The Stability of the U.S. Supreme Court's Legitimacy[*]

Michael J. Nelson
Assistant Professor
Department of Political Science
Pennsylvania State University
mjn15@psu.edu

Patrick Tucker
Ph.D. Candidate
Department of Political Science
Washington University in St. Louis
ptucker@wustl.edu

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Despite the vital role that public support plans for the political efficacy of the judiciary, we know almost nothing about individual-level long-term volatility in support for courts. This study reports the results of a four-year panel study of respondents' support for the U.S. Supreme Court. We demonstrate that, despite a series of high profile and controversial rulings, the Court's support is remarkably stable, that changes in performance satisfaction are related to changes in diffuse support (but not overwhelmingly so), and that changes in individual-level diffuse support are not persistent. The results both confirm and challenge conventional wisdom, suggesting that the Court's support is more durable and secure than many have imagined.

When it comes to the question of how legitimacy is created, maintained, and destroyed, social scientists have some theories and conjectures, but precious little data, and scant understanding of processes of opinion updating and change (Gibson and Caldeira 2009: 5).

Introduction

We are deluged with warnings that public support for American institutions has hit a nadir. Pew warned in July 2015 that "unfavorable opinions of the Supreme Court have reached a 30-year high. And opinions about the court and its ideology have never been more politically divided" (Pew Research Center 2015). Not to be left out, Gallup sounded the alarm in July 2016 that the Court's support matched a historic low and emphasized that the Court had not enjoyed the support of a majority of Americans since September 2010 (Jones 2016).

This is alarming. Because they lack the power of the purse and sword, the judiciary is uniquely dependent on public support for its efficacy (Nelson and Uribe 2017). Low public support threatens institutional health; courts who lack public support are less able to achieve acceptance, implementation, and acquiescence to their decisions (Gibson, Caldeira and Baird 1998). In short, without the support of the public, courts are impotent and unable to move their opinions from paper into practice.

The most important form of public support is *legitimacy*, also termed diffuse support (Caldeira and Gibson 1992). The academic literature on the Court's legitimacy suggests that Pew and Gallup are the survey organizations that cried wolf. Indeed, political scientists are continually reminded that the U.S. Supreme Court is "widely supported by the American people" due to its deep and durable store of institutional legitimacy (Gibson 2007: 207). Indeed, the notion that the Court's legitimacy was so durable and so high has become a sort of folk wisdom among political scientists, even raising the question of whether it was possible for the Court to obtain *too much* legitimacy (Gibson and Nelson 2014*a*). Studies have documented high levels of diffuse support for the Court across repeated cross-sectional surveys (Gibson 2007), even finding that the Court's support remained unshaken

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in the wake of highly politicized rulings, like its decision in *Bush v. Gore* (Gibson, Caldeira and Spence 2003*a*).[1]

At the same time, recent empirical findings have implicitly challenged the conventional wisdom about the Court's deep and durable support, suggesting that support for the Court is more closely tied to performance satisfaction than earlier studies had appreciated (Bartels and Johnston 2013). If legitimacy and performance satisfaction are tightly linked, then the Court's support should ebb and flow with the public's satisfaction with its rulings. Indeed, evidence following the Court's ruling on the constitutionality of the Affordable Care Act suggests that individual-level change in diffuse support in response to the ruling is both tied directly to performance satisfaction *and* is persistent (Christenson and Glick 2015).

Yet, our ability to understand changes in the Court's support over time has been hampered by data availability. Evaluating concerns about the stability of institutional support requires panel data, and such surveys—especially if one wishes them to be nationally representative—are quite expensive. As a result, few have been conducted, and the vast majority of existing research on the legitimacy of the U.S. Supreme Court is based upon cross-sectional survey designs that are unable to assess individual-level temporal dynamics. The lack of panel data concerning support for the U.S. Supreme Court is so severe that Gibson and Nelson (2014*b*) argue that "[t]he most pressing need for those seeking to understand judicial legitimacy is data capable of supporting dynamic analysis" (215).

Even where panel data have been used to study the Court, they cover relatively short periods of time or are not representative of the American people. Of course, a handful of important studies of public opinion and the Court have relied on panel data. Christenson and Glick (2015) used a short, 4-wave panel survey that spanned a month around the Court's ruling on the Affordable Care Act, and Hoekstra (2000) used panels spanning the time between oral argument in a case and two weeks after the decision to understand local reactions to U.S. Supreme Court decisions. While both of

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[1]Recent research (e.g. Gibson and Nelson 2017; Nelson 2018), however, suggests that perceived politicization may pose a uniquely potent threat to the Court's legitimacy.

these studies expanded our understanding of the Court's support in important ways, neither study is nationally-representative. To our knowledge, only a single nationally representative panel, that used by Gibson and Caldeira (2009) to study Americans' support for the Court in the wake of the confirmation hearings for Samuel Alito, has been conducted, and that panel lasted one year.

As a result, we simply do not know the extent to which any dips or gains in the Court's support among individuals survive the passage of more than a handful of months. Given that the Court clusters its most important decisions during the month of June (Epstein, Landes and Posner 2015), it may be the case that what appear to be meaningful changes in the Court's support revert to an equilibrium level of support by the time the Court's next term begins (or, under a more generous theory, until the Court decides important cases again the following June). Indeed, were this the case, support for the Court would appear to change in short-term panel surveys or in experimental settings but would actually be relatively stable over time. Because the Court decides most of its important cases in June of each year, panel surveys that encompass only a single year are unable to assess the sort of change that existing theory predicts will erode diffuse support: a number of displeasing decisions, made over a period of time (Easton 1965; Gibson and Caldeira 1992). Indeed, in their pioneering study of the stability of public opinion toward the Court, Mondak and Smithey (1997) suggest that, for even important cases, the window of opportunity for a decision to affect public support for the court is about one month. At that point, support reverts back to its equilibrium level.

Short panels, therefore, can help us understand whether support for the Court shifts in response to a displeasing decision (or set of decisions), but they are unable to examine the *persistence* of these effects. And it is persistence that is important: if support for the Court tends to revert back to an equilibrium level, as Mondak and Smithey (1997) suggest, then the Court is free to make decisions that anger the American people with relatively impunity. The existence of persistent change in support, however, would suggest that the Court's legitimacy is more malleable than existing theory suggests; the normative implications of either finding are both obvious and important.

We take up these challenges in this paper, drawing upon the most comprehensive panel data concerning support for the U.S. Supreme Court ever assembled. Tracking attitudes toward the Court

measured over 11 waves and four years, our data enable us to test hypotheses about change and stability toward the U.S. Supreme Court that have been beyond the capacity of prior research designs to test. Our analysis thus enables us to address both micro-level and macro-level change in support for the U.S. Supreme Court over a period of time in which the Court's rulings have been highly salient in American life, including rulings on the constitutionality of health care reform, voting rights, affirmative action, and same-sex marriage. Moreover, we are able to trace the persistence of any shifts in support, thereby providing some of the first evidence about the extent to which displeasing decisions are actually damaging to the Court.

Our analysis reveals a remarkable stability in public support for the Court. Through a period in time in which the Court issued high profile and highly salient rulings on issues as diverse as the constitutionality of the Affordable Care Act, to the federal constitution's guarantee of marriage to same-sex couples, to the ability of colleges to use race as a criteria in admissions, to the constitutionality of President Obama's immigration plan, support for the Court was unwavering. Moreover, those changes that did occur were minor and predicted by a single factor: a respondent's ideology. The results should allay fears that a decline in support has weakened the efficacy of the judiciary and instead suggests that the Court's support may be even more robust than even the most optimistic previous accounts had suggested.

