


Quantifying the Effect of Gender on Interruptions in Supreme Court Oral Arguments

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MOTIVATING EXAMPLE




United States v. Texas (Nov 2021)

General Prelogar: While I certainly acknowledge, Justice Alito, that an injunction that would bind state court judges is extremely rare, it's not unheard of, and I think, in the unprecedented facts of this case, it's appropriate relief. And —

Justice Alito: Well, judges have been enjoined —

General Prelogar: —and the reason for that is—

Justice Alito: —let me just interrupt you —judges have been enjoined from performing unlawful acts.

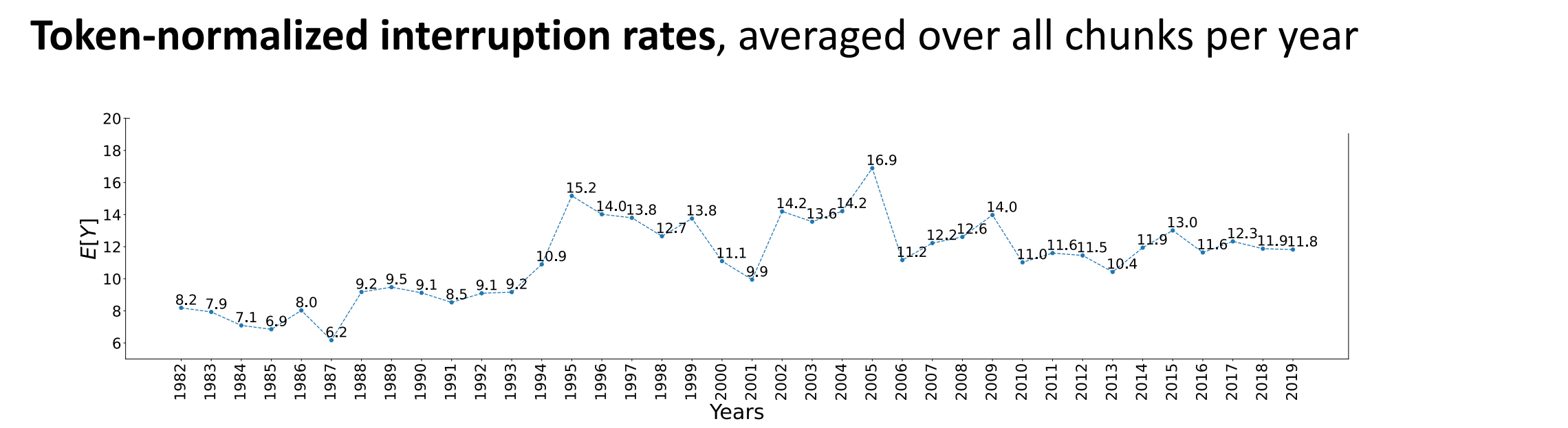


CAUSALLY-MOTIVATED RESEARCH DESIGN

- Idealized counterfactual experiment** (clearly infeasible): Hire actors of different gender as advocates in a Supreme Court case and observe differences in interruptions
- Unit of analysis:** (Chunk, Justice, Advocate) where a valid chunk is 4+ contiguous utterances in an oral argument between only two speakers, one justice and one advocate
- Variable operationalization**
 - Advocate gender:** norm that the Chief Justice introduces advocate as Mr. or Ms.; first-name gender dictionary look-up
 - Justice ideology:** composite Martin-Quinn scores
 - Advocate ideology:** SCDB coding decision direction
 - Token-normalized interruption rate (Y):** Per chunk, number of advocate utterances interrupted by justices per 1000 tokens
- Assumptions:**
 - Markov assumption over conversational chunks
 - No unmeasured confounding
- Theoretical estimand:** absolute ratio of gender effects to ideological alignment effects with

$$\tau_{Gender} = E[Y \mid \text{Gender} = F] - E[Y \mid \text{Gender} = \text{Male}]$$
$$\tau_{Ideological \text{ Alignment}} = E[Y \mid \text{Ideological Alignment} = \text{Yes}] - E[Y \mid \text{Ideological Alignment} = \text{No}]$$

