Online Supporting Information for:

Constitutional Qualms or Politics as Usual?
The Factors Shaping Public Support for Unilateral Action

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Experimental Order and Sample Demographics

In the text we present results from five survey experiments: the Justification experiment;

the Two Presidencies experiment; the Partisan Source experiment; the Student Loans experiment

and the Immigration experiment. Three of these experiments (Justification; Partisan Source;

Student Loans) were embedded on the 2014 Cooperative Congressional Election Study, which

was administered in two waves before and after the November 2014 midterm elections. The

CCES is a national stratified sample survey administered by YouGov/Polimetrix (for more

information on the CCES, see: http://projects.iq.harvard.edu/cces/home). The Student Loans

experiment was embedded on the pre-election wave and was administered to all 1,000 subjects

assigned to our team module (996 completed the experiment). Of the 1,000 subjects originally

assigned to our module, 889 were successfully re-contacted and participated in the post-election

wave. Both the Justification experiment and the Partisan Source experiment were embedded on

the post-election wave. To prevent possible spillover effects, subjects were randomly assigned

to one of the two experimental modules. As a result, 440 subjects completed the Justification

experiment and 445 subjects completed the Partisan Source experiment.

To complement the three experiments embedded on the 2014 CCES, we embedded two

additional experiments on two separate follow-up surveys fielded by YouGov with nationally

representative samples (for more information on YouGov's sampling process, see:

https://today.yougov.com/about/about-the-yougov-panel/). The first survey containing the Two

Presidencies experiment was fielded by YouGov between April 16-18, 2015. All 1,000 subjects

in this survey were assigned to and completed the Two Presidencies experiment. The second

survey containing the Immigration experiment was fielded by YouGov between April 24-28,

2015. Approximately half of the 1,000 subjects on this follow-up survey were randomly

assigned to the Immigration experiment; 486 subjects completed the experiment. The demographic composition of all three survey samples are summarized in SI Table 1.

Additional Motivation for Partisan and Policy Hypotheses

In the text, we argue that partisan forces and policy preferences may shape how Americans assess unilateral action. We find that both of these forces plainly shape how political elites respond to unilateral action. Here we provide additional motivation for the partisan and policy hypotheses by examining the influence of both factors on how elites respond to unilateral action.

Unsurprisingly, elite responses to unilateral action often fall along partisan lines. Perhaps most famously, candidate Barack Obama railed against the excessive unilateralism of President Bush in 2007. "I taught constitutional law for 10 years. I take the Constitution very seriously. The biggest problems that we're facing right now have to do with George Bush trying to bring more and more power into the executive branch and not go through Congress at all. And that is what I intend to reverse when I become president of the United States."[1] Yet, once in the White House, President Obama changed his view on both the utility and constitutional fidelity of unilateral power. For example, on the campaign trail Obama warned: "The president does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation."[2] And yet, after becoming commander in chief President Obama unilaterally ordered American troops into battle in Libya absent any congressional authorization.

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[1] Jonathan Karl. February 17, 2014. "Obama's Long Lost Campaign Promise." *ABCNews*.com. http://abcnews.go.com/blogs/politics/2014/02/obamas-long-lost-campaign-promise/
[2] Obama quoted in David Fahrenthold. "On Debt and Libya, It's President Obama vs. Senator Obama." June 22, 2011. *Washington Post*. http://www.washingtonpost.com/politics/on-debt-and-libya-its-president-obama-vs-senator-obama/2011/06/22/AGhK4AjH_story.html

In a similar vein, congressional Democrats who railed against the abuses of the Bush administration largely either backed or remained silent in the aftermath of major unilateral actions by the Obama administration. Conversely, congressional Republicans who were so willing to defer to the unitary executive in the Bush years suddenly rediscovered the need for checks and balances with a Democrat in the White House.

Yet, when presidential actions accord with the opposition's policy preferences, cries of excessive unilateralism all but disappear. For example, while congressional Democrats railed against much of what President Bush accomplished unilaterally, not all of his unilateral maneuvers met with Democratic opprobrium. When the president moved policy toward the preferences of many congressional Democrats, congressional pushback was minimal to non-existent. Congressional Democrats voiced no objections when President Bush issued Executive Order 13423, which required the federal government to cut its use of oil-derived fuels by 2% and to increase its use of renewable fuels by 10% per year. Bush's order forced administrative agencies to go far beyond the goals established by law in the Energy Policy Act of 2005. Yet, congressional Democrats gave a pass to this assertion of unilateral presidential power, as it moved policy closer toward their preferences regarding environmental policy. Indeed, while President Bush signed the order on January 24, 2007, congressional Democrats codified it into law two years later as part of the 2009 Omnibus Appropriations Act.

