

When the Supreme Court Decides, Does the Public Follow?

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Can the Supreme Court persuade the public to agree with its rulings on controversial social issues? Or do the Court's pronouncements on these issues cause the Court to lose credibility with those who disagree with it? Both of these questions have been the topics of normative and positive theorizing and analysis of observational data. But to our knowledge, these questions have never been explored experimentally using a nationally representative sample of participants. In this paper, we use an experiment that we embedded in the 2006 Cooperative Congressional Election Study (CCES) to assess the relationship between Supreme Court rulings on three controversial topics (abortion, flag burning, and homosexual sex), public opinion on these issues, and the public's evaluation of the Court. We find that learning of the Court's ruling decriminalizing gay sex in *Lawrence v. Texas* leads a small, statistically significant proportion of respondents to change their attitudes to agree with the Court compared to those in a treatment group who are not informed of the decision. But we find no evidence of similar movement in attitudes on abortion (after being informed of *Roe v. Wade*) and flag burning (*Johnson v. Texas*). We do, however, find that being informed of the *Johnson* and *Lawrence* rulings has much larger effects on respondents' attitudes about the Court itself.

Is it the “least dangerous branch,” or the tsar of an imperial judiciary? The principled defender of minorities—or studious follower of opinion polls and election returns? The “republican schoolmaster” to the American public or a voice whistling in the wind? Which of these characterizations of the United States Supreme Court fits the historical facts or—more realistically—under what circumstances are these notions accurate?

This paper addresses one aspect of these questions by assessing the capacity of the Supreme Court to influence public opinion on controversial constitutional issues. There is a substantial empirical literature on whether the Supreme Court is responsive to public opinion, but with few exceptions (Marshall 1989; Franklin and Kosaki 1989) the opposite flow of influence has been unexamined. And because these studies rely on observational data (e.g. Hoekstra 1995, 2000; Grosskopf and Mondak 1998), they are unable to determine whether any opinion change that follows a controversial Supreme Court decision is due to the ruling itself—or the reactions of political elites to the ruling and the national debate that occurs in its wake.

There are sound reasons for believing that the public (or at least an informed-enough public) might move in the direction of the Court’s pronouncements on constitutional questions. As the institution without the power of the sword or the purse, the Court trades on its legitimacy. The rule of law is an important strand in the nation’s dominant political creed. The Constitution is a revered symbol and Americans (in the abstract) defer to the notion of judicial review. Numerous surveys testify to the prestige of judges and also to the fact that the Supreme Court generally enjoys more public confidence than the other branches of government. Legitimacy is usually defined as the capacity to influence people to do what they otherwise would not do, even if this behavior involves a personal sacrifice. This conception may readily be extended to encompass the capacity to persuade; in a sense, legitimacy endows one with what is called “source credibility” in the literature on attitude change.

More concretely, citizens who endorse the Supreme Court's role in the American political system and who express confidence in its integrity and competence could be expected to be more likely to change their views once an authoritative decision on a constitutional controversy has been made. The more pervasive the legitimacy of the Court, the more influence on subsequent public opinion it should have.

This premise is the origin of the main goal of the present research: to investigate the impact of the Supreme Court's decisions on public opinion about the issues under review. This clearly has important public implications given that the Court periodically makes counter-majoritarian decisions on emotional questions that touch on people's cherished values. In this context, the public's responses to such decisions fall into three broad categories: legitimation, backlash, and polarization. *Legitimation* refers to a movement in aggregate opinion toward the Court's position; *backlash* to the opposite kind of movement; and *polarization* to a situation in which blocs of the public move toward and away from the Court, respectively. Clearly, the ability to establish these influences is difficult with observational data. For one thing, the impact of any message on public opinion depends on it being received (Zaller 1992) and it is certainly plausible that substantial portions of the mass public remains unaware of the Supreme Court's decisions on even highly publicized issues. Second, the ability to isolate a particular event as a cause of opinion change is difficult at best. Movement in public opinion after a highly-publicized Court decision may be due to any one of several factors which have little to do with the content of the Court's ruling and the extent to which it is persuasive.

For these reasons, we approach this question with a survey-based experiment embedded in the 2006 Cooperative Congressional Study. The experiment assesses the relationship between the Supreme Court's rulings striking down state laws banning three controversial activities—abortion (in *Roe v. Wade* (1973)), flag-burning (in *Texas v. Johnson* (1989)), and gay sex (in *Lawrence v. Texas* (2003))—and public opinion on these matters. But we also use this opportunity to examine a question that has been asked even more rarely: do Americans change their assessments of the Court when they disagree with its rulings? Although scholars have often theorized about whether the

Court can lend its credibility to a particularly controversial decision, less has been said about whether unpopular rulings cause the Court to lose its credibility with the public.

To preview the results, we find that learning about the Court's ruling in *Lawrence* had a small, statistically significant impact on respondents who initially thought gay sex should be illegal or who were unsure about the issue. But being informed of the *Roe v. Wade* or *Texas v. Johnson* rulings had no effect on respondents' opinions about these issues. We find a much larger impact in the opposite direction: on two of these three issues (flag burning and gay sex), respondents who disagree with the Court become more likely to say that the Court's power of judicial review should be curtailed. At the same time, however, there is no similar impact on feelings of confidence in the Supreme Court. We believe that these findings illustrate the limited power of new information to change deeply held opinion, and that they suggest that the Supreme Court rarely fulfills the role of a "republican schoolmaster" (Franklin and Kosaki 1989) who educates the public to be more accepting of unpopular opinions.