DATA OVERVIEW

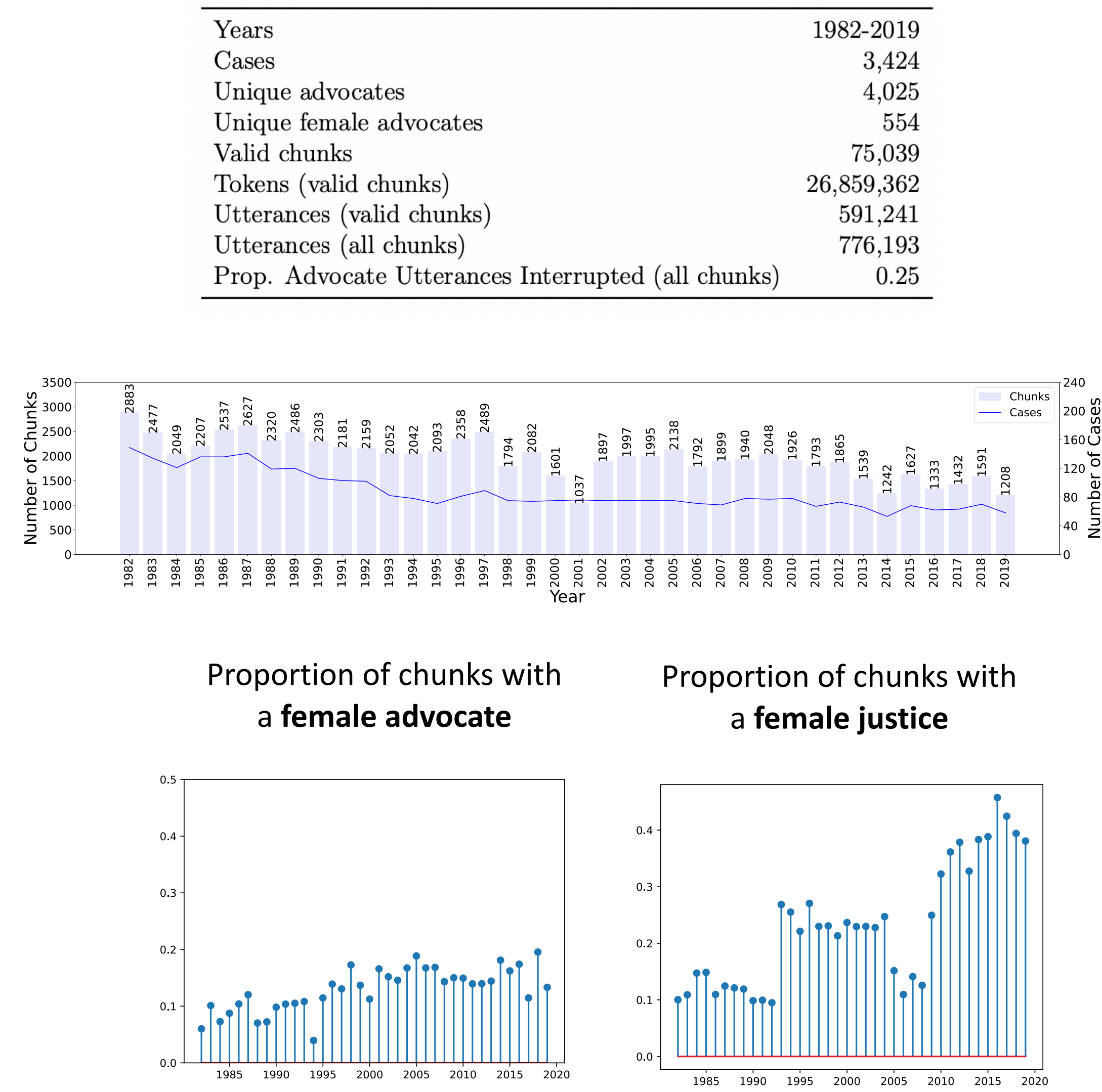


MAIN AGGREGATED RESULTS

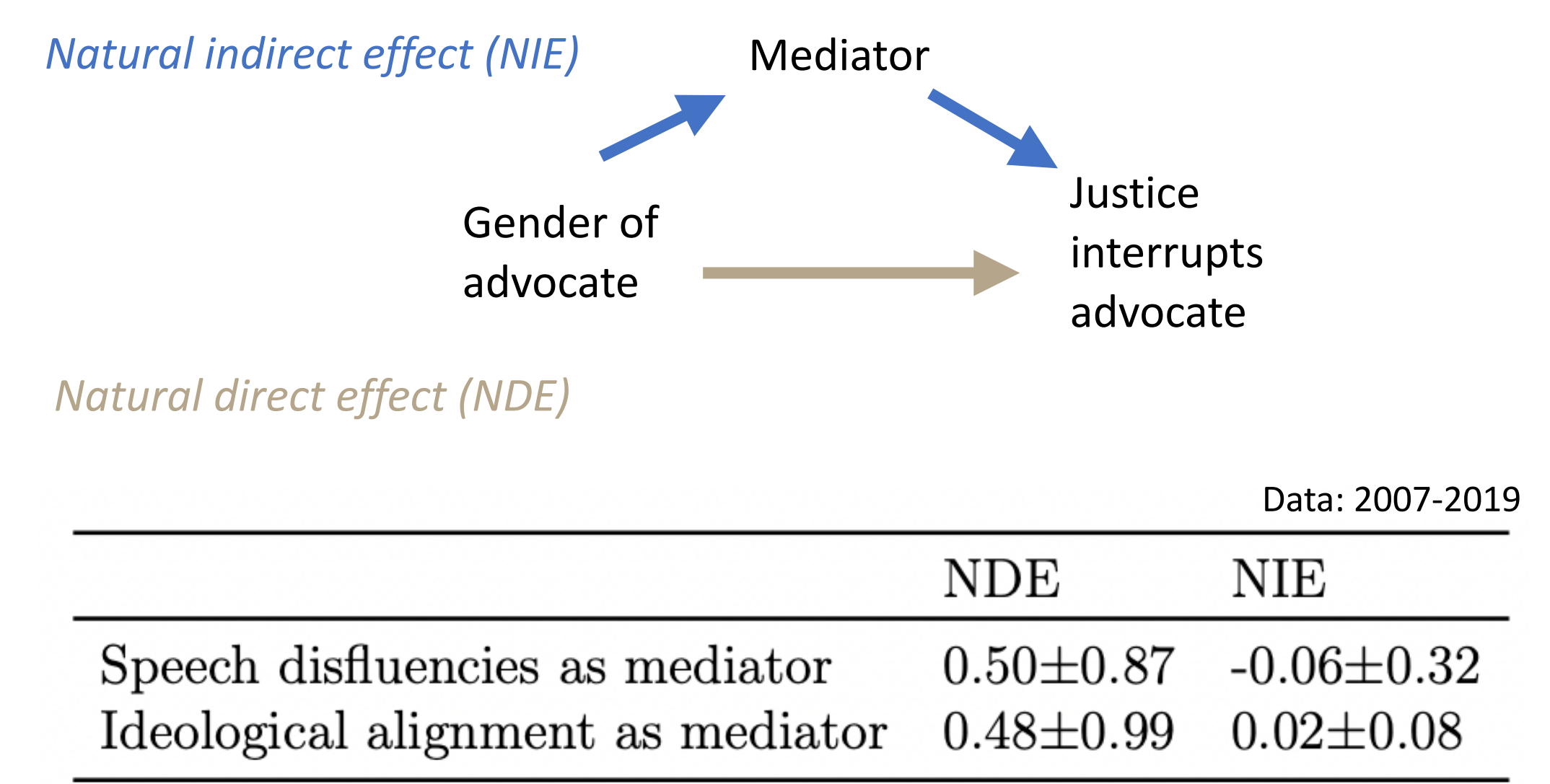
τ_{Gender}	$\tau_{Ideological \text{ Alignment}}$	$ \tau_{Gender} / \tau_{Ideological \text{ Alignment}} $
0.78 ±0.33	-0.15 ±0.24	5.2

U.S. Supreme Court justices interrupt female advocates more during oral arguments, over 5x the difference in interruption rates due to ideological alignment.

MORE ABOUT THE DATA



RESULTS FROM ALTERNATIVE HYPOTHESES



RELATED WORK

- Oral argument is important.** Behavior and performance at oral argument predicts justice votes (Johnson, Wahlbeck, & Spriggs 2006; Jacobi & Rozema 2018; Dietrich, Enos, & Sen 2019)
- What influences oral argument?** Interruptions have increased, may relate to quality & ideology, and may relate to the gender of the advocate (Jacobi & Schweers 2017; Patton & Smith 2017; Jacobi & Sag 2019)
- What motivates interruptions?** Disentangling different oral argument signals is difficult (Black et al 2011)
- Causal frameworks can help clarify assumptions in quantitative work.** (Lundberg et al. 2021; Keith et al. 2021)

FUTURE WORK

- Classifier for the types of interruption (e.g. friendly or not)
- Heterogenous effects via conditioning on topic categories of cases
- Panel data via conditioning on gender composition of the justices on the Supreme Court

