

Explaining Trends in Public Opinion of the Supreme Court

Why should we care about public opinion of the Supreme Court?

- To gauge feelings of legitimacy for the Court over time and among various cross sections of the population
- To measure the extent of penetration of Court opinions and jurisprudential shifts into the mass public
- To compare public opinion of the Court with public opinion of other branches of government
- To identify the Court's "constituency": Which sections of the population support the Court and why? Does elite criticism of the Court resonate beyond liberal legal academia?

Preliminary Observations

- The mass public is ignorant of the decisions and workings of the Supreme Court
- Yet the decisions of the Supreme Court often concern the most divisive issues in American politics (e.g., race, religion, sexuality)
- Public opinion of the Supreme Court has almost always been higher than public opinion of political branches
- Difficult to disentangle public opinion of the Court as an institution from opinion of the current membership or decisions of the Court

Measuring Public Opinion of the Court

- Confidence -- Source: General Social Survey; Harris Poll; poll of about 2000 conducted almost every two years.
- Feeling Thermometer – Source: National Election Studies, poll of approx. 1300 conducted every two years, but question appears only sporadically
- Approval Ratings – Source: Gallup Poll, conducted infrequently.

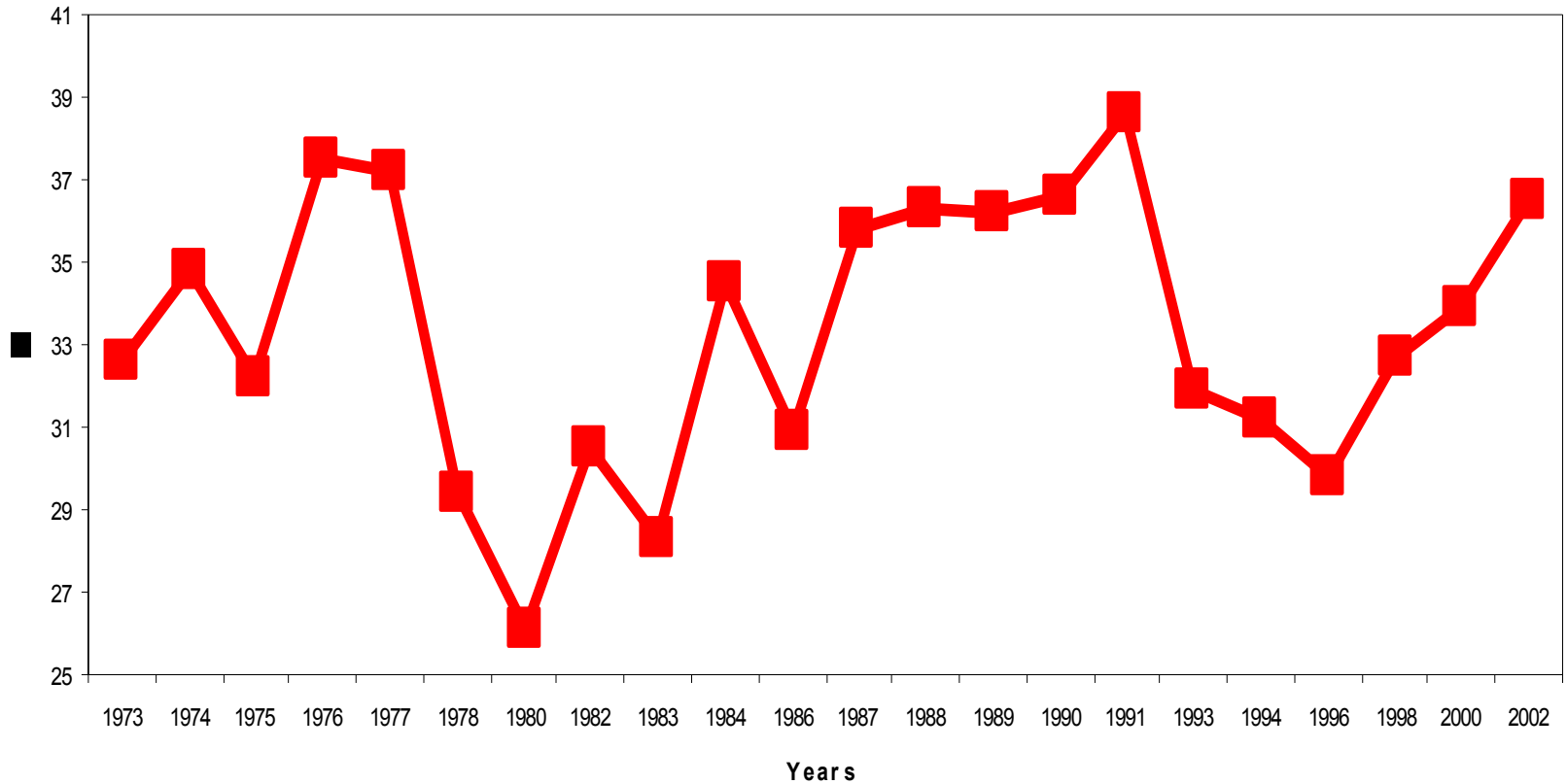
Confidence

- Confidence: “I am going to name some institutions in this country. As far as the people running these institutions are concerned, would you say you have a great deal of confidence, only some confidence, or hardly any confidence at all in them?
U.S. Supreme Court”

