

# Trust in the Supreme Court & Attitudes toward Abortion Access

American Identity Research Project

May 2022 – June 2022

# INTRODUCTION

The Supreme Court's ruling on *Dobbs v. Jackson* reignited a debate on access to abortion in the United States. It also had a direct impact on levels of trust in the Supreme Court.

## RESEARCH METHODOLOGY

### Quantitative National Surveys

Results are shown as “US Average”.

#### *US Citizen Survey*

More in Common partnered with international polling company YouGov to conduct online survey interviews with n=1,500 adult US citizens from July 20 to 27, 2022. The data was weighted to be representative of American citizens using propensity scores, with score functions including gender, age, race, education, and region. The weights were then post-stratified on 2020 Presidential vote choice, and a four-way stratification of gender, age (6-category), race (5-category), and education (4-category). The margin of error (adjusted for weighting) is +/- 2.5 for the US average and higher for subgroups.

### Qualitative Research

Results are shown as “American respondents”.

#### *Americans in Conversation*

In 2022, More in Common stood up an online community representative of the American general population.

Wave 1: From May 6 to May 11, we engaged these respondents in an activity similar to a focus group about their views on abortion access, the Supreme Court, and the leaked opinion of the Supreme Court on Roe v. Wade. A total of N=292 American respondents completed the activity.

Wave 2: From June 28 to June 30, we engaged the same panel of respondents in an activity on abortion access and the Supreme Court, following the Dobbs ruling that overturned Roe v. Wade. A total of N=256 American respondents completed the activity.

The margin of error is +/- 6% for the US average and higher for subgroups.

Quotes from the respondents are included in this report. Where provided, names have been changed to protect the privacy of the respondent.

## EXECUTIVE SUMMARY

### 1. There is broad support for abortion access among American respondents.

Immediately after the leaked opinion of the Supreme Court on Roe v. Wade in May 2022, 90% of American respondents were aware of the leak.

Immediately after the Dobbs v. Jackson ruling in June 2022, 96% of American respondents reported being aware of the Supreme Court's decision to overturn Roe v. Wade.

Respondents overall have strong views on the issue of abortion. Their beliefs remained consistent both before and after the Dobbs ruling. Around 70% of American respondents are in support of abortion access and more than 60% believe that the federal government should determine laws concerning abortion.

### 2. American respondents were unsure or pessimistic about the consequences of Roe v. Wade being overturned.

Prior to the Dobbs ruling, the Hidden Tribes were largely split on the issue of local impact of a potential overturning.

64% of Progressive Activists believed that, if Roe were overturned, debates on abortion rights in their local communities would become more divisive. On the other hand, 33% of the Politically Disengaged and 50% of Devoted Conservatives believed that overturning Roe would have no effect in their local communities.

Many American respondents believed that violence would increase if Roe were overturned and that compromise would be difficult.

### 3. Trust in the Supreme Court is low, including among the Exhausted Majority.

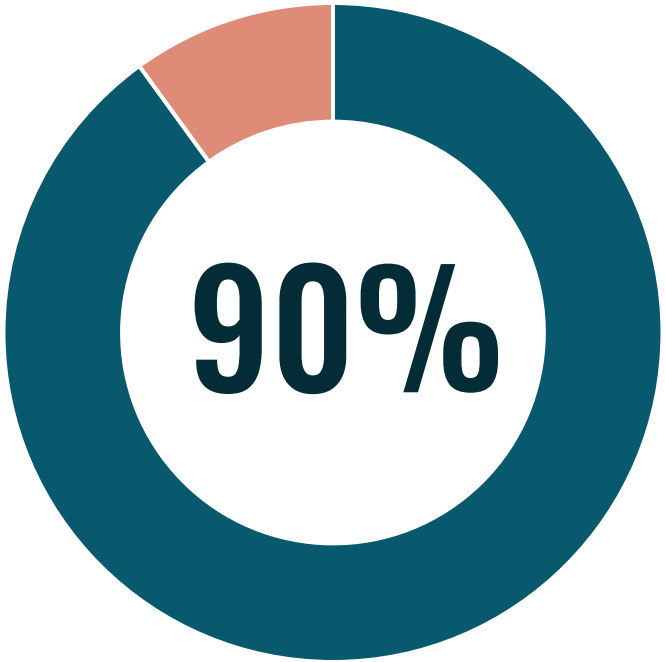
Prior to the Dobbs ruling, 82% of respondents believe that the Supreme Court should be an independent institution, separate from politics. Only 39% believe that it was separate from politics.

After the Dobbs ruling, 80% of respondents believe that the Supreme Court should be an independent institution, separate from politics. Only 24% believe that it is separate.

Americans who believed that the Supreme Court should be an independent institution but did not think it was acting like one were more likely to consider the Supreme Court untrustworthy. This finding held across the political spectrum. Trust was also associated with support for legal access to abortion.

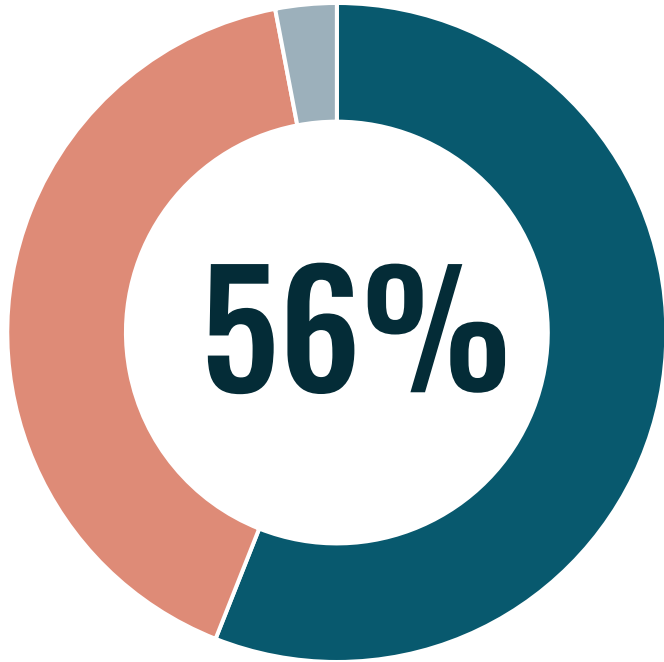
# Wave 1: Attitudes toward the leaked opinion on Roe v. Wade (May 2022)

Percentage aware of the Roe v.Wade leak



■ Aware ■ Unaware

Percentage who know someone who has had an abortion



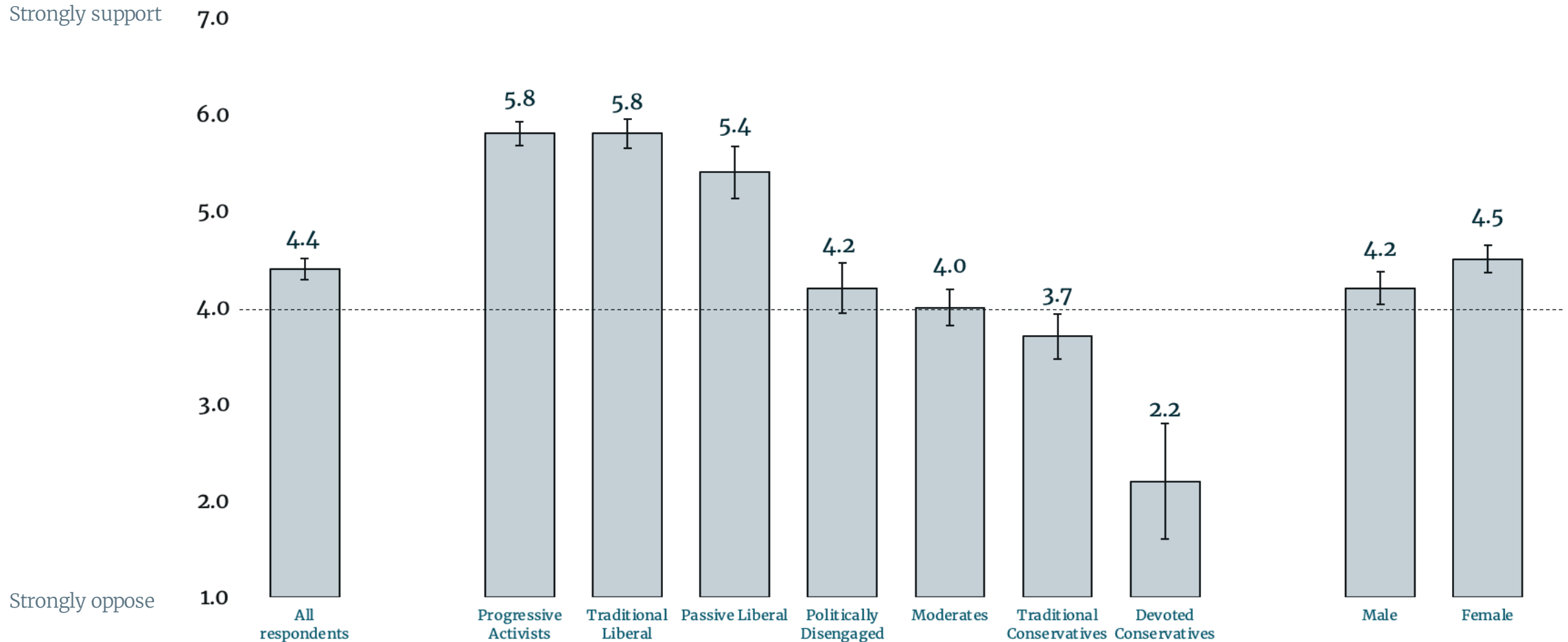
■ Yes ■ No ■ Prefer not to say

# 7 in 10

American respondents felt neutral or in support of people having access to abortion.

On average, American respondents support the right to have an abortion. This support differs slightly along ideological lines. Republicans, Traditional Conservatives, and Devoted Conservatives are less supportive than their more liberal counterparts.

