# How Does Hyper-Politicized Rhetoric Affect the U.S. Supreme Court's Legitimacy?

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**Abstract**

Many believe that President Trump's criticisms of the judiciary pose real and immediate threats to judicial legitimacy. However, framing theory suggests that source credibility is a prerequisite for such frames to be effective. Relying on an experiment embedded in a multi-wave, nationally representative sample of Americans, we examine whether public attacks on the judiciary—by either Trump or distinguished law professors—affect the U.S. Supreme Court's legitimacy. We demonstrate that criticisms of the Court from either source are only deleterious among respondents who believe the source is credible; source credibility also shapes agreement with the criticism. Because President Trump is viewed with distrust by a majority of Americans, his comments pose only a limited threat to the Court's legitimacy. However, our data also suggest that a more credible source (inside or outside government), using similar attacks, could do considerable damage to the legitimacy of the American government's most fragile branch.

**Running Head**: How Criticism Affects Judicial Legitimacy

**Keywords:** Legitimacy, U.S. Supreme Court, Diffuse Support, Donald Trump, Source Credibility

Supplementary material for this article is available in the appendix in the online edition. Replication files are available in the JOP Data Archive on Dataverse. This study was conducted in compliance with all relevant laws; the survey upon which this article was based was approved by the Washington University in St. Louis Institutional Review Board.

Donald Trump's regular, routine, and rowdy criticisms of the federal judiciary are unique in modern American history. Do they matter? Many people think so. As one law professor put it:

> Presidents have disagreed with court rulings all the time. What's unusual is he's essentially challenging the legitimacy of the court's role. And he's doing that without any reference to applicable law… That's worse than wrong… On some level, that's dangerous (quoted in Phillips 2017).

Many believe President Trump's frequent and well-publicized attacks on the judiciary pose real and immediate threats to the legitimacy that courts must have to fulfill their constitutional role. If true, the damage to the legitimacy of the U.S. federal judiciary would be real and immediate.

While some studies suggest that the increasingly politicized nature of American politics threatens the Court's legitimacy (e.g., Christenson and Glick 2015; Gibson and Caldeira 2009), historically and globally, the U.S. Supreme Court's legitimacy has been high, stable, and relatively unaffected by the incredible partisanship that grips American politics (Gibson 2017). We are therefore unsure whether President Trump's attacks are judicial kryptonite. After all, scholars (e.g., Druckman 2001) have demonstrated that source credibility is a prerequisite for a frame to affect opinion; criticism is just a frame through which one learns about the object of the comment. We extend source credibility theory to the study of institutional support, arguing that variation in the trustworthiness of a critic acts as a weight determining the efficacy of the attacks on another institution's public support. For those who view President Trump as credible, his criticisms should undermine the Court's support; for those who disapprove of Trump, his critiques might even produce a backlash effect, actually *increasing* the Court's support as Trump's detractors decide that the things that make Trump angry make them happy.

To test our theoretical expectations, we conducted an experiment embedded in a nationally representative multi-wave panel survey. We contrast criticisms of the Court by

President Trump with critiques of the Court made by law professors, a group of experts who also closely follow the American judiciary. We demonstrate that respondents' judgments of source credibility affect the amount of *change* in judicial legitimacy in response to the attacks; this is true for *both* critics. This change occurs, in part, because source credibility affects whether respondents agree with the criticisms. However, because Trump currently has limited credibility as a source among a majority of Americans and his attacks therefore actually *increase* the Court's support among those detractors, we conclude that the U.S. Supreme Court's legitimacy is not much threatened by the President's bluster. Still, a more credible source, inside or outside government, using similar tactics, could well do considerable damage to the legitimacy of the American government's most fragile branch. As charismatic leaders in Bolivia, Poland, Hungary, Venezuela, and elsewhere continue to attack their judiciaries, our results have important implications for institutional support in countries with independent courts: when critics are seen as credible by the public, their rhetoric can decrease loyalty to the judicial branch.

**Institutional Support for the Supreme Court**

Because they must rely on other political actors for implementation, institutional legitimacy, also called diffuse support, is vital for the judicial branch. Diffuse support is a fundamental commitment to an institution, grounded in those democratic values most people learn as children, and therefore is relatively resistant to change over time (Gibson and Nelson 2015; Gibson and Caldeira 2009). Perhaps surprisingly, changes in support for the Court do not typically depend on individuals' partisan attachments (Gibson 2017; Gibson and Nelson 2015).

On the other hand, recent studies suggest that the increasingly politicized nature of American politics threatens the Court's legitimacy (e.g., Gibson and Caldeira 2009). Christenson

and Glick (2015) demonstrate that exposure to information about politicized behavior during the Court's Obamacare deliberations caused people to withdraw support from the Court. Similarly, Gibson and Nelson (2017) show that beliefs that the U.S. Supreme Court's decisionmaking is politicized are much more harmful to the Court than disagreement with the Court's decisions.

Other evidence about the deleterious effects of politicization on institutional support comes from Americans' willingness to support curbs on the Court, a concept related to legitimacy. Here, recent studies indicate that support for court curbing is influenced by the proposer's identity. Clark and Kastellec (2015) show that Americans are more tolerant of court-curbing proposals made by copartisans, and Armaly (2018) finds that supporters of a presidential candidate are more likely to agree with that candidate's court-curbing proposals. Thus, the Court's legitimacy seems to be harmed by politicization, and the identity of the attacker matters.

We hypothesize that the effectiveness of a criticism is conditioned by the credibility of the person levying it. A criticism is just a frame through which one learns about the object of the comment. Druckman (2001), for example, demonstrates that "[p]erceived source credibility appears to be a prerequisite for successful framing" (1061). Source credibility should therefore function as a weight attached to the commentary on institutional support. When citizens believe the source of the comment is credible, they are likely to take the attack seriously, and it will prompt them to reconsider their support for the institution. Therefore, criticisms from credible sources can undermine legitimacy. However, in the absence of source credibility, the comments are unlikely to prompt people to reconsider their institutional support. Thus, criticisms of the Court from sources that lack credibility should have little or no effect on legitimacy. Moreover, in extreme circumstances, critiques made by sources lacking source credibility may backfire,

causing people to *increase* their support for the institution because they object *to the speaker*. In this way, source credibility can function as both a sword (enabling credible sources to wound institutions) and a shield (protecting institutions attacked by sources lacking credibility).