The organization of the paper is as follows: the next section describes the sample employed and the experimental design. Next, we summarize the effects we observe of informing respondents of the specifics of the Court's decisions. Following a discussion of these sample-wide effects, we turn to the investigation of possible interactions—that is, the possibility of varied experimental outcomes in respondents differentiated by political ideology, prior opinion, or level of confidence in the Court. We conclude with a discussion of the findings and some thoughts about whether they are conditioned by the nature of the issues selected.

The study

Our study employs data obtained from the 2006 Cooperative Congressional Election Study (CCES), which was conducted via the Internet by the Polimetrix polling firm during the 2006 Congressional election campaign. The study featured interviews in September and October 2006 and follow-up interviews after Election Day. Although Polimetrix's sampling technique is designed to obtain a nationally-representative sample,

the extent to which the study's respondents were representative of the general population is less than ideal: we found that the panel was unexpectedly well-informed about politics (see Appendix), and that it skewed liberal on the three issues. But the CCES design was well-suited for an experiment in which we wished to test whether learning of Court rulings would lead participants to change their stated opinions.

Our design was as follows: in the pre-election survey, respondents were asked their opinions on the three issues (see Table 1a for the question wordings). They were then asked two questions designed to measure their evaluation of the Supreme Court (Table 1b). The first is a standard question employed in many opinion surveys (the GSS has used it since 1973) that asks respondents' their level of "confidence" in the Court. The second is a measure developed by Gibson, Caldeira and Spence (2003) designed to capture what they call "diffuse support" for the Court. It asks respondents if they agree that "the right of the Supreme Court to decide certain types of controversial issues should be reduced."

Experimental manipulation took place in the post-election survey, which was administered between three to six weeks after the pre-election survey. All respondents were again asked their opinions on the three issues, but on each issue half of the respondents were randomly assigned to read a brief (one-sentence) description of how the Supreme Court had ruled on the issue before being asked their opinion (see Table 1a). The other half of respondents received no such description. Participants could thus receive the "treatment" of being informed of the Court's decisions on zero, one, two, or all three of the issues. After answering the questions about the three issues, all respondents were then again asked the two questions regarding their evaluation of the Court.

Descriptive Statistics

Pre-treatment marginals (Table 2) indicate that ideologues face an interesting tension: conservatives profess to have confidence in the Supreme Court (84 percent of conservatives have a “great deal” or “some” confidence), but they also wish to reduce the power of the Court (54 percent of conservatives said this). Liberals are exactly the opposite: 30 percent have “hardly any” confidence in the Court, but only 25 percent of liberals believe that the Court’s powers should be reduced.¹ These findings support the assertions of Gibson, Caldeira and Spence (2003) that the “confidence” question captures short-term assessments of a Court that is currently viewed as more hospitable to conservative than liberal advocates, while the “reduce powers” question captures the longer-term assessment of the Court as an institution which has generally moved policy in a liberal direction in recent memory.

A similar ideological divide is found regarding the three controversial issues in our study. Table 3 indicates how liberals, moderates, and conservatives felt about these three issues in the pre-election survey. The splits on these issues are striking: 95 percent of liberals said that homosexual relations between consenting adults should be legal, only 41 percent of conservatives did. Nearly 80 percent of liberals said abortion should always be available as a matter of personal choice, only 14 percent of conservatives did. And while 79 percent of liberals believed that “burning or destroying the American flag as a form of political protest” should be legal, only 20 percent of conservatives did. (As expected, self-described moderates fell between liberals and conservatives on all three of these issues—although their opinions on abortion and gay sex were more liberal than conservative.)

As we might expect given the strong relationship between respondents’ ideology and their evaluation of the Supreme Court, a strong relationship also exists between respondents’ agreement with Supreme Court rulings and their evaluations. As shown in Figure 1, the number of the three controversial decisions with which respondents agree is

¹ The marginals and analyses in this paper are derived from unweighted data; similar findings arose when using the weights supplied with the CCES.

negatively related to their preference for reducing the Court's ability to make controversial decisions. It is also (but non-monotonically) related to respondents' confidence in the Court—in the opposite direction than we might expect. To the extent that respondents hold policy preferences that align with Supreme Court rulings, they are *less* likely to express confidence in the Court. Table 4 displays multivariate analyses indicating how well respondents' positions on the three issues predicted their responses to the confidence and reduce powers questions. As shown in the table, the responses to the reduce powers question are explained somewhat by participants attitudes on gay sex and flag burning. Responses to the confidence question are not explained well by these attitudes.

Before considering effects of the treatment, a methodological digression: Because all three of the decisions about the court are in a liberal direction, each explanation of the court's ruling may be considered a “dose” of the “treatment” informing respondents of the liberal direction of the court's decisions on these three issues. In this paper, we alternate between considering each of the three treatments separately and analyzing them as interchangeable “doses” of the same treatment. It will also be helpful at times to divide respondents into two groups: those who received no messages about the Court's rulings on any of the three issues (while we call the control group), and those who received a message about the Supreme Court's rulings for at least one of the three issues (which we call the treatment group).

As shown in Table 5, a randomization check performed by assessing whether any covariates of interest were inadvertently associated with assignment to the treatment found that this was not the case: no covariate is a statistically significant predictor of assignment to treatment, and likelihood ratio tests indicate that the covariates are not jointly significant predictors, either.

Analysis of Experimental Effects

Does the Court Influence Public Opinion?

We first analyze the extent to which learning of the Court's rulings had any effect on respondents' attitudes regarding legalization of abortion, flag burning, or homosexual sex. As shown in Table 6, we don't see much movement in the direction we would expect regarding participants' responses to the treatment of learning the Supreme Court's rulings when we compare control and treatment groups.

