The Contextual Determinants of Support for Unilateral Action

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Recent scholarship shows relatively low public approval for the president's use of unilateral powers, yet public attitudes are often susceptible to framing effects. We conduct a series of survey experiments to explore attitudes toward unilateral power while varying a range of contextual features, including the identity of the president, the unilateral tool used, the justification for the action, and the policy pursued. We find little evidence that context affects attitudes toward unilateral powers except in circumstances that invoke explicitly political factors. Our findings have important implications for understanding how public opinion responds to presidential power.

Keywords: presidential power, public opinion, contextual effect, survey experiment

In recent presidential administrations, few topics have generated more debate than unilateral powers. Scholars have considered the circumstances under which presidents employ unilateral powers and the degree to which they confer advantages to presidents in the policy-making process (e.g., Bolton and Thrower 2016; Howell 2003; Mayer 2002; Moe and Howell 1999). A series of recent studies examines the correlates and effects of public opinion toward unilateral actions (Christenson and Kriner 2015; 2017; Lowande and Gray 2017; Reeves and Rogowski 2015; 2016b). Generally, these findings suggest that the public exhibits low support for the use of unilateral powers. The negative sentiment toward executive unilateralism also appears in popular media and political discourse, in which opponents of unilateralism regularly refer to it as "executive overreach."[1]

Public opinion scholars, however, often doubt the capacity of the mass public to form meaningful political attitudes (Converse 1964; Zaller 1992). Existing research

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1. For example, a 2013 *New York Times* blog piece discusses how members of the Republican Party and conservative media accused Obama of "abusing his executive power": http://nyti.ms/2epragV (accessed November 14, 2016).

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highlights ways in which responses to survey questions are influenced by subtle differences in question wording (e.g., Rasinski 1989; Sniderman and Theriault 2004) and through processes such as priming (e.g., Druckman and Holmes 2004) and framing (e.g., Jacoby 2000). As with most procedural matters of government, the public is unlikely to be knowledgeable about the particulars of a president's unilateral powers, nor do most unilateral actions attract much attention. As such, attitudes about unilateral action may be highly sensitive to the context in which it takes place or how survey questions are presented.

In this article, we examine the stability of individual attitudes toward unilateral power. We report results from a series of survey experiments with over 7,500 respondents to evaluate the sensitivity of public opinion about unilateral power to contextual factors. If individual attitudes toward unilateralism are largely fixed, we expect to find limited changes in support for the use of unilateral powers under varying political and institutional scenarios. However, if individuals take account of the circumstances surrounding a president's issuance of a unilateral order, we expect attitudes toward unilateralism to vacillate as a function of political context. Our analysis considers a range of factors that may influence how Americans view unilateral presidential power, including the identity of the president, the nature of the unilateral tool, the role of historical and legalistic justifications, political context, and the specific policies enacted through unilateral action.

Our examination is at once substantive and methodological. Substantively, identifying how the public reacts across different political and institutional contexts allows us to understand the circumstances under which presidents have the greatest support to act unilaterally. Methodologically, we probe the differences that question wording makes for levels of public opinion in the context of political procedures and the presidency. Understanding how public opinion changes in response to frames or semantic differences in question wording can provide guidance to survey-based and experimental research that seeks to understand the relationship between political institutions and public opinion.

Our results provide little evidence that attitudes toward unilateral power are responsive to contextual influences or framing effects. While we occasionally find instances where the identity of the sitting president and the invocation of political context conditions public opinion toward unilateral action, the magnitudes of these differences are substantively small and the vast majority of our findings are null. The findings suggest that the public holds consistent and meaningful attitudes toward unilateral powers and have important implications for the public's ability to constrain the president from exercising them.

Attitudes Toward Political Institutions

How does the public view the powers of the presidency? Existing scholarship on vetoes and unilateral action consistently finds relatively low levels of support for these tools of power (Christenson and Kriner 2017; Lowande and Gray 2017; Reeves and Rogowski 2015; 2016b) and shows that presidential approval tends to suffer from their use (Groseclose and McCarty 2001; Reeves and Rogowski forthcoming). These findings

have contributed to an emerging literature about the potential for public opinion to constrain the use of unilateral action by presidents (Christenson and Kriner 2015; Posner and Vermeule 2010; Reeves and Rogowski forthcoming). Though presidents may indeed have inexorable incentives to expand their powers (Howell 2013), the findings from this literature suggest that presidents may not always reap public rewards from deploying them.

To what extent, however, does the public hold meaningful attitudes toward presidential power, and particularly unilateral action? According to Chong and Druckman (2007, 103), "high-quality opinions are usually defined as being stable, consistent, informed, and connected to abstract principles and values." Public opinion scholarship identifies a variety of ways in which Americans fall short of the criteria Chong and Druckman (2007) identifies. For instance, individuals' policy preferences often change over relatively short periods of time (e.g., Campbell et al. 1960; Zaller 1992), exhibit low levels of internal consistency (e.g., Converse 1964), and are highly sensitive to minor differences in survey question wording (e.g., Rasinski 1989; Sniderman and Theriault 2004).[2] Scholars generally explain variability in public attitudes as resulting from a lack of information or due to the presence of competing considerations (Alvarez and Brehm 2002; Hochschild 1981; Zaller 1992). Given the prominence of the American president and the salient views that many have toward the person holding the office, public opinion about the powers of the office may simply mirror presidential approval. It is not clear whether the public holds stable and consistent attitudes toward political processes such as unilateral actions or whether these attitudes act as a meaningful constraint on presidential behavior.

A competing perspective argues that Americans' orientations toward political institutions are rooted in core democratic values such as tolerance, majoritarianism, and the rule of law (e.g., Caldeira and Gibson 1992; Gibson 1989; Hibbing and Theiss-Morse 2001; Reeves and Rogowski 2016b; Smith and Park 2013). Public opinion scholars who accept Converse's (1964) conclusion that most Americans do not possess coherent ideologies nonetheless argue that core beliefs and values lend considerable structure to the public's political evaluations and preferences (Feldman 1988; Goren 2005; Jacoby 2006). Because prior research has found that citizens apply democratic values to their evaluations of courts (Caldeira and Gibson 1992), legislatures (Hibbing and Theiss-Morse 2001), and presidents (Reeves and Rogowski 2016), attitudes toward unilateral action may exhibit considerably greater stability and consistency than the perspective described above would suggest.

We test these perspectives by evaluating public opinion toward the unilateral powers of the presidency. Specifically, we study the degree to which public support for unilateral action is conditioned by the context in which it is exercised, the identity of the president, the justifications offered for its use, and the ends to which it is used. Following the discussion above, we test two competing hypotheses. The first hypothesis is that public attitudes toward unilateral power are strongly sensitive to context, in which case we would expect respondents to be more supportive of unilateral action in some

2. In the context of the presidency, for instance, presidential rhetoric may affect public opinion by priming factors the public uses to evaluate the president (Druckman and Holmes 2004), though these relationships may be conditioned by the availability of partisan cues (Harrison 2015).

circumstances than in others. In particular, we expect to observe the greatest variability when respondents have more information about the use of power and when the context increases the salience of considerations respondents might be expected to use when evaluating the president's actions. Alternatively, we test the hypothesis that support for unilateral power is consistent across contexts. We now describe the design of our study and how we evaluated these hypotheses.

Data and Method

We designed and analyzed a series of survey experiments to study the effect of contextual factors on individual-level support for the president's use of unilateral powers. The benefits of survey experiments are clear in cases such as ours because our research question requires us to examine the effects of changes in institutional and political contexts on support for unilateral powers. Each of our surveys was conducted in the same general process. In each experiment, we capture a baseline level of support for the president's use of unilateral powers. We do so by asking respondents to indicate their level of agreement with the statement, "Presidents should be able to make new policies without having those policies voted on by Congress."[3] We also construct several variations to the baseline statements driven by theoretical expectations of how different contexts might change levels of support for unilateralism. We then randomize respondents into either the baseline condition or one of the contextual variations and measure the treatment effects of the variations relative to the baseline. In this way, our survey experiments allow us to focus on the impact of a specific contextual factor (e.g., who the president is) on attitudes toward unilateral powers to a degree of specificity impossible in real-world settings.