Legitimacy Theory

The central tenets of legitimacy theory are widely accepted and used by political scientists. Scholars, following Easton (1965) distinguish between two types of institutional support: diffuse support and specific support. Diffuse support—legitimacy— refers to "a reservoir of favorable attitudes or good will that helps members to accept or tolerate outputs to which they are opposed or the effects of which they see as damaging to their wants" (Easton 1965: 273). Gibson, Caldeira and Spence (2005) argue that diffuse support is akin to institutional loyalty because it is support relatively unrelated with satisfaction with institutional policy outputs. Though individuals may disagree with decisions made by legitimate institutions, those institutions are able to weather the storm surrounding the

short-term policy controversies because individuals draw upon their judgments of institutional legitimacy—the reservoir of support they hold for the institution—leading them to acquiesce to the institution and eventually accept the disagreeable decision. As a result, institutional legitimacy has an "objection precondition": it is particularly useful to institutions when their constituents disagree with their decisions (Gibson, Caldeira and Spence 2005).

While it is important to all political institutions, institutional support is particularly important for judicial institutions, whose role in a democratic political system is to, in part, issue rulings that contravene public opinion and protect the rights of minorities. Because institutions with a deep reservoir of diffuse support are able achieve acceptance of decisions that are contrary to public opinion, high levels of legitimacy are essential for courts seeking to fulfill their institutional responsibilities.

The second type of institutional support is specific support, which is "satisfaction with the performance of a political institution" (Gibson and Caldeira 1992: 1126). Thus, while diffuse support reflects global, longer-term support for institutions, specific support is theorized to change more rapidly, responding to more fleeting considerations about individuals' satisfaction with policy and performance.

The relationship between specific and diffuse support for the U.S. Supreme Court has recently become a topic of great debate among scholars. Traditional legitimacy theory holds that the two concepts should be, at most, moderately related; Easton (1965) goes so far as to state that a strong relationship between the two concepts would indicate issues with measurement validity. Thus, the conventional wisdom holds that, while performance satisfaction is related to diffuse support, the role it plays in structuring attitudes toward institutional legitimacy is dwarfed by other, more fundamental values about democracy (Gibson and Nelson 2015, 2016).

However, recent studies have suggested that the relationship between specific support—as measured by policy agreement—and diffuse support is stronger than the conventional wisdom suggests. For example, Bartels and Johnston (2013), relying on a cross-sectional survey of the American people and a survey experiment, argue that there is a "potent ideological foundation" to

the U.S. Supreme Court's legitimacy (184; see also Bartels, Johnston, and Mark 2015). Likewise, Christenson and Glick (2015), relying upon a panel design surrounding the U.S. Supreme Court's first ruling on the constitutionality of the Affordable Care Act, find a statistically significant change in support for the Court's legitimacy tied with individual-level agreement with the Court's decision in that case.

These studies invite us to reconsider the stability of the Court's legitimacy over time. If diffuse support and performance satisfaction are innately linked, then shifts in specific support caused by changes in performance satisfaction should cause diffuse support to ebb and flow over time. On the other hand, if the two concepts are only tenuously connected, than shifts in individual-level specific support should be only weakly associated with changes in individual-level diffuse support over time.

The Stability of Institutional Legitimacy

There is a bevy of evidence that the Court's support is stable over time. Gibson, Caldeira and Spence (2003*b*), relying upon repeated cross-sectional samples of the American people, found that support for the Court was unaffected by its highly controversial ruling in *Bush v. Gore*, and the institution maintained its high level of diffuse support even after the ruling. Likewise, in their year-long panel survey surrounding the Alito confirmation, Gibson and Caldeira (2009) find "a) reasonably high levels of support for the Court, and b) a great deal of stability in responses across the waves of the panel" (99).[2] Thus, there is substantial reason to believe that the Court's support is stable over time.

However, even in their pathbreaking article on the legitimacy of the U.S. Supreme Court—the go-to source for the contemporary understanding of the Court's diffuse support—Caldeira and Gibson (1992) argue that "[s]urely diffuse support for the Court is not a constant, and, however measured, it must ebb and flow even if relatively stable" (659). Writing almost two decades later, the same two scholars write

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[2]Specifically, "[t]he correlations of the four item indices of support (simply the mean response to the four items) vary from .40 ($t_1 - t_3$) to .53 ($t_2 - t_3$)" (99).

Indeed, the very theory upon which so many studies of legitimacy rely (Easton's theory of diffuse support) acknowledges that sustained disappointment with the outputs of an institution can in the long-term empty the "reservoir of goodwill." Like interpersonal trust and loyalty, a single incident may not destroy a relationship, but repeated violations of expectations over time can entirely deplete loyalty. Few social scientists today believe that support for political institutions is impervious to influence from institutional performance or exogenous shocks and events" (Gibson and Caldeira 2009: 5).

With this in mind, the three key issues that guide our analysis concern (a) the extent of change in the Court's support over time, (b) the extent to which this change is related to variation in specific support over time, and (c) the persistence of changes in support for the Court over time.

First, to what extent is the Court's support stable over time? Support for the Court should stable in the aggregate and at the individual level because it is based primarily upon individual-level fundamental commitments to democratic values (Mondak and Smithey 1997; Tanenhaus and Murphy 1981). Because these democratic values are themselves unchanging and rooted in childhood socialization into the political process, exposure to displeasing actions by an institution is not enough to change one's fundamental commitment to the institution. As Mondak and Smithey (1997) put it: short term dissatisfactions with the Court's decisions "do not eradicate a lifetime of political socialization" (1124).

The public's short attention span provides another, more psychological, reason for temporal stability. Mondak and Smithey (1997) write that "The window of opportunity for a decision to affect institutional support stays open only so long as the ruling remains salient in other words, not long at all for most cases." (1122). After a controversial case is decided, media coverage and public awareness of a decision decline quickly (Franklin and Kosaki 1995). As a result few cases have the staying power to affect support for the Court because the public forgets about them, thus denying the displeasing decision the ability to affect one's support for the Court.[3]

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[3]As Mondak and Smithey (1997) note, this attention mechanism helps to reconcile experimental approaches—which are often able to demonstrate a change in support for the Court in response to a

However, as Christenson and Glick (2015) demonstrate, support for the Court moves in both directions—positive and negative—after the public learns about important judicial decisions. This can lead to aggregate stability, particularly when the American people are divided over what a "good" outcome in a particular case is. Indeed, Gibson and Nelson (2015) have suggested that, because the American people are divided fairly equally on many issues, even a strong relationship between performance satisfaction and diffuse support is not a grave threat to the Court's legitimacy because the number of individuals who are pleased with the decision and the number of individuals who are disappointed in the decision are approximately equal in number, thereby canceling each other out in the aggregate.

The exception to this conventional wisdom comes from a pair of older studies. First, Caldeira (1986) shows significant variation in *confidence* in the U.S. Supreme Court. However, as Gibson, Caldeira and Spence (2003*a*) demonstrate, confidence and legitimacy are distinct theoretical and empirical concepts. Second, given that legitimacy is typically operationalized as "resistance to fundamental changes in the structure of the institution" reaction to the most well-known such attempt–F.D.R.'s court-packing plan—provides a particularly salient example. Caldeira (1987), examining support for the plan over 18 cross-sectional Gallup polls over a 4-month period, finds that support for the plan, and, by extension, the Court's legitimacy, was affected by both the coverage of the mass media and historical political events. However, because the data for these studies are dated, do not use measures of legitimacy now recognized to be reliable and valid, and are not panel studies, we predict

H1: Support for the Court should be stable over time.