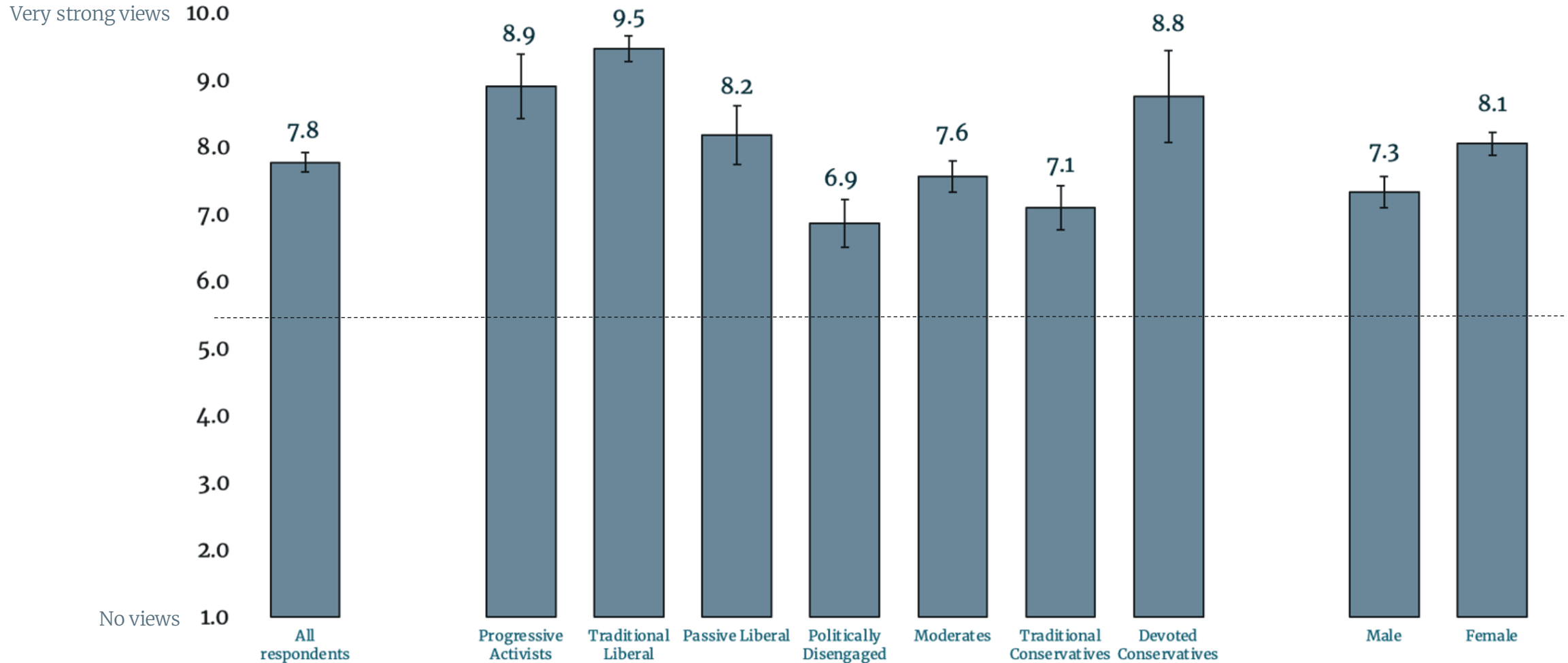
*“To what extent do you personally oppose or support women having a right to abortion?”*





## American respondents largely have strong views about the issue of abortion.

*“On a scale of 1-10, please rate the strength of your feelings about the issue of abortion.”*



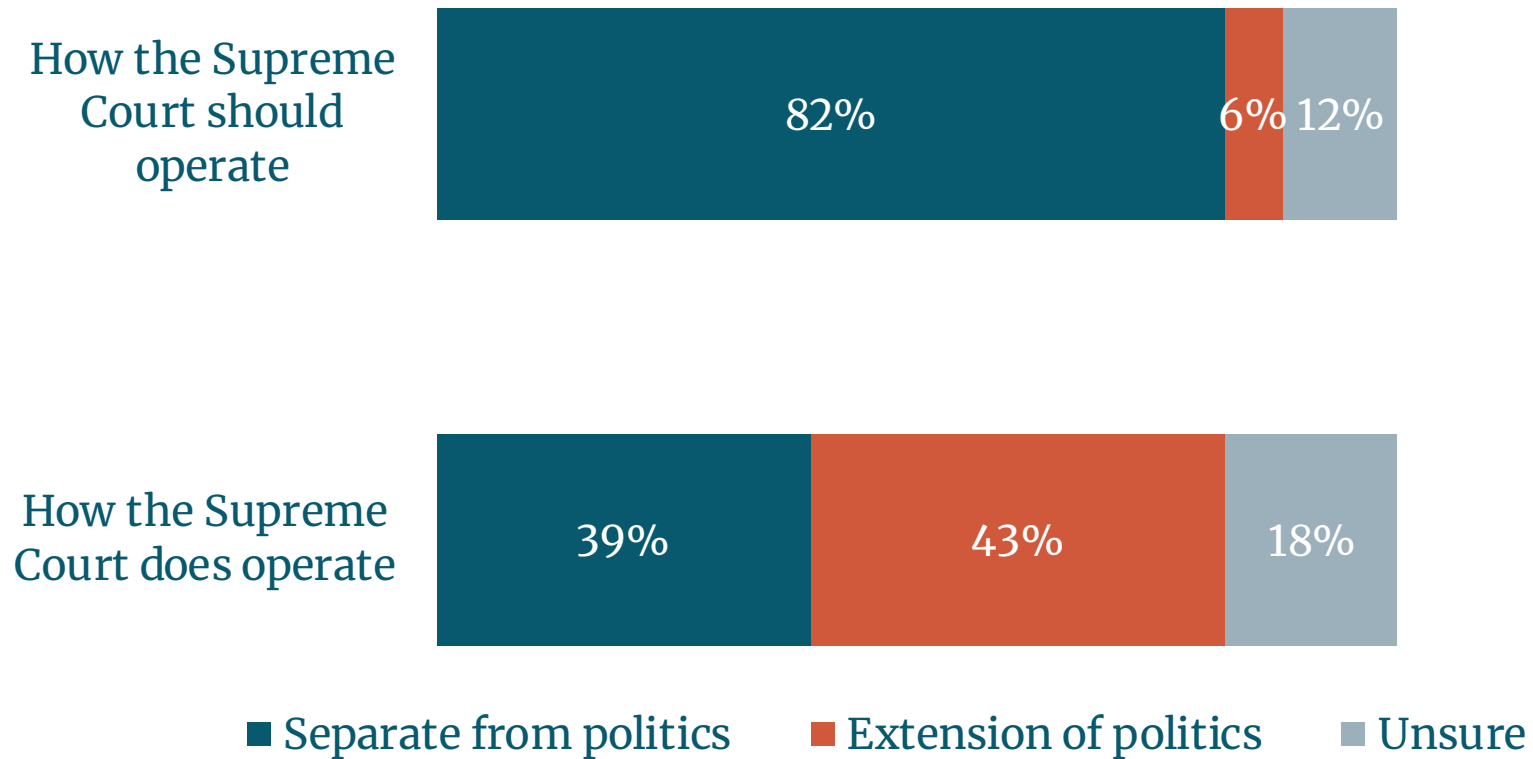
*Error bars represent  $\pm 1$  Standard Error*

# 8 in 10

believed that the Supreme Court should be independent from politics.

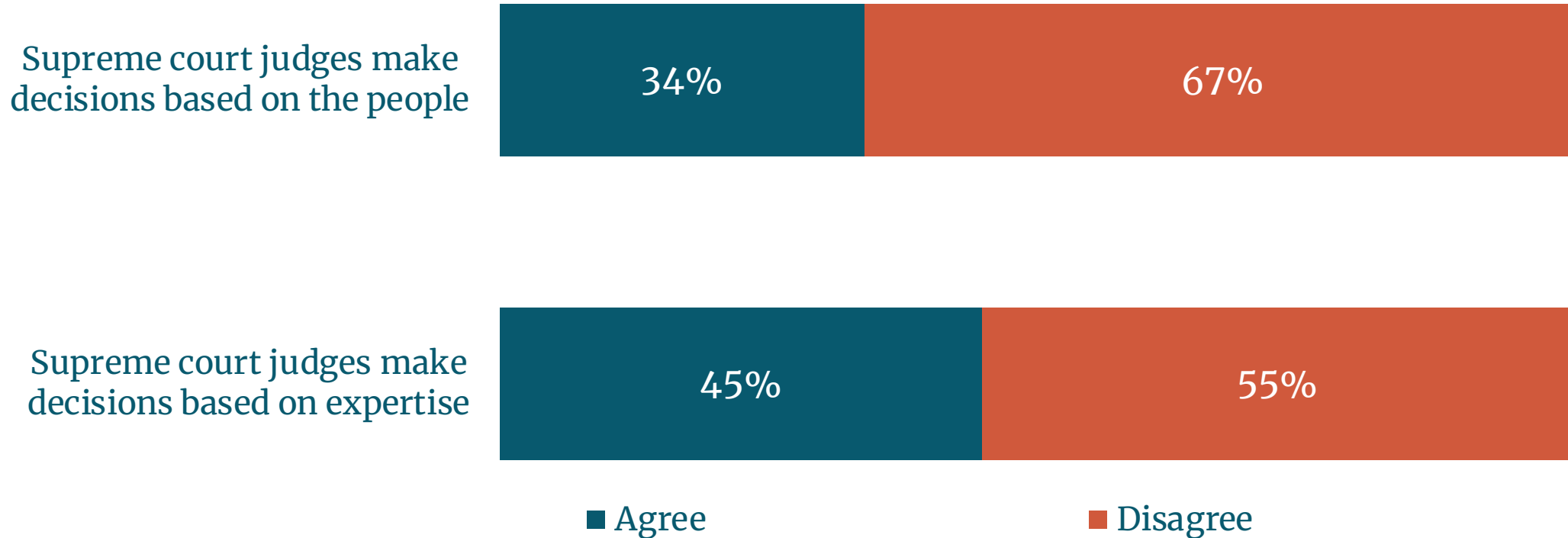
There was a mismatch in how American respondents believe the Court should work and how they think it works in practice. 4 in 5 American respondents believed that the Supreme Court should be independent from politics but only 2 in 5 said that it *is in practice* separate from politics.

