

Marquette Law School: National survey finds 63% say U.S. Supreme Court should limit Trump's tariff authority

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- Public supports independence of Federal Reserve, opposes firing of member of Board of Governors
- 57% say Court is going out of its way to avoid ruling against Trump
- 44% approve of job the Court is doing, 56% disapprove—a decline from early 2025

MILWAUKEE — A new Marquette Law School Poll national survey finds that 63% of adults think the U.S. Supreme Court should uphold a lower court ruling that limits the president's authority to impose tariffs, while 36% think the Court should overturn the lower court's ruling and rule for the president. The Supreme Court heard oral arguments in the case, *Learning Resources, Inc. v. Trump*, on Nov. 5 but has not issued a decision as of Feb. 3.

Public views of the case have been consistently in favor of finding limits on the tariff authority since the Marquette poll first asked about this case in September. Table 1 shows opinion over three national surveys. (All results in the tables are stated as percentages.)

Table 1: Limit president's tariff authority

Among adults

Poll dates	Court should	
	Uphold the appeals court ruling that limits the presidents' authority to impose tariffs	Overturn the appeals court ruling and hold that the President has the authority to set tariffs
1/21-28/26	63	36
11/5-12/25	62	38
9/15-24/25	61	39

Marquette Law School Poll, national surveys, latest: Jan. 21-28, 2026

Question: A federal appeals court has issued a ruling that substantially limits the president's authority to impose tariffs on imports to the United States. This decision has been appealed to the Supreme Court. How do you think the Supreme Court should rule?

The survey was conducted Jan. 21-28, 2026, interviewing 1,003 adults nationwide, with a margin of error of +/-3.4 percentage points.

A majority of the public, 56%, say that tariffs hurt the U.S. economy, while 30% think they help the economy and 14% say tariffs don't make much difference. Of those who think tariffs help the economy, 77% are in favor of overturning the limits on the president's authority. But, even among this group, almost one-in-four (23%) think the president's authority should be limited. Among those who say tariffs harm the economy, 89% think the Court should limit presidential authority. Among those who say tariffs don't make much difference, opinion as to the president's authority is evenly divided. Table 2 shows how views of the effect of tariffs are related to opinion of how the Court should rule.

Table 2: Limit president's tariff authority, by effect of tariffs

Among adults

Effect of tariffs	Court should	
	Uphold the appeals court ruling that limits the president's authority to impose tariffs	Overturn the appeals court ruling and hold that the president has the authority to set tariffs
Helps U.S. economy	23	77
Hurts U.S. economy	89	11

Doesn't make much
difference

47

52

Marquette Law School Poll, national survey: Jan. 21-28, 2026

Question: A federal appeals court has issued a ruling that substantially limits the president's authority to impose tariffs on imports to the United States. This decision has been appealed to the Supreme Court. How do you think the Supreme Court should rule?

Question: In general, do you think imposing tariffs or fees on products imported from other countries helps the U.S. economy, hurts the economy, or doesn't make much of a difference either way?

Approval of President Donald Trump's handling of tariffs is similarly related to opinion about how the Court should rule. Thirty-seven percent of adults approve of how Trump is handling tariffs. Among this group, 78% say the Court should sustain the president's authority over tariffs, while 22% say the Court should limit that authority. Among those who disapprove of Trump's handling of tariffs, 89% say the Court should limit his authority and 11% say the president should have the power to set tariffs.

Opinion of this case is not purely a partisan divide. While 67% of Republicans think the Court should rule for the president's authority, 33% think the authority should be limited. Democrats overwhelmingly favor such limits (92%), and 69% of independents also favor limiting the president's authority.

Federal Reserve

On Jan. 21, the Court heard oral arguments in Trump v. Cook concerning the president's attempt to fire a member of the Federal Reserve's Board of Governors. In the current poll, 35% say the Court should rule that the president can remove Federal Reserve governors, while 64% say the president should not be held to have that power.

In the January survey, 76% say the Federal Reserve should be independent of political control. Among this group, 78% say the president should not be able to remove members of the Board of Governors and 22% say he should have this authority. Among the 24% of adults who say the president should have more influence over the Federal Reserve, 78% say the president should be able to remove members and 22% say he should not be able to do so.

