

The Partisan and Racialized Relationship Between Unilateral Decisions and Democratic Legitimacy

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Abstract

Executive decisions and their effects, as well as the public's views on these decisions are critical in the modern US and global landscape. Given this, in this piece I examine how unilateral decisions receive comparatively lower assessments of legitimacy as compared to decisions with greater consensual support. Using results from a set of survey experiments, I show that as compared to unilateral decisions, decisions made with citizen and legislative support are viewed as more legitimate. Furthermore, the legitimacy of these decisions can depend both on the partisan alignment of the decision-maker and citizen, how close an individual feels to democracy, and the race of the citizen evaluating the decision. Of note, Republicans will view unilateral decisions made by Democrats as less legitimate, with Democrats similarly critical of unilateral decisions made by Republicans and Democrats. Finally, historically excluded racial groups, and especially those identifying as Black or Hispanic, are more likely to view unilateral decisions made by Republicans as illegitimate.

Working Draft:

September 29, 2021

Decisions made by politicians are a critical part of democracy. As the United States and countries around the world are beset by un-democratic procedures and challenges, it has become ever more critical to understand the effects opinions of unilateral decisions made by the executive. In the 21st century, executive orders at the federal level have therefore become even more relevant. During his presidency, President Trump issued 219 executive orders in his single term in office, far higher on a per-year basis as compared to the 276 orders issued by his predecessor President Obama in his two terms.¹ In both cases, strong executives taking unilateral actions to side-step congressional gridlock and partisan divides reflect trends in other parts of the world, where leaders such as Jair Bolsonaro (Brazil) and Viktor Orbán (Hungary) expand executive authority to further executive power and their policy agendas (Daly 2019; Rydliński 2018).

How then do people react to unilateral decisions that may, at least in part, violate conventional democratic norms? This question guides this piece in an investigation on democratic legitimacy in the United States context. I agree with previous scholarship that maintains that citizens hold democratic values and do indeed prefer democratic decisions even, at times, over personal gain (Carlin and Singer 2011; Singh 2014; Clayton, O'Brien and Piscopo 2019). Building on these literatures, I further investigate that decisions made by the executive and their effects on attitudes and legitimacy (Easton 1975; Scherer and Curry 2010). Based on the expectation in democracies of citizen engagement with decisions on at least some level, I argue unilateral decisions made by an executive authority would be viewed as less legitimate because of lackluster opinions of procedural fairness and a lack of perceived involvement in decision-making.

I also posit that evaluations of the legitimacy of decisions are conditional, with factors such as partisanship, racial identities, and connections to democracy playing a key role in moderating the impact of modes of decision-making. Partisanship and racial identities should be strongly related to executive decision-making and public opinion through empirically

¹<https://www.federalregister.gov/presidential-documents/executive-orders>

tested concepts like partisan motivated reasoning and racial linked fate (Marsh and Ramírez 2019; Bejarano et al. 2020; Morín, Macías Mejía and Sanchez 2021). Beyond this, I also explore the possibility of psychological connections to democracy as a moderator and argue for these attachments as valuable in understanding both reactions to decisions and broader political occurrences (Gutmann 2009).

In order to test my theoretical expectations, I use evidence from a set of survey experiments drawing from hypothetical decision-making scenarios at the local level. I find that respondents do recognize and more critically evaluate decisions as less democratic when they were made unilaterally. However, the degree to which these decisions are viewed as less legitimate is conditioned on whether the politician is a co-partisan and to what degree respondents connect with democracy. More specifically, Republicans are more likely to view a Democrat making a unilateral decisions more negatively while still positively evaluating their own co-partisan. Further, those with strong attachments to democracy as a system are also more likely to evaluate unilateral Democrat decisions more negatively. Finally, analyses by race of the respondents show that Black and Hispanic respondents are consistently more likely to evaluate unilateral decisions made by Republicans as less legitimate. Overall, these results suggest executives do face public opinion repercussions for unilateral over-extension, but the resulting evaluations depend on characteristics of both the decision-maker and the public.

Decision-making and Attitudes

Democratic views and legitimacy are common topics in cross-national scholarship (Singer 2018; Merkl 2019). Some scholars have linked electoral malpractice to assessments of legitimacy, while others have focused on provision of welfare and its relationship with democratic legitimacy (Norris 2011; Layton, Donaghy and Rennó 2017). Further, scholars have examined the possibility of buying legitimacy, as well as the democratic deficit in the modern era (González-Ocantos, Kiewiet de Jonge and Nickerson 2015; Bekkers, Dijkstra and Fenger

2016).

[Linz and Stepan \(1996\)](#) assert the importance of democratic norms of the executive in consolidating democracy. Much of this centers on democracy as the legitimate political force in society. When an executive in the polity holds a level of “democratic legitimacy” without checks, there is a clear danger to democratic survival. Furthermore, the likelihood of abuse of power through executive action is theoretically more likely in presidential systems than parliamentary due to differing institutional frameworks in the two systems ([Linz and Stepan 1996](#)). More specifically, in parliamentary systems, scholars argue that the ability to call votes of no confidence and reliance on the legislature creates greater checks on executive authority.

In the United States, executive action is thus a common area of contention. More so even because the current US landscape is conducive to greater use of executive action. To summarize the situation, [Major \(2014\)](#) notes that “elections, congressional gridlock, and low public approval ratings invite increased executive unilateral actions” ([Major, 2014](#), p. 114). Despite this, there are also clear political costs of unilateral action, especially from the public at the ballot box and in the court of public opinion ([Christenson and Kriner 2017](#)).

Given these considerations, scholars of the executive in the United States have often studied the limits and extensions of presidential power ([Lowande and Rogowski 2021](#)). As previously mentioned in this piece, both scholars and popular media have become more likely to discuss this topic in recent years. [Reeves \(2011\)](#) notes how the use of unilateral power to make electoral gains during times of disaster is commonplace, as public support will be higher and urgency is paramount. Examples for this are clear in the US, with 9/11 and the War on Terror opening the door for many pieces of expanded executive authority ([Braman 2016](#)).

Beyond the federal level, governors are known to use executive authority to further their policy agenda ([Cockerham and Crew 2017](#)). Concerning the relationship between levels of government, the role of state and local governments has also been impacted by increasing

executive power at the federal level. Indeed, some have questioned whether federalism may serve as bulwarks against executive authority. The logic behind this would be that governors and mayors would need to take up action, sometimes unilaterally, to combat directives of the federal government.