Constructing our Dependent Variables

Complete question wordings for all five experiments are presented in SI Appendix 1. For four of our five experiments, the dependent variable was measured as the degree of support for unilateral action on a four-point likert scale. To guard against satisficing we followed

recommended practice to exclude the middle or neutral category.[3] Because the media often reports the simple percentage supporting a policy or approving of a politician's course of action, we collapse the strongly support and somewhat support categories to identify subjects who support unilateral action. In the tables below, we present the percentage of subjects supporting unilateral action in each treatment group in each experiment. In the article text, we construct logistic regression models with this binary dummy variable identifying those who support unilateral action as the dependent variable. Ordered logistic regressions using the full four-point likert scale as the dependent variable yield substantively similar results.

As shown in SI Appendix 1, the Partisan Source experiment used a different question format for the dependent variable. This question, adapted from a June 2006 Gallup poll (USGALLUP.200621.Q11), asked subjects whether the president in question has "gone too far, has been about right, or has not gone far enough – in expanding the power of the presidency and executive branch to combat terrorism." For this experiment, in the tables below we present the percentage of subjects replying that the president has "gone too far" across the two treatment groups. In the article text, we construct a binary dependent variable coded 1 for those who said the president has "gone too far" and 0 otherwise. We then use logistic regression.

Difference in Means Tests for Each Experiment

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[3] See Krosnick, Jon A. 1991. "Response Strategies for Coping with the Cognitive Demands of Attitude Measures in Surveys." *Applied Cognitive Psychology* 5: 213-236; Krosnick, Jon A. 1999. "Survey Research." *Annual Review of Psychology* 50: 537-567; Chang, Linchiat and Jon A. Krosnick. 2009. "National Surveys via RDD Telephone Interviewing Versus the Internet Comparing Sample Representativeness and Response Quality." *Public Opinion Quarterly* 73: 641–678. Kulas, John T. and Alicia A. Stachowski. 2013. "Respondent Rationale for Neither Agreeing nor Disagreeing: Person and Item Contributors to Middle Category Endorsement Intent on Likert Personality Indicators." *Journal of Research in Personality* 47: 254-262.

Supporting Information for *Constitutional Qualms or Politics as Usual?*

In the article, we report results from logistic regressions that assess the influence of each experimental treatment (and that interaction of that treatment with partisan and policy/self-interest variables) on support for unilateral action while controlling for each subject's demographic characteristics. However, because subjects are randomly assigned to treatment and control groups, as an initial assessment for each treatment's influence on support for unilateral action we can simply compare the mean levels of support observed across treatment and control groups in each experiment. SI Tables 2-6 present difference of means tests for each of the five experiments. Results mirror those obtained from the logistic regressions presented and discussed in the text.

Robustness Checks on Justification Module

In the Justification experiment, we found that independents who are not affiliated with either the Democratic or Republican parties were much more likely to support presidents taking unilateral action to pursue their policy objectives when such action is justified as a response to congressional obstruction. In the models in the text, we treated subjects who "leaned" toward either party as partisans. Here, we show that the results are robust to treating "leaners" as independents.

SI Table 7 replicates the simple difference in means analysis presented in SI Table 2, but treats "leaners" as independents. Results are virtually identical. The justification treatment did not increase support for unilateral action among Democrats and Republicans, but it did among independents (54% in the treatment vs. 32% in the control).

In model 1 of SI Table 8, we replicate the analysis from the text, but treat "leaners" as independents. Results are virtually identical. For independents identified via this broader definition, the congressional obstruction justification significantly increased support for

presidential unilateral action. However, for both Democrats and Republicans the justification had no effect. The interactions are negative, statistically significant, and larger in magnitude than the main effect. Model 2 of SI Table 8 replicates the analysis conducted in model 1, but it drops the nineteen subjects who were "not sure" of their partisan identification from the analysis. Results are virtually identical to those in model 1. Finally, model 3 replicates the analysis from the text (i.e. it includes leaners as partisans), but it drops the nineteen subjects who were "not sure" of their partisan identification. Results are virtually identical to those presented in the text and to those in models 1 and 2. The congressional obstruction justification increase support for unilateral action among independents; however, it had little effect on support for unilateral action among Democratic or Republican respondents.

