballotpedia, 2024). This means that he was initially appointed by the governor and there were no alternative candidates the public could vote for, resulting in significantly low public participation in his allocation (Keith, Bannon and Milov-Cordoba, 2024). However, Ware (2023) illustrates that this election was not an anomaly in Idaho's judicial selection process (Ware, 2023;993).

Four out of five of Idaho's current SC justices have joined by mid-term appointments, and historically, interim appointments supported by an unopposed election have been identified as the "usual" way their justices are allocated (Ware, 2023;993). This method is described as the "Missouri Plan" and has been found to have displaced conventional nonpartisan elections in Idaho (Dinan, 2023;39). Ware (2023) discovered a noteworthy trend across Idaho's SC appointments and elections between 2000 and 2022. During this period seven out of ten justices joined the court through interim appointment and of those seeking re-election, the incumbent faced an opponent only four times. As a result, Idaho's Supreme Court is predominantly composed of justices appointed by the governor, who have not undergone competitive democratic selection (995). Also, in the event where they must face an incumbency election, there is a near-total guarantee they will maintain their position since only one incumbent has lost re-election in Idaho since 1944 (Ware, 2023;996). Therefore, this creates a mass culture of limited public accountability within Idaho's SC.

This lack of public accountability is fundamental to legislative outcomes because it means the IJC and Governor have near-complete control over SC composition. Appointments are made absent of democratic participation; therefore, justices' ideological standpoints are

anticipated to reflect those of the executive, rather than the broader public (Dinan, 2023;40). Furthermore, executive dominance over the court was strengthened in 2023. Senate Bill 1148 amended the IJC by providing the governor with the power to appoint eight of none of its members rather than three of seven (Mendelson, 2023). Thus, the nominating commission that selects the governor's judicial candidates is also likely to share strict ideological affinities with the executive branch; as a result, they will be expected to act accordingly (Kim et al., 2023;583). Therefore, the governmental dominance over SC composition explains why Idaho has one of the most conservative-leaning courts in the US, consistently upholding abortion policy aligning with the conservative Christian elites (Ballotpedia, 2024). Finally, Because the SC is subject to little public scrutiny, it is highly probable that its decisions significantly deviate from popular opinion (Maldonado, 2024). Consequently, my subsequent chapter will delve into this phenomenon, providing nuanced comparisons of public opinion in each state.

4.4 Concluding Statement

Overall, this chapter has identified a prominent reason as to why, despite their multifaceted religious similarities, Montana and Idaho have contrasting legislative approaches to abortion. Montana's consistent use of nonpartisan elections to determine SC composition has led to "pro-life" justices being elected to the court, prohibiting a conservative majority from being achieved. Also, the known pressures of consistent electoral competition incentivise justices to act in line with public opinion. Therefore, this suggests that Montana's court is continuously overriding the conservative Christian government's restrictive abortion bills in response to the will of the people, generating protective abortion policies (Axelrod, 2024; Keith, 2025). Whereas, in Idaho, the strategic displacement of nonpartisan elections with incumbent appointments means that citizens have minimal control over the allocation of SC justices (Ware, 2023;996). The executive dominance over the appointment of SC justices creates a conservative-leaning court whose rulings align with the desired policy outcomes of the Conservative Christian government. Also, the absence of public accountability allows the court to act independently from citizen pressures, suggesting that legislative outcomes do not reflect public will (Kim et al., 2023;583). Furthermore, my findings corroborate assertions made by Bornstein and Miller (2009) and Lipez (2015) that justice ideology influences their decisions; however, this only takes effect once they are appointed or elected based on that doctrine, making their selection process more crucial (Bornstein and Miller, 2009; Lipez 2015). Nevertheless, to bolster my claims that abortion policy is prominently impacted by judicial selection processes, it was fundamental to explore citizen opinion, and how well this

correlated with judicial rulings. Therefore, my next chapter offers detailed insights into public opinion, and how well this is reflected in legislative outcomes.