A relevant example would be the Deferred Action for Childhood Arrivals (DACA), first issued as an executive memorandum by President Obama in 2012, which faced both significant support and backlash. After implementation by the Obama administration, President Trump issued his own respective executive power to rescind support for DACA, resulting in legal challenges from groups such as the NAACP and states such as California and New York (Johnson 2017). Concerning the later, the state resistance speaks to the role executives and councils at the state and even local level have in resisting federal action in this and other scenarios. For instance, beyond these court cases taken on by states' respective attorney generals, many Democratic governors, mayors, and councils made their states or towns safe havens for immigrants or "sanctuary cities" (McBeth and Lybecker 2018; O'Brien, Collingwood and El-Khatib 2019). Similar partisan resistance to federal executive authority has persisted during the Covid era, with primarily Republican governors and mayors resisting mask mandates and refraining from implementing stay-at home orders (Baccini and Brodeur 2021; Grossman et al. 2020; Wang, Devine and Molina-Sieiro 2021).

Democratic accountability thus relies on the assumption that citizens will hold beliefs that are if not ethical, democratic. In this, they will punish behaviors that are non-democratic, especially with regard to their leaders. Indeed, extant work on representative accountability built on the assumption that citizens will punish bad performance or scandal at the ballot box. For one, the economic voting literature examines how conditions in society will impact the electoral fortunes of politicians (Stein 1990; Nadeau and Lewis-Beck 2001; Anderson 2007). Work on economic voting also notes the multiplicity of factors that may impact electoral chances (Lewis-Beck and Paldam 2000). The task has thus been identifying which factors impact these elections and opinions.

Singh and Carlin (2015) remark upon the delicate balance needed between the executive and legislative branches wherein “presidents who dominate policy-making should be associated with lower regime support” (Singh and Carlin, 2015, p. 3). Additionally, as discussed in the foundational work on legitimacy by Easton (1975) focusing on the various dimensions of legitimacy, “moral convictions about the validity of regime” and “belief in structures and norms” play large parts in legitimacy and regime support (Easton, 1975, p. 452). These areas of support relate to more updated concepts such as procedural fairness and substantive outcomes of the decision (Scherer and Curry 2010).

Given this, decisions made that against the public will or without support from the legislature will elicit a more negative response due to worse evaluations of the procedural fairness and possible lack of agreement in the outcome (Linz and Stepan 1996; Clayton, O’Brien and Piscopo 2019). Indeed, Morrell (1999) discuss how participation and the decision-making process are related. More participatory decisions will tend to increase the “acceptance of collective decisions”. In an experimental study, Braman (2016) shows how manipulating the type of issue, expert evaluations of a potential decision, and the level of stated public support may impact the perceived legitimacy of a presidential decision. The importance of the decision-making context is thus reflected in my first hypothesis:

Hypothesis 1 Decisions made unilaterally will be viewed as less legitimate.

When a decision is made without counsel of the public or a legislative body, citizens will be more likely to think of that decision and the process negatively. The decision will therefore be viewed as less legitimate. This expectations mirrors expectations and findings from previous pieces on political decision-making (Braman 2016; Clayton, O’Brien and Piscopo 2019).

In many democratic systems, decisions and evaluations in government are consistently partisan. Actions by supporters from the same party are viewed differently, especially considering the partisan information incorporated by the individual (Parker-Stephen 2013). These actions may impact a number of different political behaviors. For instance, partisan

motivated reason would influence individuals to support a candidates decisions where they otherwise might not support that decision (Bolsen, Druckman and Cook 2014).

Given support for the president or their party, unilateral decisions will thus be seen as more acceptable. In fact, it is possible that in some cases citizens will like to see policies they support pushed through even without total consent of the legislature. This would especially be the case for very divided systems such as the United States where partisan divide and gridlock are becoming the norm. In fact, previous research has shown partisan conflict that results in a victory for your own party will be viewed more favorably than conflict that results in gridlock (Flynn and Harbridge 2016). With regard to executive decisions, the partisanship of both the decision-maker and the mass public in recent executive decisions such as DACA and Covid response speaks to this and leads to my second main expectation:

Hypothesis 2a Unilateral decisions will be viewed as more legitimate by co-partisans.

Similar to the understanding of the legitimacy of substantive outcomes, shared partisanship should enhance that legitimacy because of a common set of shared views and affiliations. Furthermore, being part of the same “in-group” should increase support for politicians in that same group or party (Huddy 2001, 2013). Indeed, psychological attachment to political parties both in the United States and abroad has grown and have been well-documented through the literature on social identity and political polarization (Bankert, Huddy and Rosema 2017; Huddy, Bankert and Davies 2018). Therefore, these connections would be critical in evaluating decisions. Regardless of the actual policy introduced, partisans will at least to some extent follow the party and be more supportive of their party’s candidates and decisions.

In another set of more abstract connections, previous scholars have noted that support for democracy can go beyond support for democratic ideals. Indeed, in the case of Thailand, Connors (2003) describes how “democracy in the Thai statist view is conceptualized as an

ideal psychological, almost spiritual, condition of the people and their capacity to be self-governing” (Connors, 2003, p. 2). From this perspective, the moralizing and education of citizens for “democracy” is a part of many states’ developmental project and narrative. Similarly, democracy is used as a force in arguing for national attachments by politicians around the world, from Presidents Obama and Bush in the United States, to regime consolidation in the non-Western world.

Those with strong connections to democracy will be more likely to care about the decision-making process and the participatory aspects of democracy and especially *feel* affronted when these norms are violated. Indeed, those with strong democratic attachment might be especially more willing to value democracy as a feature of its own, and set on acting for its preservation. This can be explained as a psychological link to democracy. Similarly, in a recent work, Jardina (2019) proposes a white identity that involves clear psychological attachments and may only surface with threats from out-groups. Given this, the surfacing of stronger psychological connections as democracy becomes threatened or backslides is definitely plausible. Indeed, in her work on identities in democracy, Gutmann (2009) contemplates the possible existence of a larger “democratic identity” that is built through shared norms and experiences (Gutmann 2009).

Therefore, those who feel strongly attached to democracy would be more likely to inherently reject actions that seem undemocratic, especially when they are clearly portrayed as such. This leads into my second conditional hypothesis:

Hypothesis 2b Unilateral decisions will be viewed as less legitimate by those with high levels of democratic attachment.

Beyond expected differences in effects based on party and democratic attachment, other personal-level features would be important moderators in the effect of unilateral decisions on democratic legitimacy. One of these key demographic attributes would be the race of individuals evaluating the decision. In both recent years and past history unilateral decisions on the part of the executive have been made that hurt marginalized groups in the

United States. Indeed, executive action has a long history in the United States and in other countries of both empowering and discriminating against historically marginalized groups (Braman 2016). Historically, civil rights issues have often required executive action on the part of governors or the president. Monumental historical events such as the stealing of Native American land, Japanese internment, desegregation of schools and the armed forces, and Civil Rights legislation have all been effected with express or tacit directives of the executive branch (Friedman 2012). Furthermore, the decisions that impact these marginalized racial groups tend to be drawn on ideological and party lines. Given this, below is my final expectation:

Hypothesis 2c Unilateral decisions made by Democrats will be viewed as more legitimate by members of minority groups, especially for Black people.