Controlling for Presidential Approval

In each of our experiments, subjects were randomly assigned to treatment and control groups. The main advantage of a randomized experiment is the causal leverage it affords. Randomization helps balance confounders (both observed and unobserved) across groups, which allows us to attribute differences across groups to the experimental treatments and to reduce the potential for omitted variable bias in the model results. Even given the obvious benefits of such a design, as a final robustness check for the three experiments embedded on the 2014 CCES we re-estimate our analyses controlling for whether or not each subject approved or disapproved of President Obama's job performance, (a question which was included on the common content of the pre-election wave). SI Tables 9-11 re-estimate Tables 1, 3, and 4 from the text while also controlling for presidential approval. All results remain unchanged. Finally, the last model in SI Tables 9-11 interacts the experimental treatment variable with the presidential approval

indicator. We find no evidence that the justification treatment affected support for unilateral action among those who did (or did not) approve of Obama's job performance (SI Table 9). Consistent with our results for partisanship, in SI Table 10 we see that the Bush treatment significantly increased the probability of a subject who approved of Obama believing that the president (i.e. Bush) had gone too far in expanding presidential power in the context of the war on terror. Finally, we found no evidence in the Student Loan experiment that the executive order treatment affected support for the president's action among approvers or non-approvers.

Political Knowledge as a Potential Moderating Factor

Across multiple tests and multiple experiments examined in the text, we found little evidence that constitutional concerns significantly influenced how Americans evaluate unilateral action. However, it is possible that only the most politically knowledgeable Americans evaluate unilateral action in part through its constitutional implications for our system of checks and balances. To test this hypothesis, we used a series of six questions on the 2014 CCES that afford a measure of political knowledge. These questions include knowledge of which party controlled the U.S. House of Representatives; which party controlled the U.S. Senate; and the partisan affiliation of each subject's home state governor, two U.S. Senators, and local representative in the U.S. House.[4]

The Justification experiment provides an initial test of this hypothesis. Because the Justification treatment explicitly reminds subjects that President Obama is acting unilaterally

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[4] There were no other factual knowledge questions in the common content of the surveys. While greater variance in the kinds of political knowledge questions would have been preferable (see, e.g., Luskin, Robert. 1987. "Measuring Political Sophistication." *American Journal of Political Science* 31: 856-899; delli Carpini, Michael, and Scott Keeter. 1993. "Measuring Political Knowledge: Putting Things First." *American Journal of Political Science* 37: 1179-1206.), we are confident that this index taps political knowledge and further discuss the psychometric properties of the measure below.

because Congress has chosen not to act (and that he is not acting, for example, pursuant to power delegated to him by the legislature), the treatment directly raises concerns about checks and balances. In the sample as a whole, we found no evidence that the justification treatment lowered support for unilateral action (Table 1). To examine whether the effect of the treatment is moderated by subjects' political knowledge, we replicated the baseline model from Table 1 with our political knowledge measure and its interaction with the variable indicating assignment to the justification treatment. SI Table 12 presents the results. The coefficients for both the justification treatment and its interaction with political knowledge are small and statistically insignificant. Moreover, the coefficient on the un-interacted, main effect political knowledge variable is also small and statistically insignificant. Thus, we find no evidence that politically knowledgeable subjects were more or less supportive of unilateral action, on average, than their less knowledgeable peers. We also find no evidence that politically knowledgeable subjects responded differently to the justification treatment.

The Student Loans experiment may provide an even cleaner test. In the text, we show that whether Obama pursued his policy through a legislative path versus a unilateral one had no discernible effect on public support for his actions. Rather, partisanship and policy preferences governed the calculation. This result cut against the hypothesis that the public is inherently skeptical of unilateral action as a strategy for presidents to accomplish their policy objectives. However, it is possible that politically knowledgeable subjects might be less supportive of Obama's course when he pursues his policy unilaterally than when he pursues the same policy legislatively. To test this hypothesis, SI Table 13 replicates the baseline analysis from Table 4 in the text, but again includes both the measure of political knowledge and its interaction with the executive order treatment indicator variable. We find no evidence that political knowledge

moderates the influence of the executive order treatment. The coefficient on the interaction variable is very small and statistically insignificant. The coefficient for the main treatment effect also remains statistically insignificant. Finally, the coefficient for the political knowledge variable itself is also small and statistically insignificant.

