Affective Polarization and Support for the U.S. Supreme Court

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Abstract

Support for the U.S. Supreme Court does not appear to be polarized on ideological or partisan lines. However, the form of polarization for which the mass political behavior field has amassed substantial support is affective in nature. We reconsider the hypothesis that polarization does not bear on Court support by examining the role of affective polarization. Using three sources of nationally representative survey data, we consistently find a negative relationship between affective polarization and both diffuse and specific support for the Court. Moreover, neither general nor Court-specific political sophistication mitigates the negative effect of affective polarization; rather, sophistication exacerbates affective polarization's influence on support. Finally, panel data show that affective polarization precedes negative evaluations of the judiciary, though there is no support for the converse relationship. Evaluations of the Court are not free from the forces of polarization but are influenced by diverging extra-judicial emotional orientations toward in- and out-groups.

Keywords

affective polarization, Supreme Court, legitimacy, support

The American mass public largely support the U.S. Supreme Court, even when it makes decisions with which they disagree (Caldeira and Gibson 1992; Nelson and Tucker, forthcoming; Tyler 2006). As Gibson (2007) demonstrates, the Court has maintained its store of support, even as many other aspects of politics have sharply polarized. Although polarization influences other public perceptions that may, in turn, influence the Court (e.g., believing the justices to be partisan), little evidence points to drastic differences in views of the judiciary across disparate political groups. And while there is some debate about the role various political predispositions (e.g., ideology) play in assessments of the Court (Bartels and Johnston 2013; Gibson and Nelson 2015) and dynamics of support may be changing over time (Rogowski and Stone, forthcoming), historically, it has been ". . . reasonably well established that institutional support for the U.S. Supreme Court is not polarized along partisan and/or ideological lines," as Gibson and Nelson (2014, 208) note.

However, polarization is not an entirely ideological affair. A burgeoning literature finds that, where only some members of the mass public are ideologically polarized (Rogowski and Sutherland 2016; Webster and Abramowitz 2017), many are polarized along affective (Iyengar, Sood, and Lelkes 2012; Iyengar and Westwood 2015; Mason 2015) and perceptual (Enders and Armaly 2019; Levendusky and Malhotra 2016) grounds, which do not

require ideological sophistication or constraint. Thus, that the traditional, ideological variant of polarization seems not to influence attitudes toward the Court is not an altogether surprising discovery. Here, we reconsider the hypothesis that polarization fails to influence public evaluations of the Supreme Court, diverging from previous studies by examining *affective* polarization. We argue that affective polarization—Americans' increasingly divergent emotional orientations toward in- and out-groups—influences attitudes toward the Supreme Court. Indeed, affective polarization does not simply produce great disdain of the out-group, its candidates, and policies. Rather, its consequences extend to political stimuli unaffiliated with either group, shaking confidence in government and the political system, more generally. Simply put, there are non-group consequences (e.g., for institutions) to group politics. General political divisions can impact support for the institutions that make democratic decisions.

To investigate this proposition, we first use (1) American National Election Studies (ANES) Cumulative

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File data from 1988 to 2016 and (2) the 2012 ANES time series to examine individual-level relationships between affective polarization and both diffuse support (or the unwillingness to fundamentally alter the institution) and specific support (or short-term reactions to the institution and its outputs). We find that those reporting greater levels of affective polarization feel the Court is less legitimate and express less immediate satisfaction. Then, using data from the 2000–2004 ANES panel study, we show that affective polarization in 2000 leads to decreased support for the Supreme Court in 2004, although no reciprocal effect is observed. Thus, affective polarization seems to cause, or at the very least precede, negative evaluations of the Supreme Court. Finally, we consider whether knowledge of the Court or general political sophistication condition the negative influence of affective polarization, finding that neither knowledge nor sophistication mitigates affective polarization's negative effect. The Supreme Court seems to be impacted by mass-level polarization.

These findings are important for several reasons. First, integrating affective polarization into studies of the judiciary is necessary to determine how the Court will fare in a highly polarized environment. Although there is uncertainty regarding mass ideological polarization (e.g., Abramowitz and Saunders 2008; Fiorina and Abrams 2008), the masses *are* polarized (Enders and Armaly 2019; Iyengar, Sood, and Lelkes 2012). Should mass polarization influence support for the Court—as we find it does—researchers should consider the appropriate forms of polarization. Relatedly, whether ideological disagreement matters when it comes to public evaluations of the Court remains unresolved (Bartels and Johnston 2013; Gibson and Nelson 2015). Contention about this finding makes sense given the long-standing "ideological innocence" of the American mass public (Kinder and Kalmoe 2017), let alone low levels of knowledge about the Court (Gibson and Caldeira 2009b). Affective polarization, however, does not rely solely on ideological concerns,[1] but group-centric, emotional ones—the types of orientations that even non-ideologues possess. It may, therefore, provide a more justifiable link between mass political orientations and Court support.

The final—and most normatively significant—implication of our findings is that, although the Court is generally seen as protected from political or hyperpartisan strife (Gibson 2007), the wide and growing gulfs in American politics may impact attitudes toward the judiciary absent any behavior on the part of the justices themselves. When the Court's reservoir of goodwill ebbs, compliance with Court decisions may decrease (Gibson and Caldeira 1995; Murphy and Tanenhaus 1968), and Congress may be less willing to provide resources and independence to the judiciary (Ura and Wohlfarth 2010).

In addition, if, as Baird (2001) suggests, repeated disappointment with the institution ultimately leads to decreased diffuse support, the relationship between affective polarization and specific support has long-run consequences for institutional legitimacy. Even though latent public support for the Court is generally a function of the Court's own traditions, rulings, and behaviors (Gibson, Lodge, and Woodson 2014; Hoekstra 2003), we show that levels of support are also a function of existing divisions among the mass public that are not created by, but reflect upon, the judiciary. If these divisions continue to grow, support for the institution—and, subsequently, compliance and independence—can decrease, even though the Court's rulings may not be controversial, its procedures are perceived to be fair, and the traditionally support-inducing judicial symbols are still prominent.

Mass Polarization and Perceptions of the Court

By and large, the U.S. Supreme Court enjoys public support, at least when compared with other political institutions. According to Gibson (2007), this support "has little to do with ideology or partisanship." This is, perhaps, surprising given the existing and growing divisions in the upper echelons of American politics (McCarty, Poole, and Rosenthal 2006) and the way that elite polarization translates to the mass public (Levendusky 2010). This is not to say, however, that the Supreme Court is entirely free from the consequences of increasing political polarization. As Hasen (2019) notes, there are several ways that ideologically driven elite polarization can influence public attitudes toward the judiciary. For instance, nominations and confirmations are motivated by the desire to appoint more extreme judges (see Devins and Baum 2017; Epstein et al. 2006). In addition, decisions on salient cases frequently reflect the left–right split that typifies other branches of government (Bartels 2015; Devins and Baum 2017). While this elite polarization may ultimately filter down to influence the average citizen (Hasen 2019), the masses' evaluations of the Court seem relatively unfazed by such polarization among elites (Gibson 2007).