“Which of the following statements do you agree with more?”



American respondents did not see the Supreme Court as an ally of the American people and less than half of respondents (45%) believed that Supreme Court Justices use their expertise to guide decisions.

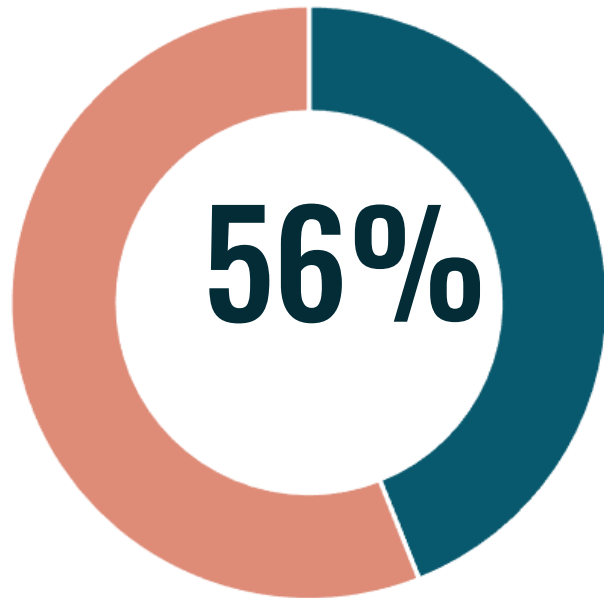
*“To what extent do you agree or disagree with the following statements?”*



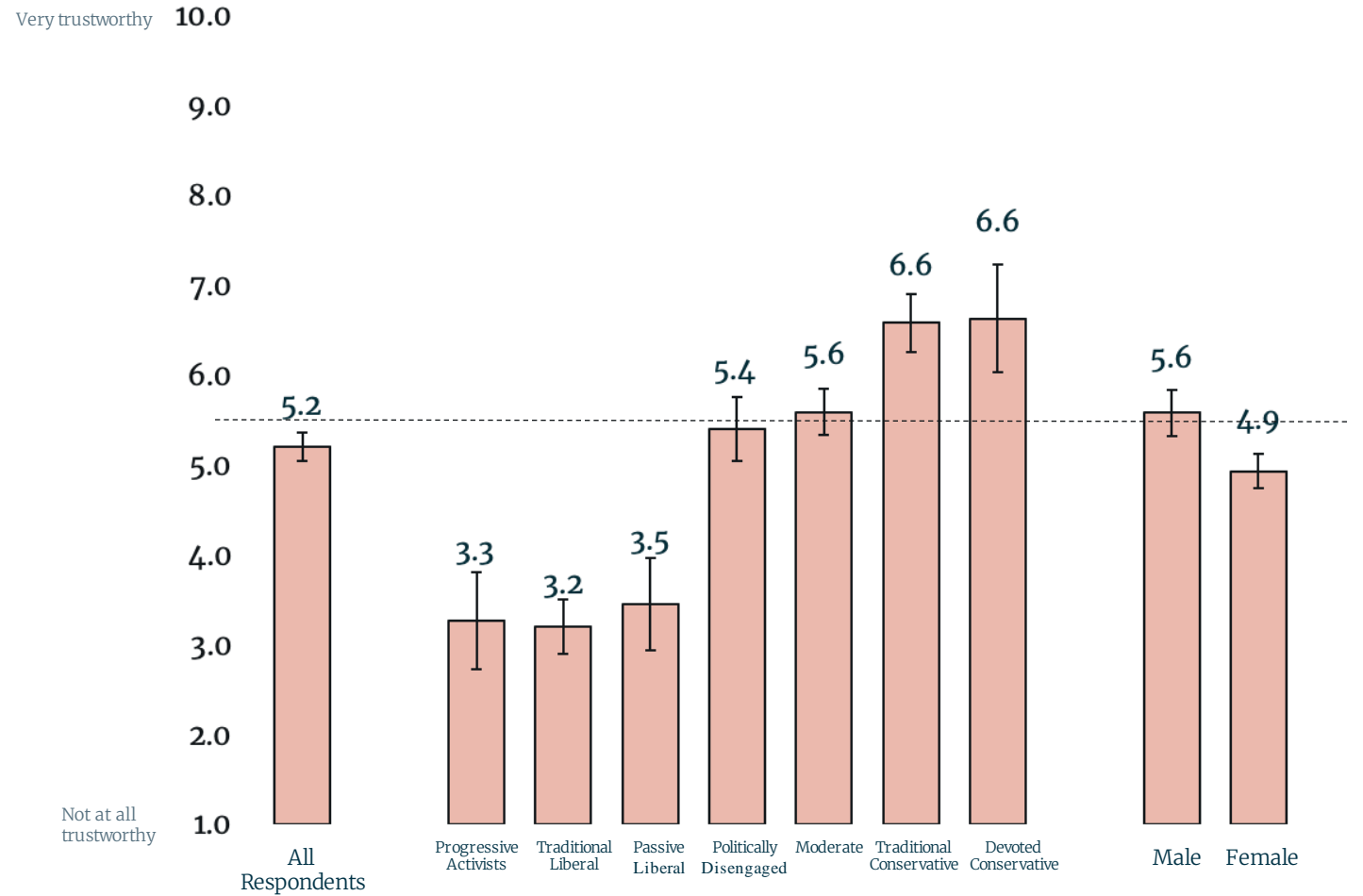
# American respondents lacked trust toward the Supreme Court.

*“Do you consider the Supreme Court trustworthy or not at all trustworthy?”*

## Percentage who do not trust the Supreme Court



■ High trust ■ Low trust

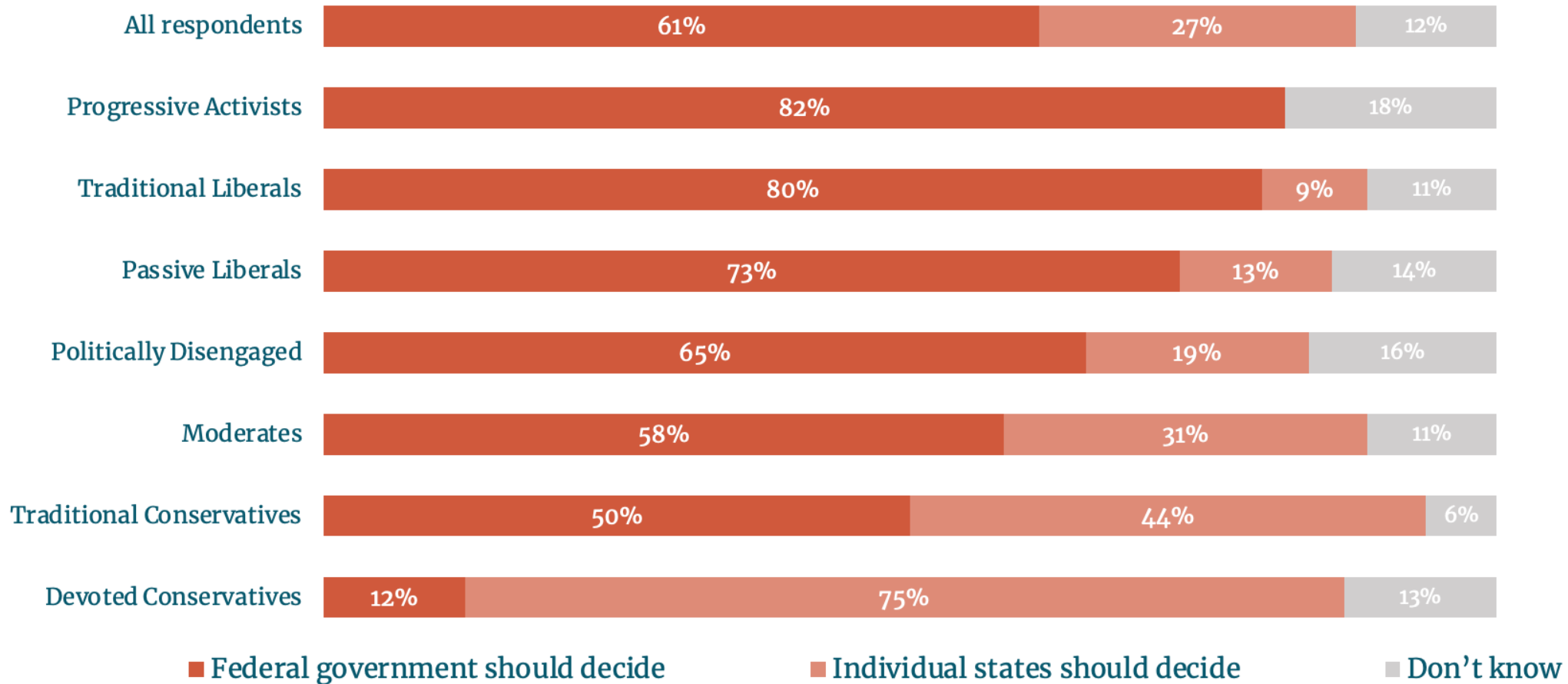


# 7 in 10

American respondents believed that violence would increase as a result of the overturning of Roe v. Wade.

