

AEI PUBLIC OPINION STUDY

PUBLIC OPINION ON THE SUPREME COURT

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<http://www.aei.org/publicopinion16>

Pollsters have been polling on issues related to the Supreme Court for over 70 years. In 1937, both Gallup and Roper asked questions about President Franklin Roosevelt's intentions to enlarge the Court. In 1939, Gallup asked a single question about the appointment of Felix Frankfurter to the Court. Louis Harris asked a dozen questions about the elevation of Abe Fortas to the Chief Justice position in 1968 and about the nominations of Clement Haynsworth and G. Harold Carswell in 1971.

The mid-1980s, with more pollsters in the field, appears to represent a turning point in the pollsters' activity. Around 200 questions were asked in 1986 and 1987 about the nominations of Robert Bork and Douglas Ginsburg. Not only were there more questions than in the past, but many of them also had a provocative tone not present in earlier questions. The business didn't always distinguish itself. Take this question asked by a major pollster about Douglas Ginsburg's wife: "As you may know, (Supreme Court nominee Douglas) Ginsburg's wife, a medical doctor, performed a few legal abortions early in her career. Do you think the fact that Ginsburg's wife performed a few legal abortions is enough of a reason by itself to keep him off the Supreme Court or not?" Using polls, advocacy groups probed arguments that could be used to move opinion about nominees. Only a few years later, in 1991, more than 400 questions were asked about Clarence Thomas's nomination. Many had the flavor of push polls.

This AEI Public Opinion Study tries to look broadly at confidence in the Court, views of the Court today, knowledge of current Justices, and at the kind of nominee people say they would like to see. Separate sections look at views of Sonia Sotomayor, John Roberts, Jr., Harriet Miers, and Samuel Alito.

It also reviews areas where public opinion is not well formed. Questions about original intent, for example, seem to pull people in one direction or another depending on how they are worded. This document includes some questions on abortion. Another AEI Public Opinion Study examines that issue in more detail:

<http://www.aei.org/publicopinion15> .

TABLE OF CONTENTS

TRENDS IN CONFIDENCE IN THE COURT 3

APPROVAL 7

FAVORABILITY 8

THE COURT TODAY 9

THE NEXT JUSTICE 12

THE PRESIDENT’S DECISION 15

The Next Nominee: Legal Background and Other Issues 18

SONIA SOTOMAYOR 22

JOHN ROBERTS 24

HARRIET MIERS 30

SAMUEL ALITO 33

ORIGINAL INTENT 37

INDIVIDUAL JUSTICES 39

QUALIFICATIONS OF A NOMINEE 43

TRUST AND CONFIDENCE IN THE THREE BRANCHES OF GOVERNMENT 46

For a full listing of AEI Public Opinion Studies, see
[http://www.aei.org/raBasicPages/14?page=AEI Studies in Public Opinion](http://www.aei.org/raBasicPages/14?page=AEI%20Studies%20in%20Public%20Opinion)

TRENDS IN CONFIDENCE IN THE COURT: Three survey organizations have long trends on confidence in the Supreme Court. In the Gallup and Harris questions, high confidence in the Court ticked up between 2008 and 2009. Fewer than two in ten exhibit low confidence in it.

- Now I am going to read you a list of institutions in American society. Please tell me how much confidence you, yourself, have in each one – a great deal, quite a lot, some, or very little? First, the U.S. Supreme Court?

		Great Deal/ Quite A Lot	Some	Very Little/ None (Vol.)
1973	Gallup	44	28	17
1975	Gallup	49	28	17
1977	Gallup	46	29	18
1978	Gallup	39	32	21
1979	Gallup	45	31	20
1980	Gallup	47	30	17
1981	Gallup	47	31	14
1983	Gallup	42	34	17
1985	Gallup	56	30	10
1986	Gallup	54	33	10
1987	Gallup	52	36	8
1988	Gallup	56	30	12
1989	Gallup	46	54	--
1990	Gallup	47	31	18
1991	Gallup	39	39	17
1993	Gallup	43	37	17
1994	Gallup	42	38	17
1995	Gallup	44	39	15
1996	Gallup	45	39	15
1997	Gallup	50	32	16
1998	Gallup	50	34	13
1999	Gallup	49	35	13
2000 (Jun.)	Gallup	47	35	14
2000 (Dec.15-17)*	Gallup	49	31	19
2001 (Jun.)	Gallup	50	31	13
2002	Gallup	50	35	13
2003	Gallup	47	38	13
2004	Gallup	46	37	16
2005+	Gallup	41	38	19
2006	Gallup	40	41	16
2007	Gallup	34	41	23
2008	Gallup	32	44	17
2009	Gallup	39	41	18

NOTE: *The U.S. Supreme Court's ruling on *Bush vs. Gore* was announced on December 12, 2000.

+In 2009, the U.S. Supreme Court ranked sixth out of sixteen institutions in terms of "a great deal/quite a lot" of confidence, up from seventh place in 2008. The U.S. Supreme Court ranked below the military (82 percent), small business (67 percent), the police (59 percent), the church or organized religion (52 percent), and the presidency (51 percent). It ranked ahead of the public schools (38 percent), the medical system (36 percent), the criminal justice system (28 percent), newspapers (25 percent), television news (23 percent), banks (22 percent), organized labor (19 percent), health maintenance organizations (18 percent), Congress (17 percent), and big business (16 percent).

Views of...		Subgroups Answering Great Deal/Quite A lot		
		Republicans	Democrats	Independents
1973 (May)	Gallup	48	44	44
1975 (May)	Gallup	53	52	45
1977 (Jan.)	Gallup	43	48	46
1979 (Apr.)	Gallup	47	46	49
1981 (Nov.)	Gallup	51	46	42
1984 (Oct)	Gallup	57	44	55
1985 (May)	Gallup	58	55	54
1986 (Oct.)	Gallup	57	52	56
1987 (Jul.)	Gallup	58	49	52
1989 (Sept.)	Gallup	54	41	44
1991 (Feb.)	Gallup	50	44	53
1991 (Oct.)	Gallup	46	36	37
1993 (Mar.)	Gallup	44	47	41
1994 (Mar.)	Gallup	45	45	38
1996 (May)	Gallup	43	46	46
1997 (Jul.)	Gallup	51	52	48
1998 (Jun.)	Gallup	52	48	51
1999 (Jun.)	Gallup	47	58	45
2000 (Jun.)	Gallup	48	44	48
2001 (Jun.)	Gallup	68	46	42
2002 (Jun.)	Gallup	53	46	50
2003 (Jun.)	Gallup	56	42	44
2004 (Mar.)	Gallup	53	47	41
2005 (May)	Gallup	47	42	36

- As far as people in charge of running the U.S. Supreme Court are concerned, would you say you have a great deal of confidence, only some confidence, or hardly any confidence at all in them?

		Great Deal	Only Some	Hardly Any
1966	Harris Interactive	31	29	12
1967	Harris Interactive	40	29	21
1971	Harris Interactive	23	41	27
1972	Harris Interactive	29	42	21
1973	Harris Interactive	33	40	20
1974	Harris Interactive	35	44	17
1975	Harris Interactive	28	42	21
1976	Harris Interactive	32	43	21
1977	Harris Interactive	29	48	18
1978	Harris Interactive	27	47	19
1979	Harris Interactive	29	52	16
1980	Harris Interactive	27	53	18
1981	Harris Interactive	29	54	15
1982	Harris Interactive	26	54	17
1983	Harris Interactive	32	55	12
1984	Harris Interactive	38	51	10
1985	Harris Interactive	30	55	14
1986	Harris Interactive	35	53	10
1987	Harris Interactive	33	53	11
1988	Harris Interactive	33	56	10
1989	Harris Interactive	30	55	14
1990	Harris Interactive	35	51	13
1991	Harris Interactive	24	54	20
1992	Harris Interactive	30	54	15
1993	Harris Interactive	28	58	14
1994	Harris Interactive	34	51	14

1995	Harris Interactive	34	51	14
1996	Harris Interactive	33	52	15
1997	Harris Interactive	31	53	14
1998	Harris Interactive	40	47	12
1999	Harris Interactive	42	45	11
2000 (Jan.)	Harris Interactive	34	51	13
2001	Harris Interactive	35	45	16
2002	Harris Interactive	41	45	11
2002	Harris Interactive	34	48	13
2004	Harris Interactive	29	49	18
2004	ABC/Washington Post	29	57	13
2005*	Harris Interactive	29	57	13
2006	Harris Interactive	33	50	16
2007	Harris Interactive	27	--	--
2008	Harris Interactive	25	55	16
2009	Harris Interactive	30	50	19

NOTE: *In February 2009, the U.S. Supreme Court ranked sixth out of sixteen institutions in terms of “a great deal” of confidence. Those in charge of running the U.S. Supreme Court ranked below the military (58 percent), those in charge of running small businesses (48 percent), major educational institutions such as colleges and universities (40 percent), the White House (36 percent), and Medicine (34 percent). It ranked ahead of organized religion (28 percent), public schools (25 percent), television news (22 percent), the courts and justice system (19), organized labor (16 percent), the press (12 percent), major companies (11 percent), law firms (11 percent), Congress (9 percent), and Wall Street (4 percent).

- I am going to name some institutions in this country. As far as the people running these institutions are concerned, would you say you have a great deal of confidence, only some confidence, or hardly any confidence at all in them...U.S. Supreme Court?

		Great Deal	Only Some	Hardly Any
1973	NORC	32	52	16
1974	NORC	34	50	16
1975	NORC	32	49	19
1976	NORC	36	48	16
1977	NORC	37	52	11
1978	NORC	31	55	15
1980	NORC	26	53	21
1982	NORC	31	56	13
1983	NORC	28	58	14
1984	NORC	36	51	12
1986	NORC	31	54	14
1987	NORC	39	50	11
1988	NORC	37	53	11
1989	NORC	36	53	10
1990	NORC	36	51	13
1991	NORC	39	48	13
1993	NORC	31	55	14
1994	NORC	32	52	16
1996	NORC	30	52	18
1998	NORC	32	53	15
2000	NORC	34	52	13
2002*	NORC	37	51	11
2004	NORC	32	53	15
2006	NORC	34	51	15
2008	NORC	32	54	14

Views of...		Republicans			Democrats			Independents		
		Great Deal	Only Some	Hardly Any	Great Deal	Only Some	Hardly Any	Great Deal	Only Some	Hardly Any
1973	NORC	35	50	15	32	52	16	33	51	16
1974	NORC	38	44	17	35	53	13	33	50	17
1975	NORC	36	45	20	31	50	19	32	48	20
1976	NORC	41	48	12	37	45	18	36	47	17
1977	NORC	36	51	12	40	49	11	35	55	10
1978	NORC	34	53	12	30	57	13	27	54	19
1980	NORC	24	55	22	30	52	18	24	54	22
1982	NORC	36	52	13	30	58	12	29	56	15
1983	NORC	30	54	16	28	56	16	27	60	13
1984	NORC	42	48	10	35	53	12	28	57	15
1986	NORC	34	52	14	30	56	14	30	55	15
1987	NORC	42	51	7	34	55	12	35	52	13
1988	NORC	43	50	7	34	54	12	33	54	13
1989	NORC	41	54	6	33	53	14	36	50	14
1990	NORC	42	49	9	33	51	16	35	51	14
1991	NORC	46	43	11	35	52	13	35	51	14
1993	NORC	34	55	11	28	55	17	34	52	14
1994	NORC	33	51	16	34	50	17	28	55	17
1996	NORC	33	52	15	32	54	14	26	52	22
1998	NORC	34	51	15	33	54	14	31	53	16
2000	NORC	32	54	14	35	53	11	34	52	15
2002	NORC	43	49	8	36	50	14	34	55	12
2004	NORC	36	53	11	27	57	16	37	41	23
2006	NORC	44	47	9	28	53	19	28	53	19
2008	NORC	34	56	10	30	55	13	29	54	19

- I'm going to read you the names of some institutions in American society. Please tell me how much confidence you, yourself have in each one: a great deal, quite a lot, some, very little, or none at all? The U.S. Supreme Court.

		Great deal	Quite a lot	Some	Very little	None at all
Dec. 2000	NBC/WSJ	27	25	34	8	5
Jul. 2007	NBC/WSJ	15	21	39	17	7
Jan. 2009	NBC/WSJ	16	23	36	13	8

- How much confidence do you yourself have in the United States Supreme Court - a great deal, quite a lot, some, or very little?

		Great Deal	Quite A Lot	Some	Very Little
1981	CBS News/NYT	21	26	35	14
2000 (Nov. 27-28)*	CBS News/NYT	29	28	29	10
2000 (Dec.14-16)*	CBS News/NYT	24	22	33	18
2001	CBS News/NYT	16	22	41	16
2004	CBS News/NYT	20	21	39	17
2005	CBS News/NYT	14	22	40	20
2006	CBS News/NYT	22	27	37	13

NOTE: *The U.S. Supreme Court's ruling on *Bush vs. Gore* was announced on December 12, 2000.

- I'm going to read you the names of some institutions in American society. Please tell me how much confidence you, yourself have in each one: a great deal, quite a lot, some, or very little...The U.S. Supreme Court?

		Great Deal	Quite A Lot	Some	Very Little
1995	Wash Post/Kaiser/Harvard	13	26	41	16
2000 (Jun.)	NPR/Kaiser/Harvard	20	25	37	15
2000 (Dec. 14-15)*	ABC News/Wash Post	31	25	28	

NOTE: *The U.S. Supreme Court's ruling on *Bush vs. Gore* was announced on December 12, 2000.

- I'm going to read you the names of some institutions in American society. Please tell me how much confidence you, yourself have in each one: a great deal, quite a lot, some, or very little...The U.S. Supreme Court?

		Great Deal	Quite A Lot	Some	Very Little
1997	Hart/Council for Excellence in Govt.	15	27	38	18
1999	Hart/Council for Excellence in Govt.	17	26	36	17
2000 (Aug.)	Hart/Council for Excellence in Govt.	17	28	36	16
2001 (Nov.)	Hart/Council for Excellence in Govt.	27	28	29	12

NOTE: *The U.S. Supreme Court's ruling on *Bush vs. Gore* was announced on December 12, 2000.