Even though elite ideological polarization may (indirectly) impact views of the judiciary, the masses are not, themselves, particularly polarized on policy grounds. The form of mass polarization for which there is broad consensus is affective in nature. Thus, it is perhaps sensible to find little relationship between ideological polarization and public support for the judiciary. Mass polarization is rooted in identity-based emotional responses to group stimuli, as opposed to overarching, left–right orientations (Iyengar, Sood, and Lelkes 2012). Although members of the mass public from across the political spectrum

occasionally converge on issue attitudes, there are large differences across partisan and ideological lines on affective evaluations of the parties, major party stimuli, and ideological groups. These differential evaluations influence a host of attitudes and orientations, both political and otherwise (Iyengar et al. 2019).

We deviate from previous research relating polarization to the judiciary by focusing specifically on affective polarization. When it comes to making judgments about the Supreme Court, the average individual is unlikely to rely on a coherent and constrained ideological perspective about politics or the Court (Hetherington and Smith 2007). Instead, they must rely on some other orientation or view. A great deal of literature considers what this psychological orientation might be. A positive predisposition toward the institution (Gibson and Caldeira 2009a), beliefs about fair procedures (Baird 2001), and democratic values (Gibson and Nelson 2015) have all received considerable attention.

Here, we contend that differential affective reactions toward political groups may be an overlooked, albeit impactful, psychological orientation one employs when evaluating the judiciary. We argue that affective polarization influences evaluations of the judiciary for two main reasons. First, recent experimental work has demonstrated that the group attachments at the heart of affective polarization underlie public evaluations of the judiciary. In this vein, affective attachments may "loosen the grip" the bias toward positivity has on perceptions of the Court. More importantly, affective reactions to groups have been directly linked to decreases in diffuse support in the context of specific issues/decisions (Zilis 2018). Second, affective polarization, beyond merely a group assessment, has consequences for people's broader orientations toward government and the political system. This orientation, then, may color perceptions of institutions, including the Supreme Court.

Affective Attachments, Polarization, and Court Support

We suspect that affective polarization influences evaluations of the judiciary because there is evidence that certain group attachments—the very underpinnings of affective polarization—impact views of the Court. There is a wealth of experimental evidence that reveals that affective attachments—to a party, or a party's candidate for office—shape how people think about the Court (e.g., Armaly 2018, 2020; Clark and Kastellec 2015; Nicholson and Hansford 2014). Beyond elite cues, Zilis (2018) highlights that group attachments *themselves* underlie evaluations of the judiciary. Zilis (2018, 273) writes, "As social group attachments consist of potent feelings that influence a range of political attitudes, citizens can draw

on them to make sense of judicial decision making. Doing so allows citizens to formulate their attitudes toward the judiciary itself." Using evaluations of specific groups such as LGBT+, immigrants, and black Americans, Zilis shows that negative views toward these groups are associated with a decrease in legitimacy when the Court is perceived to uphold the disliked group's rights. Thus, there exists specific precedent for affective group reactions influencing legitimacy (also see Rogowski and Stone, forthcoming).

We further develop and extend this logic in two ways. First, we broaden the conceptualization of which groups may serve as considerations in summary evaluations of the Court beyond specific minority/underrepresented groups. General feelings toward many political groups should be sufficient to inform judgments of the Court. Second, we move beyond the specific issue/case context, and consider evaluations of the judiciary more broadly. However, in so doing, we must consider how affective polarization translates to weakened support for the judiciary without the clear mechanism of the Court supporting a disliked group's rights claim.

Our central argument is that divergent emotional reactions to political in- and out-groups influence many "downstream" political evaluations, including of the Supreme Court. Individuals who view the political world through the lens of contention should be more likely to evaluate other political stimuli through the same lens; emotional (dis)attachments to salient political groups form a core "perceptual screen" through which all information is filtered (Campbell et al. 1960). Moreover, considering general orientations toward the political world—like affective polarization—when evaluating the judiciary is sensible, as other heuristics and evaluative criteria are not always readily available. Individuals have a difficult time assessing the Court in ideological terms (Bartels and Johnston 2013) and are often unaware of its decisions (Gibson, Pereira, and Ziegler 2017). Cues from media are often inaccurate (Slotnick 1991) and coverage of the Court is more sparse than other institutions (Collins and Cooper 2012). In the absence of specific reasons to re-evaluate the Court—like a salient decision (Christenson and Glick 2015), a decision about a disliked group (Zilis 2018), or elite cues (Armaly 2018)—individuals evaluating the judiciary must fall back on some preexisting assessment. While positivity bias typically dominates these evaluations (Gibson and Caldeira 2009a), the experimental work referenced above—and Zilis (2018), in particular—highlights that group attachments play a role in spite of positivity bias. Moreover, negative sentiment often outweighs positive (Christenson and Glick 2019), and recent evidence suggests that attachments to non-judicial stimuli can trump attachment to the judiciary (Armaly, forthcoming).

In addition, the microfoundations of Supreme Court support depend on one's view of the Court as sincere and apolitical (Hitt and Searles 2018). Viewing the Court as engaging in self-serving, unprincipled behavior yields decreased support (Baird and Gangl 2006; Gibson and Caldeira 2011). In the absence of any specific cue as to the motivations for the Court's behavior, one is likely to fall back on an existing view of the political world. Thus, viewing politics as particularly contentious or as lacking principle—as one high in affective polarization does—could color one's evaluation of the judicial branch.

There is plenty of support for the notion that the visceral, occasionally caustic, sentiments at the heart of affective polarization seep into all areas of politics, guiding one's general orientation toward government and politics. That is, identity-based strife is the predominant lens through which one approaches the entirety of the political world (e.g., West and Iyengar 2020). Most importantly for our purposes, Zilis (2018) shows that this is true for the judiciary. However, the role of affective reactions extends to all manner of stimuli. Take, for instance, an individual who likes the Republican Party a great deal and dislikes the Democratic Party a great deal, relative to an individual who is only slightly partial to the Republican Party. The way these individuals view, and carry themselves in, the political world is distinct as a result of those feelings. The former individual is less trusting of government than the latter (Hetherington and Rudolph 2015; Webster 2018). The more polarized individual feels less political efficacy and is more likely to turn out to vote (Enders and Armaly 2019). Similarly, she views members of the other side as mean, hypocritical, and selfish at greater rates than the less polarized individual (Iyengar, Sood, and Lelkes 2012) and perceives their motivations as nefarious (Munro, Weih, and Tsai 2010). She is even more likely than her less polarized counterpart to find members of the opposite party unattractive (Nicholson et al. 2016).

Taken together, these studies show that polarization (and the emotions that underlie it) can both exhibit an average negative effect on broad postures toward political institutions and pull relatively non-partisan institutions into the partisan political fray. Likewise, one's orientations with respect to other political stimuli influence general views of the politics that govern his or her life. Institutions, specifically, are not free from these consequences of polarization. For example, Jones (2015) shows that trust in Congress decreases because of polarization. We argue that the same phenomenon impacts views of the Supreme Court.