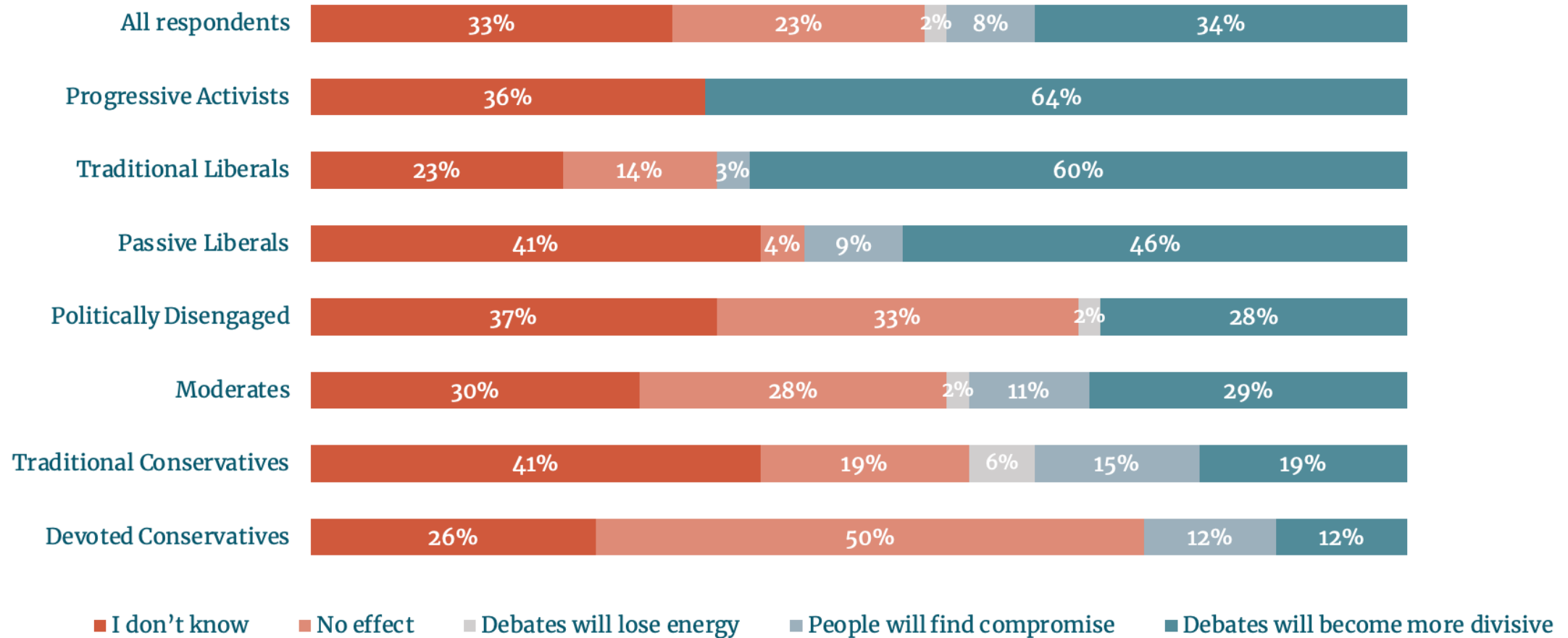
61% of American respondents believed there should be a national legal standard for whether abortion is legal and under what conditions.

*“Which comes closer to your view?”*



1 in 3 American respondents believed that the overturning of Roe v. Wade would lead to more division, even at the local level.

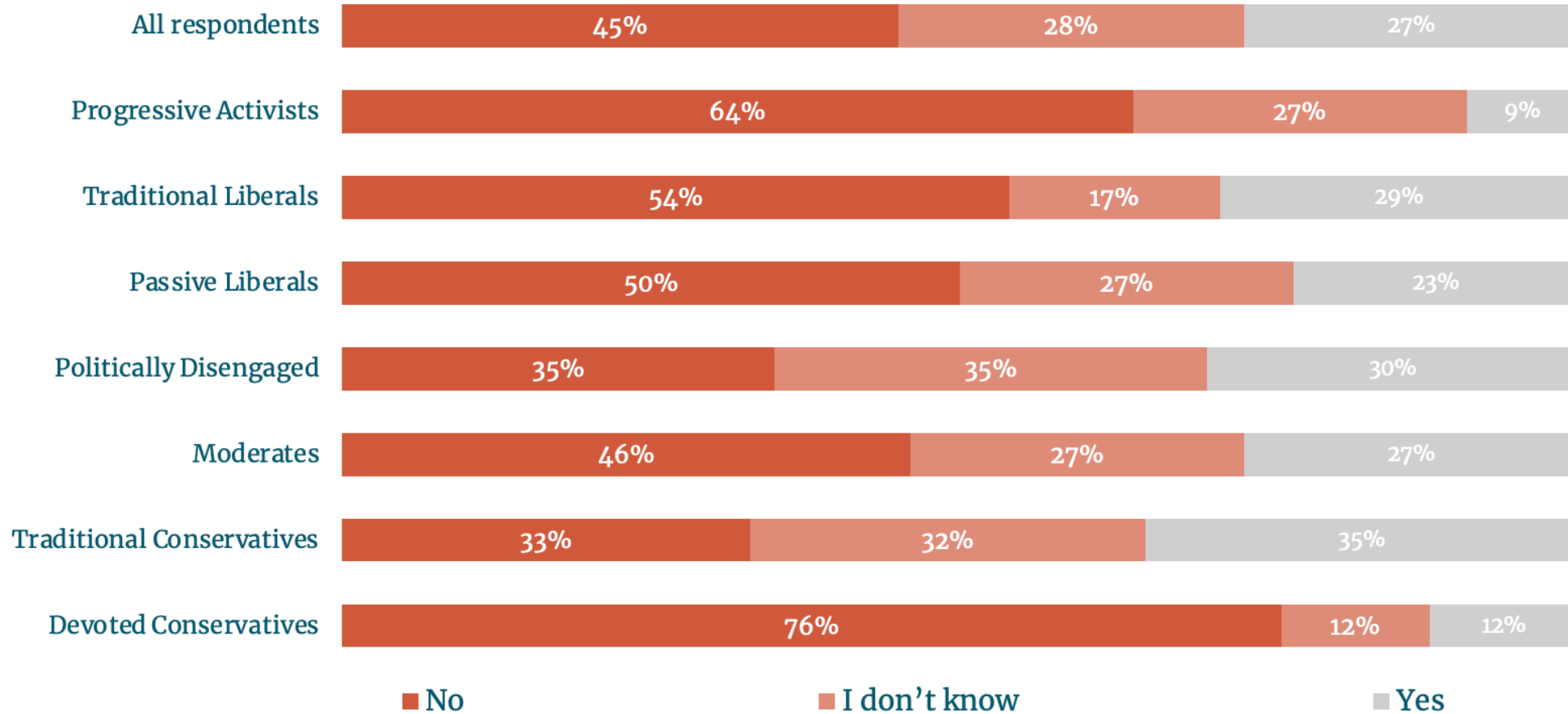
*“Do you expect a ruling on Roe v Wade will have any impact in your local community?”*





There was broad pessimism among American respondents around finding common ground on the issue of abortion.

*“Do you believe there is a way to find a compromise between opposing views on abortion?”*



Many respondents believed that the issue of abortion is too polarized and that compromise is not possible.

**Many say that opinions on the matter of abortion are too entrenched and unchangeable.**

**Some respondents note that the issue of abortion is a binary one and there is no room for a third option.**

*“Abortion is a wicked problem (a social or cultural problem that's difficult or impossible to solve) as the two sides are actually arguing different things. Pro-choice advocates are arguing bodily autonomy of the mother, anti-choice groups are arguing that religion makes it immoral. These two arguments cannot be reconciled as they are.”*

*– Bernard, age 35-44, Hispanic male, Progressive Activist, Colorado*

*“There’s literally only one of two options to pick from.”*

*– Maynard, age 25-34, White male, Traditional Liberal, South Carolina*

*“Unfortunately this is a hot topic where people do not see grey - only black and white. They will never agree.”*

*– Katharine, age 35-44, White female, Traditional Conservative, Texas*

*“Both sides are too extreme from each other. It is about life and death. I don't think there can be a compromise.”*

*– Cecile, age 35-44, Black female, Passive Liberal, North Carolina*

Survey question: Do you believe there is a way to find a compromise between opposing views on abortion? Please explain.

Within those who support access to abortion, some are unwilling to compromise on what they see as a fundamental right, whereas others believe that those who do not want legal access to abortion are unwilling to compromise.

**Some emphasize that they cannot compromise on what they see as women’s human rights and bodily autonomy.**

*“Women should have the right to make decisions about their bodies and health. There’s no compromise on that.”*

*– Emma, age 35–44, Asian female, Traditional Liberal, California*

*“There is no middle ground when you are debating whether someone deserves basic human rights. It is illegal to force someone to donate part of their body to another.”*

*– Henrietta, age 25–34, White female, Progressive Activist, Georgia*

**Others say that compromise is impossible because the other side will not change their beliefs that life begins at conception.**

*“For those who are morally against abortion, there is no middle ground.”*

*– Morton, age 45–54, White male, Moderate, Massachusetts*

*“With one side saying that life starts at conception leaves little to no room for compromise.”*

*– Walter, age 45–54, White male, Traditional Liberal, Pennsylvania*

*Survey question: Do you believe there is a way to find a compromise between opposing views on abortion? Please explain.*

Within those who are against legal access to abortion, some are unwilling to compromise on what they see as "murder" whereas others believe that those who want legal access to abortion are unwilling to compromise.

**Some emphasize that they cannot compromise on what they see as "murder."**

*"There is no compromise on murder!!! It's murder and is WRONG!!"*

*– Kathaleen, age 25-34, White female, Devoted Conservative, Maryland*

*"How can you compromise murder? The result of an abortion is a child dies. Everyone's rights end where another individual's rights begin. A woman has all the rights of anyone else, but they don't have the right to take another individual's life. In my opinion it would be better for women to exercise greater discernment sexually than murder the product of their carelessness."*

*– Victor, age 55-64, White male, Devoted Conservative, California*

**One respondent believe that pro-choice supporters endorse abortion up to birth.**

*"With the liberals there is no compromise. They had abortion and then had to keep pushing the line to aborting up to birth. Why not 18 year olds? At what point does it pass from abortion to murder?"*

*– Roy, age 45-54, White male, Devoted Conservative, Tennessee*

*Survey question: Do you believe there is a way to find a compromise between opposing views on abortion? Please explain.*

Some respondents believe that it is possible to reach a compromise on keeping abortion legal but with limits.