In political science scholarship, marginalized identities and groups have also been empirically shown to impact evaluations of legitimacy. Overall, representation of the interests and identities of marginalized groups is paramount in expanding democratic legitimacy and support (Dovi 2002; Mansbridge 1999; Phillips 1995). In a recent study, Clayton, O'Brien and Piscopo (2019) show with a set of survey experiments that decisions made about women's issues are specifically viewed as more legitimate when women are involved with the decision-making process. Given this, when decisions are made about women, more women are expected to be involved in the decision-making process. Further, descriptive representation on US courts positively impacts evaluations of institutional legitimacy for Black respondents, while lowering overall evaluations for white people (Scherer and Curry 2010).

In recent times, DACA and President Trump's travel ban are examples of executive decisions that have gained considerable attention and challenge on both sides of the aisle. Beyond this, support for these most contentious executive decisions are continually split across racial and partisan lines. For example, in 2020 Pew reported that while support for citizenship for childhood arrivals is high among all Americans with 74% in favor, support is highest among Latinx (88%) and Black (82%) Americans (Pew Research 2020). In comparison, only 69%

of white Americans favored legal status for childhood immigrants.² With regard to partisanship, again according to [Pew Research](#) 91% of Democrats and Democratic leaners are supportive of these pro-immigrant policies, as compared to only 54% of Republicans and those who lean Republican. These statistics show correlations between racialized issues and clear understandings of partisan stances.

Building off this, decision-making has clear implications for those of marginalized identities, making views on legitimacy contingent on those identities and the respective political partisan that makes the decision. Although Democratic representatives and politicians are not inherently of marginalized backgrounds, substantive issues supported by Democrat politicians will more often align with interests of marginalized groups. Indeed, literature on linked fate shows that marginalized groups tend to side with politicians who support their interests ([Bejarano et al. 2020](#); [Morín, Macías Mejía and Sanchez 2021](#); [Marsh and Ramírez 2019](#)). Therefore, when considering dynamics of legitimacy, more sway will be given to Democratic politicians who make these unilateral decisions by marginalized groups.

Analysis

In order to evaluate the effects of decision making on legitimacy, I make use of a survey experiment. Survey experiments are valuable here because they allow to randomly present a situation in order to gauge causal effects. Indeed, survey experiments have been previously used to evaluate unilateral and undemocratic decisions in the mass public, as well as their effects on legitimacy ([Braman 2016](#); [Christenson and Kriner 2017](#); [Clayton, O'Brien and Piscopo 2019](#)).

The experiment employed here is a 2×2 factorial design where there are four randomized groups based on the type of decision and the party of the mayor. I specifically choose a local decision context to avoid immediate partisan considerations on the part of respondents,

²<https://www.pewresearch.org/fact-tank/2020/06/17/americans-broadly-support-legal-status-for-immigrants-brought-to-the-u-s-illegally-as-children/>

especially with regard to high-profile executive orders and memorandum. Furthermore, local politics has the potential to garner insights on larger-scale political phenomena (Sances 2016). The design of the experiment is shown in Table 1. There are therefore four resulting treatment groups that I will refer to in the text as **Unilateral Democrat**, **Unilateral Republican**, **Consensual Democrat**, and **Consensual Republican**.

Table 1: Experimental design

	Mayor’s Party	
	Democrat	Republican
Unilateral	Unilateral, Democrat	Unilateral, Republican
Consensual	Council Support, Democrat	Council Support, Republican

There are two samples used for this survey experiment. The first is a sample of size 863 from an omnibus survey at a large public university, and the second a sample of size 305 recruited from Amazon Mechanical Turk. Both surveys were conducted online.³ Although there can be some problems with convenience samples, given significant variation in important predictors within the samples, they can still provide a great deal of reliable information and be valuable for inference (Druckman and Kam 2011). For evidence of this variation, refer to the balance tables in Table 2 and Table SM1.

Given the treatment groups, the main independent variables are whether the decision is unilateral or consensual, as well as the partisan affiliation of the leader who made the decision. All respondents read a hypothetical description of a mayors decision in a fictional town in Georgia. The unilateral conditions are as follows, with one each for the party identification of the mayor:

The mayor of Somerville, Georgia, Jordan Roberts (**Democrat/Republican**), has strongly lobbied to build an auto-parts factory in the western part of Somerville by the Camorr river. Mayor Roberts believes that the factory will bring jobs and

³Other surveys were conducted to create validity for the measure of psychological democratic support applied here but did not include the survey experiment of interest.

growth to Somerville and the surrounding county. **However, there was a notable opposition from many voters because citizens on the Eastern side of town will be disproportionately taxed to pay for the building of the factory, while enjoying fewer benefits.** There is also some concern about about effects of pollution in communities by the river, with some questioning future health risks.

In a subsequent resolution, **the city council voted against the building of the factory. In a break with tradition, Mayor Roberts bypassed the council's vote and decided to push forward and allow for the building of the factory despite the council's recommendation.**

As opposed to the unilateral condition which emphasizes breaks with both the public and city council on the part of the council, the consensual conditions present a contentious issue that receives support from the council. For further clarification, differing areas in the treatments are highlighted. Given this, the consensual condition is below, again with one presented each for the party identification of the mayors:

The mayor of Somerville, Georgia, Jordan Roberts **(Democrat/Republican)** has strongly lobbied to build an auto-parts factory in the western part of Somerville by the Camorr river. Mayor Roberts believes that the factory will bring jobs and growth to Somerville and the surrounding county. However, there were some concerns about about effects of pollution in communities by the river, with some questioning future health risks.

Despite this open question, in a subsequent resolution, **city council members from all areas of Somerville rallied behind the mayor and voted for the building of the factory.**

The main outcome of interest are respondent evaluations of democratic legitimacy. I operationalize legitimacy using four questions that gauge both the procedural legitimacy of the decision-making process and the legitimacy of the decision itself. These questions and categorizations are based off of work by [Clayton, O'Brien and Piscopo \(2019\)](#). The questions ask to what extent respondents agree or disagree with the following statements:

1. *The mayor made the right decision for all the town's citizens*
2. *The decision was fair for those citizens negatively affected by the building of the factory*

3. *The decision-making process was fair*

4. *The mayor's decision should be overturned*

The first two questions I refer to in the text as *Right decision* and *Fair to citizens* and are concerned with the substantive legitimacy of the decision itself. On the other hand, the third question specifically asks if there was a *Fair process* when making the decision. Finally in the fourth question, *Overturn decision* taps into both approval of the decision and the decision-making process. I analyze results for each of these questions in order to present a better summary of the effects of executive authority on legitimacy.

