**Appendix**

**Appendix A: Sample Characteristics, Balance Checks, Manipulation Tests**

Table A1: Balance tests (OLS) indicating no relationship between treatments and demographic and ideological characteristics

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Education | Income | Age | PID | Ideology |
| (Intercept) | -9.97 | -112.44\* | 42.05\* | 3.73\* | 3.78\* |
|  | (12.20) | (27.51) | (0.75) | (0.11) | (0.08) |
| T1: Kagan | -7.60 | 4.97 | -0.83 | 0.25 | 0.21 |
|  | (17.33) | (39.07) | (1.06) | (0.15) | (0.11) |
| T2: Barrett | -14.12 | 21.60 | 0.44 | 0.05 | 0.16 |
|  | (17.24) | (38.87) | (1.05) | (0.15) | (0.11) |
| R^2 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Adj. R^2 | -0.00 | -0.00 | -0.00 | 0.00 | 0.00 |
| Num. obs. | 1318 | 1318 | 1318 | 1318 | 1317 |

Note: \*p<0.05

Table A2: Balance tests (Chi-squared) indicating no relationship between treatments and demographic characteristics

|  |  |  |
| --- | --- | --- |
| **Trait** | **X-squared** | **P-value** |
| Ethno-racial group | 10.56 | 0.10 |
| Gender | 1.03 | 0.60 |
| Region | 4.16 | 0.65 |
| Voter registration | 2.52 | 0.28 |

Note: \*p<0.05

Table A3: Manipulation tests

|  |  |  |  |
| --- | --- | --- | --- |
|  | Court Not Political | Justice was Liberal | Justice was Conservative |
| (Intercept) | -1.46\* | -1.97\* | -1.55\* |
|  | (0.12) | (0.15) | (0.13) |
| T1: Kagan | 1.98\* | 1.51\* | 0.32 |
|  | (0.16) | (0.18) | (0.17) |
| T2: Barrett | 1.82\* | 0.28 | 1.24\* |
|  | (0.16) | (0.20) | (0.16) |
| AIC | 1605.04 | 1296.49 | 1481.45 |
| BIC | 1620.59 | 1312.04 | 1497.00 |
| Log Likelihood | -799.52 | -645.25 | -737.73 |
| Deviance | 1599.04 | 1290.49 | 1475.45 |
| Num. obs. | 1317 | 1318 | 1318 |

Note: \*p<0.05. Logistic regressions. Respondents were asked whether the news story they read said that the court was “not political” (model 1), whether the justice they read about was liberal (model 2) or conservative (model 3).

Table A4: Descriptive statistics of continuous variables for respondents in the sample

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | N | Mean | Standard Deviation | Minimum | Maximum |
| Party Identification | 1318 | 3.83 | 2.21 | 1.00 | 7.00 |
| Ideology | 1317 | 3.90 | 1.70 | 1.00 | 7.00 |
| Education | 1339 | 4.02 | 1.98 | 1.00 | 8.00 |
| Age | 1351 | 41.89 | 15.68 | 18.00 | 91.00 |
| Income | 1297 | 7.45 | 6.50 | 1.00 | 24.00 |

Table A5: Gender distribution of the sample

|  |  |
| --- | --- |
|  | N |
| Male | 521 |
| Female | 778 |
| Non-binary | 17 |
| Other | 2 |

Table A6: Racial distribution of the sample

|  |  |
| --- | --- |
|  | N |
| White | 872 |
| Black | 202 |
| Latinx | 188 |
| Other | 50 |