**Some support abortion access in the first trimester.**

*“Set a cut off time, say no abortions after like 3 months? Because while I do support abortion, I don’t like the thought of late term abortion after the child has started to grow and develop”*

*– Johnie, age 45–54, White male, Traditional Conservative, Tennessee*

*“There needs to be a cutoff. Not totally sure, but I’d say the 1st trimester. I think that is long enough for a responsible woman to get educated and decide if they want the child. If they go past that then the child should be put up for adoption.”*

*– Mack, age 45–54, White male, Traditional Conservative, Ohio*

**Others believe that abortion should be allowed for medical concerns or cases of rape and incest.**

*“For medical reasons, one should be allowed an abortion. But if someone just had fun, well then, that’s their problem! Give the baby up for adoption.”*

*– Maggie, age 25–34, White female, Disengaged, Illinois*

*“I think there’s always compromise. At very least make it legal because of rape or extenuating circumstances.”*

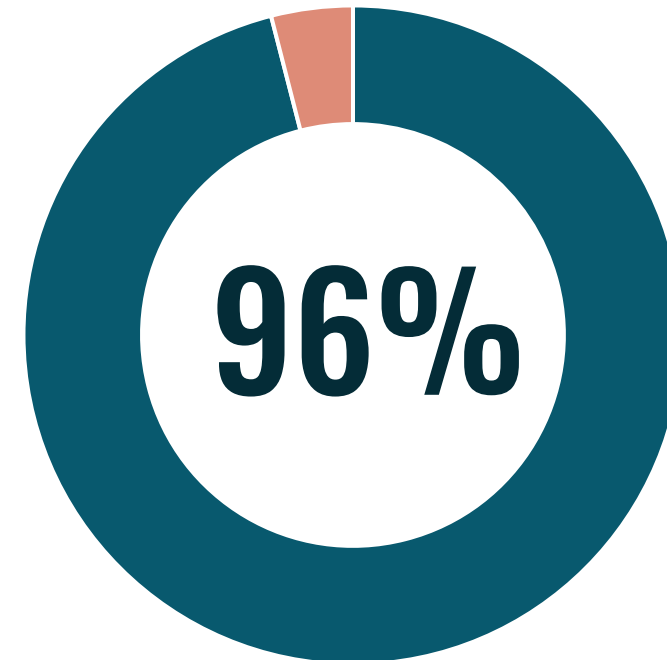
*– Marjory, age 35–44, White female, Traditional Liberal, Idaho*

Survey question: Do you believe there is a way to find a compromise between opposing views on abortion? Please explain.

# Wave 2: Attitudes toward the overturning of Roe v. Wade (June 2022)

American respondents, including those in the Exhausted Majority, reported being aware of the overturning of Roe v. Wade.

Percentage aware of the Roe v. Wade overturning



■ Aware ■ Unaware

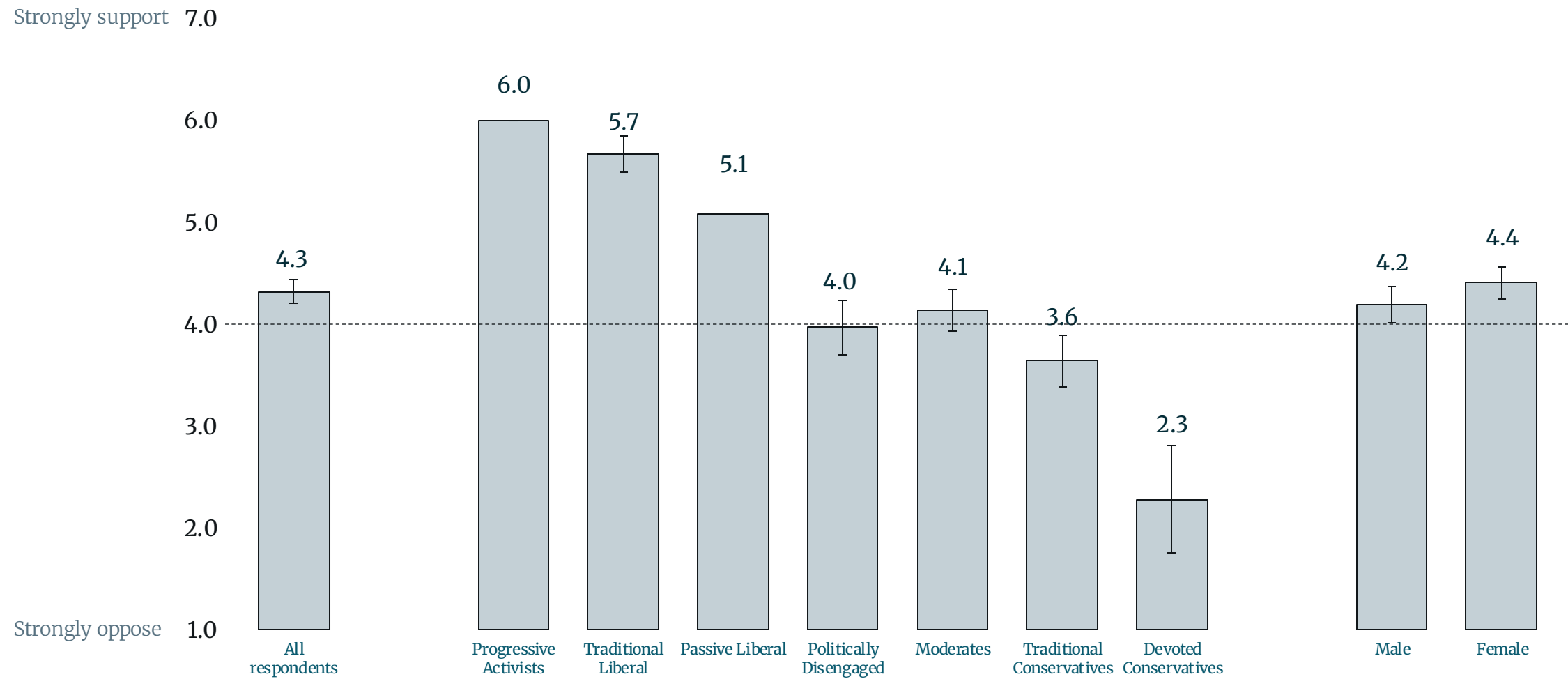
# 69%

of American respondents felt neutral or in support of people having access to abortion.



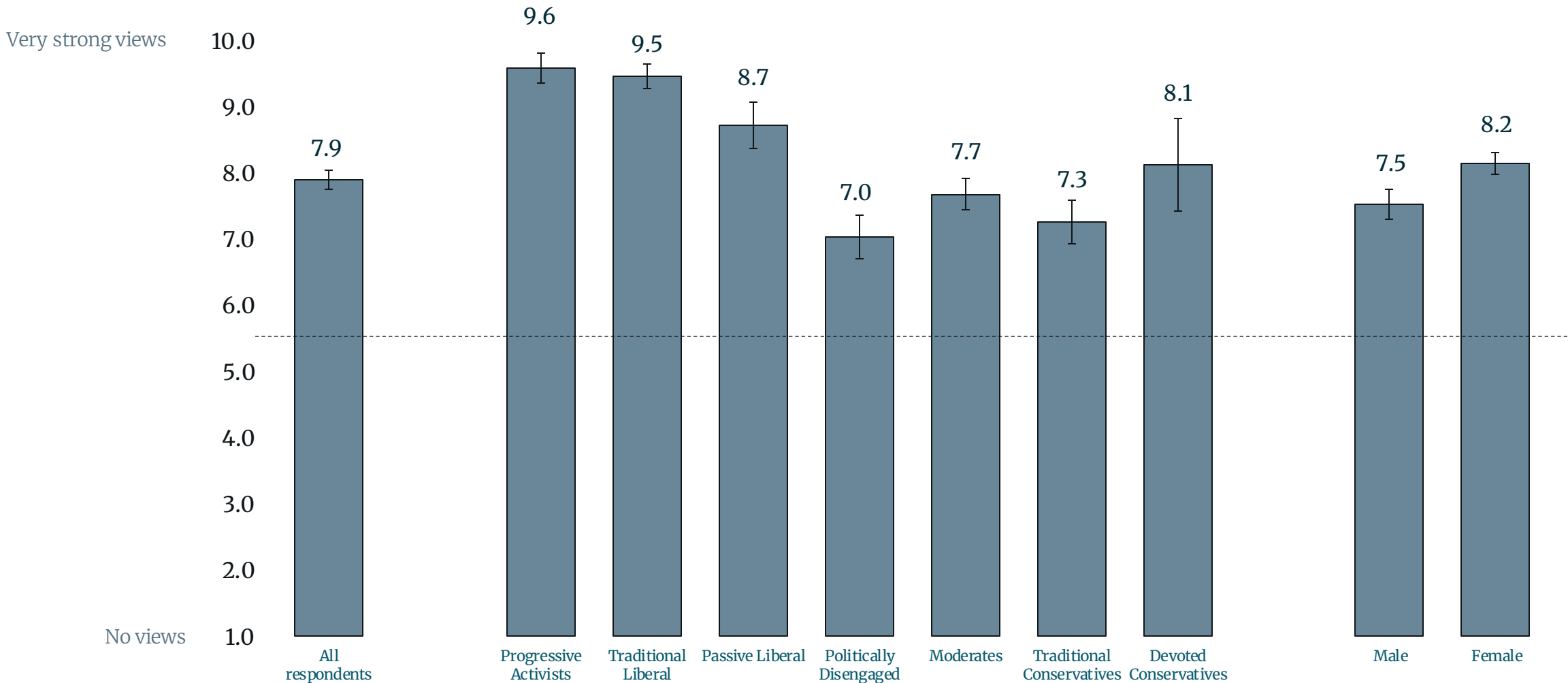
# Following the ruling, very little changed in American respondents' support for the right to have an abortion.