However, when we make comparisons by pre-treatment opinions on each of these three issues, a few interesting findings emerge. As shown in Table 7a, those whose pre-treatment attitude on abortion fell into the "other" category became significantly more pro-choice after receiving the treatment than did similar respondents in the control group. However, we are reluctant to ascribe this to true opinion change. A cursory look at the verbatim responses of those in the "other" category indicated that many of these respondents could have been categorized as pro-choice. We think that receiving the treatment led these respondents to be more easily identify their opinion as falling into the most pro-choice of the response set. (Due to an oversight on our part, the "other" category was not offered to respondents in the post-election survey.)

Table 7b shows that there was no movement on the flag burning issue, regardless of whether respondents learned about the *Johnson* ruling. Table 7c displays the strongest finding: those who originally thought that gay sex should be illegal or were unsure of their opinion became significantly more favorable toward legalization after receiving the treatment (compared to similar respondents in the control group). Receiving the treatment also moved more of those initially opposed to legalization into the "unsure" camp, while substantially decreasing the proportion of the initially unsure who remained so. Table 8 replicates these results in the regression context (Models I) and tests to see whether these effects are stronger among those who expressed confidence in the Court pre-treatment (Models II). As shown by the signs on the interaction terms in Models II, evidence is weak for this hypothesized augmenting effect.

Does the Public's Opinion about the Court Respond to Court Decisions?

We now turn to the extent to which respondents' attitudes toward the Court changed in response to being informed of specific rulings. The effect of the treatment was to move respondents of all ideological stripes to be more supportive of restricting the court's power relative to those respondents assigned to the control condition. Table 9 shows that while 51 percent of those in the treatment group favored reduction of the Court's powers in the post-election survey, only 35 percent of the control group did. Figure 2 depicts this effect vividly. As shown on the graph, all treated respondents became more supportive of restricting the Court's powers, and the size of the effect was positively related to the conservatism of respondents.²

Further analysis demonstrates that the effect was treatment-specific on two out of the three issues—flag burning and gay sex. That is, those whose attitudes on these issues ran counter to the Court's rulings in the pre-election survey became less supportive of the Court to when they learned about its rulings. Table 10 is an analysis predicting the post-treatment opinions on Supreme Court powers among those who did not think that these powers should be reduced before the treatment. As shown in the table, those who were exposed to the *Johnson* and *Lawrence* treatments were more likely to support reducing the Court's powers, *ceteris paribus*. But the effects of the treatments were blunted among those who agreed with the Court's decisions in these two cases, as shown by the negative sign on the interaction terms between opinions on flag burning and gay sex and receiving treatments on the Court's rulings on these two decisions.

Figure 3 depicts these relationships graphically by plotting the predicted probabilities of favoring a reduction in the Court's power associated with receiving the treatment (compared to being assigned to the control group) for opinions held on the three issues pre-treatment holding all other variables at their means. As shown in the figure, the *Lawrence* treatment operated entirely in the theoretically expected way, as those supporting legalization of homosexual sex were more supportive of the Court than those

² Why did liberals become less favorable toward the Court? Because many liberals could find themselves disagreeing with at least one of the three rulings covered in this study: 43 percent of liberals expressed a pre-treatment opinion on at least one issue that was contrary to the Court's decision on that issue. (This was true for 70 percent of moderates and 96 percent of conservatives.)

in the control group—while those opposing legalization were less supportive than the control group. The *Johnson* treatment was almost as powerful: it led those opposed to flag burning to become much less supportive of the Court (compared to those in the control), while having essentially no effect on those in favor of legalization of flag burning. (This is a finding similar to that of Grosskopf and Mondak 1998, who found that reactions to the Court following *Texas v. Johnson* were driven by a strong “negativity bias” among those who disagreed with the decision.) And finally the *Roe* treatment appears to have had no effect on any of our respondents—as we would expect few of our highly-informed respondents to be unaware of the *Roe* ruling before participating in the survey.

The effect does not emerge as strongly for the “confidence in the Supreme Court” measure. As shown in Table 11, treated respondents did, as a whole, express less confidence in the Supreme Court than did those in the control group. But the difference was too slight to be considered statistically significant ($p = .33$). Analysis of ideological groups (shown in Table 12) indicates that liberals and conservatives responded to the treatment in ways we might expect: treated liberals become more confident in the Court than liberals in the control group, while treated conservatives became less confident. Multivariate analysis (not shown here) found that unlike the “reduce powers” measure, change in the “confidence” measure was not treatment-specific.

Conclusions

Table 13 summarizes our findings as described in this paper. Our preliminary analysis of these data indicate that of the three issues we studied, the Court’s ability to influence public opinion is limited to its ruling striking down state laws banning consensual gay sex. This effect is small but significant: as shown in Table 7c, the marginal effect of being informed of the ruling was about six percentage points among those who initially favored making gay sex illegal, and a more considerable 29 points among those who were unsure beforehand.

The effects were stronger, and more consistent, in the “other direction”: on two out of three issues we examined, respondents’ opinion about the Court shifted in response to being informed of its rulings in ways that corresponded with the attitudes they had originally expressed about the issues addressed by the Court. As shown in Figure 3, those opposed to flag burning in the treatment group were about 20 percentage points more likely to favor curtailing the Court’s powers than those in the control group, holding other factors constant. The treatment of being informed of the *Lawrence* ruling led those in favor of legalizing consensual gay sex to be less supportive of reducing the Court’s powers—and did just the opposite to those opposed to legalization.

Throughout, being informed of the “grandmother” of all controversial Supreme Court rulings—*Roe v. Wade*—appeared to affect our respondents not one whit. A natural conclusion to be drawn is that such a well-informed panel is likely to be saturated with knowledge about *Roe* and thus few respondents were truly learning from the treatment.

