

**Can Dobbs Change Minds on Abortion? Experimental Evidence on  
Perceived Public Opinion and Personal Opinions on Abortion in Post-Roe  
United States**

Giulia Fornaro<sup>1,2</sup>

<sup>1</sup> Centre for Research on Health and Social Care Management SDA Bocconi School of Management Bocconi University, Milan, Italy

<sup>2</sup> Department of Social and Political Sciences, Bocconi University, Milan, Italy

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**Abstract**

Anti-abortion activists have argued that restricting abortion access fosters “cultural change” by shaping public opinion, aligning with theories on the expressive power of laws and judicial decisions. While evidence shows Supreme Court decisions can influence attitudes, this mostly applies to rulings expanding rights. Less is known about decisions restricting rights and going against dominant public sentiment. Using original survey experiment data, I show that priming individuals with information about abortion’s removal from the US Constitution did not change perceptions of public opinion or personal attitudes on abortion rights. These findings challenge claims of both anti-abortion expressive power and backlash reactions. The perceived representativeness of the Supreme Court moderated the treatment effect, while prior knowledge of the decision did not.

*Keywords: institutional influence, social perception, intergroup dynamics, public opinion, abortion*

### **Can Dobbs Change Minds on Abortion? Experimental Evidence on Perceived Public Opinion and Personal Opinions on Abortion in Post-Roe United States**

In Oberman's ethnography about abortion policymaking, when asked about how they understood the purpose of abortion laws, an anonymous Oklahoma state senator replied: "The purpose of the law is to stop abortion. To send a moral message. To get the message out via the law, to spark a debate in the population. The government's responsibility is to give people education. It is up to the government to tell them that abortion is wrong. It's not an acceptable solution." (Oberman, 2018, p. 85).

This statement implies the belief that institutional decisions on abortion rights have a message-sending capacity and can effectively change attitudes and perceived social norms on the matter. In turn, this concept relates to the long-standing debate about whether and when institutional decisions shape people's opinions (Tankard & Paluck, 2017). A prominent theoretical approach addressing this question is the theory of the expressive power of the law. The mechanism that gives laws an expressive function and power is often explained as a "law as information" theory: laws provide information about societal values, which in turn changes beliefs, and new beliefs change behavior (Sunstein, 1996). The crucial point in this theory is that only some legislation possesses expressive power; specifically, legislation that receives publicity, is clearly understood by its intended audience, and is perceived as legitimate (McAdams, 2015). Although this theory focuses on laws, it has been argued that major judicial decisions can contribute to changes in personal attitudes about social or political issues as well. Indeed, a long-standing stream of research has theorized that Courts, by legitimizing the position they support, prompt public opinion to conform to such position (Dahl, 1957; Marshall, 1987). An alternative to this theory of the direct and positive effect of judicial decisions is the theory of the indirect influence, which posits that public opinion could either crystallize or change (potentially in an unsigned direction) (e.g., Franklin & Kosaki, 1989; Hoekstra, 2003).

There exists consensus among scholars that certain pieces of legislation, such as smoking bans in public buildings, possess expressive power (McAdams, 2015). Do institutional decisions on abortion rights possess expressive power as their proponents expect? In this case, the theoretical debate is unsettled, and scholars have pointed out the need for empirical evidence to inform theory building (e.g., Oberman, 2022).

The US offers an interesting empirical setting to address the question. In June 2022 the *Dobbs v. Jackson Women's Health Organization* decision overturned *Roe v. Wade*, i.e., the 1973 Supreme Court ruling that established the constitutional right to abortion during the first two trimesters of pregnancy. The main consequence of the *Dobbs* decision is that the right to choose to have an abortion is no longer constitutionally guaranteed; instead, states have the power to decide under which circumstances a woman can have an abortion, if at all, and how far into the pregnancy it is possible to exercise the right to obtain one. Although the overturning of *Roe v. Wade* did not restrict abortion access per se, the removal of abortion from the constitutionally guaranteed rights paved the way for extreme restrictions on abortion rights at the state level. Indeed, total or early gestational age bans previously passed by a set of US states, which were unenforceable under *Roe v. Wade*, achieved almost immediate enforceability after the *Dobbs* decision. For example, Clark et al. (2024) described it as one of the few instances in mature democracies where a ruling went against prevailing public opinion and restricted rights. *Dobbs* provides a strong case for studying opinion change, as many individuals hold well-defined and morally grounded views on abortion, given its prominence in American political and religious discourse (e.g., Goren & Chapp, 2017). Survey data collected before and after the overturning of *Roe v. Wade* show no significant changes in personal opinions about the legality of abortion (Norranders & Wilcox, 2023) and an increase in the perception that Americans support abortion access (Clark et al., 2024). The picture emerging from these data is therefore that the *Dobbs* decision had little-to-no expressive power and, if any, it moved perceptions of public opinion in the direction of backlash. Studies featuring data

collected in short time intervals right before and after the decision are a useful source of evidence to try to isolate its impact on individuals' attitudes and perceptions. To complement and improve the understanding of the phenomenon, experimental studies can be another effective tool, as they allow to have a proper control group and therefore enhance the ability to make causal claims.

