

PUBLIC OPINION AND THE UNITED STATES SUPREME COURT

Mapping of Some Prerequisites for Court Legitimation of Regime Changes

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ANY RELATIVELY STABLE POLITY must possess means for converting many, if not most, demands made on political authorities into satisfying outputs, whether material or symbolic. Failure to cope with pressing demands might lead to a severely dysfunctional loss of public support for particular officials as well as for the regime itself. On the other hand, efforts to meet demands through blatant violations of accepted rules can also cause great loss in public support.¹

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1. Our conceptual framework owes much to D. EASTON, *A SYSTEMS ANALYSIS OF POLITICAL LIFE* (1965). According to Easton, "political community" implies "at the very least that the members of the system show some minimal readiness or ability to continue working together to solve their political problems" (*id.* at 172). "Political regime" consists of three components: values and principles, norms or rules of the game, and structure or authority roles (*id.* at 190-211). "Political authorities" are the people who occupy the authority roles at any given time (*id.* at 212-19). In this report, we have equated "regime" with "rules of the game," and have used "public officials" and "government officials" as synonyms for "political authorities."

Sometimes governmental officials can meet public demands only if certain changes are made in the rules under which politics is traditionally conducted. Furthermore, the boundaries separating constitutionally permissible and impermissible behavior are typically vague. Thus, important and controversial government policies are likely to engender disputes not only about their merits but also about whether the government, or a particular set of officials, can legitimately undertake a given course of action. Because of the emotional nature of much political rhetoric, these two kinds of controversy are usually difficult to untangle; yet it is important that they be kept separate for purposes of analysis.

In most political systems the task of resolving conflicts over constitutional boundaries is performed by one or more of a variety of political or quasi-political institutions such as political parties, religious associations, military establishments, or even popular referenda. In a number of nations, including Australia, Canada, Ireland, the United States, West Germany, Austria, Japan, India, Norway, and to some extent in others such as Mexico, Colombia, Brazil, and Switzerland, judicial institutions have played a role in settling these "boundary disputes." Such judicial bodies are commonly referred to as constitutional courts.²

When it validates official decisions which may initially seem to many to violate the rules, a constitutional court thereby gives sanction to regime

2. The literature on constitutional courts and judicial review is enormous. Access to contemporary journal materials published in countries other than the United States, the British Isles, and the British Commonwealth is facilitated by the comprehensive INDEX TO FOREIGN LEGAL PERIODICALS (London: Institute of Advanced Legal Studies, 1964 to date). Only a tiny handful of writings can be cited in this note. They include the following:

- E. McWHINNEY, *JUDICIAL REVIEW IN THE ENGLISH-SPEAKING WORLD* (rev. ed. 1965);
- S. V. LINARES QUINTANA, *TRATADO DE LA CIENCIA DEL DERECHO CONSTITUCIONAL ARGENTINO Y COMPRADO* (9 vols., Buenos Aires: Editorial Alfa, 1956-63);
- DAS BUNDESVERFASSUNGSGERICHT* (Karlsruhe: C. F. Müller, 1963);
- U. TORGERSEN, *The Role of the Supreme Court in the Norwegian Political System*, in *JUDICIAL DECISION-MAKING* (Glendon Schubert ed. 1963);
- J. M. MAKI, *COURT AND CONSTITUTION IN JAPAN: SELECTED SUPREME COURT DECISIONS, 1948-1960* (1964);
- C. G. HAINES, *THE AMERICAN DOCTRINE OF JUDICIAL SUPREMACY* (rev. ed. 1932);
- W. F. MURPHY, *CONGRESS AND THE COURT* (1962);
- L. SANCHEZ ACESTA, *LA FUNCION CONSTITUCIONAL DEL JUEZ. LAS INTERPRETACIONES DEL MODELO AMERICANO Y SU POSIBLE VIGENCIA EN ESPANA* (Madrid: Real Academia de Jurisprudencia y Legislacion, 1967);
- J. TANENHAUS, *Judicial Review*, in *INTERNATIONAL ENCYCLOPEDIA OF THE SOCIAL SCIENCES* (1968).

Analyses of the constitutional courts in Switzerland, Japan, Australia, West Germany, and the United States will be included in *FRONTIERS OF JUDICIAL RESEARCH* (J. B. Grossman & J. Tanenhaus eds. 1968).

changes. In refusing to validate such decisions, a court denies them its imprimatur of legitimacy. The consequences of either course of action may be to increase or diminish the level of public support for public authorities, for the regime, and for the court itself.

Legitimation is an elusive concept, one very difficult to make operational in terms conducive to empirical research. Certainly there is no reason to suppose that a judicial decision does—or does not—automatically quiet most constitutional doubts of most citizens. We recognize that political change may be legitimated in a man's mind for a wide variety of reasons that among themselves are not logically consistent and are only tangentially related to rational processes of decision-making. Furthermore, the likelihood of legitimation actually occurring in any particular instance depends heavily on the nature of the change involved.

In the face of these difficulties, we can speak only in imprecise terms about the probability of legitimation taking place. We postulate that, for people who meet three conditions, a high probability exists that a judicial decision could legitimate a regime change. The first condition is that the constitutional court be perceived. Major decisions cannot have a direct—though they may have an indirect—legitimizing impact if they are not visible. There is no necessity, of course, that public understanding be sophisticated or articulated into a coherent ideology. The second condition is a recognition that it is a proper judicial function to interpret and apply the fundamental principles underlying the polity—acceptance, that is, of judges as guardians of the chastity of the constitution. The third condition is that the court be regarded as carrying out its responsibilities in an impartial and competent manner. People who believe specific decisions are wrong, even wrongheaded, and individual judges unworthy of their office may still meet this last condition if they respect the court as an institution that is generally impartial, just, and competent.

This report constitutes a preliminary mapping of the extent to which these three prerequisites for the Supreme Court's legitimation of regime change exist in the United States today. We underscore the word preliminary. The Survey Research Center of the University of Michigan collected the data we use in two cross-sectional surveys of the adult population of the United States immediately after the 1964 and 1966 elections. We have not yet made full use of the protocols for either of these surveys, nor had access to any of the data from a third survey, a reinterview conducted in 1967 of a sample of 1964 respondents.³ Until we have

3. We wish to thank the Social Science Research Council for the financial assistance which made these reinterviews possible.

completed our analysis of these additional materials, some of our scales and indices will remain less elegant than we hope to make them.

VISIBILITY

Measuring the visibility of an institution such as the Supreme Court of the United States poses problems as obvious as they are consequential, for visibility at any given moment depends upon both knowledge and recall. Forced choice questions of the variety so typical in commercially conducted public opinion polls strenuously overestimate the Court's visibility because they solicit responses from people who may possess no meaningful information. Kenneth Dolbeare has neatly illustrated this phenomenon in a Wisconsin study.⁴

Open-ended questions err in the other direction. In responding to such queries, an individual may not be able to recall what he actually knows. This is especially so during the course of a tightly structured interview which, for many people, is not without its moments of tension. For example, one must not, of course, uncritically accept a respondent's face-saving ploy that he really knows the answer but cannot remember what it is. Nonetheless, we have noted, for example, that respondents who cannot recall a Justice's name when specifically asked to identify members of the Supreme Court occasionally refer to him by name in answering subsequent questions.