We conducted our survey experiments in July and August 2016.[4] Each of our five surveys had approximately 1,500 respondents, with a total of 7,547 respondents in our study across all surveys. Our samples were recruited through Amazon's Mechanical Turk (MTurk) and are thus not necessarily nationally representative.[5] However, previous work has shown that MTurk allows researchers to recover treatment effects from survey experiments similar to those obtained from experiments conducted using nationally representative samples (Berinsky, Huber, and Lenz 2012; Levay, Freese, and Druckman 2016). We test our hypotheses by comparing the treatment effects of variations in question wording with respect to the baseline question stem discussed above.

3. This statement is employed in previous research on public attitudes toward unilateralism (Reeves and Rogowski 2015; 2016).

4. We conducted our experiments during a presidential election year, which may represent a heightened level of public attention toward presidential powers. As this factor was present for respondents in all of our treatment groups, it does not risk confounding our results.

5. MTurk respondents tend to be younger, more liberal, and better educated than the public as a whole (Paolacci and Chandler 2014). In line with typical MTurk demographics, our respondents were disproportionately white (78% of respondents), male (52% of respondents), young (42% of respondents were between 18 and 29), and well educated (57% of respondents had at least a bachelor's degree). We provide a full outline of our sample's demographic and political characteristics in Table A1 in the supplemental appendix.

Each of our survey experiments is designed to test whether a related set of contextual factors affects public opinion toward presidential power. Our first survey experiment probes how the identity of the president conditions approval for presidents enacting policies on their own. We leverage the fact that our survey was conducted during the 2016 presidential election to assess whether views on unilateral action depend on the future identity of the president. In our second analysis, we vary the specific unilateral tools (including executive orders, proclamations, and national security directives) the president employs to examine whether individuals respond differently to the various instruments presidents utilize when taking unilateral action. Third, we examine whether appeals to historical and legal justifications for exercising unilateral power—both positive and negative—can influence individual preferences over their use. Our fourth set of variations studies how contextual political and institutional factors influence individual attitudes toward unilateral action. Finally, we probe whether the specific ideological tenor of a president's policy goals affects support for their unilateral actions. In the sections that follow, we begin with a discussion of theoretical expectations regarding the impact of the contextual factors on opinions toward unilateral power and then discuss the results from the specific variations, with each section representing a different category of contextual variation.[6]

Asking about Presidents

The institution of the presidency is defined by a unitary figure at the helm of the executive branch. In this way, perceptions of the institution are closely related to the identity of the individual office holder. In contrast, the reputation of Congress as an institution may be distinct from any individual member of Congress, even within the district that the member serves. This is partly because congressional action depends on collective decision making. Perceptions of the presidency are likewise more closely connected to the identity of the president than those of the Supreme Court are to any of the individual justices, given that the Court's decisions must be agreed upon by a coalition of justices.

An implication of the linkage between the identity of the president and the institution of the presidency is that support for the exercise of the powers of the institution may depend solely on an individual's support for the president who takes the action. Recent research examining the determinants of public support for unilateral powers finds that presidential approval is a strong, though not perfect, determinant of support for unilateral action (Reeves and Rogowski 2015; 2016). These findings suggest a clear positive relationship between support for the president and support for the president employing the powers of the institution. Similarly, the going-public literature highlights presidential popularity as a critical part of presidents' ability to secure legislative success when bargaining with Congress (Edwards 1983; Kernell 1993). These findings suggest that public perceptions of the president are closely tied to public support for how presidents exercise the tools of the office.

6. Exact question wordings are presented in Tables A2 and A3.

Other research suggests that presidential approval may not significantly shape support for unilateral action. In turning to the determinants of individual support for the president's exercise of unilateral powers, Reeves et al. (2016) show that aggregate levels of public support for a policy increase individual support for the president's use of the veto or executive order to secure that policy. In the context of going public, Canes-Wrone (2004; 2006) provides evidence that approval of the president is less important than policy-specific approval for determining how successful a president is in policy making with Congress. Furthermore, while Reeves and Rogowski (2016) show that presidential approval influences support for unilateral action, they also find that policy preferences shape how individuals evaluate the exercise of unilateral power. Taken together, these findings imply that the public cares more about the specific policy at stake when the president takes unilateral action than the identity of the president who does so.

If individuals evaluate the use of unilateral powers differently depending on who occupies the White House, this would suggest that attitudes toward unilateral action are more a product of an individual's political beliefs than his/her principled expectations of how presidents should use their powers. On the other hand, if attitudes toward unilateral action exhibit little movement depending on who the president is, this provides evidence of the consistency of individual views toward unilateral power.

To test our competing expectations of whether the identity of the president will condition support for the president's use of unilateral tools, we turn to our first survey experiment. As a reminder, our baseline question asked respondents whether "Presidents should be able to make new policies without having those policies voted on by Congress." Our variations to the president's identity take three forms. First, we replace "presidents" from the baseline with a generic "future presidents." Then, as our surveys were conducted in the months before the 2016 presidential election, we leverage this environment to assess whether individual support for unilateral powers responds to the future identity of the president. We do so by altering the baseline question to ask specifically about the use of unilateral power by either Donald Trump or Hillary Clinton, the major party candidates in the 2016 presidential election.[7] Given the contentious nature of the 2016 election, this is a strong test of the consistency of attitudes toward presidential power. If attitudes toward the identity of the president supersede attitudes toward unilateral power, then we would expect to see significant differences between treatment and control conditions that reflect partisanship or support of the respective candidates.

Figure 1 presents the results from our experiment that varied the identity of the president taking unilateral action. Random assignment helps ensure balance on observed and unobserved characteristics of the individuals and addressed concerns about potential confounders. Therefore, we evaluate our hypotheses using *t* tests to compare the proportion of respondents who approved of unilateral action in each of the treatment groups to the baseline group. The y axis reports the treatment effects of the contextual variations in comparison to our baseline question, with positive (negative) values representing

7. The full text of these experimental variations are available in Table A2.

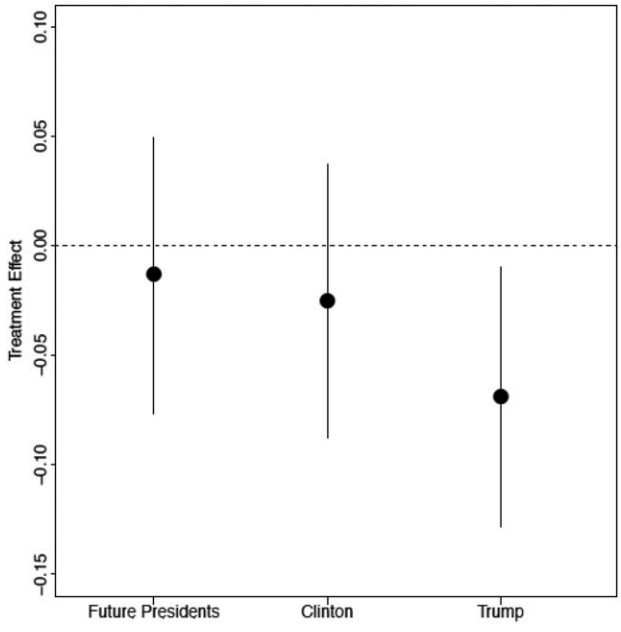

FIGURE 1. Presidential identities and attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Vertical bars represent 95% confidence intervals around these treatment effects. Whether asking about generic future presidents, a President Clinton, or a President Trump, support for unilateral powers remains relatively stable, although slightly more negative when considering a President Trump.

increased (decreased) approval of unilateral action relative to the baseline. The vertical lines are the 95% confidence intervals associated with the difference. The dashed line at zero indicates the null hypothesis of no difference from the baseline condition.

In summary, our results showed that varying the identity of the president has limited effects on respondents' approval of unilateral action. First, the proportion of respondents in the baseline condition who approved of unilateral action was .17, which is similar to the level of approval documented in other recent research (Reeves and Rogowski 2015; 2016). Support for unilateral action when asking about generic future presidents is indistinguishable from support for the baseline question, with .15 of the respondents in this condition approving of unilateral action. We also find little difference in approval of unilateral power when priming respondents to consider a Hillary Clinton presidency, as the difference is again indistinguishable from approval to the baseline question. Finally, the variation with a future President Trump wielding unilateral powers provides a small, negative treatment effect of -0.07, with a 95% confidence interval that ranges from -0.13 to -0.01. While we see lower levels of expressed support for the exercise of unilateral powers by a future President Trump, the magnitude of this effect is relatively small overall.