**The Survey Experiment**

To test our theory, we rely on a two-wave survey conducted as part of Washington University in St. Louis's The American Panel Survey (TAPS). By examining how criticism affects change in support for the Supreme Court over a period of months, not minutes, our research design is unusual. In the July 2017 wave of the survey, respondents answered a battery of questions widely used to assess diffuse support (e.g., Gibson and Caldeira 2009). Appendix A contains summary statistics, psychometric properties of the scales, and an analysis of inter-wave attrition.

We embedded an experiment with two manipulations in the second wave of the survey, which we fielded in November 2017. First, we varied the *source* of the criticism. Half of the respondents read a critique of the U.S. Supreme Court made by "a bipartisan group of distinguished law professors," while the other half read a criticism of the Court made by President Trump. Second, we also varied the *content* of the attack levied against the Court, as discussed in Appendix B. An example of a full vignette follows:

> In a recent speech, President Trump discussed the role of the U.S. Supreme Court. President Trump was quite critical of the Supreme Court, saying that the Supreme Court justices are really nothing more than politicians in robes.

After reading the vignette, respondents answered the battery of institutional support questions they previously answered in July. The dependent variable is the difference between the respondent's diffuse support in the two waves. The average amount of change in diffuse support was .02, with a range of -.71 to .88 and a standard deviation of .15. This average masks a large amount of individual-level change. Indeed, 37.5% of respondents decreased their support for the

Court, 20.3% of respondents did not change their support for the Court, and 42.2% actually *increased* their support for the Court after being exposed to an attack on that institution.

Because we anticipated that the effect of both types of criticism would be contingent on respondents' credibility judgments, we asked them about their confidence in professors and in President Trump prior to the vignette. A *majority* (59.7%) reported having "no confidence at all" or "not too much confidence" in Trump while only 37.6% gave those answers regarding their confidence in university professors. Thus, confidence in the two sources differs greatly.

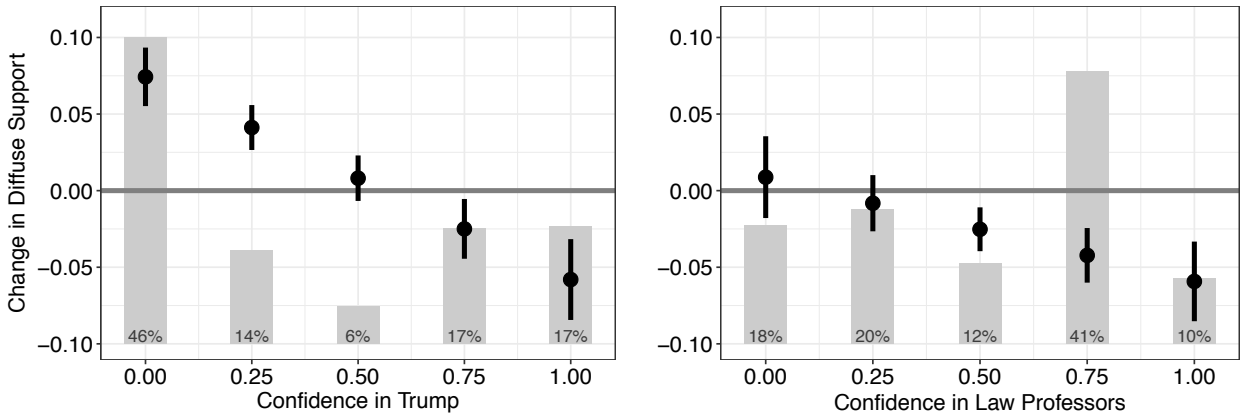
**Results**

We begin by examining whether the source of the criticism caused change in diffuse support. Exposure to criticism by Trump ***increases*** support for the Court relative to critique by the law professors. The average amount of change in diffuse support from those who heard the comment from Trump is .03; for those who heard it from law professors, the mean change was .00. These values are statistically different from one another ($p < .001$), and the mean for Trump criticism is significantly different from .00 ($p < .001$). Thus, the direct effect of the manipulation accounts for an average change of roughly one-fifth of a standard deviation in diffuse support.

We expect these effect sizes are compressed by heterogeneity in source credibility. Recall that our overriding hypothesis is that the criticism's impact depends on the authority respondents attribute to the comment's source. To test this expectation, we estimated a pair of equations using change in diffuse support as the dependent variable. As independent variables, we included a binary variable for the source of the critique, respondents' confidence in that source, and their interaction. Results are shown in Appendix C. In both models, the interaction term is statistically significant at $p < .003$: the effect of the comment varies according to the credibility of the source.

Figure 1 shows the marginal effect of an attack by Trump (left-hand panel) and law professors (right-hand panel) as confidence in that source varies. In both panels, as people express more confidence in the credibility of the speaker, that speaker's criticism has a stronger deleterious effect on change in diffuse support. Given that diffuse support is generally so stable over time, the size of this effect meets expectations. Those with complete confidence in Trump or law professors decreased their support by over one-third of a standard deviation.

**Figure 1. Marginal Effects of Trump Criticism (Left Panel) and Law Professor Criticism (Right Panel) on Change in Diffuse Support**




This figure displays the marginal effect of exposure to criticism by Trump (left panel) or law professors (right panel) across respondents' level of confidence in that source on change in diffuse support. The bars and their percentages (which may not add to 100% due to rounding) show the distribution of confidence. Full regression results are provided in Appendix C.

The findings for those with low levels of confidence in Trump are noteworthy. The left-hand panel reveals a ***backlash effect*** for those with not much confidence in Trump. Among those who view the president with skepticism, his criticism ***increases*** their support for the Court. This is not true for law professors. Indeed, for people most distrustful of Trump, exposure to his commentary on the judiciary increases their support by +.07, or roughly one-half of a standard deviation. Even more starkly, the difference in the effect of Trump's criticisms among those who have very high and very low confidence in the president is 86% of a standard deviation.