*“To what extent do you personally oppose or support women having a right to abortion?”*



# American respondents continue to feel strongly about the issue of abortion.

*“On a scale of 1-10, please rate the strength of your feelings about the issue of abortion.”*



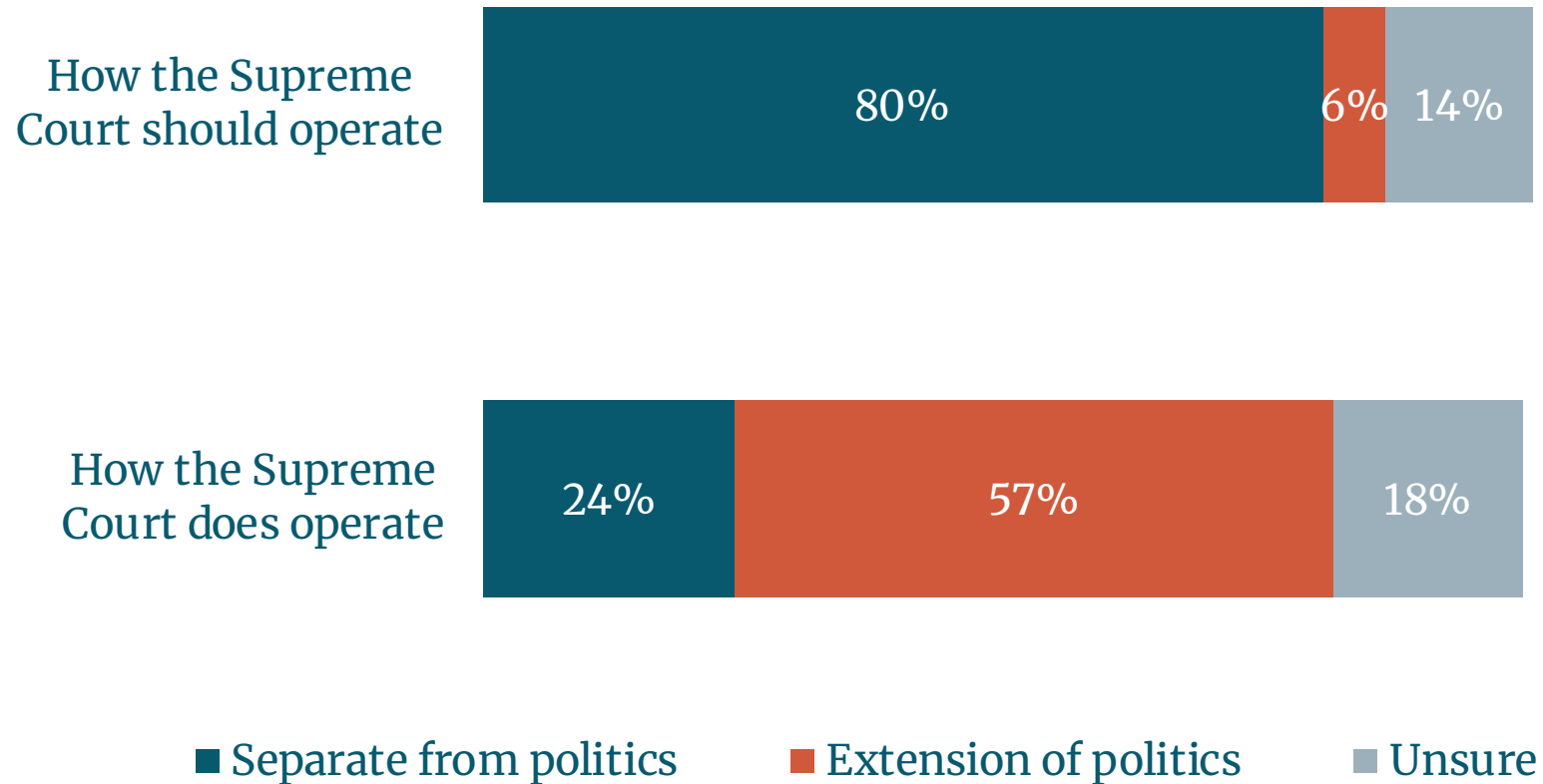
*Error bars represent ±1 Standard Error*

Only **1 in 4**

believe that the Supreme Court is independent from politics in practice.

There is again a striking mismatch in how American respondents believe the Supreme Court should work and how they think it works in practice. Only 24% of American respondents believe that the Supreme Court is separate from politics, compared to 39% who reported so prior to the overturn of Roe.

*“Which of the following statements do you agree with more?”*

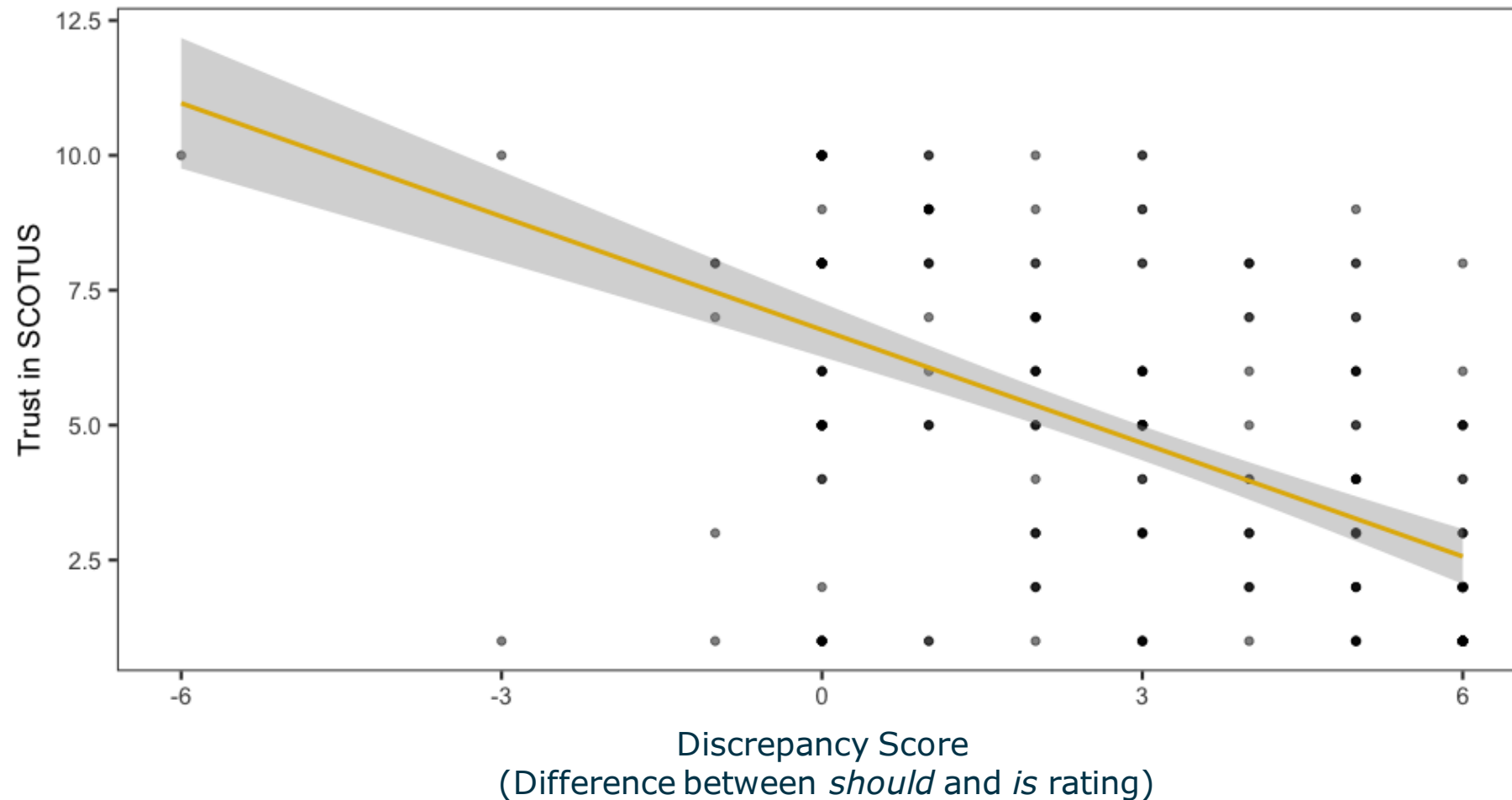


# 47%

of American respondents reported having no trust in the Supreme Court. 14% felt neutral.

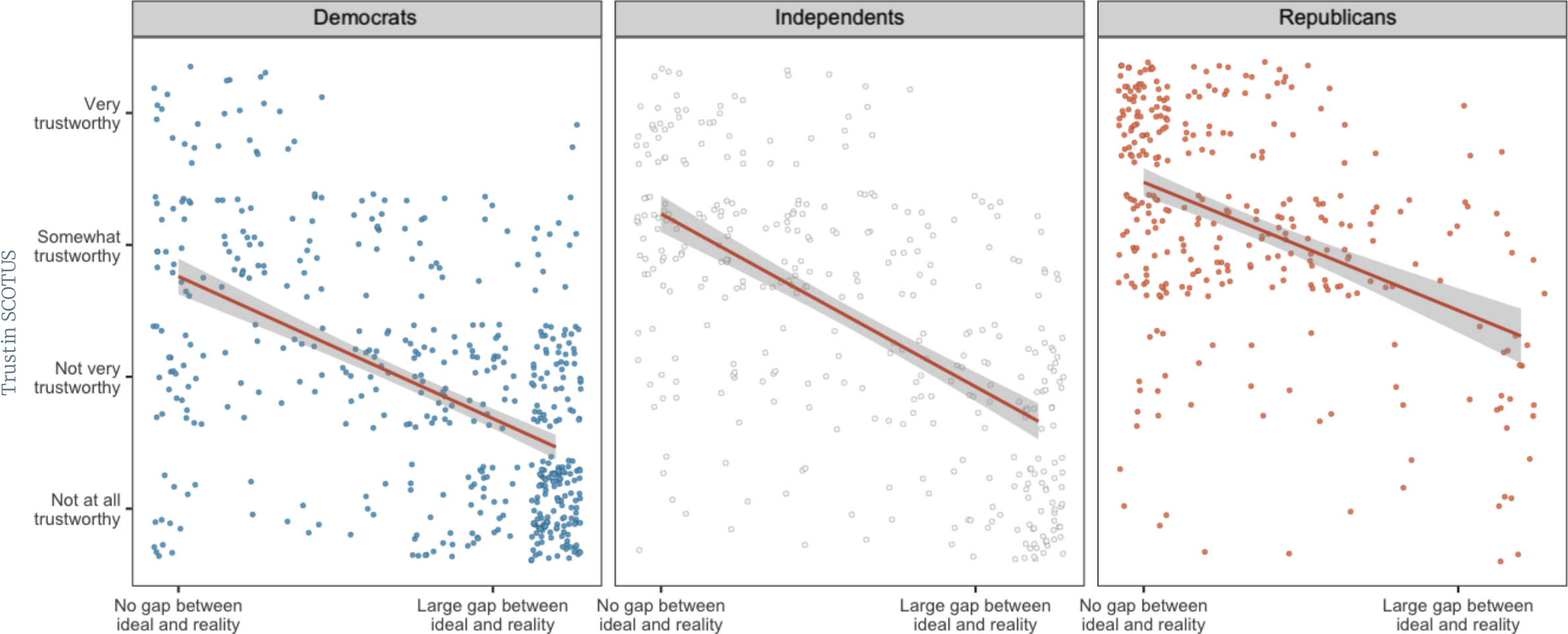
Americans who believed that the Supreme Court should be an independent institution but did not think it was acting like one were more likely to consider the Supreme Court untrustworthy.