That the identity of the president matters little for attitudes toward unilateral powers squares with the theoretical expectation that support for the institutional powers of the presidency transcend the individual who holds or will hold the office. This provides evidence that individual preferences over the use of unilateral powers are relatively fixed, at least in relation to the identity of the actor using the powers. As our experimental treatments do not vary the specific policy program the president pursues via unilateral powers, the small or null treatment effects suggest that hesitation toward unilateral powers persists whether asking about Donald Trump, Hillary Clinton, or future presidents exercising them. We do nonetheless uncover evidence that respondents are slightly less supportive of a President Trump exercising unilateral powers than they are of a generic president.

Support for the future President Clinton's or President Trump's exercise of unilateral powers could be conditioned by an individual's support for the candidates themselves. We thus examine these treatment effects among Democrats, Republicans, and independents in our sample to see whether partisanship conditions support for unilateral powers, with copartisans of the 2016 presidential candidates expressing more favorable attitudes toward unilateral power than respondents who identify with the opposite party. While MTurk samples tend to skew more Democratic (and less Republican) than the national population, our sample contains a sufficiently large percentage of respondents who identify as Democrats (40.9%), Republicans (18.8%), and independents to allow us to compare response patterns across party identification.

Figure 2 presents the results by respondents' partisan identification. Generally, we find the same pattern shown in Figure 1. Regardless of the partisan identification of the respondent, asking about future presidents and a future President Clinton results in negligible movement among attitudes toward the presidency. No matter whether the respondent is a Democrat, a Republican, or an independent, there is no difference in the treatment effect for the generic question about unilateral powers and a future President Hillary Clinton exercising unilateral powers. A hypothetical President Trump, however, leads Democratic respondents to be significantly less supportive of the exercise of unilateral powers in comparison to the baseline, with a treatment effect of -0.15 ($p = .002$). This provides some evidence that the identity of the president may matter in contextual circumstances where clear ideological or partisan boundaries are made salient. Because we find stronger evidence of conditional effects with Trump than we do with Clinton, it is possible that respondents have a general concern about Trump's judgment in exercising unilateral action.

Types of Powers

We now turn from considering the influence of the identity of the president on support for the exercise of unilateral power to the specific type of power being exercised. The president's unilateral toolkit is varied; presidents have many unilateral tools at their disposal. For example, presidents issue executive orders, executive agreements, national security directives, proclamations, and a host of other tools to enact policy through

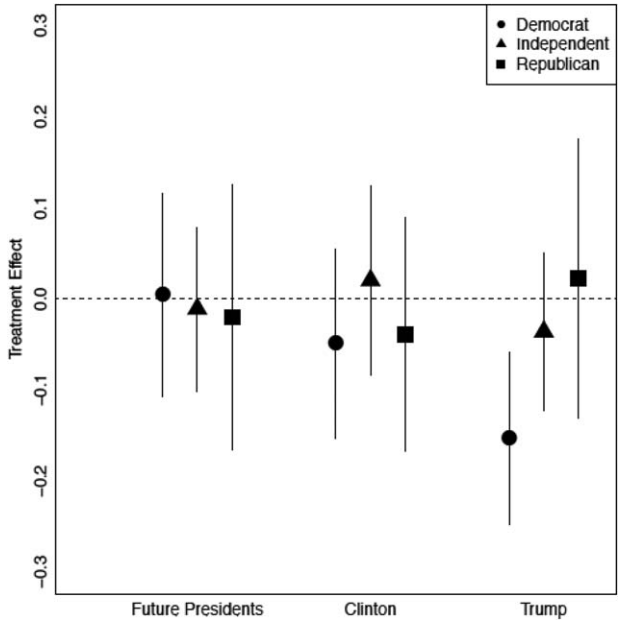

FIGURE 2. Presidential identities and partisan attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Respondents are subset by partisan identification. Generally, we find little distinguishable differences in support for unilateral powers based on the identity of the respondent, except for Democratic identifiers who consider a future President Trump acting unilaterally.

unilateral means. Popular media and the president's opponents occasionally discuss the specifics of the president's unilateral polices.[8] But does the public differentiate between these tools when evaluating their support for their use? Or does the public instead treat the variants of unilateral actions as one and the same, drawing little distinction between the different types of tools the president can wield?

Existing studies suggest that support for unilateral action may vary across the particular tool employed. To explain presidents' increased reliance on memoranda as opposed to executive orders in recent years, Lowande (2014) argues that contemporary news media coverage of executive orders has intimately tied their use to concerns of presidential overreach, whereas other types of unilateral tools—memoranda among them—lack this negative connotation. These associations imply that individuals express greater support for less salient forms of unilateralism, such as memoranda and proclamations, and lower support for executive orders. Furthermore, Lowande and Gray (2017) employ a survey experiment to show that individuals proffer more negative evaluations of the policies presidents pursue when presidents use salient tools such as executive orders to secure them.

8. See, for example, a 2014 *USA Today* article that highlights how many of President Obama's unilateral policies have been implemented through memoranda, rather than the more historically common executive orders: http://usat.ly/1DIYZ5L (accessed November 14, 2016).

Attitudes toward unilateral action could also vary depending on the mechanical effects of unilateral action. While the public may not fully distinguish between the range of unilateral tools presidents may employ, evaluations of unilateral action may be more responsive to their practical consequences. For instance, respondents may react differently when unilateral actions involve a president's role in directing military affairs as commander in chief than when they instruct cabinet secretaries to take a particular action.

Studies of the two presidencies suggest that a combination of institutional and informational advantages endow the president with greater resources in international policy making than in the domestic arena (Canes-Wrone, Howell, and Lewis 2008; Wildavsky 1966). While research on the two presidencies focuses on the president's advantages in relation to Congress, we suggest the public will be more deferential to the use of unilateral powers in matters of foreign affairs. This may lead to increased support for tools such as national security directives and in directing military operations as opposed to other forms of unilateral action.

Taken together, these expectations suggest that support for unilateral action will vary depending on the type and nature of the action the president takes. Such a result would provide evidence that attitudes and preferences over unilateral action are malleable and easily give way to contextual considerations. In addition, if the use of these unilateral tools invokes considerations of policy context, differences in support for unilateral power may reflect individuals' expectations regarding the outcomes of the action. At the same time, however, most Americans are unlikely to have detailed knowledge about the range of unilateral tools and how they are distinct. To the extent voters are unfamiliar with and uncertain about the tools of unilateral action, we may expect to find limited differences in attitudes toward them.

Our experimental treatments consist of seven variations of our standard unilateral policy making question that invoke specific unilateral tools that presidents use.[9] Respondents were randomly assigned to one of five conditions capturing common forms of unilateral action: executive agreements, executive orders, national security directives, proclamations, and memoranda. For each condition, we evoke a specific power in our unilateral policy making question. For example, for executive agreements, we assess agreement with the statement, "Presidents should be able to issue executive agreements to make new policies without having those policies voted on by Congress." The same pattern follows for the other four variations. We also include two variations that address the president's ability to use unilateral powers to "direct Cabinet secretaries" and "initiate military operations" to make new policies, following the same pattern of changing the vignette as above.[10]

The results are shown in Figure 3. First, we see that all of the treatment effects are positive, indicating increases in support for specific unilateral powers over the generic baseline question. Second, we note that the magnitudes of these treatment effects are modest. For example, we see the largest increase when asking about executive agreements:

9. Again, our baseline question queries respondents as to the degree to which they agree that "Presidents should be able to make new policies without having those policies voted on by Congress."

