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This release is also available online.

New Marquette Law School Poll national survey finds approval of the Supreme Court at new lows, with strong partisan differences over abortion and gun rights

Please note: Complete Poll results and methodology information can be found online at law.marquette.edu/poll

MILWAUKEE – A new Marquette Law School Poll national survey finds approval of the U.S. Supreme Court has fallen to 38%, while 61% disapprove of how the Court is handling its job. In May, 44% approved and 55% disapproved, and in March, 54% approved and 45% disapproved.

By contrast, approval of the Court stood at 66% in September 2020, with 33% disapproval then. As recently as July 2021, the Court had a 60% approval rating. [Table 1](#) shows the trend in approval since September 2020. (All results in the tables are stated as percentages; the precise wording of the questions can be found in the online link noted above.)

Table 1: Supreme Court job-approval trend, Sept. 2020-July 2022

Poll dates	Approve	Disapprove
9/8-15/20	66	33
7/16-26/21	60	39
9/7-16/21	49	50
11/1-10/21	54	46
1/10-21/22	52	46
3/14-24/22	54	45
5/9-19/22	44	55
7/5-12/22	38	61

The latest Marquette Law Poll Supreme Court survey was conducted July 5-12, 2022, shortly after the final decisions from the October 2021 Supreme Court term were released. The survey interviewed 1,003 adults nationwide and has a margin of error of +/-4 percentage points.

The sharp decline in approval in July follows the Court’s decision in *Dobbs v. Jackson Women’s Health*, overruling the 1973 *Roe v Wade* decision, which announced a federal constitutional right to abortion in all 50 states. In March, prior to the leak of the draft opinion overturning *Roe*, 65% of those who favored striking down *Roe* approved of how the Court was handling its job, while 45% of those opposed to overturning *Roe* approved. Following the leaked opinion in May, approval rose sharply among those who favored overturning *Roe*, to 84%, and fell among those opposed, to 25%. In July, approval remained at 83% for those in favor of the *Dobbs* decision but fell even further among those opposed to striking down *Roe*, to 11%. [Table 2](#) shows the full trend in approval of the Court’s job performance, by position on *Roe*.

Table 2: Approval of the Supreme Court’s job performance, by favor or oppose overturning *Roe v. Wade*

Position on <i>Roe</i>	Poll dates	Approve	Disapprove
Favor overturn <i>Roe</i>	3/14-24/22	65	34
Favor overturn <i>Roe</i>	5/9-19/22	84	16
Favor overturn <i>Roe</i>	7/5-12/22	83	17
Oppose overturn <i>Roe</i>	3/14-24/22	45	54
Oppose overturn <i>Roe</i>	5/9-19/22	25	74
Oppose overturn <i>Roe</i>	7/5-12/22	11	89

Approval of the Court is more sharply polarized along party lines than it was in March. In March, partisan differences were modest, with a majority of both Republicans (64%) and Democrats (52%) approving of the Court’s handling of its job. This changed after the leaked draft opinion in May, with approval among Republicans rising to 71% and approval among Democrats falling to 28%. This divide widened further after the Court ruling was handed down on June 24, with approval among Republicans remaining high at 67% and virtually collapsing among Democrats to 15%. Approval among independents also declined from March to May, but did not change further after the June decision. [Table 3](#) shows approval by party identification in the March, May, and July surveys.

Table 3: Court approval, by party identification, March, May, and July 2022

Party ID	Poll dates	Approve	Disapprove
Republican	3/14-24/22	64	36
Republican	5/9-19/22	71	29
Republican	7/5-12/22	67	32
Independent	3/14-24/22	51	48
Independent	5/9-19/22	38	61
Independent	7/5-12/22	39	60
Democrat	3/14-24/22	52	48
Democrat	5/9-19/22	28	70
Democrat	7/5-12/22	15	85

Self-described ideology is strongly associated with approval of the Court, which also increased in polarization from March to July, as shown in [Table 4](#). Approval of the Court’s job performance increased among those who describe themselves as “very conservative” or “conservative,” while it decreased among those who consider themselves “moderate,” “liberal,” or “very liberal.” The difference in approval rate between the most conservative and most liberal respondents is now 75 percentage points, up from 36 percentage points in March.