Chapter 5: Citizen Opinion Versus Legislative Outcomes

5.1 Introduction

This chapter will assess citizen opinion in Montana and Idaho's identify the extent to which their perspectives are reflected in abortion legislation. This analysis should bolster my previous contention that Montana's judicial selection method deliberates well-reflected policy outcomes whilst Idaho's creates a judiciary that privileges the ideology of the governing bodies. However, there are some notable divergences between both state's abortion views, with more Idahoans being in favour of restrictive policy than in Montana, but this slight divergence does not warrant the extensively contrasting policy outcomes. A prominent factor in my state selection was the religious similarities between both populations, for instance, 71% and 70% of Idaho and Montana's population identify as religious and they have an overall "religiosity" of 51% and 48% (Pew Research Center, 2015; Lipka and Wormald, 2016). Therefore, it was critical to unpick whether, despite these similarities, there were diversions in citizen opinion, the explanations for this, and whether citizen opinion is reflected in both states' policy outcomes. A key driver in selecting two states with similar population-based religious metrics was the fact that a sizable portion of the existing literature argues that state abortion laws are a direct reflection of the religious views of its citizens (O'Connor and Berkman, 1995; Adamczyk and Valdimarsdóttir, 2018). Therefore, I wanted to uncover whether there were nuanced religious differences underlying these statistics that determine opposing policy preferences between state populations. However, I discovered that citizen impact on policy is strongly mediated by the ability to participate in judicial selection methods.

Legal and Generally Available	39%
Legal in Most Circumstances	21%
Legal in Extreme Circumstances	28%
Illegal in All Cases	9%
Not Sure	3%

Appendix 3* Montana Citizen's Abortion Opinions (MFS, 2023)

Legal and Generally Available	19.2%
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Legal Until Foetal Viability (22-24 weeks)	14.4%
Legal Until Six Weeks (Include Exceptions for Mother's Health and Non-Viable Pregnancies)	24.3%
Agree With Existing Legislation	33.4%
Not Sure	8.6%

Appendix 4* Idaho Citizen's Abortion Opinions (May et al., 2024)

5.2 Montana Citizen Opinion vs Legislation

As seen in Appendix 3* the majority of Montana's citizens are in favour of protective abortion policies. Only 9% believe it should be illegal whilst 60% believe legislation should have limited or no restrictions. This data demonstrates that the restrictive bills formulated by the state's governing institutions distinctively contrast majoritarian views. Therefore, the SC's actions in blocking and disputing this legislation align deeply with the broader population, which is a result of direct public participation in their selective process (Dinan, 2023;43). Furthermore, the MFS (2023) survey asked some legislation-specific questions that further support this argument. For instance, there was an inquiry on a proposed bill stating: "Montana's constitution currently includes a right to privacy, which includes medical privacy and access to abortion. This amendment would change that", referring to SB154. In response, 75% of citizens opposed the amendment, whilst 17% were in favour. Therefore, the SC's decision in 2024 to strike this down as unconstitutional was directly reflective of citizen views. This notion of abortion legislation corresponding with the majoritarian perspective speaks to Adamczyk and Valdimarsdóttir's (2018) claims. However, their focus was on state politicians responding to public pressure. Whereas my findings offer a new perspective, illustrating that pro-choice pressures are most effectively utilised on the judiciary in the case of Montana.

Furthermore, because the court acts as an effective check upon the Conservative Christian government, public satisfaction with Montana's judiciary is markedly high. For example, a LWV survey carried out in 2023 found that 64% agreed that the SC should maintain its authority to balance the power of the legislative and executive branches (LWV, 2023). Moreover, 81% agree that "justices should be elected statewide - as they are currently" and 92% oppose an amendment that gives the Governor the power to appoint justices (LWV, 2023; MFS, 2023). Therefore, the strong majoritarian support for the structure and rulings of the Montana SC highlights the clear interplay between citizen opinion and the judiciary. The predominantly pro-choice electorate strategically utilises its voting abilities to maintain an

independent judicial branch that is ideologically congruent with them. Furthermore, the public's broad approval of the court's decisions is evident in the strong opposition to institutional reforms. Therefore, a fundamental explanation for Montana's protective abortion policy is the institutional practices that permit citizens to elect pro-choice justices who override restrictive abortion bills.