**Appendix B: Alternative Models & Robustness Checks**

Table B1: Moderating effect of ideology

|  |  |  |  |
| --- | --- | --- | --- |
|  | Political | Legal | Legitimacy |
| Intercept | 2.99\*\*\* | 3.34\*\*\* | 3.63\*\*\* |
|  | (0.12) | (0.11) | (0.08) |
| T1: Kagan | -0.57\*\*\* | 0.15 | 0.03 |
|  | (0.17) | (0.15) | (0.12) |
| T2: Barrett | -0.37\*\* | 0.08 | 0.12 |
|  | (0.16) | (0.15) | (0.12) |
| Liberal | 0.44\*\*\* | 0.14 | -0.20\* |
|  | (0.17) | (0.15) | (0.12) |
| Conservative | 0.25 | 0.19 | 0.27\*\* |
|  | (0.18) | (0.16) | (0.13) |
| T1: Kagan \* Liberal | -0.25 | 0.01 | 0.27 |
|  | (0.25) | (0.22) | (0.18) |
| T2: Barrett \* Liberal | -0.11 | -0.04 | -0.06 |
|  | (0.24) | (0.21) | (0.17) |
| T1: Kagan \* Conservative | -0.23 | 0.26 | 0.22 |
|  | (0.25) | (0.23) | (0.18) |
| T2: Barrett \* Conservative | -0.52\*\* | 0.32 | 0.36\*\* |
|  | (0.25) | (0.23) | (0.18) |
| R2 | 0.08 | 0.03 | 0.09 |
| Adj. R2 | 0.07 | 0.02 | 0.08 |
| Num. obs. | 908 | 908 | 908 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check

Table B2: Average treatment effects, without control, for liberals

|  |  |  |  |
| --- | --- | --- | --- |
|  | Political | Legal | Legitimacy |
| (Intercept) | 2.62\*\*\* | 3.64\*\*\* | 3.72\*\*\* |
|  | (0.14) | (0.12) | (0.10) |
| T2:Barrett | 0.33\* | -0.12 | -0.23\* |
|  | (0.19) | (0.17) | (0.14) |
| R2 | 0.02 | 0.00 | 0.02 |
| Adj. R2 | 0.01 | -0.00 | 0.01 |
| Num. obs. | 181 | 181 | 181 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check

Table B3: Average treatment effects, without control, for conservatives

|  |  |  |  |
| --- | --- | --- | --- |
|  | Political | Legal | Legitimacy |
| (Intercept) | 2.44\*\*\* | 3.93\*\*\* | 4.15\*\*\* |
|  | (0.14) | (0.11) | (0.10) |
| T2:Barrett | -0.10 | -0.01 | 0.23 |
|  | (0.20) | (0.16) | (0.14) |
| R2 | 0.00 | 0.00 | 0.01 |
| Adj. R2 | -0.00 | -0.01 | 0.01 |
| Num. obs. | 185 | 185 | 185 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check

Table B4: Average treatment effects by gender

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Overall** | | | **Liberals** | | | **Conservatives** | | |
|  | **Political** | **Legal** | **Legitimacy** | **Political** | **Legal** | **Legitimacy** | **Political** | **Legal** | **Legitimacy** |
| (Intercept) | 3.15\*\*\* | 3.56\*\*\* | 3.69\*\*\* | 3.49\*\*\* | 3.51\*\*\* | 3.40\*\*\* | 3.14\*\*\* | 3.70\*\*\* | 4.01\*\*\* |
|  | (0.11) | (0.10) | (0.08) | (0.18) | (0.17) | (0.13) | (0.20) | (0.17) | (0.14) |
| T1:Kagan | -0.61\*\*\* | 0.18 | 0.19 | -0.83\*\*\* | 0.29 | 0.58\*\*\* | -0.71\*\* | 0.28 | 0.19 |
|  | (0.16) | (0.14) | (0.12) | (0.27) | (0.26) | (0.19) | (0.29) | (0.25) | (0.21) |
| T2:Barrett | -0.49\*\*\* | 0.04 | 0.22\* | -0.41 | -0.06 | -0.19 | -0.68\*\* | 0.14 | 0.57\*\*\* |
|  | (0.16) | (0.14) | (0.12) | (0.26) | (0.25) | (0.19) | (0.28) | (0.23) | (0.20) |
| Female | 0.12 | -0.20 | -0.12 | -0.09 | -0.05 | 0.05 | 0.20 | -0.36 | -0.23 |
|  | (0.14) | (0.13) | (0.11) | (0.23) | (0.22) | (0.17) | (0.29) | (0.24) | (0.21) |
| T1 \*Female | -0.21 | 0.10 | 0.04 | 0.02 | -0.22 | -0.48\* | -0.18 | 0.28 | 0.14 |
|  | (0.21) | (0.19) | (0.16) | (0.36) | (0.35) | (0.26) | (0.40) | (0.34) | (0.29) |
| T2 \* Female | -0.14 | 0.21 | 0.03 | -0.12 | 0.17 | 0.43\* | -0.46 | 0.54 | -0.18 |
|  | (0.21) | (0.19) | (0.15) | (0.34) | (0.33) | (0.24) | (0.40) | (0.34) | (0.28) |
| R2 | 0.06 | 0.01 | 0.02 | 0.08 | 0.01 | 0.06 | 0.09 | 0.04 | 0.06 |
| Adj. R2 | 0.06 | 0.01 | 0.01 | 0.06 | -0.01 | 0.04 | 0.07 | 0.02 | 0.05 |
| Num. obs. | 908 | 908 | 908 | 296 | 296 | 296 | 269 | 269 | 269 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check.