I attempt at causally identifying the expressive power of institutional decisions potentially restricting abortion rights by means of a survey experiment administered to a representative sample (on key demographic characteristics) ( $n = 1,536$ ) of US adults recruited six months after the Dobbs decision. Half of the sample was randomly assigned to be primed with a hypothetical article featuring information about the landmark 2022 Supreme Court decision. After reading the excerpt, the treated group was asked to mark on Likert scales their self-assessed level of pre-existing knowledge about the information provided, to what extent they think Americans oppose or support abortion access under seven distinct circumstances - distinguishing between elective and traumatic reasons (perceived public opinion), to what extent they themselves oppose or support abortion access under these circumstances (personal opinions), and their level of trust and perceived representativeness of the Supreme Court and of state legislatures. The control group went through the same set of questions first, and read the hypothetical article at the end of the survey module. Demographic and ideological characteristics of the respondents were collected in different survey modules to avoid priming. This study aims at testing the following main hypotheses, adapted from McAdams (2015). H1: Institutional decisions potentially restricting abortion access signal collective attitudes against abortion. Therefore, respondents primed with information on the Dobbs decision are expected to be more likely to perceive that Americans oppose abortion rights compared to the control group. H2: As people update their beliefs about status quo norms on the matter, they are expected to perceive higher social costs about supporting abortion rights. Consequently, respondents primed with information on the Dobbs decision are more likely to hold negative personal opinions

about abortion rights compared to the control group. H3: Publicity and clarity of audience meaning are conditions for an institutional decision to be expressive. Therefore, the treatment effect is expected to be stronger in respondents who exhibit a higher pre-existing knowledge on the matter. H4: Perceived legitimacy of the issuing bodies is a condition for an institutional decision to be expressive. Consequently, the treatment effect is expected to be stronger in respondents who exhibit a higher level of trust in and perceived representativeness of the Supreme Court. Finally, I look at whether an unpopular ruling, such as the Dobbs decision, affect the trust and perceived legitimacy of the Supreme Court.

Results indicate weak to non-existent effects of being primed with information about the Dobbs decision both on perceived public opinion and personal opinions on abortion access rights, rejecting H1 and H2. This is consistent with the hypothesis expressed by Oberman (2022). that the overturning of *Roe v. Wade* would not possess any expressive power because abortion deals with personal judgments about morality that cannot be easily altered via the law, and its message-sending capacity would be hampered by the “background noise”, since some US states had already created a legislative framework to protect abortion providers and pregnant people seeking abortion. Nevertheless, once controlling for demographic and ideological characteristics of the respondents, a (borderline) significant treatment effect is found in terms of reduction in personal support for abortion access in case of rape ( $p < 0.05$ ) and of maternal health issues ( $p < 0.1$ ). A similar borderline significant ( $p < 0.1$ ) treatment effect is found for perceived public opinion in case of rape. Although the latter finding might be due to suppression effects (Lenz & Sahn, 2021), it suggests that if institutional decisions on abortion have any form of message-sending capacity, it is likely to predominantly affect perceptions and opinions about the most extreme scenarios, which typically tend to enjoy widespread support. When examining the moderating effect of knowledge, no significant effect is found on either perception of public opinion or personal opinions, rejecting H3. Finally, as for the moderating effect

of trust in and perceived representativeness of the Supreme Court, the emerging picture is mixed. Evidence does not support a consistent moderating effect of trust. On the contrary, the more subjects perceive the Supreme Court as a representative institution, the more being primed with information about the Dobbs decision reduces the perception that Americans support abortion rights for elective causes and the same happens for personal support for abortion rights, consistently with H4. Finally, my data show that partisanship and abortion attitudes moderate the treatment effect on trust in the Supreme Court: identifying as Democrat (compared to Republican) and holding pro-abortion access opinions reduced trust in the Supreme Court among the treated; no moderating effect was found neither for awareness about the Dobbs decision nor for perceived morality of abortion.

This study contributes to the debate about the expressive power of institutional decisions by providing empirical, experimental evidence to inform the ongoing theoretical discussion. From a more practical perspective, these findings highlight the lack of empirical support to the claim that abortion restrictions can serve as instruments to promote “cultural change” - as anti-abortion activists have frequently sustained over the years. Overall, this study brings together elements from psychology, political science, and legal scholarship to improve the understanding of whether and when institutional decisions shape attitudes and perceived social norms.

### **Expressive power of institutional decisions and the abortion case**

Whether and when institutional decisions shape individual opinions are long-standing questions in the social sciences debate (Tankard & Paluck, 2017). It has been argued that legal changes can affect the perception of social norms through their expressive function and power (Sunstein, 1996). The mechanism that makes it possible is often explained as a “law as information” theory: laws provide information about societal values, which in turn changes beliefs, and new beliefs change behavior. Prohibitions often reflect negative attitudes towards the conduct being prohibited, while

laws granting privileges or mandating to engage in certain behaviors reveal attitudes approving the behavior or disapproving its omission. In light of this information, people update their beliefs about what others in their community approve or disapprove (McAdams, 2015). The theory of indirect influence and, more broadly, psychological theories of norm perception predict that this may lead to individuals conforming their own beliefs with the perceived social norms because of an inherent desire to avoid social rejection from one's reference group (Cialdini & Goldstein, 2004; Miller & Prentice, 1996), although individuals may perceive shifts in collective opinion without changing their own (Paluck, 2009; Sherif, 1936).