Second, to what extent are individual-level changes in diffuse support over time related to changes in specific support? Of course, the conventional wisdom acknowledges some relationship between diffuse support and specific support, but legitimacy theory also implies that the Court's

decision—and observational data that show stability. The experimental stimulus is enough to cause a change in support, but that change is fleeting, dissipating almost immediately.

support should be relatively immune to large swings in legitimacy that result in dissatisfaction with a single opinion, especially when the Court's support was high prior to the ruling (Easton 1965). Indeed, if the Court's support is not robust to a disagreeable decision, to what extent is a "reservoir of support" useful for the institution in the first place?

Gibson, Pereira and Ziegler (2017) provide some evidence to doubt that displeasing decisions are harmful to the Court's support. They demonstrate that the sort of ideological updating mechanism required by theories that predict changes in support for the court in tandem with disfavorable decisions is based upon a set of assumptions that, in practice, few Americans are sophisticated enough to meet.

However, regardless of whether individuals correctly update their perceptions, other recent evidence suggests that support for the Court could actually be highly variable. In response to the Court's decision on the Affordable Care Act, for example, Christenson and Glick (2015) report quite a bit of movement in response to a single decision with those disagreeing with the decision more prone to decrease their support for the institution. Indeed, if the linkage between performance satisfaction and diffuse support is as strong as the Christenson and Glick evidence suggests—with even single decisions having substantively important and statistically significant effects on support for the Court—then support for the Court may be highly variable, having little consistency over time.

> *H2: Individual-level support for the Court should fluctuate with changes in institutional support.*

Third, what is the persistence of these effects? Existing theoretical and empirical evidence suggests that most individual-level change in the Court's support is temporary. Grosskopf and Mondak (1998) write that deleterious effects of displeasing decisions on support for the Court "clearly must attenuate fairly quickly" (652). Similarly, Mondak and Smithey (1997) posit a theory of values-based regeneration:

> A person's confidence in the Supreme Court can be shaken by controversial rulings, but the eventual reassertion of democratic values means that the individual's confidence in

the Court may be restored. The decisions that spark antipathy toward the Court—and the intensity of that ill will—vary for different people and groups in society. In the aggregate, consequently, return to the value-based default judgment we have described constitutes a continuous process, because some current opponents of the Court always will be at the point where democratic attachments are regaining primacy. Therefore, just as a river cleanses itself over time, we propose that democratic values facilitate regeneration of institutional support... [T]he Court would enter precarious turf only if it were to rule against the tide of public opinion at an extremely frequent rate something a strategic Court should be expected to avoid as a matter of course (1131).

In other words, the deleterious effect of dissatisfaction with a single decision on individual-level support for the court is short-lived; after a shock, diffuse support gradually increases, eventually returning to its equilibrium level, as democratic values regenerate support for the Court.

This claim has been validated empirically using representative, national samples. Durr, Martin and Wolbrecht (2000) show that short-term disruptions in an individual's support for the Court have effects that last only for a short period. Their evidence suggests that, in the face in temporary shocks to the public's divergence from the U.S. Supreme Court, support for the institution will return to its equilibrium level in about two years. However, in the face of a sustained shift in the Court's distance from the public, support for the Court

On the other hand, Christenson and Glick (2015) show that dissatisfaction with the U.S. Supreme Court's ruling on the constitutionality of the Affordable Care Act had effects that persisted at least a month, the length of their panel. However, because existing data on the Court are so rare, we know very little about the extent to which these effects persist over time or, as Mondak and Smithey (1997) suggest, gradually dissipate, returning support for the Court to its prior level. Indeed, we think it likely, given the public's sporadic attention to politics, that these effects are unlikely to persist. Thus:

H3: Shocks to individual-level support should be temporary, producing relatively stable individual-level support for the Court over time.

Modeling Change in Diffuse Support

We are interested in modeling change in diffuse support over time in response while also controlling for measurement error in the variables of interest. The basic ALT model, known as an unconditional univariate ALT model, is shown below. For individual $i \in [1, N]$ at time period $t \in [1, T]$ and $\in [1, 6]$, we model Diffuse Support (y_{itj}) as,

$$y_{it} = \alpha_i + \lambda_t \beta_i + \rho_{y_t y_{t-1}} y_{i,t-1} + \epsilon_{it}, \quad \epsilon_{it} \sim N(0, \sigma_{y_t}) \forall t \neq 0$$

$$
\begin{aligned}
\alpha_i &= \mu_\alpha + \zeta_{\alpha i}, \\
\beta_i &= \mu_\beta + \zeta_{\beta i}, \\
y_{i,t=0} &= \mu_{y_{t=0}} + \zeta_{y_{t=0}}
\end{aligned}
\qquad
\begin{pmatrix} \zeta_{\alpha i} \\ \zeta_{\beta i} \\ y_{i,t=0} \end{pmatrix} \sim N(0, \Sigma)
\tag{1}
$$

where λ_t is constrained to $\lambda = [1, 2, \ldots, T]$ to indicate a linear trend in diffuse support over time.

In this model, we conceptualize each individual's diffuse support as a linear trend over time specified by individual-specific intercepts (α_i) and slopes (β_i). While the model assumes a linear trajectory in the aggregate, this assumption is not strict. ALT models allow a prior value of diffuse support to influence the current value ($\rho_{y_t, y_{t-1}}$), therefore allowing the implied trajectories to deviate significantly from a strict linear trend across several waves.

While the panels derived from TAPS are national probability samples reflecting the general population, our sample in this analysis is a subset of all panelists who have remained in the study throughout a series of waves. Naturally, TAPS experiences attrition of its subjects, as well as a small degree of item non-response within surveys. As the model above outlines, our outcome variable is measured at different periods, leaving it vulnerable to both wave and item non-response missingness problems. Were we to employ a traditional multilevel regression, we would necessarily have to impute a large proportion of our cases to maintain a high number of observations. At the same time, we would most likely have to case-wise delete cases due to wave non-response in the outcome variable. Since diffuse support and specific support (in subsequent model) are collected contemporaneously, nearly all such missingness would prevent us from improving our statistical power through imputation. However, one major advantage of the ALT model is that it allows us to

create a latent diffuse support measure rather than relying solely on the manifest variable at each point in time.

To first gauge the nature of possible movement in diffuse support over time, we compare models in which the latent variable is allowed to move across waves with models in which the trajectory is constrained to zero. More directly, we examine if responses to the items vary around a fixed constant, or if individuals display deterministic trends in diffuse support across time. We therefore estimate a model of latent legitimacy by assuming the trend in diffuse support time over time is non-existent ($\beta_i = 0 \ \forall i \in [1, N]$) and that observations are conceptualized solely as variation around the individual-level constant (α_i). Once this model has been estimated, we compare it to another that allows for individual latent traits ($\beta_i \neq 0$). We then test whether the nested model is significantly different from that with the latent trajectory.

