

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 United States 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, as well as the race of the citizen evaluating the decision. Of note, Republicans will view unilateral decisions made by Democrats as less legitimate, while Democrats critical of unilateral decisions made by both 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.

Keywords: Unilateral decisions, Democratic legitimacy, Partisanship, Race, Survey experiments

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 violate conventional democratic norms? This question guides this piece in an investigation on democratic legitimacy in the United States context. I build on scholarship maintaining 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 and racial identities 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 tested concepts like partisan motivated reasoning and racial linked fate (Marsh and Ramírez 2019; Bejarano et al.

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

2020; Morín, Macías Mejía and Sanchez 2021).

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. More specifically, Republicans are more likely to view a Democrat making a unilateral decisions more negatively while still positively evaluating their own co-partisan. Finally, analyses stratified 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 repercussions in the domain of public opinion for unilateral over-extension, but the resulting evaluations depend on characteristics of both the decision-maker and the public, as well as the inter-play of these characteristics

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).

Underlying the key role of the executive, 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 theoret-

ically 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. This is even more true in 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). Further, 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 used 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 many 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).

Regarding an overactive executive, Singh and Carlin (2015) remark upon the delicate balance needed between the executive and legislature 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 differing partisan information and cues that citizens retain when they are attached to a party ([Parker-Stephen 2013](#)). As evidence of this, partisan motivated reason would influence individuals to support a candidate's decisions where they otherwise might not support that decision ([Bolsen, Druckman and Cook 2014](#)). Overall, strong affiliations with the party can even trump individual beliefs or preexisting moral convictions.

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 support policies they favor being 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.

Beyond expected differences in effects based on partisan 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 political science scholarship, belonging to a marginalized identity or group has been empirically shown to impact evaluations of legitimacy. 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). Overall, a key takeaway is that representation of the interests and identities of marginalized groups is paramount in expanding democratic legitimacy and support (Dovi 2002; Mansbridge 1999; Phillips 1995).

Despite this, unilateral decisions on the part of the executive have often hurt marginalized groups. Indeed, executive action has a long history in both the United States and in other countries of both empowering and discriminating against historically marginalized groups (Braman 2016). For instance, civil rights issues have often required executive action on the part of governors or the president to effect change. 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.

Political struggles in recent years reinforce these recurring issues in American political history. DACA and President Trump’s travel ban are examples of executive decisions that have gained considerable attention on both sides of the aisle. Beyond this, support for these most contentious executive decisions are 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, marginalized groups will afford more credibility to Democratic politicians who make these unilateral decisions as compared to

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/>

Republican politicians. Given this, below is my final expectation:

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

Analysis

In order to evaluate the effects of decision making on legitimacy, I make use of a survey experiment. Survey experiments are valuable because they allow to randomly present a scenario 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, especially with regard to high-profile executive orders and memorandum. Furthermore, events in local politics have the potential to garner insights on larger-scale political phenomena (Sances 2016). The design of the experiment is shown in Table 1. There are 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 respondents from an omnibus survey at a large public university collected in the spring of

2020, and the second a sample of size 305 respondents recruited from Amazon Mechanical Turk in the fall of 2020. Both surveys were conducted online. 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 SM1 and Table SM2.

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 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 not just outright partisan identifiers, but also for partisan leaners (Klar and Krupnikov 2016). The scale ranges from strong Republican to strong Democrat, with "true" independents in the middle. For the results, the variable is converted 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 United States context. Note also that all conditional hypotheses will only be evaluated using the student sample due to sample size restrictions in the MTurk sample.