Thus, even though the Supreme Court historically enjoys public support, previous work on polarization, negative affective evaluations of political stimuli, and relative political perceptions indicates that the public's ire

need not be targeted at a particular institution to impact attitudes regarding it. Individuals who are affectively polarized—even those who infrequently think about the judiciary—may still support the Court less than those who are less polarized. Below, we test these propositions using multiple sources of data, extending analyses to two types of support for the judiciary: specific and diffuse.

Diffuse and Specific Support

We consider two forms of support for the Supreme Court. Diffuse support, or legitimacy, is one's preference regarding institutional arrangements and a (lack of) willingness to make lasting structural changes to an institution. Specific support measures short-term satisfaction with an institution and reflects immediate reactions to the institution. We suspect that affective polarization will negatively influence specific support because certain elements of support for the Court are influenced by the very attachments that underlie affective polarization. Just as group attachment promotes affective polarization (Mason 2018), group attachment conditions support for the Court (e.g., Zilis 2018). Those who have strong reactions to everyday political stimuli, specifically relative to groups, may simply be ornery with respect to all political stimuli—including institutions. As the literature detailed above finds, the Court is not free from dislike rooted in affect. We hypothesize that those high in affective polarization will express less specific support for the Supreme Court.

We also expect affective polarization to influence diffuse support for the Court for similar reasons: because it impacts a great number of political attitudes, orientations, and behaviors, such as participation, efficacy, trust in government, and evaluations of the major components of American politics. Although positivity bias is a powerful source of support maintenance for the Court (Gibson and Caldeira 2009a), recent work has demonstrated that affective evaluations of various groups and group leaders influence legitimacy attitudes (Armaly 2020; Zilis 2018). And, as affective polarization has risen, so too has the frequency of events that politicize the Supreme Court. For instance, recent presidents have been more forward in their criticisms of the Court (Jaffe 2015), and nomination hearings are more contentious (Farganis and Wedeking 2014). The media now treats the Court more like the other branches (Solberg and Waltenburg 2014). These instances may result in a mass public better able to connect the typically non-partisan judiciary with their group sentiments, thereby facilitating affective polarization's influence on Court support.

Such connections may be somewhat obvious when it comes to specific support, but, again, recent evidence suggests individuals are increasingly considering attachments when assessing diffuse support (Zilis 2018). And

while certain features of the Court—like a salient term— may allow individuals to connect these elements more easily, we suspect that the more lasting changes to the political environment and coverage of the Court detailed above allow for this connection even in the absence of Court behavior.

We have little reason to suspect the Court is completely spared the effects of deep-seated negative emotional orientations toward major objects of the political world (i.e., affective polarization). Indeed, both positivity bias and attachment-motivated evaluations of various stimuli are automatic processes that precede active cognition (see Gibson, Lodge, and Woodson 2014; Lodge and Taber 2005, respectively). Moreover, we suspect that identity-based, affective responses—the foundation of public opinion and political behavior among a non-ideological mass public—have the power to counter the positivity-biased ones (i.e., Court support). Thus, we hypothesize that those high in affective polarization will be less diffusely supportive of the Supreme Court.

Given that diffuse and specific support are conceptually and empirically distinct constructs, one may question why we hypothesize that affective polarization will influence both types of support in a similar fashion (i.e., that high affective polarization should relate to low support). First and foremost, our theory holds that the visceral sentiments at the heart of affective polarization guide orientations toward government and politics. That is, general affective reactions influence all manner of political stimuli. There is little reason to believe individuals are discerning in which objects are perceived through the lens of emotional political reactions. Second, our hypotheses are consistent with the notion that continued disappointment with an institution (i.e., low specific support) can ultimately harm diffuse support (Baird 2001). Thus, while immediate dissatisfaction only harms diffuse support in the short term (Durr, Martin, and Wolbrecht 2000), continued specific support (or lack thereof) can still factor into one's overall assessment of diffuse support (Gibson, Caldeira, and Baird 1998). Thus, we imagine that affective polarization has the same influence, directionally speaking, on both types of support.

Data and Measurement

We use three datasets to test our expectation about the negative relationship between affective polarization and Court support. The ANES Cumulative File from 1988 to 2016 contains measures of all necessary variables except diffuse support.[2] The 2012 ANES contains measures of both diffuse and specific support, as well as necessary controls. The 2012 data also allow us to make direct comparisons of the impact of affective polarization on the two types of support. These datasets are used to

examine cross-sectional (i.e., correlational) relationships between affective polarization and support for the Court in the first set of analyses below, as well as the impact of affective polarization on Court support conditional on Court-specific knowledge and general political sophistication in the third set of analyses below. The 2000–2002–2004 ANES panel is employed in the second set of analyses below to examine the potential causal ordering of affective polarization and specific support (as the panel dataset does not contain an appropriate measure of diffuse support).[3]

Measurement

Affective polarization. Feeling thermometers are the most common way to measure affect toward various political stimuli and are at the center of most operationalizations of affective polarization (Iyengar et al. 2019). To measure affective polarization, we compute the average absolute difference between feeling thermometer scores of the major parties (Democrat and Republican), ideological groups (liberals and conservatives), and candidates for office (Democratic and Republican candidates). Then, we take the average of these values, which results in a single measure of affective polarization for each individual.[4] This is our key independent variable.[5]

Specific support. To measure specific support, our first dependent variable, we use respondents' rating of the Supreme Court on a feeling thermometer. Those who are affectively positive toward, or simply "like," the institution are likely satisfied with its current performance. Respondents tend to be specifically supportive, but not overly so; the average specific support score from 1988 to 2016 is 64.70 on the 0 to 100 feeling thermometer scale.

Diffuse support. Gibson, Caldeira, and Spence (2003a) develop a battery of items that tap diffuse support—our second dependent variable—for the Supreme Court, such that those who score highly support an independent, autonomous institution, and those with low scores are willing to make fundamental alterations. Two of these items appear on the 2012 ANES. Specifically, the items ask, "If the U.S. Supreme Court started making a lot of decisions that most people disagree with, would you favor, oppose, or neither favor nor oppose doing away with the Supreme Court altogether?" and "Do you favor, oppose, or neither favor nor oppose removing judges from the U.S. Supreme Court if those judges consistently make decisions that a majority of Americans oppose?" Follow-up branching questions assessing the extremity of these beliefs are combined to produce a seven-point, strongly support–strongly oppose scale for each item. To measure diffuse support, we take the average response to

the two items.[6] On balance, respondents are diffusely supportive of the Court, but not overly so; the average legitimacy score is 0.54 on a 0 to 1 scale.