On balance, we consider the dangers of overestimating visibility considerably greater than those of underestimation. Therefore, we based our mapping of the Court's visibility on responses to the following set of open-ended queries:

Not everyone has time to follow closely the activities of the Supreme Court (in Washington), but I wonder if there is anything in particular that the Supreme Court in Washington has done that you have disliked? What is it? Is there anything else the Court has done that you have disliked? What is it? Is there anything in particular that the Supreme Court in Washington has done that you have liked? What is that? Is there anything else that the Court has done that you have liked? What is that?

Forty-one point three per cent of the 1964 sample, and 46.2 per cent of the 1966 sample attempted to answer this likes-dislikes question. An occasional response was rather far-fetched. One person spoke disapprov-

4. K. M. Dolbeare, *The Public Views the Supreme Court*, in *LAW, POLITICS, AND THE FEDERAL COURTS* (H. Jacob ed. 1967).

ingly of the Court for "getting mixed up in this war." Another praised the Justices because "they gave us medicare." But on the whole, the answers were generally relevant, if somewhat lacking in detail and sophistication.

Since no similar open-ended questions had been asked of a national sample prior to 1964, we do not know whether the Court's visibility has been higher or lower at other times.⁵ There have been few periods in American history, however, when the work of the Supreme Court was more far-reaching, innovative, dramatic, and widely publicized than the period 1954 to 1966. Decisions on school segregation, school prayers, reapportionment, and criminal defendants' rights not only received vast coverage in the mass media, but formed the substance of a series of attacks on the Court by members of Congress and were a major issue in the 1964 presidential election campaign.⁶ Whether or not visibility in recent years has been at an all time high, there is no reason to suppose that it has been unusually low.

The 4.9 per cent increase in response rate between 1964 and 1966 is slightly larger than one would readily attribute to sampling error. A "low level filter" used in 1964 may in fact be largely responsible for the difference. In that survey, people were first asked whether they had paid any attention to the Court in the past several years, and only those who responded affirmatively were asked to specify their likes and dislikes. Full scale analysis of the causes and implications of the increase in visibility must await access to the reinterviews of a subsample of the 1964 respondents. Nevertheless, the comparative aggregate data on specific likes and dislikes in the two samples, which are reported in Table 1, are instructive.⁷

5. In September of 1949, the Gallup Poll asked two separate national samples an open-ended question which required even less knowledge: "Will you tell me what the highest court of law in the United States is called," 17.3 per cent of the first, and 13.6 per cent of the second said they did not know or offered obviously incorrect answers.

6. W. F. Murphy & J. Tanenhaus, *Public Opinion and the Supreme Court: The Goldwater Campaign*, 32 PUB. OPINION Q. 31 (1968). For a general analysis of Senator Goldwater's campaign, see S. Kelley, Jr., *The Presidential Campaign*, in *THE NATIONAL ELECTION OF 1964* (M. Cummings ed. 1966).

7. Slight differences between these data and those contained in two of our earlier reports result from additional cleaning of the data. We should point out that minor coding errors continue to turn up. The earlier reports referred to are *Public Opinion and the Supreme Court of the United States: A Preliminary Report*, *Revista Española de la Opinión Pública* (forthcoming) and *Constitutional Courts, Public Opinion, and Political Representation*, a paper presented to the 1967 meetings of the International Political Science Association, which will be published in an abridged version in *MODERN AMERICAN DEMOCRACY* (M. N. Danielson & W. F. Murphy eds. 1968).

TABLE 1
 SPECIFIC LIKES AND DISLIKES ABOUT THE WORK OF THE UNITED STATES
 SUPREME COURT, 1964 AND 1966

Subject	1964 %	1966 %	Change in % of Total Comments
Civil Rights of Negroes	38.1	25.1	-13.0
School Prayer	30.3	23.8	- 6.5
Rights of Criminal Defendants	5.8	15.9	+10.1
Reapportionment	5.4	.8	- 4.6
Other	20.4	34.3	+14.1
1964 N = 915	100.0		
1966 N = 1063		99.9	

These data make it apparent that inferences based solely on the Court's increased visibility from 1964 to 1966 could be far wide of the mark. The civil rights and school prayer decisions alone were responsible for more than 68 per cent of the likes and dislikes in 1964. Two years later both had suffered a partial eclipse not only in relative but in absolute terms. In contrast, decisions affecting the rights of criminal defendants had become markedly more visible. Clearly it is hazardous to generalize from aggregate visibility of the Court's work to aggregate visibility on specific issues. And the danger is infinitely greater in drawing inferences from aggregate data about stability and change in individual perceptions.⁸

There can, however, be little doubt about the character of the issues that are most apt to be salient. They are clearly the ones that can be viewed in an intensely personal fashion: race, religion, and the security of life and property. The dramatic increase in visibility of the Court's expanded protection for defendants' rights in criminal cases is no exception. *Mapp v. Ohio*, *Escobedo v. Illinois*, and *Gideon v. Wainwright*⁹ all preceded the 1964 survey, and Senator Goldwater had tried to argue that decisions such as these were largely responsible for a breakdown of law and order.¹⁰ But since that survey urban rioting and violence have be-

8. See the enlightening essay by P. E. Converse, *The Nature of Belief Systems in Mass Publics*, in *IDEOLOGY AND DISCONTENT* 207 (D. E. Apter ed. 1964).

9. *Mapp v. Ohio*, 367 U.S. 643 (1961); *Escobedo v. Illinois*, 378 U.S. 478 (1964); *Gideon v. Wainwright*, 372 U.S. 335 (1963).

10. Murphy & Tanenhaus, *supra* note 6.

come much more widespread, and decisions of this kind may now be given much more serious consideration; certainly Congress has so reacted.

On the other hand, the reapportionment cases, despite extraordinary publicity and a tremendous impact on political life, are virtually invisible to the general public. It would seem that most people find reapportionment difficult to translate into personally meaningful terms. Curious corroboration for this common sense relationship between the visible and the personal is found in the 1966 survey. More than twice as many respondents in 1966 mentioned the Sam Sheppard, Iowa child adoption, and Bobby Baker cases (in two of them the Supreme Court merely denied certiorari) than the reapportionment rulings which fostered important regime changes.¹¹

Even the kinds of Court decisions that are apt to become most widely known are not particularly visible to a majority of the community. After all, 58.6 per cent of the 1964 sample and 53.8 per cent of the 1966 sample did not even attempt to specify anything they liked or disliked about what the Court has done. To whom, then, are Court decisions most apt to be visible? The data in Table 2 provide some clues.