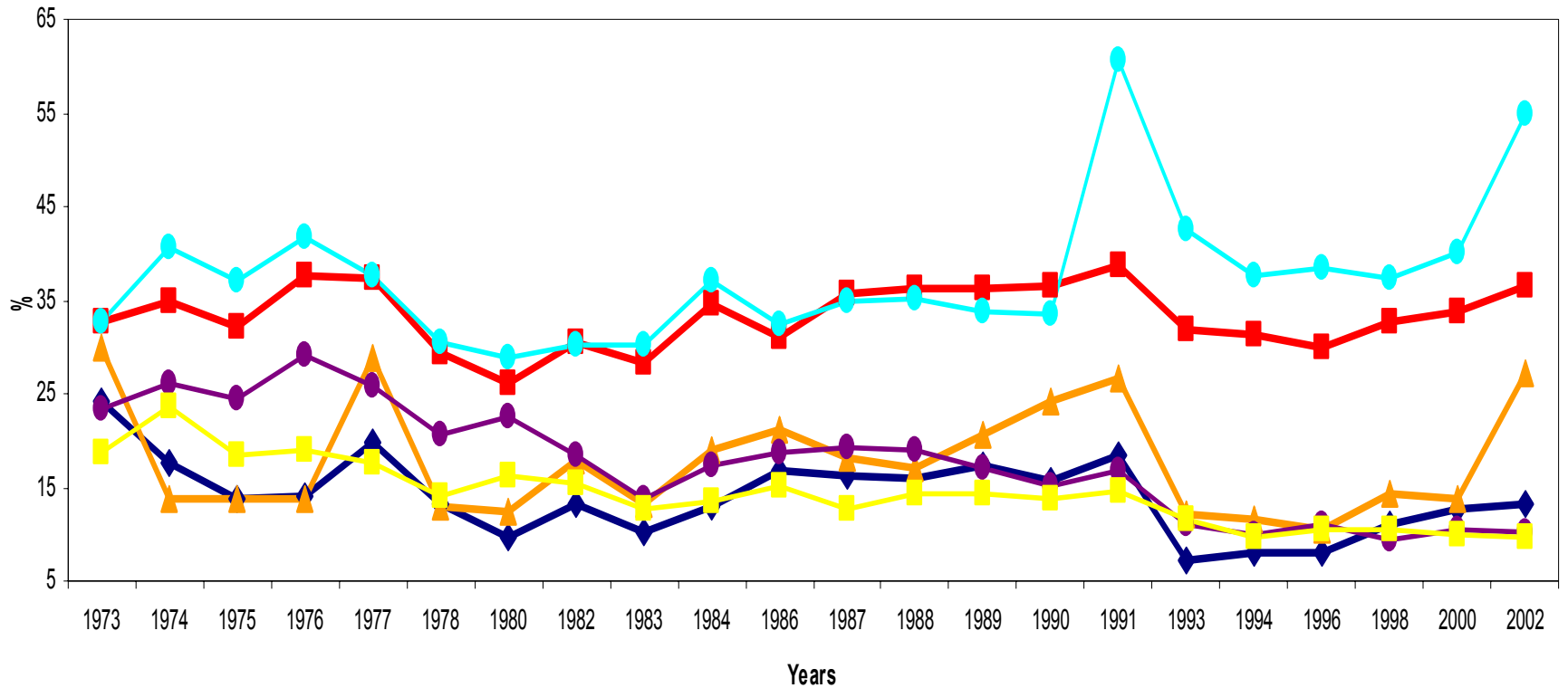
Feeling Thermometer

- I'd like to get your feelings toward some people in the news these days. I'll read the name of a person and I'll ask you to rate that person on a thermometer that runs from 0 to 100 degrees. Rating above 50 means that you feel favorable and warm toward the person. Rating below 50 means that you feel unfavorable and cool toward the person. Rating right at the 50 degree mark means you don't feel particularly warm or cold. You may use any number from 0 to 100 to tell me how favorable or unfavorable your feelings are. If we come to a person whose name you don't recognize, just tell me and we'll move on to the next one.
- Still using the thermometer, how would you rate: the Supreme Court

% "A great deal of confidence" (aggregate over time)

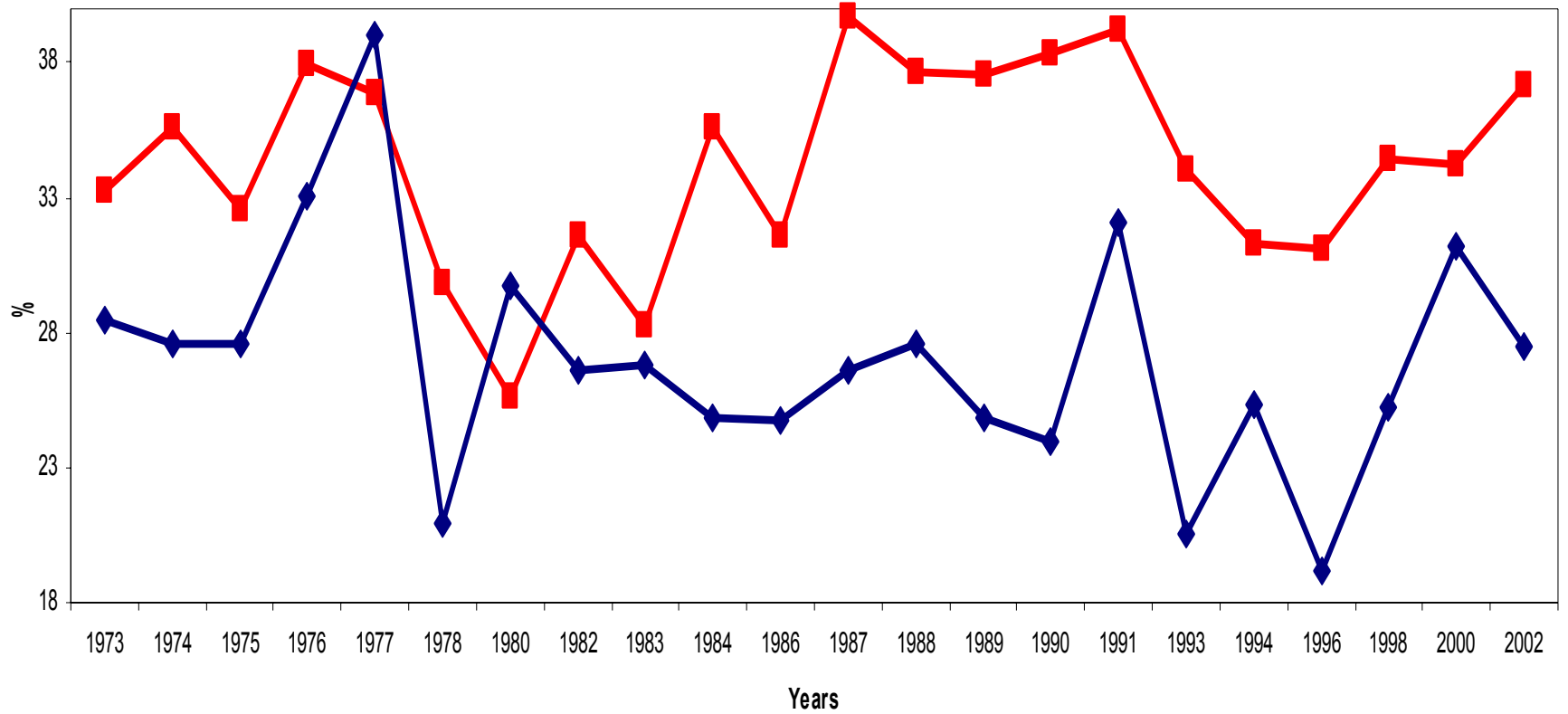


% "A great deal of confidence" (aggregate over time)