10. Exact question wordings can be found in Table A2.

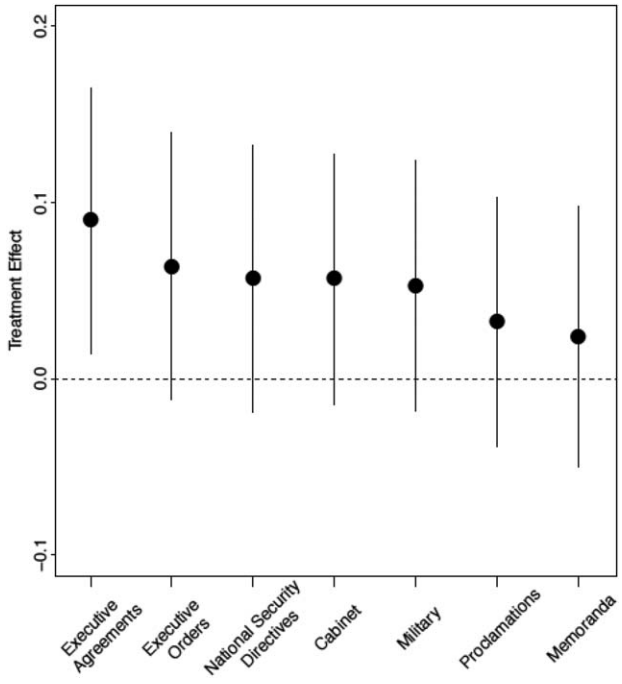

FIGURE 3. Specific unilateral powers and attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Vertical bars represent 95% confidence intervals around the treatment effects. Asking about specific types of unilateral powers generates slight increases for support for unilateral policy making.

support increases by 9% (with a confidence interval ranging from 3.3% to 14.6%) over the generic unilateral policy making.[11] This is also the only condition for which we can reject the null hypothesis of no treatment effect. Though all other average treatment effects are positive, the 95% confidence interval for each includes zero. While asking individuals about specific unilateral tools seems to increase their support for unilateralism, these effects are minimal and generally not statistically significant.

Our findings provide little evidence that voters' attitudes toward unilateral action depend on the specific tools that may be employed. These findings weigh against the argument that presidents may strategically choose between unilateral tools based on expectations about public response to them. At the same time, as we noted, the treatment effects displayed in Figure 3 are uniformly positive, which suggests that providing more detailed information about the president's behavior increases public support for that action. Given low levels of public knowledge about the different tools of unilateral action, it is possible that providing respondents with even more specific information about each of them would generate larger differences in levels of support.

11. Treatment effects and confidence intervals can be found in Table A4.

Appealing to Precedent

Presidents have often justified the expansion of power by pointing to historical precedent for their actions and the constitutional authority that permits it.[12] In this section, we examine the effects of historical and legal justifications on the public's attitudes toward unilateral powers.

Presidents since George Washington have exercised unilateral power. Previous studies have documented both how these powers have developed (Moe and Howell 1999) and the challenges to the other branches in constraining their use (Howell 2003). Contemporary presidents have in part justified employing these means by appealing to historical examples of previous presidents exercising their unilateral powers. For example, President Obama cited unilateral actions taken by his predecessors in justifying his immigration reform efforts.[13] Moreover, modern presidents may be able to curry popular favor by linking their unilateral efforts to those taken by popular presidents of the past, including George Washington, Abraham Lincoln, and Franklin Roosevelt (FDR).[14] In this section, we examine whether contemporary presidents can increase public support for the use of unilateral power by appealing to the uses of unilateral power by former presidents.

Previous studies provide no evidence on whether the public is more inclined to support a president's action when the action is justified by referencing acts undertaken by the president's historical predecessors. If support for presidential power is a deeply rooted attitude, we would expect little fluctuation when historical justifications are used. If, however, contextual circumstances are important for individuals in determining their attitudes toward the use of unilateral powers, we would then expect these attitudes to be conditioned by invoking historical precedent.

Our experimental treatments draw on three actual historical circumstances in which previous presidents exercised their unilateral powers. The three treatments inform respondents that presidents since George Washington have used unilateral action, that Franklin Roosevelt issued over 3,000 executive orders during his presidency, and that the internment of Japanese Americans during World War II was a result of an executive order issued by Franklin Roosevelt.[15] To the extent the public views presidential behavior more favorably when it is justified by historical precedent, we expect that approval of unilateral action will be higher among respondents in each of these conditions. At the same time, however, negative evaluations of Roosevelt's order to intern Japanese Americans may reduce support for unilateral action among

12. For a discussion of how presidents have justified the expansion of power during wars and other national emergencies, see Howell, Jackman, and Rogowski (2013, chap. 1).

13. The full text of these remarks can be found at: http://go.wh.gov/NXY6LJ (accessed November 14, 2016).

14. Consider, for example, FDR's numerous unilateral actions that helped to launch the New Deal or Lincoln's Emancipation Proclamation.

15. The exact wording of these conditions can be found in Table A2.

respondents in this treatment condition.[16] Similarly, this treatment condition could raise concerns about the abuse of presidential power and decrease support for unilateral action.

We also examine whether individuals are sensitive to legal and constitutional justifications for unilateral action. Since the U.S. Constitution is an "incomplete contract" with many of the powers of the president vaguely specified (Moe and Howell 1999), proponents of presidential power may justify an expansive view of power in light of the Constitution's broad statements of authority. Yet, due to the lack of clear authority for unilateral power based on the Constitution, the president's partisan opponents, legal scholars, and Congress frequently accuse the president of usurping the legislative process by exercising unilateral power. Does support for unilateral action remain consistent even when the legality of the action is called into question? Furthermore, we note that the judicial branch has the authority to adjudicate the constitutionality of presidential power when it is exercised. Because the Supreme Court plays an important role in legitimizing the actions of other political actors (Dahl 1957), consent from the Supreme Court on presidential power may increase individuals' acceptance of the use of unilateral power.

We designed three conditions to test how invoking the constitutionality of presidential power and legalistic arguments for or against unilateral action affects respondents' support. In the first condition, respondents are told that the Supreme Court is likely to affirm its use. The second condition notes that the Constitution's definition of presidential power is vague. The third condition presents the argument that many legal scholars view unilateral power negatively.[17] If individuals do not have well-formed attitudes toward unilateral action, we expect that support for presidential power will vary across treatment conditions. To the extent we do find variation, support may be higher when unilateral action is legitimized by the Supreme Court and lower when legal scholars argue against it.

Figure 4 displays the results when we vary the historical and legal justifications for the exercise of unilateral power. The left figure displays the results of the survey experiments in the context of historical precedent, while the figure on the right shows the results of the survey experiments in the context of legal arguments. Appealing to the historical precedent of President Washington's use of executive orders, the frequent use of executive power by President Franklin Roosevelt, and a supportive Supreme Court increases individual support for unilateral power relative to the control condition. Yet, only the Washington treatment effect is statistically distinguishable from zero (with a treatment effect of 0.13 and a 95% confidence interval ranging from 0.07 to 0.19).[18] On the other hand, appealing to FDR's internment of Japanese Americans and legal scholars' negative view of the exercise of unilateral powers decreases the level of support for

16. For instance, a YouGov/Economist poll conducted in early 2016 found that 21% of Americans approved of the executive order that interned Japanese Americans, which was by far the lowest level of public support for any of the nine executive orders respondents were asked about. See https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/ps6zskmuwy/econTabReport.pdf, page 137 (accessed October 21, 2016).

17. The exact wording of the treatments can be found in Table A2.

18. Treatment effects and confidence intervals can be found in Table A4.

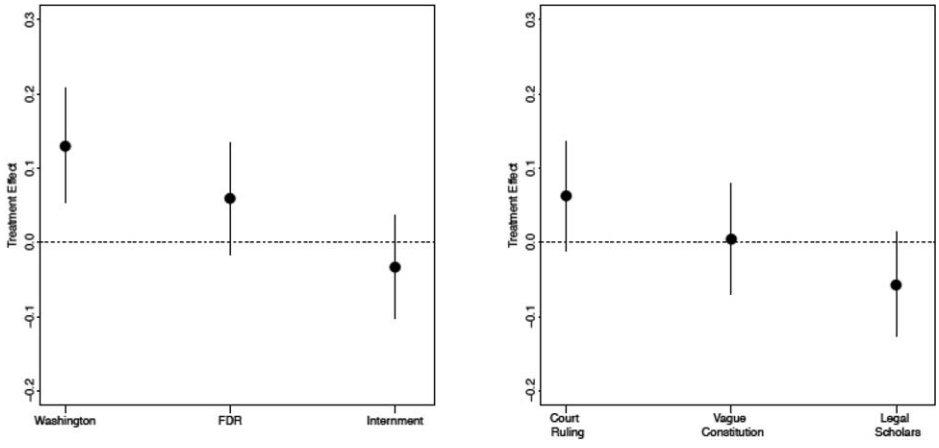

FIGURE 4. Appeals to historical and legal precedent and attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Vertical bars represent 95% confidence intervals around the point estimates of treatment effects. Appealing to a historical precedent conditions individual support for the exercise of presidential power only in the Washington treatment. An individual's support for unilateral power is insensitive to appealing to positive and negative legal precedent.

unilateral power compared to the baseline condition. Nonetheless, these treatment effects are not statistically distinguishable from zero. In general, appealing to historical and legal precedents regarding unilateral power does not shift attitudes toward the use of unilateral action by contemporary presidents.