APPROVAL: For decades, Americans have been asked regularly whether they approve or disapprove of the way the president is handling his job. Job approval questions about the Court were much later in coming and are asked less frequently. A June 2009 Gallup survey found that 59 percent of Americans approve of the Supreme Court is handling its job while 30 percent disapprove. Approval among partisans has varied substantially since *Bush v. Gore*.

- Do you approve or disapprove of the way the Supreme Court is handling its job?

		Approve	Disapprove
2000 (Aug.-Sept.)	Gallup	62	29
2001 (Jan.)	Gallup	59	34
2001 (Jun.)	Gallup	62	25
2001 (Sept.)	Gallup	58	28
2002 (Sept.)	Gallup	60	29
2003 (Jul.)	Gallup	59	33
2003 (Sept.)	Gallup	52	38
2004 (Sept.)	Gallup	51	39
2005 (Jun.)	Gallup	48	42
2005 (Sep.)	Gallup	56	36
2006 (Sep.)	Gallup	60	32
2007 (May)	Gallup	51	36
2008 (Jun.)	Gallup	48	38
2008 (Sep.)	Gallup	50	39
2009 (June)	Gallup	59	30

(Subgroups)		Republicans		Democrats		Independents	
		Approve	Disapprove	Approve	Disapprove	Approve	Disapprove
2000	Gallup	60	35	70	18	57	34
2001	Gallup	80	15	42	50	54	38
2001	Gallup	74	18	54	32	59	26
2001	Gallup	69	19	55	32	52	31
2002	Gallup	66	23	57	33	58	30
2003	Gallup	57	35	59	33	61	31
2003	Gallup	55	40	45	43	57	32
2004	Gallup	57	36	44	47	52	35
2005	Gallup	--	--	--	--	--	--
2006	Gallup	75	--	48	--	60	--

2007	Gallup	69	--	41	--	47	--
2008	Gallup	65	--	38	--	47	--
2009	Gallup	49	--	70	--	57	--

- Do you approve or disapprove of the way the Supreme Court is handling its job?

		Approve	Disapprove
Mar. 2003	Quinnipiac	56	28
Mar. 2003*	Quinnipiac	56	27
Dec 2004*	Quinnipiac	50	33
May 2005*	Quinnipiac	44	39
Jul. 2005*	Quinnipiac	50	39
Nov.-Dec. 2005*	Quinnipiac	50	32
May 2007	Quinnipiac	58	27
Aug. 2007	Quinnipiac	45	37
Sep. 2008	Quinnipiac	50	39
June 2009	Quinnipiac	62	22

Views of...		Republicans		Democrats		Independent	
		Approve	Disapprove	Approve	Disapprove	Approve	Disapprove
2005 (May)*	Quinnipiac	56	31	39	43	41	41
2005 (Jul.)*	Quinnipiac	55	35	48	38	50	41
2005 (Dec.)	Quinnipiac	57	28	39	39	57	29
2009 (June)	Quinnipiac	60	25	66	20	61	22

NOTE: * asked of registered voters.

- Do you approve or disapprove of the job the United States Supreme Court is doing?

		Approve	Disapprove
Jan. 24-25, 2006	Fox News/OD	50	30

- Do you approve or disapprove of the way the Supreme Court of the United States has been doing its job?

		Approve	Disapprove
1986	ABC News/Washington Post	66	25
1987	ABC News/Washington Post	65	28
1991	ABC News/Washington Post	59	30
1995	ABC News/Washington Post	63	31

FAVORABILITY: In Pew's March 2009 poll, 64 percent of Americans had a favorable opinion of the Supreme Court and 21 percent an unfavorable opinion. Nineteen earlier iterations of the identical question asked between 1987 and 2009 show some changes in overall favorable opinion.

- Would you say your overall opinion of the United States Supreme Court is very favorable, mostly favorable, mostly unfavorable or very unfavorable

		Very Favorable	Mostly Favorable	Mostly Unfavorable	Very Unfavorable
1987 (May)	PSRA/Pew	13	63	15	2
1988 (Jan.)	PSRA/Pew	14	65	11	2
1990 (May)	PSRA/Pew	10	55	18	7

1991 (Nov.)	PSRA/Pew	18	54	16	5
1993 (May)	PSRA/Pew	17	56	14	4
1994 (Jul.)	PSRA/Pew	18	62	13	3
1997 (May)	PSRA/Pew	16	56	17	5
1997 (Oct.)	PSRA/Pew	13	64	12	6
2001 (Jan.)	PSRA/Pew	18	50	13	8
2001 (Mar.)	PSRA/Pew	15	57	15	7
2001 (Jul.)	PSRA/Pew	15	55	14	6
2005 (Jun.)	PSRA/Pew	8	49	22	8
2005 (Jul.)	PSRA/Pew	12	49	18	10
2005 (Oct.)	PSRA/Pew	12	50	17	10
2006 (Feb.)	PSRA/Pew	16	44	18	10
2006 (Jul.)	PSRA/Pew	7	56	19	8
2007 (Mar.)	PSRA/Pew	18	54	14	3
2007 (Jul.)	PSRA/Pew	12	45	20	9
2008 (Apr.)	PSRA/Pew	15	50	18	7
2009 (Mar.)	PSRA/Pew	8	56	15	6

- Generally speaking, what is your impression of the United States Supreme Court? As of today, is it very favorable, somewhat favorable, somewhat unfavorable or haven't you heard enough about it to say?

		Very Favorable	Somewhat Favorable	Somewhat Unfavorable	Very Unfavorable
1989	LA Times	7	33	23	11
1991	LA Times	10	43	18	5
1991	LA Times	10	34	16	6
2000 (Dec. 14-16)*	LA Times	22	28	17	14

NOTE: *The U.S. Supreme Court's ruling on *Bush vs. Gore* was announced on December 12, 2000.

- What is your overall impression of the United States Supreme Court... very favorable, somewhat favorable, somewhat unfavorable, very unfavorable or not familiar?

		Very Favorable	Somewhat Favorable	Somewhat Unfavorable	Very Unfavorable
Jul. 2001	Zogby	13	53	16	7

THE COURT TODAY: When Americans are asked about the Court today, most say that it is “about right” or “balanced,” or that it has “the right amount” of power.

- In its recent rulings, do you think the Supreme Court has been too liberal, too conservative, or just about right?

		Too liberal	Too conservative	About right	Don't know
Jul. 1986	PSRA/Newsweek	14	22	42	22
Jul. 2007	PSRA/Newsweek	19	29	35	17

- Do you think the Supreme Court currently tends to be too conservative or too liberal in its decisions or is it generally balanced in its decisions?

		Too Conservative	Court Tends To Be Generally Balanced	Too Liberal
Jun. 1986	ABC/WP	19	54	18

Sep. 1987	ABC/WP	19	52	24
Jun. 1989	WP	26	36	21
Jul. 1991	ABC/WP	33	39	21
Sep. 1991	ABC	31	48	16
Jul. 1995	ABC/WP	22	54	22
Jul. 2005	ABC/WP	19	55	22
Jul. 2007	ABC/WP	31	47	18

- In general, do you think the current Supreme Court is too liberal, too conservative, or just about right?

		Too Liberal	About Right	Too Conservative
Jul. 1973^	Gallup	35	17	25
Jun. 1993##	Gallup	18	20	17
Jun. 1993#	Gallup	22	45	24
Jul. 1995	Gallup	31	41	20
Sept. 2004	Gallup	28	40	27
Sep. 12-13, 2005	Gallup	25	45	25
Sep. 7-10, 2006	Gallup	21	43	31
Sep. 14-16, 2007	Gallup	21	43	32
Sep. 8-11, 2008	Gallup	21	43	30

NOTE: ^ Question wording was “In general, do you think the U.S. Supreme Court is too liberal or too conservative in its decisions?” # asked of half-sample. *question wording was “...just about right, or are you unsure?” 45 percent answered either no opinion or unsure.

- Do you think the Supreme Court is too liberal, too conservative, or about right?

		Liberal	Conservative	About Right
Mar. 2003	Quinnipiac	19	26	46
Aug. 2007	Quinnipiac	20	29	37
Jul. 2008	Quinnipiac	25	31	33

NOTE: When broken down by party, the responses for Republicans were 29, 51, and 12 percent, respectively. For Democrats, the responses were 12, 39, and 37 percent, respectively. For Independents, the responses were 17, 48, and 27 percent, respectively.

- Do you think the Supreme Court is too powerful, not powerful enough, or does it have about the right amount of power?

		Too Powerful	Right Amount	Not Powerful Enough
Apr. 2003*	Quinnipiac	25	60	11
Nov. 2004	AP/Ipsos	23	62	10

*NOTE: When broken down by party, the responses for Republicans were 21, 71, and 6 percent, respectively. For Democrats, the responses were 30, 51, and 13 percent, respectively. For Independents, the responses were 22, 62, and 12 percent, respectively.

- Do you think the present U.S. Supreme Court has been too liberal, about right, or not liberal enough in its decisions in the last year, or so?

		Too Liberal	About Right	Not Liberal Enough
Feb. 1941	Gallup	18	46	3

- As you probably know, Justice Sandra Day O'Connor has announced her retirement from the Supreme Court. During her time on the Court, she has been known as a moderate justice or the “swing vote” on many decisions. In naming Justice

O'Connor's replacement, what type of judge should President Bush nominate to fill her seat? Do you think the Supreme Court currently tends to be too conservative or too liberal in its decisions or is it generally balanced in its decisions?

		Court Tends To Be		
		Too Conservative	Generally Balanced	Too Liberal
Jul. 2005	Harris Interactive	23	43	15

- In general, do you think the United States Supreme Court is too liberal or too conservative in its decisions?

		Too Liberal	Too Conservative
Jun. 1986	CBS News/NYT	34	38
July 1987	CBS News/NYT	36	38
Sept. 1991	CBS News/NYT	30	42

- In general, how would you describe the current makeup of the U.S. Supreme Court...too liberal, too conservative, or just about right?

		Current Makeup of the Court is		
		Too Liberal	Just About Right	Too Conservative
Sept. 1987	NBC/WSJ	19	47	19

- In general, do you think the United States Supreme Court is too liberal or too conservative in its decisions?

		Too Liberal	Too Conservative
Jul. 1991	NBC/WSJ	33	44
May 1992	NBC/WSJ	26	50

- In recent years, do you think the Supreme Court has become more conservative or more liberal in its decisions?

		In Recent Years, Court Has Become	
		More Conservative	More Liberal
Jun. 1989	WP	44	36
Jul. 1991*	ABC/WP	52	32
Jul. 1995*	ABC/WP	49	39

NOTE: *Question wording was, "In the last few years, do you think the Supreme Court has been getting more conservative in its decisions, more liberal or what?"

- Do you think that the Supreme Court in its recent rulings has been too liberal, too conservative, or just about right?

		Recent Rulings Have Been		
		Too Liberal	Just About Right	Too Conservative
July 1986	Gallup	14	42	22
Jul. 1991*	Gallup	20	39	25
Aug. 2000*	Gallup	27	49	16
Jul. 2003*	Gallup	31	48	15

NOTE: * question wording read, "In its recent rulings, do you think the Supreme Court has been too liberal, too conservative, or just about right?"

- Now thinking about the U.S. Supreme Court, in its recent rulings, do you think the Supreme Court has been too liberal, too conservative, or just about right?

		Recent Rulings Have Been		
		Too Liberal	Just About Right	Too Conservative
Jul. 2005	Westhill/Hotline	27	38	21

- In general, do you think the United States Supreme Court is in touch with what is going on in the country, or not?

		In Touch	Not in Touch
Jun. 2003	Fox News/OD	51	38

THE NEXT JUSTICE: *In questions asked before Judge Roberts's nomination, most Americans told the pollsters they want Bush to nominate a moderate to the Court. In a June 2005 ABC News/Washington Post question, for example, 41 percent said that Bush should pick someone who is more of a moderate, 21 percent more of a liberal, and 35 percent more of a conservative. A September 2005 question from Pew with a slightly different emphasis, showed that 39 percent wanted Bush to choose someone who would keep the court about the same as it is now. Twenty-four percent wanted the Court to be more liberal and 30 percent more conservative. In a June 2005 Gallup question, 30 percent wanted a justice who would make the Court more liberal than it is now, 41 percent more conservative, and 35 percent about the same. In Gallup's subgroup analysis, liberals and conservatives were mirror images on one another on this question. The July 2005 Hotline/Westhill Partners poll found that 42 percent wanted Bush to replace O'Connor with someone who would keep the court about where it is now, while 30 percent wanted a more conservative justice, and 20 percent more liberal.*

Obama's Nominee

- How comfortable are you with Barack Obama selecting the next U.S. Supreme Court nominee?

		Very comfortable	Somewhat comfortable	Somewhat uncomfortable	Very uncomfortable
May 12-13, 2009	Fox News/OD	34	26	13	20

- When it comes to appointing liberal justices to the Supreme Court, are you concerned that Barack Obama will go too far, or not?

		Concerned	Not Concerned
Jan. 2009	NBC News/WSJ	38	57

Past Nominees

- For the future, would you prefer a Supreme Court that is more liberal than the current Court, more conservative, or about the same?

More Liberal Than Current Court	More Conservative Than Current Court	About Same
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- Sept. 1987 NBC/WSJ 21 27 43
- When it comes time for Bush to nominate a new justice to the U.S. Supreme Court, do you think he should pick someone who is more of a liberal, moderate or conservative?

		Bush should pick someone who is more of a		
		Liberal	Moderate	Conservative
Dec. 2004	ABC/WP	21	43	33
Jun. 2005	ABC/WP	21	41	35

- In making his next appointment to the Supreme Court, should President Bush choose someone who will make the court more liberal, someone who will make it more conservative, or someone who will keep the court about the same as it is now?

		Bush should choose someone who will make the Court		
		More Liberal	More Conservative	About Same
Mar. 2005	PSRA/Pew	24	28	41
Jun. 2005	PSRA/Pew	28	29	35
Jul. 2005	PSRA/Pew	24	27	40
Sept. 2005	PSRA/Pew	24	30	39

- When President Bush nominates the next justice to the U.S. Supreme Court, do you want him to nominate someone who is more of a liberal or someone who is more of a conservative?