However, not all pieces of legislation equally possess expressive power. According to McAdams (2015), the conditions for a law to be expressive can be summarized as follows: i) its enforcement action carries some clear audience meaning, ii) many people receive the message (i.e., publicity), and iii) it is considered legitimate. Moreover, it must possess some factors that make the legal signal strong enough to stand out against the background of information delivered by the media, the Internet, social acquaintances, etc.

The textbook example of laws that possess expressive power are smoking bans. Bans on smoking in public buildings are a case of well-publicized legislation that proscribes rules for the public. More importantly, they generated a sudden shock to existing beliefs, signaling disapproval of a behavior that was previously considered mostly acceptable, despite a growing body of evidence about the hazardousness of being exposed to second-hand smoke. Smoking bans led smokers to perceive the risks of second-hand smoking and nonsmokers to be empowered in discouraging smoking in their presence (McAdams, 2015). To sum up, smoking bans reached high levels of compliance and permanently changed attitudes and behaviors because lawmakers had a clear, credible message. The credibility was based on data on the detrimental effect on health of second-hand smoke (Oberman, 2022). Another example are laws on violence against women: Htun and Jensenius found that anti-violence legislation were effective in

changing attitudes condoning domestic violence in a case study on Mexico (2022).

Major judicial decisions can contribute to changes in personal attitudes about social or political issues as well. Indeed, a long-standing stream of research has theorized the concept that Courts, by legitimizing the position they support, prompt public opinion to conform to such position (Dahl, 1957; Marshall, 1987). In other words, judicial decisions are believed to exercise a direct, positive influence on public opinion. Empirical evidence seems to support this theory. For example, the 1967 *Loving v. Virginia* ruling on interracial marriage appeared to have fueled the increase in support for interracial marriage (Marshall, 1987; Schacter, 2008). Moreover, Tankard and Paluck provided experimental evidence that a Supreme Court ruling in favor of same-sex marriage, when presented as likely, resulted in an increased support for same-sex marriage and more positive attitudes towards gay people (2017). Similarly, Hooghe and colleagues and Flores and Barclay showed that European countries and US states that have recognized same-sex marriages are the ones that have experienced the most marked decline in prejudice against same-sex couples (Flores & Barclay, 2016; Hooghe & Meeusen, 2013). Other examples of direct, positive effect of judicial decisions on public opinion were documented for discrimination against the LGBTQ+ community (Deal, 2022).

The theoretical underpinnings of the mechanism behind these phenomena lie in the expressive or symbolic character of Supreme Court (and Courts in general) pronouncements. This concept rests on the idea that when the Court makes a decision, it is often taken to be speaking on behalf of the nation's basic principles and commitment (Sunstein, 1996). A more nuanced theory of the effect of judicial decisions on public opinion postulates indirect and possible mixed effects: when Courts issue a ruling, they bring the issue into public discourse, prompting discussion. As individuals engage in discussions on the issue, they observe media and public reactions, and either “crystallize” or modify their initial views on the matter (Franklin & Kosaki, 1989; Hoekstra, 2003; Johnson & Martin, 1998; Linos & Twist, 2016).



More broadly, institutional decisions tend to be perceived as the thermometer of current public opinion and / or expert projections of the direction in which public opinion is moving, provided that such institutions are trusted and are considered democratic in nature (Tankard & Paluck, 2017; Tyler & Jackson, 2014). Indeed, trust in and perceived representativeness of institutions are theoretically recognized as crucial characteristics when assessing the expressive power of their decisions. As hypothesized in McAdams, “a legislature will have a weaker capacity to generate compliance expressively when more of its constituents believe that the legislature is generally captured by special interests.” (McAdams, 2015, p. 152).

Abortion legislation represents an interesting case in the debate about the expressive power of the law. First of all, abortion access, especially in the US, is frequently regarded to as the prototypical culture war issue (Castle, 2019; Gooch, 2015; Kurtz, 1994), mostly because it touches upon universal concerns about human sexuality and family organization (Jelen, 2009; Putnam & Campbell, 2012). Culture war issues are peculiar in terms of public opinion dynamics: for example, Goren and colleagues argued that culture war attitudes function as foundational elements in the political and religious belief system of citizens; they also provided evidence that opinions on culture war issues lead people to revise their partisan affinities and religious orientations (Goren & Chapp, 2017). This is consistent with findings showing that party cues have little effect on attitudes toward abortion rights (Arceneaux, 2008) and that abortion attitudes can lead people to change their party identification (Killian & Wilcox, 2008). Overall, being an issue deeply rooted in moral or religious predispositions, it exhibits unusual high stability for policy preference (Converse & Markus, 1979) or gradual change through cohort replacement (Page & Shapiro, 2010). Furthermore, abortion is widely seen as a prominent and “easy” issue (i.e., an issue that can be framed in non-complex ways) (Hare et al., 2015; Kalla & Broockman, 2018; Poole & Rosenthal, 2000). It has also received significant attention as a key issue that has evolved within the American party system in the contemporary era (Lee & Brady, 2020).