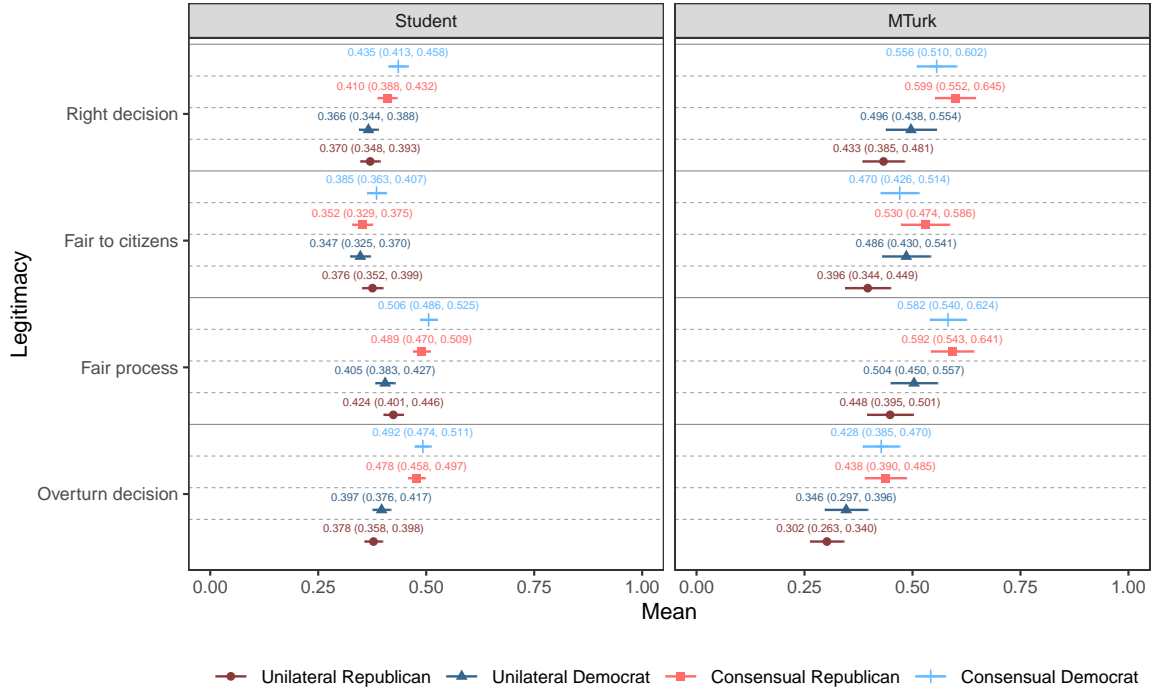
Descriptive statistics for each treatment group in the student sample are shown in [Table SM1](#). As can be seen in the table, the four treatment conditions are, on average, quite similar for all pre-treatment demographics and quantities of interest. Importantly, [Table SM1](#) shows that across treatments there are about the same percentage of Republicans and Democrats, as well similar percentages of each racial group. [Table SM2](#) 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 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

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.

significant at the 0.05 level.

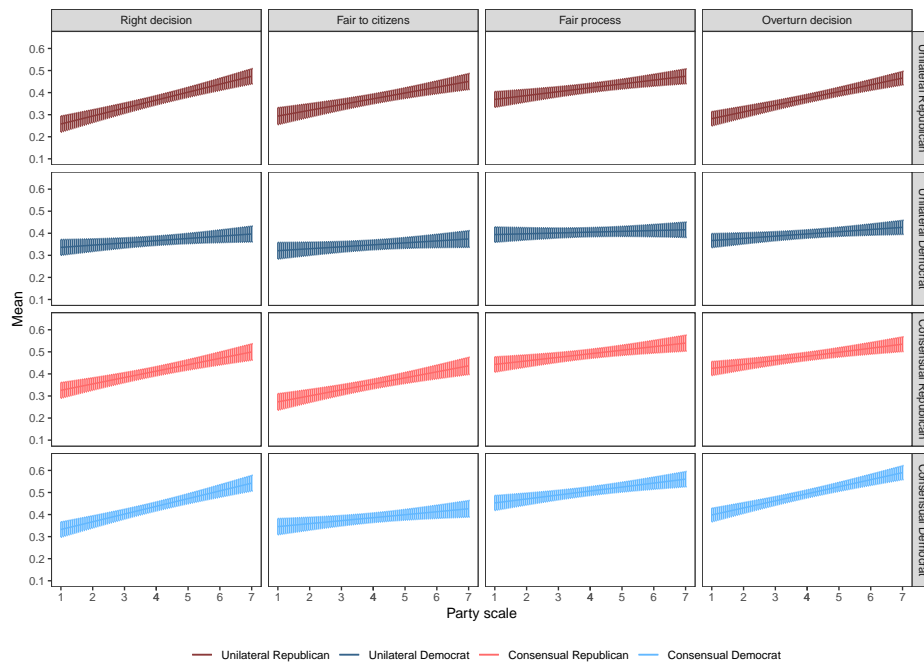
Other outcomes show similar or even larger differences between the **Consensual** and **Unilateral** treatments. In the *Fair process* outcome, the gap between **Unilateral Republican** and the **Democrat Consensual and Republican Consensual** treatments is 0.082 and 0.065, respectively. In the *Overturn 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.³ 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.

