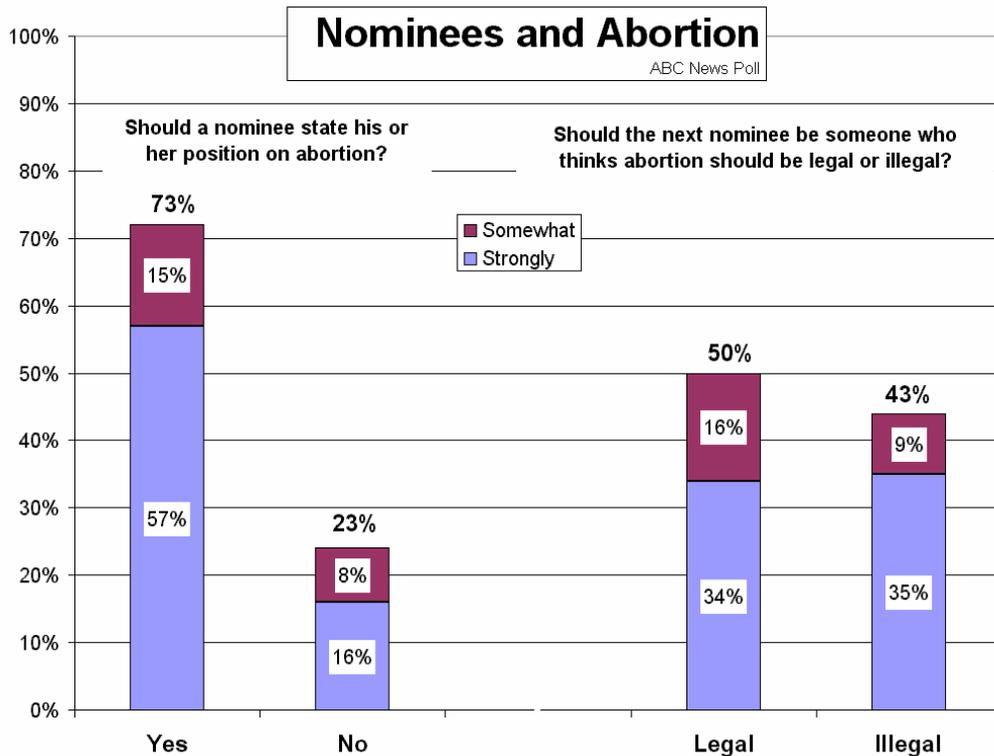


Public Says Supreme Court Nominees Should Disclose Their Abortion Views

Opponents and supporters of legal abortion share some common ground: Three-quarters in both groups say any nominee to the U.S. Supreme Court should disclose his or her position on the issue before the Senate holds a confirmation vote.

As far as what that position should be, the issue remains a divisive one: Fifty percent of Americans want a nominee who favors legal abortion, while 43 percent want the next justice to oppose it. The court's next member could be a swing vote on abortion.

There's less division on two other possible litmus tests: Fifty-six percent say he or she should favor giving the states more authority than the federal government. And 60 percent say the next justice should try to follow the original intent of the framers of the U.S. Constitution, rather than interpreting what it means in current times.



There's been speculation recently that one or more members of the nine-member court might retire in the next few weeks, at the end of its current term. The court has upheld

abortion rulings and decided other controversial issues by 5-4 votes, so any change in its makeup could have a dramatic impact.

ABORTION DISCLOSURE – Seventy-three percent of Americans say the next nominee should disclose his or her position about abortion, including 75 percent who say abortion should be generally legal, and 73 percent who say it should be generally illegal.

Support for disclosure is broad, including majorities across age, income and education categories. And 57 percent feel strongly about it, including roughly equal numbers of people who favor legal abortion and who oppose it.

LEGAL or ILLEGAL? – As noted, 50 percent of Americans say the next nominee should favor legal abortion in all or most cases, while 43 percent say the opposite. Most such views are firm: Sixty-nine percent of Americans feel strongly about it, including equal numbers of abortion supporters and opponents.

There’s a slight difference between the sexes – 52 percent of women want a nominee who’s generally in favor of legal abortion, compared with 47 percent of men. About 43 percent in both groups want one who’s opposed.

There’s a little greater intensity of feeling on the pro-abortion side among women than among men – 37 percent of women “strongly” prefer a nominee who favors legal abortion, compared with 31 percent of men. About the same number of women and men (33 and 36 percent respectively) strongly prefer an abortion opponent.

Nominee should	All	Women	Men	Women “strongly”	Men “strongly”
Favor legal abortion	50%	52	47	37	31
Oppose legal abortion	43	43	44	33	36

Preference for an anti-abortion nominee runs highest among political conservatives (63 percent), evangelical white Protestants (59 percent) and Republicans (58 percent, including roughly equal numbers of men and women). All are core support groups for Bush.

