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**Majority of Americans Support Supreme Court Reforms, Including
Term Limits and Ethics Requirements, According to New UMass
Amherst Poll**

*Poll finds overall disappointment in the performance of the court and Congress,
division over the future of affirmative action*

Topline results and crosstabs for the poll can be found at www.umass.edu/poll

AMHERST, Mass. – While the country anticipates a potential ruling from the Supreme Court on the future of affirmative action in college admissions, a new national [University of Massachusetts Amherst Poll](#) has found that a plurality of Americans – 42% – agree that the policy should be discontinued and race and ethnicity should no longer factor into such decisions, while 33% support the continued use of such criteria in admissions decisions.

“If the six conservative justices coalesce to end the use of race in college and university admissions, they will be in lockstep with a plurality of the public who oppose the continued use of race or ethnicity in college admission decisions,” says [Tatishe Nteta](#), provost professor of political science at UMass Amherst and director of the poll. “In fact, the only groups that express majoritarian support for affirmative action in higher education are progressives (51%), the highly educated (51%) and African Americans (52%). Given this relatively paltry level of support, it is no surprise that affirmative action is on the chopping block.”

“Whatever the court’s decision – and it is most likely a majority will deal another blow to affirmative action – a large share of Americans will be deeply disappointed,” says [Jesse Rhodes](#), professor of political science at UMass Amherst and co-director of the poll. “The court is, to a large degree, the victim of its own aggressiveness, as it has sought to put a profoundly conservative stamp on federal policy in a nation that is seriously divided and, overall, does not adopt staunchly conservative views.”

The respondents of the new poll of 1,133 Americans support a number of reforms to the nation’s highest court, which garnered just 41% approval for the job the justices are doing in the survey.

“Americans are angry with a Supreme Court that seems out of touch and ideologically extreme,” Rhodes says. “This frustration is showing in huge public support for major reforms, including ethics requirements for justices as well as term limits. For some time, Chief Justice Roberts has expressed concern that the court is losing legitimacy in the eyes of the public. Roberts is right to be concerned. With revelations of conflicts of interest among justices, as well as extreme rulings that depart from the preferences of the public, the court is putting itself in a dangerous position.”

“The recent revelations concerning the improper financial relationship between Justice Clarence Thomas and billionaire Harlan Crow, as well as the discovery that Justice Neil Gorsuch just nine days after being confirmed to the court sold property in Colorado to the CEO of one of the nation’s largest law firms, has reignited calls for the Supreme Court to adopt an ethics policy that would preclude such relationships,” Nteta says. “While the nine members of the court have resisted congressional attempts to hold them to the same code of conduct that all other federal judges are beholden to, the public sees this issue differently as nine in 10 Americans support the establishment of this code of conduct. If Congress does indeed decide to step in and force the nine unelected justices to adopt a code of conduct, they will have public opinion on their side.”

“Americans also favor term limits for Supreme Court justices by a wide margin – 65% say the justices should serve a set number of terms,” says [Raymond La Raja](#), professor of political science at UMass Amherst and co-director of the poll. “Given the current makeup of the court, however, it is not surprising to see partisan differences in opinion: 82% of Democrats want this new rule, but just 49% of Republicans support the idea.”

Americans’ Views on Congress

While the poll’s respondents have low support for the Supreme Court’s performance, Congress fares even worse in the eyes of Americans with the legislative branch holding just a 28% approval rating in the latest survey.

“In a nation increasingly ravaged by partisan, class, racial, generational and ideological divides there is one thing that the nation agrees on: the poor performance of the U.S. Congress,” Nteta says. “Across demographic groups and political identities, no group gives a positive assessment of the job that the U.S. Congress has done in 2023.

“Given the controversy surrounding the debate to raise the nation’s debt ceiling, the high-profile scandals of Rep. George Santos and the uncertainty over the future of Sen. Dianne Feinstein, it is by no means surprising that close to six in 10 Americans express disapproval of the performance of the U.S. Congress,” he explains. “Whether this negative assessment of the institution will lead Americans to ‘throw the bums out’ in November of 2024 remains to be seen, but what is clear is that the U.S. Congress remains the most unpopular of our three main branches of the federal government.”