Table 4: Court approval by ideology, March, May, and July 2022

Ideology	Poll dates	Approve	Disapprove
Very conservative	3/14-24/22	65	35
Very conservative	5/9-19/22	75	25
Very conservative	7/5-12/22	79	19
Somewhat conservative	3/14-24/22	68	31
Somewhat conservative	5/9-19/22	72	27
Somewhat conservative	7/5-12/22	71	28
Moderate	3/14-24/22	58	40
Moderate	5/9-19/22	36	63
Moderate	7/5-12/22	29	71
Somewhat liberal	3/14-24/22	40	60
Somewhat liberal	5/9-19/22	28	72
Somewhat liberal	7/5-12/22	9	90
Very liberal	3/14-24/22	29	71
Very liberal	5/9-19/22	9	88
Very liberal	7/5-12/22	4	96

Support for and opposition to overturning *Roe*

Opinion on overturning *Roe v. Wade* has only slightly changed in the wake of the Court’s decision in June. Among those with an opinion on the issue, 36% favor the overturning of *Roe*, while 64% oppose striking it down. That is a 5-percentage-point increase among those who favor overturning *Roe* and a 5-percentage-point decrease among those opposed to striking down *Roe*, compared to opinion in May, when 31% were in favor of such a ruling and 69% were opposed. [Table 5](#) shows the trend on this question since September 2019.

*Table 5: Favor or oppose overturning *Roe v. Wade*, trend among those with an opinion, 2019-2022*

Poll dates	Favor overturn <i>Roe</i>	Oppose overturn <i>Roe</i>
9/3-13/19	32	68
9/8-15/20	37	63
9/7-16/21	28	72
11/1-10/21	30	70

1/10-21/22	28	72
3/14-24/22	32	68
5/9-19/22	31	69
7/5-12/22	36	64

Substantial partisan divides on *Roe* have changed little from March through July. [Table 6](#) shows views on overturning *Roe* by party. Opinion among independents fluctuated modestly, while totals for Republicans and Democrats hardly changed across the three surveys.

Table 6: Opinion on overturning Roe, by party identification, March, May and July 2022

Party ID	Poll dates	Favor overturn <i>Roe</i>	Oppose overturn <i>Roe</i>
Republican	3/14-24/22	68	32
Republican	5/9-19/22	69	31
Republican	7/5-12/22	71	29
Independent	3/14-24/22	31	69
Independent	5/9-19/22	24	76
Independent	7/5-12/22	36	64
Democrat	3/14-24/22	8	92
Democrat	5/9-19/22	5	95
Democrat	7/5-12/22	9	91

A large majority, 81%, said they had read or heard a lot about the decision to overturn *Roe*, while 15% said they had read a little and 3% said they had read nothing at all.

In May, following the leaked draft opinion, 40% said they had heard a lot about that, 36% had heard a little, and 24% said they had read or heard nothing at all.

More than three-quarters of each partisan group say they have read or heard a lot about the decision overturning *Roe*. This is considerably larger in each partisan group than those who heard a lot about the leaked draft opinion in May, when half or less of each partisan group had heard a lot about the draft opinion. The amount read or heard about the leaked draft and the final decision by party is shown in [Table 7](#).

Table 7: How much read or heard about the leaked draft opinion, by party identification, May and July 2022

(a) May, heard about leaked draft opinion on Roe

Party ID	A lot	A little	Nothing at all
Republican	43	39	17
Independent	31	37	32
Democrat	51	32	17

(b) July, heard about Court ruling overturning Roe

Party ID	A lot	A little	Nothing at all
Republican	81	17	0
Independent	76	18	5
Democrat	89	9	2

Perceptions of Court ideology

Over the past three years, perceptions of the Court in ideological terms have shifted substantially in the conservative direction. In this most recent poll, less than half as many see the Court as “moderate” compared to perceptions in September 2019, and almost seven times as many say it is “very conservative” as was the case in September 2019. Specifically, [Table 8](#) shows the trend in perceived ideology of the Court: Over this time, the percentage saying the Court is “moderate” has fallen from 50% in September 2019 to 21% in July 2022, while the percentage saying the Court is “very conservative” has increased from 5% to 34%. While these shifts continued in July, the trend was well established prior to the Court’s decisions this summer.

Table 8: Perceived ideology of the Supreme Court, Sept. 2019-July 2022

Poll dates	Very conservative	Somewhat conservative	Moderate	Somewhat liberal	Very liberal
9/3-13/19	5	33	50	9	3
9/8-15/20	5	30	54	9	2
7/16-26/21	13	37	42	6	1
9/7-16/21	16	35	40	7	2
11/1-10/21	15	35	39	8	1
1/10-21/22	17	38	35	8	2
3/14-24/22	15	37	36	10	2
5/9-19/22	23	33	34	8	2
7/5-12/22	34	33	21	7	3

Second Amendment

The Court ruled in June, in *New York State Rifle & Pistol Association Inc. v. Bruen*, that the Second Amendment protects the right to possess a gun outside the home. A majority of respondents, 56%, favor this ruling, while 44% oppose this expansion of gun rights, among those with an opinion. Compared to the May survey, this was a 10-percentage-point decrease in those favoring the ruling and a 10-point increase in those opposed. The trend in opinion of this issue, which had been quite stable since September 2021, is shown in [Table 9](#).