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



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

³Note that all subgroup analyses are performed only on the student sample due to sample size restrictions in the MTurk sample.

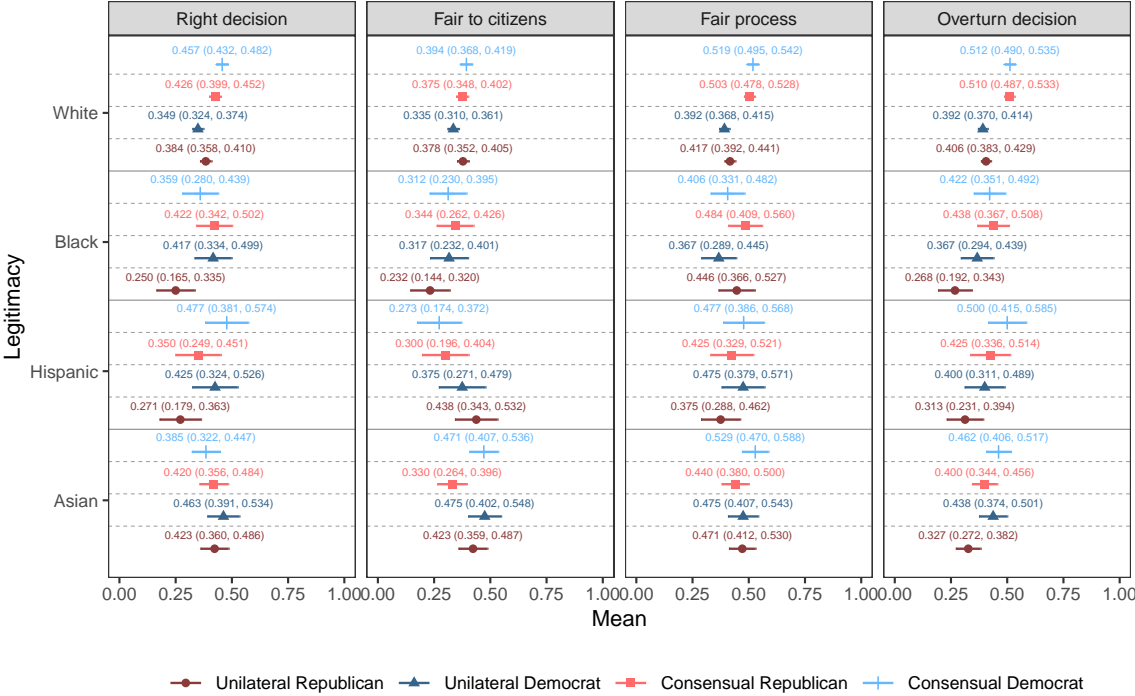
From [Figure 2](#), we can see that, on average, as respondents are stronger Republicans, they are more likely to think decisions made are legitimate. For instance, in the **Consensual Democrat** treatment, the slope of each line is positive for each potential legitimacy outcome. This indicates that 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 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 plausible 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 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.

Predicted values from a set of linear models with interactions between reported race and treatment are shown in [Figure 3](#). 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 3: Mean value by legitimacy category, treatment group, and race



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

In Figure 3, we may observe that the trends for *White* respondents mirror the overall 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 be-

tween 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.⁴ 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.

Discussion

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

⁴Note 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.

evaluations ([Braman 2016](#)). Strong Republicans showed a clear preference for unilateral decisions made by Republicans as compared to Democrats. The disparity is also notably asymmetric, with Democrats evaluating unilateral decisions made by co-partisans as less legitimate. This suggests that Democrats are more likely to critically evaluate unilateral, non-democratic decisions even when their own party makes them. The partisan disparity is perhaps unsurprising given recent undemocratic developments such as the January 6th Insurrection and the continued support for President Trump during both impeachment proceedings.

Despite the partisan differences in the results, 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](#)).

The analyses considering the race of respondents also presents critical insights into how opinion of executive decision-making continues to be racialized. As theorized, historically underrepresented racial groups tend to evaluate the legitimacy of decisions made by Republican executives, as compared to Democrats, more negatively. Furthermore, opinions towards Republican decisions are most critical among Black and Hispanic respondents. This furthers evidence that the past and current record of conservative, Republican executive decisions can alienate members of the Black and Hispanic communities.