Whether or not abortion legislation possesses expressive power is theoretically debated. On the one hand, legislation restricting abortion is claimed to signal stronger attitudes against abortion. As people update their beliefs, they are expected to perceive higher social costs to abortion; in other words, an individual is argued to expect that more people in their community will ostracize them if they support abortion rights (McAdams, 2015). Ethnographic research has provided evidence that lawmakers supporting abortion bans indeed understand abortion policymaking also as a mean to send the message that abortion is immoral and therefore to alter personal beliefs (Oberman, 2018). On the other hand, limits on the message-sending capacity of abortion bans are supported based on the argument that abortion bans address an issue that deals with personal judgements about morality; consequently, lawmakers cannot justify it with data or scientific evidence, as happened for smoking bans. (Oberman, 2022).

The significance of abortion in the American political landscape is particularly evident when dealing with *Roe v. Wade*, i.e., the landmark 1973 Supreme Court decision that included abortion among the constitutionally protected rights. *Roe v. Wade* is one of the most widely known cases ruled by the Supreme Court. Indeed, survey data show that, when asked to name any cases ever heard by the Supreme Court, the number one answer was *Roe v. Wade* (Penn & Berland Associates, 2009). Moreover, the pursuit of its overturning was a key political objective of the Republican Party, which materialized in the Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organization* (June 24, 2022). The *Dobbs* decision removed abortion during the first two trimesters of pregnancy from the constitutionally guaranteed rights and returned the issue to the states. Moreover, the subsequent period witnessed a series of relevant events impacting abortion legislation, including total or early gestational age bans achieving enforceability in a set of states and the Kansas abortion referendum. The issue of abortion access remained highly visible and salient throughout the 2022 midterm election campaign (Mutz & Mansfield, 2024) and the 2024 presidential elections.

The *Dobbs* decision is peculiar in many aspects. First, it is the first major ruling

restricting rights after decades of rulings expanding rights (e.g., multiracial marriage, same-sex marriage, abortion itself in 1973 *Roe v. Wade*) and running against prevailing public opinion. Indeed, it is documented that Americans tend to hold liberal opinions on abortion access (PEW Research Center, 2022). Second, it can be argued that personal changes in the Court appear to have been among the decisive factors for overturning *Roe v. Wade*, especially in relation to the appointment of Justice Coney Barrett as substitute to Justice Bader Ginsburg in 2020 and, previously, the appointment of Justice Kavanaugh<sup>1</sup>. This aspect can impact trust in and perceived representativeness of the Supreme Court, as it is argued that perceived legitimacy of Supreme Court pronouncements is influenced by its ideological tenor (Ansolabehere & White, 2020; Bartels & Johnston, 2013; Hetherington & Smith, 2007) and appointment politics (Glick, 2023), depending on partisanship. Finally, a crucial aspect of the argument supporting the Dobbs decision (i.e., the Supreme Court majority opinion) is that it allows to return the issue of abortion to the elected representatives in the states, therefore potentially enhancing representativeness and policy responsiveness on the matter. However, perceived legitimacy of decisions made by state legislatures is related to the extent to which electoral support for parties translates into legislative representation. The latter is argued to depend, at least partially, on the way electoral districts are designed, especially since redistricting is often implemented strategically to favor partisan groups (Engstrom, 2013; King & Gelman, 1991).

Overall, little is still known about how the expressive function of laws operates in practice (Oberman, 2018) and there exists a lack of experimental designs assessing the impact of providing knowledge about abortion legislation on opinions about abortion rights (Jozkowski et al., 2020). As for the overturning of *Roe v. Wade*, most of the evidence relies on comparisons of survey data collected before and after the 2022 landmark Supreme Court decision. Results suggest that personal opinions about the legality of abortion have not changed (Clark et al., 2024; Norrander & Wilcox, 2023), while perceptions of public opinion have shifted towards more favorable positions about

abortion access (Clark et al., 2024), suggesting some form of backlash reaction.

### Methods

The objective of this study is to causally identify, by means of a survey experiment, the impact of providing information about the overturning of *Roe v. Wade* and its consequences on the perception of public opinion and on personal opinions about abortion rights.

#### Survey design

This study is based on original survey data collected in February 2023 from a sample of participants ( $n = 1,536$ ) representative of the US adult population on key demographic characteristics<sup>2</sup>. A comparison between the distribution of key characteristics in the sample and in the US population, as per census data and other relevant sources, is available in the Supplementary Materials (Supplementary Table 1).

Half of the sample of respondents was randomly assigned to be primed with a hypothetical article containing information about the overturning of *Roe v. Wade* and its consequences before answering a set of questions about opinions on abortion access, the Supreme Court and state legislatures. The control group was invited to read the same excerpt only after having answered the same set of questions.