		Bush should nominate someone who is more of a			
		Liberal	Conservative	Moderate (Vol.)	Not Consider Ideology (Vol.)
Jul. 2005	Fox News/OD	25	39	12	8

NOTE: Moderate and not consider ideology are volunteered responses.

- Suppose one of the U.S. Supreme Court justices retires at the end of this term. Would you like to see President (George W.) Bush nominate a new justice who would make the Supreme Court – more liberal than it currently is, more conservative than it currently is – or who would keep the Court as it is now?

		Would like to see Bush nominate someone who would make the Supreme Court		
		More Liberal	More Conservative	Keep as It is Now
Jun. 2005	Gallup	30	41	24
Views of...		More Liberal	More Conservative	Keep as It is Now
	Liberals	70	10	17
	Democrats	46	25	24
	Seldom/never attend church	37	30	27
	Men, 18 to 49	36	37	26
	Independents	34	35	27
	Weekly/monthly churchgoers	32	44	21
	Men	32	40	24
	Moderates	32	29	35
	Women, 18 to 49	31	41	23
	All U.S. Adults	30	41	24
	Women	28	42	25
	Women, 50 and older	26	43	26
	Men, 50 and older	25	46	22
	Weekly churchgoers	19	55	22
	White, weekly churchgoers	17	60	20

Republicans	10	64	23
Conservatives	8	71	18

- When the next U.S. Supreme Court justice retires, would you like the person nominated to fill that vacancy on the Supreme Court to have political views that are...very conservative, somewhat conservative, somewhat liberal, or very liberal?

		Next nominee should have political views that are			
		Very Conservative	Somewhat Conservative	Somewhat Liberal	Very Liberal
Sep. 2004	AP/Ipsos	20	36	28	9

- As you may know Supreme Court Justice Sandra Day O'Connor resigned recently. In making his appointment to replace her, should President Bush choose someone who will make the court more liberal, someone who will make it more conservative, or someone who will keep the court about the same as it is right now/?

		Bush should choose someone who would make the Court		
		More Liberal	Keep same as now	More Conservative
Jul. 2005	Westhill/Hotline	20	42	30

- President Bush may have the opportunity to make several nominations to the Supreme Court. Would you like to see him make the court more conservative, more liberal, or keep the present balance?

		Bush should nominate someone who would make the Court		
		More Liberal	Keep Balance	More Conservative
May 2005	Quinnipiac	29	39	27

- As you may know, there is a possibility that one or two justices of the United States Supreme Court may retire during George W. Bush's term in office. Do you think Bush's nominees to the U.S. Supreme Court will be very conservative, somewhat conservative, moderate, somewhat liberal or will his nominee be very liberal?

		Bush's Nominees Will Be		
		Somewhat/Very Conservative	Moderate	Somewhat/Very Liberal
Jan. 2005	LA Times	65	10	11

- There is a possibility that one or two justices of the United States Supreme Court may retire during George W. Bush's term in office. Do you think Bush's nominees to the US Supreme Court will be conservative, moderate or liberal?

		Bush's Nominees Will Be		
		Conservative	Moderate	Liberal
Mar. 2001	LA Times	63	17	10

- Do you think George W. Bush's nominees to the U.S. Supreme Court have been more conservative than you would like, not conservative enough, or about right?

		More Conservative Than you would Like	Not Conservative Enough	About Right
Jan. 2005*	CBS/NYT	33	15	44
Oct. 2005	CBS	30	16	42
Dec. 2005	CBS/NYT	25	15	50
Mar. 2007	CBS/NYT	24	17	44

Note: * Question wording was originally, "As president, George W. Bush may appoint several justices to the United States Supreme Court. Do you think his nominees to the U.S. Supreme Court will be more conservative than you would like, not conservative enough, or about right?"

- Do you worry that the president's next Supreme Court appoint will make the court too conservative, not conservative enough, or don't you worry about this?

		Too Conservative	Not Conservative Enough	Don't Worry
Jul. 2005	PSRA/Pew	31	19	44

- How important is the president's choice of the next Supreme Court justice to you personally?

		Very Important	Somewhat Important	Not Too Important	Not At All Important
Mar. 2005	PSRA/Pew	38	36	15	8
Jun. 2005	PSRA/Pew	47	29	14	8
Jul. 2005	PSRA/Pew	47	30	14	8
Sep. 2005	PSRA/Pew	48	34	9	7
Nov. 2005	PSRA/Pew	47	28	13	11

THE PRESIDENT'S DECISION: *Although the questions weren't asked often, the ones asked before Obama nominated Sonia Sotomayor suggest that people were comfortable with Obama selecting the next Court nominee. In a May 2009 Fox News/Opinion Dynamics question, for example, 60 percent said they were comfortable, while 23 percent said they were uncomfortable. At the same time, however, as a general matter, people say they trust the Senate more than the President to make the right decisions about who should sit on the Court. CBS News and the New York Times have asked this question five times since 1987 with virtually identical responses. A June 2005 Fox News/Opinion Dynamics question with a different emphasis produced this result: 31 percent said the president should have the strongest voice in selecting justices, and 47 percent said the Senate should. Twenty-four percent volunteered that both should have an equal voice.*

- How comfortable are you with Barack Obama selecting the next U.S. Supreme Court nominee?

		Very comfortable	Somewhat comfortable	Somewhat uncomfortable	Very uncomfortable
May 12-13, 2009	Fox News/OD	34	26	13	20

- Given President (George W.) Bush's appointments in other areas, how comfortable are you with him selecting the next Supreme Court nominee?...Very comfortable, somewhat comfortable, not very comfortable, or not at all comfortable?

		Very Comfortable	Somewhat Comfortable	Not Very Comfortable	Not At All Comfortable
Jun. 2003	Fox News/OD	32	27	14	20
Nov. 2004*	Fox News/OD	39	20	10	24
Jun. 2005*	Fox News/OD	31	23	15	28

NOTE: *question wording read, "How comfortable are you..."

- How confident are you that George W. Bush will make good choices to replace justices who leave the U.S. (United States) Supreme Court – very confident, somewhat confident, not too confident, or not at all confident?

Very	Somewhat	Not too	Not at all
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Nov. 2004	Gallup/CNN/USA Today	Confident 36	Confident 25	Confident 14	Confident 24
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NOTE: Half sample.

- How much confidence do you have that President Bush will select the right kind of person to sit on the Supreme Court – a great deal, quite a bit, some, very little, or none at all?

Jul. 2005	NBC/WSJ	Great Deal 21	Quite A Bit 20	Some 21	Very Little 23	None At All 14
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- Do you have confidence that George W. Bush will nominate good justices to the Supreme Court, or are you uneasy about who he might choose?

Jul. 2005	CBS News/NYT	Confidence 46	Uneasy 52
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- In President (George W.) Bush's second term, he may have the opportunity to appoint several new justices to the U.S. (United States) Supreme Court...How comfortable are you that George W. Bush would nominate the right kind of justices to the Supreme Court?...Very comfortable, somewhat comfortable, not too comfortable, not at all comfortable?

Nov. 2004	AP/Ipsos	Very Comfortable 37	Somewhat Comfortable 22	Not too Comfortable 12	Not at all Comfortable 29
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NOTE: Asked of registered voters.

- When you think about how the Bush Administration may deal with...appointing judges to the U.S. (United States) Supreme Court, do you feel mostly hopeful or mostly fearful, or would you say your feelings are mixed?

Jan. 2005	ABC News/Washington Post	Hopeful 43	Fearful 26	Mixed 29
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- How do you feel about the likely retirement of one or more Supreme Court justices – do you welcome changes or are you uneasy about changes to the Supreme Court?

Jun. 2005	Fox News/OD	Welcome 58	Uneasy 28
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- If George W. Bush is able to nominate justices to the U.S. (United States) Supreme Court in his second term in office, do you think his choices would make the Supreme Court's rulings better, worse, or would there be no change?

Jan. 2005	Gallup/CNN/USA Today	Better 33	Worse 25	No Change 40
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- Who do you trust more to make the right decisions about who should sit on the United States Supreme Court – George W. Bush or the Senate Democrats?

Jun. 2001	CBS News/NYT	Bush 37	Sen. Democrats 51
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NOTE: Half sample.

- Who do you trust to make the right decisions about who should sit on the United States Supreme Court – the President or the U.S. Senate?

		President	U.S. Senate
Sept. 1987	CBS News/NYT	23	70
Sept. 1991	CBS News/NYT	31	55
Oct. 1991	CBS News/NYT	25	55
May 2001	CBS News	23	67
Jun. 2001*	CBS News/NYT	23	68

NOTE: * half sample.

- Who do you think should have the strongest voice in selecting Supreme Court justices – the president or the U.S. Senate?

		President	U.S. Senate	Both (vol.)
Jul. 2005	Fox News/Opinion Dynamics	31	37	24

- I'm going to read you a list of areas in which some people are concerned that George W. Bush will go too far. For each one, please tell me whether this concerns you or not...appointing conservative justices to the Supreme Court?

		Concerned	Not Concerned
Jan. 2001	NBC/WSJ	45	50

NOTE: Out of the five issues asked, appointing conservative justices to the Supreme Court concerned people the least. The biggest concern was passing school voucher legislation which will affect funding for public schools (54 percent), allowing development and exploration of natural resources in wilderness lands (52 percent), regulating abortion (49 percent), and cutting taxes (46 percent).

- Do you think President Bush is trying to make the Supreme Court too conservative, too liberal, or neither too conservative nor too liberal?

		Too Conservative	Too Liberal	Neither
Nov. 2005	Harris Interactive	42	9	44

- As you may know, there are 100 Senators. How many Senators' votes should it take to move ahead to confirm a Supreme Court nominee? Should a majority of 51 votes be required, or is this something that should require a larger majority of 60 votes?

		Majority of 51 Votes	Larger Majority Of 60
May 2005	CBS/NYT	31	64

The Next Nominee: Legal Background and Other Issues: Americans are profoundly ambivalent about abortion. Pluralities or majorities tell the pollsters it is murder. Yet, solid majorities say the decision to have an abortion should be a personal choice. Americans want to keep abortion legal, but they are willing to put significant restrictions on its use. They favor spousal notification, parental consent, and 24-hour waiting periods. They support abortion in the first trimester and oppose it in the second and third trimesters. These deeply contradictory opinions are not in line with those of activists in either the pro-life or pro-choice camp.

Today Americans tell the pollsters that they want the new justice to uphold *Roe v. Wade*. People also seem to want to know the nominee's position on the issue. An NBC News/Wall Street Journal question asked in July 2005, however, finds that a majority (53 percent) does not believe a nominee should be required to state his or her opinions on critical issues such as abortion. There are clearly contradictions (which probably reflect low levels of knowledge or attentiveness or the way questions are worded) in the data here. People want the nominee to uphold *Roe*, they thought Bush was likely to appoint a nominee who would vote to make abortion against the law, yet as the questions in the previous section showed, they have generally felt comfortable with Bush making the decision.

AEI's Public Opinion Study on Abortion examines these issue in more detail:
<http://www.aei.org/publicopinion15>.

Views and Qualifications of the Nominee

- When the Senate votes on a Supreme Court nominee, should it consider only that person's legal qualifications and background, or along with legal background, should the Senate also consider how that nominee might vote on major issues the Supreme Court decides?

		Legal Only	Issues Too
Oct. 2005	CBS/NYT	35	54
Jan. 5-8, 2006	CBS/NYT	41	49

- Do you think a supreme Court judge's personal views should or should not be a factor in his or her decisions on cases before the court?

		Should	Should Not
Jul. 2005	CBS/NYT	19	77
Jan. 5-8, 2006	CBS/NYT	25	69

- As you may know, a majority of the United States Senate must vote to confirm a nominee to the U.S. Supreme Court ...Assuming a nominee for the U.S. Supreme Court is qualified legally and has no ethical problems, do you think a U.S. Senator would be justified – or not justified – in basing his or her vote on that nominee's stance on current issues such as abortion, gun control, or affirmative action?

		Justified	Not Justified
Jun. 2002	Gallup/CNN/USA Today	59	36

NOTE: Half sample.

- As you may know, a majority of the United States Senate must vote to confirm a nominee to the U.S. Supreme Court ...Which comes closest to your view about a U.S. Senator's vote about a nominee for the U.S. Supreme Court – a senator should only vote against a nominee if that person is not legally qualified or has some ethical problem, or a senator would be justified in

voting against a nominee if the Senator disagrees with the nominee's stance on issues such as abortion, gun control, or affirmative action, but the nominee was qualified otherwise?

		Only Vote Against If Not Qualified	Justified If Disagrees With Stance on Issues
Jun. 2002	Gallup/CNN/USA Today	57	40

NOTE: Half sample.

- Over the past twenty years, nominees for the U.S. Supreme Court have refused to discuss their views on specific issues, such as whether a woman has the constitutional right to be able to have an abortion, during their confirmation hearings in the U.S. Senate. Please tell me which statement comes closer to your view about whether a Supreme Court nominee should publicly state his or her position on critical issues before the Court. A nominee should be required to state his or her positions on these issues so that senators have this information to decide whether to confirm this person for life or a nominee should not be required to state his or her positions on these issues as judges should be selected based on their experience and overall qualifications, not their positions on issues that may come before the Court later.

-----Supreme Court Nominee Should State Publicly Position on Issues Like Abortion-----			
		Required	Not Required
Jul. 2005	NBC/WSJ	43	53
Sep. 2005	NBC/WSJ	36	57

Next Nominee's views on Abortion

- Now thinking about future nominees to the United States Supreme Court, how important is it to you, personally, that they share your views on the abortion issue – very important, somewhat important, not too important, or not important at all?

		Very Important	Somewhat Important	Not Too Important	Not At All Important
May 2005	Gallup	45	31	15	8

- How important is it to you that the next person nominated to join the U.S. Supreme Court agrees with your position on abortion...is that extremely important to you, very important, somewhat important, or less important than that?