TABLE 2

INTERCORRELATIONS (r) BETWEEN COURT VISIBILITY AND SELECTED VARIABLES, 1966

V # *	Subject	38	2	10	12	13	14	15	20	33	22
38	Number of likes & dislikes	—	.30	.15	.23	.32	.20	.28	.39	.31	.37
2	Number of government problems identified .....	.30	—	.11	.07	.19	.17	.22	.11	.25	.32
10	Party identification (low, Dem., high, Rep.) .....	.15	.11	—	.65	.09	.01	.07	.05	.07	.16
12	1964 presidential vote (low, Johnson; high, Goldwater) .....	.23	.07	.65	—	.15	.01	.10	.01	.04	.09
13	Ability to name 1966 Congressional candidates .....	.32	.19	.09	.15	—	.18	.20	.18	.23	.23
14	Knowledge re party control of U.S. House .....	.20	.17	.01	.01	.18	—	.15	.09	.69	.29
15	Number of party issues identified .....	.28	.22	.07	.10	.20	.15	—	.19	.17	.20
20	Number of Supreme Court justices identified .....	.39	.11	.05	.01	.18	.09	.19	—	.17	.25
33	Alienation from government (high = strong distrust) .....	.31	.25	.07	.04	.23	.69	.17	.17	—	.43
22	Education .....	.37	.32	.16	.09	.23	.29	.20	.25	.43	—

* Each variable utilized in this report has been assigned its own number. For details on the construction of these variables, see the Appendix.

11. Dolbeare reports similar findings from a Wisconsin survey; *supra* note 4.

People with knowledge about politics and about public officials are those most likely to know about the decisions of the Supreme Court. The coefficient of multiple correlation (R) between the combined number of likes and dislikes mentioned and the nine other variables in Table 2 is .59. Most of this can be attributed to the political knowledge items alone (R 38.2, 13, 14, 15, 20 = .54).

Political knowledge, as the last column and row in Table 2 confirm, is positively related to formal education. Seventy-eight point three per cent of the college graduates, and 70.2 per cent of those who had some college work tried to specify likes and dislikes. The percentage plummets to 27.2 for people with less than nine years of schooling. Party identification is virtually useless in further reducing the unexplained variance in the ability to comment specifically on the Court's work. The 1964 presidential vote and alienation from government are only slightly more helpful. After education has been taken into account (R 38.2, 13, 14, 15, 20, 22 = .56), these three items can increase the coefficient of multiple correlation by no more than .03. Variables not represented in Table 2 can make additional, though modest, contributions to our understanding of the Court's visible public, but any major improvement must await refinements in our visibility index.

AWARENESS OF THE COURT'S CONSTITUTIONAL ROLE

The second requirement we postulated for a constitutional court to be considered capable of establishing the legitimacy of a change in the "rules of the game" is acceptance of the court's responsibility for resolving constitutional conflicts.¹² Determining the incidence of public recognition of the Supreme Court's constitutional role is, because of its abstract nature, a sticky task. In pretest debriefings, our interviewers warned us that respondents had difficulty in coping with the questions we drafted and predicted that the response rate to such questions would be low. The wording ultimately settled on was this:

Now I'd like to ask you what you think the Supreme Court's main job in the government is, as you understand it. I mean, what kind of thing do you think the Supreme Court in Washington is supposed to do?

12. We do not intend to suggest that awareness of a court's constitutional authority is in itself evidence that a person approves of this role or that he is prepared to accept its consequences.

We have no doubt that the response to this question understates the actual level of public knowledge to a considerably greater extent than does the likes-dislikes query. Moreover, it may well be that some persons who know that the Court has traditionally performed a constitutional role did not mention it because they object to its propriety. The phrase "supposed to do" makes this a distinct possibility that we plan to investigate. In an effort to compensate somewhat for this understatement, we have been rather generous in classifying respondents as being aware of the Court's constitutional function. We used any response that could be coded in one of the following ways:

- decide on constitutionality or legality of federal laws;
- interpret the Constitution;
- decide on the constitutionality of state laws;
- maintain balance in government—checks and balances;
- prevent Congress or the President from taking too much power;
- protect the basic rights of American citizens;
- maintain individual civil liberties;
- settle basic questions;
- ensure fairness or justice to all groups—protect the little people;
- uphold the Constitution, basic law, fundamental law.

We considered as non-constitutional categories such comments as enact laws, review lower court decisions, decide cases, say what law means, uphold laws, and maintain peace and order.

Of the 1966 sample, 39.7 per cent provided answers that could be fitted into the constitutional categories. Another 25.6 per cent spoke about the Supreme Court's job, but solely from a policy-making or a law court frame of reference. Slightly more than one person in every three (34.7 per cent) simply said they did not know what the main job of the Court was.

As one might have anticipated, the Court is far more apt to be visible to people who are aware of its constitutional responsibilities than to people who are not ($r = .37$).

As the data in Table 3 indicate, 27.4 per cent (11.7% + 9.2% + 6.5%) of the 1966 respondents had some familiarity with the Court's work (as judged by likes and dislikes expressed) and thought it responsible for defining and maintaining the basic rules of the game. Roughly a quarter of the adult population, we thus infer, clearly meets the first

TABLE 3

PUBLIC PERCEPTIONS OF THE UNITED STATES SUPREME COURT:
NUMBER OF LIKES/DISLIKES BY AWARENESS OF CONSTITUTIONAL ROLE, 1966

Awareness of Constitu- tional Role	Number of Likes/Dislikes									
	None		One		Two		Three or More		Total	
	%	N	%	N	%	N	%	N	%	N
Aware	12.3	159	11.7	151	9.2	119	6.5	84	39.7	513
Unaware ...	41.4	535	10.3	133	6.2	80	2.3	30	60.3	778
TOTAL ...	53.7	694	22.0	284	15.4	199	8.8	114	100.0	1291

two prerequisites we set for identifying the segment of the public for whom the Court can potentially legitimate regime changes. Four persons in ten (41.4 per cent), in contrast, could not satisfy either condition. The remaining respondents consist of 18.8 per cent who could specify likes and dislikes, but did not know about the Court's constitutional role, and a somewhat smaller group (12.3 per cent) who were aware of the Court's constitutional responsibilities, but not of its specific decisions.

Our previous analysis of those tending to find the Court visible led us to suspect that general knowledge about politics rather effectively distinguishes the 27.4 per cent familiar with the Court's work and role from the 41.4 per cent acquainted with neither. Table 4 certainly confirms this. The coefficient of multiple correlation between awareness of work and role and the political knowledge cluster (R25D.2, 13, 14, 15, 20) is .57. When education is added, the coefficient of multiple correlation climbs to .60. Other variables only slightly increase the size of the coefficient.