**Assessing a Mechanism: Agreement with the Critics**

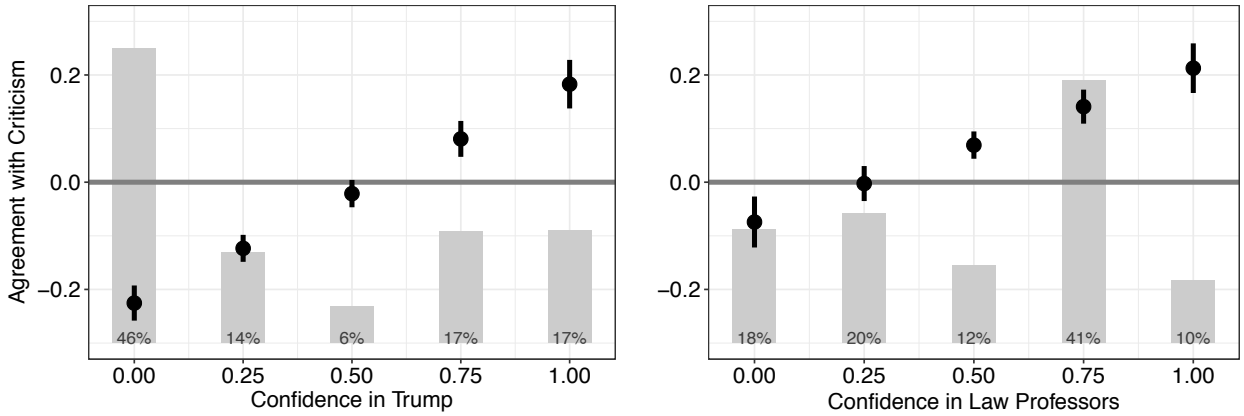
Agreement with the criticism provides a mechanism to connect source credibility with diffuse support. We hypothesize that critiques from trusted sources are more likely to be effective because citizens are convinced by them. After the vignette, we asked them to provide us with their level of agreement with the substantive criticism made by the speaker. For respondents who heard an attack from law professors, the average response is .51 (on the 0-1 interval); for those who heard Trump criticize the Court, it is .43. The difference is statistically significant ($p < .001$); hearing a commentary by Trump rather than academics, on average, decreases agreement with that attack by over one-fourth of a standard deviation, not accounting for source credibility.

To assess whether the source credibility of the speaker affects agreement with the comment, we re-estimate the equations, changing the dependent variable to agreement with the criticism, as shown in Appendix C. Again, the interaction effect in both models is statistically significant and substantively important. Figure 2 plots the marginal effects of the speaker's identity on agreement with the commentary as source credibility changes.

Agreement with the critique varies as expected with source credibility. For both President Trump and law professors, people tend to agree with criticisms made by speakers in whom they have high confidence. But, when they have low confidence in the messenger, they are more likely to disagree with the argument. These effects are substantively important: those who heard a criticism by Trump and view him as untrustworthy decrease their agreement with the critique by -.22 (on a 0-1 interval); those who view him as very trustworthy increase their agreement by +.18. This is a difference of 1.43 standard deviations! For law professors, the effects are also noteworthy; those who view academics with distrust decrease their agreement with the comment

by -.07. Among those viewing professors as credible sources, exposure to the criticism increases their agreement by +.21, a full standard deviation difference. Thus, source credibility powerfully determines how much people agree with criticisms of the Court.

**Figure 2. Marginal Effects of Trump Criticism (Left Panel) and Law Professor Criticism (Right Panel) on Agreement with Criticism**




This figure displays the marginal effect of exposure to criticism by Trump (left panel) or law professors (right panel) across respondents' level of confidence in that actor on their agreement with the criticism. The bars and their percentages (which may not add to 100% due to rounding) show the distribution of confidence. Full regression results are provided in Appendix C.

**Discussion**

Taken together, our results provide several implications for judicial legitimacy in the modern era. Contrary to the views of the doomsayers, Americans have been relatively unfazed by President Trump's attacks on the judiciary (as least insofar as we can extrapolate from our experiment to real-world Trump criticism). Indeed, President Trump's relatively low credibility acts as a shield for the Court, protecting it, as theory predicts, from the deleterious consequences of the president's attacks – so long as a majority of Americans continue to express low confidence in him. Were these comments to come from a source viewed as more credible among the American people, our results suggest that similar attacks could have dire consequences for the Supreme Court's legitimacy and consequently for its role in the American constitutional system.

Our study, of course, has several limitations. First, like most experiments, we examine the effect of only a single criticism at a single point in time. Repeated comments by Trump, amplified by his co-partisans, may have the incremental, gradual, and cumulatively negative effects that Gibson and Caldeira (2009) and others have suggested decrease institutional legitimacy over time: "death by a thousand cuts." Second, our experiment only uses a single "political" source; future work should examine whether other political sources have similar effects on legitimacy. We concede that President Trump may be *sui generis*. Third, many of Trump's comments have been levied at the lower rungs of the judicial hierarchy; public support for these institutions may be more vulnerable because the public knows less about them. Similar concerns could arise in countries in which judicial legitimacy is not so well entrenched as it is in the U.S. Future work should determine whether the effects of elite attacks on judicial independence are exacerbated under these circumstances.

Perhaps the most important contribution of our paper is to illustrate the primacy of source credibility as a concept for understanding American politics today. Our results suggest that the extent to which Americans are likely to agree with a statement is based, in large part, *simply on the identity of the speaker*. Those who view a speaker as lacking credibility are likely to reject the critique out of hand, all else equal; these effects are similar for both Trump and for the law professors. In addition, Trump's attacks on the judiciary backfire among his detractors, actually *increasing* the Court's support among those people. Thus, source credibility has an essential role to play in explaining the rough and tumble of American politics today. At the same time, if the credibility of the attacking source were to increase, then serious institutional consequences could materialize, perhaps with significant implications for judicial independence in the U.S.

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**Biographical Statements**

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# How Does Hyper-Politicized Rhetoric Affect the U.S. Supreme Court's Legitimacy?

## *Supplemental Appendices*

### Appendix A: The Survey

The data for our analysis come from The American Panel Survey (TAPS), a nationally representative survey run by the Weidenbaum Center at Washington University in St. Louis. TAPS data are used in recent in studies of public attitudes toward the Supreme Court (see, for examples, Zilis and Hahm 2016; Bartels and Johnston 2015; Gibson 2015; Gibson and Nelson 2017; and Gibson, Pereira, and Ziegler 2017). More information about TAPS, its sampling frame, and its methodology is available at http://taps.wustl.edu.

Our major dependent variable is change in respondents' diffuse support for the U.S. Supreme Court between the July and November 2017 TAPS waves. We follow the advice of Gibson, Caldeira, and Spence (2003) in measuring this variable. The key intuition behind the measurement of the concept is that those who find an institution to be legitimate are less likely to accept fundamental changes to that institution and its functions.

Table A1 displays the text of the six items in this diffuse support scale and their frequencies. In both waves of the survey, the item sets are unidimensional, and five of the six items load in a Common Factor Analysis on the first factor in both waves at levels above .78 (the "mixed up in politics" item loads at .48 at $t_1$ and .45 in $t_2$). Cronbach's alpha is .91 at $t_1$ and .89 at $t_2$. We conclude that the scales are highly valid and reliable measures of the concept.