Democratic values. On the advice of Gibson and Nelson (2015) and Gibson and Caldeira (2009b), we account for several confounders that are worthy of attention: (1) democratic values, (2) knowledge of the Court, and (3) general political sophistication. Although the ANES does not include items that might capture attitudes about the rule of law, specifically, it does include a battery of questions designed to elicit attitudes about egalitarianism, which is central to the Supreme Court vis-à-vis perceptions of justice and equality. Specifically, we use items that ask about whether everyone in society deserves equal opportunity, should be treated fairly, and so on. We believe including egalitarianism, at the very least, accounts for some of the variance that is unique to the democratic values that play a dominant role in evaluations of the Supreme Court. Although we are limited by both data availability and construct availability in the data we have, we take steps to account for this important factor.

Political sophistication. Political sophistication is measured as a scale of interest in campaign activity, ANES interviewer ratings of respondent level of information, and political participation. This combination captures many of the distinct domains of sophistication, both behavioral and psychological (see Luskin 1987).

Knowledge of the Court. We account for Court-specific knowledge using a survey item that records whether a respondent was able to identify the job held by the Chief Justice (who was named by the interviewer).[7] By considering two forms of sophistication—Court-specific or general—we can determine which plays a role in both diffuse and specific support.

Ideological disagreement. Finally, we note that ideological disagreement may play a role in evaluations of legitimacy. However, due to data limitations, we are unable to measure ideological disagreement as either Bartels and Johnston (2013) or Nelson and Gibson (2020) recommend. We can approximate this variable using differential emotional reactions to the Court and one's ideological group, but note that this is an imperfect test of the ideological disagreement hypothesis. Still, it would be perplexing if individuals perceived themselves to be ideologically distant from the Court, but rated it similarly, in affective terms, to their preferred ideological group. And, considering affective reactions should account for any measurement error present in subtraction-based measures that ask respondents to place themselves and the Court together in ideological space (see Nelson and Gibson 2020)—which is a difficult task for the non-ideological masses—this variable should

provide a useful estimate of the notion at the heart of ideological disagreement measures. We account for this variable in a separate model, though only interpret the results cautiously given our different operationalization of the concept.

Other controls. We also consider a number of control variables, such as partisan and ideological identification, the strength of those identifications, education, and elite polarization. In the 2012 ANES time series, two forms of efficacy were recorded. Rather than split the sample, we omit efficacy in models using the 2012 ANES, but report models including efficacy in the Supplemental Appendix. Also see the Supplemental Appendix for more information on all control variables.

Empirical Results

Analysis 1: Cross-Sectional Relationships

We begin our investigation by examining cross-sectional relationships between affective polarization and both diffuse and specific support using the ANES Cumulative File and the 2012 ANES. Table 1 displays ordinary least squares (OLS) coefficients for affective polarization and other variables of theoretical interest for four models, from left to right: 1988–2016 specific support, 2012 specific support (for the purposes of direct comparison to diffuse support in calculating predictions), 2012 diffuse support, and 2012 diffuse support including our measurement of Court–ideological disagreement. All variables have been rescaled 0–1, so the magnitude of coefficients can be compared.

The coefficient for affective polarization is negative and statistically significant across all models. As expected, those who have more visceral reactions to political stimuli believe the Supreme Court is less worthy of legitimacy and autonomy than those who are not so affectively polarized. Affective polarization influences the Supreme Court's diffuse support even when accounting for legitimacy-specific factors. Likewise, affective polarization is negatively related to specific support, whereby affectively polarized individuals are less immediately satisfied with the Supreme Court.

To compare the influence of affective polarization on the two types of support directly, we calculate predicted support across the range of affective polarization for both diffuse and specific support using the 2012 data[8]—the year for which both dependent variables are available. This way, we are making an apples-to-apples comparison using a single cross-section of the ANES data. These effects are displayed in Figure 1, where solid lines are predicted support and dashed lines are 95 percent confidence intervals around those estimates.[9] A figure demonstrating predicted specific support across affective polarization

Table 1. OLS Regressions of Specific Support and Diffuse Support on Affective Polarization, Using Both ANES Cumulative File from 1988 to 2016 and 2012 ANES Time Series.

	Specific, 1988–2016	Specific, 2012	Diffuse, 2012	Diffuse, 2012
Affective polarization	−0.058*	−0.138*	−0.077*	−0.093*
	(0.016)	(0.016)	(0.023)	(0.031)
Specific support	—	—	0.247*	0.279*
			(0.022)	(0.033)
Court-ideological disagreement	—	—	—	0.006
				(0.036)
Party ID	−0.007	−0.075*	−0.047*	−0.056*
	(0.012)	(0.013)	(0.019)	(0.029)
Party ID strength	0.056*	0.095*	−0.075*	−0.082*
	(0.012)	(0.013)	(0.018)	(0.032)
Self-identified ideology	0.044*	0.042*	−0.067*	−0.082*
	(0.016)	(0.019)	(0.027)	(0.032)
Ideological strength	−0.001	−0.008	−0.002	−0.081*
	(0.013)	(0.015)	(0.022)	(0.038)
Sorting	−0.012	0.002	0.139*	0.182*
	(0.026)	(0.034)	(0.049)	(0.071)
Political sophistication	0.019	0.075*	0.182*	0.176*
	(0.015)	(0.031)	(0.045)	(0.060)
Court knowledge	−0.023*	0.010	0.108*	0.128*
	(0.009)	(0.008)	(0.011)	(0.014)
Efficacy	0.074*	[a]	[a]	[a]
	(0.007)			
Egalitarianism	−0.032*	−0.143*	0.041	0.048
	(0.015)	(0.029)	(0.041)	(0.053)
Age	0.072*	0.041*	0.031	0.044
	(0.013)	(0.014)	(0.020)	(0.027)
Education	−0.021	−0.001	0.269*	0.269*
	(0.011)	(0.015)	(0.021)	(0.028)
Elite polarization	−0.040*	—	—	—
	(0.009)			
Constant	0.610*	0.621*	0.233*	0.265*
	(0.014)	(0.023)	(0.035)	(0.056)
Year fixed effects?	✓			
R^2	.061	.066	.115	.123
n	4,522	4,367	4,339	2,746

Cell entries are OLS coefficients. OLS = ordinary least squares.
[a]Models including efficacy appear in the Supplemental Appendix.
*$p \leq .05$ with respect to a two-tailed test.

for the 1988–2016 sample appears in the Supplemental Appendix; conclusions are identical.

Consistent with the estimates shown in Table 1, the effect of affective polarization in 2012 is fairly similar across support types. Regarding substantive effects, increased affective polarization is related to about a 14 "degree" decrease in specific support or around a 22.0 percent decrease across the range of affective polarization. That value for diffuse support is 12.96 percent. Those low in affective polarization are generally supportive of the Supreme Court (i.e., diffuse support >0.50); those high in affective polarization are less supportive (i.e., <0.50). Likewise, those low in affective polarization are "warm"

toward the Court, but those high affective polarization are lukewarm or middling. We more thoroughly consider the normative implications of our findings in the conclusion.