Party identification of respondents will be measured using the party strength scale. This scale accounts for not just outright partisan identifiers, but also for partisan leaners (Klar and Krupnikov 2016). This scale ranges from strong Republican to strong Democrat, with “true” independents in the middle. For the results, this is changed into a numeric scale from 1 to 7, with 1 representing the strong Democrats and 7 the strong Republicans.

Race is included for the four most prevalent racial groups in the student sample. These racial groups are *White*, *Black*, *Hispanic*, and *Asian*. Indeed, these groups are ideal for testing different responses to executive authority given recent and past executive uses of authority in the US context. Note also that all conditional hypotheses will only be evaluated using the student sample due to sample size restrictions in the MTurk sample.

The democratic attachment measure used to evaluate the final hypothesis is a summated scale (Cronbach's alpha = 0.613) created using four questions that ask if the respondent believes “Voting is a citizen's democratic duty”, “When people praise democracy, it makes me feel good”, “When people criticize democracy, it feels like a personal insult”, and “I feel a stronger affinity to people in foreign countries when those countries are democracies, as compared to people that live in non-democracies”. As opposed to questions about procedural aspects of democracy or substantive outcomes related to democracy, these questions aim to uncover psychological and emotional connections to democracy. The questions for the attachment to democracy are based on research showing psychological connections

to political parties both in the United States and in other democracies (Bankert, Huddy and Rosema 2017; Huddy, Bankert and Davies 2018). While compared to political parties, democracy is clearly more abstract, in both included samples there is meaningful variation in responses (see Table 2). Furthermore, correlations to established items such as satisfaction with democracy and democratic support are relatively low, indicating the instruments are tapping into a novel dimension of democratic support. Further emphasizing this, satisfaction with democracy and support for democracy load onto separate factors after conducting a factor analysis. Indeed, these findings on the uniqueness of these items regarding democratic attachment have been confirmed in the author’s previous dissertation research.

Descriptive statistics for each treatment group in the student sample are shown in Table 2. As can be seen in the table, the four treatment conditions are, on average, quite similar for all pre-treatment demographics and quantities of interest. Importantly, Table 2 shows that across treatments there are about the same percentage of Republicans and Democrats, as well similar percentages of each racial group. Furthermore, the mean values of democratic attachment, as well as the constituent pieces of the democratic attachment scale have approximately equivalent means across treatment groups. Table SM1 in the Supplementary Material displays descriptive statistics for the MTurk sample and shows corresponding equivalence of covariates across groups. Therefore, in both samples there is evidence of effective randomization.

Results

The main results for the set of survey experiments are displayed in Figure 1. The points show means for each form of legitimacy previously described in the text for each treatment group, with the left panel corresponding to the student sample and the right panel the MTurk sample. The range of each legitimacy variable is between 0 and 1. The horizontal lines indicate 84% confidence intervals, which when compared between points approximate a 95% t-test between means.

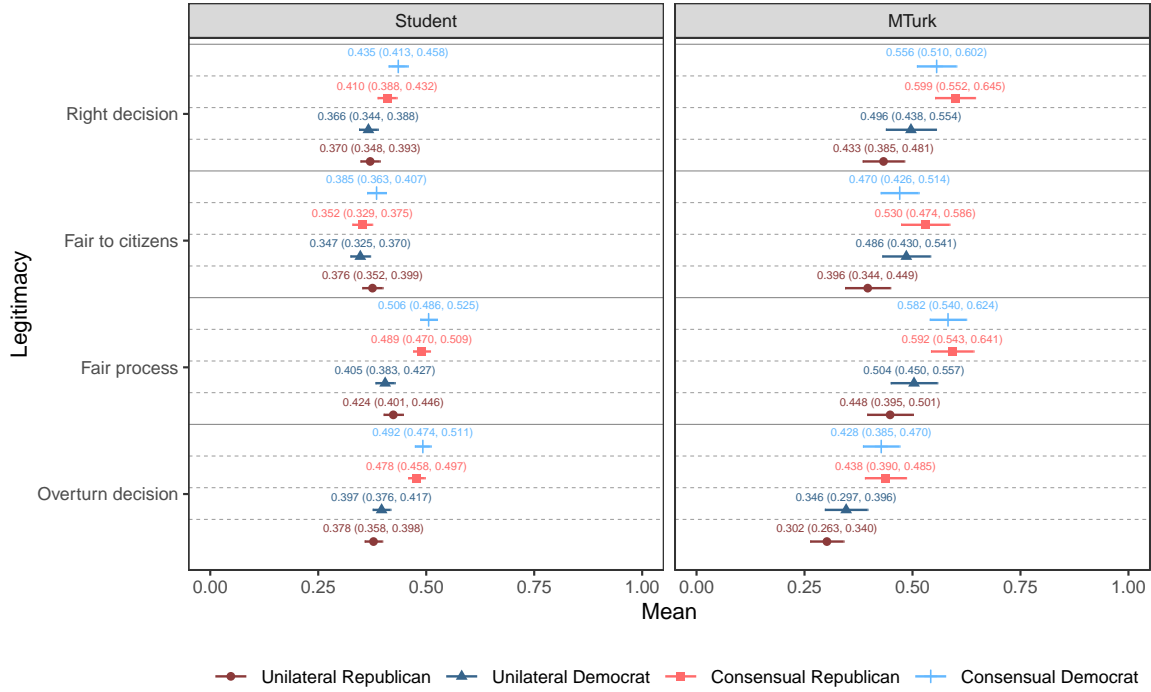
For the student sample for every form of legitimacy other than *Fair to citizens*, both

