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EXPLAINING IDEOLOGICAL PREFERENCE CHANGE ON THE U.S. SUPREME COURT

Hannah Greenhouse

Mentor: James Spriggs

The nine Justices who serve on the U.S. Supreme Court set precedent and issue rulings that affect American lives for generations. Understanding the factors that lead to judicial preference drift can have important policy implications regarding how Justices voting patterns will change during their tenure on the Court.

While it used to be a widespread belief that U.S. Supreme Court Justices held immutable policy preferences throughout their time on the bench, it has since been empirically demonstrated that many Justices undergo ideological preference change during their tenure. (Segal and Spaeth 1993; Martin and Quinn 2007; Epstein 2007). However, existing research does not attempt to explain why a Justice experiences preference change and why some Justices undergo more preference change than others.

This paper builds on previous research by providing an explanatory model, rather than just a descriptive analysis, for ideological preference change on the U.S. Supreme Court. Two separate regressions were used to examine change within a Justice and change between Justices. This change can be measured by analyzing the amount of change regardless of direction as well as directional change.

The models indicate that having a former occupation as a federal or state judge, former occupation as an elected official, and ideological change within the median Justice lead to preference change that can be understood in a systematic manner. Justices who previously served as a federal or state judge experienced less ideological change than Justices who had not served in these positions. In contrast, Justices who previously served in elected office experienced more ideological change than Justices who had not. It was also apparent that Justices tended to become more ideologically liberal when the median Justice moved in a liberal direction. However, the majority of factors, including tenure, ideological distance from the president, Senate, House, and public mood, affect Justices in idiosyncratic ways.