We also analyzed inter-wave attrition. There were 196 panelists who responded in July but not in November. We estimated a logistic regression to assess whether the people who failed to answer the second wave of the survey were systematically different from those who did answer. We included a battery of political and demographic characteristics as independent

variables. While wealthier ($p = .028$) people were slightly more likely to participate in both waves of the survey, there were no relationships between any other demographic characteristic and whether or not they responded in the second wave; respondents' political interest, Republican party affiliation, Democratic party affiliation, 7-point ideology, gender, African American racial identification, Hispanic ethnic affiliation, age, level of education, and church attendance revealed no statistical association with participation in both waves of the survey. Moreover, the average income scores for the two waves differed by less than .01 on the 0-1 interval. We therefore conclude that attrition is unlikely to threaten the substantive conclusions of our analysis. Nonetheless, Appendix C reports statistical results that control for respondents' demographic and political characteristics, demonstrating that the conditional effect of source credibility persists even after accounting for these individual-level covariates.

**Table A1. Change in Loyalty Toward the United States Supreme Court**

| | Level of Diffuse Support for the Supreme Court | | | | |
|---|---|---|---|---|---|
| | Percentage | | | | |
| Indicator | Not Supportive | Undecided | Supportive | Mean | Std. Dev. |
| Do away with the Court | | | | | |
| $t_1$ | 13.7 | 26.8 | 59.5 | 3.7 | 1.1 |
| $t_2$ | 10.5 | 30.2 | 59.2 | 3.8 | 1.1 |
| Limit the Court's jurisdiction | | | | | |
| $t_1$ | 18.7 | 34.4 | 47.0 | 3.4 | 1.1 |
| $t_2$ | 17.7 | 34.5 | 47.9 | 3.5 | 1.1 |
| Court gets too mixed up in politics | | | | | |
| $t_1$ | 40.3 | 37.8 | 22.0 | 2.7 | 1.0 |
| $t_2$ | 37.3 | 40.0 | 22.7 | 2.8 | 1.0 |
| Remove judges who rule against majority | | | | | |
| $t_1$ | 20.0 | 33.6 | 46.4 | 3.4 | 1.1 |
| $t_2$ | 18.6 | 33.6 | 47.8 | 3.4 | 1.1 |
| Make Court less independent | | | | | |
| $t_1$ | 27.0 | 30.0 | 43.0 | 3.3 | 1.2 |
| $t_2$ | 23.6 | 30.4 | 46.0 | 3.4 | 1.2 |
| Control the actions of the Supreme Court | | | | | |
| $t_1$ | 27.1 | 33.1 | 39.8 | 3.2 | 1.1 |
| $t_2$ | 24.9 | 36.9 | 38.3 | 3.3 | 1.1 |

Note: The percentages are calculated on the basis of collapsing the five-point Likert response set (e.g., "agree strongly" and "agree" responses are combined), and sum to 100 % across the three percentage columns (except for rounding errors). The percentage "Supportive" is the percentage of respondents giving a reply supportive *of the Court*, not the statement itself. The means and standard deviations are calculated on the uncollapsed distributions. Higher mean scores indicate more institutional loyalty.

The propositions are:

- Do away with the Court: 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.
- Limit the Court's jurisdiction: The right of the Supreme Court to decide certain types of controversial issues should be reduced.
- Court gets too mixed up in politics*:* The U.S. Supreme Court gets too mixed up in politics.
- Remove judges who rule against majority: 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.
- Make Court less independent: The U.S. Supreme Court ought to be made less independent so that it listens a lot more to what the people want.
- Control the actions of the Supreme Court: 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.

Source: TAPS, July and November 2017.

**Table A2. The Distributions of the Variables Used in the Analyses**

| Variable | Range | Mean | Std. Dev. |
|---|---|---|---|
| Change in Institutional Support | -.71 → .88 | .02 | .15 |
| Agreement with Criticism | 0 → 1 | .46 | .28 |
| Confidence in Professors | 0 → 1 | .51 | .33 |
| Confidence in Trump | 0 → 1 | .37 | .40 |
| Political Interest | 0 → 1 | .30 | .30 |
| Republican Party Identification | 0 → 1 | .43 | .50 |
| Democratic Party Identification | 0 → 1 | .55 | .50 |
| Ideology | 0 → 1 | .51 | .28 |
| Female | 0 → 1 | .50 | .50 |
| Black | 0 → 1 | .13 | .34 |
| Hispanic | 0 → 1 | .15 | .36 |
| Level of Education | 0 → 1 | .64 | .17 |
| Church Attendance | 0 → 1 | .32 | .25 |
| Age | 0 → 1 | .37 | .21 |
| Income | 0 → 1 | .46 | .25 |

Note: N = 1,794.

**Appendix B: The Criticism Manipulation**

The experiment contained two manipulations. The first manipulation, discussed in the body of the manuscript, varied the source of the criticism. The second manipulation in the experiment varied the content of the attacks to which respondents were exposed. The vignette text read:

> In a recent speech, [SOURCE] discussed the role of the U.S. Supreme Court. [SOURCE] was quite critical of the Supreme Court, saying that [CRITICISM].

The following criticisms were included:

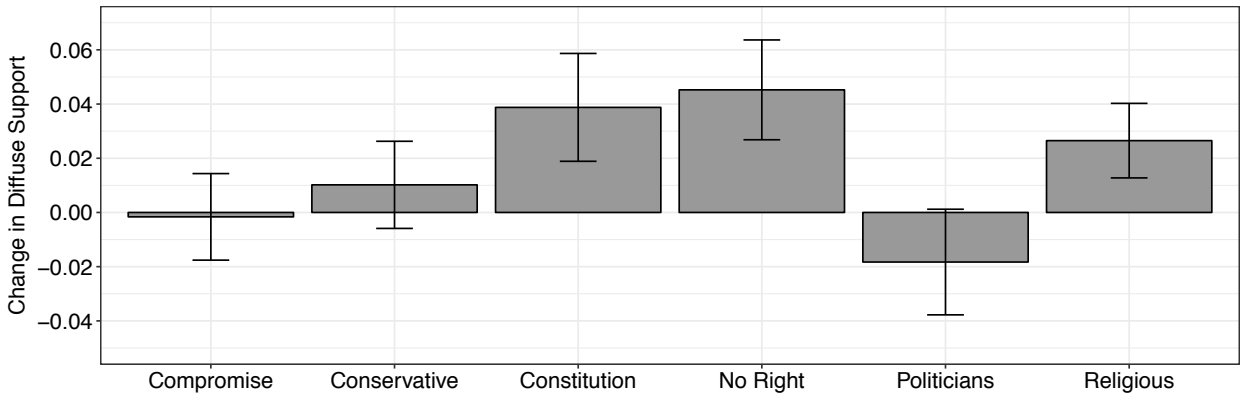
- *Compromise.* "much too often the Court bases its decisions not so much on the law itself, but on compromise and 'horse-trading' among the justices."
- *Conservative.* "because the Conservatives have a majority of justices on the Court, the Liberal justices ought to simply go along with what the Conservative majority wants."
- *Constitution.* "much too often the Court does not follow what the Constitution says."
- *No Right.* "the Supreme Court has no right to make the decisions it has been making because the Constitution doesn't give the Court the right to make those decisions."
- *Politicians.* "the Supreme Court justices are really nothing more than politicians in robes."
- *Religious.* "much too often some justices on the Court are following religious doctrine more than legal doctrine in making their decisions."