Table 2: Balance table for student sample

	Unilateral Republican (N=213)	Unilateral Democrat (N=213)	Consensual Republican (N=213)	Consensual Democrat (N=224)	Overall (N=863)
Party					
Republican	91 (42.7%)	86 (40.4%)	76 (35.7%)	81 (36.2%)	334 (38.7%)
Democrat	72 (33.8%)	80 (37.6%)	79 (37.1%)	80 (35.7%)	311 (36.0%)
Independent	38 (17.8%)	34 (16.0%)	40 (18.8%)	44 (19.6%)	156 (18.1%)
Don't know	9 (4.2%)	10 (4.7%)	16 (7.5%)	12 (5.4%)	47 (5.4%)
Other	3 (1.4%)	3 (1.4%)	2 (0.9%)	7 (3.1%)	15 (1.7%)
Party scale					
Strong Republican	43 (20.2%)	31 (14.6%)	31 (14.6%)	34 (15.2%)	139 (16.1%)
Not very strong Republican	48 (22.5%)	55 (25.8%)	45 (21.1%)	47 (21.0%)	195 (22.6%)
Closer to the Republican Party	16 (7.5%)	15 (7.0%)	19 (8.9%)	23 (10.3%)	73 (8.5%)
Neither	10 (4.7%)	11 (5.2%)	9 (4.2%)	10 (4.5%)	40 (4.6%)
Closer to the Democratic Party	24 (11.3%)	21 (9.9%)	30 (14.1%)	30 (13.4%)	105 (12.2%)
Not very strong Democrat	32 (15.0%)	39 (18.3%)	43 (20.2%)	38 (17.0%)	152 (17.6%)
Strong Democrat	40 (18.8%)	41 (19.2%)	36 (16.9%)	42 (18.8%)	159 (18.4%)
Conservative					
Very conservative	8 (3.8%)	5 (2.3%)	3 (1.4%)	4 (1.8%)	20 (2.3%)
Conservative	55 (25.8%)	57 (26.8%)	50 (23.5%)	49 (21.9%)	211 (24.4%)
Moderate	87 (40.8%)	88 (41.3%)	92 (43.2%)	100 (44.6%)	367 (42.5%)
Liberal	54 (25.4%)	52 (24.4%)	52 (24.4%)	53 (23.7%)	211 (24.4%)
Very liberal	9 (4.2%)	11 (5.2%)	16 (7.5%)	18 (8.0%)	54 (6.3%)
Race					
White	154 (72.3%)	164 (77.0%)	148 (69.5%)	162 (72.3%)	628 (72.8%)
Black	14 (6.6%)	15 (7.0%)	16 (7.5%)	16 (7.1%)	61 (7.1%)
Hispanic	12 (5.6%)	10 (4.7%)	10 (4.7%)	11 (4.9%)	43 (5.0%)
Asian	26 (12.2%)	20 (9.4%)	25 (11.7%)	26 (11.6%)	97 (11.2%)
Missing	7 (3.3%)	4 (1.9%)	14 (6.6%)	9 (4.0%)	34 (3.9%)
Female					
Female	138 (64.8%)	115 (54.0%)	127 (59.6%)	141 (62.9%)	521 (60.4%)
Male	71 (33.3%)	98 (46.0%)	83 (39.0%)	82 (36.6%)	334 (38.7%)
Missing	4 (1.9%)	0 (0%)	3 (1.4%)	1 (0.4%)	8 (0.9%)
Democratic attachment					
Mean (SD)	0.594 (0.167)	0.601 (0.149)	0.592 (0.162)	0.581 (0.166)	0.592 (0.161)
Median [Min, Max]	0.563 [0.0625, 1.00]	0.625 [0.125, 1.00]	0.563 [0.188, 1.00]	0.563 [0, 1.00]	0.563 [0, 1.00]
Missing	1 (0.5%)	0 (0%)	1 (0.5%)	0 (0%)	2 (0.2%)
Connect to foreign					
Mean (SD)	3.25 (0.977)	3.24 (0.930)	3.16 (0.933)	3.15 (0.947)	3.20 (0.947)
Median [Min, Max]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]
Praise for democracy					
Mean (SD)	3.30 (0.912)	3.38 (0.885)	3.32 (0.891)	3.25 (0.936)	3.31 (0.907)
Median [Min, Max]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]
Criticize democracy					
Mean (SD)	2.73 (1.04)	2.75 (1.06)	2.75 (1.01)	2.73 (1.00)	2.74 (1.03)
Median [Min, Max]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]
Missing	0 (0%)	0 (0%)	1 (0.5%)	0 (0%)	1 (0.1%)
Voting a duty					
Mean (SD)	4.23 (0.802)	4.23 (0.766)	4.25 (0.790)	4.18 (0.839)	4.22 (0.799)
Median [Min, Max]	4.00 [1.00, 5.00]	4.00 [2.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]
Missing	1 (0.5%)	0 (0%)	0 (0%)	0 (0%)	1 (0.1%)

Note: For nominal variables, counts and percentages for each treatment are reported, with percentages in parentheses.

Figure 1: Mean value by legitimacy category, treatment group, and survey



Note: Points are means for each form of legitimacy. Dashed lines represent 84% confidence intervals.

the consensual Republican and Democrat groups have higher mean responses than the unilateral groups. For instance, for the *Right decision* outcome, **Consensual Democrat** and **Consensual Republican** have means of 0.435 and 0.410, respectively. On the other hand, in the **Unilateral Democrat** and **Unilateral Republican** treatments, the means are 0.366 and 0.370, respectively. For comparison, the absolute value of the difference between the **Unilateral Democrat** and **Consensual Democrat** is 0.069 and statistically significant at the 0.05 level.

Other outcomes show similar or even larger differences between the **Consensual** and **Unilateral** treatments. In the *Fair process* outcome, the gap between **Unilateral Republican** and the **Democrat Consensual** and **Republican Consensual** treatments is 0.082 and 0.065, respectively. In the *Overturn decision* outcome, the means of the **Unilateral Republican** and **Unilateral Democrat** conditions are respectively 0.378 and 0.397, substantively and statistically distinct from the means of 0.478 and 0.492 in the respective

Consensual Republican and **Consensual Democrat** treatments. Of further note, the means of **Unilateral Democrat** and **Unilateral Republican** are not statistically distinct from each other in any outcome of legitimacy. This shows evidence that respondents, on average, think unilateral decisions made by either party are similarly less legitimate as compared to the consensual decisions.