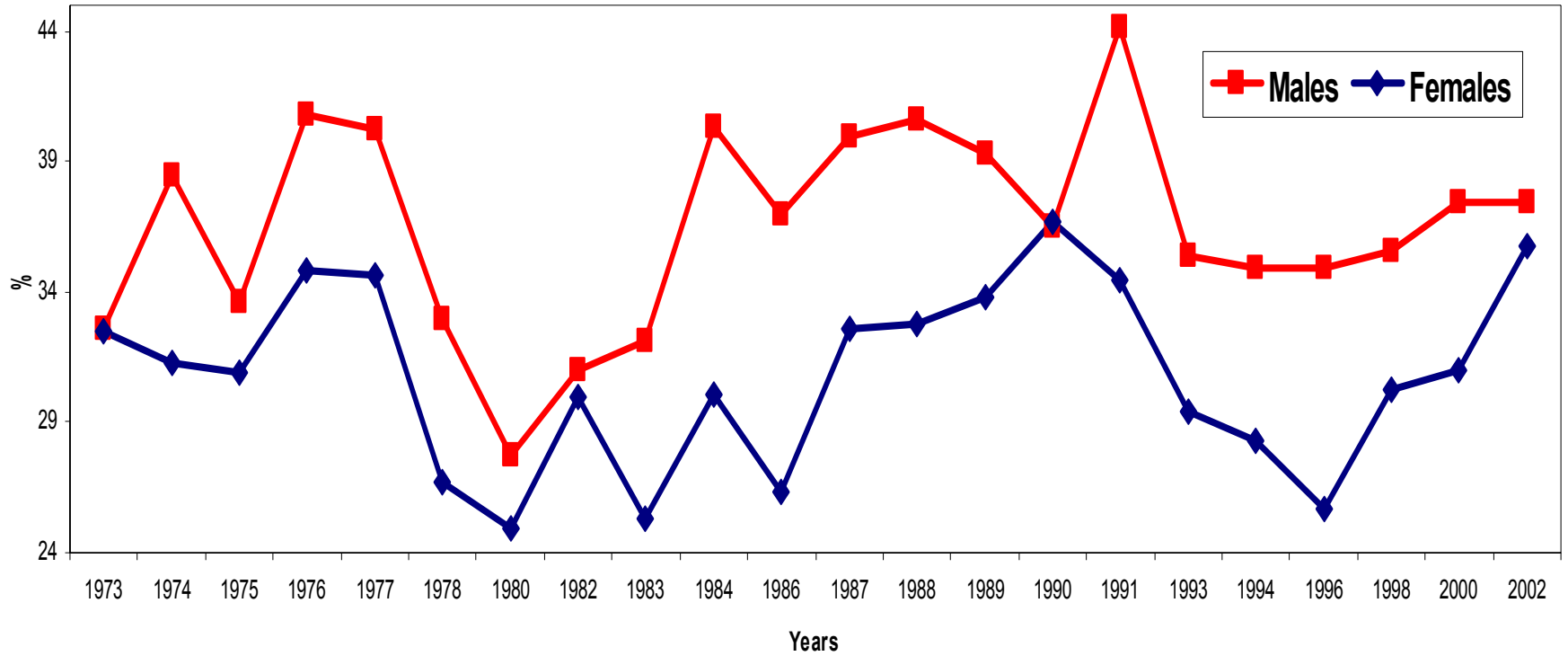
—■— SC —◆— Congress —▲— Exec —●— Army —●— Press —■— TV