The disparity between what American respondents believe the Supreme Court should do and what it actually does is consequential. This discrepancy strongly predicts trust in the Supreme Court. A large discrepancy predicts less trust in the Supreme Court ( $r = -.56$ ).



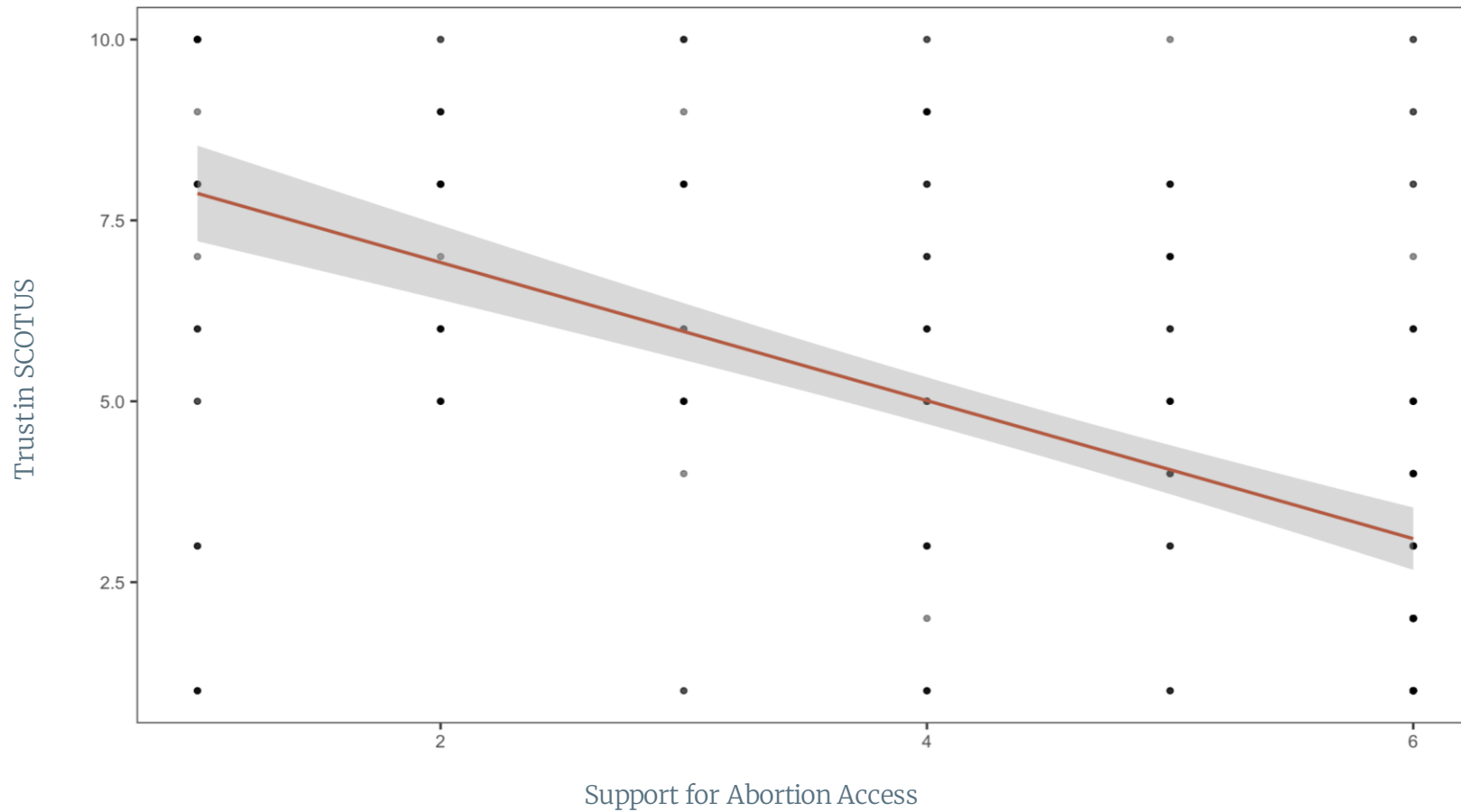
Shading represent 95% Confidence Interval

The discrepancy between how SCOTUS should be and how SCOTUS is again predicts trust in the Supreme Court ( $r = -.62$ ) in a large, independent sample of Americans. This is true across the political aisle.



Error bars represent  $\pm 1$  Standard Error

There was also a negative correlation ( $r = -0.57$ ) between people who indicated they support access to abortion and their declining trust in SCOTUS.





## Most Democrat respondents believe that SCOTUS is *not* an independent institution.

**Many say that the overturn of Roe shows that the Justices made biased decision based on their own ideology or agenda.**

*“It doesn't appear that they are making the decision independent from politics because Republicans have been very vocal about overturning this ruling, and the supreme court followed, which means they are following their party and not caring about the people.”*

*– Joyce, age 45-54, Black female, Moderate, Florida*

*“The timing of the decision seems like it's more political than a legal case to set a precedent. It's basically rolling back progress and rulings that came before rather than advancing justice!”*

*– Theda, age 35-44, White female, Passive Liberal, Oregon*

**Others believe that there has been too much political influence on the SCOTUS in general, especially from the Justice selection process.**

*“Unfortunately, we currently have a supreme court that is entirely decided by what political party was in power when a seat becomes free. I think that overturning Roe v Wade is an extremely ideological decision and restricts the freedoms of Americans far too much.”*

*– Mitchell, age 18-24, Asian male, Passive Liberal, California*

*“Supreme court is very politically motivated by one side- and that's Republicans.”*

*– Nancy, age 45-54, Hispanic female, Moderate, California*

Survey question: How much do you agree with the following statement “the Supreme Court is an independent institution, separate from politics”? Please explain.

Around half of the Independent respondents say that the Supreme Court made a biased decision in the Dobbs ruling and there is too much partisan influence over the Supreme Court in general.

**Many say that the SCOTUS is *not* an independent institution because of strong partisan or ideological influence.**

*“I think that the Supreme Court should protect rights not take them away. I think that the justices are extremally conservative.”*

*– Cecelia, age 45-54, White female, Moderate, Washington*

*“Yes, the SC should be an independent institution – the founding fathers intentionally designed it that way, where America has 3 SEPERATE branches of government. However, that is not the case now. The overturning of Roe V. Wade was clearly a pollical / religious decision.”*

*– Mildred, age 45-54, White female, Disengaged, Illinois*

**Some believe that the SCOTUS is independent and made a right decision in the Dobbs ruling through unbiased interpretation of the Constitution.**

*“I believe they followed the Constitution and that the right to an abortion was contrived and stretched out of context for political benefit and that the true power should lie with the State.”*

*– Bill, age 35-44, White male, Traditional Conservative, Ohio*

*“I believe they made a constitutional based decision.”*

*– Alma, age 55-64, White female, Moderate, Texas*

Survey question: How much do you agree with the following statement “the Supreme Court is an independent institution, separate from politics”? Please explain.

A significant plurality of Republican respondents say that the Supreme Court followed the Constitution and made an independent decision in overturning Roe.

**Some believe that the SCOTUS made an independent decision by adhering to the Constitution.**

*“The right to an abortion is not in the constitution so overruling roe v wade was the right decision.”*

*– Donna, age 25-34, White female, Devoted Conservative, Kentucky*

*“I think they did the right thing and returned the power back to the states where it belongs, so it might seem political because of who appointed whom but it was the right decision.”*

*– Dennis, age 45-54, Hispanic male, Disengaged, Texas*

**Some say that the judges made the decision based on their personal beliefs.**

**Others believe that politics or personal beliefs always play a role in SCOTUS.**

*“I think that their politics definitely played into their interpretation of the law.”*

*– Nelson, age 25-34, White male, Disengaged, Illinois*

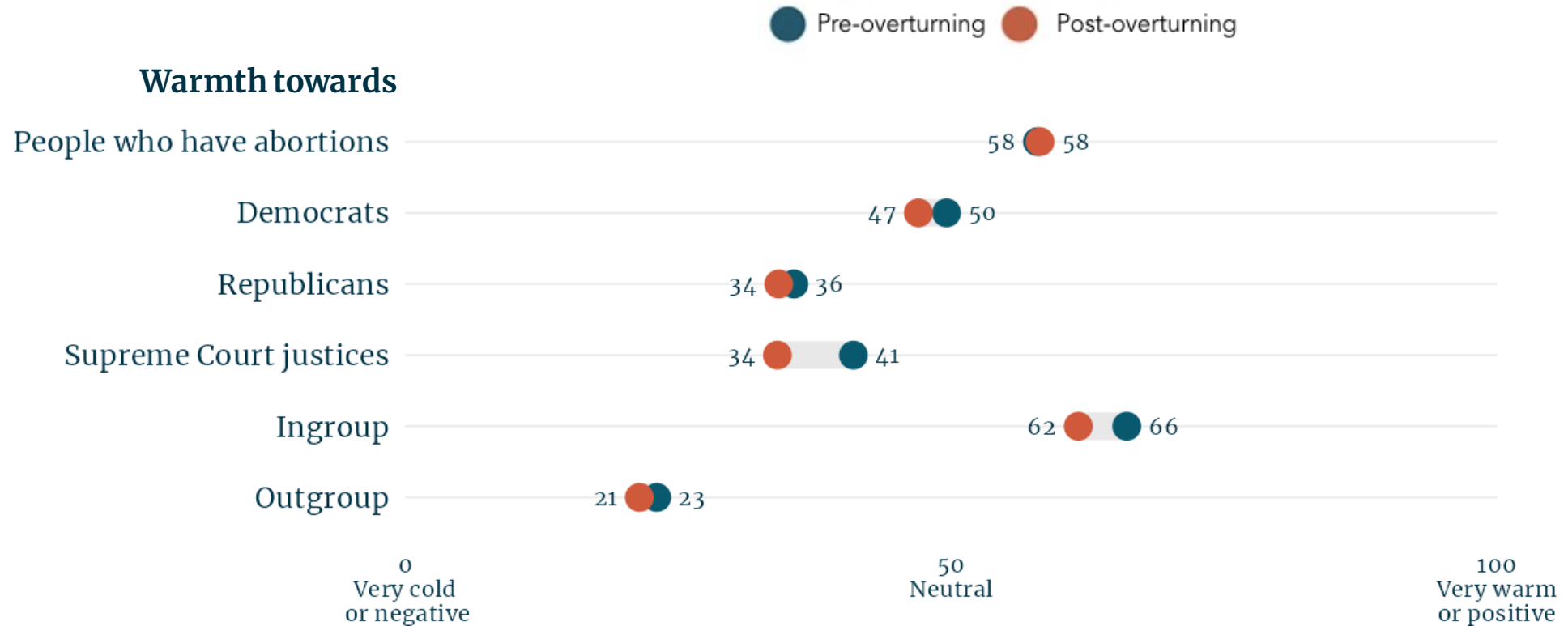
*“I don't have any idea how they made their decision whether it was separate from politics or not. I don't image they are immune from it, just like they are not immune from their personal feelings, ideals, etc. when making decisions. Whether they are independent or not, I don't believe you will ever get an unbiased group.”*