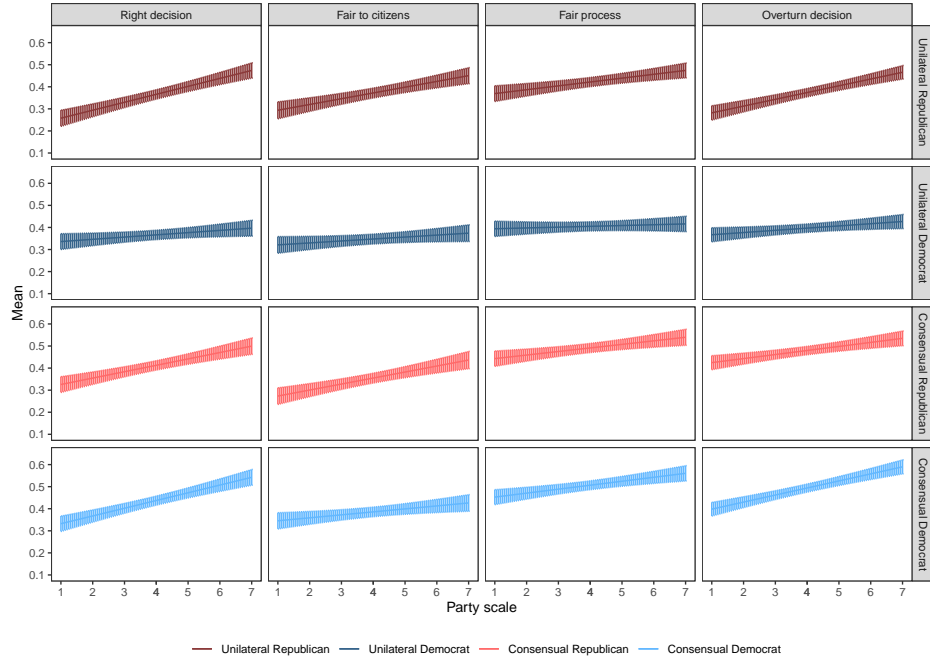
The main results from the MTurk sample corroborate the findings from the student sample. Again, unilateral decisions tend to have lower mean legitimacy scores as compared to those in the consensual treatments. Notably, there are distinct differences between the **Unilateral Republican** group and both of the consensual treatments. On the other hand, while having lower mean values than the consensual treatments, **Unilateral Democrat** is not statistically significant from those groups in any legitimacy outcome.

In order to test the moderating effects of party attachment, I estimate a set of linear models where party attachment is interacted with treatment status.⁴ The results of these models are visually depicted in [Figure 2](#). The plots show the mean predicted value at each level of the Party scale, with lower values being stronger Democrats and high values being stronger Republicans. Treatment status is shown in the horizontal panels and legitimacy outcome in the vertical panels.

From [Figure 2](#), we can see that, on average, as respondents are stronger Republicans, they are more likely to think decisions made are legitimate. For instance, in the **Consensual Democrat** treatment, the slope of each line is positive for each potential legitimacy outcome. This indicates that even when a Democrat makes the decision, stronger Republicans are more likely to agree with the decision. More specifically, for the *Overturn decision* outcome, at the highest point of the partisan scale (strong Republican high), the predicted value is 0.466 as compared to 0.282 for strong Democrats. This is a statistically significant difference of 0.184, indicating that strong Republicans are less likely to think that the decision should

⁴Note that all subgroup analyses are performed only on the student sample due to sample size restrictions in the MTurk sample.

Figure 2: Mean value by legitimacy category, treatment group, and party identification



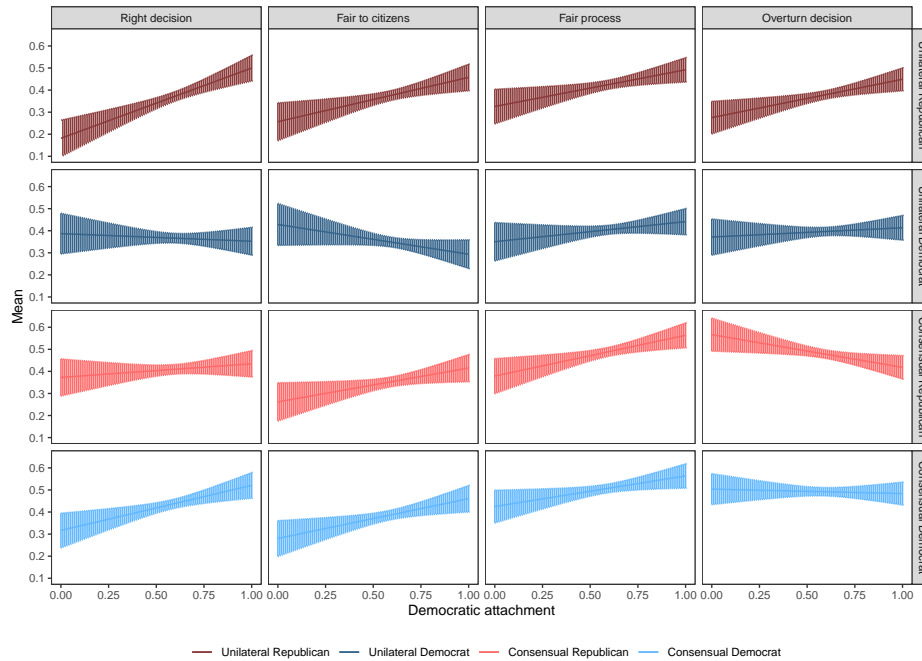
Note: Points are means for each form of legitimacy. Higher values of the party scale indicate stronger Republican. Ribbons represent 84% confidence intervals.

be overturned.

The most convincing explanation for the higher levels reported legitimacy among Republicans is in the text of the prompt, which deals with partisan issues of environmental protection vs. the economy and job growth. Because the decision in all prompts had a possibility of negative environmental impact, it is likely that Democrats would, on average, respond more negatively to the decision. Despite this, in the Unilateral Democrat treatment this trend of more positive legitimacy evaluations on the part of stronger Republicans is not visible. Instead, as the Party scale variable increases, the slope as Party scale increase is only slightly positive as compared to other treatments. Indeed, this comparative smaller magnitude in slope for the *Right decision* outcome for the **Unilateral Democrat** treatment is statistically distinct even from the **Consensual Democrat** treatment ($F = 6.74$, $df = 1$, $p = 0.01$). Furthermore, this result is generally consistent across legitimacy outcomes and treatments. Given this, Republican evaluations of legitimacy when a Democrat

makes the unilateral decision are on average lower. As compared to Republicans, instead of receiving boosts in evaluations of legitimacy when a Democrat makes the unilateral decision, Democrats' evaluations remain at a relatively consistent level regardless of the partisan-status of the decision-maker.

Figure 3: Mean value by legitimacy category, treatment group, and democratic attachment



Note: Points are means for each form of legitimacy. Higher values of the party scale indicate stronger democratic attachment. Ribbons represent 84% confidence intervals.

To test the conditional effect of democratic attachment, I once more estimate linear models with interactions between attachment and treatment status. Results for these models are shown in Figure 3. Again, legitimacy outcome is given by vertical panels with legitimacy on the y-axis. For ease of interpretation, treatment status is given by both horizontal panel and legend color indicated on the bottom of the figure.