This is obviously only a first cut at the data from this rich experiment. Further work will examine the extent to which the effects were different for less-informed respondents. (This will, unfortunately, throw into relief the drawbacks of having such a well-informed survey panel.) We also intend to look more carefully at the “movers” as a group to see if they have distinctive demographic or political characteristics. And we plan to think carefully about what principles are (or are not) being cued by the simple descriptions of the Supreme Court rulings used as treatments.

References

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Table 1. Questions used in the study

<p>A. Questions regarding three issues</p>
<p>ABORTION.</p> <p><i>{Post-election treatment group only}: “As you may know, in 1973 the U.S. Supreme Court ruled in Roe v. Wade that the Constitution’s right to privacy allows women to have an abortion for any reason in the first three months of a pregnancy. What do you think about this issue?...”</i></p> <p>{All pre- and post-election respondents} “Which one of the opinions on this screen best reflects your view about abortion?”</p> <ul style="list-style-type: none"> <1> By law, abortion should never be permitted. <2> The law should permit abortion only in case of rape, incest, or when the woman’s life is in danger. <3> The law should permit abortion for reasons other than rape, incest, or danger to the woman’s life, but only after the need for the abortion has been clearly established. <4> By law, a woman should always be able to obtain an abortion as a matter of personal choice. <5> other (verbatim) <p>Note: Responses <1> through <3> scored as “pro-life,” and contrary to Supreme Court’s ruling in <i>Roe v Wade</i>; <4> scored as “pro-choice,” and in agreement with Court’s ruling.</p>
<p>FLAG BURNING.</p> <p><i>{Post-election treatment group only}: “As you may know, in 1989 the U.S. Supreme Court ruled in Texas v. Johnson that burning the American flag is a form of free speech protected by the First Amendment of the Constitution. What do you think about this issue?...”</i></p> <p>{All pre- and post-election respondents} “Should burning or destroying the American flag as a form of political protest be legal or should it be against the law?”</p> <ul style="list-style-type: none"> <1> legal <2> against the law <3> not sure
<p>HOMOSEXUAL SEX.</p> <p><i>{Post-election treatment group only}: “As you may know, in 2003 the U.S. Supreme Court ruled in Lawrence v. Texas that the Constitution’s right to privacy allows for consensual sex between two men or two women. What do you think about this issue?...”</i></p> <p>{All pre- and post-election respondents} “Should homosexual relations between consenting adults be legal or should it be against the law?”</p> <ul style="list-style-type: none"> <1> legal <2> against the law <3> not sure

Table 1 (continued)

B. Questions regarding the Supreme Court
<p>CONFIDENCE. {All pre- and post-election respondents} “Would you say you have a great deal of confidence, only some confidence, or hardly any confidence at all in the Supreme Court?”</p> <ul style="list-style-type: none"><1> great deal of confidence<2> only some confidence<3> hardly any confidence<4> not sure
<p>REDUCTION IN POWERS. {All pre- and post-election respondents} “Do you agree or disagree with the following statement: The right of the Supreme Court to decide certain types of controversial issues should be reduced.”</p> <ul style="list-style-type: none"><1> agree<2> disagree<3> not sure

Table 2.
Confidence in Supreme Court
and Preference for Reducing Right of Court to Decide Certain Cases, by Ideology
(Pre-Treatment)

CONFIDENCE IN SUPREME COURT

ideology	Confidence in U.S. Supreme Court				Totals
	hardly any	only some	great deal	unsure	
liberal	28.6%	54.3%	12.4%	4.8%	100%
	60	114	26	10	210
moderate	21.5%	59.8%	16.8%	1.8%	100%
	82	228	64	7	381
conservative	15.0%	56.3%	25.1%	3.6%	100%
	54	202	90	13	359
unsure	30.0%	36.7%	3.3%	30.0%	100%
	9	11	1	9	30
Totals	20.9%	56.6%	18.5%	4.0%	100%
	205	555	181	39	980

Chi-squared statistic: 88.93 $p < 0.000$

REDUCE POWERS OF SUPREME COURT

ideology	Powers of the U.S. Supreme Court should be reduced			totals
	disagree	agree	unsure	
liberal	61.1%	20.9%	18.0%	100%
	129	44	38	211
moderate	50.1%	32.6%	17.3%	100%
	191	124	66	381
conservative	38.6%	44.7%	16.8%	100%
	138	160	60	358
unsure	13.3%	23.3%	63.3%	100%
	4	7	19	30
totals	58.3%	41.7%	18.7%	100%
	458	328	183	980

Chi-squared statistic: 79.41 $p < 0.000$

Table 3. Opinion on Three Controversial Issues Addressed by the Supreme Court, by Ideology (Pre-Treatment)

ABORTION (Chi-squared statistic: 312.71; $p < 0.000$)

Ideology	View on abortion, pre-treatment					totals
	Never permitted	Rape, incest, danger to life of woman	Available, but need must be clearly established	Always available as matter of choice	Other (verbatim)	
liberal	1.0% 2	8.1% 17	10.4% 22	74.4% 157	6.2% 13	100% 211
moderate	3.4% 13	16.1% 61	17.1% 65	54.5% 208	8.7% 33	100% 380
conservative	23.4% 84	40.7% 146	17.8% 64	13.1% 47	5.0% 18	100% 359
unsure	12.9% 4	19.4% 6	16.1% 5	48.4% 15	3.2% 1	100% 31
totals	10.5% 103	23.5% 230	15.9% 156	43.5% 427	6.6% 65	100% 981

FLAG BURNING (Chi-squared statistic: 202.23; $p < 0.000$)

ideology	View on flag burning, pre-treatment			totals
	illegal	legal	unsure	
liberal	19.4% 41	72.0% 152	8.5% 18	100% 211
moderate	45.1% 171	46.2% 175	8.7% 33	100% 379
conservative	72.4% 260	18.1% 65	9.5% 34	100% 359
unsure	56.7% 17	10.0% 3	33.3% 10	100% 30
totals	50.0% 489	40.4% 395	9.7% 95	100% 979