Regarding our control variables, partisan strength, Democratic identification, ideological conservatism, political sophistication, knowledge of the Court, efficacy, egalitarianism, elite polarization, and age are all associated with specific support in at least one instance. For diffuse support, specific support, party and ideological identification, and partisan and ideological strength, sorting, sophistication, Court knowledge, and education all play a role. We possess varying degrees of evidence in favor of various hypotheses regarding "to know the Court
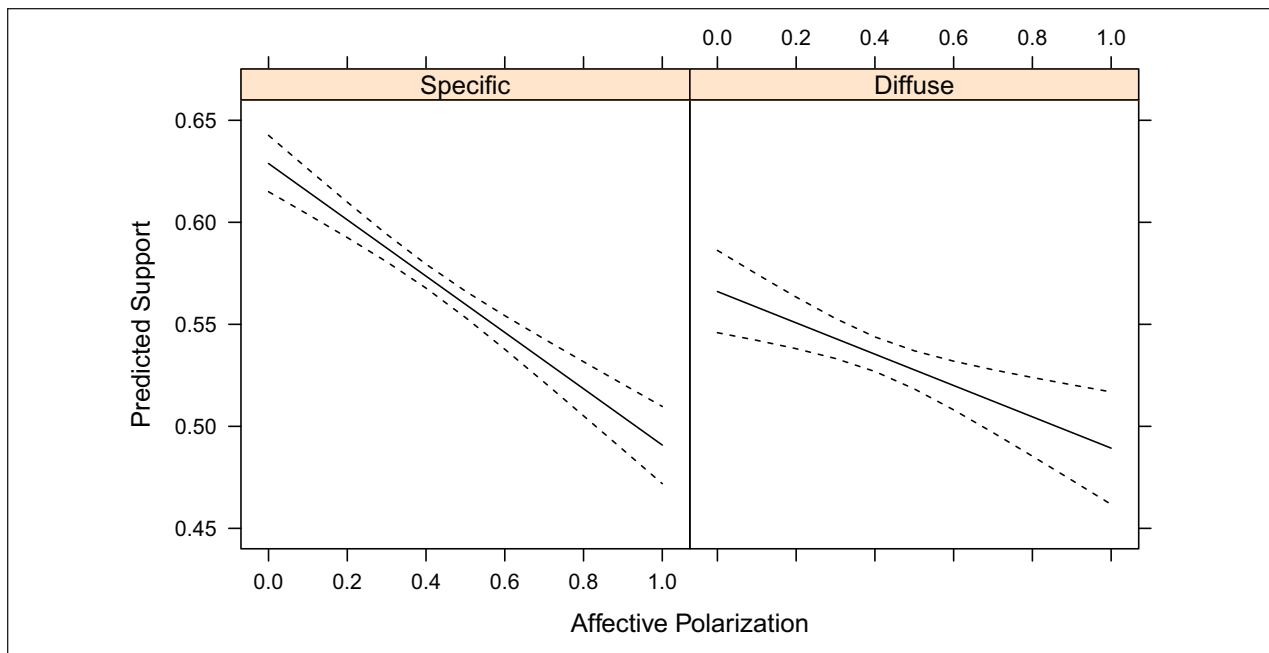
Figure 1. Effect of affective polarization on specific and diffuse support. Predictions from model using 2012 ANES.

is to love it," as the sign of the coefficient flips across types of support. Likewise, there is some support for the influence of democratic values on Court support. In regard to the influence of sophistication and Court knowledge on diffuse and specific support, we consider whether these increased forms of political understanding condition the extent to which affective polarization impacts support below.

Finally, turning to the fourth column of Table 1, we note that our measurement of Court–ideological disagreement is not statistically significant. Again, we only cautiously interpret this finding and make no broad claims about the relationship between support and ideological disagreement. Of the diffuse support models, the effect of affective polarization is slightly stronger in the model that considers Court–ideological disagreement. Thus, we move forward without further consideration of ideological disagreement, as it appears any bias should work *against* our hypothesized relationships (i.e., omitting disagreement attenuates the coefficient magnitude for affective polarization, albeit slightly).

Analysis 2: Causal Relationships with Panel Data

Thus far, our narrative has indicated our expectation that affective polarization *precedes* Court support. That is, we suggest those who are affectively polarized subsequently offer less support to the Court because group orientations underlie both affective polarization and Court support,

and because previous work shows that polarization seeps into many aspects of public opinion and political life (e.g., Hetherington and Rudolph 2015; Webster 2018). Political bad-temper, then, should influence attitudes toward the Supreme Court. Here, we consider the causal relationship between affective polarization and specific support for the Supreme Court (as diffuse support was not recorded in the 2000–2004 ANES panel).

While we believe the (controlled) correlation between affective polarization and both diffuse and specific support is noteworthy, such an observation does not preclude other causal accounts. For example, the opposite causal relationship is plausible—those who are supportive of the Supreme Court are, simply, more satisfied with everyday politics as a result. Conversely, and despite what Zilis (2018) shows, a lack of support for the Court may result in increased visceral reactions toward groups. A Democrat, for instance, who suffers policy loss at the hands of the Supreme Court may subsequently decry Republicans/conservatives (and vice versa) and intensify in-group affect.

Moreover, there could be no causal relationship whatsoever or we could find evidence for reciprocal causality. While we are generally open to these possibilities, we hypothesize that affective polarization causes support because identity-based attachments generally color one's perception of the political world and commonly precede downstream political evaluations, like institutional support (e.g., Campbell et al. 1960; Lenz 2012). In addition, it seems unlikely that evaluations of an institution that

thrives on being out of sight and out of mind could so deeply—and increasingly, over time—impact individual orientations toward political groups and actors that people are much more likely to encounter and register stable, foundational orientations toward.

Following guidance by Wooldridge (2010) and Finkel (1995), we estimate cross-lagged regression models where 2004 affective polarization and specific support are regressed onto 2000 affective polarization and specific support, as well as several control variables recorded in 2000.[10] Coefficients, which appear in Table 2, are standardized so that the magnitudes of effects can be compared.[11] If past polarization is significantly related to future specific support, but past specific support is not significantly related to future polarization, we would possess evidence in support of our hypothesis that affective polarization causes specific support, but that there is no reciprocal causality. We have emboldened the relevant coefficients in Table 2 for ease of visual inspection. Consistent with our expectations, the impact of affective polarization in 2000 on specific support in 2004 is negative and statistically significant, though the impact of specific support in 2000 on affective polarization in 2004 is not significant.

That said, we can only expect that the effect we find is truly causal if the model is specified correctly. One way to do this is to simply vary model specification and examine characteristics of key estimates across models. To avoid randomly removing independent variables, we adopt a more systematic approach developed by Young (2009) and Young and Holsteen (2017), which they call "model robustness" analysis. This analysis is designed to reveal the stability of estimates across model specifications, providing some empirical grasp of how the various characteristics of coefficient estimates (e.g., sign, statistical significance, magnitude) change as the set of independent variables changes. First, we decide on a core set of theoretical and control variables. These are the variables we have already described above. Then, we specify regression models with all possible combinations of these nine control variables. This results in 2^9, or 512, possible specifications. Finally, we examine the distribution of coefficient estimates associated with our key independent variables—affective polarization and specific support at $t - 1$—across models, including sign, statistical significance, and variability of the "model distribution" of coefficient estimates.

