Target: Did the Pennsylvania law requiring public school students to participate in classroom religious exercises violate the religious freedom of students as protected by the First and Fourteenth Amendments?
Text: Once again we are called upon to consider the scope of the provision of the First Amendment to the United States Constitution which declares that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof” [...] In light of the history of the First Amendment and of our cases interpreting and applying its requirements, we hold that the practices at issue and the laws requiring them are unconstitutional under the Establishment Clause, as applied to the States through the Fourteenth Amendment. [...] Label: pro (text affirms the target)

Sample data point from SC-stance.

SC-stance: the first legal stance detection dataset

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How political are Supreme Court justices?
Idea: look at their language!

we collect:
Written Opinions
33k documents (1789 to 2020)
Oral Arguments
3.8m lines of dialogue (1955 to 2020)

We analyze each corpus using automated stance detection, e.g.

\[ D_1 = \text{Once the Court starts looking to the currents of public opinion regarding a particular judgment, it enters a truly bottomless pit from which there is no extracting itself.} \ (Rehnquist, 1992) \]
\[ D_2 = \text{Will this institution survive the stench that this creates in the public perception that the Constitution and its reading are just political acts?} \ (Sotomayor, 2022) \]
\[ T = \text{The Supreme Court ought to make decisions with the public opinion in mind.} \]

\[
\text{stance}(D_1, T) = \text{con} \quad \text{stance}(D_2, T) = \text{pro}
\]

Table 1: A relevant, sophisticated example of stance detection.

We train stance detectors using machine learning, i.e. we allow the model to learn patterns from examples

Holistic Political Stance (HPS)*
Evaluates how much the justices talk like Republicans/Democrats in Congress.

Issue-Specific (ISS)
Evaluates whether justices express liberal or conservative opinions, by topic.

We construct two stance-detection based indicators of political ideology and apply to SCOTUS dialogue

The observed pattern was apparent from 1955-2020. We show post-1990 for simplicity.

Explained by the attitudinal change hypothesis (Casillas 2010): if individual attitudes determine justice behavior, these attitudes would jointly affect voting results and language.

Keywords: natural language processing (NLP), Supreme Court, quantitative social sciences, stance detection