Table 9: Favor Second Amendment right to possess a gun outside the home, among those with an opinion, Sept. 2021-July 2022

Poll dates	Favor	Oppose
9/7-16/21	63	37
11/1-10/21	65	35
1/10-21/22	67	33
3/14-24/22	63	37
5/9-19/22	66	34
7/5-12/22	56	44

Substantial majorities of both Republicans and independents favor this ruling, while a large majority of Democrats oppose it, as shown in [Table 10](#). Democrats became substantially more opposed to this ruling in July, after the decision, while independent support remained a majority but declined by 10 percentage points. Republican support rose to a near-unanimous 95%.

Table 10: Favor ruling that there is a Second Amendment right to possess a gun outside the home by party identification, May-July 2022

Party ID	Poll dates	Favor	Oppose
Republican	5/9-19/22	89	11
Republican	7/5-12/22	95	5
Independent	5/9-19/22	71	29
Independent	7/5-12/22	61	39
Democrat	5/9-19/22	31	69
Democrat	7/5-12/22	18	82

In this July poll, awareness of the decision in *Bruen* was substantially lower than awareness of the *Dobbs* decision, with 47% saying they had read or heard a lot about the Second Amendment ruling, 36% saying they read or heard a little, and 16% saying they heard nothing at all.

Partisan differences in awareness of the decision were modest, as shown in [Table 11](#), with Democrats 11 percentage points more likely than Republicans to have heard a lot and independents only slightly less likely to have heard a lot than Republicans.

Table 11: How much have you read or heard about the Second Amendment decision, by party identification, July 2022

Party ID	A lot	A little	Nothing at all
Republican	46	37	17
Independent	41	39	20
Democrat	57	32	11

Support for possession of a gun outside the home by gun ownership is shown in [Table 12](#), with a large majority of gun households in favor of expanded Second Amendment rights, and a small majority of those without a gun in the home opposed.

Table 12: Favor Second Amendment right to possess a gun outside the home, by gun ownership, May 2022

Gun ownership	Favor	Oppose
Gun household	72	28
Not gun household	46	54

Public funding for attendance at religious schools

In the latest of a series of recent cases in which the Court has expanded ways that public funding for religious schools could increase, the Court ruled in *Carson v. Makin* that Maine cannot exclude tuition support to students attending religious schools that is otherwise available to students attending non-religious private schools. Unlike the decisions on abortion and gun rights, a majority of respondents say they have heard nothing about this case (36%) or have heard of it but do not know enough to give an opinion (23%). Of those who do have an opinion, 59% favor the decision and 41% oppose it. When asked about this possible decision in September 2021, 69% favored a ruling in favor of providing tuition for attendance at religious schools in the circumstances described and 31% were opposed, among those with an opinion.

While the salience of this decision is much less than for others, increased partisan polarization is also apparent. [Table 13](#) shows how the partisan divide has increased from September 2021 to July 2022.

Table 13: Favor or oppose public tuition support for religious schools, by party identification, among those with an opinion, Sept. 2021 & July 2022

Party ID	Poll dates	Favor	Oppose
Republican	9/7-16/21	91	9
Republican	7/5-12/22	87	13
Independent	9/7-16/21	70	30
Independent	7/5-12/22	64	36
Democrat	9/7-16/21	44	56
Democrat	7/5-12/22	28	72

In July, support for this ruling is highest among born-again Protestants, followed by Roman Catholics and mainline Protestants. A bare majority of those with other religious affiliations favor this ruling, while those without a religious attachment are the only group with a majority opposed to the decision, as shown in [Table 14](#). Compared to September 2021, the percentage favoring this decision rose among born-again Protestants, while declining among other religious groups.