Table B5: Average treatment effects, with control variables

|  |  |  |  |
| --- | --- | --- | --- |
|  | Political | Legal | Legitimacy |
| (Intercept) | 3.54\*\*\* | 2.90\*\*\* | 3.03\*\*\* |
|  | (0.18) | (0.16) | (0.13) |
| T1: Kagan | -0.74\*\*\* | 0.27\*\*\* | 0.19\*\* |
|  | (0.11) | (0.10) | (0.08) |
| T2: Barrett | -0.57\*\*\* | 0.19\*\* | 0.25\*\*\* |
|  | (0.10) | (0.09) | (0.07) |
| Female | -0.01 | 0.03 | -0.04 |
|  | (0.09) | (0.08) | (0.06) |
| Black | 0.45\*\*\* | -0.06 | -0.35\*\*\* |
|  | (0.13) | (0.12) | (0.10) |
| Latinx | 0.24\* | -0.27\*\* | -0.23\*\* |
|  | (0.14) | (0.12) | (0.10) |
| Other race | -0.51\*\* | -0.13 | -0.05 |
|  | (0.23) | (0.21) | (0.17) |
| Education | -0.03 | 0.05\*\* | 0.02 |
|  | (0.02) | (0.02) | (0.02) |
| Income | 0.01 | 0.02\*\*\* | 0.01\* |
|  | (0.01) | (0.01) | (0.01) |
| Ideology | -0.07\*\*\* | 0.04\*\* | 0.13\*\*\* |
|  | (0.03) | (0.02) | (0.02) |
| R2 | 0.09 | 0.05 | 0.11 |
| Adj. R2 | 0.08 | 0.04 | 0.10 |
| Num. obs. | 869 | 869 | 869 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check.