GAY SEX (Chi-squared statistic: 249.40; $p < 0.000$)

ideology	View on homosexual relations, pre-treatment			totals
	illegal	legal	unsure	
liberal	5.2% 11	91.0% 192	3.8% 8	100% 211
moderate	13.2% 50	74.1% 281	12.7% 48	100% 379
conservative	49.9% 179	34.8% 125	15.3% 55	100% 359
unsure	32.3% 10	35.5% 11	32.3% 10	100% 31
totals	25.5% 250	62.1% 609	12.4% 121	100% 980

Figure 1.
Agreement with Supreme Court rulings and support for the Court (Pre-Treatment)

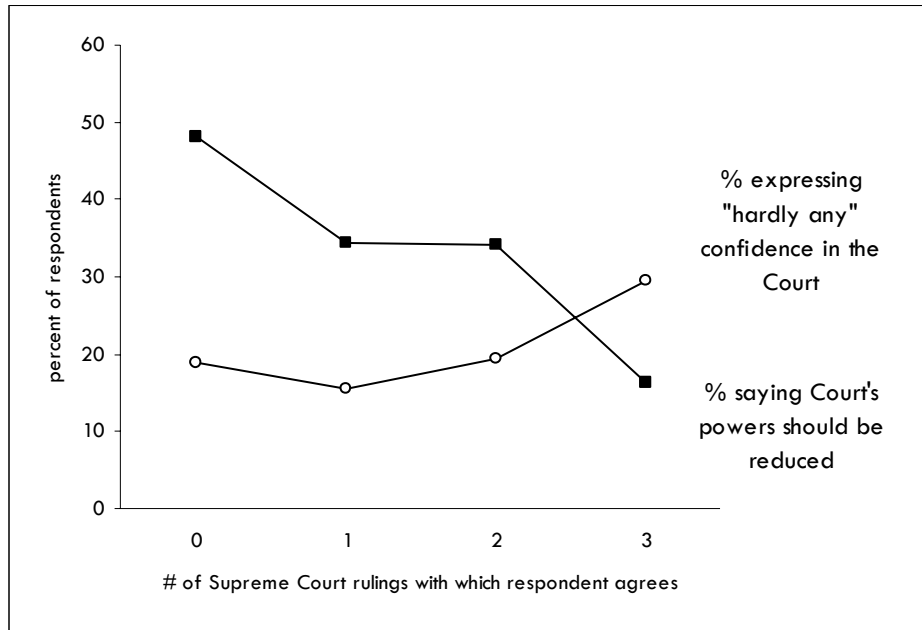


Table 4. Predicting support for reducing Court’s decision-making power and confidence in Court (Pre-treatment)

	Reduce Court's Powers (probit)	Confidence in the Court (ordered probit)
gay sex: legal	-0.40*	0.20
gay sex: illegal	-0.06	0.12
flag burning: legal	-0.38*	0.05
flag burning: illegal	0.15	0.18
abortion: never	0.27	0.04
abortion: rape, incest, risk	0.03	0.24
abortion: clearly defined need	-0.27	0.15
abortion: always	-0.24	-0.12
Intercept/Thresholds	-0.25	-1.18***
		0.49*
Pseudo R-squared	.09	.01
N	803	950

Base category for opinion on gay sex and flag burning is “unsure”; for abortion it is “other.”

Table 5. Randomization check: Assessment of covariate balance on treatments

Variable	<i>Roe</i> treatment	<i>Lawrence</i> treatment	<i>Johnson</i> treatment
abortion opinion	-.05 (.06)	.11 (.06)	.15 (.06)
flag burning opinion	.16 (.13)	-.11 (.13)	.00 (.13)
gay sex opinion	.03 (.15)	.11 (.15)	.11 (.15)
ideology	-.01 (.07)	.01 (.07)	.05 (.07)
political informedness	.02 (.07)	.04 (.07)	.12 (.07)
intercept	-.10 (.52)	-.43 (.52)	-1.13 (.53)
N	616	616	616
Pseudo-R2	.0065	.0062	.0101
<i>p</i> -value of LR test with H ₀ : coefficients are jointly zero	.36	.38	.12

Table 6.
Pre- and Post-Treatment Opinions on Three Controversial Issues,
by Treatment Group

			pre-post change
ABORTION	% pro-choice pre-election	% pro-choice post-election	
	Control	43.9%	44.4%
	Treatment	51.8%	51.1%
			0.5%
			-0.7%
FLAG BURNING	% pro-legalization pre-election	% pro-legalization post-election	
	Control	43.3%	44.5%
	Treatment	47.6%	49.2%
			1.2%
			1.6%
GAY SEX	% pro-legalization pre-election	% pro-legalization post-election	
	Control	73.7%	73.7%
	Treatment	71.1%	73.7%
			0.0%
			2.6%

Table 7a. Post-treatment attitudes on abortion, by pre-treatment attitude

Opinion on abortion (pre): pro-life

treatment: informed of Roe decision	opinion on abortion (post)		Total
	pro-life	pro-choic	
not shown text	198 93.40	14 6.60	212 100.00
shown text	171 93.44	12 6.56	183 100.00
Total	369 93.42	26 6.58	395 100.00

Pearson chi2(1) = 0.0003 $p = 0.985$

Opinion on abortion (pre): pro-choice

treatment: informed of Roe decision	opinion on abortion (post)		Total
	pro-life	pro-choic	
not shown text	12 7.23	154 92.77	166 100.00
shown text	15 7.61	182 92.39	197 100.00
Total	27 7.44	336 92.56	363 100.00