Even though unexplained variance may not be reduced very much by adding the other variables in Table 4, several items reported there are not without substantial interest. This is especially true of responses to questions about political involvement and about alienation. These correlations suggest that individuals who vote often and find people generally trustworthy and helpful tend to be aware of the Court. Yet these same respondents are apt to distrust government and feel that it is generally unresponsive to their desires. On the other hand, people who trust government and find it sympathetic to their interests are less apt to vote, and are more or less unaware not only of the Court but about

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TABLE 4

SOME CORRELATES (r) WITH AWARENESS OF THE COURT'S WORK
AND CONSTITUTIONAL ROLE

Subject	Variable Number	Awareness (#25D) (scored high)
<i>Political Knowledge Cluster</i>		
No. of Govt. Problems Ident.	2	.41
Ability to Name 1966 Congressional Candidates	13	.40
Knowledge re Party Control of House of Represent.	14	.25
No. of Party Issues Ident.	15	.33
No. of Justices Named	20	.31
<i>Involvement-Alienation Cluster</i>		
Frequency of Pres. Voting (always scored low)	11	-.31
SRC Efficacy (high scored low)	32	.24
Alienation from Government (high scored high)	33	.36
Alienation from Man (high scored high)	34	-.32
<i>Party Cluster</i>		
Party Ident. (Dems low)	10	.17
1964 Pres. Vote (Johnson low)	12	.20
Party Ref. Summated (Dems low)	16	.18
<i>Demographic Cluster</i>		
Region (South, low)	1	-.04
Age (scored inversely)	21	.03
Education	22	.44
Religion (Non-Cath., low)	23	.04
Race (white, low)	24	-.13
<i>Issue Cluster</i>		
Power of Fed. Govt. (too great, high)	3	.17
School Integration (high, oppose)	4	.02
School Prayer (high, oppose)	5	-.04
Speed Civil Rights (high, too fast)	9	-.02
Residential Integration (high, oppose)	18	-.21

politics generally.¹³ As indicated, the involvement-alienation cluster does not account for much unexplained variance after political knowledge and formal education have been given maximum weight. Taken alone, however, the cluster yields a multiple correlation with awareness of .44.

With the exception of formal education, none of the other variables in Table 4 correlates very strongly with awareness, although one might observe that each item in the party cluster reveals a positive, if modest, relationship between awareness and a Republican orientation. But the

13. Cf. J. Wahlke, *Public Policy and Representative Government: The Role of the Represented* (a paper presented to the 1967 meetings of the International Political Science Association, Brussels).

strength of the association between education and awareness ($r = .44$) should not be passed over without comment. Thirty-nine point six per cent of the totally unaware group completed less than nine years of schooling and only 6.7 per cent had any college work at all. For those aware of both the Court's activity and responsibilities, the comparable figures are almost reversed, 12.4 per cent and 40.4 per cent. Three-quarters of the unaware group could not identify a single issue dividing the parties, or a Justice, whereas 53.6 and 80.0 per cent respectively in the aware group could do so. Forty-two per cent of the unknowledgeables did not even bother to vote in the 1964 presidential election. Most revealing, perhaps, is that the totally inattentive public included a majority of Negroes, the group of people who have benefited most obviously from the Court's activity in recent years. To 57 per cent of the Negroes in our sample, the Supreme Court was a cipher. All this suggests that for a very large portion of the unknowledgeables the Court is not only invisible, but almost certain to remain that way until there is a drastic shift in educational patterns.

Those who make up the cells of the partially aware respondents in Table 3 display quite different characteristics. Our analysis of this 31.4 per cent of the sample is still at a very early stage but at present three distinct subcategories stand out: (1) 176 people with specific likes and dislikes who spoke of the Court's main job from a non-constitutional frame of reference; (2) 67 respondents with specific likes and dislikes who could not provide any answer to the main job query; and (3) 159 who perceived the Court's constitutional role, but could think of nothing the Court had done that they liked or disliked.

The first subcategory of 176, 13.6 per cent of the total sample, does not differ much in important respects from those who are aware of both the Court's work and constitutional role. The levels of education and political knowledge for both groups are almost identical. In each about 40 per cent had done at least some college work, slightly more than half could identify an issue dividing the parties, four-fifths could name one or more members of the Court, a slightly larger fraction voted in 1964, and the proportion of those voting who supported Senator Goldwater was approximately 42 per cent. One plausible explanation for these startling similarities is that the abstract nature and the coding of the main job of the Court questions resulted in an unviable distinction between the Court knowledge possessed by these two groups. In that event, it would not seem farfetched to assume that in a political crisis most people in subcategory (1) would readily come to perceive the Court's

constitutional responsibilities, and Court legitimation of regime change would become a distinct possibility for this segment of the community. A competing hypothesis is that people in subcategory (1) are, in fact, aware that the Court plays a constitutional role but object to the propriety of its doing so. There is little probability that the Court could legitimate a change in the rules of the game for people whom this second hypothesis fits—always providing they be logically consistent in their views.

The sixty-seven respondents in the second subcategory, 5.2 per cent of the total sample, specified likes and dislikes but could not comment at all about the main job of the Court. In education, they rather closely resemble the inattentive four-tenths of the sample. These people were somewhat better informed about politics than the Court's inattentive public, though hardly impressively so. We should point out, however, that their frequency of voting did not differ much from that of the knowledgeable. On balance, there seems little justification for assuming that the Court could serve as legitimizer of regime change for persons in subcategory (2).

The 159 respondents in subcategory (3), who thought the Court's main job to be constitutional interpretation but could not comment specifically about its work, formed 12.3 per cent of the sample. Educationally, this group falls between those aware of the Court's work and role and those to whom it is all but invisible. A fifth of those in subcategory (3) had less than a ninth grade education, and a quarter had at least some college education. Their political knowledge was not particularly impressive, yet it was not as low as that of those to whom the Court was a cipher. Two-fifths of those in the third category, for example, could identify an issue dividing the parties and about the same proportion could name at least one member of the Court. Moreover, the voting frequency of this group was not especially low. The kinds of issues it would take to make the Court's decisions visible to the people in subcategory (3) is a matter on which we are not yet disposed to speculate.

This preliminary mapping, in fine, suggests that 27.2 per cent of our 1966 sample definitely fulfills the first two prerequisites that we set for there to be a high probability that the Court could legitimate regime change. We have also made a case for possible similar classification of an additional 13.6 per cent of our 1966 sample.

PUBLIC SUPPORT FOR THE SUPREME COURT

The third requirement we set for potential legitimation was that the Court must be highly regarded. In systemic terms, the Court itself must be an object of support. Two kinds of support are readily distinguishable—specific and diffuse.¹⁴ By specific support we mean the extent to which people praise or criticize particular decisions and the performance of individual justices. Diffuse support is the degree to which people think a court carries out its overall responsibilities in an impartial and competent fashion. We shall map separately the levels of specific and diffuse support before turning to the relationships between them.

Specific Support

As a basic indicator of specific support, we relied once again on the responses to the likes and dislikes battery of questions. The instrument we opted for is a summated scale. Each person who mentioned likes and/or dislikes was assigned a score derived from the arithmetic sum of his coded responses. Construction of this scale can be readily illustrated by designating a like as a plus and a dislike as a minus. Then, + + + equals 1 (very strong positive), — — — equals 7 (very strong negative), + + equals 2, — — equals 6, + + — — equals 4, + equals 3, and so on. Table 5 records the distribution of the respondents to the 1966 survey on this scale.

TABLE 5
DISTRIBUTION OF 1966 SAMPLE ON SPECIFIC SUPPORT SCALE

Score	Support Level	%
1	very strong positive .....	.2
2	strong positive	2.3
3	moderate positive	7.0
4	pro/con	5.0
5	moderate negative	19.2
6	strong negative	9.5
7	very strong negative	3.0
	don't know, no response	53.8
N = 1291		100.0

14. Easton, *supra* note 1, at 159-61, discusses these concepts at great length. He also distinguishes between overt and covert support. The former refers to observable behavior and the latter to attitudes and predispositions.