% "A great deal of confidence in SC": Whites vs. Blacks

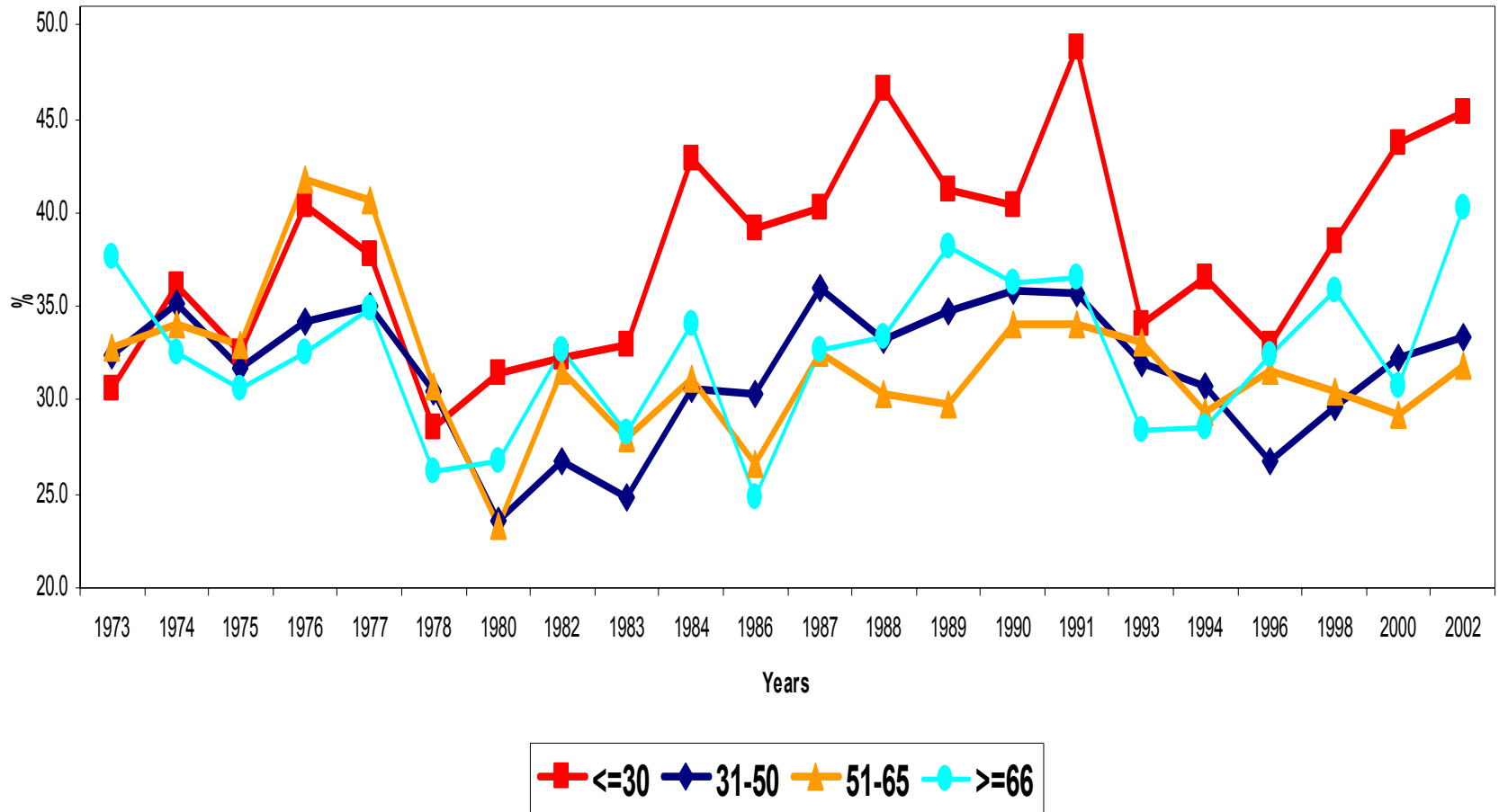


Whites Blacks

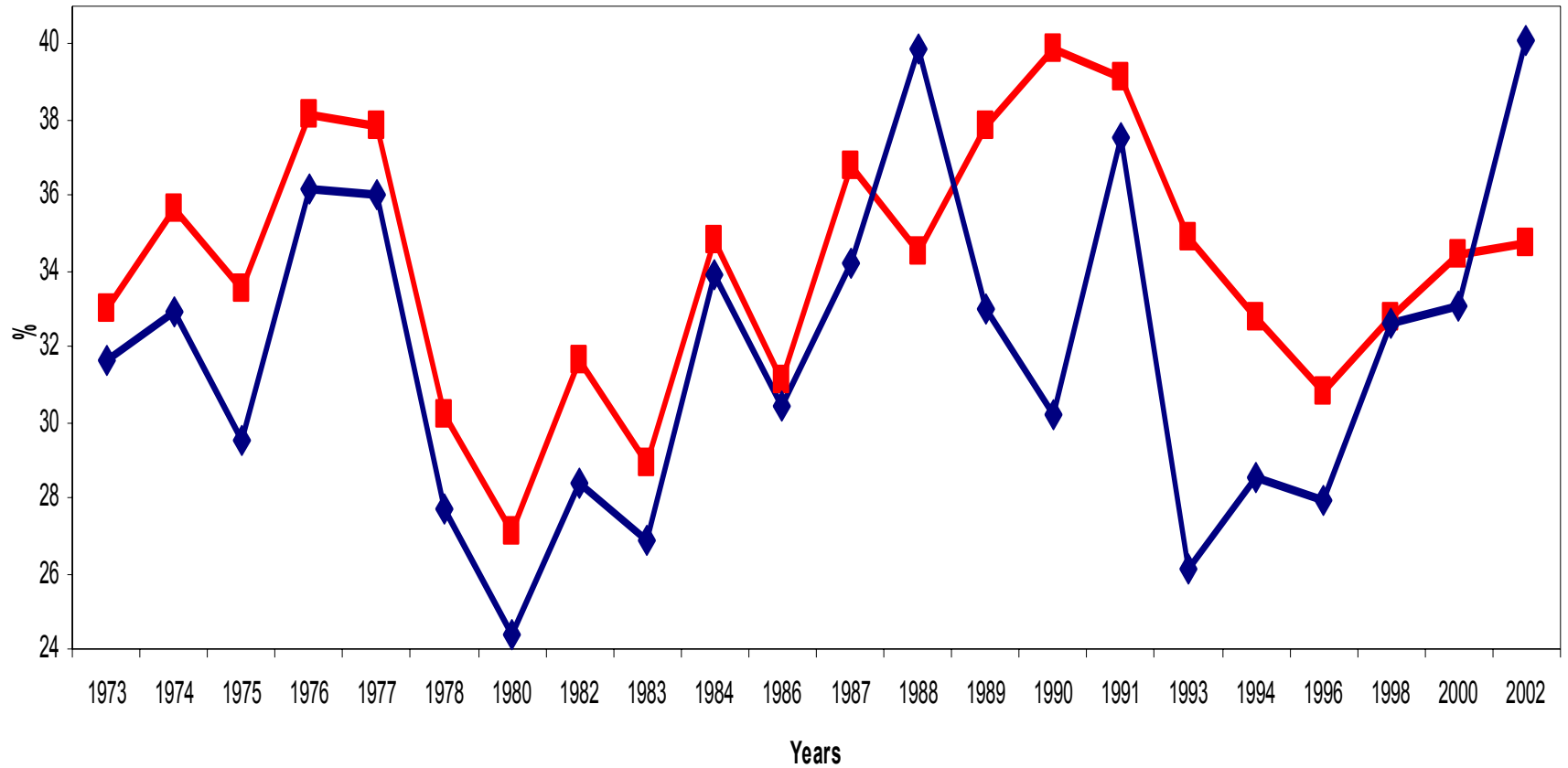
% "A great deal of confidence in SC" by Gender