Pearson chi2(1) = 0.0194 $p = 0.889$

Opinion on abortion (pre): other

treatment: informed of Roe decision	opinion on abortion (post)		Total
	pro-life	pro-choic	
not shown text	16 51.61	15 48.39	31 100.00
shown text	5 25.00	15 75.00	20 100.00
Total	21 41.18	30 58.82	51 100.00

Pearson chi2(1) = 3.5547 $p = 0.059$

Table 7b. Post-treatment attitudes on flag burning, by pre-treatment attitude

Opinion on flag burning (pre): illegal

treatment: informed of Johnson decision	view about flag burning (post)			Total
	illegal	legal	unsure	
not shown text	184 92.93	7 3.54	7 3.54	198 100.00
shown text	184 91.54	10 4.98	7 3.48	201 100.00
Total	368 92.23	17 4.26	14 3.51	399 100.00

Pearson $\chi^2(2) = 0.5069$ $p = 0.776$

Opinion on flag burning (pre): legal

treatment: informed of Johnson decision	view about flag burning (post)			Total
	illegal	legal	unsure	
not shown text	3 1.95	143 92.86	8 5.19	154 100.00
shown text	4 2.19	172 93.99	7 3.83	183 100.00
Total	7 2.08	315 93.47	15 4.45	337 100.00

Pearson $\chi^2(2) = 0.3867$ $p = 0.824$

Opinion on flag burning (pre): unsure

treatment: informed of Johnson decision	view about flag burning (post)			Total
	illegal	legal	unsure	
not shown text	8 22.86	9 25.71	18 51.43	35 100.00
shown text	11 23.91	16 34.78	19 41.30	46 100.00
Total	19 23.46	25 30.86	37 45.68	81 100.00

Pearson $\chi^2(2) = 0.9851$ $p = 0.611$

Table 7c. Post-treatment attitudes on gay sex, by pre-treatment attitude

Opinion on gay sex (pre): illegal

treatment: informed of Lawrence decision	view on gay sex (post)			Total
	illegal	legal	unsure	
not shown text	81 95.29	4 4.71	0 0.00	85 100.00
shown text	88 79.28	12 10.81	11 9.91	111 100.00
Total	169 86.22	16 8.16	11 5.61	196 100.00

Pearson chi2(2) = 12.0531 $p = 0.002$

Opinion on gay sex (pre): legal

treatment: informed of Lawrence decision	view on gay sex (post)			Total
	illegal	legal	unsure	
not shown text	4 1.57	234 92.13	16 6.30	254 100.00
shown text	3 1.15	243 93.46	14 5.38	260 100.00
Total	7 1.36	477 92.80	30 5.84	514 100.00

Pearson chi2(2) = 0.3760 $p = 0.829$

Opinion on gay sex (pre): unsure

treatment: informed of Lawrence decision	view on gay sex (post)			Total
	illegal	legal	unsure	
not shown text	10 17.86	13 23.21	33 58.93	56 100.00
shown text	6 12.00	26 52.00	18 36.00	50 100.00
Total	16 15.09	39 36.79	51 48.11	106 100.00

Pearson chi2(2) = 9.4357 $p = 0.009$

Table 8. Estimates of the effect of learning Supreme Court rulings on attitudes regarding three controversial issues

DV: Attitude on issues post-treatment (positive direction is pro-legalization)

ABORTION							
	pre-treatment opinion:	pro-life		pro-choice		other (verbatim)	
		I	II	I	II	I	II
treated		.00	.37	-.02	-.42	.85+	2.90+
		(.20)	(.70)	(.20)	(.71)	(.39)	(1.63)
confidence in court			.10		-.37		.37
			(.22)		(.27)		(.34)
treated x confidence in court			-.18		.18		-1.07
			(.33)		(.33)		(.81)
intercept		-1.69	-1.49	2.19	1.44	-.78	-.04
		(.13)	(.59)	(.15)	(.73)	(.23)	(.47)
	N	381	381	352	352	50	50
	pseudo R-squared	.00	.00	.00	.01	.05	.10

FLAG BURNING							
	pre-treatment opinion:	anti-legalization		pro-legalization		Unsure	
		I	II	I	II	I	II
Treated		.16	.21	-.05	-.69	-.02	-1.06
		(.23)	(.78)	(.32)	(1.14)	(.41)	(1.68)
confidence in court			.14		-.40		-.14
			(.27)		(.40)		(.67)
treated x confidence in court			-.02		.29		.59
			(.36)		(.51)		(.82)
Intercept		-2.06	-1.77	2.89	2.04	.56h	.25
		(.17)	(.94)	(.24)	(1.48)	(.33)	(.58)
	N	371	371	318	318	42	42
	pseudo R-squared	.00	.00	.00	.02	.00	.02

GAY SEX							
	pre-treatment opinion:	anti-legalization		pro-legalization		Unsure	
		I	II	I	II	I	II
Treated		.49+	.71	.13	-1.03	.82+	.82
		(.29)	(1.06)	(.30)	(1.03)	(.38)	(1.30)
confidence in court			.35		-.29		-.30
			(.40)		(.34)		(.46)
treated x confidence in court			-.10		.59		.89
			(.47)		(.50)		(.68)
Intercept		-2.39	-1.65	2.73	2.11	.69	.10
		(.24)	(.77)	(.20)	(.92)	(.26)	(.90)
	N	178	178	476	476	52	52
	pseudo R-squared	.03	.05	.00	.02	.06	.11

+ significant at $p < .10$.

Shaded cells indicate coefficients are signed in the theoretically expected direction.