		Extremely Important	Very Important	Somewhat Important	Less Important Than That
Dec. 2004	ABC News/WP	26	28	30	15

- Do you think the next person nominated to join the United States Supreme Court should be someone who thinks abortion should be legal in all or most cases, or someone who thinks abortion should be illegal in all or most cases? Do you feel that way strongly or somewhat?

----Supreme Court Nominee Should Be Someone Who Thinks Abortion Should Be-----					
		Legal All/Most Cases Strongly	Legal All/Most Cases Somewhat	Illegal All/Most Cases Somewhat	Illegal All/Most Cases Strongly
Jun. 2003	ABC News	34	16	9	35

- Do you think that any nominee to the Supreme Court should publicly state his or her position on abortion before being approved by the Senate, or do you think that nominees should not be required to state their position on that issue?

-----Supreme Court Nominee Should-State Publicly Position on Abortion-----			
		Required	Not Required
Jan. 2005	LA Times	46	48

- Do you think the next person nominated to join the United States Supreme Court should or should not publicly state his or her position on abortion before being approved by the U.S. Senate for the job?

		-----Publicly State His or Her Position on Abortion Before Being Approved---	
		Should	Should Not
Dec. 2004	Quinnipiac	62	32

- Do you think the next person nominated to join the United States Supreme Court should or should not publicly state his or her position on abortion before being approved by the U.S. Senate for the job?

		-----Publicly State His or Her Position on Abortion Before Being Approved---			
		Strongly Should	Somewhat Should	Somewhat Should Not	Strongly Should Not
Jun.. 2003	ABC News	57	15	8	16

- If a nominee to the United States Supreme Court is a qualified judge, do you think it is acceptable or unacceptable for a U.S. Senator to base his or her vote on the nominee becoming a Supreme Court justice solely on the nominee's position on abortion?

		Acceptable	Unacceptable
Jun.-July 2003	Fox News/OD	15	72
Jul. 2005	Fox News/OD	20	73
Dec. 2005	Fox News/OD	15	75

- Before Senators vote on whether a nominee should be confirmed to the Supreme Court, how important do you think it is for the Senate to know his or her position on abortion – is that very important, somewhat important, not very important, or not at all important?

		Very Important	Somewhat Important	Not Very Important	Not At All Important
Dec. 2-6, 2005	CBS/NYT	37	34	16	12

Robert's views on Abortion

- Do you think it would be appropriate or inappropriate for senators to ask Roberts general questions about his overall views on the abortion issue?

		Appropriate	Inappropriate
Jul. 2005	Gallup	74	22

- Do you think it would be appropriate or inappropriate for senators to ask Roberts specific questions about how he would rule on individual cases involving the abortion issue?

		Appropriate	Inappropriate
Jul. 2005	Gallup	61	36

- Do you think United States Senators would be justified or not justified in voting against Supreme Court nominee John Roberts if he refuses to state his position on abortion?

		Justified	Not Justified
Jul. 2005	Quinnipiac	43	47

- When the U.S. Senate holds hearings on the John Roberts nomination, do you think Senators should insist that he explain his views on abortion before confirming, or should he be allowed to refuse to answer questions about abortion?

		Insist he explain his views	Allowed to refuse to answer
Jul. 2005	Gallup	61	37

- Do you think Supreme Court nominee John Roberts should or should not publicly state his position on abortion?

		Should Publicly State View	Should Not Publicly State View
Jul. 2005	Quinnipiac	61	32

- Do you think Roberts should or should not publicly state his position on abortion before being approved by the U.S. Senate for the job?

-----Publicly State His Position on Abortion Before Being Approved---			
		Should	Should Not
Jul. 2005	ABC News/WP	64	34

- Do you think Roberts should or should not publicly state his position on abortion before being approved by the U.S. Senate for the job?

-----Publicly State His or Her Position on Abortion Before Being Approved---			
		Should	Should Not
Jul.. 2005	ABC News/WP	64	34

Bush's nominee and abortion

- When George W. Bush appoints Supreme Court justices do you think he is likely to appoint justices who will vote to keep abortion legal or justices who will votes to make abortion against the law?

-----Likely to Appoint Justices Who Would-----			
		Keep Abortion Legal	Make Abortion Against the Law
Jan. 2003	CBS/NYT	29	51
Nov. 2004	CBS/NYT	17	64
Jan. 2005	CBS/NYT	15	71

- George W. Bush said that he would not use a nominee's beliefs on abortion as the deciding factor for his selection of a United States Supreme Court justice. Do you believe Bush when he says he will not use an abortion test for his selection of a United States Supreme Court justice, or do you not believe that?

		Believe Him	Do Not Believe Him
Mar. 2001	LA Times	44	42
Dec. 2002	LA Times	50	41
Jan. 2005	LA Times	45	50

- As you may know, President Bush may have the opportunity to appoint several new justices to the United States Supreme Court during his second term. Do you think the next person nominated to join the United States Supreme Court should or should not publicly state his or her position on abortion before being approved by the U.S. Senate for the job?

-----Publicly State His or Her Position on Abortion Before Being Approved---					
		Strongly Should	Do Not Feel Strongly Should	Do Not Feel Strongly Should Not	Strongly Should Not
Nov. 2004	AP/Ipsos	52	9	28	8

The Next Nominee and Roe v Wade

- The 1973 Supreme Court decision ruling called Roe v Wade made abortion in the first three months of pregnancy legal. Do you think President Bush should nominate Supreme Court justices who would uphold Roe vs Wade or nominate Supreme Court justices who would overturn the Roe vs Wade decision?

-----Bush Should Nominate Supreme Court Justices Who Would-----	
Uphold Roe v Wade	Overturn Roe v Wade

Dec. 2004	Quinnipiac	50	34
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- As you may know, President Bush may have the opportunity to appoint several new justices to the United States Supreme Court during his second term. The 1973 Supreme Court decision ruling called Roe v Wade made abortion in the first three months of pregnancy legal. Do you think President Bush should nominate Supreme Court justices who would uphold Roe vs Wade or nominate Supreme Court justices who would overturn the Roe vs Wade decision?

-----Bush Should Nominate Supreme Court Justices Who Would-----			
		Uphold	Overturn
		Roe v Wade	Roe v Wade
Nov. 2004*	AP/Ipsos	61	34
Nov. 2004	AP/Ipsos	59	31

NOTE: * asked of registered voters.

SONIA SOTOMAYOR: *Initial reactions to Judge Sotomayor were positive, as the questions below indicate. All polls taken thus far show that more people support her confirmation than oppose it, but many people do not have an opinion or haven't heard enough to say.*

- As you may know, Sonia Sotomayor is the federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Sotomayor serving on the Supreme Court, or not?

		Yes, vote in favor	No, not
May 29-31, 2009	Gallup/USA Today	54	28

- As you may know, John Roberts is the person nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Roberts serving on the Supreme Court, or not?

		Yes	No	No Opinion
Aug. 24 - Sept. 2, 1987 (Bork) #	Gallup	31	25	44
Sept. 1-13, 1987 (Bork)#	Gallup	38	35	26
Jul. 11-14, 1991 (Thomas) *	Gallup	52	17	31
Jun. 18-21, 1993 (Ginsburg) ^	Gallup	53	14	33
Jul. 22-24, 2005 (Roberts)	Gallup	59	22	19
Aug. 5-7, 2005 (Roberts)	Gallup	51	28	21
Aug. 28-30, 2005 (Roberts)	Gallup	52	26	22
Sept. 8-11, 2005 (Roberts)	Gallup	58	27	15
Sept. 16-18, 2005 (Roberts)	Gallup	60	26	14

NOTE: # Question wording was: "Robert Bork is a federal judge who has been nominated by President Reagan to serve on the U.S. Supreme Court. Would you like to see the Senate vote in favor of Bork serving on the U.S. Supreme Court, or not?"; * question wording read, "Clarence Thomas is a federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Clarence Thomas serving on the Supreme Court?"; ^ question wording read, "Ruth Bader Ginsburg is a federal judge who has been nominated by President Clinton to serve on the United States Supreme Court. Would you like to see the Senate vote in favor of Ginsburg serving on the Supreme Court, or not?"

- From what you know about Sonia Sotomayor, do you think she would be too liberal, too conservative, or just about right as Supreme Court justice?

		Too liberal	Too conservative	About right
May 29-31, 2009	Gallup/USA Today	28	3	48

- Based on what you have heard or read about her, do you think Sonia Sotomayor's views on important issues are in the mainstream or do you think they are too extreme?

May 29-31, 2009	Gallup/USA Today	Mainstream 49	Extreme 30	No opinion 21
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- President Obama has nominated Sonia Sotomayor to serve on the U.S. Supreme Court. If you were voting on Sotomayor's nomination, would you vote to confirm her or not?

Jun. 9-10, 2009 Fox News/OD

	Confirm	Not confirm	Don't know
National	46	32	22
Democrats	69	12	19
Republicans	19	55	27
Independents	46	33	21

- As you may have heard, Supreme Court nominee Sonia Sotomayor has said several times that a wise female Hispanic judge would make better decisions than a white male judge. Do you think these remarks should disqualify her from serving on the Court or not?

Jun. 9-10, 2009 Fox News/OD

	Yes, disqualifies her	No, does not
National	29	67
Democrats	15	83
Republicans	44	51
Independents	30	66

- Here's exactly what Supreme Court nominee Sonia Sotomayor said in a speech in 2001: "I would hope that a wise Latina woman with the richness of her experience would more often than not reach a better conclusion than a white male who hasn't lived that life." Do you agree with her or not?

June 2009 Fox News/OD

	Yes	No
National	32	58
Democrats	47	42
Republicans	18	77
Independents	27	61

- Do you approve or disapprove of President Obama's nomination of Sonia Sotomayor to the Supreme Court?

May 26-28, 2009	Quinnipiac	Approve 54	Disapprove 24
May 26- Jun. 1, 2009	Quinnipiac	55	25

- Is your opinion of Supreme Court nominee Sonia Sotomayor favorable, not favorable, undecided, or haven't heard enough about Sonia Sotomayor yet to have an opinion?

June 12-16, 2009	CBS/NYT	Favorable 33	Not Favorable 9	Undecided 22	Haven't Heard Enough 36
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- Would you say that Supreme Court nominee Sonia Sotomayor is more liberal than you would like, not liberal enough, or about right?

		More liberal	Not liberal enough	About right
May 26-28, 2009	Quinnipiac	30	5	42
May 26-Jun. 1, 2009	Quinnipiac	30	5	44

- Should Senators support or oppose Sonia Sotomayor's nomination to the Supreme Court based only on whether she is qualified to be a justice, or should they also consider her views on controversial issues like abortion and affirmative action?

		Only qualifications	Consider views
May 26-28, 2009	Quinnipiac	47	43
May 26-Jun. 1, 2009	Quinnipiac	46	44

- Based on what you have heard so far, do you think that Sonia Sotomayor is qualified or not qualified to be a Supreme Court justice, or do you not know enough about her to say?

		Qualified	Not Qualified	Don't Know Enough
June 12-15, 2009	NBC News/WSJ	50	13	35

- What do you think right now? Should the Senate vote to confirm Sonia Sotomayor as a Justice of the U.S. Supreme Court, or vote against Sotomayor, or can't you say?

		Vote to Confirm	Vote Against	Can't Say
June 12-16, 2009	CBS/NYT	34	9	53

- What do you think right now? Should the Senate vote to confirm John Roberts as Chief Justice of the U.S. Supreme Court, or vote against Roberts, or can't you say?

		Vote To Confirm	Vote Against	Can't Say
Aug. 29-31, 2005	CBS News	26	9	60
Sept. 6-7, 2005	CBS News	35	10	49
Sept. 9-13, 2005	CBS News/NYT	26	8	63

JOHN ROBERTS: Initial reactions to Judge John Roberts were positive as the questions below show, though a substantial number didn't have an opinion. All the questions that were asked about whether he should be confirmed showed more people in favor of his confirmation than opposed.

- As you may know, John Roberts is the person nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Roberts serving on the Supreme Court, or not?

		Yes	No	No Opinion
Aug. 24 - Sept. 2, 1987 (Bork) #	Gallup	31	25	44
Sept. 1-13, 1987 (Bork)#	Gallup	38	35	26
Jul. 11-14, 1991 (Thomas) *	Gallup	52	17	31
Jun. 18-21, 1993 (Ginsburg) ^	Gallup	53	14	33
Jul. 22-24, 2005 (Roberts)	Gallup	59	22	19
Aug. 5-7, 2005 (Roberts)	Gallup	51	28	21
Aug. 28-30, 2005 (Roberts)	Gallup	52	26	22
Sept. 8-11, 2005 (Roberts)	Gallup	58	27	15
Sept. 16-18, 2005 (Roberts)	Gallup	60	26	14

NOTE: # Question wording was: “Robert Bork is a federal judge who has been nominated by President Reagan to serve on the U.S. Supreme Court. Would you like to see the Senate vote in favor of Bork serving on the U.S. Supreme Court, or not?; * question wording read, “Clarence Thomas is a federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Clarence Thomas serving on the Supreme Court?”; ^ question wording read, “Ruth Bader Ginsburg is a federal judge who has been nominated by President Clinton to serve on the United States Supreme Court. Would you like to see the Senate vote in favor of Ginsburg serving on the Supreme Court, or not?”

Should Roberts Be Confirmed

- On a different subject for a moment, from what you’ve heard or read, do you think the U.S. Senate should or should not confirm John Roberts as the next Chief Justice of the Supreme Court?

		Should	Should Not	Don’t Know
Sept. 6-7, 2005	PSRA/Pew Research Center	35	19	46

- What do you think right now? Should the Senate vote to confirm John Roberts as Chief Justice of the U.S. Supreme Court, or vote against Roberts, or can’t you say?

		Vote To Confirm	Vote Against	Can’t Say
Aug. 29-31, 2005	CBS News	26	9	60
Sept. 6-7, 2005	CBS News	35	10	49
Sept. 9-13, 2005	CBS News/NYT	26	8	63

- Based on what you’ve heard or read about John Roberts, do you think he should or should not be confirmed by the Senate to serve as Chief Justice of the Supreme Court?