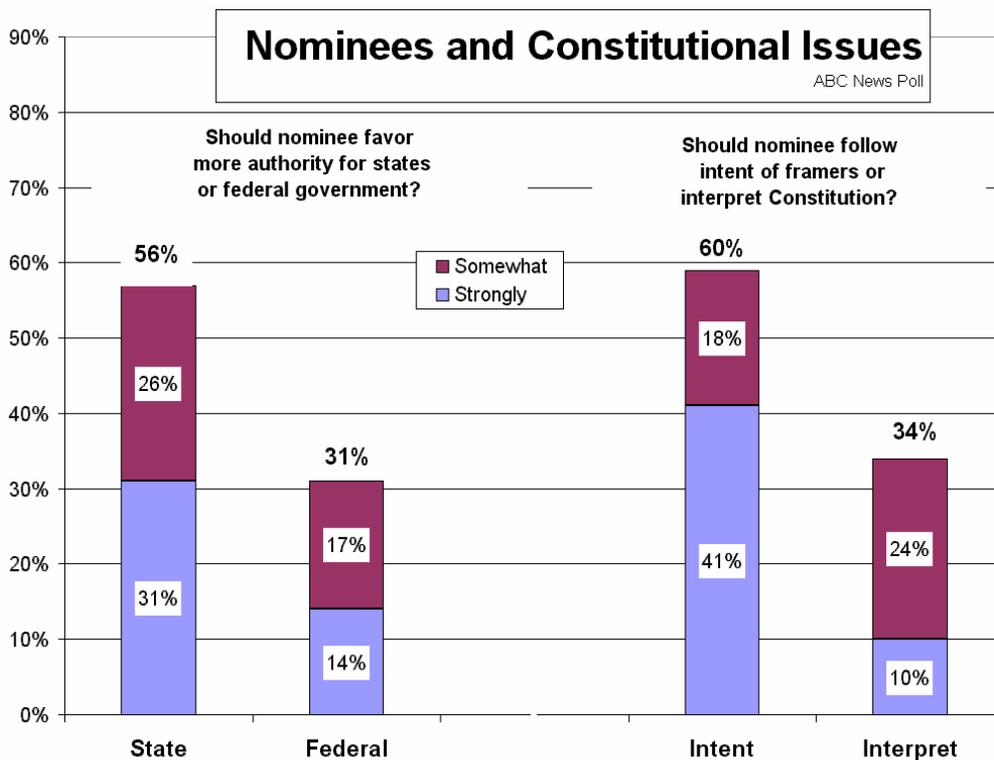
But the equation may change if Bush seeks a nominee who appeals to the center. Moderates favor a pro-abortion nominee by 55-39 percent; independents – the key swing group in politics – by 53-38 percent. White Catholics, another swing group, divide evenly. (Preference for a nominee who supports legal abortion is highest among liberals, Democrats and the non-religious.)

	Nominee should be	
	Pro-abortion	Anti-abortion
All	50%	43
Men	47	44
Women	52	43
Republicans	35	58

Independents	53	38
Democrats	59	36
Conservatives	31	63
Moderates	55	39
Liberals	72	24
Evangelical white Protestants	36	59
White Catholics	47	47
No religion	76	19

STATE vs. FED – As noted above, when it comes to the balance of power, Americans prefer a nominee who tilts in favor of states rights – as the court itself has done lately.

Fifty-six percent say the nominee should favor giving states more authority than the federal government, while 31 percent say the nominee should favor giving more power to the federal government. Preference for state authority is broadest among conservatives (64 percent), compared with moderates (56 percent) or liberals (46 percent).



STRICTLY SPEAKING – Most Americans also want the next nominee to try to follow the original intent of framers of the U.S. Constitution: Sixty percent prefer “someone who tries to follow the original intent” of the Constitution, compared with 34 percent who prefer “someone who tries to follow an interpretation of what the Constitution means in current times.”

Again, there are divisions along political and ideological lines. Seventy-one percent of Republicans and 64 percent of independents prefer a nominee who follows the framers' intent, compared with 48 percent of Democrats.

METHODOLOGY – This ABC News poll was conducted by telephone June 11-15, 2003, among a random national sample of 1,029 adults. The results have a three-point error margin. Sampling, data collection and tabulation by TNS Intersearch of Horsham, Pa.

Analysis by David Morris.

ABC News polls can be found at ABCNEWS.com on the Internet at:
http://abcnews.go.com/sections/us/Poll_Vault/Poll_Vault.html

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Results follow:

1. Do you think the next person nominated to join the U.S. Supreme Court should be someone who thinks (abortion should be legal in all or most cases), or someone who thinks (abortion should be illegal in all or most cases)? Do you feel that way strongly, or somewhat?

	-----Legal-----			-----Illegal-----			No
	NET	Strongly	Somewhat	NET	Strongly	Somewhat	opin.
6/15/03	50	34	16	43	35	9	7

2. Do you think the next person nominated to join the U.S. Supreme Court should be someone who favors (giving state governments more authority than the federal government), or someone who favors (giving the federal government more authority than the state governments)? Do you feel that way strongly, or somewhat?

	-----States-----			-----Fed. Gov't-----			Depends	No
	NET	Strongly	Somewhat	NET	Strongly	Somewhat	(vol.)	opin.
6/15/03	56	31	26	31	14	17	6	7

3. Do you think the next person nominated to join the U.S. Supreme Court should be someone who (tries to follow the original intent of the U.S. Constitution as it was written), or someone who (tries to follow an interpretation of what the Constitution means in current times)? Do you feel that way strongly, or somewhat?

	----Original intent----			-----Interpret-----			No
	NET	Strongly	Somewhat	NET	Strongly	Somewhat	opin.
6/15/03	60	41	18	34	10	24	6

4. Do you think the next person nominated to join the U.S. Supreme Court should or should not publicly state his or her position on abortion before being approved by the U.S. Senate for the job? Do you feel that way strongly, or somewhat?

	-----Should-----			-----Should not-----			No
	NET	Strongly	Somewhat	NET	Strongly	Somewhat	opin.

6/15/03 73 57 15 23 16 8 4

END