While the partisanship of the mayor is varied in this analysis, adding to 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](#)). However, results from these analyses show that identity-based attachments of citizens are also key in democratic opinions. 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 the marginalized groups most impacted by the politics of executive authority.

References

- Baccini, Leonardo and Abel Brodeur. 2021. "Explaining Governors' Response to the COVID-19 Pandemic in the United States." *American Politics Research* 49(2):215–220.
- Bankert, A, L Huddy and M Rosema. 2017. "Measuring Partisanship As a Social Identity in Multi-Party Systems." *Political Behavior* 39(1):103–123.
- Bejarano, Christina, Nadia E Brown, Sarah Allen Gershon and Celeste Montoya. 2020. "Shared Identities: Intersectionality, Linked Fate, and Perceptions of Political Candidates." *Political Research Quarterly* p. 1065912920951640.
- Bekkers, Victor, Geske Dijkstra and Menno Fenger. 2016. *Governance and the Democratic Deficit: Assessing the Democratic Legitimacy of Governance Practices*. Routledge.
- Bolsen, Toby, James N Druckman and Fay Lomax Cook. 2014. "The Influence of Partisan Motivated Reasoning on Public Opinion." *Political Behavior* 36(2):235–262.
- Braman, Eileen. 2016. "Exploring Citizen Assessments of Unilateral Executive Authority." *Law & Society Review* 50(1):189–223.
- Carlin, Ryan E and Matthew M Singer. 2011. "Support for Polyarchy in the Americas." *Comparative Political Studies* 44(11):1500–1526.
- Christenson, Dino P and Douglas L Kriner. 2017. "Mobilizing the Public Against the President: Congress and the Political Costs of Unilateral Action." *American Journal of Political Science* 61(4):769–785.
- Clayton, Amanda, Diana Z O'Brien and Jennifer M Piscopo. 2019. "All Male Panels? Representation and Democratic Legitimacy." *American Journal of Political Science* 63(1):113–129.
- Cockerham, Alexandra G and Robert E Crew, Jr. 2017. "Factors Affecting Governors' Decisions to Issue Executive Orders." *State and Local Government Review* 49(1):6–14.
- Daly, Tom. 2019. "Populism, Public Law, and Democratic Decay in Brazil: Understanding the Rise of Jair Bolsonaro."
- Dovi, Suzanne. 2002. "Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?" *American Political Science Review* 96(4):729–743.
- Druckman, J N and C D Kam. 2011. "Students as Experimental Participants." *Cambridge Handbook of Experimental Political Science* .
- Easton, David. 1975. "A Re-assessment of the Concept of Political Support." *British Journal of Political Science* 5(4):435–457.
- Flynn, D J and Laurel Harbridge. 2016. "How Partisan Conflict in Congress Affects Public Opinion: Strategies, Outcomes, and Issue Differences." *American Politics Research* 44(5):875–902.

- Friedman, Joel Wm. 2012. "The Impact of the Obama Presidency on Civil Rights Enforcement in the United States." *Indiana Law Journal* 87:349.
- González-Ocantos, Ezequiel, Chad Kiewiet de Jonge and David W Nickerson. 2015. "Legitimacy Buying: The Dynamics of Clientelism in the Face of Legitimacy Challenges." *Comparative Political Studies* 48(9):1127–1158.
- Grossman, Guy, Soojong Kim, Jonah M Rexer and Harsha Thirumurthy. 2020. "Political partisanship influences behavioral responses to governors' recommendations for COVID-19 prevention in the United States." *Proceedings of the National Academy of Sciences of the United States of America* 117(39):24144–24153.
- Huddy, L, A Bankert and C Davies. 2018. "Expressive Versus Instrumental Partisanship in Multiparty European Systems." *Political Psychology* .
- Huddy, Leonie. 2001. "From Social to Political Identity: A Critical Examination of Social Identity Theory." *Political Psychology* 22(1):127–156.
- Huddy, Leonie. 2013. "From group identity to political cohesion and commitment." *Oxford Handbook of Political Psychology* pp. 737–773.
- Johnson, Kevin R. 2017. "Immigration and Civil Rights in the Trump Administration: Law and Policy Making by Executive Order." *Santa Clara Law Review* 57:611.
- Klar, S and Y Krupnikov. 2016. "Independent Politics."
- Layton, Matthew L, Maureen M Donaghy and Lúcio R Rennó. 2017. "Does Welfare Provision Promote Democratic State Legitimacy? Evidence from Brazil's Bolsa Família Program." *Latin American Politics and Society* 59(4):99–120.
- Linz, Juan J and Alfred C Stepan. 1996. "Toward Consolidated Democracies." *Journal of Democracy* 7(2):14–33.
- Lowande, Kenneth and Jon C Rogowski. 2021. "Presidential Unilateral Power." *Annual Review of Political Science* 24(1):21–43.
- Major, Mark. 2014. *The Unilateral Presidency and the News Media: The Politics of Framing Executive Power*. Springer.
- Mansbridge, Jane. 1999. "Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"." *Journal of Politics* 61(3):628–657.
- Marsh, Wayde Z C and Ricardo Ramírez. 2019. "Unlinking fate? Discrimination, group-consciousness, and political participation among Latinos and whites." *Politics, Groups, and Identities* 7(3):625–641.
- McBeth, Mark K and Donna L Lybecker. 2018. "The narrative policy framework, agendas, and sanctuary cities: The construction of a public problem." *Policy Studies Journal* 46(4):868–893.