Table 14: Favor or oppose public tuition support for students attending religious schools, by religion, among those with an opinion, July 2022

Religion	Poll dates	Favor	Oppose
Born-again Protestant	9/7-16/21	86	14
Born-again Protestant	7/5-12/22	92	8
Mainline Protestant	9/7-16/21	70	30
Mainline Protestant	7/5-12/22	61	39
Roman Catholic	9/7-16/21	84	16
Roman Catholic	7/5-12/22	79	21
No religion	9/7-16/21	47	53
No religion	7/5-12/22	32	68
Other religion	9/7-16/21	63	37
Other religion	7/5-12/22	51	49

Confidence in the Court and other institutions

Confidence in the Court has decreased since 2019, although the public continues to express more confidence in it than in Congress or the presidency. [Table 15](#) shows the trend in confidence in the three branches of the federal government since September 2019. The percentage saying they have little or no confidence in the Court has more than doubled since 2019, while confidence in the other institutions (lower to begin with) has fluctuated but not changed so substantially.

Table 15: Confidence in branches of the federal government, 2019-2022

(a) Supreme Court

Poll dates	Great deal/quite a lot	Some	Very little/none at all	DK/Ref
9/3-13/19	37	42	20	1
9/8-15/20	39	45	16	0
7/5-12/22	28	28	44	0

(b) Congress

Poll dates	Great deal/quite a lot	Some	Very little/none at all	DK/Ref
9/3-13/19	10	39	51	0
9/8-15/20	13	42	44	1
7/5-12/22	10	35	56	0

(c) *The Presidency*

Poll dates	Great deal/quite a lot	Some	Very little/none at all	DK/Ref
9/3-13/19	28	25	47	0
9/8-15/20	31	23	45	0
7/5-12/22	21	31	48	0

As with approval of the Court's job performance, confidence in the Court has become much more polarized by party. Confidence in the presidency has shifted by party sharply with partisan control of that office, while views of Congress have fluctuated but not trended as much. [Table 16](#) shows the relationship of party and confidence for each institution.

Table 16: Confidence in branches of the federal government, by party identification, 2019-2022

(a) *Supreme Court*

Party ID	Poll dates	Great deal/quite a lot	Some	Very little/none at all	DK/Ref
Republican	9/3-13/19	53	32	14	2
Republican	9/8-15/20	50	42	8	0
Republican	7/5-12/22	51	30	19	0
Independent	9/3-13/19	28	47	24	0
Independent	9/8-15/20	34	46	19	0
Independent	7/5-12/22	28	29	43	0
Democrat	9/3-13/19	34	44	21	0
Democrat	9/8-15/20	36	45	19	0
Democrat	7/5-12/22	10	24	66	0

(b) *Congress*

Party ID	Poll dates	Great deal/quite a lot	Some	Very little/none at all	DK/Ref
Republican	9/3-13/19	9	37	54	0
Republican	9/8-15/20	17	40	43	0
Republican	7/5-12/22	11	36	52	0
Independent	9/3-13/19	7	34	59	0
Independent	9/8-15/20	6	39	53	2
Independent	7/5-12/22	7	29	63	1
Democrat	9/3-13/19	13	48	39	0
Democrat	9/8-15/20	16	46	38	0
Democrat	7/5-12/22	11	41	48	0

(c) The Presidency

Party ID	Poll dates	Great deal/quite a lot	Some	Very little/none at all	DK/Ref
Republican	9/3-13/19	69	20	12	0
Republican	9/8-15/20	70	21	8	0
Republican	7/5-12/22	14	19	67	0
Independent	9/3-13/19	19	33	47	0
Independent	9/8-15/20	21	29	50	0
Independent	7/5-12/22	16	29	55	0
Democrat	9/3-13/19	7	19	73	1
Democrat	9/8-15/20	9	20	71	0
Democrat	7/5-12/22	32	44	23	0

The percentage of those who say that the justices are making decisions based mainly on the law has declined from 64% in September 2019 to 48% in July 2022, while those saying that justices' decisions are based mainly on politics has increased from 35% to 52% over the same time. The full trend is shown in [Table 17](#).

Table 17: What most often motivates Supreme Court justices' decisions: mainly the law or mainly politics? 2019-2022

Poll dates	Mainly politics	Mainly the law
9/3-13/19	35	64
9/8-15/20	37	62
7/16-26/21	29	71
9/7-16/21	39	61
11/1-10/21	30	70
1/10-21/22	47	53
7/5-12/22	52	48

While views of the basis of the justices' decisions have turned toward politics, people view the decisions of "the Court" as an institution as even more politically motivated. When asked, "In general, do you think that the Supreme Court is mainly motivated by politics or mainly motivated by the law?"—rather than "In general, what most often motivates Supreme Court justices' decisions?" (with the options being "Mainly politics" and "Mainly the law")—a higher percentage, by some 10 percentage points, say the Court is motivated by politics. This is shown in [Table 18](#) (as compared with Table 17).