		Should	Should Not	Don’t Know
Sept. 7-8, 2005	SRBI/Time	48	26	26

- On another subject...Based on what you’ve heard or read about John Roberts, President Bush’s nominee for the U.S. Supreme Court, do you think he should or should not be confirmed by the Senate to serve on the Court?

		Should	Should Not	No Opinion
Aug. 2-4, 2005	PSRA/Newsweek	47	24	29
Sept. 8-9, 2005	PSRA/Newsweek	44	24	32

- Do you think the U.S. Senate should or should not confirm Roberts’ nomination to the Supreme Court?

		Should	Should Not	No Opinion
Jul. 21, 2005	ABC News/WP	59	23	17
Aug. 25-28, 2005	ABC News/WP	57	22	20
Sept. 8-11, 2005*	ABC News/WP	55	26	19

NOTE: * Question wording read, “As you may know, Bush has nominated federal judge John Roberts to be Chief Justice of the U.S. Supreme Court. Do you think the U.S. Senate should or should not confirm Roberts’ nomination as Chief Justice?”

- President Bush has nominated John Roberts to replace sitting Justice Sandra Day O’Connor on the U.S. Supreme Court. If you were voting on John Roberts nomination, would you vote to confirm him or not?

		Yes	No	Don’t Know
Jul. 26-27, 2005	Fox News/OD	51	19	30
Aug. 30-31, 2005	Fox News/OD	50	26	24

- Do you think the Senate will confirm John Roberts or not?

		Yes	No	Don’t Know
Jul. 26-27, 2005	Fox News/OD	70	7	23

Will Roberts Be Confirmed

- What do you expect will happen – do you think John Roberts probably will or probably will not be confirmed by the Senate to sit on the Supreme Court?

		Probably Will	Probably Will Not
Jul. 29-Aug. 2, 2005	CBS News	73	8
Aug. 29-31, 2005	CBS News	71	7

- Do you think the Senate will confirm John Roberts or not?

		Will	Will Not
Jul. 26-27, 2005	Fox News/OD	70	7
Sept. 13-14, 2005	Fox News/OD	75	6

Impressions of Roberts

- How would describe your first impressions of him (John Roberts)? Would you say they are very positive, somewhat positive, neither positive nor negative, somewhat negative, or very negative?

		Very Positive	Somewhat Positive	Neither	Somewhat Negative	Very Negative
Jul. 20, 2005	Gallup	26	28	21	8	7

- Next, we'd like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of these people – or if you have never heard of them. How about . . . U.S. Supreme Court nominee, John Roberts?

		Favorable	Unfavorable	Never Heard of
Jul. 22-24, 2005	Gallup	46	13	19
Sept. 8-11, 2005	Gallup	50	17	14

- Is your opinion of Supreme Court nominee John Roberts favorable, not favorable, undecided, or haven't you heard enough about John Roberts yet to have an opinion?

		Favorable	Unfavorable	Undecided	Not Heard Enough
Jul.29-Aug.2, 2005	CBS News	25	7	17	51
Aug. 29-31, 2005	CBS News	22	8	24	45
Sept. 9-13, 2005	CBS News/NYT	25	8	20	46

- As you may know, President Bush recently nominated John Roberts to serve as the next Chief Justice of the Supreme Court. Do you strongly support, somewhat support, somewhat oppose, or strongly oppose John Roberts serving as the next Chief Justice of the Supreme Court, or don't you know enough about him to say?

		Strongly Support	Somewhat Support	Somewhat Oppose	Strongly Oppose	Don't Know
Sept. 9-12, 2005	NBC/WSJ	22	16	10	10	41

- Generally speaking, how would you rate Bush's choice of John Roberts as a nominee to the U.S. Supreme Court – as excellent, good, only fair, or poor?

		Excellent	Good	Only Fair	Poor
Jul. 20, 2005	Gallup	25	26	20	14

- Do you approve or disapprove of President Bush's nomination of John Roberts to the Supreme Court?

		Approve	Disapprove	Don't Know
Jul. 21-25, 2005	Quinnipiac	44	27	29

- President George W. Bush has nominated John Roberts to replace retiring Justice Sandra Day O'Connor on the U.S. Supreme Court. Do you approve or disapprove of John Roberts' nomination to the Supreme Court?

		Approve	Disapprove	Don't Know
Jul. 26-27, 2005	Fox News/OD	48	17	34
Sept. 13-14, 2005	Fox News/OD	51	21	27

- Overall, do you think John Roberts is qualified to serve as a justice on the Supreme Court, or not?

		Qualified	Not Qualified	Don't Know
Jul. 26-27, 2005	Fox News/OD	65	10	25
Sept. 13-14, 2005	Fox News/OD	62	14	24

- Would you say that the more you hear about Roberts the more you like him or the more you hear about Roberts the less you like him?

		More You Like Him	Less You Like Him	No Difference
Aug. 25-28, 2005	ABC News/WP	39	28	16

Ideological Leanings

- Is John Roberts more conservative than you would like, not conservative enough, or about right, or don't you know enough about John Roberts yet to say?

		More Conservative	About Right	Not Conservative Enough	Don't Know
Sept. 9-13, 2005	CBS News/NYT	14	22	2	61

- From what you've heard or read, are you concerned that John Roberts is too conservative, too liberal, or aren't you concerned about his ideology?

		Too Conservative	Too Liberal	Not Concerned	Don't Know
Sept. 6-7, 2005	PSRA/Pew Research Center	20	5	39	36

- From what you know about John Roberts, as a Supreme Court Justice, do you think he would be too liberal, too conservative, or just about right?

		Too Conservative	About Right	Too Liberal	No Opinion
Aug. 28-30, 2005	Gallup	24	48	8	20

- Would you say that Supreme Court nominee John Roberts is more conservative than you would like, not conservative enough, or about right?

		More Conservative	About Right	Not Conservative Enough	Don't Know
Jul. 21-25, 2005	Quinnipiac	29	41	8	21

- From what you know about John Roberts, would you say he is more of liberal or a conservative?

		Liberal	Conservative	Moderate	Don't Know
Jul. 26-27, 2005	Fox News/OD	8	56	8	28

Roberts and The Issue of Abortion

- Do you think it would be appropriate or inappropriate for senators to ask Roberts general questions about his overall views on the abortion issue?

		Appropriate	Inappropriate
Jul. 20, 2005	Gallup	74	22

- Do you think it would be appropriate or inappropriate for senators to ask Roberts specific questions about how he would rule on individual cases involving the abortion issue?

		Appropriate	Inappropriate
Jul. 20, 2005	Gallup	61	36

- When the U.S. Senate holds hearings on the John Roberts nomination, do you think Senators should insist he explain his views on abortion before confirming, or should he be allowed to refuse to answer questions about abortion?

		Insist he explain his views	Allowed to refuse to answer
Jul. 22-24, 2005	Gallup	61	37

- Over the past twenty years, nominees for the U.S. Supreme Court have refused to discuss their views on specific issues, such as whether a woman has the constitutional right to be able to have an abortion, during their confirmation hearings in the U.S. Senate. Please tell me which statement comes closer to your view about whether a Supreme Court nominee should publicly state his or her position on critical issues before the Court. A nominee should be required to state his or her positions on these issues so that senators have this information to decide whether to confirm this person for life or a nominee should not be required to state his or her positions on these issues as judges should be selected based on their experience and overall qualifications, not their positions on issues that may come before the Court later.

-----Supreme Court Nominee Should-State Publicly Position on Issues Like Abortion-----			
		Required	Not Required
Jul. 8-11, 2005	NBC/WSJ	43	53
Sept. 9-12, 2005	NBC/WSJ	36	57

- Do you think Supreme Court nominee John Roberts should or should not publicly state his position on abortion?

		Should Publicly State View	Should Not Publicly State View
Jul. 21-25, 2005	Quinnipiac	61	32

- Do you think Roberts should or should not publicly state his position on abortion before being approved by the U.S. Senate for the job?

-----Publicly State His or Her Position on Abortion Before Being Approved---			
		Should	Should Not
Jul. 21, 2005	ABC News/WP	64	34

- Do you think United States Senators would be justified or not justified in voting against Supreme Court nominee John Roberts if he refuses to state his position on abortion?

		Justified	Not Justified
Jul. 21-25, 2005	Quinnipiac	43	47

- Before Senators vote on whether John Roberts should sit on the Supreme Court, how important do you think it is for the Senate to know what his position on abortion is – is that very important, somewhat important, not very important, or not at all important?

		Very Important	Somewhat Important	Not Very Important	Not At All Important
Jul. 29-Aug. 2	CBS News	30	35	13	19

Past Cases

- At his confirmation hearing, do you think Roberts should or should not answer questions about how he would have ruled on past cases that have come before the Supreme Court?

Should	Should Not
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Jul. 21, 2005	ABC News/WP	61	36
Aug. 25-28, 2005	ABC News/WP	52	42

- In previous Senate confirmation hearings, some nominees have refused to answer questions related to past Supreme Court cases or cases that may come before the Court in the future. Do you think it is acceptable or unacceptable for John Roberts to decline to answer questions on past or future cases before the Supreme Court?

		Acceptable	Unacceptable
Jul. 26-27, 2005	Fox News/OD	41	43

Misc

- Do you think a senator who believes Roberts has the right background and qualifications, but who disagrees with his judicial philosophy and legal views, should vote for or against Robert's nomination?

		Vote For	Vote Against
Jul. 21, 2005	ABC News/WP	53	41
Aug. 25-28, 2005	ABC News/WP	49	37

- Should Senators support or oppose John Roberts' nomination to the Supreme Court based only on whether he is qualified to be a justice, or should they also consider his views on controversial issues like abortion and the death penalty?

		Qualifications	Views on Issues
Jul. 21-25, 2005	Quinnipiac	36	56

- Do you think John Roberts' religious beliefs should or should not be something Senators consider when deciding whether to confirm him?

		Should	Should Not
Aug. 30-31, 2005	Fox News/OD	22	61

- John Roberts is a practicing Catholic. Knowing this, are you more likely, or less likely to support his confirmation?

		More Likely	Less Likely	No Difference
Aug. 30-31, 2005	Fox News/OD	21	13	57

- Should Senators support or oppose John Roberts' nomination to the Supreme Court based only on whether he is qualified to be a justice, or should they also consider his views on controversial issues like abortion and the death penalty?

		Qualifications	Views on Issues
Jul. 21-25, 2005	Quinnipiac	36	56

- As you may know, Roberts was nominated to replace Sandra Day O'Connor. Does it bother you that President Bush did not nominate a woman to replace Sandra Day O'Connor, or does it not bother you?

		Yes, bother you	No, does not
Jul. 20, 2005	Gallup	21	77

- Would you have preferred George W. Bush nominate a woman to replace Sandra Day O'Connor on the Supreme Court, or does it not matter to you?

		Preferred Woman	Does Not Matter
Jul. 29-Aug. 2	CBS News	25	75

- So far, have you heard anything about John Roberts that you think disqualifies him from serving on the Supreme Court?

		Yes	No	Don't Know
Jul. 26-27, 2005	Fox News/OD	9	83	8

- How much does it matter to you whether or not John Roberts is confirmed by the Senate – a great deal, a moderate amount, not much, or not at all?

		Great Deal	Moderate Amount	Not Much	Not At All
Jul. 20, 2005	Gallup	37	20	18	13

HARRIET MIERS: *Americans were less enthusiastic about the Miers' nomination than they were about John Roberts'.*

- As you may know, Harriet Miers is the person nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Roberts serving on the Supreme Court, or not?

		Yes	No	No Opinion
Aug. 24 - Sept. 2, 1987 (Bork) #	Gallup	31	25	44
Sept. 1-13, 1987 (Bork)#	Gallup	38	35	26
Jul. 11-14, 1991 (Thomas) *	Gallup	52	17	31
Jun. 18-21, 1993 (Ginsburg) ^	Gallup	53	14	33
Jul. 22-24, 2005 (Roberts)	Gallup	59	22	19
Aug. 5-7, 2005 (Roberts)	Gallup	51	28	21
Aug. 28-30, 2005 (Roberts)	Gallup	52	26	22
Sept. 8-11, 2005 (Roberts)	Gallup	58	27	15
Sept. 16-18, 2005 (Roberts)	Gallup	60	26	14
Oct. 13-16, 2005 (Miers)	Gallup	44	36	20
Oct. 21-23, 2005 (Miers)	Gallup	42	43	15

NOTE: # Question wording was: "Robert Bork is a federal judge who has been nominated by President Reagan to serve on the U.S. Supreme Court. Would you like to see the Senate vote in favor of Bork serving on the U.S. Supreme Court, or not?"; * question wording read, "Clarence Thomas is a federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Clarence Thomas serving on the Supreme Court?"; ^ question wording read, "Ruth Bader Ginsburg is a federal judge who has been nominated by President Clinton to serve on the United States Supreme Court. Would you like to see the Senate vote in favor of Ginsburg serving on the Supreme Court, or not?"

- As you may know, President Bush recently nominated Harriet Miers to serve as a justice on the Supreme Court. Do you strongly support, somewhat support, somewhat oppose, or strongly oppose Harriet Miers' serving as a justice on the Supreme Court, or do you not know enough about her to say?

		Strongly Support	Somewhat Support	Somewhat Oppose	Strongly Oppose
Oct. 8-10, 2005	NBC/WSJ	11	16	10	11

- From what you've heard so far, do you think the Senate should or should not confirm Harriet Miers to the Supreme Court?

		Should	Should not	Don't Know
Oct. 6-10, 2005	PSRA/Pew	33	27	40

- If you were voting on Harriet Miers' nomination, would you vote to confirm her or not?

		Yes, confirm	No, not confirm	Don't Know
Oct 11-12, 2005	Fox News/OD	37	32	31
Oct. 25-26, 2005	Fox News/OD	35	38	27

Impressions of Miers

- Generally speaking, how would you rate Bush's choice of Harriet Miers to serve on the U.S. Supreme Court – as excellent, good, only fair, or poor?

Oct. 3-4, 2005	Gallup	Excellent 11	Good 33	Only Fair 25	Poor 16
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- Is your opinion of Supreme Court nominee Harriet Miers favorable, unfavorable, undecided or haven't you heard enough about Harriet Miers yet to have an opinion?