Partisans are divided on how the Court should rule, with 35% of Republicans saying the president should not be able to remove members, while 65% think that he should. Independents largely oppose giving the president authority over membership on the Board of Governors (68%), as do 92% of Democrats.

The Court and the President

More than half, 57%, of those polled say the Court is going out of its way to avoid ruling against Trump, while 43% say the Court is not doing so. Among Republicans, 34% think the Court is avoiding ruling against Trump, as do 59% of independents and 78% of Democrats.

A large majority (82%) of adults believe that the president must obey a Supreme Court decision, with 17% who say the president can ignore a decision with which he disagrees. These views have been quite stable in 10 Marquette polls since 2019, never dipping below 76% saying the president must obey the Court. The percentage saying that has not fallen below 82% since January 2025.

This belief in the authority of the Court is not a partisan matter. Among Republicans, 76% say the president must obey the Court, as do 79% of independents and 90% of Democrats.

Approval of the Supreme Court

Approval of the U.S. Supreme Court's handling of its job has fallen from 50% in September to 44% in January. Approval had fallen sharply in 2022 following the *Dobbs v. Jackson Women's Health Organization* decision, which overturned abortion rights established in *Roe v. Wade*. Net approval, the percentage approval minus disapproval, then remained negative throughout the remainder of 2022 and through 2024. In January 2025, net approval moved into positive territory before turning down in July. Table 3 shows approval of the Court since September 2020.

Table 3: United States Supreme Court approval

Among adults

Poll dates	Approval		
	Net	Approve	Disapprove
1/21-28/26	-12	44	56

11/5-12/25	-12	44	56
9/15-24/25	0	50	50
7/7-16/25	-2	49	51
5/5-15/25	6	53	47
3/17-27/25	8	54	46
1/27-2/6/25	2	51	49
12/2-11/24	-4	48	52
10/1-10/24	-10	45	55
7/24-8/1/24	-14	43	57
5/6-15/24	-22	39	61
3/18-28/24	-6	47	53
2/5-15/24	-20	40	60
11/2-7/23	-18	41	59
9/18-25/23	-14	43	57
7/7-12/23	-10	45	55
5/8-18/23	-18	41	59
3/13-22/23	-12	44	56
1/9-20/23	-6	47	53
11/15-22/22	-12	44	56
9/7-14/22	-20	40	60
7/5-12/22	-23	38	61
5/9-19/22	-11	44	55
3/14-24/22	9	54	45
1/10-21/22	6	52	46
11/1-10/21	8	54	46
9/7-16/21	-1	49	50
7/16-26/21	21	60	39
9/8-15/20	33	66	33

Marquette Law School Poll, national surveys, latest: Jan. 21-28, 2026

Question: Overall, how much do you approve or disapprove of the way the U.S. Supreme Court is handling its job?

There are substantial partisan differences in views of the Supreme Court's handling of its job, with Republicans much more approving (78%) than independents (26%)

or Democrats (17%). Republican net approval fell by 14 points from September to November but substantially recovered in January. Net approval among independents declined by 20 points from September to November and fell another 12 points in January. After a 26-point approval drop from May to July, Democrats showed less change from September to November, declining just 4 points. Democrat approval was unchanged in January. The recent trend in approval by party identification is shown in Table 4.

Table 4: United States Supreme Court approval, by party ID

Among adults

Poll dates	Approval		
	Net	Approve	Disapprove
Republican			
1/21-28/26	56	78	22
11/5-12/25	48	74	26
9/15-24/25	62	81	19
7/7-16/25	62	81	19
5/5-15/25	56	78	22
3/17-27/25	58	79	21
1/27-2/6/25	68	84	16
12/2-11/24	48	74	26
10/1-10/24	36	68	32
7/24-8/1/24	34	67	33
5/6-15/24	14	57	43
Independent			
1/21-28/26	-46	26	72
11/5-12/25	-34	33	67
9/15-24/25	-14	43	57
7/7-16/25	-10	45	55
5/5-15/25	-14	43	57
3/17-27/25	-10	45	55
1/27-2/6/25	-8	46	54
12/2-11/24			