These findings are consistent with suggestions that the public has well-ingrained attitudes toward the president's role in a system of separated power. Even when we invoke the historical case of Japanese internment, we do not observe lower levels of support for unilateral powers. We also found that the assent of the Supreme Court did nothing to change views of unilateral powers, despite previous research that argues that the Court shapes public opinion on public policy (Unger 2008; Ura 2013). The findings from this survey experiment suggest that these justifications may be of relatively little use for presidents hoping to muster public support for unilateral actions.

Political Context

We now investigate how public opinion on unilateral action may respond to the political contexts in which presidents exercise unilateral powers or the political justifications they may offer for their use. Particularly, we consider how invoking different theories of presidential representation and levels of public support affect support for unilateral policy making. We consider two dimensions of presidential representation. The first regards whether the president is characterized as a universalistic or particularistic political

figure. The universalistic theory of the presidency emphasizes the national basis of the presidency and argues that presidents act as a counterbalance to the provincial interests of members of Congress and look out for the nation as a whole (e.g., Howell and Moe 2016; Kagan 2001; Moe and Wilson 1994; Moe and Howell 1999). Based on this perspective, some have argued that presidents should have more authority in lawmaking because they will pursue outcomes in the best interest of the entire country (Howell and Moe 2016). A contrasting view holds that presidents, like members of Congress, serve interests defined by their electorally important constituents and their partisan base. Evidence shows that presidents disproportionately distribute benefits, including government grants, contracts, and disaster relief, to electorally important constituencies (Kriner and Reeves 2014; 2015a; 2015b; 2015c).[19] The president can also utilize appointment and veto powers to achieve particularistic goals (e.g., Gordon 2011; Hollibaugh, Horton, and Lewis 2014; McCarty 2000).

We also investigate how support for unilateral action varies based on whether its use is consistent with public opinion on that issue. Recent scholarship finds that an individual's attitude toward presidential power is conditioned by whether the policy position of the president is aligned with a majority of Americans (Reeves et al. 2016). When the mass public is aligned with the president's policy position, individuals may be more likely to approve of unilateral action. However, when the policy position is in opposition to the majority opinion, public support for unilateral power may fall.

We investigate how presidential representation and aggregate public opinion affect an individual's support for presidential power through four survey experimental treatments. One pair of treatments primes respondents to consider presidential representation in either a universalistic or particularistic fashion, whereas another pair of treatments indicates that the majority of the public either supports or opposes the policy that the president favors.[20] If individuals consider the consequences of unilateral action in terms of political representation, we may expect to see a differential treatment effect when respondents are primed to consider a positive (universalistic) or negative (particularistic) view of representation. On the other hand, if attitudes toward unilateral power are fixed, we expect to see little to no influence of context on support for unilateral power. If the alignment of public opinion and the president conditions support for unilateral action, we expect that respondents are more likely to approve of unilateral power when the president and the mass public agree on public policy. Conversely, we also hypothesize that when respondents believe the mass public is in opposition to an issue, they will be less likely to support unilateral action.

Figure 5 shows the results from our experiment. We find that the only treatment that significantly increased approval of unilateral action was when respondents were told a large majority of the public supported the president's policy position. When the public supports an initiative on which a president considers unilateral action, approval of that

19. Related research also shows that voters reward presidents for such efforts (Gasper and Reeves 2011; Kriner and Reeves 2012).

20. The exact wording of the questions can be found in Table A3.

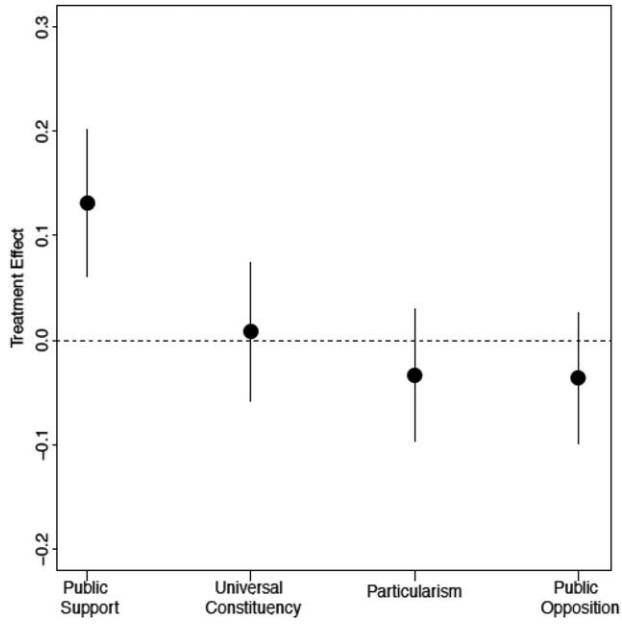

FIGURE 5. Political context and attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Vertical bars represent 95% confidence intervals around the point estimates of treatment effects. Except for the contextual variation citing public support for the policy, no treatment conditions are distinguishable from the control condition.

action increased by 13 percentage points in comparison to the baseline. Conversely, approval of unilateral action decreased when respondents were told that a majority of the public opposed the president's position, but this difference is not statistically significant. Invoking universalistic or particularistic theories of presidential representation, however, did not significantly affect support. The mostly null results from our experiment regarding political context suggests that support for unilateral power is fairly consistent even when varying political justifications for the president's action are presented.

Issue Context

Finally, we consider how attitudes toward unilateral action depend on the nature of the president's action within a given policy domain. We focus specifically on how respondents evaluate a president's use of unilateral action on a highly partisan issue: gun control. We utilize the issue of gun policy as it is a controversial, partisan issue and one

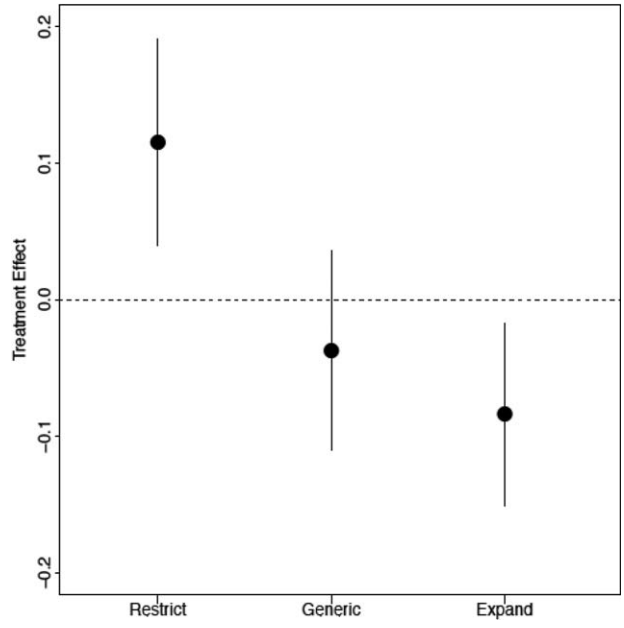

FIGURE 6. Policy and attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Vertical bars represent 95% confidence intervals around the point estimates of treatment effects. The two treatment conditions where the president takes a clear stance on gun policy have treatment effects significantly different from zero.

that President Obama took numerous executive actions on in an attempt to reduce gun violence.[21] By varying whether an action expands or restricts gun rights, we can gauge the relative influence of attitudes toward unilateral action in a context where respondents have salient and well-formed beliefs about the end that the unilateral action brings about.