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On this scale the 46.2 per cent of the respondents in our sample who answered the likes and dislikes questions fall into three broad groupings. The largest by far consists of those with negative support scores. They comprise 31.7 per cent of the total sample, and outnumber the second group—the positive supporters of the Court—by more than three to one. Those who were equally favorable and critical make up a small third group. In the first section of this paper we considered some of the differences between people totally unaware of the Court's specific activities, and those who could mention at least some. Accounting for the variations among the people with high and low support scores is quite another enterprise, as Table 6 demonstrates.

TABLE 6
SOME CORRELATES (r) OF SPECIFIC SUPPORT FOR THE SUPREME COURT, 1966 SAMPLE

Subject	Variable Number	Specific Support (Variable #36)
<i>Political Knowledge Cluster</i>		
No. of Govt. Problems Ident.	2	—03
Ability to Name 1966 Congressional Candidates	13	.09
Knowledge re Party Control of House of Represent.	14	—14
No. of Party Issues Ident.	15	—07
No. of Justices Named	20	—06
<i>Involvement-Alienation Cluster</i>		
Frequency of Pres. Voting (always scored low)	11	.02
SRC Efficacy (high scored low)	32	—13
Alienation from Govt. (high scored high)	33	—10
Alienation from Man (high scored high)	34	.02
<i>Party Cluster</i>		
Party Ident. (Dems low)	10	.25
1964 Pres. Vote (Johnson low)	12	.31
Party Ref. Summated (Dems low)	16	.25
<i>Demographic Cluster</i>		
Region (South, low)	1	—15
Age (scored inversely)	21	—16
Education	22	—10
Religion (Non-Cath., low)	23	.02
Race (white, low)	24	—37
<i>Issue Cluster</i>		
Power of Fed. Govt. (too great, high)	3	.34
School Integration (high, oppose)	4	.35
School Prayer (high, oppose)	5	.30
Speed Civil Rights (high, too fast)	9	.45
Residential Integration (high, oppose)	18	.30

The correlations of Table 6 make evident that political knowledge, which proved relatively successful in differentiating the attentive from the inattentive publics, does not help us much in accounting for variance on the specific support scale. Nor are formal education and the items in the involvement-alienation cluster of greater utility. Most useful by far is the policy issues cluster which correlates with specific support at .56 (R 36.3, 4, 5, 9, 18).¹⁵ The regression equation in footnote 15 indicates that the civil rights variables (X_4 , X_9 , and X_{18}) are by far the strongest, especially when they are combined. Our recent analysis of the 1964 survey has persuaded us that, for our preliminary mapping, the federal power item (X_3) is an acceptable surrogate for social welfare policies such as medicare and a guaranteed living standard.¹⁶ In addition, policy variables not included in Table 6, such as attitudes toward the Vietnam war and censorship, can somewhat increase the coefficient of multiple correlation between specific support and the policy issues cluster.

The demographic cluster is the next most useful in accounting for differences between the Court's positive and negative supporters. (R 36.1, 21, 22, 23, 24 = .44.) This cluster cannot, however, do a great deal to explain variance that the policy issues cluster has not already taken into account.¹⁷ According to the regression equation in footnote 17, region (variable X_1) and race (variable X_{24}) are the two demographic items which heavily affect the level of specific support, and they are in turn closely related to attitudes toward racial problems. Attentive Negroes tend heartily to approve the Court's work, whereas attentive Southerners are apt to criticize it severely. After race and region are taken into account, age (X_{21}), education (X_{22}), and religion (X_{23}) have only a slight impact on the level of specific support.

The party cluster is of lesser value in differentiating support level than the size of the correlations in Table 6 might lead one to believe because the variables in that cluster are so highly intercorrelated (R 36.10, 12, 16 = .35). How respondents voted in the 1964 presidential election is a better predictor of specific support than party identification, in some part no doubt as a result of Senator Goldwater's effort to make such an important part of his 1964 campaign those policy issues especially

15. The functional relationships can be expressed in the regression equation: $X_{38} = .118 (X_3) + .130 (X_4) + .196 (X_5) + .322 (X_9) + .052 (X_{18}) + 1.692$. Our reasons for using regression coefficients rather than standard partials (beta weights) appear in the appendix.

16. See Murphy and Tanenhaus, *supra* note 6.

17. The regression equation makes the relationships clear: $X_{38} = -.456 (X_1) + (-.080) (X_{21}) + (-.061) (X_{22}) + (-.066) (X_{23}) + (-1.876) (X_{24}) + 8.291$.

relevant to the Court.¹⁸ But the party cluster adds almost nothing to the variance previously explained.

Specific support of the Supreme Court is, it would seem, very heavily policy determined.¹⁹

Diffuse Support

We define diffuse support as the degree to which the Supreme Court is thought to carry out its overall responsibilities in an impartial and competent fashion. We have operationalized this concept for our preliminary mapping by constructing a summated scale from the responses to a brace of questions.²⁰ One of these was asked of everyone in the sample:

Some people think that the Supreme Court gets too mixed up in politics. Others don't feel that way. How about you? Do you think the Supreme Court gets too mixed up in politics or not?

The second question, which was put only to those who responded in positive fashion to the main job of the Court query, went:

How well do you think the Supreme Court does this job; very well or not very well?

Each person who answered at least one of these questions was positioned on a five-point scale similar to that designed for measuring specific support. Table 7 presents the distribution along this continuum of the people interviewed in the 1966 survey.

Attention should be drawn to the large proportion of the sample, 70.6 per cent, included in the scale of diffuse support. Thus it dips far beneath the Court's attentive public into the more articulate layers of the less knowledgeable. Of those classified on the diffuse support scale 39.1 per cent could not specify a single thing they liked or disliked about what the Court had done; 14.7 per cent could not offer any response at all when asked about the main job of the Court. To some of these people the Court can be scarcely more than one of the "phantoms arising from the mists" that envelop governmental structures. Yet there is a certain virtue in a measure so encompassing because it gives some notion of the level of support for the Court provided by the articulate segment of the inattentive public.

18. See Murphy and Tanenhaus, *supra* note 6.

19. Causal model analysis might, of course, lead to somewhat different interpretations here and elsewhere in this report, but our work has not yet progressed far enough to enable us to define and evaluate alternative causal models.

20. We consider this scale of diffuse support especially inelegant and tentative.

TABLE 7
DISTRIBUTION OF DIFFUSE SUPPORT, 1966

Scale Score	Diffuse Support Level	%
1	strong positive	19.9
2	moderate positive	17.1
3	pro/con	11.9
4	moderate negative	11.4
5	strong negative	10.3
	cannot be classified	29.4
N = 1291		100.0

As Table 7 discloses, 37.0 per cent of the total sample is located on the positive side of the diffuse support scale. Four times as many people lend the Court positive diffuse support as lend it positive specific support. This indicates that despite the unpopularity of its decisions in recent years the Court still retains a substantial reservoir of diffuse support. For our present purposes, however, the negative supporters are of greater interest. Barely more than one person in five (21.7 per cent) is positioned on the negative side of the diffuse support scale, as compared with almost one in three (31.7 per cent) who register negative specific support. Quite evidently many people who are critical of the Court's specific decisions nonetheless support the institution itself.