Table 18: Do you think that the Supreme Court is mainly motivated by politics or mainly motivated by the law?, 2022

Poll dates	Mainly politics	Mainly the law	Web blank
1/10-21/22	57	43	0
7/5-12/22	61	39	0

In striking down *Roe v. Wade*, the Court overturned a longstanding precedent. The extent to which precedent should be followed has been the subject of questions during confirmation hearings for Court nominees for some time, including specifically with respect to *Roe*. For the public, however, following precedent has been less important than overturning a ruling the majority of the Court believes to have been wrongly decided. In the wake of the overturning of *Roe*, the public now gives more weight than previously to precedent, but a still solid two-to-one majority thinks the Court should be free to strike down precedents. [Table 19](#) shows this trend.

Table 19: Should justices of the Supreme Court follow previous decisions whenever possible or should the Court overturn previous decisions if a majority of the Court believes the case was wrongly decided?, 2020-2022

Poll dates	Follow previous decisions	Overturn if a majority think it was wrongly decided
9/8-15/20	18	81
9/7-16/21	26	74
7/5-12/22	33	66

While approval of the Court’s job performance and confidence in the Court have declined, as set forth earlier in this release, there has not been any change in support for expanding the size of the Court over the past year, and only a small increase since 2019. Opinion is evenly divided on increasing the number of justices, as shown in [Table 20](#).

Table 20: Support for increasing the number of justices, 2019-2022

Poll dates	Expand Court	Do not expand
9/3-13/19	42	56
9/8-15/20	46	53
7/16-26/21	48	51
9/7-16/21	48	51
11/1-10/21	48	52
7/5-12/22	49	51

There has been a modest increase in support for the Court’s considering public opinion when making decisions: from a small majority in 2020 saying public opinion should be ignored to a similar small majority in 2022 saying the Court should consider public opinion, as shown in [Table 21](#).

Table 21: Should Court consider public opinion when deciding cases, 2020-2022

Poll dates	Should consider public opinion	Should ignore public opinion
9/8-15/20	44	55
9/7-16/21	41	59
7/5-12/22	54	46

Opinion of same-sex marriage and LGBTQ discrimination decisions

A large majority (66%) of respondents favor the 2015 Supreme Court decision that ruled the Constitution guarantees a right to same-sex marriage, while 34% oppose that ruling.

An even larger majority (84%) favor the 2020 Supreme Court ruling that federal civil rights law protects gay and transgender workers from workplace discrimination, while 16% oppose that decision. [Table 22](#) shows these opinions by party identification.

Table 22: Favor same-sex marriage and LGBTQ anti-discrimination rulings, by party identification, July 2022

a) Same-sex marriage decision

Party ID	Favor	Oppose
Republican	45	55
Independent	64	36
Democrat	84	16

(b) LGBTQ anti-discrimination decision

Party ID	Favor	Oppose
Republican	68	32
Independent	85	15
Democrat	93	7

About the Marquette Law School Poll

The survey was conducted July 5-12, 2022, interviewing 1,003 adults nationwide, with a margin of error of +/-4 percentage points. Interviews were conducted using the SSRS Opinion Panel, a national probability sample with interviews conducted online. The detailed methodology statement, survey instrument, topline results, and crosstabs for this release are available on the [Marquette Law School Poll website](#). Some items from this survey are held for later release.

Wording of questions about recent Supreme Court decisions: These items do not attempt to exactly frame the particular issues in specific cases but rather address the topic in more general terms. (Prior to the decisions, these were asked as possible future decisions with descriptions identical to those here.)

Do you favor or oppose the following recent Supreme Court decisions, or haven't you heard enough about this to have an opinion?

- Overturned Roe versus Wade, thus striking down the 1973 decision that made abortion legal in all 50 states.
- Ruled that the 2nd Amendment right to “keep and bear arms” protects the right to carry a gun outside the home.
- Ruled that a state program that provides financial support for students attending private schools cannot exclude students attending private religious schools from receiving that support.

Opinion of same-sex marriage decision:

- In 2015 the Supreme Court ruled that the Constitution guarantees a right to same-sex marriage. How much do you favor or oppose this decision?

Opinion of decision that anti-discrimination laws protect LGBTQ people:

In 2020 the Supreme Court ruled that a federal civil rights law protects gay and transgender workers from workplace discrimination. How much do you favor or oppose this decision?

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