To ensure that the null results on political knowledge were consistent we examined its psychometric properties and tried alternative constructions. Principal component analysis (unrotated) shows that the eigenvalues load at 57% on one component and over 70% on two components; a scree plot of the eigenvalues suggests two components. The first two measures— who controls the House and Senate—appear more distinct from the others, loading at .61 and .56 on the second component, with all the others loading more heavily on the first. As these questions are about federal as opposed to state considerations, the dimensions might be drawn here. We therefore created two new measures of political information, the first with the two federal questions and the second with the state questions, and entered them into our models as we have done with the more comprehensive index above—i.e., both directly and as moderators of the treatment effects. In no case did the results achieve statistical significance for either the direct or moderating variables. We similarly constructed two principal component scores and entered them into our models as both direct and treatment moderating variables. Again, all results were insignificant. In all, we found consistent evidence that the null results on the treatments are generalizable across the range of political knowledge.

Proxies for Policy Preferences

The Student Loans experiment and Immigration experiment test our hypothesis that Americans evaluate unilateral action according to whether it accords with their policy

preferences. To measure subjects' policy preferences on these issues we use two proxies. In the first experiment, we use subjects' answer to a question embedded earlier on the survey asking whether they or anyone in their family had student loan debt. Subjects who replied yes to this question stand to benefit materially from governmental action to cap student loan payments in a way that subjects who do not have student loan debt will not. As a result, we argue that these subjects are more likely, on average, to have strong predispositions to support a policy that caps student loan payments. In the second experiment, we use a dummy variable identifying Latinos as a proxy for underlying support for policies that would liberalize immigration. Recent survey evidence consistently shows that Latinos are significantly more supportive of immigration liberalization than non-Latinos.[5] Both measures are imperfect proxies for policy preferences. However, they are both more nuanced than the approach taken by most prior assessments of the influence of policy preferences on opinion formation, which uses party id as a proxy for policy preferences and then examines whether Democrats/Republicans respond to liberal/conservative issue positions on issues such as Medicaid spending and abortion.[6]

Sources for Discussion

In the concluding section of the article, we mention several cases in which public opinion was aligned solidly against presidential unilateral action. For example, as Congress debated and endeavored to pressure President Bush to sign the Detainee Treatment Act of 2005, repeated polls showed strong majorities of the public opposing the use of torture, or what the administration euphemistically labeled "enhanced interrogation techniques," even against

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[5] See, for example: http://www.nationaljournal.com/next-america/newsdesk/hispanics-voice-overwhelming-support-for-obama-s-actions-on-immigration-20150410

[6] Arceneaux, Kevin. 2008. "Can Partisan Cues Diminish Democratic Accountability?" *Political Behavior* 30: 139-160; Bullock, John. 2011. "Elite Influence on Public Opinion in an Informed Electorate." *American Political Science Review* 105: 496-515.

terrorism suspects.[7] Similarly, while President Obama campaigned in 2008 on the need to close

the terror detention camp at Guantanamo Bay, more Americans consistently opposed closing

Guantanamo than supported the President's course of action.[8] This initial considerable

ambivalence and even operation to Obama's executive action by the public fueled considerable

resistance in Congress. This congressional resistance, in turn, appears to have helped grow

opposition to Obama's executive action even more over time. By 2010 in a Quinnipiac poll just

28% of Americans said that President Obama should close the camp at Guantanamo Bay versus

60% saying no.[9] As of 2015, Guantanamo remains open, despite President Obama's executive

order to close it.

