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Most Californians disapprove of the job the U.S. Supreme Court is doing

by Mark DiCamillo, Director, *Berkeley IGS Poll*

California voters disapprove of the overall job performance that the U.S. Supreme Court is doing two to one, 59% to 29%, with 12% having no opinion. In addition, most voters believe that the High Court's justices are guided more by their personal political leanings than by the law and the Constitution when making their rulings. This view is held by an even larger 66% to 23% majority of the state's electorate.

There are significant partisan differences in voter views about the Supreme Court and its justices, with Democrats and liberals holding much more critical opinions than Republicans and conservatives, who generally approve of its performance. Yet, even among Republican and conservative voters about four in ten believe the High Court's justices are guided more by their own personal political leanings than by the law and the Constitution.

The dominant view of most California voters is that the Supreme Court is too conservative, with 49% saying this. This compares to 22% who feel its rulings are "about right," while 11% see them as being too liberal.

The poll also finds strong support for creating an enforceable code of ethics for the High Court's justices, which is a proposal currently being discussed in the U. S. Congress. Greater than seven in ten Californians (71%) support this idea. Support for creating such a code includes nearly all of the state's Democrats and liberal voters, and about half of the state's Republicans and conservatives.

These results come from the latest *Berkeley IGS Poll* conducted online August 24-29 among 6,030 registered voters across California.

Observed Eric Schickler, co-Director of the Institute of Governmental Studies, "The Supreme Court has emerged as a divisive, highly partisan issue in our politics. It is now widely seen as one of conservatives' most potent power bases, with important consequences for public views of the Court."

Californians disapprove of job the U.S. Supreme Court is doing two to one

By a two-to-one margin, 59% to 29%, California voters disapprove of the job the U.S. Supreme Court is doing overall.

Disapproval is broad-based and includes majorities of men and women, as well as voters across all age and racial/ethnic subgroups. The only major segments where majorities approve of the High Court's performance are Republicans and conservatives. By contrast, three in four or more of the state's registered Democrats and liberal voters disapprove.

Table 1
**Job approval of the U.S. Supreme Court
(among California registered voters)**

	Approve %	Disapprove %	No opinion %
Total registered voters	29	59	12
Democrats	14	75	11
Republicans	58	30	12
No party preference/other	30	57	13
Strongly conservative	64	27	9
Somewhat conservative	55	34	11
Moderate	30	53	17
Somewhat liberal	10	83	7
Strongly liberal	4	90	6
Female	21	64	15
Male	38	55	7
18-29	18	66	16
30-39	20	66	14
40-49	26	58	16
50-64	35	54	10
65 or older	40	55	5
White non-Hispanic	32	63	5
Latino	30	52	18
Asian/Pacific Islander	22	61	17
Black	19	62	19

Californians overwhelmingly believe the personal political leanings of the High Court's justices are guiding their rulings more than the law and the Constitution

By a nearly three-to-one margin (66% to 23%) California voters believe that when making their rulings today's Supreme Court's justices are guided more by their own personal political leanings than by the law and the Constitution.

This view is shared by large majorities of voters across nearly all major subgroups of the state's electorate. The only exceptions are again the state's Republican and conservative voters,

although even about four in ten feel the justices are guided more by their personal political leanings than the law and the Constitution.

Table 2
Which has a bigger influence in guiding the current Supreme Court’s rulings – the personal political leanings of its justices or the law and the Constitution? (among registered voters in California)

	The personal political leanings of its justices %	The law and the Constitution %	No opinion %
Total registered voters	66	23	11
Democrats	82	10	8
Republicans	41	50	9
No party preference/other	62	23	15
Strongly conservative	35	56	9
Somewhat conservative	40	50	10
Moderate	64	20	16
Somewhat liberal	87	7	6
Strongly liberal	93	1	6
Female	70	17	13
Male	63	30	7
18-29	71	14	15
30-39	71	18	11
40-49	65	21	14
50-64	62	27	11
65 or older	64	30	6
White non-Hispanic	68	26	6
Latino	63	22	15
Asian/Pacific Islander	65	19	16
Black	76	10	14

The predominant view of Californians is that the High Court is too conservative

When voters are asked whether they view the High Court as being too conservative, too liberal, or about right, the predominant view held by 49% of California voters is that they are too conservative. This compares to just 22% who feel it is “about right,” while 11% see them as too liberal. Another 18% have no opinion.

The belief that the Court is too conservative is dominant across nearly all major subgroups of the state’s voting population, with the exception of Republicans and conservative voters, whose dominant view is that its decisions are about right.