The Determinants of Change in Diffuse Support

We are also interested in the relationship time invariant and time variant short term forces play in the panelist's reported diffuse support for the Court. To accomplish this task, we fit the conditional ALT model with both time-invariant ($\mathbf{Z}_i$) and time-varying predictors ($\mathbf{X}_i$). We alter the previous model in two key ways. First, we add a matrix of individual characteristics that assumed to remain fixed within the period of study. Second, we include contemporaneous measuring the panelist's specific support or job approval for the Supreme Court.

$$
\begin{aligned}
y_{it} &= \alpha_i + \lambda_t \beta_i + \rho_{y_t y_{t-1}} y_{i,t-1} + \rho_{y_t \mathbf{X}_{t-1}} \mathbf{X}_{i,t-1} + \epsilon_{it}, \quad \epsilon_{it} \sim N(0, \sigma_{yt}) \forall t \neq 0, \\
\alpha_i &= \mu_\alpha + \gamma_\alpha \mathbf{Z}_i + \zeta_{\alpha i}, \\
\beta_i &= \mu_\beta + \gamma_\beta \mathbf{Z}_i + \zeta_{\beta i}, \\
y_{i,t=0} &= \mu_{y_{t=0}} + \gamma_{y_{t=0}} \mathbf{Z}_i + \zeta_{y_{t=0}},
\end{aligned}
\tag{2}
$$

where γ_α and γ_β are vectors of coefficients relating the vector of time-invariant predictors $\mathbf{Z}$ to the intercept and slope of the latent trajectory respectively. Further, $\rho_{y_t \mathbf{x}_{t-1}}$ is a coefficient relating the contemporaneous value of time-varying court approval. We constrain $\rho_{y_t \mathbf{x}_{t-1}}$ to be constant across waves to facilitate interpretation.[4]

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[4]For the sake of brevity, we suppress the expression of the correlated errors in Model (2).

Data

We collect diffuse support data as well as other survey variables from the The American Panel Survey (TAPS). TAPS is a nationally-representative panel survey that conducts an online poll of up to 3,000 adult respondents monthly.[5] Panelists answered diffuse support questions over eleven waves, the timing of which are shown in Table 1.[6]

An important feature of the timing of the survey waves is the fact that panelists were surveyed

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[5]The survey was started in December of 2011 by Knowledge Networks (now GfK Knowledge Networks) for the Weidenbaum Center at Washington University. The sampling frame used to select the 2,000 respondents is the U.S. Postal Service's computerized delivery sequence file (CDSF), which covers around 97% of the physical addresses in all fifty states including P.O. boxes and rural route addresses. This frame is appended with information regarding household residents' names, demographic characteristics of the inhabitants, and landline telephone numbers obtained from other sources such as the U.S. Census files and commercial data bases (e.g. White pages). The respondents are recruited based on a random stratified sample, where Hispanics and young adults between 18 and 24 years of age are slightly oversampled in order to account for their tendency to under-respond to surveys. Through the support of the Weidenbaum Center, those individuals without internet access are provided with a computer and internet access. More technical information about the survey is available at `http://taps.wustl.edu`. upon entering the panel, each panelist completes a profile survey comprised of key demographic indicators. At the beginning of each month, members of the panel receive a notification to complete the new survey. Each wave remains open for approximately one month and takes between 15 and 25 minutes to complete. Such breadth of data provides researchers with a unique opportunity to investigate trends and changes at the individual level. For example, if an individual remains active in the panel for two years, TAPS collects over 1,000 variables at 24 different points in time for one individual. Such design invites investigation of individual-level change over both the short- and long-term.

[6]Question wordings are provided in an online appendix.

Wave	Month	Notable Supreme Court Decisions
1	May 2012	*NFIB v. Sebelius*
2	July 2012	
3	January 2013	*Fisher v. University of Texas*
		Shelby County v. Holder
		United States v. Windsor
4	July 2013	*NLRB v. Noel Canning*
		Burwell v. Hobby Lobby
5	July 2014	
6	January 2015	
7	May 2015	*King v. Burwell*
		Obergefell v. Hodges
8	July 2015	
9	January 2016	
10	March 2016	*Fisher v. University of Texas*
		Whole Women's Health v. Hellerstedt
		United States v. Texas
11	July 2016	

Table 1. Timing of Panel Waves Along with Illustrative U.S. Supreme Court Decisions

in every July. TAPS respondents receive an invitation to complete the survey at the beginning of the month, and most complete the survey within a week of completing the invitation.[7] As a result, 5 of the 11 waves of data are comprised of respondents who are providing their opinions on the Court within a few weeks of the Court's most important decisions, which are handed out at the end of June each term. As a result, the design of the panel's waves make finding evidence of instability particularly likely.

The outcome variable for this study is diffuse support for the Supreme Court. To obtain this measure, panelists were provided with a series of seven statements intended to capture their willingness to "accept, make, or countenance major changes in fundamental attributes of how the high bench functions or fits into the U.S. Constitutional system" (Caldeira and Gibson 1992: 638). On each, panelists provided their level of support on a 5-point scale. We chose to collapse the coding of each item to 1 for those who disagreed with the statements and 0 for all other responses.

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[7]Of the 11 waves in this survey, an average of 72% panelists completed the survey within one week of fielding.

We then aggregated each panelists' responses to create a measure of *diffuse support* ranging from 0 to 1. This measure was collected eleven times from 2012 to 2016.

Our multivariate model employs a set of covariates to examine what drives the level and change in diffuse support. First, we measure ideology, or *symbolic conservatism*, by asking panelists to identify themselves on the traditional 7-point scale, ranging from "very liberal" (1) to "very conservative" (7). *Party identification* is similarly measured on a 7-point scale ranging from "strong Democrat" to "strong Republican." To capture the panelists' level of political sophistication, we use three different variables: *political interest*, *years of education*, and *political knowledge*. Interest is measured on a 4-point scale ranging from "not at all interested" to "very interested" in political affairs. Panelists report their highest level of educational attainment on a 15-category scale. Panelists also complete a ten-item battery on political information. Their summed total of correct answers is used as the measure for political knowledge. We also measure income with an ascending 16-point scale. Finally, we also include variables that measure the panelist's *support for the rule of law* and *support for minority political liberty*. For each, panelists provided their level of agreement with statements on a 5-point scale from which we calculated the average for our measures.

While the preceding explanatory measures are time-invariant in these models, we also include a dynamic, time-variant covariate: *specific support* for the Court. Each month, panelists are asked to provide their level of approval of how the Supreme Court is doing its job on a 5-point scale. For this study we code specific support ranging from -2 ("strongly disapprove") to $+2$ ("strongly disapprove"). In this way, we are able to estimate the effect of current level feelings of specific support on the panelist's contemporaneous diffuse support.

Results

Is there individual change?

As a very first indication of the volatility or stability of diffuse support, Figure 1 plots the percentages of respondents who gave each possible answer to two of the most common indicators of diffuse support: respondents' beliefs that the country should "do away with" the court if it made a string

Figure 1. The Stability of Diffuse Support
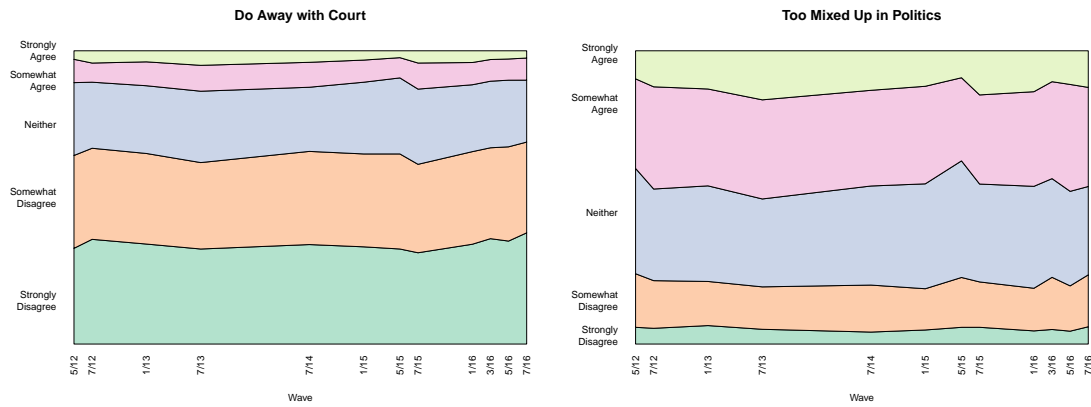
of unfavorable decisions and respondents' beliefs that the Court is "too mixed up in politics." The stability across responses is stunning. Even as the Court issued important and highly salient on issues as diverse as same-sex marriage, the health care mandate, and affirmative action, the percentage of respondents who give each answer remains almost identical over time. This is impressive evidence of aggregate stability.