Our survey experiment included three contextual variations in addition to the control condition. The first contextual condition employs a general statement that "Presidents should be able to make new gun policies without having those polices voted on by Congress." Our other two contextual variations indicate the president's clear position on either side of the policy debate in which he exercises unilateral powers to either restrict or expand gun rights.[22]

Figure 6 shows the results and provides evidence that approval of unilateral action varies based on what policies presidents create with it. Support for unilateral action was about 12 percentage points higher when the president was portrayed as using unilateral action to restrict gun rights and 8 percentage points lower in the condition where the

21. An explanation of President Obama's executive actions on gun control can be found here: https://www.whitehouse.gov/the-press-office/2016/01/04/fact-sheet-new-executive-actions-reduce-gun-violence-and-make-our (accessed November 14, 2016).

22. Exact question wording can be found in Table A3.

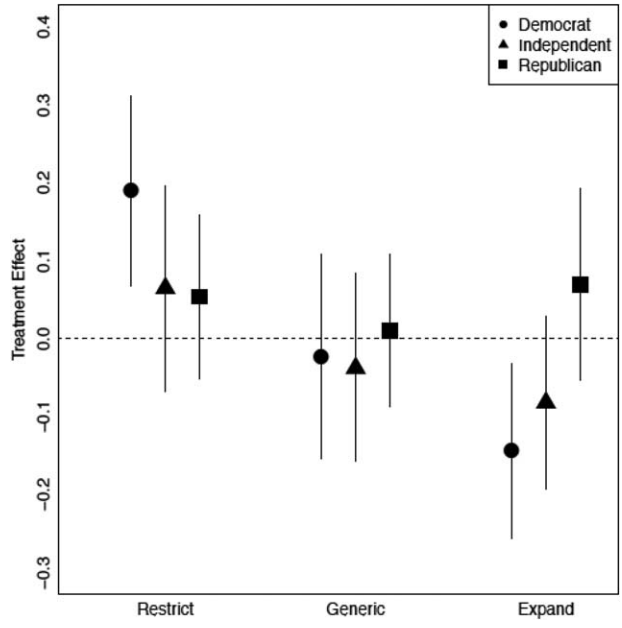

FIGURE 7. Policy and partisan attitudes toward unilateral powers. The y axis presents the difference in support for each experimental condition (presented on the x axis) and the control condition, which is the approval for the baseline unilateral powers question. Respondents are subset by partisan identification. Vertical bars represent 95% confidence intervals around the point estimates of treatment effects. The plot provides evidence that respondents' views of presidential power are associated with their own policy views and the president's stance on the same policy.

president proposed using unilateral action to expand gun rights. We did not find evidence, however, that simply invoking the domain of gun rights affected approval of unilateral action, as approval of unilateral action in the condition where gun policy was mentioned without a specific policy position was not statistically distinguishable from the baseline question wording.

To examine how individuals' attitudes toward unilateral power are associated with their specific position on gun policy, we subset our sample of respondents by partisanship—as policy stance is divided by the party line on this issue—and graphically present the result in Figure 7. Democrats, independents, and Republicans are represented with circles, triangles, and squares, respectively. The plot provides some evidence of how individuals react differently to unilateral action depending on their own policy preferences and the policy advocated by the president. In particular, Democrats offer significantly greater support for unilateralism when the president restricts gun access and significantly less support when the president expands gun access. We find more limited evidence of a conditional relationship among Republicans and independents, among whom we find no statistically significant differences across any of the treatment conditions. We note, however, that this result could be an artifact of statistical power, as our sample contains a

relatively large proportion of Democrats compared to Republicans.[23] Even so, the point estimates for Republicans and independents provide much less evidence of a conditional relationship between policy preferences and attitudes toward unilateral power than for Democratic respondents.

Conclusion

Unilateral power is perhaps more salient to the public than it ever has been. Over the last 20 years, presidency scholars have produced several important theoretical and empirical findings about the conditions under which presidents take unilateral action. More recent research considers public opinion toward unilateral power and whether public opinion may constrain or embolden presidents to use unilateral powers. While this emerging body of literature documents relatively low levels of support for unilateral action, the stability of these arguments across various contexts has been less clear. If these attitudes are to operate as a meaningful constraint on unilateral action, they must exhibit some durability. Evidence that public opinion is easily changed due to framing and priming would raise doubts about these prospects.

Our survey experiments provide evidence that attitudes toward unilateral action persist across question wordings and the context that accompanies its exercise. Across several experiments, we find limited evidence that public opinion on the acceptability of unilateral action varies markedly with the context in which it is employed, the justifications offered for its use, or the policies accomplished with it. We do find some evidence that the public's reaction toward unilateral power varies in important ways in some contexts. For instance, respondents approved of unilateral action at significantly higher degrees when unilateral action was used to achieve a policy goal supported by large majorities of Americans or supported by the individual respondent. Yet these findings were infrequent. Even though many Americans are likely to be relatively uninformed or agnostic toward the details of a president's unilateral powers, we found relatively little evidence that priming political considerations or framing the use of unilateral action in particular ways produced significant changes in attitudes toward unilateral powers.

Though not the focus of this article, Americans' attitudes toward unilateral action may also be conditioned by individual-level characteristics. Some members of the public may be more responsive to contextual variation than others. We examined this hypothesis in the context of educational attainment, anticipating that people with lower levels of education responded differently to our experimental conditions than respondents with higher levels of education. We find no significant differences in our treatment effects when distinguishing respondents based on their level of education, suggesting that attitudes toward unilateral action are relatively stable even among individuals who may have different levels of political knowledge, exposure, and sophistication. These results are

23. As we mentioned above, about 41% of our sample identifies as Democrats while Republicans constitute only 19% of the sample.

shown in the supplemental appendix. These hypotheses should be further explored using nationally representative samples.

Our conclusion that attitudes toward unilateral action are generally negative and robust to contextual circumstances stands in contrast to Christenson and Kriner (2017), which finds relatively high levels of public support for unilateral action and significant differences in these levels of support as a function of experimental treatments. We offer two explanations for these differences. First, we suggest that the baseline question utilized in Christenson and Kriner (2017) produces higher levels of support for unilateralism in comparison to our findings. Christenson and Kriner (2017) assesses respondent support for the following: "Presidents have the power in some cases to bypass Congress and take action by executive order to accomplish their administration's goals." The statement in Christenson and Kriner (2017) both specifies that presidents do in fact have the power to take unilateral action and is qualified in that it notes that presidents have the power to do so only in "some cases." We suggest that this formulation makes unilateral action appear more palatable to respondents than in our question.[24] Second, and like Reeves and Rogowski (2016), Christenson and Kriner (2017) find increases in support for unilateral action in the context of congressional obstruction. The study also finds differences in support as a result of an individual's partisan identification. These contextual variations are further examples of the political contexts for which we find significant treatment effects. Together with the findings from Christenson and Kriner (2017), the results in this article suggest that individual assessments of unilateral action are variable in circumstances that explicitly evoke partisan or political conflict; absent these cues, Americans appear to have relatively stable attitudes toward unilateral powers. Though beyond the scope of either study, we speculate that public distrust of unilateral action will play little role in the calculations presidents make when political debates are fought over highly salient political or partisan issues and unilateral power is not politicized. However, when unilateral process is politicized, it may exert substantial drag on the president's agenda.

Our findings have two important implications. Methodologically, we highlight how survey experiments can be used to better understand the relationship between political institutions—here, the president—and public opinion. By varying the question wordings used in our study, we were able to assess public opinion on unilateral powers while holding constant other relevant features that could affect how the public evaluates unilateralism. In an observational setting, it would be virtually impossible to empirically assess public opinion on unilateral action across different contexts where other potential confounding features were not also altered. Substantively, our results suggest that public attitudes toward unilateral action may serve as an effective constraint on presidential action. Consistent public support for the use of unilateral power across a range of contextual features implies that presidents are likely to face the same level of scrutiny when exercising unilateral action, regardless of the justification or specific mode of implementation. The few times in which our survey respondents do respond to contextual factors seem to be for principled reasons—in line with either the mass public or their own

24. These differences highlight the importance that variations in question wording may have when drawing conclusions regarding public opinion toward institutional power.

political views. In this way, our findings suggest that the few contextual circumstances that may serve to embolden presidential unilateralism would be likely to result in policies that reflect majority opinion.