An example of a full vignette follows. The italicized portion was varied based on the criticism condition to which the respondent was assigned.

> In a recent speech, President Trump discussed the role of the U.S. Supreme Court. President Trump was quite critical of the Supreme Court, *saying that the Supreme Court justices are really nothing more than politicians in robes*.

The analyses in the body of the manuscript discuss the influence of the speaker manipulation, averaging over the effects of the second, content, manipulation. In this appendix, we present some summary statistics for the second manipulation for interested readers.

**Figure B1. Change in Diffuse Support, by Content**




This figure displays the average values of change in diffuse support, along with 95% confidence intervals. The dependent variable is change in diffuse support.

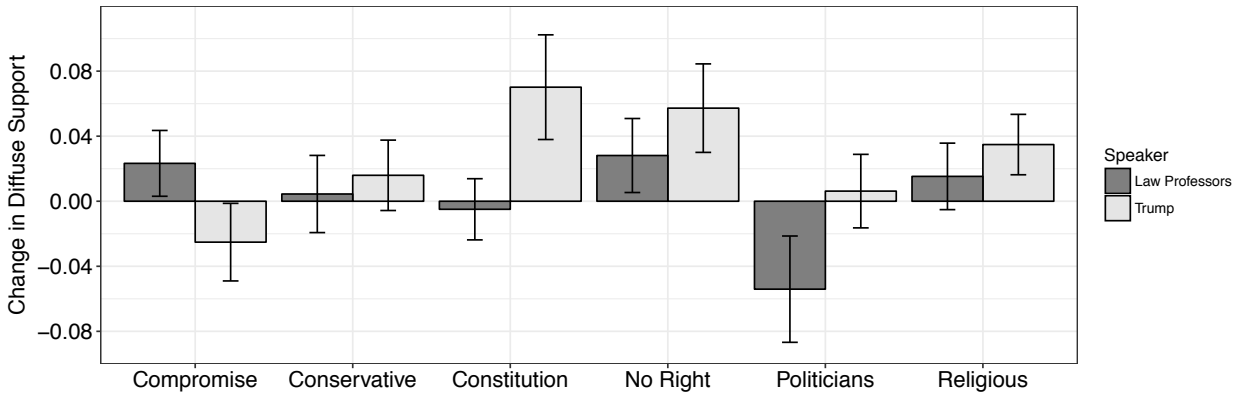
We begin by examining the effect that the different types of attacks have on support for the U.S. Supreme Court, averaging over the two sources of the criticism. The average value of change in diffuse support, by criticism, is shown in Figure B1.

The results, on their faces, are surprising. Many of the criticisms—such as those that attack the Court for compromising or for being "politicians in robes"—seem to have little or no effect on respondents' change in diffuse support. Moreover, the other criticisms seem to inspire backlash, actually *increasing* people's support for the Court. Recall that every participant was exposed to a criticism of the Court, so *increasing* support for the Court in response to the commentary is, at first glance, puzzling.

However, as Figure B2 demonstrates, these initially perplexing findings are a result of averaging across the two speakers. When we instead examine the amount of change in diffuse support by both speaker and criticism, we see that the criticisms had very different effects based

on the source of the attack. Still, both law professors and Trump can inspire either positive or negative change in institutional support depending on the content of their criticism.

**Figure B2. Change in Diffuse Support, Across All Conditions**




This figure displays the average values of change in diffuse support, along with 95% confidence intervals. The dependent variable is change in diffuse support.

For example, Figure B2 provides some additional evidence that participants reacted with backlash to some statements made by President Trump. Indeed, the two treatments related to legal decisionmaking ("Constitution" and "No Right") are associated with rather large and statistically significant *increases* in support for the U.S. Supreme Court. We suspect that Trump's intent in criticizing judges and the judiciary is not necessarily to increase legal legitimacy.

As a third point, the first set of bars shows an example of backlash against law professors: a comment by law professors that the Court is too prone to compromise increases the Court's support. The same statement, made by President Trump, has a negative effect of a similar magnitude. It may well be that the type of "compromise" envisaged by the respondents in the two conditions differs, with the law professors associated with (desirable) principled compromise and Trump associated with (undesirable) unprincipled or strategic compromise.

More importantly, Figure B2 presents a result in line with the findings of Gibson and Nelson (2017): the largest deleterious effect on institutional support is produced when respondents learn of a quintessential politicized attack (the "Politicians" comment), although that statement only has the expected toxic effect among those people who heard law professors attack the Court.

The key take-away from this analysis is that the findings of backlash in the body of the manuscript also exist in the second manipulation. We leave for another day a full discussion of the effects of source credibility on the effectiveness of particular types of criticism. At this point, we note that backlash has become an increasingly important topic in the study of public support for institutions (e.g., Ura 2014). These findings only re-emphasize the significance of this concept for our understanding of how the public judges courts.

**Appendix C: Regression Results**

This appendix presents the results of a number of multivariate regression analyses. Tables C1 and C2 report the model estimates from which Figure 1 is based; Tables C3 and C4 report the model estimates forming the basis for Figure 2.

*Are the Measures of Source Credibility Closely Connected?*

One concern with the results discussed in the body of the paper is the relationship between confidence in Trump and confidence in law professors. Were the correlation between these two measures too high, it could have deleterious consequences for our results. However, while those who have low confidence in Trump tend to have higher confidence in law professors, the correlation of confidence in Trump and confidence in law professors is not nearly as strong as one might expect: $r$ = -.12 for Democrats and $r$ = -.24 for Republicans (and is .04 for Independents). We therefore conclude that the relationship between the two types of confidence does not undermine our analysis or our conclusions.

