**Supplementary Information for:**

**An Experimental Investigation of the Effect of**

**Supreme Court Justices’ Public Rhetoric on Perceptions of Judicial Legitimacy**

**Abstract:** Public support for the Supreme Court is waning. High profile decisions and hotly contested nominations have drawn the Court into our polarized politics. Recently, some justices have “gone public,” giving, interviews, speeches, and the like, assuring the public that the Court is an apolitical, neutral arbiter of disputes, distinct from the “political” branches. In this context, we turn to an understudied potential source of judicial legitimacy: the off-bench public rhetoric of Supreme Court justices. In this paper, we present evidence from three original survey experiments to argue that Supreme Court justices’ off-bench rhetoric can powerfully influence public perceptions of the Court's institutional legitimacy, as well as public opinion about the policies espoused by the Court. Furthermore, these studies show that performance approval is key to changes in legitimacy: respondents who disapprove of a Court decision were immune to the effects of justice rhetoric.

**Word Count:** 5,001

**Appendix A. Survey Instruments**

***Study 1: MTurk Survey Experiment***

Legitimacy Rhetoric   
*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, May 1, 2018  
When a reporter recently asked Supreme Court Chief Justice John Roberts about the perception that the Court’s decisions were influenced by politics, the answer sounded surprising: “I think the most important thing for people to understand is that we are not a political branch of government.” He would go on to say that the American people “need to understand when we reach a decision, it’s based on the law and not a policy preference. … All we’re doing is interpreting the law. The decision has been made by Congress or the president and we’re just exercising our responsibility to say what the law is… I think that’s very important for the public to appreciate.”  
He distinguished the way the Supreme Court reaches decisions from the processes in the other branches of government. “Our system presumes that there are certain principals more important than the temper of the times. And you must have a judge who is detached, who is independent, who is fair, who is committed only to those principles, and not public pressures of any other sort.” In short, Roberts says, the Court is different because “a judge must think through each case with total neutrality.”

Legitimacy Rhetoric + Political Commentary  
*The Supreme Court and the Political World Have a Complicated Relationship*

Casey Barnes, May 1, 2018  
When a law student recently asked Supreme Court Chief Justice John Roberts about the path that would someday lead to a federal judgeship or perhaps even a seat on the Supreme Court, the answer sounded surprising: “get involved in politics,” Roberts said. Roberts’ point is that involvement in ideological causes, political campaigns, and conservative or liberal organizations creates political connections which ultimately separate out those who are chosen by the political elite for judicial appointments.   
Despite all this, Justice Roberts maintains that the Court isn’t political. Roberts told a reporter during an interview, “I think the most important thing for people to understand is that we are not a political branch of government.” He would go on to say that the American people “need to understand when we reach a decision, it’s based on the law and not a policy preference. … All we’re doing is interpreting the law. The decision has been made by Congress or the president and we’re just exercising our responsibility to say what the law is… I think that’s very important for the public to appreciate.”

Commentary Describing Court as Political

*The Supreme Court and the Political World Are More Entangled than Either Acknowledges*Casey Barnes, May 1, 2018

When a law student recently asked Supreme Court Chief Justice John Roberts about the path that would someday lead to a federal judgeship or perhaps even a seat on the Supreme Court, the answer sounded surprising: “get involved in politics,” Roberts said.

Roberts’ point is that involvement in ideological causes, political campaigns, and conservative or liberal organizations creates political connections which ultimately separate out those who are chosen by the political elite for judicial appointments. In short, to be a nominee, be political.

And then Senate confirmation is supposed to instantly transform the judicial nominee into a nonpartisan and objective trier of facts and interpreter of laws? The Senate confirmation process has never been more politicized, now featuring routine filibusters and party-line votes. Senate Judiciary Committee Chairman Charles Grassley (Iowa) bluntly stated on the Senate floor that because of these changes, “The confirmation process has gotten political precisely because the Supreme Court has drifted from the constitutional text and rendered decisions based instead on policy preferences.” Grassley went on to say, “it’s going to be much tougher in the future to get Supreme Court nominees who are not just partisans.”

Control  
{no treatment}

Questions:

{random order}

How well does the word “political” describe the Supreme Court?

{6-point Likert}

How well does the word “legal” describe the Supreme Court?