While aggregate diffuse support for the Court may exhibit great stability, the possibility of individual-level volatility over time remains. Examination of panelists' views of the Court's legitimacy, controlling for party identification, provides some insight into the concept's movement across time. Figure 2 displays the differences between Republicans' and Democrats' aggregate responses to the Court legitimacy battery over the eleven waves of the study. The panel's initial measure in Wave 1 (May 2012) demonstrates a somewhat wide disparity of almost one point between the two sets of partisans. In this earliest stage of the analysis, Republicans identify greater levels of diffuse support for the Court. Following the decisions regarding the Affordable Care act in June 2012, we find somewhat large shifts among Democrats and Republicans with the former displaying slightly more support than the latter by wave 3. This change in order appears to be somewhat short-lived, but neither set of partisans reach their original level of extremity in either direction. Nonetheless, we do find marginal slopes in opposite directions for the two sets of partisans: Republicans appear to have a slight negative trajectory with respect to diffuse support and Democrats seem to demonstrate a slight positive trajectory.

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Figure 2. Change in Diffuse Support by Party
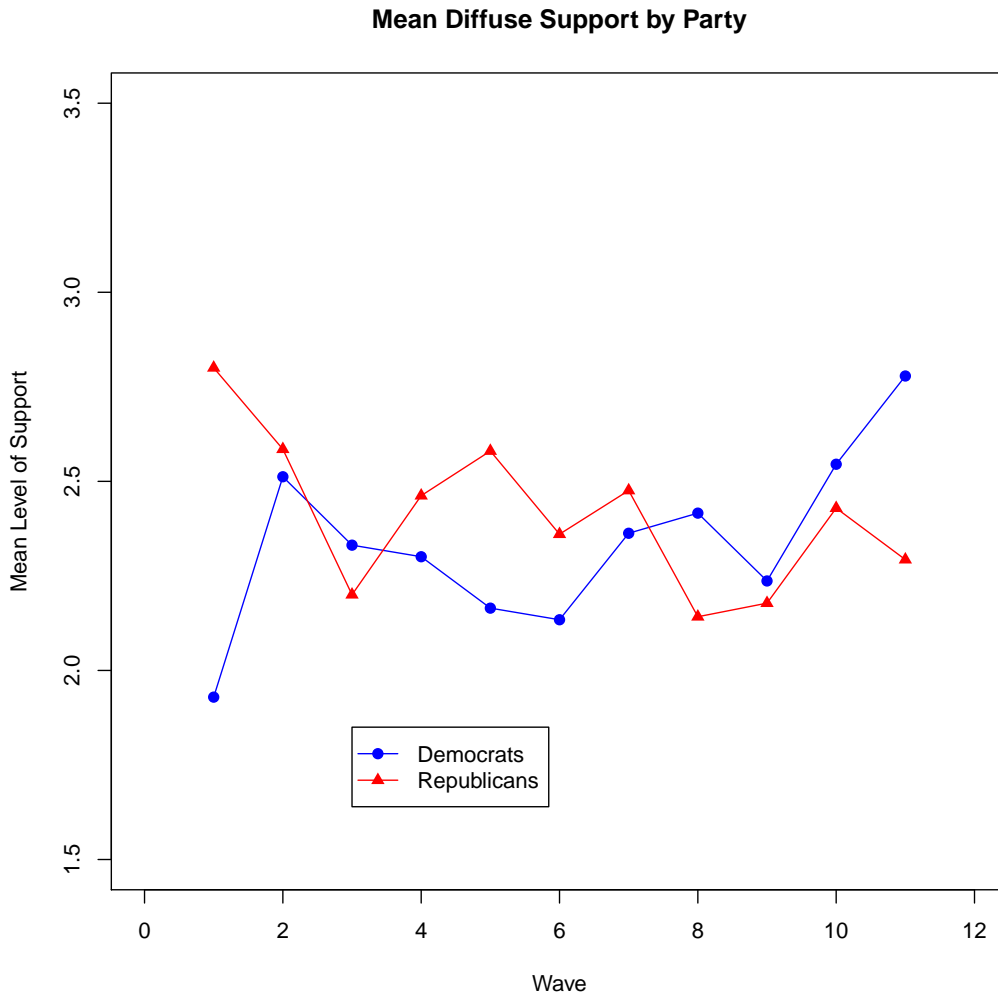

Mean Diffuse Support by Party

Table 2 provides a more rigorous examination of the individual level of change in diffuse support for the Court. We determine whether the diffuse support of our panelists changes over time or if it maintains relative stability across all observable waves while accounting for measurement error. That is, we attempt to uncover whether observed change is an artifact of stochastic movement among some true mean level of judicial legitimacy or whether there is a more deterministic shift in individual-level observations. We estimate a model of latent diffuse support by assuming the trend is effectively zero ($\beta_i = 0 \ \forall i \in [1, N]$) and that survey responses are best conceptualized solely as variation around the individual-level constant (α_i). Once this model has been estimated, we re-estimate a model in which individual-level slopes of diffuse support are estimated for each panelist ($\beta_i \neq 0$). Having constructed the two models, we then compare the fits of the two to conclude if allowing for individual variation while controlling for measurement error provides significantly more information regarding predictions of diffuse support at time t.

Fit statistics and parameter estimates of an unconditional ALT model of diffuse support can be found in Table 2. Column 1 provides those statistics in which there is no trend, while Column 2 displays the results of the model with a trend.[8] The autoregressive terms may be found in an online appendix. Overall, these measures of goodness of fit indicate that the measurement models are quite appropriate for the data. With respect to the nested model, the comparative fit indices (CFI) and root mean square error of adjustment (RMSEA) are quite close to 1 and 0 respectively, indicating overall excellent fit. While these metric seem to suggest little room for improving the explanatory power of the model, the same figures for the model including individual time trends provide slightly better fit.[9]

It should not be surprising that the more complex model with more parameters improves the fit. Still, it is necessary to perform a significance test on the differences of the model to investigate the statistical relevance of adding a trend term to the estimation procedure. Using the methods

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[8]All models were estimated with maximum likelihood estimation with robust standard errors using MPlus.

[9]Note that these fit statistics penalize for model complexity (Bollen 1989).

recommended by Satorra and Bentler (2010) to compare the χ^2 statistics of a nested measurement model, we employ scaling correction factors to recalibrate the statistics. The estimated χ^2 statistic ($\chi^2 = 82.685$, df=4, $p < 0.001$) indicates that adding individual-level slope terms significantly improves the model fit. That is, the results of the model seem to indicate that while, overall the model with no trend fits reasonably well, adding a trend term for each panelist significantly improves explanatory power. The aggregate effects may not provide much evidence of movement, but allowing individuals to change over time significantly improves our ability to explain diffuse support.