Table 3
Voter opinions of the political leanings of the current U.S. Supreme Court
(among California registered voters)

	Too conservative	About right	Too liberal	No opinion
	%	%	%	%
Total statewide	49	22	11	18
Democrats	73	9	3	15
Republicans	9	46	28	17
No party preference/other	45	22	11	22
Strongly conservative	6	48	38	8
Somewhat conservative	10	47	23	20
Moderate	42	20	8	30
Somewhat liberal	81	6	1	12
Strongly liberal	92	2	*	6
Female	51	18	10	21
Male	48	26	12	14
18-29	56	10	10	24
30-39	52	17	13	18
40-49	44	22	11	23
50-64	45	27	12	16
65 or older	50	28	10	12
White non-Hispanic	55	22	11	12
Latino	38	25	14	23
Asian/Pacific Islander	52	18	7	23
Black	54	12	8	26

* less than 1/2 of 1%

Strong support for creating an enforceable code of ethics for High Court justices

There have been growing calls in Congress to impose an enforceable code of ethics for all justices serving on the U.S. Supreme Court. The poll finds that this idea is supported by seven in ten California voters (71%), while just 15% are opposed.

There is near unanimity of support for creating such a code among the state's Democrats and liberal voters. And, even among Republicans and conservatives, pluralities back the idea.

Table 4
Opinions about a proposal to create an enforceable code of ethics
for all justices serving on the U.S. Supreme Court
(among California registered voters)

	Favor	Oppose	No opinion
	%	%	%
Total registered voters	71	15	14
Democrats	84	5	11
Republicans	47	36	17
No party preference/other	69	15	16
Strongly conservative	42	40	18
Somewhat conservative	53	32	15
Moderate	70	12	18
Somewhat liberal	86	6	8
Strongly liberal	87	3	10
Female	71	11	18
Male	70	20	9
18-29	69	11	20
30-39	70	13	17
40-49	72	13	15
50-64	71	17	12
65 or older	71	21	8
White non-Hispanic	71	18	11
Latino	68	16	16
Asian/Pacific Islander	77	7	16
Black	75	9	16

About the Survey

The findings in this report are based on a *Berkeley IGS Poll* completed by the Institute of Governmental Studies (IGS) at the University of California, Berkeley. The poll was administered online in English and Spanish August 24-29, 2023 among 6,030 California registered voters. Funding for the poll was provided in part by the *Los Angeles Times*.

The poll was conducted by distributing email invitations to stratified random samples of the state’s registered voters. Each email invited voters to participate in a non-partisan survey conducted by the University and provided a link to the IGS website where the survey was housed. Reminder emails were distributed to non-responding voters and an opt out link was provided for voters not wishing to receive further email invitations.

Samples of California registered voters with email addresses were derived from information contained on the official voter registration rolls and provided to IGS by Political Data, Inc., a leading supplier of registered voter lists.

To protect the anonymity of respondents, voters’ email addresses and all other personally identifiable information derived from the original voter listing were purged from the data file and replaced with a

unique and anonymous identification number during data processing. In addition, after the completion of data collection, post-stratification weights were applied to the survey data file to align the sample of registered voters to population characteristics of the registered voters statewide and within major regions of the state.

The sampling error associated with the survey results is difficult to calculate precisely because of sample stratification and post-stratification weighting. Nevertheless, it is likely that findings based on the overall sample of registered voters are subject to a sampling error of approximately +/-2 percentage points at the 95% confidence level.

Question wording

Do you approve or disapprove of the way the U.S. Supreme Court is handling its job?

Do you feel that rulings made by the current U.S. Supreme Court are guided more by the personal political leanings of its justices or more by the law and the Constitution?

Do you think the U.S. Supreme Court is too liberal, too conservative, or about right?

Some members of Congress have proposed measures to create an enforceable code of ethics for all justices who serve on the U.S. Supreme Court. Do you favor or oppose the idea of Congress creating a code of ethics that the justices would be required to follow?

About the Institute of Governmental Studies

The Institute of Governmental Studies (IGS) is an interdisciplinary organized research unit that pursues a vigorous program of research, education, publication, and public service. A component of the University of California system's flagship Berkeley campus, IGS is the oldest organized research unit in the UC system and the oldest public policy research center in the state. IGS's co-directors are Professor Eric Schickler and Associate Professor Cristina Mora.

IGS conducts periodic surveys of public opinion in California on matters of politics and public policy through its *Berkeley IGS Poll*. The poll seeks to provide a broad measure of contemporary public opinion and generate data for subsequent scholarly analysis. The director of the *Berkeley IGS Poll* is Mark DiCamillo. For a complete listing of stories issued by the *Berkeley IGS Poll* go to

<https://www.igs.berkeley.edu/research/berkeley-igs-poll>.