More in detail, the article was structured in three parts. The first paragraph stated the key elements of the Dobbs decision:

*“On June 24, 2022, the Supreme Court of the United States overturned Roe v. Wade, which was the 1973 ruling that established the constitutional right to abortion in the US during the first two trimesters of pregnancy. As a consequence, the right to choose to have an abortion is no longer constitutionally guaranteed. Instead, states get to decide when a woman can have an abortion, if at all, and how far into a pregnancy a woman can obtain an abortion.”*

The aim of this first paragraph was to provide information that enhances publicity and clarity of audience meaning of the institutional decision, which are two

of the crucial elements in the expressive power of the law.

The subsequent paragraphs focused on perceived legitimacy. The second paragraph dealt specifically with the perceived legitimacy of the institution issuing the decision by providing information about the composition of the Supreme Court majority:

*“The majority opinion was written by Justice Samuel Alito and the majority included four other conservative members of the Supreme Court, three of them appointed by former President Donald Trump (Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett).”*

The final paragraphs focused on state legislatures, being the bodies endowed with expanded decisional power on the matter of abortion access by the Dobbs decision. It provided information expected to prompt reflection about the representativeness of these legislative bodies considering the issue of strategic redistricting (gerrymandering):

*“In support of their decision to overturn Roe v. Wade, Justice Alito and the conservative majority argued they were returning the issue of abortion rights to elected representatives in the states. However, some critics suggest that state legislatures (meaning the legislative body of each state) are not fully representative because of how the US electoral system is structured. Specifically, the party in power at the time of the census can redraw electoral districts to make it extremely unlikely that they lose elections for the next ten years. As a result, they can govern without support from a majority of the people.*

*As of January 2023, 22 state legislatures are controlled by the Republican party, 16 state legislatures are controlled by the Democratic party, and the remaining 12 are split.”*

### **Data collection and analysis**

After having read the excerpt (at the beginning of the survey module for the treated group, at the end for the control group), respondents were asked to mark their

self-assessed level of pre-existing knowledge on the information presented on a five-point Likert scale (from *none of it* to *all of it*).

The dependent variables perceived status quo norms and personal opinions about abortion rights were captured using a battery of survey questions that replicates the structure of the General Social Survey<sup>3</sup>. Respondents were asked to mark on a seven-point Likert scale<sup>4</sup> to what extent they think Americans oppose or support abortion access under seven distinct circumstances, distinguishing between elective reasons (i.e., any reason, the woman already has children and does not want any more, the household has a very low income, the woman is not married) and traumatic reasons (i.e., strong chance of serious defect in the fetus, carrying the pregnancy to term would jeopardize the woman's health, rape). Providing respondents with different instances of abortion access reflects the documented evidence that abortion support varies widely based on the underlying reason an abortion is sought (Alvarez & Brehm, 1995; Cook, 2019; Craig et al., 2002; Franklin & Kosaki, 1989; Hoffmann & Johnson, 2005; Osborne et al., 2022). The choice of a seven-point Likert scale, instead of a binary yes/no format, is motivated by its greater accuracy compared to other Likert scales and the possibility for respondents to express more nuanced positions (Cicchetti et al., 1985; Joshi et al., 2015). Respondents were subsequently asked to go through the same survey items, now marking to what extent they themselves oppose or support abortion access. Additionally, perceived morality of abortion was measured using a five-point Likert scale, following the structure used in PEW Research Center's American Abortion Quandary (2022).

Trust in the Supreme Court and state legislatures was measured using a seven-point Likert scale (from *strongly mistrust* to *strongly trust*), while a five-point Likert scale was used for perceived representativeness of these institutions (from *do not represent at all* to *very much represent*).

The demographic and ideological data collected reflect the main factors associated with abortion attitudes identified in the literature and include gender (e.g.,

Huddy et al., 2008), being a parent (e.g., Elder & Greene, 2016; Katz-Wise et al., 2010; Nomaguchi & Milkie, 2003), ethnicity, education, rurality, abortion identity label<sup>5</sup> (e.g., Crawford et al., 2022; Jozkowski et al., 2020), age (e.g., Barringer et al., 2020), religious denomination (e.g., Evans, 2002; Jelen, 2009; Sullins, 1999), belief in Biblical literalism<sup>6</sup> (e.g., Adamczyk et al., 2020), partisanship and ideology (e.g., Hout, 1999; Prusaczyk & Hodson, 2018; Zucker, 1999).

Data analysis was performed via linear regressions to enhance the interpretability of results, first using the treatment identifier as unique regressor, and then adding demographic and ideological variables as controls to improve the accuracy of the estimates. Given the nature of the dependent variables, (i.e., Likert scale scores) ordered logit models were also estimated to confirm the robustness of results.

## **Hypotheses**

Hypotheses are based on the theory of the expressive power of the law and were preregistered with Open Science Framework (OSF) in January 2023, prior to the implementation of the survey, and are adapted from McAdams (2015).