{6-point Likert}

*Legitimacy Battery*

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.  
{6-point Likert}

The right of the Supreme Court to decide certain types of controversial issues should be reduced.  
{6-point Likert}

The Supreme Court can usually be trusted to make decisions that are right for the country as a whole.  
{6-point Likert}

The decisions of the U.S. Supreme Court favor some groups more than others.  
{6-point Likert}

The Supreme Court can usually be trusted to make decisions in the best interest of the American people.   
{6-point Likert}

***Study 2: SSI/ResearchNow Survey Experiment***

Legitimacy Rhetoric \* Political Description: Conservative Strike  
*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, June 8, 2018  
The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. In a decision divided sharply along ideological lines, the Court’s five conservative members struck down Colorado’s law as unconstitutional and sided with the baker, ruling that he does not have to serve customers when doing so would violate his religious convictions. The conservative majority held that the baker does not have decorate cakes for gay clients. Conservative advocacy groups such as the Alliance Defending Freedom hailed the decision as a win for religious liberty.

In an interview after the decision, a reporter asked Supreme Court Chief Justice John Roberts about the perception that the Court’s decisions were influenced by politics. Roberts answered, “I think the most important thing for people to understand is that we are not a political branch of government.” He would go on to say that the American people “need to understand when we reach a decision, it’s based on the law and not a policy preference. … All we’re doing is interpreting the law. The decision has been made by Congress or the president and we’re just exercising our responsibility to say what the law is… I think that’s very important for the public to appreciate.”

Legitimacy Rhetoric \* Political Description: Liberal Uphold

*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, June 8, 2018  
The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. In a decision divided sharply along ideological lines, the Court’s five more liberal members upheld Colorado’s law as constitutional and sided with the couple, ruling that the baker illegally discriminated against Craig and Mullins when he refused them service. The liberal majority held that the baker must bake the cake for the gay wedding or face large fines for behaving in a discriminatory manner. Liberal advocacy groups such as Lambda Legal hailed the decision as a win for equality.

In an interview after the decision, a reporter asked Supreme Court Chief Justice John Roberts about the perception that the Court’s decisions were influenced by politics. Roberts answered, “I think the most important thing for people to understand is that we are not a political branch of government.” He would go on to say that the American people “need to understand when we reach a decision, it’s based on the law and not a policy preference. … All we’re doing is interpreting the law. The decision has been made by Congress or the president and we’re just exercising our responsibility to say what the law is… I think that’s very important for the public to appreciate.”

Legitimacy Rhetoric \* Legal Description: Strike

*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, June 8, 2018  
The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. The Court’s majority sided with the baker, ruling that he does not have to serve customers when doing so would violate his religious convictions. The majority held that Colorado’s antidiscrimination law does in fact violate the baker’s First Amendment constitutional rights of freedom of speech or free exercise of religion, and thus struck the law down.

In an interview after the decision, a reporter asked Supreme Court Chief Justice John Roberts about the perception that the Court’s decisions were influenced by politics. Roberts answered, “I think the most important thing for people to understand is that we are not a political branch of government.” He would go on to say that the American people “need to understand when we reach a decision, it’s based on the law and not a policy preference. … All we’re doing is interpreting the law. The decision has been made by Congress or the president and we’re just exercising our responsibility to say what the law is… I think that’s very important for the public to appreciate.”

Legitimacy Rhetoric \* Legal Description: Uphold

*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, June 8, 2018

The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. The Court’s majority sided with the couple, ruling that the baker illegally and unconstitutionally discriminated against Craig and Mullins when he refused them service. The majority held that Colorado’s antidiscrimination law does not violate the baker’s First Amendment constitutional rights of freedom of speech or free exercise of religion, and thus upheld the law against the baker’s challenge.  
In an interview after the decision, a reporter asked Supreme Court Chief Justice John Roberts about the perception that the Court’s decisions were influenced by politics. Roberts answered, “I think the most important thing for people to understand is that we are not a political branch of government.” He would go on to say that the American people “need to understand when we reach a decision, it’s based on the law and not a policy preference. … All we’re doing is interpreting the law. The decision has been made by Congress or the president and we’re just exercising our responsibility to say what the law is… I think that’s very important for the public to appreciate.”