Table B6: Average treatment effects by ideology, with control variables

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **Liberals** |  |  | **Conservatives** |  |
|  | Political | Legal | Legitimacy | Political | Legal | Legitimacy |
| (Intercept) | 4.53\*\*\* | 3.15\*\*\* | 2.59\*\*\* | 2.25\*\*\* | 2.57\*\*\* | 3.95\*\*\* |
|  | (0.31) | (0.30) | (0.23) | (0.70) | (0.59) | (0.50) |
| T1: Kagan | -0.85\*\*\* | 0.22 | 0.30\*\* | -0.89\*\*\* | 0.40\*\* | 0.34\*\* |
|  | (0.17) | (0.17) | (0.13) | (0.20) | (0.17) | (0.15) |
| T2: Barrett | -0.50\*\*\* | 0.02 | 0.10 | -0.94\*\*\* | 0.43\*\* | 0.52\*\*\* |
|  | (0.16) | (0.16) | (0.12) | (0.20) | (0.17) | (0.14) |
| Female | -0.20 | 0.14 | 0.16 | 0.17 | 0.02 | -0.30\*\* |
|  | (0.15) | (0.14) | (0.11) | (0.17) | (0.15) | (0.12) |
| Black | 0.24 | -0.03 | -0.05 | 1.24\*\*\* | 0.25 | -0.64\*\* |
|  | (0.20) | (0.20) | (0.15) | (0.34) | (0.29) | (0.25) |
| Latinx | 0.20 | -0.18 | -0.20 | 0.37 | -0.24 | -0.29 |
|  | (0.20) | (0.19) | (0.14) | (0.32) | (0.28) | (0.23) |
| Other race | -1.03\*\* | 0.12 | 0.23 | 0.33 | 0.03 | -0.03 |
|  | (0.40) | (0.39) | (0.29) | (0.55) | (0.47) | (0.39) |
| Education | -0.09\*\* | 0.04 | 0.04 | 0.00 | 0.09\*\* | -0.01 |
|  | (0.04) | (0.04) | (0.03) | (0.05) | (0.04) | (0.04) |
| Income | 0.00 | 0.04\*\*\* | 0.01 | -0.01 | 0.00 | 0.02\* |
|  | (0.01) | (0.01) | (0.01) | (0.01) | (0.01) | (0.01) |
| Ideology | -0.30\*\*\* | -0.14 | 0.25\*\*\* | 0.15 | 0.09 | 0.00 |
|  | (0.09) | (0.09) | (0.07) | (0.10) | (0.09) | (0.07) |
| R2 | 0.16 | 0.09 | 0.09 | 0.15 | 0.06 | 0.11 |
| Adj. R2 | 0.13 | 0.06 | 0.06 | 0.11 | 0.03 | 0.08 |
| Num. obs. | 283 | 283 | 283 | 260 | 260 | 260 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check.

Table B7: Average treatment effects by gender identity, with control variables

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Overall** | | | **Liberals** | | | **Conservatives** | | |
|  | Political | Legal | Legitimacy | Political | Legal | Legitimacy | Political | Legal | Legitimacy |
| (Intercept) | 2.80\*\*\* | 2.80\*\*\* | 3.27\*\*\* | 3.43\*\*\* | 3.51\*\*\* | 3.18\*\*\* | 1.31 | 3.41\*\*\* | 4.16\*\*\* |
|  | (0.35) | (0.32) | (0.25) | (0.51) | (0.52) | (0.35) | (1.14) | (1.00) | (0.84) |
| T1: Kagan | -0.53 | -0.03 | -0.18 | -0.36 | 0.06 | -0.50 | -1.22 | 0.07 | 0.32 |
|  | (0.44) | (0.40) | (0.32) | (0.61) | (0.61) | (0.42) | (0.96) | (0.85) | (0.71) |
| T2: Barrett | -0.05 | -0.24 | -0.17 | -0.31 | -0.40 | 0.70 | 0.13 | 0.52 | -1.52\*\* |
|  | (0.47) | (0.43) | (0.34) | (0.70) | (0.70) | (0.48) | (1.01) | (0.89) | (0.74) |
| Female | 0.17\*\* | 0.10 | 0.00 | 0.18 | 0.12 | 0.03 | 0.25 | 0.08 | -0.10 |
|  | (0.08) | (0.07) | (0.06) | (0.12) | (0.12) | (0.08) | (0.17) | (0.15) | (0.13) |
| Black | 0.46\*\* | -0.29\* | -0.45\*\*\* | 0.12 | -0.06 | -0.23 | 1.40\*\* | 0.55 | -0.90\* |
|  | (0.18) | (0.16) | (0.13) | (0.26) | (0.26) | (0.18) | (0.67) | (0.59) | (0.50) |
| Latinx | 0.45\*\*\* | -0.30\* | -0.23\* | 0.54\*\* | -0.09 | -0.38\*\* | 0.37 | 0.13 | -0.18 |
|  | (0.17) | (0.15) | (0.12) | (0.25) | (0.25) | (0.17) | (0.43) | (0.38) | (0.31) |
| Other race | -0.57\* | 0.15 | 0.11 | -0.74 | 0.26 | -0.06 | -0.35 | 0.54 | 0.31 |
|  | (0.32) | (0.29) | (0.23) | (0.48) | (0.48) | (0.33) | (0.77) | (0.68) | (0.57) |
| Education | -0.03 | 0.03 | 0.01 | -0.08\* | -0.04 | 0.02 | 0.08 | 0.10 | -0.00 |
|  | (0.03) | (0.03) | (0.02) | (0.05) | (0.05) | (0.03) | (0.07) | (0.06) | (0.05) |
| Income | 0.00 | 0.02\* | 0.01 | -0.01 | 0.04\*\*\* | 0.00 | 0.01 | -0.01 | -0.00 |
|  | (0.01) | (0.01) | (0.01) | (0.02) | (0.02) | (0.01) | (0.02) | (0.02) | (0.02) |
| Ideology | -0.05 | -0.00 | 0.07\*\*\* | -0.15 | -0.25\*\* | 0.08 | 0.11 | -0.12 | 0.01 |
|  | (0.03) | (0.03) | (0.02) | (0.12) | (0.12) | (0.08) | (0.15) | (0.14) | (0.11) |
| T1: Kagan \* Female identity | -0.09 | 0.09 | 0.11 | -0.19 | -0.03 | 0.19\* | 0.06 | 0.15 | 0.02 |
|  | (0.11) | (0.10) | (0.08) | (0.17) | (0.17) | (0.12) | (0.23) | (0.21) | (0.17) |
| T2: Barrett \* Female identity | -0.15 | 0.12 | 0.11 | -0.08 | 0.07 | -0.13 | -0.30 | 0.02 | 0.46\*\*\* |
|  | (0.11) | (0.10) | (0.08) | (0.18) | (0.18) | (0.12) | (0.24) | (0.21) | (0.18) |
| R2 | 0.12 | 0.07 | 0.09 | 0.17 | 0.11 | 0.09 | 0.23 | 0.12 | 0.14 |
| Adj. R2 | 0.10 | 0.05 | 0.07 | 0.11 | 0.05 | 0.03 | 0.16 | 0.04 | 0.06 |
| Num. obs. | 505 | 505 | 505 | 169 | 169 | 169 | 136 | 136 | 136 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check.