5.3 Idaho's Citizen Opinion vs Legislation

As shown in Appendix 4* there is a less robust pro-choice sentiment in Idaho than in Montana, with 33% of the population agreeing with the state's current near-total ban. Therefore, given the states' religious congruence, I sought to identify the contributing factors to this slight divergence and a coherent explanation was the presence of LDS adherents. According to O'Connor and Berkman (1995), the presence of overtly pro-life religious denominations can increase pro-life attitudes within a state, particularly among congregants (O'Connor and Berkman, 1995;453). Evangelical Protestantism is the dominant religion in both states, therefore, due to Montana's robust pro-choice stance, this cannot serve as an explanation for the slight opinion divergence. However, a key difference is that Idaho's second most prominent denomination is LDS, with 19% congregants (Pew Research Center, 2015). Hatzenbuehler (2020) contends that the LDS Church is notably hierarchical with minimal dissenters from leadership views and the official LDS Church has a very robust stance on abortion (Hatzenbuehler, 2020;9). Moreover, the Church website declares that "Church members who submit to, perform, encourage, pay for, or arrange for such abortions may lose their membership in the Church" (The Church of Jesus Christ of LDS, 2020). As a result of the dominant leadership and clear stance, LDS adherents share the strongest pro-life attitudes across the US, with 69% believing it should be prohibited in most or all circumstances (Pew Research Center, 2024). Therefore, the LDS presence in Idaho is a coherent explanation for why there is a moderately elevated pro-life sentiment in Idaho than in Montana.

However, this marginal difference in citizen opinion does not serve as a viable explanation for both state's stark abortion policy contrasts. Although 33% agree with the existing abortion legislation, 58% of the population believe that current abortion legislation is overly restrictive and supports the expansion of exceptions (May et al., 2024). Furthermore, a 2024 survey found that of the 16 states with first-trimester or near-total abortion bans, Idaho had the lowest level of public support for its policy (IWPR, 2024). Therefore, this widespread public disapproval of abortion legislation illustrates that the SC has not functioned as an independent check on the government to ensure that policy outcomes reflect the will of the citizens (Maldonado, 2024). Ultimately, this signals back to the absence of regular

democratic elections to decide SC justices. The government's and the nominating commission's ideology is far more likely to influence the court justices' decisions than the opinions of the general population because justices are more likely to maintain their posts on the court if they vote in line with the state government (Ware, 2023;969). Furthermore, their appointment was predicated on their perceived conservative ideology, therefore this is expected to drive their abortion legislation rulings (Wilson, 2020;371). Thereby, the widespread public disapproval of Idaho's abortion policies bolsters my claim that Idaho has severely restrictive abortion laws due to the Conservative Christian government's dominance over SC composition.

6.4 Concluding Statement

This chapter has illustrated the correlation between Montana's majoritarian views and legislative outcomes. Notably, this is a direct result of the institutional process that permits the Montanan electorate to select their SC justices, who then counter government efforts to restrict abortion on behalf of the population (MFS, 2023). On the other hand, there is widespread policy disapproval among Idahoan citizens, displaying that the SC's legislative rulings to uphold restrictive policy contravene majority will (IWPR, 2024). Moreover, this discrepancy is due to the executive's dominance over judicial composition, facilitating a court that is ideologically aligned with the government, and thus rules in allegiance with them. Therefore, the data has evidenced that, despite a more robust pro-choice sentiment in Montana, neither state has a majoritarian consensus in favour of extreme abortion restrictions. However, Idaho maintains them due to the lack of democratic accountability within its SC.