Executing this procedure, we find that the coefficient estimate associated with affective polarization is negative and statistically significant (at the $p < .05$ level) 95 percent of the time across 512 different model specifications. In models where affective polarization is the dependent variable, specific support is negative and significant only 34 percent of the time across all model specifications. For

Table 2. Cross-Lagged Panel Model of Affective Polarization and Specific Support, Using 2000–2002–2004 ANES Panel.

	Specific support$_{04}$	Affective polarization$_{04}$
Affective polarization$_{00}$	**−0.122***	0.539*
	(0.042)	(0.032)
Specific support$_{00}$	0.345*	**−0.053**
	(0.033)	(0.031)
Controls?	✓	✓
n		683

Standardized maximum likelihood coefficients. Standard errors in parentheses.
*$p \leq .05$ with respect to a two-tailed test.

context, a 34 percent significance rate may seem non-trivial for the specific support estimates; however, we would never accept a *p* value of .66—a scenario where the probability of a *t*-statistic being at least as large as we observe is only .66 (instead of, say, .95). Not only is the effect of specific support quite variable over model specifications, it is not statistically significant in a model with controls for potential theoretical and sociodemographic confounders. Importantly, this is also the case in the simple bivariate model; without controls, the effect of specific support on affective polarization remains statistically non-significant, though the significant impact of affective polarization on specific support persists.

Emotional reactions to a number of political stimuli outside of the Court (i.e., affective polarization) influence attitudes toward the Court. Despite the role of positivity bias, and the lack of relationship between ideological polarization and Court support, the Court does not appear to be free from the negative consequences of identity-based polarization. In the long run, decreased specific support can harm overall support for the institution (Baird 2001). Increased affective polarization may produce a failure to comply with Court decisions or otherwise produce broad dissatisfaction with the institution.

Analysis 3: Conditional Effects of Knowledge and Sophistication

Finally, we return to the relationship between sophistication—both Court-specific and general—and support for the Supreme Court. Gibson and Caldeira (2009b) suggest that "to know the Court is to love it," an adage for which we find support above (at least as it pertains to diffuse support). Here, we more carefully consider (1) whether increased political understanding can offset the effects of affective polarization and (2) whether general political sophistication and Court-specific knowledge play different conditional roles on the effect of affective polarization on support.

Table 3. Interactive Models of Affective Polarization, Sophistication, and Court Knowledge, Using Both ANES Cumulative File from 1988 to 2016 and 2012 ANES Time Series.

	Specific support, 1988–2016	Specific support, 2012	Diffuse support, 2012
Affective × Sophistication	−0.286*	−0.440*	−0.361*
	(0.063)	(0.107)	(0.156)
Affective × Knowledge	−0.056	−0.022	−0.030
	(0.039)	(0.031)	(0.045)
Affective polarization	0.039	0.017	0.039
	(0.025)	(0.039)	(0.056)
Political sophistication	0.121*	0.256*	0.331*
	(0.026)	(0.054)	(0.078)
Court knowledge	−0.002	0.022	0.095*
	(0.016)	(0.016)	(0.023)
Controls?	✓	✓	✓
Year fixed effects?	✓		
R^2	.067	.070	.116
n	4,522	4,367	4,339

Cell entries are OLS coefficients. OLS = ordinary least squares.
*$p \leq .05$ with respect to a two-tailed test.

We are curious as to whether Court-specific or general sophistication can better protect the Court from the insidious effects of polarization. Conventional wisdom suggests that those who are more politically sophisticated would bring orientations rooted in fact to bear when evaluating the judiciary, rather than those rooted in affect. By the nature of being sophisticated, individuals should know "what goes with what" and utilize abstract political principles to organize political objects into a coherent political worldview (Converse 1964; Luskin 1987). However, a burgeoning literature finds that political sophistication often operates counter to this expectation. Armaly and Enders (2020) find that affective polarization causes the greatest perceptions of political rifts among those who are politically sophisticated (i.e., among those who "ought to" assess the political landscape in a more measured manner). Similarly, Lelkes (2018) finds that sophistication exacerbates the role of affective polarization, rather than attenuates it. Thus, at least when it comes to affective polarization, we doubt that sophistication—either general or Court-specific—will overcome the powerful influence of affect.

To determine the conditional role of sophistication and Court knowledge, we estimate three OLS models that include multiplicative interaction terms between affective polarization and political sophistication, and between affective polarization and Court knowledge. The first model considers specific support from 1988 to 2016, the second specific support in 2012, and the third diffuse support in 2012. Just as above, this strategy results in a fuller grasp of how the two variants of political knowledge can influence each type of support, in addition to facilitating an apples-to-apples comparison of substantive effects (by

using a single cross-section of data to generate predictions). We display these estimates in Table 3 though, on the advice of Brambor, Clark, and Golder (2006), we interpret the interaction effects graphically in Figures 2 and 3.[12]

Recall that in the additive models presented earlier in this paper, affective polarization was negatively related to both specific and diffuse support. If those who are more informed about the judiciary are more supportive of the institution (as the "to know the Court" hypothesis suggests), we should see a positive interaction effect. In that case, while the average impact of affective polarization is negative, its influence should grow *less* negative (i.e., toward zero and perhaps even become positive) among the more knowledgeable. In other words, knowledge should offset the effect of negative affect. Given that the politically sophisticated are more likely to be knowledgeable about the Court (indeed, the correlation between the two is .33 in these data), we would expect the same relationship with political sophistication.

Figure 2 displays the effect of affective polarization across the range of Court knowledge (i.e., whether the respondent (in)correctly identified Chief Justice Roberts) for specific support in the left panel and diffuse support in the right panel, using the 2012 data. Beginning with specific support, we see a persistently negative effect of affective polarization. Those who are not knowledgeable bring negative affect to bear on evaluating the Court, and so too do those who are knowledgeable. To know the Court, it seems, is to throw it into the mix of other institutions and fixtures of American politics, at least when it comes to specific support.