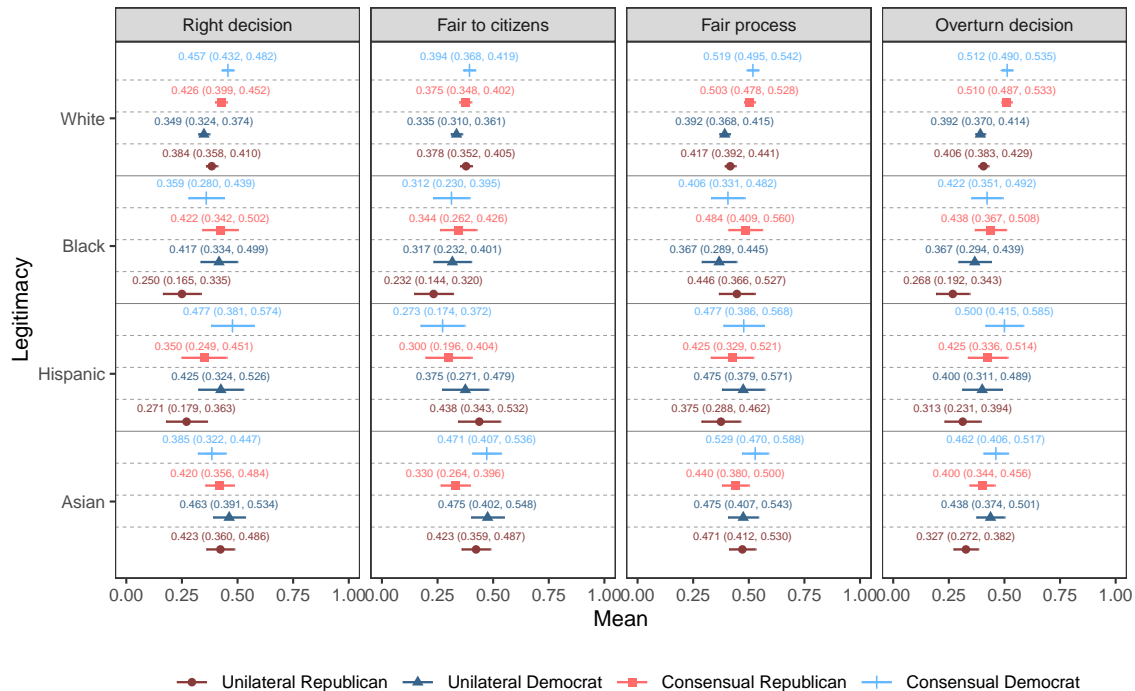
Results from Figure 3 show somewhat similar trends as Figure 2 for party identification. Most strikingly, as democratic attachment increases, in most outcomes expected legitimacy also increases. However, this is not as uniformly the case as for party attachment. Notably, for *Overturn decision*, as democratic attachment increases in the consensual treatments,

legitimacy scores tend to decrease.

There are further distinctions in Figure 3 between the **Unilateral Democrat** and **Unilateral Republican** treatments. As attachment increases, there is little increase (and sometimes a decrease) in the legitimacy score. This is starkly compared to the **Unilateral Republican** group where increases in democratic attachment are consistently associated with higher evaluations of legitimacy. This again reflects differences found in Figure 2 for party attachment.

Predicted values from a set of linear models with interactions between reported race and treatment are shown in Figure 4. On the y-axis are the different racial categories of White, Black, Hispanic, and Asian. The x-axis shows the predicted value of democratic legitimacy by outcome category displayed in the vertical panels. Treatment categories are designated by the legend on bottom of the figure.

Figure 4: Mean value by legitimacy category, treatment group, and race



Note: Points are means for each form of legitimacy. Dashed lines represent 84% confidence intervals.

In Figure 4, we may observe that the trends for *White* respondents mirror the over-

all results from [Figure 1](#). This makes sense given the majority of the sample is white. For comparison, the previous discussed difference between the **Unilateral Democrat** and **Consensual Democrat** for *Right decision* is 0.108, even greater than the value of 0.069 for the main results. This finding is similar across all outcomes of legitimacy, with white respondents clearly having overall lower evaluations of legitimacy when decisions are unilateral. Furthermore, there is almost no difference between the two unilateral conditions themselves.

Given the previous statements about results for *White* respondents, findings are contrasted for the *Black*, *Hispanic*, and *Asian* groups. To begin, in all three of these groups there is comparatively little difference between the consensual and unilateral conditions. This trend is especially noticeable for *Asian* respondents where there is little difference between nearly every treatment for every outcome. The one case where this is not true is **Unilateral Republican**, which has a lower value in the *Overturn decision* outcome.

Notably, the trend of the **Unilateral Republican** treatment corresponding with lower evaluations is even stronger and more consistent for *Black* and *Hispanic* respondents. In fact, these lower legitimacy scores for **Unilateral Republican** are often the sole distinction when compared to other treatments. For instance, when again referring to *Right decision* for *Black* respondents, **Unilateral Republican** has a comparatively low score of 0.250 which is statistically distinct from all other treatments.⁵ This lower score for **Unilateral Republican** in the *Right decision* outcome again persists for *Hispanic* respondents, although not statistically distinct from the **Unilateral Democrat** and **Consensual Republican** treatments. Despite this, the gaps between the **Unilateral Republican** treatment and other treatments are much larger than those gaps for *White* respondents. Overall, this indicates that especially *Black* and *Hispanic* respondents have much lower evaluations of unilateral decisions when those decisions are made by a Republican.

⁵Note that while the figure shows overlap in confidence intervals between the **Unilateral Republican** and **Unilateral Democrat** treatments for *Right decision*, this is a product of rounding. When not rounding, there is not overlap in the confidence intervals.

Conclusion

What can now be said about the relationship between executive decisions and legitimacy? Using survey experiments with samples recruited from both university students and MTurk, I find clear evidence that, on average, respondents view unilateral decisions as less legitimate when comparing to consensual decisions. In addition, when speaking of the base results, this finding holds when comparing across the partisanship of the mayor making the decision. Therefore, decisions made unilaterally by both Democrats and Republicans score similarly in legitimacy across all measured outcomes.

The findings also corroborate previous work showing the conditional nature of legitimacy evaluations ([Braman 2016](#)). Strong Republicans showed a clear preference for unilateral decisions made by Republicans as compared to Democrats. This difference is notably asymmetric, with Democrats evaluating unilateral decisions made by co-partisans as less legitimate. Further, the democratic attachment results also present intriguing avenues for future research. First, there does appear to be some association with partisanship based on the results. However, correlations between democratic attachment and partisanship are not substantial and different enough empirically and conceptually to warrant separate analyses in future investigations.