To conclude, we note several limitations and opportunities for further research. First, as we noted, our experiments made use of MTurk workers and thus were not based on a nationally representative sample, so inferences about the population and across specific subgroups are more difficult to make. Second, we find preliminary evidence that support for unilateral action is in part influenced by an individual's ideological or partisan leanings. Future work could further examine the relationship between support and opposition to unilateral action and partisanship, especially in an era of increasing polarization among elites and the public. Finally, while our study suggests aggregate support for unilateralism is largely unaffected by contextual factors, scholars know little regarding how these attitudes fluctuate over long periods of time and across different presidencies.[25] Panel studies could shed light on whether attitudes toward unilateral action persist when turning to contextual factors that vary over time.

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25. While Reeves and Rogowski (forthcoming) includes a panel from early 2014 to early 2015, it is limited to a single Democratic president during a period where unilateral powers were highly politicized.

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Supplementary Appendix

Table 1: MTurk Sample Descriptive Statistics

Statistic	Mean	St. Dev.	Min	Max
Male	0.520	0.500	0	1
Age 18-29	0.424	0.494	0	1
Age 30-44	0.457	0.498	0	1
Age 45-59	0.102	0.302	0	1
Age 60+	0.018	0.131	0	1
Some HS	0.006	0.078	0	1
Some College	0.338	0.473	0	1
College Degree	0.414	0.493	0	1
Post-Graduate Degree	0.153	0.360	0	1
Income Below 25K	0.205	0.403	0	1
Income 25-50K	0.295	0.456	0	1
Income 50-75K	0.229	0.420	0	1
Income 75-100K	0.142	0.349	0	1
Income 100-200K	0.119	0.323	0	1
Income 200K+	0.011	0.104	0	1
Black	0.052	0.222	0	1
Hispanic	0.051	0.219	0	1
White	0.783	0.412	0	1
Democrat	0.414	0.493	0	1
Republican	0.187	0.390	0	1
Independent	0.397	0.489	0	1
Liberal	0.423	0.494	0	1
Conservative	0.292	0.455	0	1
Moderate	0.198	0.399	0	1

Table 2: Vignette Wordings

Variation Type	Vignette text
Baseline	Presidents should be able to make new policies without having those policies voted on by Congress.
Identity	**Trump:** If Donald Trump becomes president, he should be able to make new policies without having those policies voted on by Congress. **Clinton:** If Hillary Clinton becomes president, she should be able to make new policies without having those policies voted on by Congress. **Future Presidents:** Future presidents should be able to make new policies without having those policies voted on by Congress.
Technical Terms/Effects	**Cabinet:** Presidents should be able to direct cabinet secretaries to make new policies without having those policies voted on by Congress. **Military:** Presidents should be able to initiate military operations without having those operations voted on by Congress. **Executive Orders:** Presidents should be able to issue executive orders to make new policies without having those policies voted on by Congress. **Executive Agreements:** Presidents should be able to issue executive agreements to make new policies without having those policies voted on by Congress. **Proclamations:** Presidents should be able to issue proclamations to make new policies without having those policies voted on by Congress. **Memoranda:** Presidents should be able to issue memoranda to make new policies without having those policies voted on by Congress. **National Security Directives:** Presidents should be able to issue national security directives to make new policies without having those policies voted on by Congress.
Precedent	**Washington:** Presidents since George Washington have used unilateral powers like executive orders to make new policies on their own. **FDR:** While he was president, Franklin D. Roosevelt issued over 3,000 executive orders to make new policies on his own. **Internment:** During World War II, President Roosevelt used his unilateral powers to incarcerate over 100,000 Japanese Americans in internment camps. **Court Ruling:** The Supreme Court has ruled in favor of the president's constitutional authority to use his unilateral powers to make new policies on his own. **Vague Constitution:** The Constitution is vague when it comes to defining the president's unilateral powers. **Legal Scholars:** Some legal scholars argue that presidents have taken unilateral powers too far.

Table 3: Vignette Wordings (Continuted)

Variation Type	Vignette text
Political Context	**Public Support:** Presidents should be able to make new policies without having those policies voted on by Congress when the majority of the public supports the policy.
	Public Opposition: Presidents should be able to make new policies without having those policies voted on by Congress even if the majority of the public opposes the policy.
	Universal Constituency: Presidents should be able to make new policies without having those policies voted on by Congress since the president is elected by the entire country.
	Particularism: Presidents should be able to make new policies without having those policies voted on by Congress even though they can favor certain constituents over others.
Issue	**Generic:** Presidents should be able to make new gun policies without having those policies voted on by Congress.
	Restrict: Presidents should be able to make new gun policies that restrict an individual's ability to acquire semi-automatic weapons without having those policies voted on by Congress.
	Expand: Presidents should be able to make new gun policies that preserve an individual's ability to acquire semi-automatic weapons without having those policies voted on by Congress.

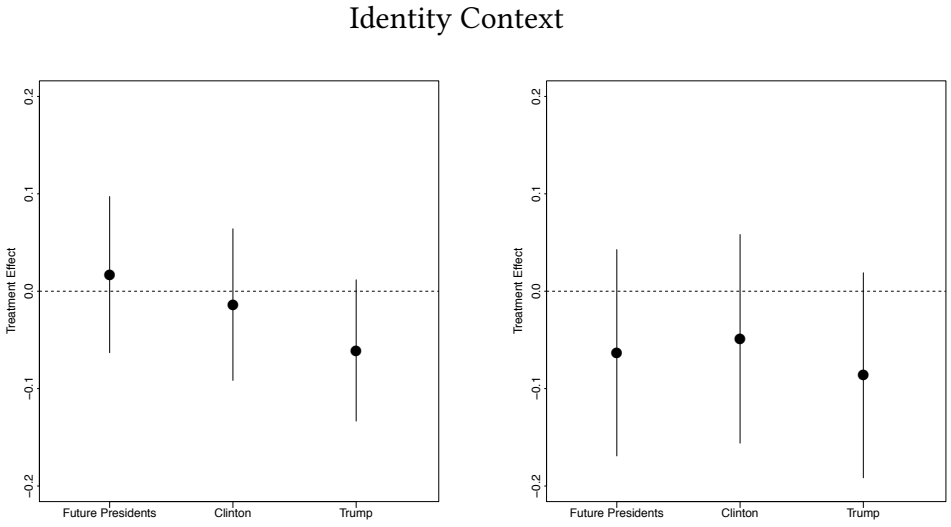
Table 4. Treatment Effects

Treatment	Treatment Effect	Confidence Interval
Identity		
Future Presidents	-0.013	(-0.056, 0.030)
Clinton	-0.025	(-0.067, 0.016)
Trump	-0.069	(-0.106, -0.032)
Types of Power		
Exec. Agreements	0.090	(0.033, 0.146)
Exec. Orders	0.064	(0.007, 0.120)
Nat. Sec. Directives	0.057	(-0.0001, 0.113)
Cabinet	0.057	(0.003, 0.110)
Military	0.053	(-0.001, 0.107)
Proclamations	0.032	(-0.018, 0.082)
Memoranda	0.024	(-0.030, 0.078)
Historical Precedent		
Washington	0.130	(0.072, 0.189)
FDR	0.059	(0.003, 0.115)
Internment	-0.033	(-0.081, 0.016)
Legal Precedent		
Court Ruling	0.062	(0.009, 0.116)
Vague Constitution	0.005	(-0.049, 0.060)
Legal Scholars	-0.056	(-0.104, -0.008)
Political Context		
Public Support	0.131	(0.078, 0.184)
Universal Constituency	0.008	(-0.039, 0.055)
Particularism	-0.033	(-0.076, 0.009)
Public Oppose	-0.037	(-0.079, 0.005)
Issue		
Restrict	0.115	(0.059, 0.171)
Generic	-0.037	(-0.089, 0.015)
Expand	-0.084	(-0.127, -0.041)