Table 9.
Support for Reducing Powers of the Court, by Treatment Group

experimental group	reduce right of supreme court to decide controversial issues (post)			Total
	agree	disagree	not sure	
control	27 26.73	51 50.50	23 22.77	101 100.00
treatment	299 41.70	292 40.73	126 17.57	717 100.00
Total	326 39.85	343 41.93	149 18.22	818 100.00

Pearson $\chi^2(2) = 8.3063$ Pr = 0.016

Figure 2.
Support for reducing power of Supreme Court, by ideology and treatment group

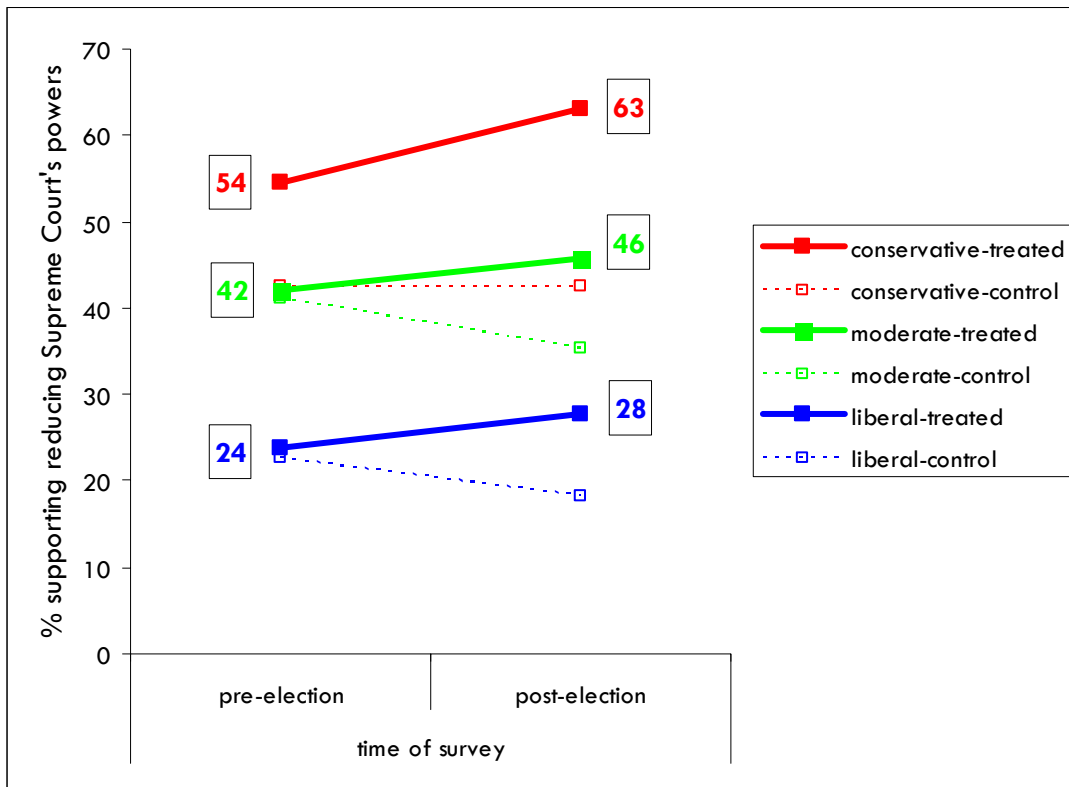


Table 10. Support for Reducing Powers of Supreme Court Post-Treatment (among those who did not favor reduction in Court power Pre-Treatment)

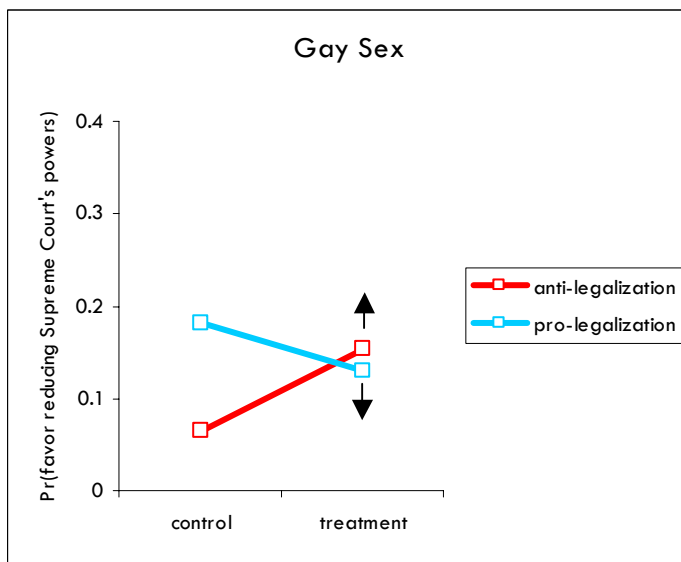
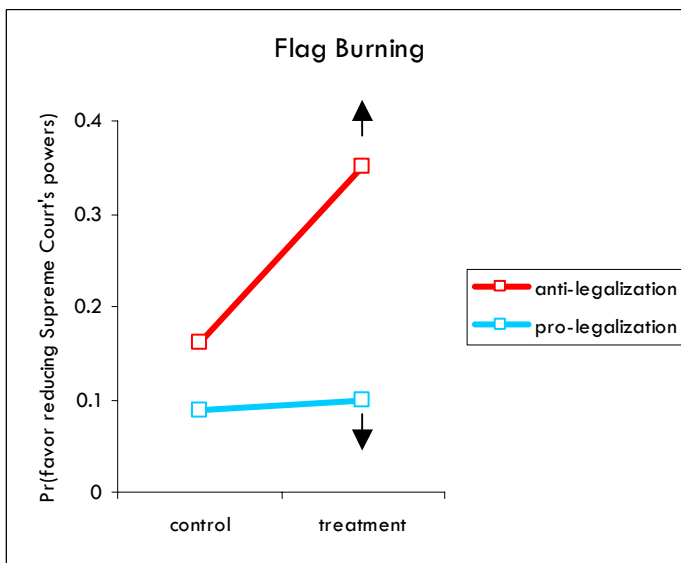
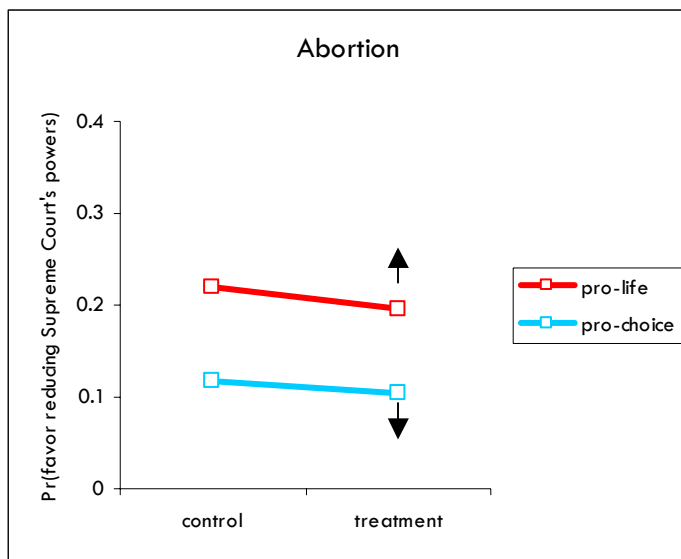
	Probit coefficient (std error)
Support abortion for any reason (pre-treatment)	-.42 (.30)
Legalize flag burning (pre-treatment)	-.36 (.31)
Legalize gay sex (pre-treatment)	.61 (.41)
treatment: informed of <i>Roe</i> decision	-.08 (.26)
treatment: informed of <i>Johnson</i> decision	.61* (.27)
treatment: informed of <i>Lawrence</i> decision	.50 (.43)
Opinion on abortion (pre treatment) x <i>Roe</i> treatment	.01 (.38)
Opinion on flag burning (pre treatment) x <i>Johnson</i> treatment	-.55 (.38)
Opinion on gay sex (pre treatment) x <i>Lawrence</i> treatment	-.71 (.49)
Intercept	-1.15*** (.42)
N	285
Pseudo R-squared	.11

