



# Political identity and paradox in oil and gas policy: A study of regulatory exaggeration in Colorado, US



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## ABSTRACT

In recent years, the U.S. has undergone a boom in domestic oil and gas production driven by unconventional drilling technologies. Political affiliation is one of the most consequential factors for a range of environmental and technological attitudes but its relationship to policy preferences for unconventional oil and gas development is less understood. In this manuscript, we consider how political affiliation impacts unconventional oil and gas policy preferences. We develop a novel understanding of “regulatory exaggeration” – we argue that conservative opposition to energy regulations is at least partly a result of a misjudgment of the stringency of current regulations. Statistical models indicate that, while conservatives are opposed to unconventional oil and gas regulations in the abstract, they endorse a range of specific policies more stringent than those currently in place. Further, political conservatism is associated with paradoxically believing that current regulatory environment is too stringent and supporting more stringent, specific policies.

## 1. Introduction

Political identity has emerged as one of the most important, if not the most important, factor for a range of environmental and technological attitudes and behaviors. Self-described conservatives tend to have lower risk perceptions for environmental hazards (Finucane et al., 2000; McCright, 2011c), less willingness to support environmental policy (Dietz et al., 2007; Mayer and Smith, 2017), and are less likely to engage in environmentally conscious behavior (Gromet et al., 2013). Partisan opinion on some issues—especially climate change—has sharply diverged in the past few decades (Dunlap and McCright, 2008; McCright and Dunlap 2011a, 2011b).

This pronounced partisan divide emerged during a period of rapid change in the U.S. energy sector. Starting in the early 2000s the deployment of unconventional drilling technologies, like hydraulic fracturing and directional drilling, has created an unprecedented boom in domestic oil and gas extraction (hereafter “UOGE”) (Yergin, 2011). At the same time, renewable energy sources like wind and solar have become much more economically viable and play a more significant role as a source of energy. Hence, the U.S. is at a unique historical juncture in terms of energy production and related policies.

Views towards unconventional oil and gas are less skewed along familiar ideological battle lines, but conservatives are generally more supportive of fracking than others (Boudet et al., 2014, 2016; Crowe

et al., 2015). However, the prior literature has focused primarily on the role of political identities in general support for unconventional development or risk perceptions, not policy preferences per se (e.g. Brasier et al., 2013; Jacquet and Stedman, 2013; Jacquet, 2012). This is a significant gap in our understanding because the U.S. federal government has relaxed a number of regulations for UOGE and state and local governments have rushed to fill the regulatory void (Warner and Shapiro, 2013; Nolon and Gavin, 2012). Given the hands-off approach of the federal government, more policy research is needed.

Following other research (e.g. Cohen, 2003), we argue that political identity can be understood as a social identity in that highly partisan individuals will align their policy preferences with those of their group, often following the lead of elite cues. However, we argue that political identity does more than guide policy preferences—additionally, political identities help formulate often-inaccurate views of the current state of the regulatory environment. Thus, the purpose of this paper is to understand how: 1) political identities explain views of the adequacy of current regulations and 2) if public understandings of the degree of current regulations are rooted in political identities.

Using data from a state-wide survey in Colorado, we find that conservative political identity leads to paradoxical views in that conservatives simultaneously state that UOGE regulations are too strict yet support a range of policies which are as stringent, or even more stringent, than those currently in place. We call this problem “reg-

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ulatory exaggeration” as it appears that political conservative respondents are over-estimating the stringency of current UOGE policies. The next section considers the literature on political identity, energy and the environment. After that, we implement an analysis of our survey data and discuss broader implications of this research.

## 2. Policy and social identities

Social identities provide people with solidarity while simultaneously facilitating a cognitive map by that people can make sense of their complex social environments (Hogg, 2007). Individuals with strong ideological identities work to align their personal beliefs with the prevailing beliefs of their group, which tends to create uniformity of belief within an ideological community (Ashforth and Mael, 1989; Hornsey, 2008; Tajfel and Turner, 2004). Further, political ideologies are typically established in childhood via parental and peer group socialization and are generally stable over the life course (Sapiro, 2004; Sears, 1975a, 1975b; Sears and Levy, 2003; Jennings and Niemi, 1968; Jennings et al., 2009; Kitt and Gleicher, 1950; Stillman et al., 1960; Tedin, 1974).

Strong political affiliation makes people receptive to “elite cues”. Elite cues are messages from especially powerful members of an ideological in-group such as media figures or think tanks; these group level-elites can disproportionality influence the opinions of members of their ideological communities (Converse, 2000; Arceneaux, 2008; Lewkowicz, 2006). That is, elites develop dominant frames that provide members of an ideological community with a way of thinking about key issues. Experimental evidence corroborates the importance of elite cues. For instance, Cohen (2003) used survey experiments to show that highly ideological individuals will support policies at odds with their stated ideological preferences because of elite cues. In one experiment, respondents were told that Republican politicians favored expanding welfare policies. Republican respondents *supported* the expansion while Democratic respondents *opposed* the policy—even though both policy positions are at odds with each groups’ respective ideological viewpoints on social policy.