% "A great deal of confidence in SC" by Age

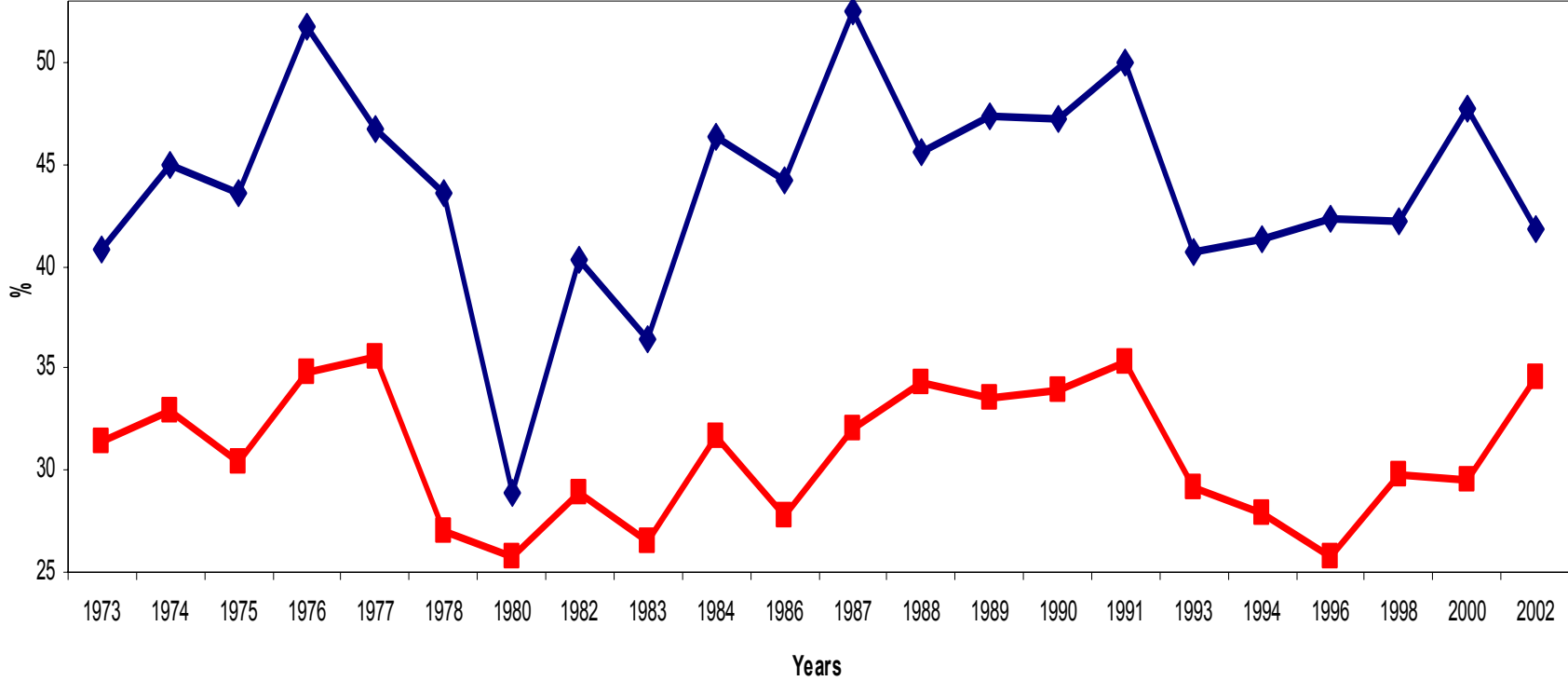


% "A great deal of confidence in SC": South vs. Non-South



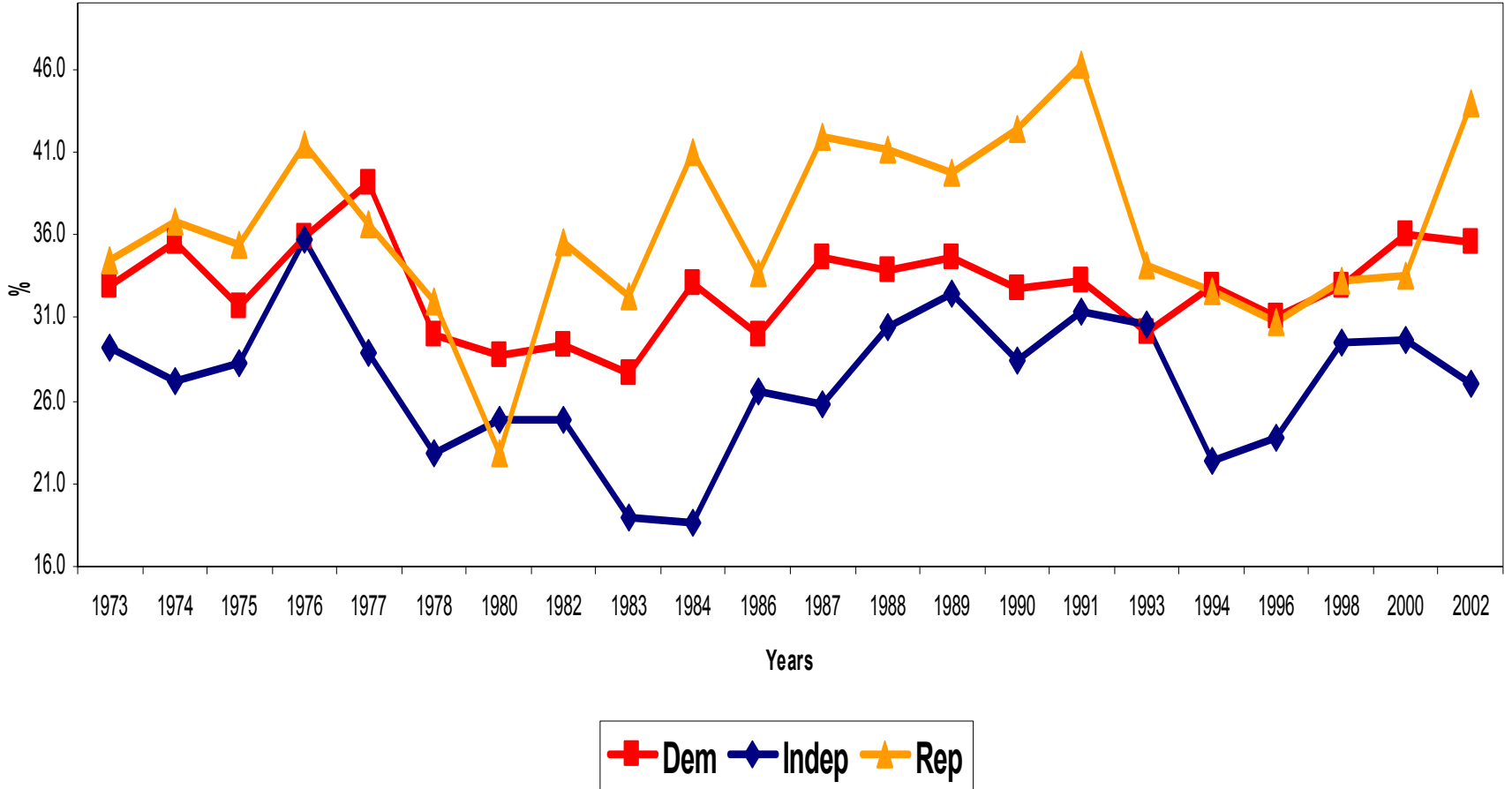
■ Non-South ◆ South