Table B8: Moderating treatment effects by partisanship

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Democrats** | | | **Republicans** | | |
|  | Political | Legal | Legitimacy | Political | Legal | Legitimacy |
| (Intercept) | 3.34\*\*\* | 3.57\*\*\* | 3.48\*\*\* | 3.03\*\*\* | 3.49\*\*\* | 3.89\*\*\* |
|  | (0.10) | (0.09) | (0.07) | (0.12) | (0.11) | (0.09) |
| T1: Kagan | -0.64\*\*\* | 0.16 | 0.22\*\* | -0.63\*\*\* | 0.23 | 0.17 |
|  | (0.15) | (0.14) | (0.10) | (0.17) | (0.15) | (0.13) |
| T2: Barrett | -0.59\*\*\* | -0.03 | 0.20\*\* | -0.58\*\*\* | 0.34\*\* | 0.27\*\* |
|  | (0.15) | (0.13) | (0.10) | (0.17) | (0.15) | (0.13) |
| R2 | 0.05 | 0.01 | 0.01 | 0.05 | 0.02 | 0.01 |
| Adj. R2 | 0.05 | 0.00 | 0.01 | 0.04 | 0.01 | 0.01 |
| Num. obs. | 406 | 406 | 406 | 352 | 352 | 352 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes respondents who passed at least one attention check.

Table B9: The effect of male gender identity on perceptions of SCOTUS, by treatment condition and respondent ideology