Moving next to the role of Court knowledge in conditioning the effect of affective polarization on diffuse
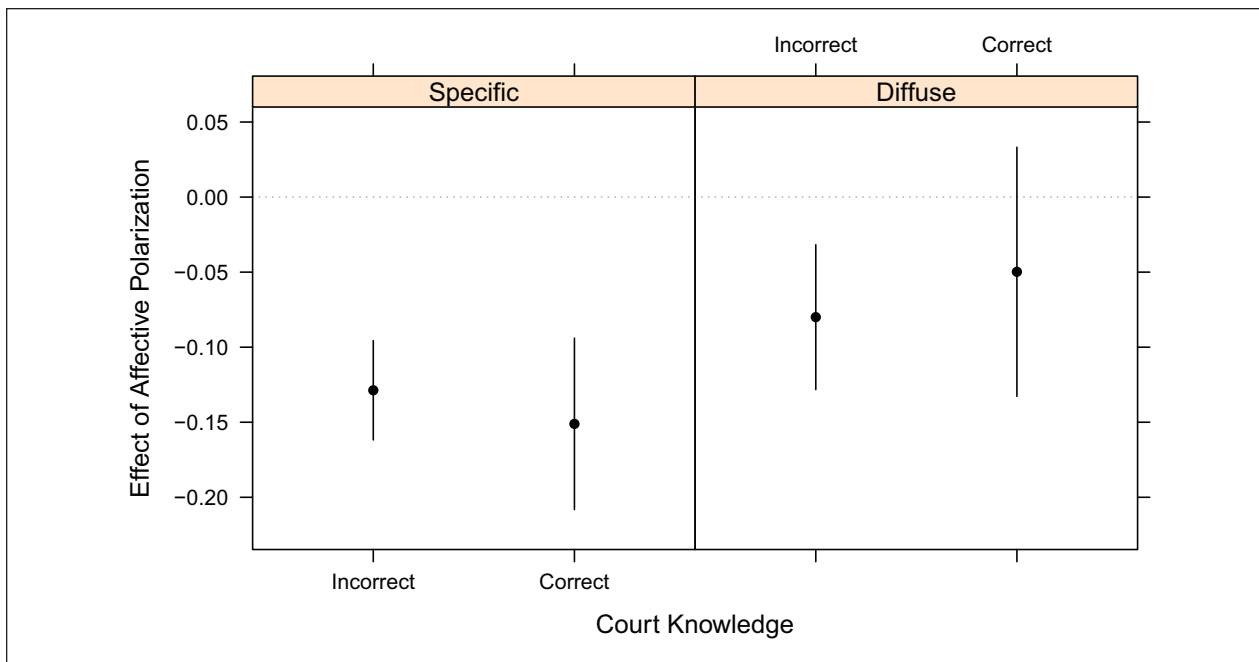
Figure 2. Effect of affective polarization on specific and diffuse support across Court knowledge. Predictions from models using 2012 ANES.
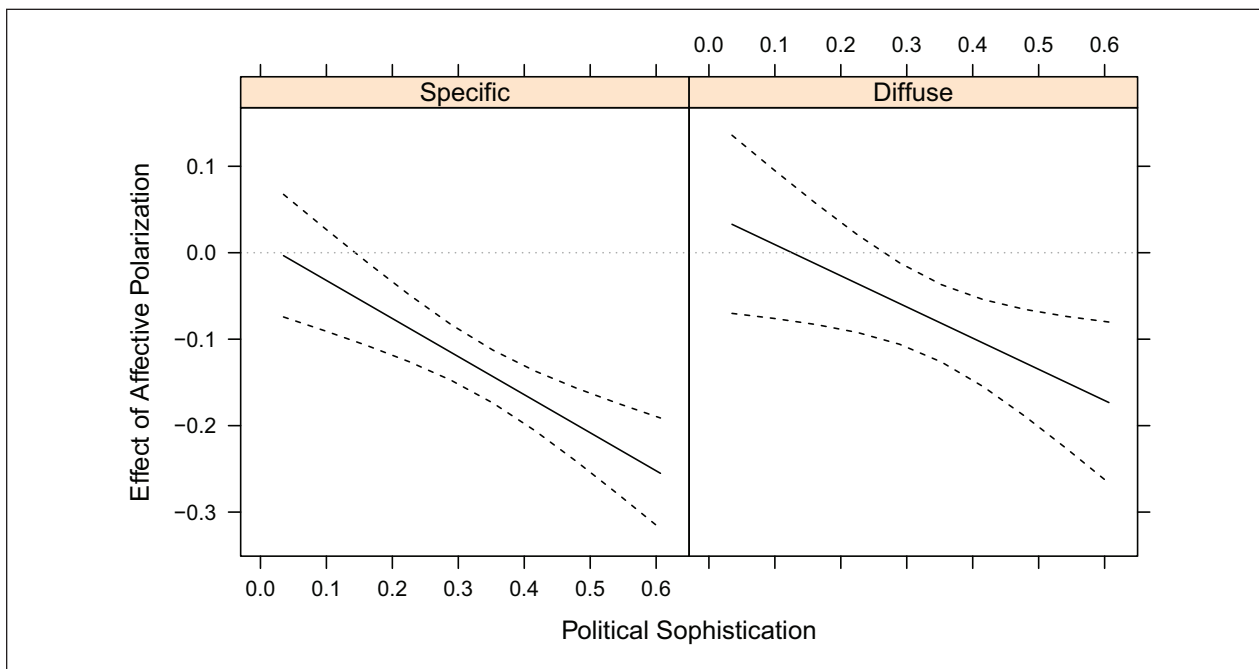

Figure 3. Effect of affective polarization on specific and diffuse support across political sophistication. Predictions from models using 2012 ANES.

support, in the right panel, our conclusions are somewhat mixed. On one hand, the point estimates are persistently negative, indicating the effect of affective polarization on diffuse support is negative across the range of knowledge. But, on the other hand, the confidence interval for the knowledgeable subset of respondents crosses zero. Still, the point estimates are not statistically distinct from one another. Thus, the most charitable interpretation of our

results is that to know the Court is to not allow differential emotional reactions to political stimuli to harm one's evaluations of the institution, but only among the most knowledgeable (only around 20% of the sample), and perhaps only to a small degree. All told, we fail to find robust evidence that knowledge of the Court serves as a saving grace from the negative effects of affective polarization.

Finally, we consider the role of general political sophistication in Figure 3. Here, we display ± 2 standard deviations from the average level of sophistication (as very few individuals possess no or great levels of sophistication). The displayed range is from 0.035 to 0.607 (measured on a 0–1 scale). The results are consistent for both specific and diffuse support. For those low in political sophistication (from 0.035 to 0.143 for specific and 0.035 to 0.263 for diffuse), there is no effect of affective polarization on Court support. However, among those who are more politically sophisticated, the effect is negative and increases (i.e., grows more strongly negative) as sophistication increases. Across sophistication, the marginal effect of affective polarization moves from around 0 to −0.17 for diffuse and from around 0 to −0.26 for specific.

This provides further evidence that sophistication—either the general version or the Court-specific version—fails to protect the Court from the insidious influence of affective polarization, on average. Altogether, we believe these conditional effects provide nuance to the "to know the Court is to love it" hypothesis, at least when emotional reactions to the political environment are considered. Those who know the Court are certainly more supportive (Gibson and Caldeira 2009b). However, we find that such knowledge does not appear to offset the negative influence of affective polarization. Moreover, the negative effect of affective polarization on Court support actually strengthens as political sophistication increases. This provides additional support for our theory about the mechanism at play: to be involved in politics is to allow one's evaluation of all manner of political objects to be colored by fundamental orientations toward political in- and out-groups.