According to the results of the model (and generalizing the findings of Christenson and Glick (2015) to a much longer time period), the results indicate that there is very little evidence of an aggregate-level trend of diffuse support in the four years covered by our panel. The average slope for panelists in the model, μ_β, is estimated to be only 0.009. Unsurprisingly, this predicted directional change is not statistically distinct from a slope that is horizontal. This result can be interpreted as the average panelist in the model is only predicted to change her diffuse support a small fraction from her latent mean level. Put differently, across the four years of the panel, in the aggregate we witness very little change in the observed level of diffuse support.

It cannot be underemphasized, however, that this result is purely an average panelists' estimate. While there is no evidence of an aggregate-level trend, true directional change could be occurring at the individual level; these results would not accurately reflect such shifts, so long as change was occurring in similar opposite directions. This is exactly the concern suggested by Christenson and Glick (2015) and Gibson and Nelson (2015) Thus, it is essential to delve further into the possibilities of individual change.

To this end, Figure 3 provides the predicted change from the unconditional ALT model in diffuse support from each panelist's original level on the six-point scale. First, it should be noted that the unconstrained nature of the model's autoregressive terms allows for the trajectories of diffuse support that are not strictly linear. Second, it appears that many of the individual level trends exhibit lasting change from the initial measure. For example, many panelists appear to identify

Table 2. Autoregressive latent trajectory models of diffuse support with and without linear trends

	Column 1 No Slopes $(\beta = 0)$	Column 2 With Slopes $(\beta \neq 0)$
Model fit statistics		
CFI	0.976	0.990
RMSEA	0.032	0.022
χ^2 Fit	187.548	108.163
Deg. of Freedom	53	49
χ^2 Difference	82.685 (DF=4, $p < 0.001$)	
Hierarchical component		
μ_α	2.149*	2.267*
	(0.061)	(0.066)
σ^2_α	3.105*	3.767*
	(0.132)	(0.206)
μ_β		0.009
		(0.011)
σ^2_β		0.010*
		(0.002)
$\alpha \leftrightarrow \beta$		−0.040*
		(0.019))
N	2445	2445

* indicates statistical significance at the $p < 0.05$ level. Standard errors are in parentheses.

with one greater point on the scale from their original aggregation. Although fewer in number, a non-ignorable amount of panelists are predicted to change their level of diffuse support by more than two points. These results hold for both the positive and the negative direction.

To be sure, the predicted shifts in Figure 3 indicate some reversion from initial movement. For example, the model predicts a good deal of those panelists who change their diffuse support following the Affordable Care Act decision to reverse their course towards their original level of support. Nonetheless, the model predicts that many of these of the individuals are less susceptible to immediate reversion. Over the course of the panel, many of the subjects remain at a predicted level of support that is slightly less one point in categorical change. Additionally, the predictions derived from the model suggest that many panelists engage in divergent, polarizing, trends of diffuse support for the court.

The symmetric nature of these predictions provides insight into how the results from Table

2 can produce a slope that is essentially zero in the aggregate. Some Americans did exhibiting real change within the second half of the Obama administration with respect to their views on the legitimacy of the Supreme Court. These changes, however, appeared to be "canceled out" due to trends in the opposite directions of similar magnitudes.

In this way, overall support for the court as an institution remained largely unchanged, but individual level opinion was fairly dynamic. What remains to be understood, however, is the extent to which the individual-level change shown by the panelists is systematic. To further explore what drove these changes, we take advantage of the conditional auto-regressive latent trajectory model explained above. In other words, we are interested in the extent to which individual-level change in diffuse support over time differs from changes merely attributable to measurement error across waves: to what extent do respondent-level characteristics explain individual-level change in diffuse support?

Predicting Diffuse Support with Time-Variant and Time-Invariant Covariates

To determine what drives deterministic change in panelists' diffuse support for the Court, we adjust the previous model in two key ways. First, we include a matrix time-invariant covariates that previous research (e.g. Bartels and Johnston 2013; Gibson and Nelson 2015) has determined strongly predict perceptions of institutional legitimacy.[10] Within the model we use these variables

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[10]A glaring deficiency of our model specification is the lack of subjective ideological disagreement in our model specification. The TAPS panel was begun before the publication of (Bartels and Johnston 2013) and the general acceptance of subjective ideological disagreement as a predictor of diffuse support. As a result, we are unable to introduce the concept in the model without eliminating waves of data. We are heartened, however, by two factors. First, the predictors we include in the model are all theorized to be time-invariant, and there is little reason to believe that subjective ideological disagreement does not vary over time. Second, the predictor we do allow to vary over time—performance satisfaction—is a measure of specific support, an umbrella concept under which subjective ideological disagreement falls.

Figure 3. Predicted Individual Level Change in Diffuse Support
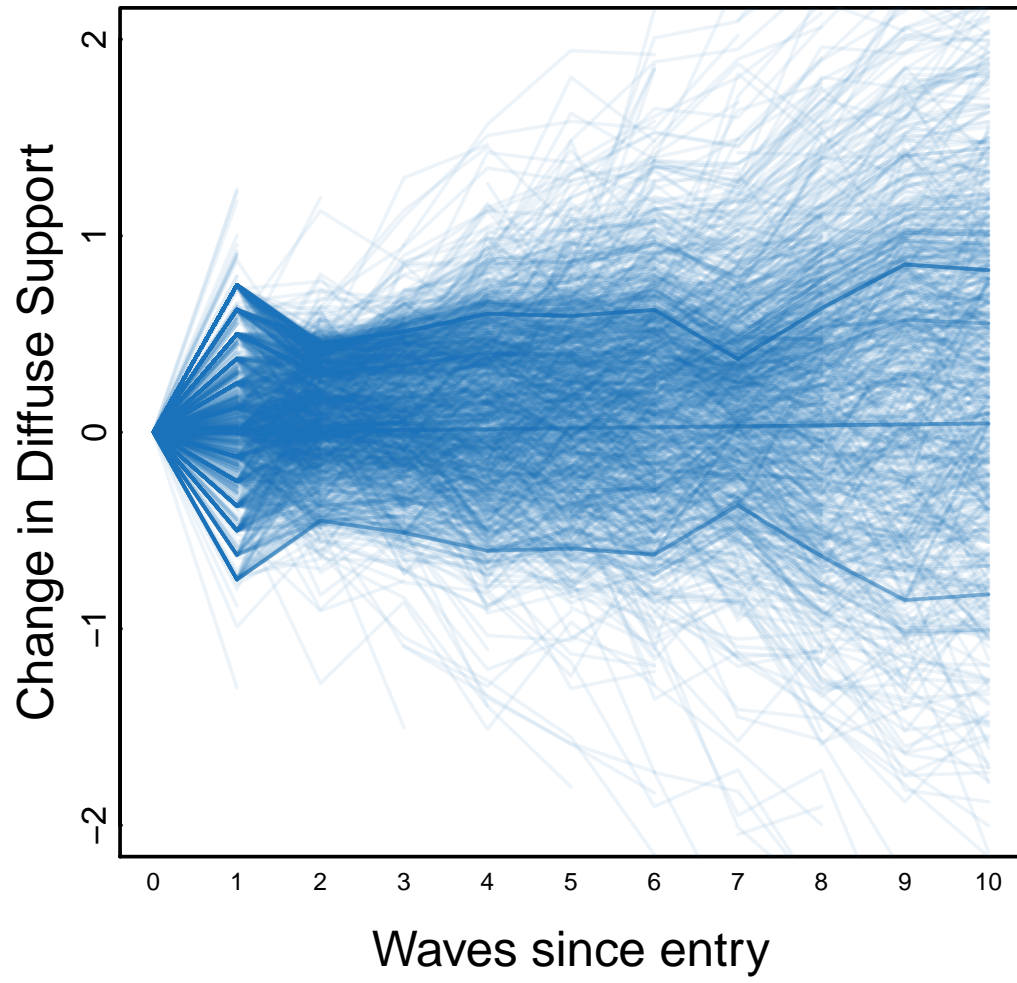
to predict the latent constant of diffuse support, as well as the change in the dependent variable over the course of this study. Second, we include a dynamic, time varying covariate—Supreme Court approval—that is measured contemporaneously with those measures of diffuse support. At each time interval, the current level of diffuse support is regressed onto this measure of specific support. While we continue to vary the autoregressive lags' estimates, we constrain this predictor to one estimate to facilitate interpretation.