How can we account for the variance in diffuse support? Table 8 contains some relevant data. As with specific support, policy issues can best account for variations in diffuse support. Nonetheless, there are consequential differences. For one thing, policy issues do a better job of explaining specific support ($R = .56$) than diffuse support ($R = .48$). Beyond this, a comparison of the regression equations for the two kinds of support shows that the items which contribute most heavily to them differ.²¹ Attitudes toward federal power (X_3), which we are assuming to be a surrogate for social welfare policies, have twice as great an impact on diffuse support as on specific. Feelings about public school prayers (X_5) are quite the reverse. The race relations variables (X_4 , X_9 , and X_{18}) have a considerably heavier impact on specific than on diffuse support.

21. As previously reported, the regression equation for specific support is $X_{36} = .118 (X_3) + .130 (X_4) + .196 (X_5) + .322 (X_9) + .052 (X_{18}) + 1.692$. The comparable equation for diffuse support is $X_{30} = .233 (X_3) + .102 (X_4) + .105 (X_5) + .106 (X_9) + .112 (X_{18}) + 0.378$.

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TABLE 8

SOME CORRELATES (r) OF DIFFUSE SUPPORT OF THE SUPREME COURT, 1966 (N = 911)

Subject	Variable Number	Diffuse Support (Variable #30)
<i>Political Knowledge Cluster</i>		
No. of Govt. Problems Ident.	2	-.01
Ability to Name 1966 Congressional Candidates	13	.01
Knowledge re Party Control of House of Represent.	14	-.16
No. of Party Issues Ident.	15	.00
No. of Justices Named	20	.05
<i>Involvement-Alienation Cluster</i>		
Frequency of Pres. Voting (always scored low)	11	.03
SRC Efficacy (high scored low)	32	-.31
Alienation from Government (high scored high)	33	-.23
Alienation from Man (high scored high)	34	.16
<i>Party Cluster</i>		
Party Ident. (Dems low)	10	.20
1964 Pres. Vote (Johnson low)	12	.32
Party Ref. Summated (Dems low)	16	.22
<i>Demographic Cluster</i>		
Region (South, low)	1	-.19
Age (Scored inversely)	21	-.18
Education	22	-.09
Religion (Non-cath., low)	23	.08
Race (white, low)	24	-.19
<i>Issue Cluster</i>		
Power of Fed. Govt. (too great, high)	3	.38
School Integration (high, oppose)	4	.31
School Prayer (high, oppose)	5	.19
Speed Civil Rights (high, too fast)	9	.25
Residential Integration (high, oppose)	18	.28

The demographic cluster also merits discussion. The correlation coefficients of the several items that comprise it are all rather low. None reaches a magnitude of .20. As a result, the multiple correlation is not especially high either ($R_{30.1, 21, 22, 23, 24} = .31$). Note what happens, however, when a regression equation is computed:

$$X_{30} = (-.561)(X_1) + (-.115)(X_{21}) + (-.039)(X_{22}) + .142(X_{23}) + (-1.044)(X_{24}) + 5.118.$$

The functional relationship between race and diffuse support is such that an increase of one unit in the former produces an equivalent change

in the latter. Region and diffuse support are also related in a strong, if less impressive fashion. The reasons why such strong functional relationships result in low correlations are clear. Almost all of the Negroes in our sample who can be classified on the diffuse support scale are to be found on the positive side, but they are very few in number because the Court is invisible to so many of them. White people, who make up more than 90 per cent of those expressing positive and negative support split 4 to 3 in favor of the Court. For every ten classifiable Negroes added to the sample, the population of positive supporters would be increased by nine. The negative supporters in the Southern states outnumber the positive supporters about 9 to 7, whereas non-Southerners with positive scores outman those with negative scores about 2 to 1. But there is only one Southerner in the sample for every three persons from outside that region. Roughly the same set of relationships, we should add, pertains to the specific support scale.

The involvement-alienation cluster tells us more about diffuse support ($R\ 30.11, 32, 33, 34 = .33$) than it does about specific ($R\ 36.11, 32, 33, 32 = .18$). This is so primarily because the diffuse scale includes a sizable minority of unknowledgeable people, and they, as we earlier demonstrated, not only tend to feel more efficacious politically, but to trust government more than the Court's attentive public.

Table 9 cross-classifies our respondents in accordance with both their specific and diffuse support scores. For purposes of simplification, we have collapsed the very strongly positive and strongly positive supporters into a single category, and the very strongly negatives and strongly negatives into another. Several relationships disclosed by Table 9 are both obvious and interesting. One set of cells, that assigned to people who were positive on specific support and negative on diffuse, is virtually empty. Almost nobody who liked the Court's particular decisions was critical of it as an institution. On the other hand, a large number of people who criticized the specific work of the Court did lend the institution diffuse support. The negative-specific, diffuse-positive respondents are, however, outnumbered by the negative-negatives by a ratio of 3 to 2. Moreover, the negative-negatives outnumber the positive-positives to an even greater extent, about 2 to 1.

The findings reported earlier in this paper would, of course, lead one to anticipate that the policy issues cluster would provide the best explanation for the differences between those most positively and negatively supportive of the Supreme Court. And this is indeed the case. Moreover, the extent to which policy issues can account for the variance

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between the positive-specific, positive-diffuse respondents and the negative-specific, negative-diffuse respondents is pleasingly high: $R = .77$.²²

TABLE 9
SPECIFIC VS. DIFFUSE SUPPORT OF SUPREME COURT, 1966

Specific Support	(in percentages)						UNCL	Total*
	Str Pos	Mod Pos	Pro/Con	Mod Neg	Str Neg	Diffuse Support		
Strong Positive	1.8	.4	.3	—	—	.1	2.6	
Moderate Positive	3.9	.9	.9	.3	.2	.8	7.0	
Pro/Con	1.7	.9	1.4	.4	.5	.2	5.0	
Moderate Negative	3.5	3.1	3.7	3.8	3.3	1.8	19.2	
Strong Negative	1.5	1.6	1.4	2.3	5.2	.5	12.5	
Unclassifiable	7.6	10.2	4.1	4.6	1.1	26.2	53.8	
TOTAL*	19.9	17.1	11.9	11.4	10.3	29.4	100.0	

* Adjusted to compensate for rounding error.

Although the racial relations variables (X_4 , X_9 , and X_{18}) are most important by far, neither attitudes toward federal power (X_3) nor public school prayers (X_5) can by any means be ignored. Some other variables highly predictive of what kinds of persons belong in each of these extreme groups are region, race, feeling of political efficacy, alienation from government, alienation from man, and 1964 presidential vote.

THE GENERAL PUBLIC AND THE COURT'S LEGITIMATING POTENTIAL

Having completed a preliminary mapping of those segments of the general public who (1) find the Court visible, (2) accept constitutional interpretation as a proper role for the Court, and (3) offer the Court specific and diffuse support, we can now turn to the single question that concerns us most. How much of the general public satisfies the three prerequisites to be met for the Supreme Court to have a high probability of legitimating regime changes? Rephrased in more operational terms, what proportion of our 1966 sample not only knows something about the Court's work and its constitutional role, but also scores positively on the diffuse support scale? Table 10 contains our tentative answer.