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Overall** | | | **Liberals** | | | **Conservatives** | | |
|  | **Political** | **Legal** | **Legitimacy** | **Political** | **Legal** | **Legitimacy** | **Political** | **Legal** | **Legitimacy** |
| Intercept | 2.46\*\*\* | 2.94\*\*\* | 3.56\*\*\* | 2.80\*\*\* | 3.10\*\*\* | 3.48\*\*\* | 2.25\*\*\* | 3.24\*\*\* | 4.00\*\*\* |
|  | (0.34) | (0.30) | (0.26) | (0.56) | (0.50) | (0.42) | (0.77) | (0.64) | (0.55) |
| T1: Kagan | 0.94\* | 0.08 | -0.40 | 0.01 | 0.11 | 0.13 | 1.45 | -0.43 | -0.20 |
|  | (0.54) | (0.47) | (0.42) | (0.93) | (0.83) | (0.70) | (1.18) | (0.98) | (0.85) |
| T2: Barrett | 0.13 | -0.39 | -0.26 | 0.41 | -0.86 | -0.82 | -0.79 | -0.60 | 0.49 |
|  | (0.49) | (0.43) | (0.39) | (0.78) | (0.70) | (0.59) | (1.05) | (0.87) | (0.76) |
| Male Identity | 0.18\*\* | 0.16\*\* | 0.04 | 0.17 | 0.11 | -0.03 | 0.21 | 0.10 | 0.01 |
|  | (0.09) | (0.08) | (0.07) | (0.14) | (0.13) | (0.11) | (0.19) | (0.16) | (0.14) |
| T1: Kagan \* Male Identity | -0.40\*\* | 0.01 | 0.14 | -0.21 | 0.04 | 0.11 | -0.51\* | 0.14 | 0.08 |
|  | (0.13) | (0.12) | (0.10) | (0.23) | (0.21) | (0.18) | (0.27) | (0.23) | (0.20) |
| T2: Barrett \* Male Identity | -0.18 | 0.14 | 0.14 | -0.25 | 0.29 | 0.23 | 0.03 | 0.20 | 0.02 |
|  | (0.13) | (0.11) | (0.10) | (0.21) | (0.19) | (0.16) | (0.26) | (0.21) | (0.18) |
| R2 | 0.06 | 0.06 | 0.04 | 0.07 | 0.10 | 0.10 | 0.09 | 0.07 | 0.07 |
| Adj. R2 | 0.05 | 0.05 | 0.03 | 0.03 | 0.05 | 0.06 | 0.06 | 0.03 | 0.03 |
| Num. obs. | 366 | 366 | 366 | 111 | 111 | 111 | 126 | 126 | 126 |

Note: \*p<0.1, \*\*p<0.05, \*\*\*p<0.01; Includes male respondents who passed at least one attention check. All models are OLS regressions. Models that include control variables presented in the appendix; results robust.

**Appendix C: Pre-registration**

**Preregistration Template from AsPredicted.org**

**Data collection**

Have any data been collected for this study already? Note: 'Yes' is a discouraged answer for this preregistration form.

No, no data have been collected for this study yet.

**Hypothesis**

We know from previous research that off-bench comments from Supreme Court Justices increase individuals’ belief in SCOTUS legitimacy (and decreases their sense that the court is political). Here, we test whether this varies by identity of the justice conveying this information. We vary perceived ideology of the justice (but keep race and gender constant) to better understand who is receptive to these comments. Further, we examine whether there are individual-level traits (race, gender, political knowledge, tv viewing habits, etc.) that moderate the effect of legitimizing rhetoric (off-bench comments) on belief about SCOTUS legitimacy. Given the variety of potential moderating effects we intend to test, we expect that this survey experiment will form the basis for multiple projects on what impacts the legitimacy of the U.S. Supreme Court.

Hypotheses:

Overall: Respondents exposed to off bench comments will increase sense of legitimacy of the courts compared to the control. Respondents in both treatment groups will have higher legitimacy means than those in the control

Ideology: Co-ideologues are more likely to see the court as legitimate compared to the control or condition with the out-ideologue justice. Liberals in Kagan’s condition will see the court as more legitimate than liberals in Barrett’s condition or in the control. Conservatives in Barrett’s condition will see the court as more legitimate than conservatives in Kagan’s condition or the control

Partisanship: We expect respondents to translate their partisanship preferences onto information about the ideology of the justice. Thus, we expect that co-partisans are more likely to see the court as legitimate compared to the control or condition with the out-partisan justice. Democrats in Kagan’s condition will see the court as more legitimate than Democrats in Barrett’s condition or in the control. Republicans in Barrett’s condition will see the court as more legitimate than Republicans in Kagan’s condition or the control