- Merkel, Peter H. 2019. Comparing legitimacy and values among advanced democratic countries. In *Comparing Pluralist Democracies*. Routledge pp. 19–63.
- Morín, Jason L, Yoshira Macías Mejía and Gabriel R Sanchez. 2021. “Is the Bridge Broken? Increasing Ethnic Attachments and Declining Party Influence among Latino Voters.” *Political Research Quarterly* 74(1):182–198.
- Morrell, Michael E. 1999. “Citizen’s Evaluations of Participatory Democratic Procedures: Normative Theory Meets Empirical Science.” *Political Research Quarterly* 52(2):293–322.
- Norris, Pippa. 2011. “Does democratic satisfaction reflect regime performance.” *How Democracy Works: Political Representation and Policy Congruence in Modern Societies* pp. 115–135.
- O’Brien, Benjamin Gonzalez, Loren Collingwood and Stephen Omar El-Khatib. 2019. “The politics of refuge: Sanctuary cities, crime, and undocumented immigration.” *Urban Affairs Review* 55(1):3–40.
- Parker-Stephen, Evan. 2013. “Tides of Disagreement: How Reality Facilitates (and Inhibits) Partisan Public Opinion.” *Journal of Politics* 75(4):1077–1088.
- Pew Research. 2020. “Americans broadly support legal status for immigrants brought to the U.S. illegally as children.” <https://www.pewresearch.org/fact-tank>. Accessed: 2021-9-23.
- Phillips, Anne. 1995. *The Politics of Presence*. Oxford University Press, USA.
- Reeves, Andrew. 2011. “Political Disaster: Unilateral Powers, Electoral Incentives, and Presidential Disaster Declarations.” *Journal of Politics* 73(4):1142–1151.
- Rydliński, Bartosz M. 2018. “Viktor orbán - first among illiberals? Hungarian and polish steps towards populist democracy.” *Online Journal Modelling the New Europe* (26):95–107.
- Sances, Michael W. 2016. “The Distributional Impact of Greater Responsiveness: Evidence from New York Towns.” *Journal of Politics* 78(1):105–119.
- Scherer, Nancy and Brett Curry. 2010. “Does Descriptive Race Representation Enhance Institutional Legitimacy? The Case of the U.S. Courts.” *Journal of Politics* 72(1):90–104.
- Singer, Matthew. 2018. “Delegating Away Democracy: How Good Representation and Policy Successes Can Undermine Democratic Legitimacy.” *Comparative Political Studies* p. 0010414018784054.
- Singh, S P. 2014. “Not All Election Winners Are Equal: Satisfaction With Democracy and the Nature of the Vote.” *European Journal of Political Research* .
- Singh, Shane P and Ryan E Carlin. 2015. “Happy Medium, Happy Citizens: Presidential Power and Democratic Regime Support.” *Political Research Quarterly* 68(1):3–17.
- Wang, Gang, Richard A Devine and Gonzalo Molina-Sieiro. 2021. “Democratic Governors Quicker to Issue Stay-at-home Orders in Response to COVID-19.” *Leadership Quarterly* p. 101542.

SUPPLEMENTARY MATERIAL

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

Table SM1: 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%)
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.

Table SM2: Balance table for MTurk sample

	Unilateral Republican (N=82)	Unilateral Democrat (N=70)	Consensual Republican (N=76)	Consensual Democrat (N=77)	Overall (N=305)
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%)