22. The functional relationships can be expressed as $X_{25A} = .217 (X_3) + .212 (X_4) + .242 (X_5) + .528 (X_9) + .170 (X_{18}) - 1.462$.

The data in Table 10 show that 27.0 per cent of the respondents to the 1966 survey are aware of the Supreme Court's role and can be classified on the diffuse support scale. Of these classifiable people, about half grant the Court positive diffuse support, three in ten deny it, and two in ten are evasive. In terms of the total sample, and hence presumably the entire adult population of the United States, about one person in eight meets all three of the criteria we established. But this 12.8 per cent, it cannot be too strenuously stressed, constitutes a considerable share of the politically attentive public.

TABLE 10
DISTRIBUTION ON DIFFUSE SUPPORT SCALE OF RESPONDENTS AWARE OF COURT'S WORK AND CONSTITUTIONAL ROLE, 1966

Level of Support	%
Strong positive	8.8
Moderate positive	4.0
Pro/Con	5.0
Moderate negative	3.4
Strong negative	5.8
Not classifiable	73.0
<hr/>	
N = 1291	100.0

Table 11 reports the correlations between several clusters of variables and the level of diffuse support for those aware of the Court's work and legitimating role. The pattern is impressively similar to that reported in Table 8 for all respondents (70.6 per cent of the entire sample) who could be assigned diffuse support scale scores—regardless of specific knowledge of Court decisions or awareness of the Court's constitutional responsibilities. Far more significant, the paired regression equations for each of the several clusters of items are also highly comparable.²³

23. The equations are computed to facilitate comparison for two groups of respondents of the impact on a dependent variable of each of a set of independent variables. Thus, in the first equation below, a unit increase in the mean value of independent variable X_3 will result in a mean increase of .233 in the dependent variable diffuse support (X_{30}) for all respondents. When only aware respondents are analyzed, as in the second equation below, a unit increase in the mean value of X_3 will cause a mean increase of .250 in diffuse support. One can then readily detect the similarities and differences between all respondents with diffuse support scores on the one hand, and those who are aware of the Court's work and constitutional role on the other.

Policy Issues Cluster Items

All diffuse support respondents (N = 911)— $X_{30} = .233 (X_3) + .102 (X_4) + .105 (X_5) + .106 (X_9) + .112 (X_{18}) + 0.378.$

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TABLE 11

SOME CORRELATES (r) OF DIFFUSE SUPPORT OF THE SUPREME COURT BY RESPONDENTS AWARE OF THE COURT'S WORK AND CONSTITUTIONAL RESPONSIBILITIES, 1966 (N = 349)

Subject	Variable Number	Diffuse Support (Variable #30)
<i>Political Knowledge Cluster</i>		
No. of Govt. Problems Ident.	2	.02
Ability to Name 1966 Congressional Candidates	13	.08
Knowledge re Party Control of House of Represent.	14	-.14
No. of Party Issues Ident.	15	.04
No. of Justices Named	20	.08
<i>Involvement-Alienation Cluster</i>		
Frequency of Pres. Voting (always scored low)	11	.04
SRC Efficacy (high scored low)	32	-.27
Alienation from Government (high scored high)	33	-.22
Alienation from Man (high scored high)	34	.16
<i>Party Cluster</i>		
Party Ident. (Dems low)	10	.27
1964 Pres. Vote (Johnson low)	12	.39
Party Ref. Summated (Dems low)	16	.29
<i>Demographic Cluster</i>		
Region (South, low)	1	-.21
Age (scored inversely)	21	-.20
Education	22	-.12
Religion (Non-cath., low)	23	.10
Race (white, low)	24	-.25
<i>Issue Cluster</i>		
Power of Fed. Govt. (too great, high)	3	.42
School Integration (high, oppose)	4	.38
School Prayer (high, oppose)	5	.16
Speed Civil Rights (high, too fast)	9	.37
Residential Integration (high, oppose)	18	.36

(continued from 378n)

Aware respondents only (N = 349) — $X_{30} = .250 (X_3) + .155 (X_4) + .046 (X_5) + .137 (X_9) + .160 (X_{18}) + 0.262.$

Party Cluster Items

All diffuse support respondents — $X_{30} = -.023 (X_{10}) + .870 (X_{12}) + .148 (X_{16}) + 0.953.$

Aware respondents only — $X_{30} = .005 (X_{10}) + 1.026 (X_{12}) + .222 (X_{16}) + 0.387.$

Demographic Cluster Items

All diffuse support respondents — $X_{30} = -.561 (X_1) + (-.115) (X_{21}) + (-.034) (X_{22}) + .142 (X_{23}) + (-1.044) (X_{24}) + 5.118.$

Aware respondents only — $X_{30} = -.545 (X_1) + (-.140) (X_{21}) + (-.060) (X_{22}) + .138 (X_{23}) + (-1.715) (X_{24}) + 6.299.$

In the case of attitudes toward federal power (X_3) the coefficient is .233 for all respondents classifiable on the diffuse support scale and .250 for aware respondents only. For region (X_1) the coefficients are $-.561$ for all respondents and $-.645$ for people who are aware of the Court's constitutional role. In almost every instance the magnitudes of a comparable pair of coefficients are very similar. It is thus quite apparent that, all else remaining constant, carrying knowledge of the Supreme Court's specific work and constitutional responsibilities to the potentially accessible but presently inattentive public would have little appreciable effect on the ratio of positive to negative diffuse supporters. All that could be substantially altered is the proportion of the total population likely to accept Court legitimation of regime change. This, we hasten to add, would be no mean achievement.

APPENDIX

A. Construction of the Variables

(1) We have explained in the text of this report the way in which we constructed several dependent variables (scales of specific and diffuse support, Court visibility, and awareness of the Court's role). For several of the independent variables, race (X_{24}), religion (X_{23}), and region (X_1), the information given in the tables is full enough to make clear how they were structured. The remaining independent variables will be discussed in this appendix.

(2) We constructed variables X_3 , X_4 , X_5 , and X_{18} in almost identical fashion. We shall use attitudes toward residential integration (X_{18}) as an illustration. All respondents were first asked this question:

In talking with people, they sometimes tell us things that I'd like your opinion about. Some people say that Negroes should be allowed to live in any part of town they want to. How do you feel? Should Negroes be allowed to live in any part of town they want to, or not?

Responses were coded as follows:

should be allowed
it depends
should not be allowed
don't know

All respondents who offered an answer other than don't know were then asked a second question:

Do you feel strongly about that or not so strongly?

Responses to this second question were coded as follows:

strongly
not strongly
don't know, NA

Answers to the two questions were then recoded on a five-point scale in the following manner:

favors residential integration and feels strongly
favors residential integration and does not feel strongly or is uncertain
of position
it depends
opposes residential integration and does not feel strongly or is uncertain
of position
opposes residential integration and feels strongly

The recoding constitutes the variable as used in this report. We considered response sets which could not be placed into one of the five recoding categories as missing data. The direction of the coding associated with each variable is given in the tables in the text.

Since we used almost identical procedures for constructing variables X_3 , X_4 , and X_5 we indicate here only the wording of the substantive questions on which they are based.