TV watching habits: Previous work in communications shows that television watching habits affect individuals’ perceptions of what the role of the courts should be. We are measuring the extent to which respondents watch both (1) courtroom TV dramas and (2) reality courtroom shows pre-treatment in order to test the extent to which these variables moderate individuals’ reactions to off-bench comments. We suspect that watching courtroom television dramas makes individuals see the court as a legitimate arbiter of justice, while reality courtroom shows increase individuals’ tolerance for judges’ (and for our study, justices’) individual opinions and attitudes. For viewers of courtroom television dramas, we expect that these respondents will increase their perceptions of the Court’s legitimacy after reading justices’ legitimizing comments. For viewers of reality courtroom shows, because these respondents are exposed to tv “judges” displaying their personal opinions and remarks, they may be more likely to see the Supreme Court as political, yet still legitimate.

Female identity: For women, high levels of identifying as a woman will increase the effect of the justices’ legitimizing rhetoric on their perceptions of the court’s legitimacy, but only within partisanship/ideological groups. Among Democratic/liberal women, higher levels of gender identity will lead to even greater increases in court legitimacy when the justice is Kagan. Among Republican/conservative women, higher levels of gender identity will lead to even greater increases in court legitimacy when the justice is Barrett

Male identity: It could be that male identity moderates the effect of the treatment on the dependent variables, since both of the justices are women. If men have high levels of male identity, they may not be as persuaded by their female counterparts about the court’s legitimacy, since the justices delivering this information are female.

Race: Previous research indicates that Black respondents are less likely to see the Supreme Court as legitimate compared to whites. Given this, we expect that while legitimacy will increase for Blacks in the treatment groups, we expect this increase to be less compared to the increase that whites experience.

Political Knowledge: Respondents who are more knowledgeable about politics and the Supreme Court may be more likely to see the Court as political. This reflects our belief that to be aware of the Supreme Court is to recognize the increasingly politicized environment surrounding controversies around confirmation politics and divisive cases heard by the Court. The literature suggests that seeing the Court as legitimate is tied to viewing the Court as a legal institution, one that is above politics. However, it is possible that some people may view legitimacy as separate from viewing the Court as political. That is, some people may view the Court as political but still think of the Court as legitimate. Thus, politically knowledgeable individuals who are co-partisans of the Supreme Court justice making legitimizing comments may both increase their feelings that the Court is legitimate and see the Court as political.

**Dependent variable**

Our key dependent variables are the commonly used SCOTUS legitimacy battery. We are also including dependent variables that tap the extent to which respondents see the court as political (or legal) and feeling thermometers for Kagan, Barrett, and the Supreme Court. We plan to test whether legitimacy and perceptions of the court as political move together, or separately. Previous work would suggest that they move together. However, because these treatments explicitly state the perceived ideology of each justice, it could be that they will diverge from one another (i.e., respondents could see the Court as political but also legitimate, especially when they are exposed to a justice who matches their partisanship/ideology).

**Conditions**

How many and which conditions will participants be assigned to?

3 conditions where respondents read a news article interviewing one of the Supreme Court Justices. The treatment conditions vary which justice is interviewed (either Kagan or Barrett) and give information about their perceived ideology (either liberal or conservative). The control condition does not include an article, following previous research. Treatment 1: Kagan (and noting that she perceived to be liberal) Treatment 2: Barrett (and noting that she is perceived to be conservative) Control (no article)

**Analyses**

Average treatment effects (e.g., regression, t-tests) Moderation effects (e.g., interaction between treatment and pre-treatment moderator to predict the dependent variables) We will analyze dependent variables separately, but we also plan to combine the legitimacy battery into a scale, following previous research

**Outliers and Exclusions**

We include two attention checks. Respondents are not kicked out of the survey for failing. However, we plan to analyze our data with and without those who pass (1) both of the attention checks and (2) at least one of the two attention checks.

**Sample Size**

Up to 1,250 respondents.

**Other**

No response

**Name**

SCOTUS Experiment: Justices, Perceived Ideology, and Legitimacy

**Finally**

Experiment

**Other**

No response