With regard to partisanship, of possible concern is the content of the prompt. As previously noted, the hypothetical situation favored possible partisan or ideologically responses based on its relevance to the environmental vs. economy situation. Indeed, this concern squares with previous work on decision-making, opinion, and the type of decision being made, with different sets of decisions impacting evaluations of legitimacy ([Flynn and Harbridge 2016](#); [Braman 2016](#)).

Very prominent stands the racial component of this analysis. While the partisanship of the mayor is varied in this analysis, complicating the approach with multiple racial groups of the decision-maker would be valuable in future analyses. Further, the content of the prompt could be altered to discuss a particular racial or class group impacted by a decision. Given

this, executive decisions should be considered not just in regard to the general populace or partisan groups, but also the racial groups evaluating those decisions. By focusing on who these decisions overwhelmingly impact, we may gain more knowledge about the limits of linked fate and party politics ([Marsh and Ramírez 2019](#)).

Overall, this piece and its findings have implications for how we think about decisions and the public's responses to those decisions. As noted in previous works on democratic and regime legitimacy, procedures within executive institutions are important to citizens ([Easton 1975](#); [Linz and Stepan 1996](#); [Clayton, O'Brien and Piscopo 2019](#)). As executive decisions become more common, understanding who these decisions impact and how citizens respond is essential. This is especially true for the nuanced, conditional relationships discussed here and especially for those most impacted by the politics of executive authority.

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SUPPLEMENTARY MATERIAL

**The Negative Effects of Unilateral Decisions on
Democratic Legitimacy**

Table SM1: Balance table for MTurk sample

	Unilateral Republican (N=82)	Unilateral Democrat (N=70)	Consensual Republican (N=76)	Consensual Democrat (N=77)	Overall (N=305)
Democratic attachment					
Mean (SD)	0.617 (0.201)	0.662 (0.226)	0.689 (0.204)	0.664 (0.186)	0.657 (0.205)
Median [Min, Max]	0.625 [0.0625, 1.00]	0.688 [0, 1.00]	0.719 [0, 1.00]	0.688 [0.188, 1.00]	0.688 [0, 1.00]
Missing	1 (1.2%)	0 (0%)	0 (0%)	1 (1.3%)	2 (0.7%)
Connect to foreign					
Mean (SD)	3.43 (1.05)	3.57 (1.07)	3.50 (0.987)	3.70 (0.910)	3.55 (1.01)
Median [Min, Max]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]
Missing	0 (0%)	0 (0%)	0 (0%)	1 (1.3%)	1 (0.3%)
Praise for democracy					
Mean (SD)	3.51 (0.950)	3.64 (1.10)	3.75 (0.896)	3.68 (0.969)	3.64 (0.979)
Median [Min, Max]	3.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]
Missing	1 (1.2%)	0 (0%)	0 (0%)	1 (1.3%)	2 (0.7%)
Criticize democracy					
Mean (SD)	2.88 (1.30)	3.23 (1.25)	3.51 (1.19)	3.05 (1.16)	3.16 (1.25)
Median [Min, Max]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]	4.00 [1.00, 5.00]	3.00 [1.00, 5.00]	3.00 [1.00, 5.00]
Missing	0 (0%)	0 (0%)	0 (0%)	1 (1.3%)	1 (0.3%)
Voting a duty					
Mean (SD)	4.06 (1.05)	4.14 (0.997)	4.26 (1.09)	4.18 (0.934)	4.16 (1.02)
Median [Min, Max]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]	5.00 [1.00, 5.00]	4.00 [1.00, 5.00]	4.00 [1.00, 5.00]
Missing	0 (0%)	0 (0%)	0 (0%)	1 (1.3%)	1 (0.3%)
Party					
Democrat	33 (40.2%)	32 (45.7%)	36 (47.4%)	41 (53.2%)	142 (46.6%)
Don't know	1 (1.2%)	0 (0%)	0 (0%)	0 (0%)	1 (0.3%)
Independent	19 (23.2%)	15 (21.4%)	11 (14.5%)	11 (14.3%)	56 (18.4%)
Other	1 (1.2%)	2 (2.9%)	1 (1.3%)	0 (0%)	4 (1.3%)
Republican	28 (34.1%)	21 (30.0%)	28 (36.8%)	25 (32.5%)	102 (33.4%)
Party scale					
	2 (2.4%)	2 (2.9%)	1 (1.3%)	0 (0%)	5 (1.6%)
Closer to the Democratic Party	13 (15.9%)	5 (7.1%)	2 (2.6%)	3 (3.9%)	23 (7.5%)
Closer to the Republican Party	1 (1.2%)	6 (8.6%)	6 (7.9%)	3 (3.9%)	16 (5.2%)
Neither	5 (6.1%)	4 (5.7%)	3 (3.9%)	5 (6.5%)	17 (5.6%)
Not very strong Democrat	10 (12.2%)	15 (21.4%)	13 (17.1%)	16 (20.8%)	54 (17.7%)
Not very strong Republican	12 (14.6%)	8 (11.4%)	11 (14.5%)	14 (18.2%)	45 (14.8%)
Strong Democrat	23 (28.0%)	17 (24.3%)	23 (30.3%)	25 (32.5%)	88 (28.9%)
Strong Republican	16 (19.5%)	13 (18.6%)	17 (22.4%)	11 (14.3%)	57 (18.7%)
Conservative					
Conservative	16 (19.5%)	10 (14.3%)	14 (18.4%)	19 (24.7%)	59 (19.3%)
Liberal	29 (35.4%)	25 (35.7%)	25 (32.9%)	23 (29.9%)	102 (33.4%)
Moderate	18 (22.0%)	21 (30.0%)	16 (21.1%)	21 (27.3%)	76 (24.9%)
Very conservative	9 (11.0%)	5 (7.1%)	11 (14.5%)	5 (6.5%)	30 (9.8%)
Very liberal	10 (12.2%)	9 (12.9%)	10 (13.2%)	9 (11.7%)	38 (12.5%)
Female					
Female	35 (42.7%)	30 (42.9%)	33 (43.4%)	32 (41.6%)	130 (42.6%)
Male	47 (57.3%)	39 (55.7%)	42 (55.3%)	44 (57.1%)	172 (56.4%)
Missing	0 (0%)	1 (1.4%)	1 (1.3%)	1 (1.3%)	3 (1.0%)
Race					
White	60 (73.2%)	46 (65.7%)	59 (77.6%)	58 (75.3%)	223 (73.1%)
Black	16 (19.5%)	12 (17.1%)	11 (14.5%)	9 (11.7%)	48 (15.7%)
Hispanic	0 (0%)	5 (7.1%)	3 (3.9%)	3 (3.9%)	11 (3.6%)
Missing	6 (7.3%)	7 (10.0%)	3 (3.9%)	7 (9.1%)	23 (7.5%)