Variable X_3 : Some people are afraid the government in Washington is getting too powerful for the good of the country and the individual person. Others feel that the government in Washington has not gotten too strong for the good of the country. Have you been interested enough in this to favor one side over the other? What is your feeling, do you think. . . ?

Variable X_4 : Some people say that the government in Washington should see to it that white and colored children are allowed to go to the same schools. Others claim that this is not the government's business. Have you been concerned enough about this question to favor one side over the other? Do you think that the government in Washington should. . . ?

Variable X_5 : Some people think the public schools should be allowed to start each day with a prayer. Others feel that religion does not belong in the public schools but should be taken care of by the family and the church. Have you been interested enough in this to favor one side over the other? Which do you think?

Another variable, X_9 , is similar in structure, but the question on which it is based was not followed by an intensity probe.

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Variable X₉: Some say that the civil rights people have been trying to push too fast. Others feel that they haven't pushed fast enough. How about you? Do you think that civil rights leaders are trying to push too fast, are going too slowly, or are they moving at about the right speed?

(3) We constructed the efficacy and alienation variables, X_{32} , X_{33} , and X_{34} , by factor analyzing (Kaiser's varimax solution, with SMC's in the diagonals, orthogonally rotated) the following ten items:

- (1-4) Now I'd like to read some of the kinds of things people tell us when we interview them and ask you whether you agree or disagree with them. I'll read them one at a time and you just tell me whether you agree or disagree. [*Both strong and weak options were offered.*]
- (1) People like me don't have any say about what the government does.
 - (2) Voting is the only way that people like me can have any say about how the government runs things.
 - (3) Sometimes politics and government seem so complicated that a person like me can't really understand what's going on.
 - (4) I don't think that public officials care much what people like me think.
-
- (5-6) (5) Generally speaking, would you say that most people can be trusted or that you can't be too careful in dealing with people?
- (6) Would you say that most of the time people try to be helpful or that they are mostly looking out for themselves?
-
- (7-10) Now I'd like to talk about some of the different ideas people have about the government in Washington and see how you feel about them. These opinions don't refer to any single branch of the government such as Congress or the President or the Courts, but just to government in general.
- (7) How much do you think we can trust the government in Washington to do what is right: just about always, most of the time, some of the time, or almost never?
 - (8) Do you think that people like you have too little political power, or just about the right amount?
 - (9) Would you say that the government is pretty much run by a few big interests looking out for themselves or that it is run for the benefit of all people?
 - (10) How much do you feel that having elections makes the government pay attention to what the people think: a good deal, some, or not very much?

We extracted three factors. As hypothesized, responses to items 1-4 loaded heavily on one of these (the largest), responses to items 7-10 loaded heavily on another (the next largest), and responses to items 5 and 6 on the third. We then computed factor Z scores for each respondent for each of the three factors.

Since items loading on the first factor are those long used by SRC in constructing its Guttman-type efficacy scale, we named this the "efficacy" factor and refer to it in this report as variable X_{32} . We named the second factor "alienation from government" and refer to it as variable number X_{33} . To the third factor, labeled "alienation from man," we have assigned variable number X_{34} .

We should point out that the respondents' Z scores for the three factors are so highly intercorrelated ($r_{32, 33} = .62$; $r_{32, 34} = -.75$; $r_{33, 34} = -.70$) that the regression coefficients are unstable in the sense that they are apt to vary considerably from sample to sample. (See Hubert M. Blalock, Jr., *Causal Inferences in Nonexperimental Research* [Chapel Hill: University of North Carolina Press, 1964], p. 89.) As a result, caution is imperative when evaluating the relative importance of the three efficacy and alienation variables.

(4) Four of the independent variables dealing with levels of political knowledge, X_2 , X_{13} , X_{15} , and X_{20} , are highly comparable in structure. Each is based on the responses to an open-ended question, and in each case we scored low the absence of meaningful information. The questions were:

Variable X_2 : What do you personally feel are the most important problems which the government in Washington should try to take care of? (Any other?)

Variable X_{13} : Do you happen to remember the names of the candidates for Congress—that is, the House of Representatives in Washington—that ran in this congressional district this November? Who are they?

Variable X_{15} : We've just been talking about the campaign and the political parties. Do you think there are any important differences in what the Republicans and Democrats stand for? (IF YES) What are they? Anything else?

Variable X_{20} : Now I want to ask you about the Justices of the Supreme Court in Washington. Do you happen to know the names of any of the Justices? (If necessary) Who? Any others?

(5) The remaining variables fall into no special patterns.

Variable X_{10} : Party identification was scaled for us by SRC in accordance with its established procedures.

Variable X_{11} : We distributed frequency of Presidential voting on a four-point scale with those who claimed never to have voted scored high.

Variable X_{12} : We distributed respondents who said they voted for Johnson or Goldwater on a two-point scale with Democratic votes scored low. Non-voters and others were treated as missing data.

Variable X_{14} : Knowledge of party control of the House of Representatives was ordered on a three-point scale (with no correct information scored low) based on answers to these questions: *Do you happen to know which party had the most Congressmen in Washington before the election this (last) month? Do you happen to know which party elected the most Congressmen in the election this (last) month?*

Variable X_{16} : The party reference summated scale was constructed from the response to the question used for variable X_{15} . The method employed

in creating X_{16} is identical to that described in the text when discussing the construction of the summated scale for specific support.

Variable X_{21} : We distributed age on a six-point scale with the oldest group scored low.

Variable X_{22} : Level of formal education was positioned on an eight-point scale with little or no formal education scored low.

B. Handling of Missing Data

A problem that must be faced in performing multivariate analysis on survey data is how to treat respondents for whom scattered data are missing. One can, of course, discard a respondent altogether if data for him are missing for even a single variable. However desirable such a procedure may be if only three or four variables are involved, if more than twenty variables are used, as in this study, the case loss can be intolerably severe. As a result, we used an alternative approach.

With the assistance of Harrell Rodgers and Lon Mackelprang of the University of Iowa, we devised a computer routine which developed correlations based on whatever data were available for each pair of variables. Each table of correlations in the text of this article indicates the N from which each correlation was computed.

C. Measures of Association

The amount of variance accounted for in a dependent variable (such as our diffuse support scale) by any independent variable (such as race, party identification, or attitudes toward school prayers) is a function of the standard deviation of the independent variable. Thus, the question arises of whether to standardize the variances in the several independent variables. Without going into the technicalities, which have in any case been neatly discussed by Blalock in "Causal Inferences, Closed Populations, and Measures of Association," 61 *AMERICAN POLITICAL SCIENCE REVIEW* 130 (1967), the answer depends on what one is trying to do. If one's major interest is in describing the relationships in a particular population, then standardized measures are more appropriate. If, on the other hand, one is primarily concerned with developing data appropriate for comparative purposes, unstandardized measures are more suitable. Since we are decidedly interested both in describing the way in which the American public view the Supreme Court at the present time and in presenting data suitable for comparative analysis here and in other countries with constitutional courts, we have sought to have our cake and eat it, too. We have used Pearson product-moment correlations, a standardized measure, in the tables and unstandardized regression coefficients in the multiple regression equations presented in the text.