Still, to assure that our empirical results were not biased by any relationship between these two variables, Tables C5-C8 replicate Tables C1-C4, adding the additional confidence measure so that both measures are included in the equation. In all cases, these models lead to the same conclusions drawn in the body of the paper; the marginal effect of criticism on change in diffuse support and agreement with the criticism is nearly identical in magnitude to those discussed in the body of the paper (see Figures C1 and C2). We therefore conclude that the omission of the second measure of source credibility does not confound the conclusions made in the paper.

*Do Respondent Characteristics Confound the Results?*

The models discussed so far do not control for any individual-level characteristics. One might worry that the addition of these covariates to the model specification could reveal some characteristic that confounds the results presented in the body of the paper. To examine this possibility, we re-estimated the models in Tables C1-C4, controlling for a battery of individual-level characteristics. These equations are reported in Tables C9-C12. Again, the inferences we draw in the paper are robust to the inclusion of these control variables; in all models, the statistically significant heterogeneous treatment effect persists (see Figures C3 and C4), adding further confidence in our substantive conclusions.

**Table C1. Predictors of Changing Support for the U.S. Supreme Court, by Trump Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Trump Confidence | .04 | .01 | **.002** |
| Trump Criticism | .07 | .01 | **.001** |
| Trump Confidence x Trump Criticism | -.13 | .02 | **.001** |
| *Equation* | | | |
| Intercept | -.01 | .01 | .103 |
| Standard Deviation – Dependent Variable | .15 | | |
| Standard Error of Estimate | .15 | | |
| $R^2$ | .04 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.

**Table C2. Predictors of Changing Support for the U.S. Supreme Court, by Professor Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Professor Confidence | .02 | .01 | .250 |
| Professor Criticism | .01 | .01 | .518 |
| Professor Confidence x Professor Criticism | -.07 | .02 | **.003** |
| *Equation* | | | |
| Intercept | .02 | .01 | **.022** |
| Standard Deviation – Dependent Variable | .15 | | |
| Standard Error of Estimate | .15 | | |
| $R^2$ | .01 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.

**Table C3. Predictors of Agreement with Criticism, by Trump Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Trump Confidence | -.03 | .02 | .157 |
| Trump Criticism | -.23 | .02 | **.001** |
| Trump Confidence x Trump Criticism | .41 | .03 | **.001** |
| *Equation* | | | |
| Intercept | .52 | .01 | **.001** |
| Standard Deviation – Dependent Variable | .28 | | |
| Standard Error of Estimate | .26 | | |
| $R^2$ | .17 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.

**Table C4. Predictors of Agreement with Criticism, by Professor Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Professor Confidence | -.29 | .03 | **.001** |
| Professor Criticism | -.07 | .02 | **.002** |
| Professor Confidence x Professor Criticism | .29 | .04 | **.001** |
| *Equation* | | | |
| Intercept | .58 | .02 | **.001** |
| Standard Deviation – Dependent Variable | .28 | | |
| Standard Error of Estimate | .27 | | |
| $R^2$ | .08 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.

**Table C5. Predictors of Changing Support for the U.S. Supreme Court, by Trump Confidence and including Professor Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Trump Confidence | .02 | .01 | **.032** |
| Trump Criticism | .08 | .01 | **.001** |
| Trump Confidence x Trump Criticism | -.13 | .02 | **.001** |
| Professor Confidence | -.04 | .01 | **.002** |
| *Equation* | | | |
| Intercept | .01 | .01 | .245 |
| Standard Deviation – Dependent Variable | .15 | | |
| Standard Error of Estimate | .15 | | |
| $R^2$ | .05 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C1.

**Table C6. Predictors of Changing Support for the U.S. Supreme Court, by Professor Confidence and including Trump Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Professor Confidence | -.01 | .02 | .645 |
| Professor Criticism | .01 | .02 | .574 |
| Professor Confidence x Professor Criticism | -.07 | .02 | **.003** |
| Trump Confidence | -.04 | .01 | **.001** |
| *Equation* | | | |
| Intercept | .05 | .01 | **.001** |
| Standard Deviation – Dependent Variable | .15 | | |
| Standard Error of Estimate | .15 | | |
| $R^2$ | .02 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C2.

**Table C7. Predictors of Agreement with Criticism, by Trump Confidence and including Professor Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Trump Confidence | -.06 | .02 | **.018** |
| Trump Criticism | -.22 | .02 | **.001** |
| Trump Confidence x Trump Criticism | .40 | .03 | **.001** |
| Professor Confidence | -.07 | .02 | **.001** |
| *Equation* | | | |
| Intercept | .56 | .02 | **.001** |
| Standard Deviation – Dependent Variable | .28 | | |
| Standard Error of Estimate | .26 | | |
| $R^2$ | .18 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C3.

**Table C8. Predictors of Agreement with Criticism, by Professor Confidence and including Trump Confidence**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Professor Confidence | -.20 | .03 | **.001** |
| Professor Criticism | -.07 | .02 | **.003** |
| Professor Confidence x Professor Criticism | 6 | .04 | **.001** |
| Trump Confidence | .15 | .02 | **.001** |
| *Equation* | | | |
| Intercept | .48 | .02 | **.001** |
| Standard Deviation – Dependent Variable | .28 | | |
| Standard Error of Estimate | .27 | | |
| $R^2$ | .13 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C4.

**Table C9. Predictors of Changing Support for the U.S. Supreme Court, by Trump Confidence and including Professor Confidence and Demographics**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Trump Confidence | .04 | .02 | **.016** |
| Trump Criticism | .07 | .01 | **.001** |
| Trump Confidence x Trump Criticism | -.12 | .02 | **.001** |
| Professor Confidence | -.04 | .01 | **.001** |
| Political Interest | .05 | .01 | **.001** |
| Republican Party Affiliation[a] | -.04 | .03 | .219 |
| Democratic Party Affiliation[a] | .02 | .03 | .789 |
| Ideology | .02 | .02 | .311 |
| Female | .00 | .01 | .893 |
| Black | -.03 | .01 | **.016** |
| Hispanic | .03 | .01 | **.003** |
| Level of Education | .01 | .02 | .768 |
| Church Attendance | .01 | .02 | .548 |
| Age | -.04 | .02 | **.018** |
| Income | -.01 | .02 | .569 |
| *Equation* | | | |
| Intercept | .02 | .04 | .569 |
| Standard Deviation – Dependent Variable | .15 | | |
| Standard Error of Estimate | .15 | | |
| $R^2$ | .08 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C1.