% "A great deal of confidence in SC": Non-college grads vs. College grads.

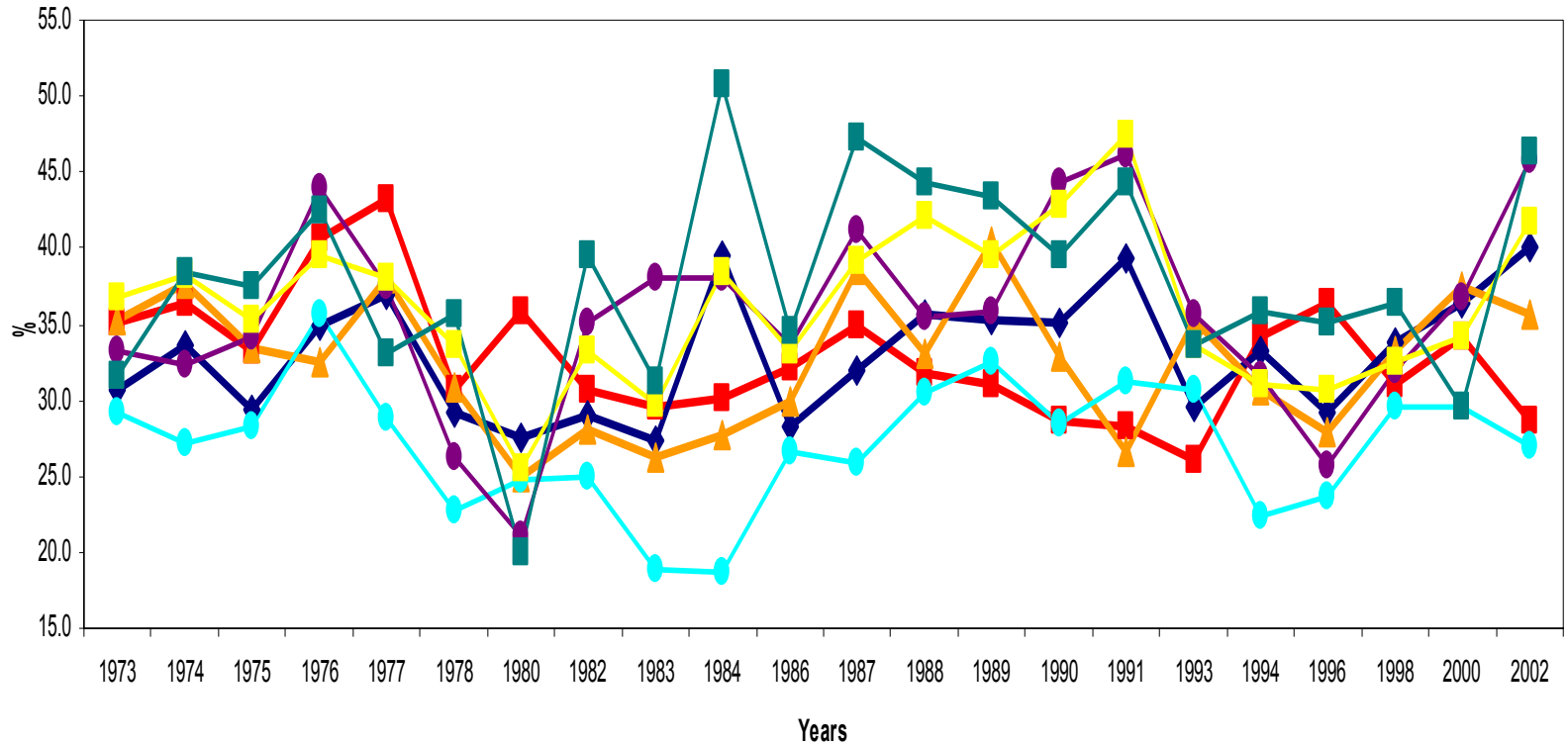


■ Non-college grads ◆ College grads

% "A great deal of confidence" by Partisanship (grouped)