The poll may have found a remedy to the nation’s discontent with its representatives in Washington – age limits.

“Two-thirds of Americans think senators should be required to retire beyond a certain age and prefer an age – 66 years old – that would push many of the current senators toward the exits,” La Raja says. “The average age of U.S. Senators is 64 years old. Under this policy preferred by Americans this would clear out almost half the Senate. Forty-five members exceed the 66 years old cap that Americans appear to want. If young people had their way, the age would be just shy of 60, which would clear the deck of two-thirds of the U.S. Senate. I guess young Americans do not necessarily equate age with wisdom.”

“In an era in which the leading presidential candidates will be 79 and 82 in 2024 and the average U.S. Senator is nearly 65 years old, Americans are expressing considerable frustration with gerontocracy,” Rhodes says. “Huge majorities of Americans want age limits on elected officials. Remarkably, this consensus crosses partisan and ideological lines. Arguably, this reflects both frustration with the rancor and dysfunction of our national politics, as well as the realization that elder Americans, who dominate national politics, have views on issues, from climate change to gun control to trans rights, that do not reflect the preferences of younger generations. While it’s unlikely that we will see legal or constitutional age limits imposed, public frustration points to major opportunities for more youthful candidates and activists to take center stage in American politics.”

Nteta agrees, adding that, “While many have bemoaned the partisan and ideological polarization that characterizes our politics today, on the question of whether there should be a maximum age to serve in the U.S. Senate, Americans are seemingly of one mind with close to seven in 10 supporting the passage of a Constitutional amendment that places a maximum age limit on who can serve in the Senate and only 11% opposing this prospective amendment.”

Views on President Biden’s performance

“President Joe Biden’s approval ratings remain underwater with 44% of Americans expressing approval for the job the president is doing, and 52% disapproving of Biden’s performance in the Oval Office,” Nteta says. “Across demographic and political groups in the nation, Biden remains an unpopular figure as only Democrats (83%), African Americans (67%), the highly educated (79%), wealthier Americans (53%), progressives (79%) and Biden voters (88%) view the president’s performance to date in a positive light. Most concerning to Biden and his campaign team are the low levels of support from independent voters (23%), who in our increasingly close elections have emerged as key to emerging victorious on Election Day. With less than a year and half to go until the 2024 election, Biden and his campaign team have work to do to convince the American people that he is again the right person for the job or he risks joining the list of one-term presidents.”

“Americans are harshly judging President Biden on almost every major issue – from the economy to race relations,” Rhodes says. “This is true in spite of the fact that, on paper, Biden has racked up numerous major policy achievements during his presidency so far. This reflects the challenges of national leadership in today’s fraught political

environment. Americans perceive that the nation faces numerous political and social challenges and are frustrated that presidents are unable to easily address them. This problem is made worse in today's harsh partisan environment, in which criticism – and negativity in general – are rampant, swamping whatever good news emerges.”

“Biden’s relatively low 44% approval rating appears to reflect ongoing concerns about the economy and inflation,” La Raja says. “When we ask folks what the most important issue is facing the nation, those two stand out clearly. However, among Blacks – a core constituency for the Democrats – two-thirds approve Joe Biden’s performance, which suggests to me he will eventually have the solid backing of other core Democratic constituencies once elections approach.”

Rhodes agrees, saying, “As the 2024 presidential election picture starts to emerge, Americans are laser-focused on economic issues, particularly inflation. This is bad news for President Biden, as Americans rate him quite poorly on the economy. To a significant extent, Biden – like all presidents before him – is a prisoner of events. The president has limited leverage over economic growth and inflation, but is judged by the public in significant part on the basis of his economic management. With roughly a year and a half to go before the election, Biden’s fortunes will hinge in significant part on whether the economy rebounds or sinks into a recession.”

Universal basic income and voting rights reforms

The latest UMass Amherst Poll also asked respondents about a pair of hypothetically transformative policies – the implementation of universal basic income for all Americans and greater federal oversight of election laws.