Chapter 6: Conclusion

Overall, this dissertation aimed to assess the impact of religion on US abortion policy by examining why two states with prominent religious similarities have opposing legislative stances on abortion. The central aim of this research was to gauge why conservative Christian beliefs are reflected in Idaho's abortion policy but not Montana's, despite their marked religious similarities. The existing literature offered three points of contention on how religion impacts abortion policy, and causes state's abortion legislation to differ, and this was through majority opinion, religious lobbying or political elite beliefs. Nonetheless, I found that within Montana and Idaho, whilst these various forms of religious influence can impact abortion policy, their effect is strongly mediated by judicial selection processes.

Both Montana and Idaho's governing bodies and institutions overtly demonstrate a pro-life stance rooted in conservative Christian ideology. As Republican-dominated states, their manifestos explicitly cite the "sanctity of life" to display their abortion stance, and religious lobbying organisations wield masses of influence over legislative drafting (MRP, 2024; IRP, 2024). Moreover, their governors simultaneously cite their faith as motivation to sign restrictive abortion bills into law (Warner, 2022; Aisha, 2024). Nevertheless, despite this broad political alignment, only Idaho has restrictive abortion policies, and this is because Montana's SC has consistently overruled governmental attempts to impose abortion restrictions. This phenomenon raised prominent questions as to why their courts made such diverse rulings. Nonetheless, my research indicates that this is because Montana holds regular nonpartisan elections to determine SC composition, facilitating a court that is ideologically aligned with the broader population. Therefore, because there is a strong pro-choice sentiment among the citizens, justices who are expected to maintain protective abortion are elected (Axelrod, 2024). Consequently, the court is prohibited from achieving a 'conservative majority' and the conservative Christian government's attempts to impose restrictions are countered and protective abortion policy is maintained (Keith, 2025). In contrast, it has been discovered that interim appointments have replaced regular nonpartisan elections in Idaho. Therefore, the composition of its SC is strongly determined by the Governor, manifesting ideological alignment between both institutions (Ware, 2023;996). Resultantly, although the majority of Idahoan citizens oppose extreme abortion restrictions, the SC upholds the executive's rulings (Maldonado, 2024). Hence, the fundamental reason that Idaho and Montana have contrasting abortion legislation despite their religious similarities, lies in the different methods by which each state's SC composition is determined.

However, it is crucial to consider that there are some limitations to my research. Because my findings have strictly been drawn from the nuanced sub-national contexts of Montana and Idaho, beyond these states, my conclusions might not be persuasively applicable (Geores, 2001;7039). Therefore, caution should be exercised, and potential contextual differences should be considered if attempting to extend these findings to other nations or US states. Furthermore, because I predominantly focused my research on the post-Roe v. Wade period, there may be historical mechanisms shaping state abortion stances that I have not observed. Therefore, further research may benefit by supplementing a longitudinal methodology to identify potential historical impacts. Nonetheless, the specific context in which my research took place also has significantly useful implications.

By focusing on the subtle distinctions between Montana and Idaho, my research has significantly contributed to the literature around religion and US abortion policy by illustrating that whilst citizen, lobbyist and elite level religious influence can all be important in shaping abortion legislation, their enactment into state law is predominantly dictated by judicial selection processes. Therefore, my findings should stimulate more research into judicial influence, religion and the variations in abortion laws across various US states as this remains an underexplored area of study. Furthermore, the identification of this prevailing mechanism should assist civil society organisations to tailor their reproductive rights advocacy strategies to the distinct political and religious dynamics of each state. To enhance reproductive rights, focus should lie on preserving consistent nonpartisan judicial elections in Montana. Nevertheless, in Idaho, advocacy groups should mobilise efforts to deliberate more democratically inclusive judicial selection procedures, thereby manifesting court rulings that reflect public opinion.

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