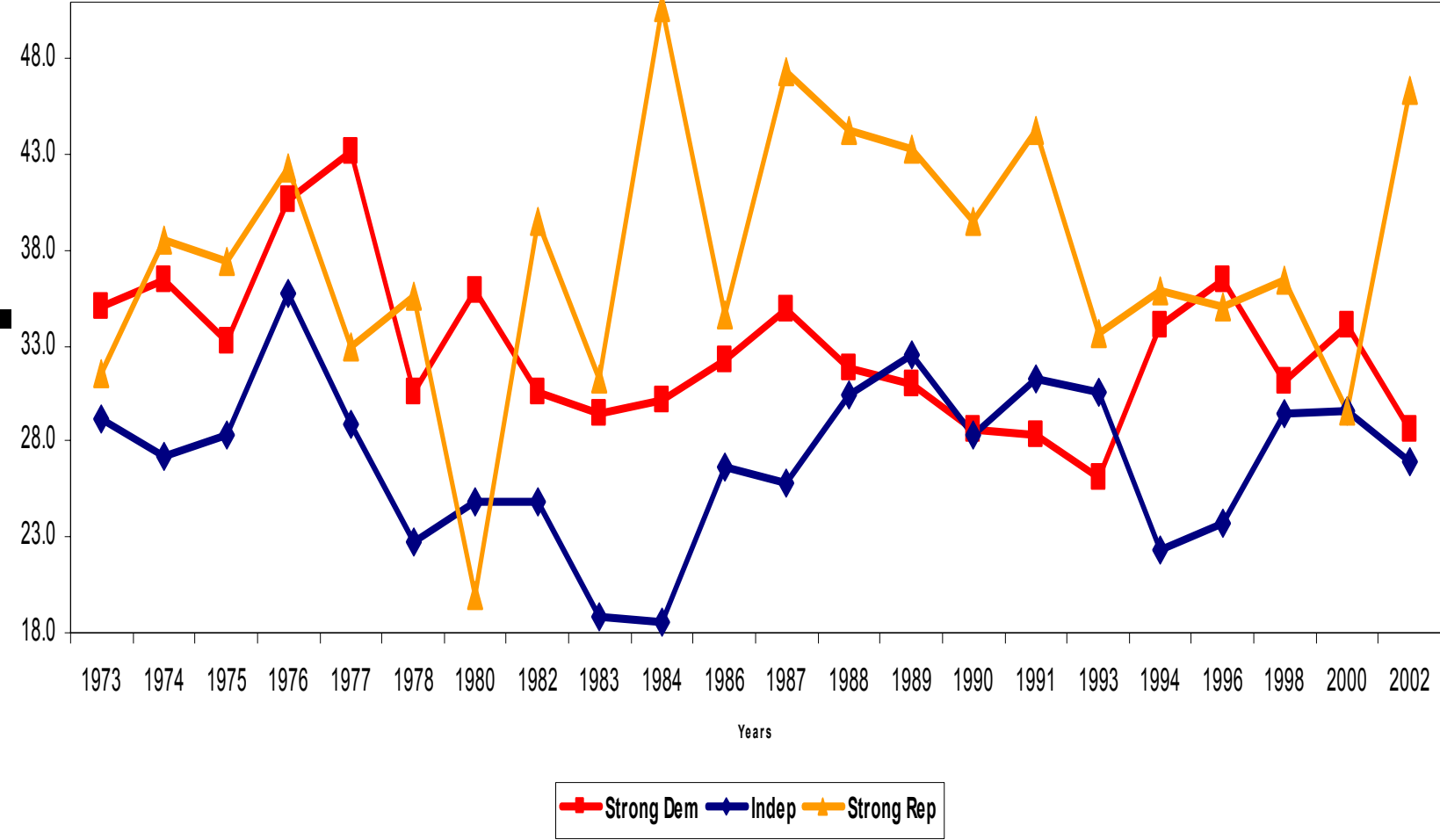


% "A great deal of confidence" by Partisanship

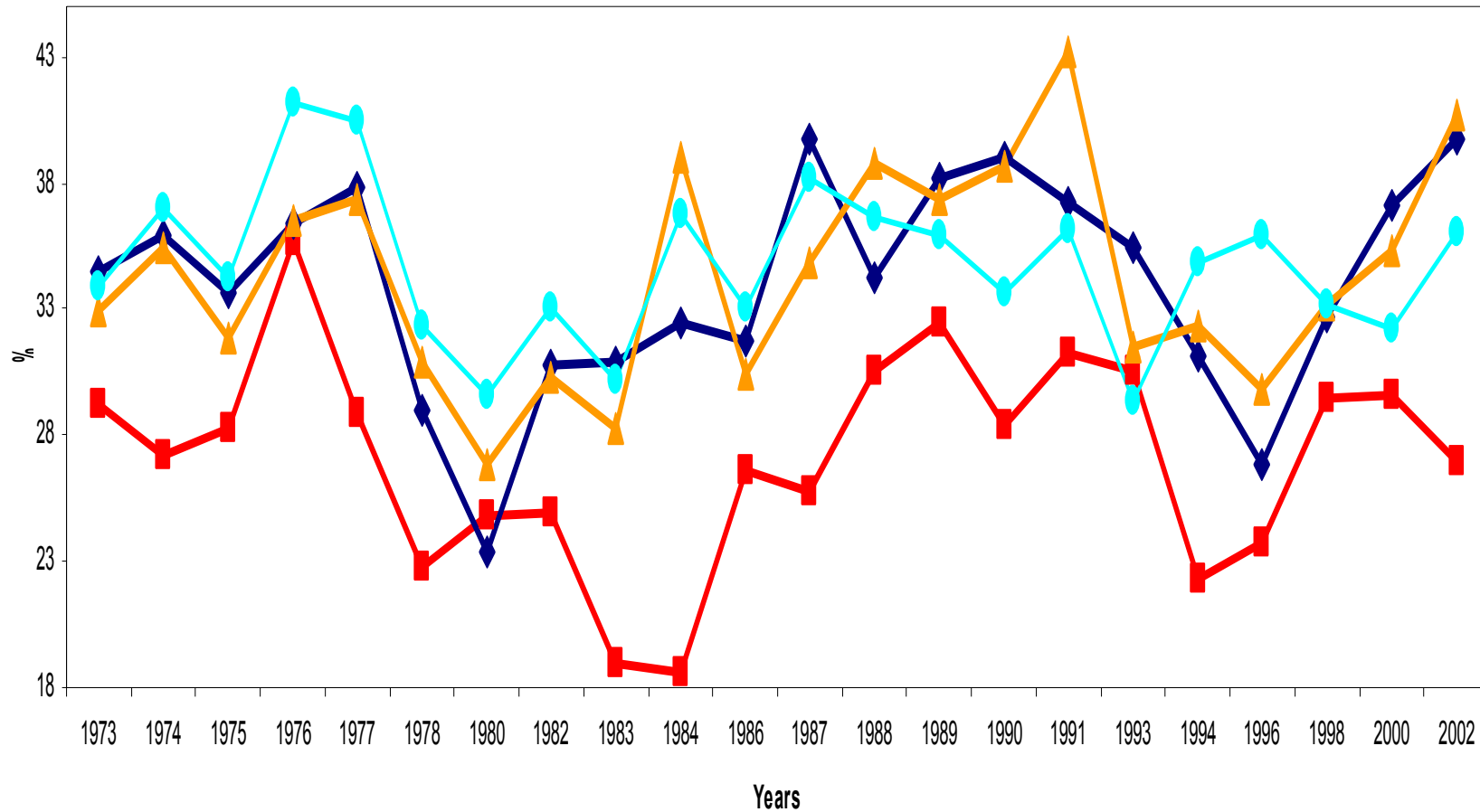


■ Strong Dem
 ◆ Weak Dem
 ▲ Indep-Dem
 ● Indep
 ● Indep-Rep
 ■ Weak Rep
 ■ Strong Rep