Table 5. Treatment Effects by Subgroup

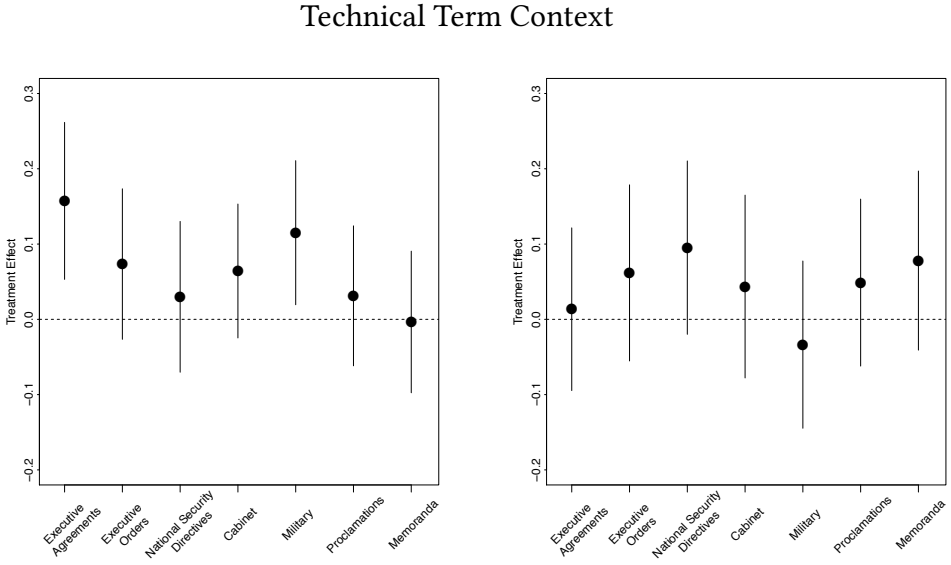
Treatment	Treatment Effect	Confidence Interval
Identity		
Democrat		
Future Presidents	0.004	(-0.107, 0.116)
Clinton	-0.049	(-0.153, 0.055)
Trump	-0.153	(-0.248, -0.059)
Republican		
Future Presidents	-0.020	(-0.165, 0.125)
Clinton	-0.039	(-0.167, 0.089)
Trump	0.023	(−0.130, -0.176)
Independent		
Future Presidents	-0.011	(-0.101, 0.079)
Clinton	0.020	(-0.084, 0.124)
Trump	-0.036	(-0.122, 0.051)
Issue		
Democrat		
Restrict	0.189	(0.067, 0.312)
Generic	-0.028	(-0.153, 0.108)
Expand	-0.144	(-0.257, -0.032)
Republican		
Restrict	0.054	(−0.051, 0.158)
Generic	0.011	(−0.086, 0.109)
Expand	0.069	(-0.054, 0.192)
Independent		
Restrict	0.065	(−0.067, 0.196)
Generic	-0.037	(-0.158, 0.083)
Expand	-0.082	(-0.193, 0.029)

Figure 1: Public Opinion and Presidential Power by Education Level



(a) High Education

(b) Low Education

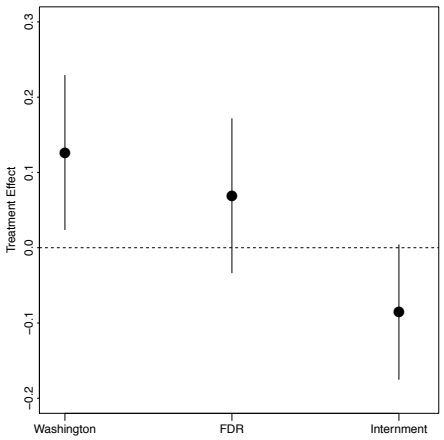


(a) High Education

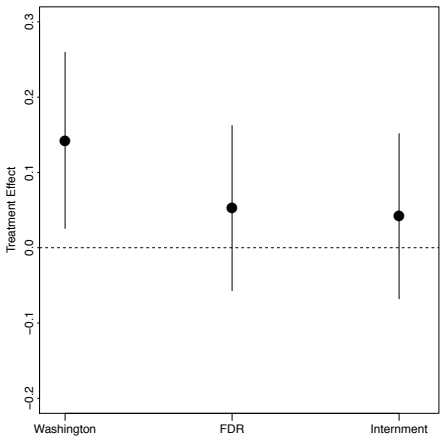
(b) Low Education

Figure 2: Public Opinion and Presidential Power by Education Level (Continued)

Historical Precedent Context

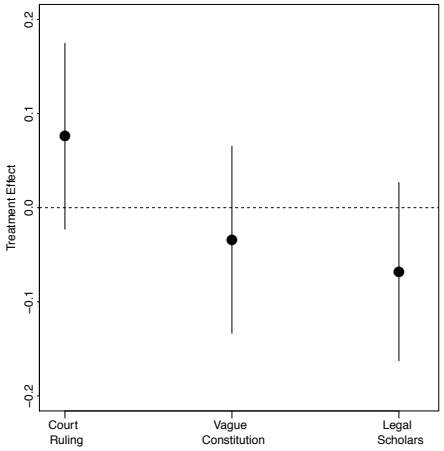


(a) High Education

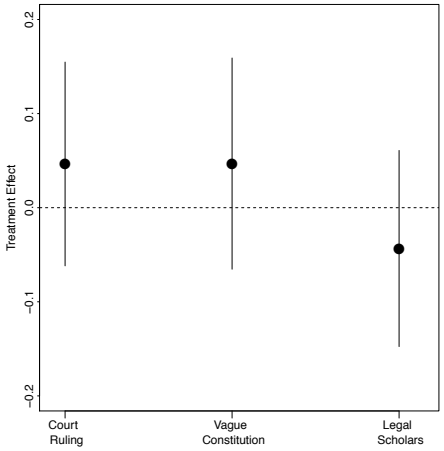


(b) Low Education

Legal Precedent Context



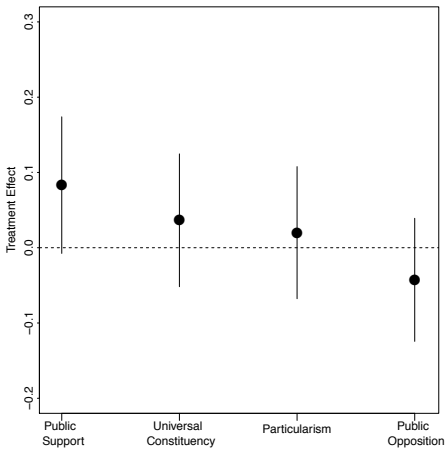
(a) High Education



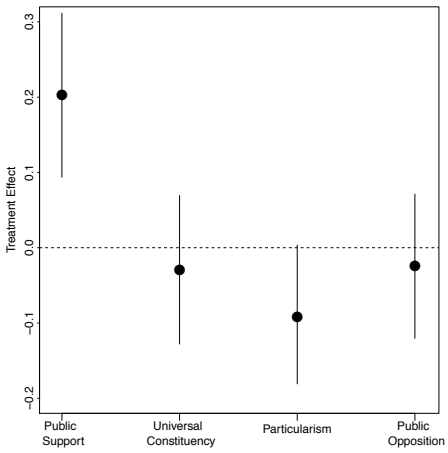
(b) Low Education

Figure 3: Public Opinion and Presidential Power by Education Level (Continued)

Political Context

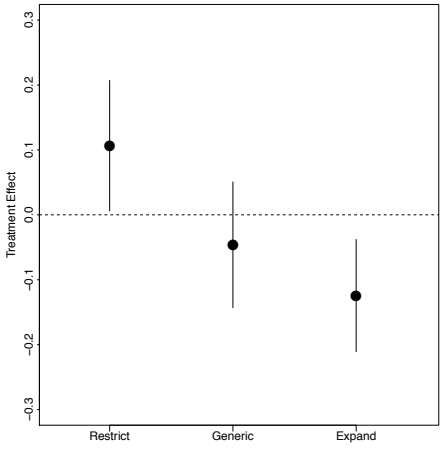


(a) High Education

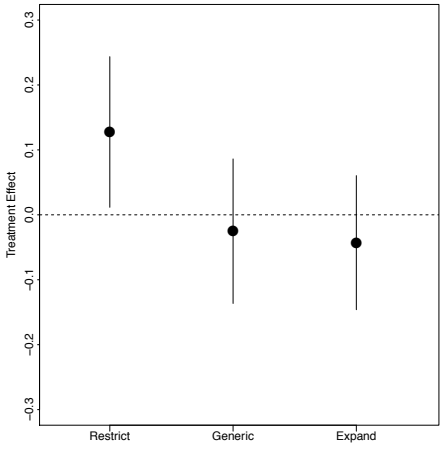


(b) Low Education

Issue Context



(a) High Education



(b) Low Education