The results of this model may be found in Table 3. Once again, we omit the autoregressive lag estimates from our presentation in the main text. They may be found in an appendix. We first find, that even when controlling for the lagged value of diffuse support, current period specific support is positively related to the current level of diffuse support. This effect demonstrates a high degree of reliability and is of a particularly high magnitude. To interpret this effect, consider that an individual who strongly approves of the court is coded as $+2$, while someone strongly disapproving of the court is coded as -2. According to the results of the model, all else equal, these two hypothetical individuals would be predicted to differ by more than one point on the seven point scale. Such a difference accounts for nearly seventeen percent of the entire scale of the outcome variable. This finding strongly suggests that Americans' satisfaction with the Supreme Court's performance is directly related to their perception of institutional legitimacy, even when controlling for measurement error.

With respect to the latent level of diffuse support for each individual, we can mostly confirm longstanding hypotheses regarding what drives diffuse support for the Court. First, we find that more sophisticated individuals tend to approve of the court's institutional legitmacy more than those who are less sophisticated. For example, both years of education and political knowledge are estimated to have statistically reliable, positive, strong magnitude effects on the individual's latent level of support. In other words, our results reinforce the conventional wisdom that "to know the Court is to love it" (Gibson and Caldeira 2009). Second, we find that those Americans who have stronger support for the political liberties of minorities and stronger support for the rule of law are typically more likely to possess high levels of support for the court as Gibson and Nelson

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Table 3. Determinants of individual-level diffuse support: Conditional ALT model with time-invariant and time-varying predictors

Time-varying predictor			
Specific Support$_t$ →Diffuse Support$_t$	0.290*		
	(0.021)		

Diffuse Support Constant		*Diffuse Support Slope*	
Intercept	−3.898*	Intercept	0.046
	(0.354)		(0.046)
Symbolic Conservatism	0.008	Symbolic Conservatism	−0.015*
	(0.031)		(0.004)
7-Point Party Identification	−0.054*	7-Point Party Identification	0.003
	(0.025)		(0.003)
Political Interest	0.069	Political Interest	0.004
	(0.051)		(0.006)
Years of Education	0.145*	Years of Education	0.002
	(0.024)		(0.003)
Income	0.015	Income	0.002
	(0.013)		(0.003)
Political Knowledge	0.253*	Political Knowledge	0.002
	(0.025)		(0.003)
Support for Minority Political Liberty	0.312*	Support for Minority Political Liberty	0.000
	(0.051)		(0.006)
Support for Rule of Law	0.482*	Support for Rule of Law	0.005
	(0.062)		(0.007)

CFI	0.962		
RMSEA	0.024		
χ^2	675.399*		
DOF	241		
N	3174		

The $*$ indicates coefficients significant at the $p < 0.05$ level. Standard errors are in parentheses. Additional model parameters are suppressed for clarity.

(2015) argued. However,while we might expect those panelists who pay attention to politics more frequently to have a strong view of the court's institutional legitimacy, we only find scant support for such a hypothesis. The political interest estimate is positive, but it is of a weak magnitude and demonstrates a large level of variability.

Our more political variables provide divergent results. First, we find that symbolic ideology is weakly and positively related to the latent variable of diffuse support. That is, we conclude that there is insufficient evidence to suggest that, on average, conservatives hold a higher opinion of the court's legitmacy, all else equal. Second, we do find that Republicans are predicted to have a lower level of diffuse support for the Court as an institution. Holding all other covariates constant, the model predicts that a strong Republican would have a lower level of diffuse support for the court than a strong Democrat by about one-third of a point on the seven point scale. While this effect is quite small compared to the other reliable predictors of latent diffuse support, it is still reliable and speaks to the partisan gap in approaching the Supreme Court.

Confirming traditional views of what influences diffuse support is important, but our real interest in this analysis is identifying those factors that are related to real, long-term change in individual perceptions. The second column of Table 3 provides insight into this question. First, the results indicate that the average slope, even when controlling for a variety of political and demographic covariates is, not statistically distinct from a horizontal line. The predicted intercept is quite small and very imprecise That is, in the aggregate, this model cannot provide any evidence that diffuse support changed within the public from 2012 to 2016.

Second, we find little support that many of the covariates that drive the latent level of diffuse support play a role in determining the amount and direction of change in the same variable over time. For example, sophistication variables such as political interest, years of education, and political knowledge all maintain only faint, positive effects. For each of these effects, the estimated standard error is greater than the coefficient, indicating that whatever relationships between sophistication and change exist are not reliably distinct from zero. We also find that support for the rule of law and the political rights of minorities do not seem to play a role in influencing the deterministic trends of

individuals during the second half of the Obama administration. While rule of law has a relatively high coefficient, its imprecision is quite high. Additionally, the estimated effect of support for the rights of minorities is essentially zero. Importantly, not only are none of these variables statistically significant but their substantive magnitude is also minuscule, reinforcing the conclusion that none of these concepts are meaningfully related to change in diffuse support.

Third, we find some suggestion that real, deterministic change in diffuse support is in part driven by individuals' political orientations. Somewhat surprisingly, partisanship does not exert a precise effect on long-term change. While we demonstrated in Figure 2 that Republicans and Democrats provided divergent trajectories of diffuse support over the course of the eleven waves, we find that such divisions are not driven purely by party identification. Here, the effect is quite weak. We do find, however, that ideology is significantly, and negatively related to the change in diffuse support over the duration of the study. The results of the model suggest that the more conservative a panelist identifies on the traditional left-right ideological scale, the more likely she is to shift her diffuse support for the court in a negative direction.

The extent to which this change is predicted is fairly important. Symbolic conservatism's magnitude may appear quite small, considering the dependent variable is a seven point scale. When considering the trajectory aspect of the model, however, the substantive effects of the estimate are quite revealing. For an individual who identifies as a strong conservative, the model predicts that she will decrease her level of diffuse support by more than one whole point on the dependent variable scale by the end of wave eleven than a similar, hypothetical strong liberal, holding all else equal. The model predicts that significant and lasting long-term change occurs between panelists' on opposite ends of the ideological spectrum. That is, it would appear that while the decisions of the Roberts court during this period did not affect the aggregate level of diffuse support all that much, they did have a lasting effect at the individual level. Conservatives reported significantly lower levels of diffuse approval of the court, relative to liberals, which persisted through the end of the study.

Concluding Discussion

The evidence we present—the longest panel of support for the U.S. Supreme Court assembled to date—provides unambiguous evidence that support for the U.S. Supreme Court has been incredibly stable over the second half of the Obama presidency. Despite academic and popular worries that the Court's support has become increasingly dependent on the institution's willingness (or ability) to satisfy the policy preferences of the American people, our data suggest that the Court's support–at both the aggregate and individual levels—has remained steady.