“During the Covid-19 pandemic,” Nteta explains, “in order to combat the consequences of increasing unemployment and rising poverty, the federal government under both Presidents Trump and Biden provided stimulus checks and child tax credits to millions of Americans. In the wake of these payments, some have argued for a universal basic income for all citizens to address a range of economic inequities. In general, Americans are not enthused at the prospect of the provision of a universal basic income, with just support ranging from just 33-40%, depending on the monthly payment amounts from \$200 to \$1,000 that they were presented.”

Likewise, overall disapproval for the policy varies from 42-49% depending on the amount of the payments presented in the survey.

Meanwhile, the poll found stronger support for federal oversight of election laws.

“In 2013, the Supreme Court severely weakened the Voting Rights Act by ending the requirement that jurisdictions with histories of racial discrimination submit proposed changes in election law to the federal government for approval,” Rhodes says. “Since that time, many states have made it significantly more difficult to vote. There’s growing evidence of public backlash to these developments. A plurality of Americans now would

like to see jurisdictions have to submit proposed election changes for federal approval, and approximately a quarter are on the fence, and possibly persuadable. Growing public realization that states and localities are weaponizing voting rules to suppress turnout may be leading to reconsideration of policy ideas that seemed to be consigned to the dustbin of history a decade ago.”

La Raja also points to high approval from Black respondents about specific Election Day changes that the poll surveyed.

“Given historical and contemporary efforts to suppress their vote, Blacks are strongly in favor of changes to voting laws that would make voting easier,” he says. “For example, 74% favor allowing people to register to vote and cast their ballot on Election Day, compared to 58% of all Americans. Given the disparate impact of the criminal justice system on Blacks they are also more likely than other Americans to believe people currently serving a prison sentence should have the right to vote, with a majority of Blacks – 53% – favoring this expansion compared to just 31% for all Americans.”

Methodology

This [University of Massachusetts Amherst Poll](#) of 1,133 respondents nationwide was conducted by YouGov May 31-June 8, 2023. YouGov interviewed 1,298 respondents, including 1,165 main sample respondents, and an oversample of 133 African Americans. The main sample was matched down to a set of 1,000, and then combined with the oversample to form a final dataset of 1,133 respondents. The main sample was matched to a sampling frame on gender, age, race and education. The sampling frame is a politically representative “modeled frame” of U.S. adults, based upon the American Community Survey (ACS) public use microdata file, public voter file records, the 2020 Current Population Survey (CPS) Voting and Registration supplements, the 2020 National Election Pool (NEP) exit poll and the 2020 CES surveys, including demographics and 2020 presidential vote.

The matched main sample and the unmatched oversample were then weighted to their respective frame using propensity scores. The frame used for the oversample is similar to the previously described frame from the main sample, with the main difference being that it includes only African Americans. The matched cases and the frame were combined, and a logistic regression was estimated for inclusion in the frame. Both propensity score functions included age, gender, race/ethnicity, education, and region. The propensity scores were grouped into deciles of the estimated propensity score in the frame, and post-stratified according to these deciles.

The weights for the main sample were then post-stratified on 2020 Presidential vote choice, followed by a four-way stratification of gender, age (4-categories), race (4-categories) and education (4-categories). Meanwhile, the weights for the oversample were post-stratified on 2020 Presidential vote choice, a three-way stratification between gender, age (4-categories) and education (4-categories), and finally an individual stratification on region.

Then, the matched and weighted main sample and oversample datasets were combined into one. From there, the proportion of African Americans was weighted down to produce the final combined weight. After that, a subset of this combined dataset was taken so that only observations involving African Americans remained. This African American subset of the combined dataset was weighted to the same frame as the oversample using propensity scores. The unmatched cases and the frame were combined, and a logistic regression was estimated for inclusion in the frame. The propensity score function included age, gender, race/ethnicity, education and region. The propensity scores were grouped into deciles of the estimated propensity score in the frame, and post-stratified according to these deciles. Finally, the weights were then post-stratified on 2020 Presidential vote choice, followed by the same three-way stratification mentioned earlier, in order to produce the final African American weight.

The margin of error within this poll is 3.4%.

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