[a] Independents are the omitted category for the party identification trichotomy.

**Table C10. Predictors of Changing Support for the U.S. Supreme Court, by Professor Confidence and including Trump Confidence and Demographics**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Professor Confidence | -.02 | .02 | .225 |
| Professor Criticism | .00 | .01 | .939 |
| Professor Confidence x Professor Criticism | -.06 | .02 | **.013** |
| Trump Confidence | -.02 | .01 | .064 |
| Political Interest | .05 | .01 | **.001** |
| Republican Party Affiliation[a] | -.03 | .03 | .325 |
| Democratic Party Affiliation[a] | .00 | .03 | .935 |
| Ideology | .01 | .02 | .418 |
| Female | .00 | .01 | .985 |
| Black | -.03 | .01 | **.008** |
| Hispanic | .03 | .01 | **.001** |
| Level of Education | .00 | .02 | .981 |
| Church Attendance | .00 | .02 | .673 |
| Age | -.04 | .02 | **.022** |
| Income | -.01 | .04 | .643 |
| *Equation* | | | |
| Intercept | .05 | .04 | .154 |
| Standard Deviation – Dependent Variable | .15 | | |
| Standard Error of Estimate | .15 | | |
| $R^2$ | .06 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C2.

[a] Independents are the omitted category for the party identification trichotomy.

**Table C11. Predictors of Agreement with Criticism, by Trump Confidence and including Professor Confidence and Demographics**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Trump Confidence | -.11 | .03 | **.001** |
| Trump Criticism | -.23 | .02 | **.001** |
| Trump Confidence x Trump Criticism | .41 | .03 | **.001** |
| Professor Confidence | -.05 | .02 | **.039** |
| Political Interest | -.04 | .02 | .093 |
| Republican Party Affiliation[a] | .05 | .05 | .374 |
| Democratic Party Affiliation[a] | .03 | .05 | .609 |
| Ideology | .10 | .03 | **.001** |
| Female | .00 | .01 | .980 |
| Black | .01 | .02 | .514 |
| Hispanic | .07 | .02 | **.001** |
| Level of Education | -.13 | .04 | **.003** |
| Church Attendance | -.02 | .03 | .525 |
| Age | .01 | .03 | .705 |
| Income | -.08 | .03 | **.004** |
| *Equation* | | | |
| Intercept | .60 | .06 | **.001** |
| Standard Deviation – Dependent Variable | .28 | | |
| Standard Error of Estimate | .25 | | |
| $R^2$ | .21 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C3.

[a] Independents are the omitted category for the party identification trichotomy.

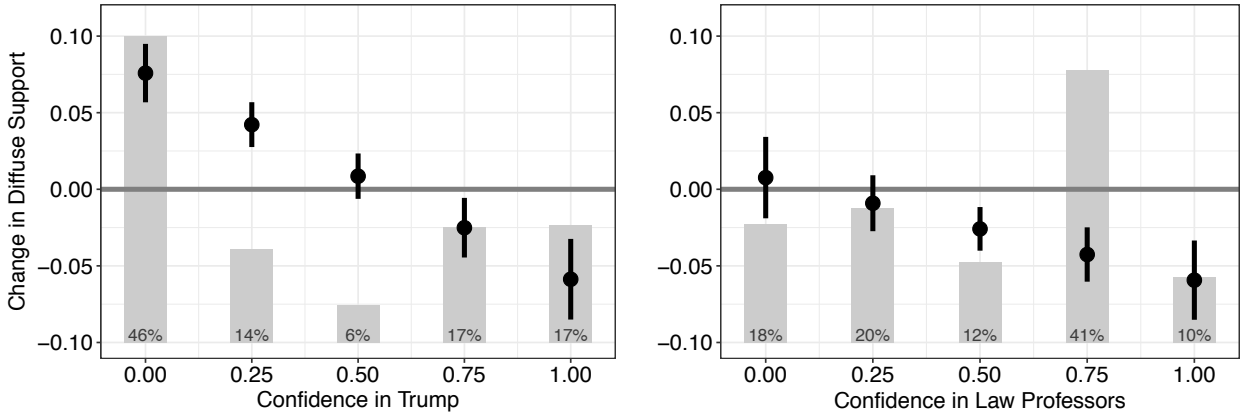
**Table C12. Predictors of Agreement with Criticism, by Professor Confidence and including Trump Confidence and Demographics**

| | OLS Regression Results | | |
|---|---|---|---|
| | b | s.e. | p-value |
| Professor Confidence | -.18 | .03 | **.001** |
| Professor Criticism | -.08 | .02 | **.001** |
| Professor Confidence x Professor Criticism | .30 | .04 | **.001** |
| Trump Confidence | .10 | .02 | **.001** |
| Political Interest | -.05 | .02 | **.039** |
| Republican Party Affiliation[a] | .02 | .05 | .756 |
| Democratic Party Affiliation[a] | -.01 | .05 | .803 |
| Ideology | .11 | .03 | **.001** |
| Female | .00 | .01 | .883 |
| Black | .03 | .02 | .191 |
| Hispanic | .07 | .02 | **.001** |
| Level of Education | -.10 | .04 | **.024** |
| Church Attendance | .00 | .03 | .920 |
| Age | .00 | .03 | .915 |
| Income | -.10 | .03 | **.001** |
| *Equation* | | | |
| Intercept | .54 | .06 | **.001** |
| Standard Deviation – Dependent Variable | .28 | | |
| Standard Error of Estimate | .26 | | |
| $R^2$ | .16 | | |
| N | 1,794 | | |

Note: All independent variables are scored to vary from 0 to 1.
b = unstandardized regression coefficient
s.e. = standard error of unstandardized regression coefficient
$R^2$ = coefficient of determination
Probabilities less than .05 are shown in bold-face type.
This table is an analogue to Table C4.