Finally, we briefly mention President Obama's post-2014 midterm immigration executive

actions. These actions provoked the ire of most congressional Republicans. Moreover, even

several leading Democrats openly criticized the administration's actions on constitutional

grounds. For example, Missouri Senator Claire McCaskill lamented, "Our immigration system

is broken, and I support a comprehensive plan to fix it, but executive orders aren't the way to do

it." West Virginia Democrat Joe Manchin expressed a similar sentiment: "I disagree with the

president's decision to use executive action to make changes to our immigration system, and I

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[7] See, for example, ABC News/Washington Post. ABC News/Washington Post Poll, Dec, 2005 [survey question]. USABCWP.121905.R41. ABC News/Washington Post [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015; Cable News Network, USA Today. Gallup/CNN/USA Today Poll, Nov, 2005 [survey question]. USGALLUP.05NV011.R27. Gallup Organization [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015.

[8] CBS News/New York Times. CBS News/New York Times Poll, Jan, 2009 [survey question]. USCBSNYT.011609A.R98. CBS News/New York Times [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015; Gallup Organization. Gallup Poll, Jan, 2009 [survey question]. USGALLUP.012109.R1. Gallup Organization [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015; CBS News. CBS News Poll, Nov, 2009 [survey question]. USCBS.111709.R13. CBS News [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015.

[9] Quinnipiac University Polling Institute. Quinnipiac University Poll, Jan, 2010 [survey question]. USQUINN.011410.R34. Quinnipiac University Polling Institute [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015.

disagree with the House's decision to not even take a vote on the bipartisan Senate legislation that overwhelmingly passed in June 2013."[10]

Immediately after the president announced his executive action, polls showed that 42% favored his policy shift, versus 46% opposing it.[11] The firestorm of congressional criticism appears to have increased opposition further still. In February 2015, 51% of Americans in February 2015 said that Obama's executive action went beyond his authority as president (vs. only 41% saying it was within his authority).[12] By May 2015, only 36% approved of how Obama was handling immigration vs. 60% who disapproved.[13]

[10] Mark Kikorian. "These Seven Democrats Who Said They Opposed Obama's Lawless Amnesty Decrees Were Lying." *National Review*, February 3, 2015. http://www.nationalreview.com/corner/397833/these-seven-democrats-who-said-they-opposed-obamas-lawless-amnesty-decrees-were-lying

[11] Cable News Network. CNN/ORC International Poll, Nov, 2014 [survey question]. USORC.112614.R14. ORC International [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015.

[12] Quinnipiac University Polling Institute. Quinnipiac University Poll, Feb, 2015 [survey question]. USQUINN.030415.R45. Quinnipiac University Polling Institute [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015.

[13] Cable News Network. CNN/ORC International Poll, May, 2015 [survey question]. USORC.060315.R02E. ORC International [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015. These numbers were down from 44% supporting versus 53% opposing in a November 2014 poll. Cable News Network. CNN/ORC International Poll, Nov, 2014 [survey question]. USORC.112614.R03D. ORC International [producer]. Storrs, CT:Roper Center for Public Opinion Research, iPOLL [distributor], accessed Aug-18-2015.

SI Table 1: Sample Demographics

	2014 CCES	4/16-18/15 YouGov	4/24-28/15 YouGov
Republican	22%	23%	23%
Republican (including leaners)	32%	32%	33%
Democrat	37%	36%	37%
Democrat (including leaners)	47%	46%	45%
Male	47%	47%	46%
Education	Some college	Some college	Some college
Age	50	48	47
White	73%	73%	71%
Black	13%	11%	11%
Latino	7%	10%	12%
Income	$60k to $69,999	$50k to $59,999	$50k to $59,999
N	1,000	1,000	1,000

Note: Each cell presents averages, except for education and income, which report medians.

SI Table 2: Difference in Means for Justification Experiment

	All	Republicans	Democrats	Independents
Control	48% (216)	16% (73)	78% (108)	23% (35)
Justification treatment	56% (224)	12% (59)	80% (116)	51% (49)

Note: The difference in means across the treatment and control group for Independents is statistically significant, p < .01, two-tailed test. No other difference in means is statistically significant.

SI Table 3: Difference in Means for Two Presidencies Experiment

	All	Republicans	Democrats	Independents
Domestic Policy	53% (517)	18% (170)	84% (233)	43% (114)
Foreign Policy	53% (483)	20% (148)	79% (227)	45% (108)

Note: None of the differences in means across the Domestic Policy and Foreign Policy treatment groups are statistically significant.