*– Joanne, age 45-54, White female, Moderate, Mississippi*

Survey question: How much do you agree with the following statement “the Supreme Court is an independent institution, separate from politics”? Please explain.

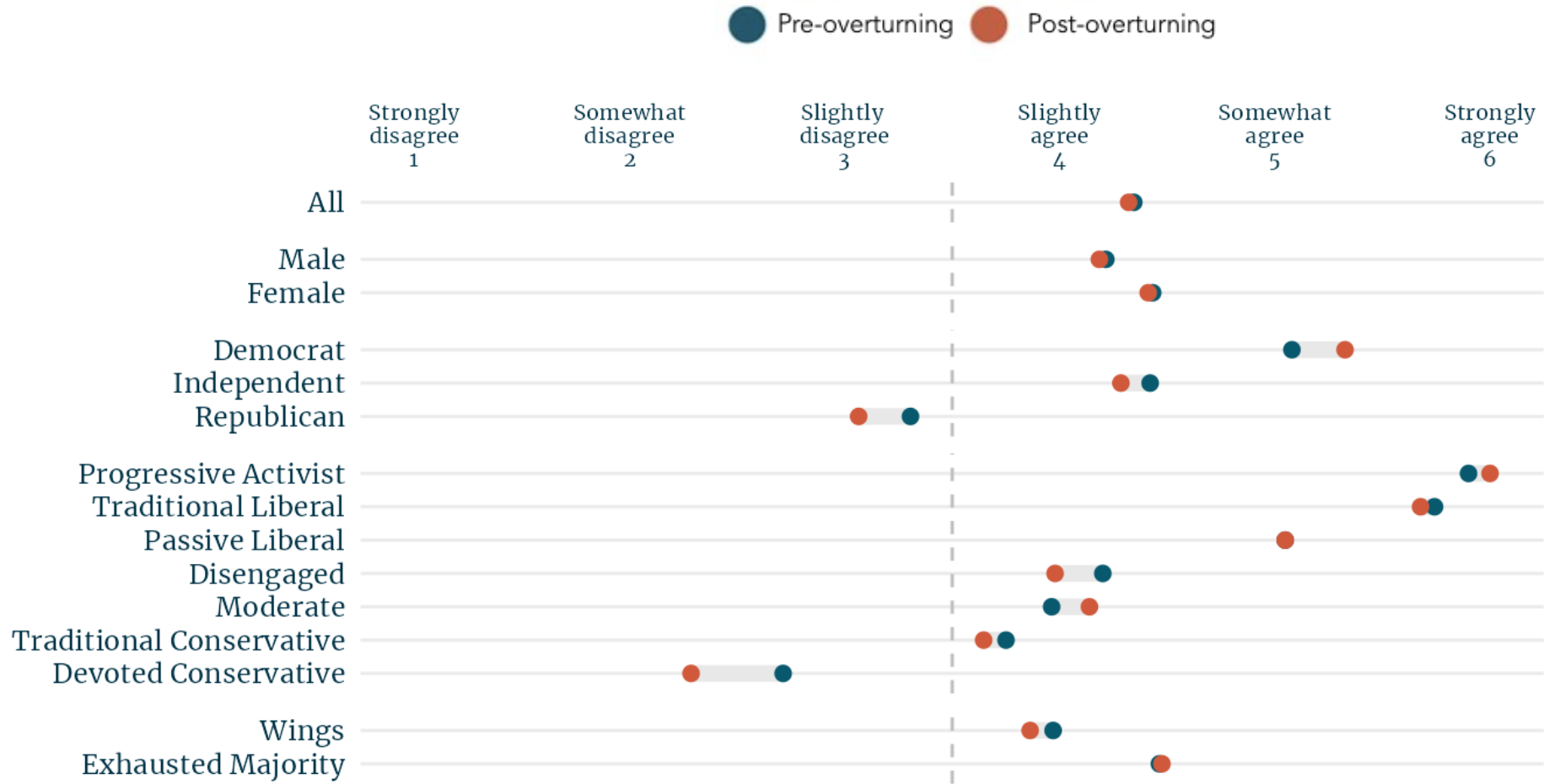
# Comparing attitudes before and after the overturning of Roe

While feelings towards people who have abortions and political parties did not change much following the overturning of Roe v. Wade, American respondents reported feeling more negatively toward SCOTUS.

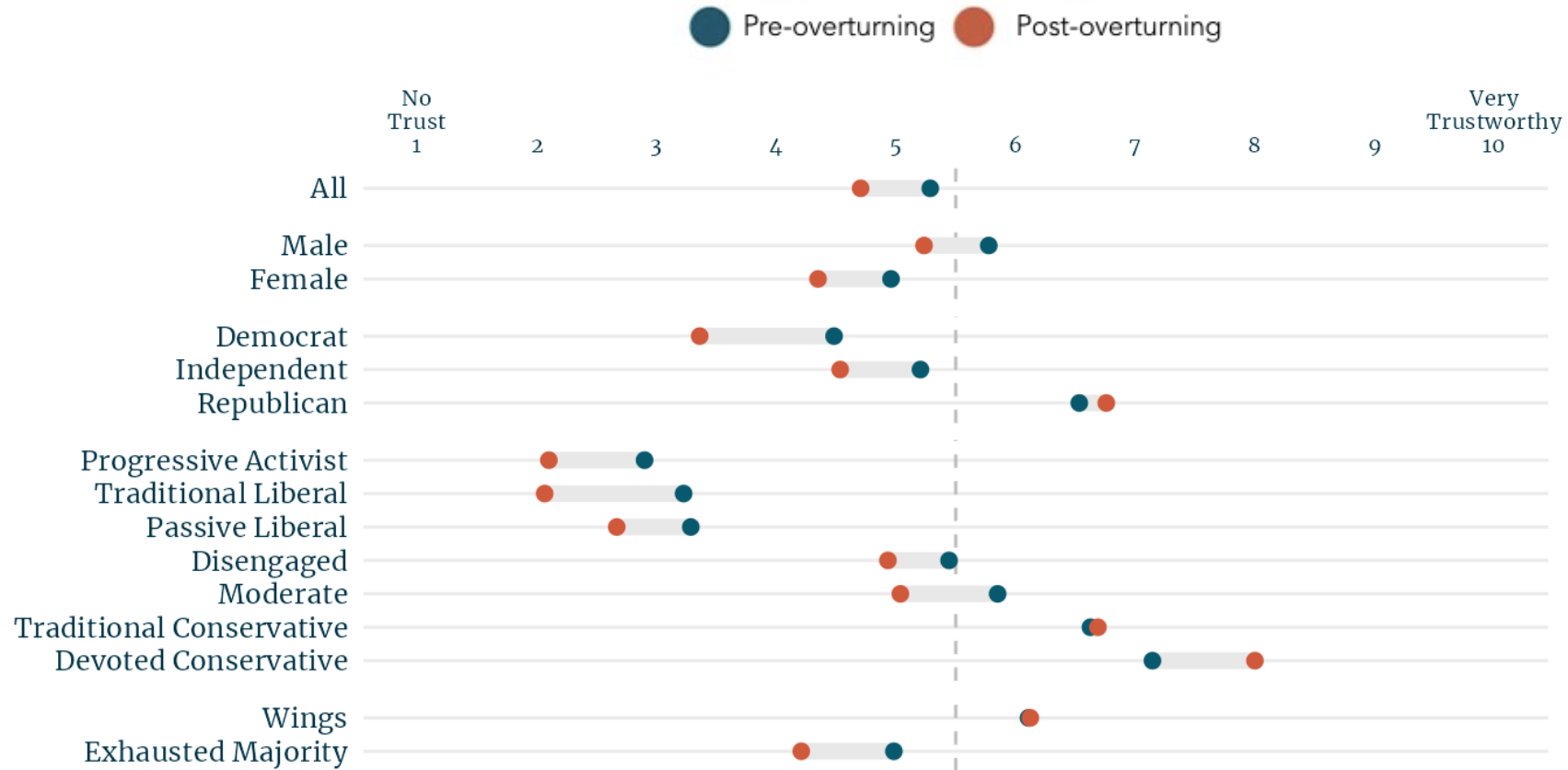


*Ingroup refers to political ingroup for a given respondent (e.g., Republican rating Republicans). Outgroup refers to political outgroup for a given respondent (e.g., Republican rating Democrats).*

Overall, support for abortion access **remained consistent** across Wave 1 and Wave 2.



Overall, trust in the Supreme Court **declined** following the overturning of Roe v. Wade (Wave 2). However, this pattern did not emerge for Devoted Conservatives or for Republicans. For Devoted Conservatives, trust increased after the Dobbs ruling. For Republicans, there was only a small increase in trust.



# Thank You