As for the main effect, i.e. updating beliefs about the orientation of public opinion and personal opinions, two theoretical expectations arise. On the one hand, priming individuals with information about the removal of abortion from the constitutionally guaranteed rights is expected to signal stronger attitudes against abortion and is expected to trigger more negative personal opinions about abortion access (H1, H2). On the other hand, providing such information is expected to have no effect either on perceived public opinion or on personal opinions because abortion legislation does not satisfy the requisites for possessing expressive power. Indeed, it is an issue that deals with morality (and therefore the decision cannot be supported by hard data justifying why states should be able to severely restrict abortion access, differently from the case, e.g., of smoking bans) and, for the US case specifically, it is not strong enough to stand out against the “background noise” generated by the states that have implemented policies supporting abortion providers and pregnant people

seeking abortion (Oberman, 2022) (H1.1, H2.1).

Dealing with the mechanisms, I identify two main aspects that are likely to play a crucial role according to theory: pre-existing knowledge about the information provided (i.e., the overturning of *Roe v. Wade* and its consequences) and the perceived legitimacy of the Supreme Court.

As for pre-existing knowledge (also referred to as 'Dobbs awareness' in this text), again, the theoretical expectations are mixed. Following McAdams, the effect of being primed is expected to be stronger for individuals who were previously aware of the facts, both in terms of perception of public opinion and personal opinions. The rationale is that publicity and clarity of audience meaning are crucial characteristics for an institutional decision to possess expressive power. Consequently, individuals who were already aware of the change in legislation are more likely to have internalized its meaning (H3). However, this prediction is challenged by the psychological theory of the Elaboration Likelihood Model of persuasion (Petty & Cacioppo, 1986). This theory predicts that individuals who exhibit a high level of pre-existing knowledge about the decision are likely to have strong prior opinions. Consequently, their attitudes might not be easily altered by being primed with new information. Conversely, people with limited prior knowledge about the Dobbs decision are more likely to take cues from the argument's clarity or authority and therefore more likely to update their beliefs (H3.1)<sup>7</sup>. Indeed, it was empirically observed that high levels of information about the Supreme Court decision on *Lamb's Chapel v. Center Moriches* (1993) increased support for the Court's decision among those for whom the decision was relatively less salient (Hoekstra & Segal, 1996).

As for the moderating role of trust and representativeness of institutions, respondents who exhibit larger degree of trust and perceived representativeness of the Supreme Court are expected to be more likely to perceive that Americans support the limitation of abortion rights and to hold negative personal opinions on abortion rights. Here the rationale is that legitimacy of the issuing body is another crucial



characteristic for a legislative change to be expressive; individuals are more likely to believe that the decision reflects the nation's orientation on the matter the more the issuing institution is trusted and considered representative (H4). As robustness checks, I include in the analysis partisanship, ideology, whether the state was classified as red, blue or swing state in the 2020 elections, and whether the state had an abortion ban trigger law in place as additional possible moderators, following Clark and coauthors (2024).

Finally, I test the impact of the treatment directly on trust and perceived representativeness of the Supreme Court and state legislatures. As for the Supreme Court, I expect being primed with information about the composition of the majority that issued the decision to alter trust and perceived representativeness of the institution depending on partisanship. This rests on the concept that ideological tenor and appointment politics shape perceived legitimacy of Supreme Court decisions, the direction of the effect depending on individuals' partisan identity. Additional possible moderators identified in the literature are awareness about the decision, perceived morality of abortion, and abortion attitudes (here synthesized in a principal component analysis index, Cronbach's alpha = 0.92) (Gibson, 2024) (H5). As for state legislatures, I expect that being primed with information about gerrymandering reduces trust and perceived representativeness (H6). The latter two hypotheses were not preregistered and should be considered exploratory.

## Results

Descriptive statistics and balance check table are available in the Supplementary Materials (Supplementary Table 2).

As for the treatment effect on perceptions of public opinion and personal opinions, the overall emerging picture points towards weak to non-existent effects, consistent with hypotheses H1.1 and H1.2. Nevertheless, it is worth highlighting that, in the models including control variables, being primed with the information contained in the hypothetical article significantly reduced personal support for abortion access in case

of rape ( $b = -0.23, p < 0.05$ ; odds ratio (OR) = 0.72,  $p < 0.01$ ). Other statistically significant results emerged for reduction in personal support for abortion in case the pregnancy can endanger the woman's health ( $b = -0.17, p < 0.1$ ; OR = 0.75,  $p < 0.01$ ) and on the perception that Americans support abortion access in case of rape ( $b = -0.18, p < 0.1$  OR = 0.77,  $p < 0.05$ ).

[Figure 1 about here]

[Figure 2 about here]

Dealing with the moderating effect of previous knowledge, no significant effect is found either in terms of perceptions of public opinion or of personal opinions, rejecting both H3 and H3.1.

As for the moderating effect of trust and perceived representativeness of the Supreme Court, the emerging picture is mixed. Evidence does not support a consistent moderating effect of trust. On the contrary, the more subjects perceive the Supreme Court as a representative institution, the more being primed with information about the Dobbs decision reduces the perception that Americans support abortion rights for elective causes and the same happens for personal support.

[Figure 3 about here]

[Figure 4 about here]

Finally, respondents primed with the hypothetical article perceived state legislatures as less representative compared to the control group. The effect remains consistent also in the multivariate model ( $b = -0.16, p < 0.01$ ; OR = 0.730,  $p < 0.01$ ). Instead, no treatment effects appear for trust in state legislatures.