SI Table 4: Difference in Means for Partisan Source Experiment

Leaners treated as partisans

	All	Republicans	Democrats	Independents
Control	42% (220)	74% (77)	20% (94)	35% (49)
Justification treatment	44% (225)	30% (82)	55% (101)	43% (42)

Note: The differences in means across the treatment and control group for Democrats and Republicans are statistically significant, p < .01, two-tailed test. No other difference in means is statistically significant.

SI Table 5: Difference in Means for Student Loans Experiment

	All	Republicans	Democrats	Independents	Student loan debt	No student loan debt
Law	73% (493)	45% (164)	93% (236)	69% (93)	88% (141)	66% (336)
Executive order	71% (503)	44% (157)	91% (228)	66% (118)	90% (138)	63% (355)

Note: None of the differences in means across the treatment (executive order) and control (law) groups are statistically significant (p < .05, two-tailed test).

SI Table 6: Difference in Means for Immigration Reform Experiment

	All	Republicans	Democrats	Independents	Latino	Not Latino
Law	41% (254)	11% (91)	65% (114)	39% (49)	58% (31)	38% (223)
Executive order	46% (232)	9% (68)	76% (102)	37% (62)	65% (23)	44% (209)

Note: None of the differences in means across the treatment (executive order) and control (law) groups are statistically significant ($p <$ .05, two-tailed test).

SI Table 7: Difference in Means for Justification Experiment, Leaners Treated as Independents

	All	Republicans	Democrats	Independents
Control	48% (216)	15% (54)	82% (89)	32% (73)
Justification treatment	56% (224)	13% (47)	79% (92)	54% (85)

Note: The difference in means across the treatment and control group for Independents is statistically significant, p < .01, two-tailed test. No other difference in means is statistically significant.

SI Table 8: Robustness Check on Justification Module

	(1)	(2)	(3)
Congressional obstruction	0.99**	1.01**	1.57**
	(0.34)	(0.37)	(0.61)
Congressional obstruction X Republican (no leaners)	-1.25	-1.24	
	(0.68)	(0.69)	
Congressional obstruction X Democrat (no leaners)	-1.25*	-1.24*	
	(0.52)	(0.54)	
Congressional obstruction X Republican (leaners)			-2.00*
			(0.80)
Congressional obstruction X Democrat (leaners)			-1.46*
			(0.70)
Republican (no leaners)	-0.84	-0.87	
	(0.47)	(0.48)	
Democrat (no leaners)	2.26**	2.23**	
	(0.38)	(0.39)	
Republican (including leaners)			-0.05
			(0.61)
Democrat (including leaners)			2.68**
			(0.56)
Male	-0.01	-0.03	-0.05
	(0.24)	(0.25)	(0.26)
Education	0.01	0.04	0.05
	(0.08)	(0.08)	(0.08)
Age	0.00	-0.00	-0.00
	(0.01)	(0.01)	(0.01)
White	-0.74*	-0.62*	-0.66*
	(0.30)	(0.30)	(0.31)
Constant	-0.29	-0.35	-1.13
	(0.60)	(0.64)	(0.79)
Observations	440	421	421

Note: Model 1 treats "leaners" as independents. Model 2 drops the 19 subjects who were "not sure" of their partisan identification. Model 3 drops subjects "not sure" of their partisan identification and treats "leaners" as partisans. Models are logistic regressions. Robust standard errors in parentheses. All significance tests are two-tailed.

** $p<0.01$, * $p<0.05$

SI Table 9: Justification Experiment Controlling for Presidential Approval

	(1)	(2)	(3)
Congressional obstruction	0.37	1.75**	0.75*
	(0.28)	(0.59)	(0.38)
Congressional obstruction X Republican		-2.14**	
		(0.80)	
Congressional obstruction X Democrat		-1.64*	
		(0.73)	
Congressional obstruction X Presidential approval			-0.89
			(0.61)
Republican	-0.68	0.56	-0.71
	(0.38)	(0.58)	(0.39)
Democrat	0.94**	1.95**	0.91*
	(0.35)	(0.54)	(0.36)
Male	0.01	0.07	-0.01
	(0.30)	(0.30)	(0.31)
Education	-0.10	-0.13	-0.10
	(0.09)	(0.10)	(0.09)
Age	-0.01	-0.01	-0.00
	(0.01)	(0.01)	(0.01)
White	-0.57	-0.68	-0.56
	(0.34)	(0.36)	(0.34)
Presidential approval	2.68**	2.70**	3.16**
	(0.31)	(0.32)	(0.47)
Constant	-0.53	-1.26	-0.77
	(0.65)	(0.71)	(0.68)
Observations	426	426	426

Note: Models are logistic regressions. Robust standard errors in parentheses. All significance tests are two-tailed.