No Rhetoric \* Legal Description: Strike

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The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. The Court’s majority sided with the baker, ruling that he does not have to serve customers when doing so would violate his religious convictions. The majority held that Colorado’s antidiscrimination law does in fact violate the baker’s First Amendment constitutional rights of freedom of speech or free exercise of religion, and thus struck the law down.  
In July of 2012, Charlie Craig and David Mullins went to Masterpiece Cakeshop and requested that its owner, Jack Phillips, design and create a cake for their wedding. Phillips declined to do so on the grounds that he does not create wedding cakes for same-sex weddings because of his religious beliefs. Phillips believes that decorating cakes is a form of art through which he can honor God and that it would displease God to create cakes for same-sex marriages. Craig and Mullins sued, alleging discrimination on the basis of sexual orientation in violation of the Fourteenth Amendment. Phillips counters that being forced to make a cake that violates his sincerely held religious beliefs violates the Free Speech and Free Exercise clauses of the First Amendment.

No Rhetoric \* Legal Description: Uphold

*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, June 8, 2018  
The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. The Court’s majority sided with the couple, ruling that the baker illegally and unconstitutionally discriminated against Craig and Mullins when he refused them service. The majority held that Colorado’s antidiscrimination law does not violate the baker’s First Amendment constitutional rights of freedom of speech or free exercise of religion, and thus upheld the law against the baker’s challenge.  
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The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. In a decision divided sharply along ideological lines, the Court’s five conservative members struck down Colorado’s law as unconstitutional and sided with the baker, ruling that he does not have to serve customers when doing so would violate his religious convictions. The conservative majority held that the baker does not have decorate cakes for gay clients. Conservative advocacy groups such as the Alliance Defending Freedom hailed the decision as a win for religious liberty.  
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No Rhetoric \* Political Description: Liberal Uphold

*The Supreme Court is Not a ‘Political’ Body, Justice Says*Casey Barnes, June 8, 2018  
The United States Supreme Court announced its decision in the *Masterpiece Cakeshop* case last week. In a decision divided sharply along ideological lines, the Court’s five more liberal members upheld Colorado’s law as constitutional and sided with the couple, ruling that the baker illegally discriminated against Craig and Mullins when he refused them service. The liberal majority held that the baker must bake the cake for the gay wedding or face large fines for behaving in a discriminatory manner. Liberal advocacy groups such as Lambda Legal hailed the decision as a win for equality.  
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Control  
{no information}

Pre-Treatment Question:

Do you think that a small business owner in your state should be allowed to refuse to provide products or services to gay or lesbian people, if doing so violates their religious beliefs?

{4-point Likert}

Post-Treatment Questions:

{random order}

How well does the word “political” describe the Supreme Court?

{6-point Likert}

How well does the word “legal” describe the Supreme Court?

{6-point Likert}

*Legitimacy Battery*

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.  
{6-point Likert}

The right of the Supreme Court to decide certain types of controversial issues should be reduced.  
{6-point Likert}

The Supreme Court can usually be trusted to make decisions that are right for the country as a whole.  
{6-point Likert}

The decisions of the U.S. Supreme Court favor some groups more than others.  
{6-point Likert}

The Supreme Court can usually be trusted to make decisions in the best interest of the American people.   
{6-point Likert}

***Study 3: MTurk Survey Experiment***

Legitimacy Rhetoric

Recently in a televised interview, Supreme Court Justice Sonya Sotomayor was asked about the Supreme Court.

Interviewer: “Do you believe that the Court is representative of mainstream judicial thought in this country right now? Or has the process skewed it to be a more ideological Court then is reflective of [the public]?”

Justice Sotomayor: “I don’t see our work as being political or partisan in the way the public sometimes portrays it. When you have strong views about how to approach thinking about the law, thinking about the Constitution, then that view is going to lead to certain results in certain situations. And so, people seem to think that is predictability is based on some sort of partisan political view, but it’s not. We have ways of approaching questions that we aspire to do in a consistent way because the worst thing you want is a willie-nillie judge who is swayed by the political winds of the era or the time. What you want is a judge who is thinking about what he and she is doing and is doing it in a principled way.”

Non-Legitimacy Rhetoric

Recently in a televised interview, Supreme Court Justice Sonya Sotomayor was asked about the Supreme Court.

Interviewer: “You ever have those moments where you think to yourself ‘I miss the Bronx’, I miss those old days hanging out on the streets”

Justice Sotomayor: “All the time. Do you know how wonderful it was to write this book and reminisce? And I have had some marvelous life experiences, despite, as you said earlier, a lot of difficulties. But one of the things and one of the reasons for writing this book, is because people look at the life that I came from generally with this view that it’s all bad. They see the crime. They see the drug-induced poverty that occurs in many situations in our communities, but they forget that they are populated by people. And people who are not that different from everybody else. People with the same values of family and friendship, of integrity and honesty that everyone else is. And so, I wanted to paint that picture of my community.”