Oct. 3-5, 2005	CBS News	Favorable 11	Not Favorable 11	Undecided 18	Haven't Heard Enough 59
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- Next, we'd like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of these people – or if you have never heard of them. How about – U.S. Supreme Court nominee, Harriet Miers?

Oct. 13-16, 2005	Gallup	Favorable 31	Unfavorable 26	Haven't heard 17
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- How would describe your first impressions of her (Harriet Miers)? Would you say they are very positive, somewhat positive, neither positive nor negative, somewhat negative, or very negative?

Oct. 3-4, 2004	Gallup	Very Positive 14	Somewhat Positive 28	Neither 34	Somewhat Negative 10	Very Negative 4
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Miers and the Issue of Abortion

- When the U.S. Senate holds hearings on the Harriet Miers nomination, do you think Senators should insist that she explain her views on abortion before confirming her, or should she be allowed to refuse to answer questions about abortion?

Oct. 3-4, 2005	Gallup	Insist she explain his views 55	Allowed to refuse to answer 42
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Will Miers Be Confirmed

- Do you think the Senate will confirm Harriet Miers or not?

Oct. 11-12, 2005	Fox News/OD	Yes 48	No 19	Don't know 33
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- Which group do you think is causing President Bush the most trouble over the Supreme Court nomination of Harriet Miers - liberal Democrats or conservative Republicans?

Oct. 25-26, 2005	Fox News/OD	Liberal Democrats 30	Conservative Republicans 26	Both 22	Neither 3
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- Which one of the following do you think is most likely to happen? Do you think Harriet Miers will be confirmed by the Senate, be voted down by the Senate, or withdraw her name from consideration before a Senate vote?

Oct. 25-26, 2005	Fox News/OD	Confirmed 37	Voted down 17	Withdraw 21
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Ideological Leanings

- From what you know about Harriet Miers, would you say she is more of a liberal or a conservative ?

		Liberal	Conservative	Don't Know
Oct 11-12, 2005	Fox News/OD	6	47	39

- Do you worry that Harriet Miers would make the Supreme Court too conservative, not conservative enough, or do you not worry about this?

		Too Conservative	Not conservative enough	Don't Worry	Don't Know
Oct. 6-10, 2005	PSRA/Pew	18	8	56	18

Miers's Qualifications

- Based on what you have heard so far, do you think that Harriet Miers is qualified or not qualified to be a Supreme Court Justice, or do you not know enough about her to say?

		Qualified	Not Qualified	Don't know
Oct. 8-10, 2005	NBC News/WSJ	29	24	46

- Overall, do you think Harriet Miers is qualified to serve as a justice on the Supreme Court or not?

		Qualified	Not Qualified	Don't know
Oct. 11-12, 2005	Fox News/OD	37	28	35

- I'm going to read several things about Harriet Miers. For each one, please tell me whether this makes you feel more positive about Harriet Miers sitting on the Supreme Court, less positive, or does it make no difference to you either way?

		More Positive	Less Positive	No Difference
Oct. 8-10, 2005	NBC News/WSJ			
	She was the first woman to be the president of the Texas Bar Association	47	10	42
	She has been named one of America's one hundred most powerful lawyers	45	14	39
	She had worked for President Bush as his personal lawyer for many years, previously while he was governor of Texas, and most recently as White House Counsel	24	40	35
	She has not previously served as a judge	8	50	40
	Her positions on many legal issues facing the court are unknown.	8	52	37

- Thinking about Harriet Miers' background, does each of the following make you - more likely to support her nomination, does it make no difference, or does it make you less likely to support her nomination? How about ...?

		More Likely	No Difference	Less likely
Oct. 3-5, 2005	CBS News			
	She is a woman	29	66	5
	She has close personal ties to George W. Bush	16	38	44
	Her views on most major issues are no known	12	33	49

She have never served as a judge	10	42	46
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- So far, have you heard anything about Harriet Miers that you think disqualifies her from serving on the Supreme Court?

		Yes	No	Don't know
Oct 11-12, 2005	Fox News/OD	13	77	10

Miers's Withdrawal

- Would you like to see President Bush continue to support his nomination of Harriet Miers to the Supreme Court or withdraw his nomination of Harriet Miers to the Supreme Court?

		Continue Support	Withdraw Nomination	No Opinion
Oct. 13-16, 2005	Gallup/CNN/USA Today	46	36	18

- Would you say you are pleased or disappointed that Harriet Miers' nomination was withdrawn?

		Pleased	Disappointed	No opinion
Oct 27, 2005	Gallup/CNN/USA Today	42	35	23

- (Asked of only those who said they were pleased her nomination was withdrawn) If you had to choose among the following, which would you say is the most important reason why you are pleased that Harriet Miers' nomination was withdrawn - her views are too conservative, her views are not conservative enough, she does not have strong enough qualifications to serve on the Supreme Court, or she is too close to George W. Bush personally?

		Too Conservative	Not conservative Enough	Not Qualified	Too Close Bush
Oct. 27, 2005	Gallup/CNN/USA Today	8	4	49	35

- Now that George W. Bush has withdrawn his nomination of Harriet Miers, how important is it to you that he nominates another woman to replace Sandra Day O'Connor on the Supreme Court - very important, somewhat important, not too important, or not at all important?

		Very Important	Somewhat Important	Not too Important	Not At All Important
Oct. 27, 2005	Gallup/CNN/USA Today	30	29	14	25

SAMUEL ALITO: *Initial reactions to Judge Samuel Alito were more positive than initial reactions to Harriet Miers. All polls we saw showed that more people supported his confirmation than opposed it, but many people did not have an opinion or hadn't heard enough to say.*

- As you may know, Samuel Alito is the person nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Alito serving on the Supreme Court, or not?

		Yes	No	No Opinion
Aug. 24 - Sept. 2, 1987 (Bork) #	Gallup	31	25	44
Sept. 1-13, 1987 (Bork)#	Gallup	38	35	26
Jul. 11-14, 1991 (Thomas) *	Gallup	52	17	31
Jun. 18-21, 1993 (Ginsburg) ^	Gallup	53	14	33
Jul. 22-24, 2005 (Roberts)	Gallup	59	22	19
Aug. 5-7, 2005 (Roberts)	Gallup	51	28	21
Aug. 28-30, 2005 (Roberts)	Gallup	52	26	22

Sept. 8-11, 2005 (Roberts)	Gallup	58	27	15
Sept. 16-18, 2005 (Roberts)	Gallup	60	26	14
Oct. 13-16, 2005 (Miers)	Gallup	44	36	20
Nov. 7-10, 2005 (Alito)	Gallup	50	25	25
Dec. 9-11, 2005 (Alito)	Gallup	49	29	22
Jan. 6-8, 2006 (Alito)	Gallup	49	30	21
Jan. 20-22, 2006 (Alito)	Gallup	54	30	16

NOTE: # Question wording was: "Robert Bork is a federal judge who has been nominated by President Reagan to serve on the U.S. Supreme Court. Would you like to see the Senate vote in favor of Bork serving on the U.S. Supreme Court, or not?"; * question wording read, "Clarence Thomas is a federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Clarence Thomas serving on the Supreme Court?"; ^ question wording read, "Ruth Bader Ginsburg is a federal judge who has been nominated by President Clinton to serve on the United States Supreme Court. Would you like to see the Senate vote in favor of Ginsburg serving on the Supreme Court, or not?"

- President Bush has nominated Samuel Alito to be an associate justice of the U.S. Supreme Court. Do you believe he should be confirmed by the Senate?

		Should Confirm	Should Not	Not Sure
Dec. 8-14, 2005	Harris Interactive	34	31	34

- As you may know, President Bush recently nominated Sam Alito to serve as a justice on the Supreme Court. Do you strongly support, somewhat support, somewhat oppose, or strongly oppose Sam Alito's serving as a justice on the Supreme Court, or do you no know enough to say?

		Strongly Support	Somewhat Support	Somewhat Oppose	Strongly Oppose	Don't Know Enough
Nov. 4-7, 2005	NBC/WSJ	16	16	10	10	47
Dec. 9-12, 2005	NBC/WSJ	16	16	9	9	48

- Do you think the U.S. Senate should vote to confirm Samuel Alito as a Supreme Court Justice? Do you feel strongly or not strongly about that?

		-----Confirm-----		-----Not Confirm-----	
		Strongly	Not Strongly	Strongly	Not Strongly
Oct 30-Nov 2, 2005	AP/Ipsos	38	22	16	13 9

- What do you think right now? Should the Senate vote to confirm Samuel Alito as a Justice of the U.S. Supreme Court, or vote against Alito, or can't you say?

		Vote to confirm	Vote against	Cant' say
Oct. 2005	CBS News/NYT	15	7	75
Jan. 5-8, 2006	CBS News/NYT	17	9	70
Jan. 20-25, 2006	CBS News/NYT	33	18	46

- From what you're heard so far, do you think the Senate should or should not confirm Alito to the Supreme Court?

		Should Confirm	Should Not	Don't Know
Nov. 3-6, 2005	Pew/PSRA	40	23	37
Dec. 7-11, 2005	Pew/PSRA	32	19	49
Jan. 4-8, 2006	Pew/PSRA	33	19	48

- On another subject, as you may know, Bush has nominated federal judge Samuel A. Alito to serve on the U.S. Supreme Court. Do you think the U.S. Senate should or should not confirm Alito's nomination to the Supreme Court?

		Should confirm	Should not	Don't know
Oct. 31-Nov. 2, 2005	ABC/Wash Post	49	29	22
Dec. 15-18, 2005	ABC/Wash Post	54	28	19
Jan. 5-8, 2006	ABC/Wash Post	53	27	20

- If you were voting on Samuel Alito's nomination, would you vote to confirm him or not?

		Yes, Confirm	No	Don't Know
Nov. 8-9, 2005	Fox News/OD	46	29	25
Dec. 13-14, 2005	Fox News/OD	35	27	38
Jan. 10-11, 2006	Fox News/OD	45	30	25
Jan. 24-25, 2006	Fox News/OD	47	32	21

Impressions of Alito

- Generally speaking, how would you rate Bush's choice of Samuel Alito as a nominee to the U.S. Supreme Court - excellent, good, only fair, or poor?

		Excellent	Good	Only Fair	Poor
Nov. 1, 2005	Gallup/CNN/USA Today	17	26	22	17

- As you may know, Supreme Court Justice Sandra Day O'Connor is retiring, and President Bush has nominated Samuel Alito to replace her. Is your opinion of Supreme Court nominee Samuel Alito favorable, unfavorable, or haven't you heard enough about Samuel Alito yet to have an opinion?

		Favorable	Unfavorable	No opinion
Oct. 30-Nov 2, 2005	AP/Ipsos	20	14	64

- Is your opinion of Supreme Court nominee Samuel Alito favorable, not favorable, undecided, or haven't you heard enough about Samuel Alito yet to have an opinion?

		Favorable	Unfavorable	Undecided	Haven't Heard Enough
Oct. 30-Nov 1, 2005	CBS News	11	7	16	65
Dec. 2-6, 2005	CBS News/NYT	14	10	18	57
Jan. 20-25, 2006	CBS News/NYT	16	7	18	59

- Do you approve or disapprove of President Bush's nomination of Samuel Alito to the Supreme Court?

		Approve	Disapprove
Nov. 29-Dec.4, 2005	Quinnipiac	41	27

- Now I am going to read you the names of several public figures and organizations, and I'd like you to rate your feelings toward each one as either very positive, somewhat positive, neutral, somewhat negative, or very negative. If you don't know the name, just say so...Samuel Alito?

		Very Positive	Somewhat Positive	Neutral	Somewhat Negative	Very Negative	Don't Know
Nov. 4-7, 2005	NBC/WSJ	9	10	18	6	6	51
Dec. 9-12, 2005	NBC/WSJ	10	9	21	8	6	46

Ideological Leanings

- Based on what you have heard or read about him, do you think Alito's views on important issues are in the mainstream or do you think they are too extreme?

		Mainstream	Too extreme	No opinion
Nov. 1, 2005	Gallup/CNN/USA Today	51	26	23

- Do you worry that Samuel Alito would make the Supreme Court too conservative, not conservative enough, or don't you worry about this?

		Too conservative	Not conservative enough	Don't worry
Nov. 3-6, 2005	PSRA/Pew	25	6	56

Dec. 7-11, 2005	PSRA/Pew	21	6	53	
<ul style="list-style-type: none"> Given what you know, do you think Alito is a more conservative nominee than you'd have liked, less conservative than you'd have liked, or about right? 					
Oct. 31-Nov. 2, 2005	ABC/Wash Post	More conservative 29	About right 44	Less conservative 10	
<ul style="list-style-type: none"> Would you say that Supreme Court nominee Samuel Alito is more conservative than you would like, not conservative enough, or about right? 					
Nov. 28-Dec. 4, 2005	Quinnipiac	More conservative 26	Not conservative enough 8	About right 39	
<ul style="list-style-type: none"> From what you know about Samuel Alito, would you say he is more of a liberal or a conservative? 					
Dec. 13-14, 2005	Fox News/OD	More Liberal 7	More Conservative 46	Don't Know 39	
<ul style="list-style-type: none"> From what you know about Samuel Alito, as a Supreme Court Justice, do you think he would be too liberal, too conservative, or just about right 					
Jan. 6-8, 2006	Gallup/CNN/USA Today	Too Liberal 6	Too Conservative 29	About Right 49	No Opinion 15

Alito's Qualifications

<ul style="list-style-type: none"> Based on what you have heard so far, do you think that Sam Alito is qualified or not qualified to be a Supreme Court Justice, or do you not know enough about him to say? 					
Nov. 4-7, 2005	NBC/WSJ	Qualified 51	Not qualified 6		

Alito and Gender

<ul style="list-style-type: none"> As you may know, Alito was nominated to replace Sandra Day O'Connor. Does it bother you that President Bush did not nominate a woman to replace O'Connor, or does it not bother you? 					
Nov. 1, 2005	Gallup/CNN/USA Today	Yes, bothers you 23	No, does not 75		
<ul style="list-style-type: none"> Does the fact that President Bush did not nominate another woman to serve on the Supreme Court bother you or not bother you? 					
Nov 4-7, 2005	NBC/WSJ	Bothers 25	Does not bother 74		

Alito and Abortion

<ul style="list-style-type: none"> If you were convinced that Alito would vote to overturn the Roe V. Wade decision, would you, personally, want the Senate vote to confirm him to the Supreme Court, or not? 					
Nov. 1, 2005	Gallup/CNN/USA Today	Yes, Confirm 37	No, not 53		
<ul style="list-style-type: none"> Do you worry that Samuel Alito would go too far in restricting access to abortions, not go far enough, or don't you worry about this? 					
Nov 3-6, 2005	PSRA/Pew	Go too far 25	Not far enough 12	Don't worry 47	

- The Supreme Court legalized abortion 32 years ago in the ruling known as Roe versus Wade. If that case came before the court again, would you want Alito to vote to uphold Roe versus Wade, or vote to overturn it?