That we find remarkable stability in the Court's legitimacy is particularly surprising given that our waves dramatically oversample the month of July meaning that respondents were completing the survey just weeks (or, in some cases, even just days) after the Court had decided some of the most high profile issues in American life. Yet, despite this design, there is no evidence of volatility in the Court's support. Indeed, these results provide some context for findings like those reported by Christenson and Glick (2015): support may appear to shift in the immediate aftermath of a decision or in a fictionalized survey experiment. However, these changes are not persistent, and support returns to its equilibrium level in short order.

As a result, these results underscore the vital role that panel data must play as scholars seek to understand the dynamics of institutional support. Legitimacy is an important concept precisely because if its durability; an overemphasis on short-term dynamics of support over the persistence of these effects renders scholars unable to determine whether what appear to be changes in the Court's support have meaningful consequences. If the effects of a decision or a lab experiment quickly dissipate–as these findings suggest–then the substantive importance of these findings is called into question.

This implication is particularly important given the Court's practice of releasing many of its high profile decisions in the span of a few days at the end of the term (Epstein, Landes and Posner 2015). These results suggest this strategic practice is a smart one for the Court. Especially when the high profile cases are alternatively liberal and conservative, the Court gives the impression that its policymaking is balanced, thereby limiting the effect that subjective ideological disagreement might

have on its support; in the wake of "big" liberal *and* conservative decisions, respondents are unable to fully update their perceptions, helping keep the Court's support stable.

And indeed, there is some evidence of a subjective ideological disagreement effect, albeit a relatively minor one, in terms of the drift in the Court's support. To the extent that there is any volatility in the Court's support, it is predicted only by a respondent's ideology. While it might initially seem surprising that conservatives were punishing the Roberts Court—one oft cited for its conservatism–a brief glance at Table 1 provides an explanation (and, by extension, support for the theory espoused by Bartels and Johnston (2013)): while the Court's decisions might overall be slightly conservative over this time period, many of the salient decisions known to respondents (e.g. same-sex marriage, the Affordable Care Act, and affirmative action) were all decided in ways favored by liberals. Indeed, Pew reported in 2015 that 68% of conservative Republicans viewed the Roberts Court as liberal (Pew Research Center 2015). These findings thus underscore the importance of studying *subjective* rather than *objective* perceptions of policymaking.

The normative implication of these results is both clear and comforting. Because the Court's support is so stable, it should be able to fulfill its constitutional role as the protector of individual rights and liberties and as a check on the institutional powers of Congress and the executive even when those decisions are unpopular. In a day and age where many fear the breakdown of institutional norms and powers, our results suggest that the American constitutional scheme may be more robust than many currently fear.

Question Wording Appendix

Diffuse Support: *[Coded as the sum of disagree responses.]* Please indicate whether you agree with the following: *[Strongly agree; Agree; Neither agree nor disagree; Disagree; Strongly disagree; Don't know]*

- It is inevitable that the U.S. Supreme Court gets mixed up in politics; therefore, we ought to have stronger means of controlling the actions of the U.S. Supreme Court.

- The U.S. Supreme Court ought to be made less independent so that it listens a lot more to what the people want.

- Judges on the U.S. Supreme Court who consistently make decisions at odds with what a majority of the people want should be removed from their position as judge.

- Supreme Court justices are just like any other politicians; we cannot trust them to decide court cases in a way that is in the best interests of our country.

- If the U.S. Supreme Court started making a lot of decisions that most people disagree with, it might be better to do away with the Supreme Court altogether.

- The U.S. Supreme Court gets too mixed up in politics.

- The right of the Supreme Court to decide certain types of controversial issues should be reduced.

Party Identification Generally speaking, do you think of yourself as a ...? Would you call yourself a strong [party name] or not so strong [party name]? Do you think of yourself as closer to the Republican Party or to the Democratic Party? *[Strong Democrat; Not so strong Democrat; Lean Democrat; Independent; Lean Republican; Not so strong Republican; Strong Republican]*
Symbolic Conservatism In terms of your political views, do you think of yourself as:*[Very Liberal; Liberal; Slightly Liberal; Moderate; Slightly Conservative; Conservative; Very Conservative]*
Specific Support Do you approve or disapprove of the way the following are doing their jobs?:[*Strongly Approve (coded 2), Somewhat Approve (coded 1), Somewhat Disapprove (coded -1), Strongly Disapprove (coded -2), Not Sure (coded 0)*]
- The Supreme Court
Income: We want to know about the total income in your household. What was your household income in the past year? *[below $10,000; $10,000 to $19,999; $20,000 to $29,999; $30,000 to $39,999; $40,000 to $49,999; $50,000 to $59,999; $60,000 to $69,999; $70,000 to $79,999; $80,000 to $89,999; $90,000 to $99,999; $100,000 to $124,999; $125,000 to $149,999; $150,000 to $199,999; $200,000 to $249,999; $250,000 to $299,999; $300,000 or more]*
Education: What is the highest level of school you have completed? *[No formal education; 1st, 2nd, 3rd, or 4th grade; 5th or 6th grade; 7th or 8th grade; 9th grade; 10th grade; 11th grade; 12th grade NO DIPLOMA; HIGH SCHOOL GRADUATE —high school DIPLOMA or the equivalent (GED); Some college, but no degree; Associate degree; Bachelor's degree; Master's degree; Professional degree; Doctorate degree]*

Political Interest: How interested would you say you are in politics and current affairs? *[very interested; somewhat interested; not very interested; not at all interested].*

Political Knowledge: *[Coded as the sum of correct answers. Response options for these questions are available at* `taps.wustl.edu`*]*

- Which party holds a majority of seats in the U.S. House of Representatives in Washington? *[Democrats; Republicans; Independents; Don't Know]*

- How many votes are required in Congress to override a presidential veto? *[a simple majority of one house of Congress; a simple majority of both houses of Congress; a two-thirds majority of one house of Congress; a two-thirds majority of both houses of Congress; Don't know]*

- How long is one term for a member of the U.S. Senate? *[two years; four years; six years; eight years; Don't know]*

- The ability of a minority of senators to prevent a vote on a bill is known as what? *[a veto; a filibuster; enrollment; suspension of the rules; Don't know]*

- Who is the Vice President of the United States? *[Nancy Pelosi; John Boehner; Joseph Biden; Harry Reid; Don't know]*

- A president may serve . . . *[one term; two terms; three terms; any number of terms; Don't know]*

- Members of the U.S. Supreme Court may serve . . .

- Who is Chief Justice of the United States Supreme Court?

- Social Security is . . . *[the benefit program for senior citizens; the responsibility of the Department of Defense; operated by state governments; funded by the personal income tax; Don't know]*

- On which of the following federal programs is the most money spent each year? *[aid to foreign countries; Medicare; subsidies to farmers; education; Don't know]*

Support for Minority Political Liberty: *[Coded as the mean of responses.]* Please indicate whether you agree with the following: *[Strongly agree=1; Agree=2; Uncertain=3; Disagree=4; Strongly disagree=5]*

- Society should not have to put up with those who have political ideas that are extremely different from the majority.

- It is better to live in an orderly society than to allow people so much freedom that they can become disruptive.

- Free speech is just not worth it if it means that we have to put up with the danger to society of extremist political views.

Support for Rule of Law: *[Coded as the mean of responses.]* Please indicate whether you agree with the following: *[Strongly agree=1; Agree=2; Uncertain=3; Disagree=4; Strongly disagree=5]*

- It is not necessary to obey a law you consider unjust.

- Sometimes it might be better to ignore the law and solve problems immediately rather than wait for a legal solution.

- The government should have some ability to bend the law in order to solve pressing social and political problems.

- It is not necessary to obey the laws of a government I did not vote for.

- When it comes right down to it, law is not all that important; what's important is that our government solve society's problems and make us all better off.

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