Kavanaugh (Baseline)

The Supreme Court’s newest Justice, Brett Kavanaugh, was confirmed by one of the slimmest margins in American history, capping a rancorous battle that began as a debate over judicial ideology and concluded with a national reckoning over sexual misconduct. Many expect Kavanaugh to lock in a solid conservative majority on the court for the foreseeable future.

Kavanaugh x Legitimacy Rhetoric

The Supreme Court’s newest Justice, Brett Kavanaugh, was confirmed by one of the slimmest margins in American history, capping a rancorous battle that began as a debate over judicial ideology and concluded with a national reckoning over sexual misconduct. Many expect Kavanaugh to lock in a solid conservative majority on the court for the foreseeable future.

Shortly thereafter, in a televised interview, Justice Sonya Sotomayor was asked about the Supreme Court.

Interviewer: “Do you believe that the Court is representative of mainstream judicial thought in this country right now? Or has the process skewed it to be a more ideological Court then is reflective of [the public]?”

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Kavanaugh x Non-legitimacy Rhetoric

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Control  
{no information}

Questions:

{random order}

How well does the word “political” describe the Supreme Court?

{6-point Likert}

How well does the word “legal” describe the Supreme Court?

{6-point Likert}

*Legitimacy Battery*

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.  
{6-point Likert}

The right of the Supreme Court to decide certain types of controversial issues should be reduced.  
{6-point Likert}

The Supreme Court can usually be trusted to make decisions that are right for the country as a whole.  
{6-point Likert}

The decisions of the U.S. Supreme Court favor some groups more than others.  
{6-point Likert}

The Supreme Court can usually be trusted to make decisions in the best interest of the American people.   
{6-point Likert}

*Democratic Values (measured pre-treatment)*

It is not necessary to obey laws you consider unjust.

{6-point Likert}

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

{6-point Likert}

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

{6-point Likert}

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

{6-point Likert}

What our country needs is one political party which will rule the country.

{6-point Likert}

The party that gets the support of the majority ought not to have to share political power with the political minority.

{6-point Likert}

Our country would be better off if we just outlaw all political parties.

{6-point Likert}

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

{6-point Likert}

Society shouldn’t have to put up with those who have political ideas that are extremely different from the majority.

{6-point Likert}

When America is at war, people should not criticize the government.

{6-point Likert}

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.

{6-point Likert}

We are all better off if everyone is free to speak their mind in politics, even if some of the things people say are obnoxious or offensive.

{6-point Likert}

Members of the American Nazi Party should be allowed to make speeches in our communities.

{6-point Likert}

Members of the American Nazi Party should be allowed to hold public rallies and demonstrations in our communities.

{6-point Likert}

Members of the American Nazi Party should be banned from holding public office.

{6-point Likert}

**Appendix B: Randomization Checks**

**Table B1. Sample Demographics for Study 1**

|  |  |
| --- | --- |
| Male | 57.7% |
| Age | 37.2 (mean) |
| Education | College graduate (mode) |
| Income | $25,000 - $49,999 (mode) |
| Democrat | 48.2% |
| Liberal | 57.4% |

**Table B2. Randomization Check for Study 1**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | Treatment |
| Education | 0.06 |
|  | (0.23) |
| Income | 0.01 |
|  | (0.19) |
| Age | -0.19 |
|  | (0.24) |
| Male | 0.10 |
|  | (0.10) |
| Ideology (Conservative) | 0.02 |
|  | (0.16) |
| Constant | 2.42\*\*\* |
|  | (0.16) |
| Observations | 567 |
| R-squared | 0.00 |

Standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table B3. Sample Demographics for Study 2**

|  |  |
| --- | --- |
| Male | 35.7% |
| Age | 43.1 (mean) |
| Education | High school (mode) |
| Income | $25,000 - $49,999 (mode) |
| Democrat | 37.0% |
| Liberal | 33.8% |

**Table B4. Randomization Check for Study 2**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | Treatment |
| Age | 0.00 |
|  | (0.00) |
| Male | 0.10 |
|  | (0.11) |
| Education | -0.05 |
|  | (0.04) |
| Income | -0.09\* |
|  | (0.04) |
| Party ID (Republican) | 0.17 |
|  | (0.13) |
| Ideology (Conservative) | -0.02 |
|  | (0.03) |
| Constant | 1.03\*\*\* |
|  | (0.24) |
| Observations | 247 |
| R-squared | 0.04 |

Standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table B5. Sample Demographics for Study 3**

|  |  |
| --- | --- |
| Male | 55.0% |
| Age | 35.9 (mean) |
| Education | College graduate (mode) |
| Income | $25,000 - $49,999 (mode) |
| Democrat | 48.9% |
| Liberal | 54.4% |

**Table B6. Randomization Check for Study 3**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | Treatment |
| Education | 0.14 |
|  | (0.33) |
| Income | -0.09 |
|  | (0.27) |
| Age | 0.59 |
|  | (0.34) |
| Male | 0.12 |
|  | (0.14) |
| Party ID (Republican) | -0.03 |
|  | (0.24) |
| Ideology (Conservative) | -0.37 |
|  | (0.34) |
| Constant | 2.34\*\*\* |
|  | (0.25) |
| Observations | 659 |
| R-squared | 0.01 |

Standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Appendix C: Full Models and Robustness Checks**

**Table C1. Full Model from Figure 1**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | SCOTUS Political |
| *Treatment* |  |
| Legitimizing | -0.23\*\*\* |
|  | (0.03) |
| Mixed | -0.16\*\*\* |
|  | (0.04) |
| Political | 0.09\*\* |
|  | (0.03) |
| Constant | 0.61\*\*\* |
|  | (0.02) |
| Observations | 571 |
| R-squared | 0.18 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C2. Full Model from Figure 2**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | SCOTUS Legitimacy |
| *Treatment* |  |
| Legitimizing | 0.05\* |
|  | (0.02) |
| Mixed | 0.04 |
|  | (0.02) |
| Political | -0.04 |
|  | (0.02) |
| Constant | 0.56\*\*\* |
|  | (0.02) |
| Observations | 571 |
| R-squared | 0.03 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C3. Full Models from Figure 3**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| VARIABLES | SCOTUS Political | SCOTUS Political | SCOTUS Political |
| *Treatment* |  |  |  |
| Rhetoric | -0.11\*\*\* |  |  |
|  | (0.03) |  |  |
| No Rhetoric | -0.00 |  |  |
|  | (0.03) |  |  |
| Treat to Agree |  | -0.07\*\* |  |
|  |  | (0.03) |  |
| Treat to Disagree |  | -0.04 |  |
|  |  | (0.03) |  |
| Legal |  |  | -0.06\* |
|  |  |  | (0.03) |
| Political |  |  | -0.05 |
|  |  |  | (0.03) |
| Constant | 0.67\*\*\* | 0.67\*\*\* | 0.67\*\*\* |
|  | (0.02) | (0.02) | (0.02) |
| Observations | 650 | 650 | 650 |
| R-squared | 0.04 | 0.01 | 0.01 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C3R. All Treatment Conditions Separated, 1 Model**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | SCOTUS Political |
| *Treatment* |  |
| Rhetoric\*Agree\*Legal | -0.11\*\* |
|  | (0.04) |
| Rhetoric\*Agree\*Political | -0.12\*\* |
|  | (0.04) |
| Rhetoric\*Disagree\*Legal | -0.10\* |
|  | (0.05) |
| Rhetoric\*Disagree\*Political | -0.09\* |
|  | (0.04) |
| NoRhet\*Agree\*Legal | -0.04 |
|  | (0.04) |
| NoRhetAgreePolitical | -0.01 |
|  | (0.04) |
| NoRhet\*Disagree\*Legal | 0.01 |
|  | (0.04) |
| NoRhet\*Disagree\*Political | 0.03 |
|  | (0.04) |
| Constant | 0.67\*\*\* |
|  | (0.02) |
| Observations | 650 |
| R-squared | 0.04 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C4. Full Models from Figure 4**

|  |  |  |  |
| --- | --- | --- | --- |
|  | SCOTUS | SCOTUS | SCOTUS |
| VARIABLES | Legitimacy | Legitimacy | Legitimacy |
| *Treatment* |  |  |  |
| Rhetoric | 0.05\* |  |  |
|  | (0.02) |  |  |
| No Rhetoric | 0.01 |  |  |
|  | (0.02) |  |  |
| Treated to Agree |  | 0.06\*\* |  |
|  |  | (0.02) |  |
| Treated to Disagree |  | 0.01 |  |
|  |  | (0.02) |  |
| Legal |  |  | 0.04 |
|  |  |  | (0.02) |
| Political |  |  | 0.03 |
|  |  |  | (0.02) |
| Constant | 0.48\*\*\* | 0.48\*\*\* | 0.48\*\*\* |
|  | (0.02) | (0.02) | (0.02) |
| Observations | 650 | 650 | 650 |
| R-squared | 0.01 | 0.01 | 0.00 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C4R. All Treatment Conditions Separated, 1 Model**