** $p<0.01$, * $p<0.05$

SI Table 10: Partisan Source Experiment Controlling for Presidential Approval

	(1)	(2)	(3)
Bush treatment	-0.12	0.04	-1.46**
	(0.20)	(0.44)	(0.28)
Bush treatment X Republican		-2.12**	
		(0.58)	
Bush treatment X Democrat		1.46**	
		(0.56)	
Bush treatment X Approve Obama			3.49**
			(0.49)
Republican	-0.14	0.96*	-0.21
	(0.30)	(0.44)	(0.33)
Democrat	0.02	-0.86*	0.09
	(0.30)	(0.43)	(0.34)
Male	0.42*	0.54*	0.49*
	(0.21)	(0.22)	(0.22)
Education	0.27**	0.30**	0.32**
	(0.07)	(0.08)	(0.08)
Age	0.01	0.01	0.01
	(0.01)	(0.01)	(0.01)
White	0.10	0.15	0.05
	(0.27)	(0.28)	(0.29)
Approve Obama	-0.81**	-0.70*	-2.84**
	(0.29)	(0.33)	(0.46)
Constant	-1.73**	-2.04**	-1.03
	(0.52)	(0.58)	(0.59)
Observations	428	428	428

Note: Models are logistic regressions. Robust standard errors in parentheses. All significance tests are two-tailed.

** p<0.01, * p<0.05

SI Table 11: Student Loans Experiment Controlling for Presidential Approval

	(1)	(2)	(3)	(4)
Executive order treatment	-0.22	-0.30	-0.24	-0.25
	(0.18)	(0.35)	(0.19)	(0.20)
Executive order X Republican		0.25		
		(0.43)		
Executive order X Democrat		-0.22		
		(0.52)		
Executive order X Loan debt			0.14	
			(0.48)	
Executive order X Presidential approval				0.15
				(0.44)
Republican	-0.33	-0.46	-0.33	-0.34
	(0.22)	(0.32)	(0.22)	(0.22)
Democrat	1.24**	1.36**	1.24**	1.24**
	(0.27)	(0.41)	(0.27)	(0.27)
Male	-0.52**	-0.51**	-0.51**	-0.52**
	(0.18)	(0.18)	(0.18)	(0.18)
Education	-0.17*	-0.17*	-0.17*	-0.17*
	(0.07)	(0.07)	(0.07)	(0.07)
Age	-0.02**	-0.02**	-0.02**	-0.02**
	(0.01)	(0.01)	(0.01)	(0.01)
White	-0.16	-0.16	-0.16	-0.16
	(0.24)	(0.24)	(0.24)	(0.24)
Presidential approval	1.49**	1.49**	1.49**	1.41**
	(0.26)	(0.26)	(0.26)	(0.36)
Student loan debt	1.31**	1.32**	1.24**	1.30**
	(0.25)	(0.25)	(0.34)	(0.25)
Constant	1.95**	2.00**	1.97**	1.97**
	(0.43)	(0.48)	(0.44)	(0.43)
Observations	935	935	935	935

Note: Models are logistic regressions. Robust standard errors in parentheses. All significance tests are two-tailed.

** p<0.01, * p<0.05

SI Table 12: Testing Whether Justification Treatment Effect is Moderated by Political Knowledge

	(1)
Congressional obstruction	-0.05
	(0.51)
Congressional obstruction X Political knowledge	0.09
	(0.11)
Republican	-1.19**
	(0.36)
Democrat	1.77**
	(0.29)
Male	-0.10
	(0.26)
Education	0.06
	(0.09)
Age	0.00
	(0.01)
White	-0.66*
	(0.29)
Political knowledge	-0.07
	(0.10)
Constant	-0.14
	(0.64)
Observations	440

Note: Model is a logistic regression. Robust standard errors in parentheses. All significance tests are two-tailed.