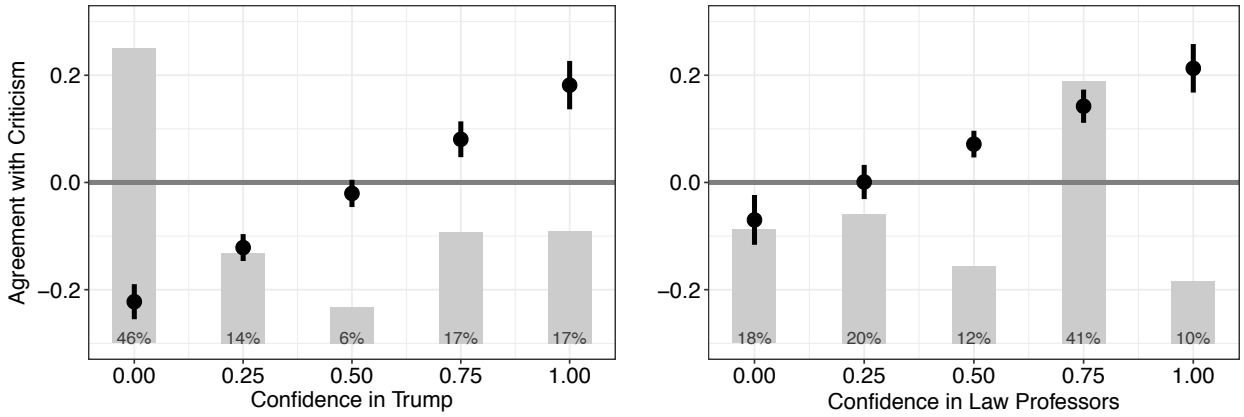
[a] Independents are the omitted category for the party identification trichotomy.

**Figure C1. Marginal Effects of Trump Criticism (Left Panel) and Law Professor Criticism (Right Panel) on Change in Diffuse Support, Controlling for Both Measures of Confidence**



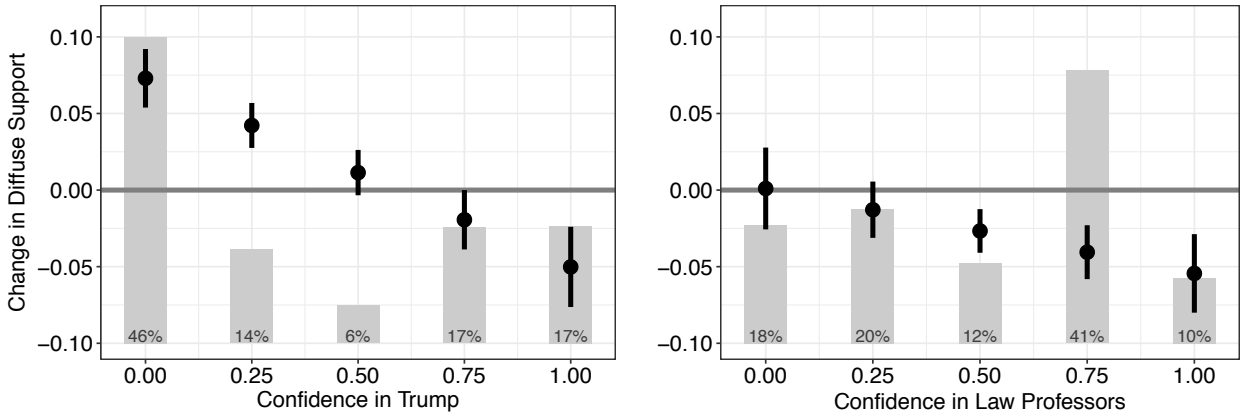

This figure displays the marginal effect of exposure to criticism by Trump (left panel) or law professors (right panel), across respondents' level of confidence in that source, on change in diffuse support. The bars and their percentages show the distribution of confidence. Full regression results are provided in Tables C5 (left panel) and C6 (right panel). Percentages may not add to 100% due to rounding. This figure is analogous to Figure 1.

**Figure C2. Marginal Effects of Trump Criticism (Left Panel) and Law Professor Criticism (Right Panel) on Agreement with Criticism, Controlling for Both Measures of Confidence**



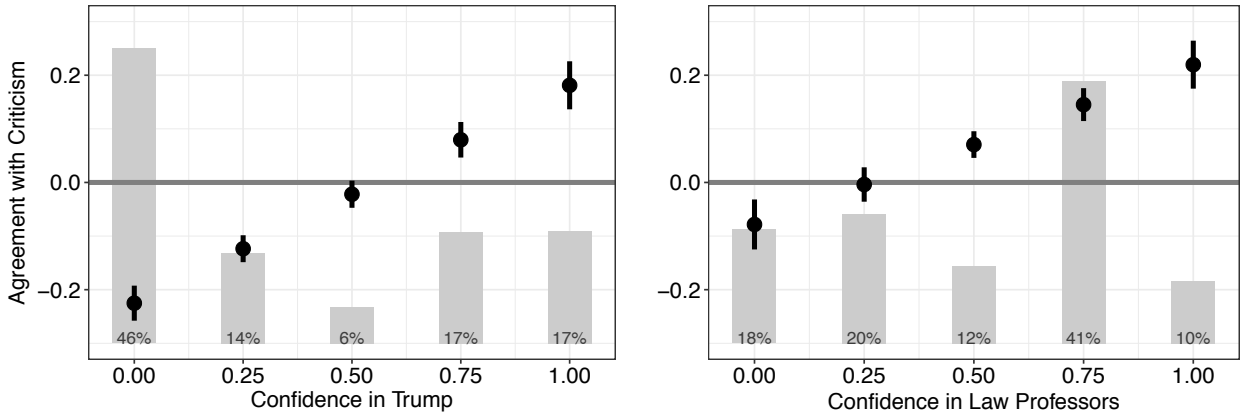

This figure displays the marginal effect of exposure to criticism by Trump (left panel) or law professors (right panel), across respondents' level of confidence in that source, on agreement with the criticism. The bars and their percentages show the distribution of confidence. Full regression results are provided in Tables C7 (left panel) and C8 (right panel). Percentages may not add to 100% due to rounding. This figure is analogous to Figure 2.

**Figure C3. Marginal Effects of Trump Criticism (Left Panel) and Law Professor Criticism (Right Panel) on Change in Diffuse Support, Controlling for Confidence and Demographics**




This figure displays the marginal effect of exposure to criticism by Trump (left panel) or law professors (right panel), across respondents' level of confidence in that source, on change in diffuse support. The bars and their percentages show the distribution of confidence. Full regression results are provided in Tables C9 (left panel) and C10 (right panel). Percentages may not add to 100% due to rounding. This figure is analogous to Figure 1.

**Figure C4. Marginal Effects of Trump Criticism (Left Panel) and Law Professor Criticism (Right Panel) on Agreement with Criticism, Controlling for Confidence and Demographics**




This figure displays the marginal effect of exposure to criticism by Trump (left panel) or law professors (right panel), across respondents' level of confidence in that source, on agreement with the criticism. The bars and their percentages show the distribution of confidence. Full regression results are provided in Tables C11 (left panel) and C12 (right panel). Percentages may not add to 100% due to rounding. This figure is analogous to Figure 2.

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