|  |  |
| --- | --- |
|  | SCOTUS |
| VARIABLES | Legitimact |
| *Treatment* |  |
| Rhetoric\*Agree\*Legal | 0.02 |
|  | (0.03) |
| Rhetoric\*Agree\*Political | 0.08\*\* |
|  | (0.03) |
| Rhetoric\*Disagree\*Legal | 0.07\* |
|  | (0.03) |
| Rhetoric\*Disagree\*Political | 0.02 |
|  | (0.03) |
| NoRhet\*Agree\*Legal | 0.09\*\* |
|  | (0.03) |
| NoRhetAgreePolitical | 0.03 |
|  | (0.03) |
| NoRhet\*Disagree\*Legal | -0.02 |
|  | (0.03) |
| NoRhet\*Disagree\*Political | -0.03 |
|  | (0.03) |
| Constant | 0.48\*\*\* |
|  | (0.02) |
| Observations | 650 |
| R-squared | 0.04 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C5. Full Model from Figure 5**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | SCOTUS Political |
|  |  |
| Legit Rhet | -0.17\*\*\* |
|  | (0.03) |
| Non-Legit Rhet | -0.09\*\* |
|  | (0.03) |
| Kavanaugh (baseline) | -0.04 |
|  | (0.03) |
| Kavanaugh + Legit Rhet | -0.20\*\*\* |
|  | (0.04) |
| Kavanaugh + Non-Legit Rhet | -0.06 |
|  | (0.03) |
| Constant | 0.69\*\*\* |
|  | (0.02) |
| Observations | 612 |
| R-squared | 0.07 |

Standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C5R. Analysis from Figure 5   
Robust to Inclusion of Democratic Values**

|  |  |
| --- | --- |
|  |  |
| VARIABLES | SCOTUS Political |
|  |  |
| Legit Rhet | -0.17\*\*\* |
|  | (0.03) |
| Non-Legit Rhet | -0.09\*\* |
|  | (0.03) |
| Kavanaugh (baseline) | -0.03 |
|  | (0.03) |
| Kavanaugh + Legit Rhet | -0.19\*\*\* |
|  | (0.04) |
| Kavanaugh + Non-Legit Rhet | -0.05 |
|  | (0.03) |
| Democratic Values | -0.36\*\*\* |
|  | (0.07) |
| Constant | 0.91\*\*\* |
|  | (0.05) |
| Observations | 612 |
| R-squared | 0.11 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C6. Full Model from Figure 6**

|  |  |
| --- | --- |
|  | SCOTUS |
| VARIABLES | Legitimacy |
|  |  |
| Legit Rhet | 0.05\* |
|  | (0.02) |
| Non-Legit Rhet | 0.06\*\* |
|  | (0.02) |
| Kavanaugh (baseline) | 0.02 |
|  | (0.02) |
| Kavanaugh + Legit Rhet | 0.07\* |
|  | (0.03) |
| Kavanaugh + Non-Legit Rhet | 0.05 |
|  | (0.02) |
| Constant | 0.50\*\*\* |
|  | (0.02) |
| Observations | 612 |
| R-squared | 0.02 |

Standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

**Table C6R. Analysis from Figure 6   
Robust to Inclusion of Democratic Values**

|  |  |
| --- | --- |
|  | SCOTUS |
| VARIABLES | Legitimacy |
|  |  |
| Legit Rhet | 0.05\* |
|  | (0.02) |
| Non-Legit Rhet | 0.06\* |
|  | (0.02) |
| Kavanaugh (baseline) | 0.02 |
|  | (0.02) |
| Kavanaugh + Legit Rhet | 0.05\* |
|  | (0.02) |
| Kavanaugh + Non-Legit Rhet | 0.04 |
|  | (0.03) |
| Democratic Values | 0.30\*\*\* |
|  | (0.05) |
| Constant | 0.32\*\*\* |
|  | (0.03) |
| Observations | 612 |
| R-squared | 0.08 |

Robust standard errors in parentheses

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05