% "A great deal of confidence" (strongest partisans and independents)

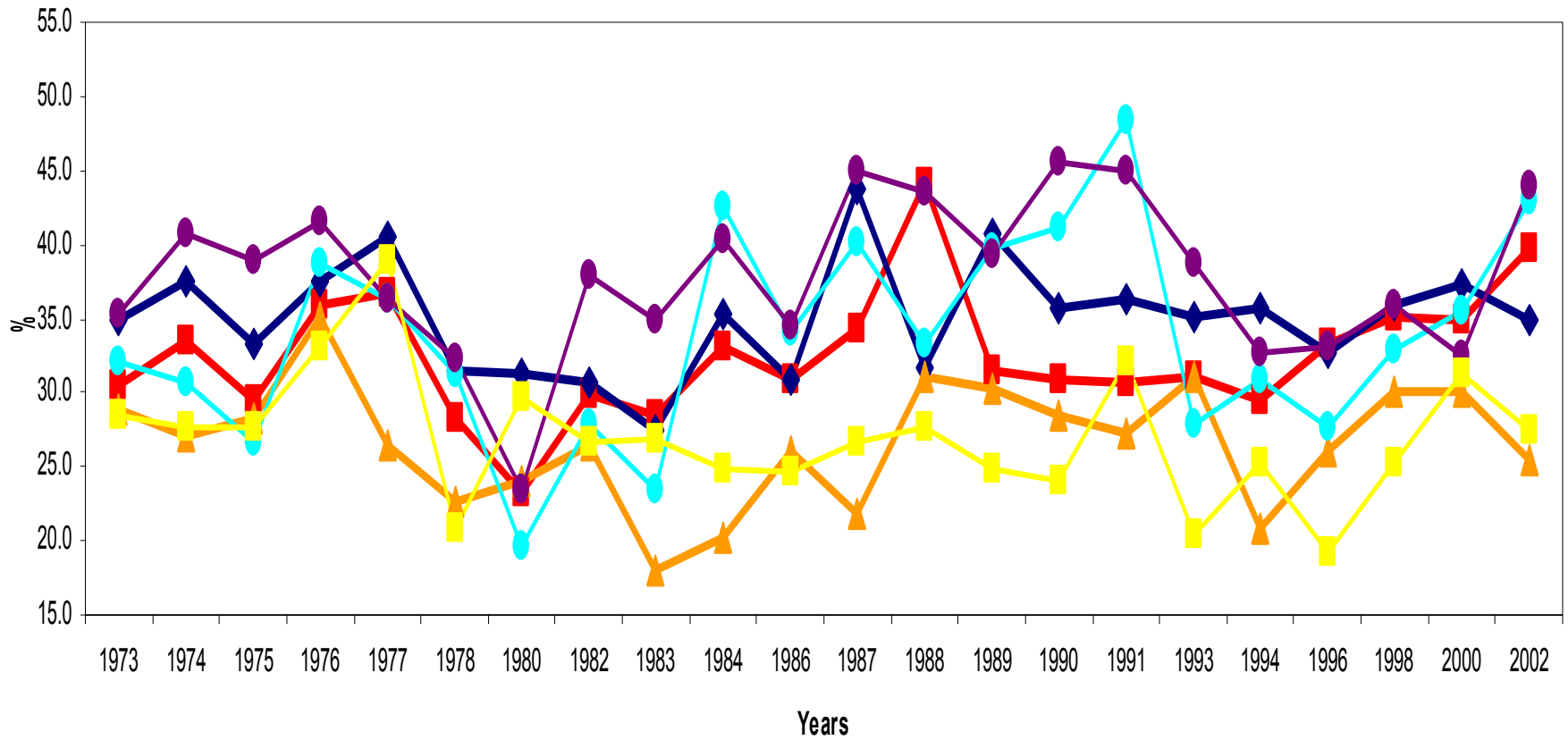


% "A great deal" by Strength of partisanship



■ Pure indep. ◆ Indep-Dem + Indep-Rep ▲ Weak Dem + Weak Rep ● Strong Dem + Strong-Rep

% "A great deal of confidence in the SC" by Party, Region and Race



	Age	Male v. Female	Ed uc.	Indep	White v. Black	South
1973						
1974		+		-		
1975			+			
1976		+	+			
1977		+	+	-		
1978		+	+	-		
1980	-					
1982				-		
1983	-	+	+	-		
1984	-	+	+	-	+	
1986	-	+	+			
1987	-	+	+	-	+	
1988	-	+	+			
1989			+		+	
1990			+		+	-
1991	-	+	+			
1993			+		+	-
1994	-	+	+	-		
1996	-	+	+	-	+	
1998	-	+	+		+	
2000	-	+	+			
2002	-			-	+	

	Age	Male v. Female	Educ.	Indep	White v. Black	Instit. Confidence	South
1973			+			+	-
1974		+	+			+	-
1975			+			+	
1976		+	+			+	
1977			+			+	
1978			+			+	
1980	-		+			+	-
1982			+			+	
1983		+	+			+	
1984	-	+	+	-	+	+	
1986	-	+	+			+	
1987		+	+		+	+	
1988	-	+	+			+	
1989			+			+	
1990			+			+	-
1991	-	+	+			+	
1993			+		+	+	-
1994		+	+	-		+	
1996		+	+		+	+	
1998			+		+	+	
2000	-	+	+			+	
2002	(-)					+	20