Probit coefficients significant at *p< .05, **p<.01, ***p<.001

Shaded cells indicate coefficients are signed in the theoretically expected direction.

DV: reduce power of Court to make certain decisions
 (among those supporting the Court pre-treatment)

Figure 3.



Arrows indicate theoretically expected direction of change

Table 11.
Post-Treatment Confidence in the Supreme Court, by Treatment Group

experimental group	confidence in the supreme court				Total
	hardly an	only some	great dea	unsure	
control	19 18.81	63 62.38	18 17.82	1 0.99	101 100.00
treatment	173 24.13	420 58.58	102 14.23	22 3.07	717 100.00
Total	192 23.47	483 59.05	120 14.67	23 2.81	818 100.00

Pearson chi2(3) = 3.4226 Pr = 0.331

Table 12.
**Post-Treatment Confidence in the Supreme Court,
 by Ideology and Treatment Group**

liberals

experimental group	confidence in the supreme court (post)				Total
	hardly an	only some	great dea	unsure	
control	10 38.46	13 50.00	2 7.69	1 3.85	26 100.00
treatment	39 26.90	87 60.00	14 9.66	5 3.45	145 100.00
Total	49 28.65	100 58.48	16 9.36	6 3.51	171 100.00

Pearson chi2(3) = 1.5068 Pr = 0.681

moderates

experimental group	confidence in the supreme court (post)				Total
	hardly an	only some	great dea	unsure	
control	3 11.54	18 69.23	5 19.23	0 0.00	26 100.00
treatment	69 23.55	175 59.73	45 15.36	4 1.37	293 100.00
Total	72 22.57	193 60.50	50 15.67	4 1.25	319 100.00

Pearson chi2(3) = 2.4663 Pr = 0.481

conservative

experimental group	confidence in the supreme court (post)				Total
	hardly an	only some	great dea	unsure	
control	5 11.63	28 65.12	10 23.26	0 0.00	43 100.00
treatment	58 23.11	145 57.77	42 16.73	6 2.39	251 100.00
Total	63 21.43	173 58.84	52 17.69	6 2.04	294 100.00

Pearson chi2(3) = 4.5054 Pr = 0.212

Table 13. Summary of findings

Issue	Does learning Court ruling influence opinion on issue?	Does being informed of Court ruling affect opinion about the Court?
Abortion	No	No
Flag burning	No	Yes
Gay sex	Yes	Yes

APPENDIX: MEASURES OF POLITICAL INFORMATION

1. who decides constitutionality of law	Freq.	Percent	Cum.
the president	30	3.02	3.02
the congress	110	11.08	14.10
the supreme court	853	85.90	100.00
Total	993	100.00	

2. who nominates federal judges	Freq.	Percent	Cum.
the president	842	84.62	84.62
the congress	105	10.55	95.18
the supreme court	48	4.82	100.00
Total	995	100.00	

3. required to override presidential veto	Freq.	Percent	Cum.
a bare majority - 50 percent plus one	64	6.46	6.46
a two-thirds majority,	860	86.78	93.24
a three-fourths majority	67	6.76	100.00
Total	991	100.00	

4. which party is more conservative at national level	Freq.	Percent	Cum.
the democrats	96	9.72	9.72
the republicans	892	90.28	100.00
Total	988	100.00	

Number of Correct Responses	Freq.	Percent	Cum.
0	8	0.80	0.80
1	45	4.50	5.30
2	82	8.20	13.50
3	222	22.20	35.70
4	643	64.30	100.00
Total	1,000	100.00	