A mountain of observation evidence suggests that political polarization on climate change emerged primarily because conservative elites—such as think tanks, talk show hosts, and religious leaders—purposefully worked to change beliefs among conservatives (Farrell, 2016a, 2016b; Hempel et al., 2014; McCright and Dunlap, 2003, 2010; Oreskes and Conway, 2010). Historically, there were slight public opinion difference between conservatives and non-conservatives on climate change (Dunlap and McCright, 2008). However, in the 1990s conservative intellectual elites launched an anti-environmentalism counter movement (Jacques et al., 2008). The effects of this counter movement are most obvious in regards to climate change, in that current research finds a sharp divergence between conservatives and non-conservatives (or Republicans and other groups) on a range of climate change attitudes (Dunlap and McCright, 2008; McCright and Dunlap 2011a, 2011b). Opposition to environmental policy, especially climate change policy, is often the de-facto position of the conservative counter-movement.

Political elites also frame policy regimes in the public mind. To some degree, this leads to “apocalyptic” framing of regulation, in that government efforts to regulate economic activity are portrayed a threat to entire industries or even the very existence of the U.S. economy (Peoples et al., 2014). This apocalyptic framing is especially evident in the case of environmental regulation, where some conservative political elites frame any effort to address environmental problems as an interruption to economic growth or the free market (Schor, 2014; Lakoff, 2014). This process called also been called “environmental scapegoating” in that environmental regulations or environmentalist/conservation groups for structural economic malaise (Cabrejas, 2012).

For instance, Freudenburg et al. (1999) documents how laws to protect the spotted owl were widely blamed for employment losses in the Pacific Northwest’s logging industry. However, the authors show that the logging industry was already experiencing significant employment losses before the spotted owl was deemed an endangered species—there is slim evidence that protection of the spotted owl intensified the rate of job losses. Environmental regulations are often blamed for the decline of the coal industry in areas with deep-seated economic problems, like rural Spain (Cabrejas, 2012) and Appalachia (Bell and York, 2010). For instance, 2016 Republican presidential candidate Donald Trump placed the repeal of environmental regulations at the centerpiece of his economic agenda, claiming that slashing regulations would create an energy boom and usher in widespread economic prosperity (Parker and Davenport, 2014). Since inauguration, President Trump pursued an agenda of environmental deregulation, with the stated goal of restoring declining economic sectors like coal extraction and durable goods manufacturing (Overly, 2017). Hence, conservative elites tend to frame environmental regulation as overly onerous and even a threat to the continued viability of the U.S. economy. Driven by elite cues, we expect that conservative political identity fosters more than just opposition to regulation—it may lead people to believe that current regulations are too stringent and damaging to the economy. Further, conservative political identity might lead to an exaggeration of regulations. That is, conservatives might believe that regulations are stricter than they actually are.

More specific to this analysis, unconventional oil and gas development is exempted from several federal environmental and health regulations. This include exemptions to elements of the Resource Conservation and Recovery Act and the Comprehensive Environmental Response, Compensation, and Liability Act (Nolon and Gavin, 2012), and toxic release inventory reporting requirements (Kraft et al., 2011). Notoriously, the “Halliburton Loophole” in the 2005 Energy Policy Act absolved reporting requirements for chemicals (except for diesel fuel) used in the hydraulic fracturing process from the Safe Drinking Water Act (Warner and Shapiro, 2013). The lack of federal oversight has created a policy vacuum in which states and localities are now the primary regulators of UOGE. Thus, state to state regulations vary quite substantially, with some states passing outright bans on fracking (e.g. New York) and others creating a policy environment that facilitates drilling—such as Wyoming or Louisiana (Zirogiannis et al., 2016). Hence, despite claims of overly onerous regulation a sober analysis of the regulatory regime for unconventional oil and gas suggests that, in some contexts, there is quite little regulation.

## 3. Unconventional oil and gas and political identity

Social scientists have responded to the UOGE boom by conducting many studies using both qualitative and quantitative methods. Qualitative researchers show that a complex set of economic and political incentives drives communities to embrace, or to resist, the expansion of drilling (Malin, 2014; Malin and DeMaster, 2016; Silva and Crowe, 2015). Surveys have documented risk and benefit perceptions related to UOGE (Jacquet, 2012; Jacquet and Stedman, 2013; Schafft et al., 2013), typically finding that residents of areas experiencing development simultaneously perceive and array of risk and benefits.

In general, conservatives have lower risk perceptions related to UOGE and are more supportive of fracking (Boudet et al., 2014; Clarke et al., 2016; Jacquet, 2012; Crowe et al., 2015; Mayer and Smith, 2017). This seems especially true at the national level, where studies using nationally representative data find significant partisan differences in views towards fracking, such as risk perceptions (e.g. Veenstra et al., 2016; Choma et al., 2016) or more general support for drilling

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