Less consistent evidence emerges for the Supreme Court. Being exposed to information about the Dobbs decision does not appear to consistently alter perceptions of the Supreme Court (except for a reduction in perceived representativeness, only once controls are added to the model).

As for moderators, abortion attitudes, partisanship, Dobbs awareness and abortion morality appear to play a role. Indeed, increasing support for abortion access

reduced trust in the Supreme Court among the treated ( $b = -0.20, p < 0.05$ ;  $OR = 0.80, p < 0.05$ ). Similarly, identifying as Democrat (compared to Republican) reduced trust in state legislatures among the treated ( $b = -0.62, p < 0.05$ ;  $OR = 0.466, p < 0.01$ ). Finally, increasing pre-existing knowledge about the Dobbs decision and positive beliefs on the morality of abortion reduced perceived representativeness of state legislatures among the treated ( $b = -0.09, p < 0.1$ ;  $OR = 0.833, p < 0.1$  for the former;  $b = -0.08, p < 0.1$ ;  $OR = 0.821, p < 0.05$  for the latter).

[Figure 5 about here]

### **Discussion and Conclusion**

Since the landmark 1973 *Roe v. Wade* decision, abortion access opponents have not based their fight for abortion bans uniquely on the argument that this kind of regulation will deter abortion. Instead, it was often also claimed that restricting abortion access sends a message – specifically that abortion is immoral, thereby aiming at promoting ‘cultural change’. However, whether institutional decisions regarding abortion access have this message-sending capacity - in other words, whether they possess expressive power - is theoretically debated.

The Dobbs decision, i.e., the US Supreme Court decision that removed the right to obtain an abortion during the first two trimesters of pregnancy from the Constitution represents a useful empirical setting to investigate whether changes in abortion legislation affect perceived public opinion and personal attitudes on the subject.

To address this question, I performed a survey experiment to isolate the effect of being exposed to information about the Dobbs decision on perceptions of status quo norms and personal opinions about abortion access in seven instances, covering elective and traumatic causes.

The results do not support the hypothesis that the Dobbs decision consistently influence perceived public opinion or personal opinions. This aligns with observational

evidence from interrupted time series analysis, which shows no changes in personal opinions before and after Dobbs. However, it contrasts with evidence suggesting a perceived public backlash (Clark et al., 2024).

The only significant direct treatment effect was found in a reduction in personal support for abortion in case of rape. Reductions in perceived public support for abortion in case of rape and in personal support in case the pregnancy seriously endangers the woman's health also emerged, although with smaller statistical significance. However, it must be stressed that these results appear only when adding demographic and ideological control variables to the model. Although adding control variables reduces possible noise and improves accuracy in the estimates, it opens the possibility that results are induced by 'suppression effects' (also referred to as control-variable-induced increases in estimated effect sizes) (Lenz & Sahn, 2021). I argue that the control variables used have a strong rationale for being included as they are the main correlates of abortion attitudes identified in literature; nevertheless, the possibility that these findings might be driven by statistical artifacts encourages caution in their interpretation.

More robust evidence was found for the moderating role of perceptions of the Supreme Court. Indeed, among treated respondents, increasing perceived representativeness of the Supreme Court was associated with a reduction in perceived public support and personal support for abortion access for elective reasons. This result reinforces the importance of perceived legitimacy of the issuing bodies for institutional decisions to possess expressive power.

Contrary to theoretical expectations, pre-existing knowledge about the Dobbs decision does not moderate the effect of priming on perceived public opinion or personal opinions. This suggests that awareness alone is insufficient to shape responses to institutional decisions, possibly because abortion attitudes are deeply entrenched and resistant to persuasion. It is also important to recognize that my data captures self-reported Dobbs awareness, which may not fully reflect actual pre-existing knowledge. Much of the literature on moderation in this context has focused on the type of

information received rather than self-reported awareness. For instance, Linos and Twist (2016) found stronger effects when individuals were exposed to one-sided information. Similarly, Clark and colleagues (2024). showed that individuals who learned about Dobbs via social media reported lower support for the ruling and higher perceptions of public support for abortion access compared to those who received information from cable news. Although my data do not distinguish between different sources or framing of information — which I acknowledge as a limitation — I argue that in a study on the expressive power of institutional decisions, the primary focus should be on awareness of the decision itself. In this regard, I turn to Hoekstra and Segal's (1996) findings on (lack of) salience as a scope condition. My results suggest that the high salience of Dobbs may have minimized differences between aware and unaware individuals, reducing the potential for knowledge-based moderation.

The final part of the analysis focused on the effects of a (relatively) unpopular Supreme Court decision on trust in and perceived representativeness of this institution. My findings suggest little-to-no direct effect of the prime on opinions about the Supreme Court. Observational evidence, however, indicated that the decline in support for the Supreme Court after the Dobbs decision has persisted over time, moderated by respondents' democratic values (Gibson, 2024). The impossibility for me to control for such variable represents a limitation worth acknowledging. Among the other potential moderators, attitudes towards abortion access was the only one exhibiting statistical significance. Indeed, among the treated, more progressive opinions on abortion access were associated with a reduction in trust in the Supreme Court. Moreover, I found no moderating effect for partisanship, ideology, or awareness of the Dobbs decision, consistently with observational evidence from Gibson (2024). Overall, this finding suggests that trust in the Supreme Court may be more closely tied to policy-specific attitudes rather than general political identities and reinforces the idea that policy-specific attitudes can override partisan cues in shaping institutional trust.