		Uphold	Overturn
Oct. 31-Nov 2, 2005	ABC/Wash Post	64	31

- Alito wrote a legal opinion saying a state can require a woman to notify her husband if she decides to have an abortion. Does knowing this make you more likely to support, more likely to oppose or doesn't it make much difference in your opinion?

		Support	Oppose	No Difference
Oct. 31-Nov. 2, 2005	ABC/Wash Post	27	26	46

- Do you think Supreme Court nominee Samuel Alito should or should not publicly state his position on abortion?

		Yes, should	No, should not
Nov. 28-Dec. 4, 2005	Quinnipiac	55	35

- Do you think United States Senators would be justified, or not justified in voting against Supreme Court nominee Samuel Alito if he refuses to state his position on abortion?

		Justified	Not justified
Nov. 28-Dec. 4, 2005	Quinnipiac	42	47

- If you thought that Judge Alito, if confirmed, would vote to make abortions illegal, would you favor or oppose his confirmation?

		Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose
Dec. 8-14, 2005	Harris Interactive	16	15	20	49

- Suppose that after his confirmation hearings you were convinced that Samuel Alito would vote to overturn the Roe v. Wade decision on abortion. If that were the case, would you like to see the Senate vote in favor of Alito serving on the Supreme court, or not?

		Yes, vote in favor	No, not	No opinion
Jan. 6-8, 2006	Gallup/CNN/USA Today	34	56	11

ORIGINAL INTENT: Two questions below show how the wording of questions can pull people in one direction or another. In July 2008, Quinnipiac asked a national sample whether in making decisions, the Court should only consider the original intentions of the authors of the Constitution (40 percent) or whether in making decisions the Court should consider changing times and current realities (52 percent). In a question asked by ABC News in June 2003, 59 percent said the next Justice nominated should be one who considers the original intent of the Constitution as it was written, while 34 percent said the nominee should be someone who tries to follow an interpretation of what the Constitution means in current times.

- Some people say that the Supreme Court should stick as closely as possible to the founding fathers' interpretation of the U.S. Constitution. Other say the Supreme Court should make decisions based on a modern interpretation of what the Constitution means. Which of these positions comes closer to your own?

		Founding Fathers' Interpretation	Modern Interpretation
Sept. 1987	ABC/WP	42	55

- Which comes closer to your point of view: A) In making decisions, the Supreme Court should only consider the original intentions of the authors of the constitution or B) In making decisions, the Supreme Court should consider changing times and current realities in applying the principles of the constitution?

		Authors' Intentions	Current Realities
Apr. 2003	Quinnipiac	39	54
May 2005	Quinnipiac	42	51
Jul. 2005	Quinnipiac	44	50
Aug. 2007	Quinnipiac	43	48
Jul. 2008	Quinnipiac	40	52

- Please tell me which of the following statements comes closer to your point of view. President Bush should appoint a judge to the Supreme Court who will give greater consideration to the original intentions of the authors of the Constitution when making a decision or President Bush should appoint a judge to the Supreme Court who will give greater consideration to changing times and current realities in applying the principles of the Constitution.

		Authors' Intentions	Current Realities
Jul. 2005	NBC/WSJ	45	47

- Do you think the next person nominated to join the United States Supreme Court should be someone who tries to follow the original intent of the U.S. Constitution as it was written, or someone who tries to follow an interpretation of what the Constitution means in current times? Do you feel that way strongly or somewhat?

		Original Intent Strongly	Original Intent Somewhat	Interpretation Somewhat	Interpretation Strongly
Jun. 2003	ABC News	41	18	24	10

- Do you think the U.S. Supreme Court should base its rulings on its understanding of what the U.S. Constitution meant as it was originally written, or should the court base its rulings on its understanding of what the U.S. Constitution means in current times?

		Originally Written	Current Times
Jul. 2005	ABC News/WP	46	50

- Which of the following comes closest to your view of how the Constitution should be interpreted by the U.S. Supreme Court: Judges should base their rulings on what they believe the Constitution's framers meant when it was originally written or judges should base their rulings on what they believe the Constitution means in today's world.

		Originally Written	Today's World
Aug. 2005	Fox News/OD	47	36

- How do you think the Supreme Court should interpret the Constitution? NO matter what the outcome, the Court should follow what the Framers meant when they wrote the Constitution, if necessary, the Court should ignore what the Framers meant to reach the outcome it feels appropriate for today.

		What Framers meant	What's appropriate for today
May 2009	Fox News/OD	60	26

INDIVIDUAL JUSTICES: Many Americans know little about the individual justices of the Supreme Court. In the questions, substantial proportions say that they “haven’t heard enough” about individual justices to have an opinion or they simply answer “don’t know.” In a May 2005, Quinnipiac poll, for example, 65 percent said they hadn’t heard enough about Antonin Scalia to know whether he would make a good Chief Justice.

In June of 1989, after Rehnquist had served on the Court for 17 years, only 9 percent in a Washington Post poll could identify him as the Chief Justice of the Court. In the same poll, 54 percent knew the name of the judge on television’s People Court (Judge Wapner).

Confirmation battles such as that of Clarence Thomas raise awareness for a short time, but as the event recedes, so does familiarity. In Gallup’s question, Thomas’s favorable and unfavorable ratings have gone down since his confirmation. Between July 1 and October 13, 1991 in all 29 questions from major pollsters that asked whether Thomas should be confirmed, support for confirmation outweighed opposition. (These questions are available from the authors.)

William Rehnquist

- We’d like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of this person - or if you have never heard of him. How about Supreme Court Justice William Rehnquist?

		Favorable	Unfavorable	Never Heard of	No Opinion
Jan. 1999	Gallup	51	8	18	23
Dec. 2000	Gallup	50	15	19	16
Nov. 2004	Gallup/CNN/USA Today	53	20	13	14
May 2005	Gallup/CNN/USA Today	46	16	21	17

- I’m going to read the names of some people. Please tell me whether you have a generally favorable or unfavorable opinion of each. William Rehnquist...?

		Favorable	Unfavorable	Can’t Say	Never Heard of
Jan. 2005	Fox News/OD	31	17	30	22
Jun. 2005	Fox News/OD	30	16	29	24
Jul. 2005	Fox News/OD	35	16	29	20

- Now I am going to read you the names of several public figures and organizations, and I’d like you to rate your feelings toward each one as either very positive, somewhat positive, neutral, somewhat negative, or very negative. If you don’t know the name, please just say so...William Rehnquist?

		Very Positive	Somewhat Positive	Neutral	Somewhat Negative	Very Negative	Don’t Know
Jan. 1999	NBC/WSJ	13	15	28	5	2	37
Jan. 2001	NBC/WSJ	7	17	29	8	5	34
Jul. 2005	NBC/WSJ	9	18	26	9	5	33

- Is your opinion of Supreme Court Chief Justice William Rehnquist favorable, unfavorable, mixed, or haven’t you heard enough about him?

		Favorable	Unfavorable	Mixed	Haven’t Heard Enough
May 2005	Quinnipiac	19	10	23	45

- Please tell me, if you know, who is the Chief Justice of the United States Supreme Court?

		Rehnquist	Wrong/Don't Know
Jun. 1989	WP	9	91
Nov.-Dec. 1995*	Kaiser/WP/Harvard	6	94

NOTE: *Question wording was, "Can you tell me the name of the current Chief Justice of the U.S. Supreme Court?"

- Please tell me, if you know, the name of the judge on the People's Court television show?

		Wapner	Wrong/Don't Know
Jun. 1989	WP	54	46

- Do you happen to know the name of...? And what is that person's name?

		Correct
Feb. 2004	Hart/C-SPAN	
	The Vice President of the United States	77
	The Chief Justice of the U.S. Supreme Court	22
	The Majority Leader of the U.S. Senate	17

NOTE: Asked of cable viewers.

Clarence Thomas

- We'd like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of this person - or if you have never heard of him. How about Supreme Court Justice Clarence Thomas?

		Favorable	Unfavorable	Never Heard of
Oct. 1991*	Gallup	57	30	8
Oct. 1991*	Gallup	62	26	9
May 1992	Gallup	44	31	6
Jul. 1995	Gallup	39	38	8
Dec. 2000	Gallup	46	33	8
May 2005	Gallup	44	23	17

NOTE: *Question wording was, "From what you may have seen, heard or read about the hearings, what is your impression of Clarence Thomas? Is it very favorable, favorable, unfavorable, or very unfavorable?" Results combined.

- Is your opinion of the Supreme Court nominee Clarence Thomas favorable, not favorable, undecided or haven't you heard enough about Clarence Thomas yet to have an opinion?

		Favorable	Unfavorable	Haven't Heard Enough
Sep. 1991	CBS/NYT			
	Total	26	10	42
	Whites	27	8	44
	Blacks	20	16	35

- Next, we'd like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of this person - or if you have never heard of him or her. How about Supreme Court Justice Clarence Thomas?

		Favorable	Unfavorable
Jul. 1995	Gallup		
	Blacks	36	45

- Do you have a favorable or unfavorable opinion of each of the following people...Clarence Thomas?

Oct. 1995	PSRA/Newsweek		
		Favorable	Unfavorable
	Total	35	29
	Whites	37	28
	Blacks	25	46

- Do you have a favorable or unfavorable opinion of each of the following people...Clarence Thomas?

Oct. 1994	Yankelovich		
		Favorable	Unfavorable
	Blacks	42	31
Oct. 1995	Yankelovich		
		Favorable	Unfavorable
	Total	33	28
	Whites	33	27
	Blacks	33	42

Antonin Scalia

- We'd like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of this person - or if you have never heard of him. How about Supreme Court Justice Antonin Scalia?

		Favorable	Unfavorable	Never Heard of
Dec. 2000	Gallup	36	17	29
May 2005	Gallup/CNN/USA Today	31	13	39

- Thinking about the current members of the Supreme Court, do you think Justice Antonin Scalia would or would not make a good Chief Justice of the Supreme Court, or haven't you heard enough about him?

		Good Chief Justice	Not Good	Haven't Heard
May 2005	Quinnipiac	14	17	65

David Souter

- Is your opinion of Supreme Court nominee David Souter favorable, not favorable, undecided, or haven't you heard enough about David Souter yet to have an opinion?

		Favorable	Unfavorable	Undecided	Haven't Heard
Aug. 1990	CBS/NYT	13	5	13	68

- Is your opinion of Supreme Court Justice David Souter favorable, unfavorable, mixed, or haven't you heard enough about him?

		Favorable	Unfavorable	Mixed	Haven't Heard
Feb. 2003	Quinnipiac	15	6	10	68

- As I read the following names, please tell me if your opinion of each person is very favorable, somewhat favorable, somewhat unfavorable, or very unfavorable, or are you not familiar enough to form an opinion...David Souter?

		Very Favorable	Somewhat Favorable	Somewhat Unfavorable	Very Unfavorable	Not Familiar
Jul. 2001	Zogby International	5	22	9	6	56

Miscellaneous

- Which one of the current U.S. Supreme Court Justices do you most admire or agree with?

Nov. 2004	Fox News/OD	
		Admire
	Sandra Day O'Connor	13
	Clarence Thomas	8
	William H. Rehnquist	6
	Antonin Scalia	5
	Ruth Bader Ginsburg	5
	Anthony M. Kennedy	1
	Stephen G. Breyer	1
	David Souter	1
	John Paul Stevens	1
	Other names	1
	Don't know any names	58

Jun. 2009	Fox News/OD	
		Admire
	Sandra Day O'Connor	11
	Clarence Thomas	11
	John Roberts	8
	Antonin Scalia	5
	Ruth Bader Ginsburg	9
	Anthony M. Kennedy	3
	Stephen G. Breyer	1
	David Souter	1
	John Paul Stevens	1
	Samuel Alito	1
	Other names / Don't know any names	50

- Is your opinion of Supreme Court Justice...favorable, unfavorable, mixed, or haven't you heard enough to say?

Apr. 2003	Quinnipiac				
		Favorable	Unfavorable	Mixed	Haven't Heard
	Sandra Day O'Connor	35	7	14	43
	William Rehnquist	30	9	14	46
	Clarence Thomas	30	16	14	39
	Ruth Bader Ginsburg	21	9	11	58
	Antonin Scalia	19	8	10	62
	Anthony Kennedy	15	6	11	67
	David Souter	15	6	10	68
	John Paul Stevens	12	3	9	74
	Stephen Breyer	11	4	9	75

- Please tell me if you know the name of one of the other Justices of the Supreme Court (besides the Chief Justice)

Jun. 1989	WP	
		Correct
	Sandra Day O'Connor	23
	Anthony Kennedy	7
	Antonin Scalia	6
	Thurgood Marshall	5
	Harry Blackmun	4
	William Brennan, Jr.	3
	Byron R. White	3

John Paul Stevens	3
Any other name	3
Don't Know	7

NOTE: Adds to more than 100% due to multiple responses.

QUALIFICATIONS OF A NOMINEE: *Only small numbers of people say it is essential for a president to nominate a woman, Hispanic, or black to the high court. However, the polls also suggest that Americans would “welcome” a woman, black or Hispanic on the Court.*

- When the President choose a Supreme Court nominee, should he only consider that person's legal qualifications and background, or along with legal background, should the President also consider how that nominee might vote on major issues the Supreme Court decides?