Finally, there is some reason to believe that some of the most affectively polarized people are utilizing ideological orientations when making assessments such as these (e.g., Rogowski and Sutherland 2016; Webster and Abramowitz 2017). However, the association between ideology and affect appears to be confined to only the most sophisticated individuals (Rogowski and Sutherland 2016); few in our sample are highly sophisticated and only 20 percent answered the Court knowledge item correctly. Thus, any role ideology plays in the influence of affective orientations is likely restrained to a small portion of the sample. Moreover, there are ideologues on both sides of the political aisle. Either adhering to a coherent ideology serves to unify all ideologues against

the judiciary (something we doubt), or the sophisticated are unable to accurately locate the Court in ideological space. Regardless, we believe our results are more consistent with accounts of affective polarization driven by animus, rather than those where ideology is the primary factor (e.g., Iyengar et al. 2019; Lelkes 2018).

Conclusion

In this paper, we set out to investigate whether affective polarization—the identity-based variant of polarization—influences mass perceptions of the Supreme Court. Using several data sources, we draw several conclusions. First, affective polarization is negatively related to both diffuse and specific support such that the most polarized are the most willing to fundamentally alter the institution and the least willing to express short-term satisfaction. Second, affective polarization causes specific support, but the causal relationship is not reciprocal. Finally, neither Court-specific knowledge nor general political sophistication mitigates the negative impact of affective polarization on support; in fact, general sophistication exacerbates this negative impact on both types of support. To know the Court is not to provide for it armor against the impact of negative affective reactions to non-judicial stimuli.

Given that the electorate is far more polarized on affective grounds than ideological grounds, and that affective polarization seems to be growing (Iyengar and Krupenkin 2018), considering this variant of polarization in studies of mass attitudes toward the Supreme Court is paramount. Despite the relatively optimistic conclusions of previous research regarding the relationship (or lack thereof) between Court support and polarization (Gibson 2007), our findings that integrate affective polarization into the literature are suggestive of trouble for the Supreme Court. Historically, the Court has altered its own behavior when it felt that it was losing public support, perhaps in an effort to "right the ship" in the eyes of the mass public (Clark 2009). For example, the Court exercises self-restraint by invalidating fewer acts of Congress when the public is discontented with the institution (i.e., when Congress has license to court-curb). Here, we show that such course correction may be in vain, particularly if it fails to attenuate existing divisions among the mass public that the Court does not produce. As these divisions grow, the Court may find itself losing support even if it is "well-behaved" in the public's view. Altogether, our results indicate that the Court should fear the influence of seemingly non-judicial political actors and events that cue and accelerate partisan divisions and polarization.

Our findings also provide nuance to the literature on affective polarization. Few members of the mass public report willingness to harm an out-group member (Lelkes

and Westwood 2017). That is, the "loathing" many Americans feel for the out-group may only constitute emotional reactions that will never translate to a behavioral expression. On one hand, then, the consequences of polarization may not be as dire as some have warned. However, our results suggest that affective polarization *does* have measurable consequences for important political postures, albeit outside of any particular group context. Thus, though it is unlikely that affective polarization will escalate beyond disgruntlement, it may have substantive consequences for the independence of the federal judiciary.

Finally, these results shed some light on the influence of ideological orientations on support for the Supreme Court. Although ideological proximity to the Court is (potentially) able to influence views of the Court (Bartels and Johnston 2013), support for this account is relatively inconsistent (Armaly 2018; Gibson and Nelson 2015; Nelson and Gibson 2020). However, Rogowski and Sutherland (2016) and Webster and Abramowitz (2017) show that affective polarization may be partially grounded in ideological concerns. That is, ideological distance from the out-group is related, albeit imperfectly, to negative emotional reactions to out-group stimuli. Affective polarization, then, may be a link through which ideology influences views toward the Court, at least for some subset of individuals. As noted above, liberals and conservatives, Democrats and Republicans, do not report different levels of support for the Court. Ideological orientations may not, themselves, influence attitudes regarding the Court. Yet, if the strength of such orientations exacerbates affective polarization, which in turn impacts the Court, ideology may play an indirect role in evaluations of the institution.

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Supplemental Material

All replication data can be found on the corresponding author's Harvard Dataverse at https://dataverse.harvard.edu/dataverse/milesarmaly.

Notes

1. Some work indicates that affective polarization is partially rooted in ideological concerns, at least among the politically sophisticated (Rogowski and Sutherland 2016; Webster and Abramowitz 2017). Even if this is the case (which strikes us as reasonable), one need not have the consistent and constrained issue attitudes necessary to be deemed *ideologically* polarized to be *affectively* polarized. In other words, ideological concerns—attitudes about particular issues, ideological identity—can be a component of affective polarization, with affective polarization still being distinguished from ideological polarization based on the "depth" of ideological content relative to affective content. In addition, we account for political sophistication—the group among whom the relationship between ideological concerns and affective polarization appears to be confined—in multiple ways in this paper.

2. All presidential election years are included save for 1992, when specific support was not recorded.

3. We do note that the *Bush v. Gore* decision occurred between the 2000 and 2004 panels. While certain very salient cases may influence attitudes toward the Court generally, it does not seem that this case had that effect (Gibson, Caldeira, and Spence 2003b). As recession, 9/11, and wars in Afghanistan and Iraq occurred in this time period, we are wary to conclude that the controversial decision had any impact. Still, it is worth considering this potential limitation.

4. Using multiple items to measure a single latent variable results in a scale with less measurement error/greater reliability (Ansolabehere, Rodden, and Snyder 2008) and is common practice in studies of affective polarization (e.g., Enders and Armaly 2019; Levendusky 2018; Webster and Abramowitz 2017). Moreover, all results presented in Table 1 replicate using the single-stimulus measures of affective polarization regarding parties, ideological groups, and candidates individually.

5. Restricting our measure of affective polarization to only parties and presidential candidates, where most polarization has occurred over time, produces results that are substantively identical to those reported below.

6. Although scales generated with few items are more prone to measurement error than those with many items (Ansolabehere, Rodden, and Snyder 2008), the results displayed below are robust to treating each item separately (see Supplemental Appendix).

7. In the 2012 data, partially correct responses are also considered. For the purposes of conformability with the cumulative data, we consider partially correct responses to be incorrect. However, given Gibson and Caldeira (2009b), we note that substantive and statistical conclusions are the same when (1) coding partially correct responses as correct, (2) including partially correct responses by measuring knowledge as an interval-level variable, and (3) constraining the sample to only those who were correct or incorrect (see Supplemental Appendix).

8. In calculating predictions for diffuse support, we use the more conservative estimates in the third column of Table 1.

9. In calculating the linear prediction, interval- and ordinal-level control variables are held at their means, and nominal variables at their modal values.
10. Party feeling thermometers were not available in the 2004 panel, so we use a scale of only candidates and ideological groups.
11. We only present the relevant coefficients in Table 2. Readers interested in the estimates associated with control variables can find the relevant information in the Supplemental Appendix.
12. Figures demonstrating the effect of affective polarization on specific support across political sophistication and Court knowledge for the entire 1988–2016 period appear in the Supplemental Appendix. Substantive results are identical to those from 2012.

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