Finally, an innovative and exploratory element of this study was the choice of

including information about the new role of state legislatures in abortion policymaking deriving from the Dobbs decision to test the impact of such decision on trust and perceived representativeness of state legislatures. My data supports a direct effect of the prime in terms of reduction of perceived representativeness. This result, possibly prompted by specific information on strategic redistricting, reinforces the concept that procedural fairness and democratic procedures contribute to shaping institutional perceptions. Nevertheless, it is worth acknowledging that the multi-faceted nature of the treatment prevents a precise identification of which specific piece of information drove this effect. In particular, the hypothetical article presented multiple aspects of the Dobbs decision, including its rationale of returning the issue to the states, the composition of the Supreme Court majority, and the issue of gerrymandering. As a result, it is not possible to fully disentangle whether the observed decline in perceived representativeness was primarily driven by information about gerrymandering or by other elements of the treatment. Future research could isolate these components to better assess their individual contributions to shaping institutional perceptions. As for moderators, perhaps unsurprisingly given the composition of the treatment, identifying as Democrat or Independent reduced trust in state legislatures among the treated. More interestingly, increasing awareness of the Dobbs decision and the perception that abortion is morally acceptable reduced perceived representativeness of state legislatures among the treated. One possible explanation is that awareness of Dobbs heightened sensitivity to the implications of returning abortion policy to the states. Similarly, respondents who view abortion as morally acceptable may have reacted negatively to the idea of states controlling abortion laws, particularly if they associate state legislatures with restrictive policies. Overall, this finding highlights the importance of pre-existing knowledge and moral evaluations in shaping institutional perceptions.

As a final consideration, this study invites reflection on the extent to which its findings can be generalized. The main goal of this study was to experimentally test the expressive power of institutional decisions in the context of an unpopular ruling running

against prevailing public opinion. The single-case structure of this study and the deeply polarizing and morally rooted nature of abortion limit generalizability. Nevertheless, this case contributes to the broader debate on the conditions under which institutional decisions influence public opinion and highlights the limits of priming effects in deeply polarized policy areas. My results call for further research on different culture war issues and on less polarizing matters. Perhaps most importantly, they highlight the need for a deeper understanding of the conditions that make institutional decisions shape the way we think and behave.

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## Footnotes

<sup>1</sup> It is recognized that the debate surrounding Brett Kavanaugh's nomination to the Supreme Court was centered on his positions about abortion, at least initially (Jozkowski et al., 2020).

<sup>2</sup> The survey sample was recruited by the firm Lucid. Extensive tests related to the representativeness of the sample are available in the Supplementary Materials.

<sup>3</sup> The General Social Survey is a project of the independent research organization NORC at the University of Chicago.

<sup>4</sup> Differently from GSS, where questions are designed in a yes/no format.

<sup>5</sup> Pro-choice, pro-life, neither pro-choice nor pro-life, equally both.

<sup>6</sup> Compared with other items assessing religion (e.g., religious denomination), Bible literalism better distinguishes between people who may be more devout or conservative in their religious practice, which tends to relate more strongly to abortion attitudes.

<sup>7</sup> This sub-hypothesis was not pre-registered with OSF.

## Figure captions

**Figure 1.** Being primed with information on the Dobbs decision does not consistently alter perceptions of public opinion on abortion access rights. The figure reports coefficients and 95% confidence intervals for the treatment status dummy variable (1 if treated, 0 otherwise) from ordinary least squares (OLS) univariate models and models including controls. The dependent variable is measured on a seven-point Likert scale score.

**Figure 2.** Being primed with information on the Dobbs decision does not consistently alter personal opinions on abortion access rights. The figure reports coefficients and 95% confidence intervals for the treatment status dummy variable (1 if treated, 0 otherwise) from OLS univariate models and models including controls. The dependent variable is measured on a seven-point Likert scale score.

**Figure 3.** Perceived representativeness of the Supreme Court (SCOTUS) moderates the treatment effect in the direction of a reduction of perceived public support for abortion access - limited to elective causes. No moderating effect is found for trust in SCOTUS and pre-existing knowledge about the Dobbs decision. The figure reports coefficients and 95% confidence intervals for OLS multivariable models.

**Figure 4.** Perceived representativeness of the Supreme Court (SCOTUS) moderates the treatment effect in the direction of a reduction of personal support for abortion access - limited to elective causes. No moderating effect is found for trust in SCOTUS and pre-existing knowledge about the Dobbs decision. The figure reports coefficients and 95% confidence intervals for OLS multivariable models.

**Figure 5.** Effects of the treatment on perceived representativeness and trust in institutions, and moderators. The figure reports coefficients and 95% confidence intervals for OLS multivariable models.