** $p<0.01$, * $p<0.05$

SI Table 13: Testing Whether Executive Order Treatment Effect is Moderated by Political Knowledge

	(1)
Executive order treatment	-0.28
	(0.42)
Executive order treatment X Political knowledge	0.03
	(0.09)
Republican	-0.49*
	(0.22)
Democrat	1.99**
	(0.26)
Male	-0.40*
	(0.18)
Education	-0.09
	(0.07)
Age	-0.02*
	(0.01)
White	-0.32
	(0.23)
Student loan debt	1.28**
	(0.24)
Political knowledge	-0.13
	(0.07)
Constant	2.40**
	(0.49)
Observations	970

Note: Model is a logistic regression. Robust standard errors in parentheses. All significance tests are two-tailed.

** $p<0.01$, * $p<0.05$

SI Appendix 1

Justification Experiment

Subjects were randomly assigned to one of two experimental groups. All subjects were then asked the same question.

Control:

President Obama has aggressively used unilateral executive power to pursue his priorities in both foreign and domestic policy.

Treatment:

The current Congress has been one of the most obstructionist on record and is near historic lows in terms of its legislative productivity. Congress has failed to act on many of the most important issues facing the country.

As a result of this congressional inaction, President Obama has aggressively used unilateral executive power to pursue his priorities in both foreign and domestic policy.

Question:

Presidents have the power in some cases to bypass Congress and take action by executive order to accomplish their administrations' goals. Do you support or oppose this approach?

> Strongly support
> Somewhat support
> Somewhat oppose
> Strongly oppose

Supporting Information for *Constitutional Qualms or Politics as Usual?*

Two Presidencies Experiment

Subjects were randomly assigned to one of two experimental groups.

Domestic Policy Treatment:

Presidents have the power in some cases to bypass Congress and take action by executive order to accomplish their administrations' goals.

Do you support or oppose presidents taking this approach in foreign and military policy?

 Strongly support
 Somewhat support
 Somewhat oppose
 Strongly oppose

Foreign Policy Treatment:

Presidents have the power in some cases to bypass Congress and take action by executive order to accomplish their administrations' goals.

Do you support or oppose presidents taking this approach in domestic and social policy?

 Strongly support
 Somewhat support
 Somewhat oppose
 Strongly oppose

Partisan Source Experiment

Subjects were randomly assigned to one of two experimental groups.

Obama Treatment:

President Obama has used a variety of instruments, such as executive orders and national security decision directives, to unilaterally expand his power in the war on terror. For example, these unilateral actions have significantly increased electronic surveillance both at home and abroad.

Do you think the Obama administration – has gone too far, has been about right, or has not gone far enough – in expanding the power of the presidency and executive branch to combat terrorism?

       Has gone too far
       Has been about right
       Has not gone far enough

Bush Treatment:

President Bush used a variety of instruments, such as executive orders and national security decision directives, to unilaterally expand his power in the war on terror. For example, these unilateral actions significantly increased electronic surveillance both at home and abroad.

Do you think the Bush administration – went too far, was about right, or did not go far enough – in expanding the power of the presidency and executive branch to combat terrorism?

       Went too far
       Was about right
       Did not go far enough

Means vs. Ends Experiment: Student Loans

Subjects were randomly assigned to one of two experimental groups. All subjects were then asked the same question.

Legislation Treatment:

President Barack Obama has publicly backed legislation in Congress that would cap student loan payments at 10% of a borrower's income, and forgive any remaining debt after 20 years.

Executive Order Treatment:

President Barack Obama has issued an executive order to unilaterally cap student loan payments at 10% of a borrower's income, and forgive any remaining debt after 20 years.

Question:

Do you support or oppose President Obama's efforts to lower student loan payments?

      Strongly support
      Somewhat support
      Somewhat oppose
      Strongly oppose

Means vs. Ends Experiment: Immigration

Subjects were randomly assigned to one of two experimental groups. All subjects were then asked the same question.

Legislation Treatment:

President Barack Obama has publicly backed legislation to give temporary legal status to many undocumented immigrants

Executive Order Treatment:

Rather than seeking new legislation from Congress, President Obama has unilaterally directed the Department of Homeland Security to give temporary legal status to many undocumented immigrants.

Question:

Do you support or oppose President Obama's efforts to give temporary legal status to many undocumented immigrants?

> Strongly support
> Somewhat support
> Somewhat oppose
> Strongly oppose