		Legal Qualifications & Background	How Might Vote On Issues
Sept. 1987	CBS News/NYT	38	54

- When a President chooses a Supreme Court nominee, should the President only consider that person's legal qualifications and background, or should the President also consider how that nominee might vote on major issues the Supreme Court decides?

		Legal Qualifications & Background	How Might Vote On Issues
2003	Quinnipiac	59	34

- In deciding whether or not to confirm the President's nominee to the Supreme Court, should the Senate give greater consideration to the nominee's qualifications as a judge or to the nominee's views on these issues facing the Court?

		Qualifications As Judge	Vote On Issues	Both
Jul. 2005	NBC/WSJ	49	38	10

- When a Senate votes on a Supreme Court nominee, should it only consider that person's legal qualifications and background, or along with legal background, should the Senate also consider how that nominee might vote on major issues the Supreme Court decides?

		Legal Qualifications & Background	How Might Vote On Issues
Sept. 1987	CBS News/NYT	39	52
Sept. 1991	CBS News/NYT	39	49
Jul. 2005	CBS News/NYT	45	47
Jul.-Aug. 2005	CBS News/NYT	46	46
Sept. 2005	CBS News	33	58
Sept. 2005	CBS News/NYT	36	54
Sept. - Oct. 2005	CBS News	35	54
Jan. 2006	CBS News	41	49
June 2009	CBS News/NYT	30	62

- Do you think a senator who believes Roberts has the right background and qualifications, but who disagrees with his judicial philosophy and legal views, should vote for or against Robert's nomination?

		Vote For	Vote Against
Jul. 2005	ABC News/WP	53	41

- Should Senators support or oppose John Roberts' nomination to the Supreme Court based only on whether he is qualified to be a justice, or should they also consider his views on controversial issues like abortion and the death penalty?

		Qualifications	Views on Issues
Jul. 2005	Quinnipiac	36	56

- Over the past twenty years, nominees for the U.S. Supreme Court have refused to discuss their views on specific issues, such as whether a woman has the constitutional right to be able to have an abortion, during their confirmation hearings in the U.S. Senate. Please tell me which statement comes closer to your view about whether a Supreme Court nominee should publicly state his or her position on critical issues before the Court. A nominee should be required to state his or her positions on these issues so that senators have this information to decide whether to confirm this person for life or a nominee should not be required to state his or her positions on these issues as judges should be selected based on their experience and overall qualifications, not their positions on issues that may come before the Court later.

-----Supreme Court Nominee Should-State Publicly Position on Issues Like Abortion-----

		Required	Not Required
Jul. 2005	NBC/WSJ	43	53
Sept. 2005	NBC/WSJ	36	57

- Do you agree or disagree that, as president, George W. Bush should be able to choose a nominee who shares his political philosophy to serve on the Supreme Court?

		Agree	Disagree
Jul. 2005	Fox News/OD	63	29

- How important do you think it is that George W. Bush nominate a...to the Supreme Court? Very important, somewhat important, not too important, or not at all important?

		Very Important	Somewhat Important	Not Too Important	Not At All Important
2003	Quinnipiac				
	Woman*	26	29	14	29
	Black+	24	31	15	29
	Hispanic^	23	29	16	29

NOTE: *When broken down by sex, the responses for men were 20, 29, 16, and 33 percent, respectively. For women, the responses were 32, 29, 12, and 25 percent, respectively. +When broken down by race, the responses for whites were 18, 31, 15, and 33 percent, respectively. For blacks, the responses were 53, 28, 8, and 11 percent, respectively. For Hispanics, the responses were 34, 30, 16, and 20 percent, respectively. ^When broken down by race, the responses for whites were 16, 30, 17, and 34 percent, respectively. For blacks, the responses were 43, 32, 13, and 12 percent, respectively. For Hispanics, the responses were 54, 21, 11, and 13 percent, respectively.

- As you may know, when Sandra Day O'Connor steps down from the Supreme Court it will leave one woman and one member of a racial minority on the Court. Do you think that President Bush should select nominees for the Supreme Court based only on who he thinks would be the best person for the job, or do you think that he should keep balance and diversity on the Court by nominating a woman or a member of a racial minority?

		Only Select Best Person	Keep Balance And Diversity
Sept. 2005	NBC/WSJ	55	39

- President Bush has not yet announced his choice for the Supreme Court's second vacancy. Do you think Bush should take diversity into account and strongly consider naming another woman to serve on the Court?

		Yes, Should	No, Should Not
Sept. 2005	PSRA/Newsweek	66	19

- If you had to choose, and assuming both people were qualified, would you rather the next Supreme Court nominee be a woman or a minority?

		Women	Minority	Both the Same/Neither
May 2009	Fox News/OD	35	13	47

- President Bush has not yet announced his choice for the Supreme Court's second vacancy. Do you think Bush should take diversity into account and strongly consider naming another black or a Hispanic to serve on the Court?

		Yes, Should	No, Should Not
Sept. 2005	PSRA/Newsweek	60	21

- As you may know, Roberts was nominated to replace Sandra Day O'Connor. Does it bother you that President Bush did not nominate a woman to replace O'Connor, or does it not bother you?

		Yes, Bothers	No, Does Not
Jul. 2005	Gallup	21	77

- Bush nominated Roberts to replace Justice Sandra Day O'Connor, who is retiring from the court. Are you personally disappointed that Bush did not nominate another woman to replace O'Connor, or not?

		Yes, Disappointed	No, Not Disappointed
Jul. 2005	ABC News/WP	34	65

- Justice O'Connor was also the first woman on the Supreme Court. Should President Bush nominate another woman to fill this vacancy or does it not matter?

		President Should Nominate a Woman	Does Not Matter
Jul. 2005	Harris Interactive	27	73

- Do you think President Bush has an obligation to replace retiring Supreme Court Justice Sandra Day O'Connor with another woman?

		President Should Nominate a Woman	Does Not Matter
Jul. 2005	Fox News/OD	28	65

- How important do you think it is that George W. Bush nominate a woman to the Supreme Court? Very important, somewhat important, not very important, or not important at all?

		Very Important	Somewhat Important	Not Very Important	Not At All Important
Jul. 2005	CBS News/NYT	25	33	17	23

- Which of the following best describes your view about the next Supreme Court justice – you think it is essential that the next justice is a woman, you think having a woman as the next justice would be a good idea, but is not essential, it doesn't matter to you if the next justice is a woman or not, or you think having a woman as the next justice would be a bad idea?

		Essential	Good idea, but Not Essential	Doesn't Matter	Bad Idea
Sep. 26-28, 2005	Gallup/CNN/USA Today	14	29	55	1
Oct. 28-30, 2005	Gallup/CNN/USA Today	14	33	50	2
May 7-10, 2009	Gallup/USA Today	6	26	64	3

- Which of the following best describes your view about the next Supreme Court justice – you think it is essential that the next justice is a Hispanic, you think having a Hispanic as the next justice would be a good idea, but is not essential, it doesn't matter to you if the next justice is a Hispanic or not, or you think having a Hispanic as the next justice would be a bad idea?

		Essential	Good idea, but Not Essential	Doesn't Matter	Bad Idea
Sep. 26-28, 2005	Gallup/CNN/USA Today	3	23	69	4
May 7-10, 2009	Gallup/USA Today	1	21	68	8

- Which of the following best describes your view about the next Supreme Court justice – you think it is essential that the next justice is a Black, do you think having a Black as the next justice would be a good idea, but is not essential, it doesn't matter to you if the next justice is a Black or not, or you think having a Black as the next justice would be a bad idea?

		Essential	Good idea, but Not Essential	Doesn't Matter	Bad Idea
Sep. 26-28, 2005	Gallup/CNN/USA Today	5	21	71	2
May 7-10, 2009	Gallup/USA Today	1	21	74	3

- Do you think it is acceptable or not acceptable to have a pro-life nominee to the Supreme Court?

		Acceptable	Not Acceptable
Sep.-Oct. 2003	Winston Group (Rep.)	57	29

TRUST AND CONFIDENCE IN THE THREE BRANCHES OF GOVERNMENT: Gallup asks a question about trust and confidence in the judicial branch, headed by the Supreme Court. Opinions were more positive in the 1998, 1999, and 2000 askings of the question than in earlier or later iterations of it. In 2008, 69 percent of those polled had a “great deal” or “fair amount” of confidence in the judicial branch.

- Let me ask you how much trust and confidence you have at this time in...the Executive branch, headed by the President...a great deal, a fair amount, not very much, none at all?

		-----Trust & Confidence in Executive Branch-----			
		Great Deal	Fair Amount	Not Very Much	None At All
May 1972	Gallup	24	49	20	4
Apr. 1974	Gallup	12	28	36	20
Jun. 1976	Gallup	13	45	30	9
May 1997	Gallup	13	49	27	9
Dec. 1998	Gallup	24	39	23	12
Feb. 1999	Gallup	21	43	24	11
Jul. 2000	Gallup	18	47	23	11
Sep. 2001	Gallup	21	42	28	8
Sep. 2002	Gallup	28	44	20	7
Sep. 2003	Gallup	25	35	26	14
Sep. 2004	Gallup	31	27	25	16
Sep. 2005	Gallup	19	33	30	18
Sep. 2006	Gallup	15	31	28	24
Sep. 2007	Gallup	15	28	32	24
Sep. 2008	Gallup	12	30	30	28

- Let me ask you how much trust and confidence you have at this time in...the Judicial branch, headed by the Supreme Court...a great deal, a fair amount, not very much, none at all?

		-----Trust & Confidence in Judicial Branch-----			
		Great Deal	Fair Amount	Not Very Much	None At All
May 1972	Gallup	17	49	24	7
Apr. 1974	Gallup	17	54	20	5
Jun. 1976	Gallup	16	47	26	6
May 1997	Gallup	19	52	22	5
Dec. 1998	Gallup	27	51	16	4
Feb. 1999	Gallup	29	51	13	5
Jul. 2000	Gallup	23	52	18	5
Sep. 2001	Gallup	17	57	20	4
Sep. 2002	Gallup	17	58	18	5
Sep. 2003	Gallup	13	54	27	5
Sep. 2004	Gallup	14	51	27	6
Sep. 2005	Gallup	13	55	25	6
Sep. 2006	Gallup	15	54	21	7
Sep. 2007	Gallup	14	54	23	6
Sep. 2008	Gallup	14	55	23	6

- Let me ask you how much trust and confidence you have at this time in...the Legislative branch, consisting of the U.S. Senate and House of Representatives...a great deal, a fair amount, not very much, none at all?

		-----Trust & Confidence in the Legislative Branch-----			
		Great Deal	Fair Amount	Not Very Much	None At All
May 1972	Gallup	13	58	22	3
Apr. 1974	Gallup	13	55	24	4
Jun. 1976	Gallup	9	52	31	6
May 1997	Gallup	6	48	36	8
Dec. 1998	Gallup	13	48	30	7
Feb. 1999	Gallup	9	49	34	7
Jul. 2000	Gallup	11	57	24	7
Sep. 2001	Gallup	7	58	28	6
Sep. 2002	Gallup	9	58	26	6
Sep. 2003	Gallup	8	55	31	5
Sep. 2004	Gallup	7	53	33	6
Sep. 2005	Gallup	8	54	31	6
Sep. 2006	Gallup	15	31	28	24
Sep. 2007	Gallup	5	45	36	12
Sep. 2008	Gallup	4	43	38	12

- Of the three branches of the United States government, which one do you trust the most...the U.S. Congress, the legislative branch, the President, the executive branch, the Supreme Court, the judicial branch?

		Legislative Branch	Executive Branch	Judicial Branch
Jun. 2005	Fox News/OD	20	22	33

- Do you think the United States Supreme Court is generally too liberal, too conservative, or about right in its decisions?

		Too liberal	Too conservative	About Right
Jun. 30-Jul. 1, 2003	Fox News/OD	30	20	37
Jan. 24-25, 2006	Fox News/OD	28	17	42

- In general, do you think federal court judges are too liberal, too conservative, or just about right?

		Too liberal	Too conservative	About right
May 20-22, 2005	Gallup/CNN/USA Today	29	19	44
Oct. 20-22, 2006	CNN/ORC	34	20	41

- Do you think elected officials should have more control over federal judges and the decisions they make in court cases, or don't you think so?

		More control	Don't think so
Oct. 20-22, 2006	CNN/ORC	30	6

- I am going to list of institutions in American society. Please tell me how much confidence you, yourself, have in each one – a great deal, quite a lot, some, or very little. Supreme Court?

		Great deal/Quite a lot	Some	Very little/none
Dec. 2000	NBC/WSJ	52	32	13
Jul. 2007	NBC/WSJ	36	39	24
Jan. 2009*	NBC/WSJ	39	36	21

Note:* Asked of one half of the sample.

- Do you think the United States Supreme Court is moving in the right direction?

		Right direction	Wrong direction	Don't know
Aug. 2007	Quinnipiac	39	37	25
Jul. 2008	Quinnipiac	33	42	25

Note: Fifty-seven percent of Republicans said the Supreme Court was moving in the right direction; 31 percent of Democrats said right direction; 32 percent of independents said right direction.

- Do you think the Supreme Court is too liberal, too conservative, or about right?

		Too liberal	Too conservative	About right
Mar. 2003	Quinnipiac	19	26	46
Aug. 2007	Quinnipiac	20	29	37
Jul. 2008	Quinnipiac	25	31	33

- Do you think it is a good idea or a bad idea to allow television coverage of sessions of the U.S. Supreme court?

		Good idea	Bad idea
Apr. 4-5, 2006	Fox News/OD	70	18
Sep. 26-27, 2006*	Fox News/OD	63	25

Note: * means likely voters.

Many pollsters in the United States regularly supply us with their data. This report could not have been done without their assistance, and we thank them for it. The data in this report come from the archive of public opinion polls at the American Enterprise Institute and from The Roper Center's archive at the University of Connecticut in Storrs, Connecticut. The Roper Center is the oldest and largest archive of public opinion data in the world. To learn more about the Roper Center, visit <http://www.ropercenter.uconn.edu/>.