Accepted Manuscript

DOI: https://doi.org/10.1111/1467-8551.12451

Citation: Becher, M., & Brouard, S. (2022). Executive accountability beyond outcomes: Experimental evidence on public evaluations of powerful prime ministers. American Journal of Political Science, 66(1), 106-122.

Executive Accountability Beyond Outcomes: Experimental Evidence on Public Evaluations of Powerful Prime Ministers

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This version: March 10, 2020‡

Forthcoming, *American Journal of Political Science*

Running title: Executive Accountability Beyond Outcomes

Key words: executive power; confidence vote procedure; public opinion; accountability; experiment; France

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‡For valuable comments and discussions, we are grateful to Christian Breunig, Martial Foucault, Victor Gay, Carlo Horz, Patrick Le Bihan, Nolan McCarty, Saurabh Pant, Daniel Pemstein, Leah Rosenzweig, Petra Schleiter, Karine Van Der Straeten, Yannis Vassiliadis, Christopher Wlezien, Christina Zuber as well as conference/seminar participants at APSA (2017), EPSA (2018), IAST/TSE, Sciences Po Paris, the University of Konstanz and the University of Oxford, as well as the anonymous reviewers. This work is supported by a public grant overseen by the French National Research Agency (ANR) as part of the "Investissements d'Avenir" program within the framework of the LIEPP center of excellence (ANR11LABX0091, ANR 11 IDEX000502). Financial support from the region Nouvelle Aquitaine (DEMOREG project) is also gratefully acknowledged. Becher gratefully acknowledges IAST funding from the ANR under the Investments for the Future ("Investissements d'Avenir") program, grant ANR-17-EURE-0010, and from the IDEX-Emergence program at Université de Toulouse.

Abstract

While executives in many democracies have constitutional powers to circumvent the majoritarian legislative process to make policy, political scientists know relatively little about whether and when ordinary people hold executives accountable for the process they use. To study this issue beyond the American presidency, we conduct a series of large survey experiments in France, where the institution of the confidence procedure puts the government in a strong position relative to parliament. Our experiments highlight that public evaluations of the executive reflect a fundamental trade-off between policy and process. If they face significant opposition in the legislative process, executives either have to accept policy failure or risk punishment for the use of procedural force. People dislike both results, and the average popularity gain of using the confidence procedure over not delivering the policy is modest. Moreover, in some contexts executives are strictly better off not legislating rather than applying force.
Word count: 9,982.

Verification Materials: The data and materials required to verify the computational reproducibility of the results, procedures and analyses in this article are available on the American Journal of Political Science Dataverse within the Harvard Dataverse Network, at: `https://doi.org/10.7910/DVN/B9JAVO`.

According to much of political science, government leaders have reasons to expect that they may be held accountable by voters for the outcomes they produce (or fail to produce). However, scoring major legislative accomplishments is hard because it requires confronting competing interests and ideas. When facing opposition to their policy agenda, executives in many contemporary democracies have the constitutional power to use procedures that circumvent the majoritarian legislative process to make policy. Prominent examples of such powers are executive orders and confidence vote procedures. Political opponents are usually quick to criticize the use of "procedural force" by executives as unfair or anti-democratic in spirit, or portray it as a signal of political weakness and incompetence. But these procedural critiques often go together with self-interested disagreements about policy or political posturing. At the same time, executives can be reluctant to use their constitutional powers despite anticipated policy gains.

Public opinion shapes executives' incentives in legislative bargaining. Whether government leaders opt for a strategy of constitutional hardball or not depends on how ordinary people trade-off concerns about policy outcomes and democratic process. In the long-run, the interplay between citizens and executives' actions may also affect democratic legitimacy and stability. While institutional theories demonstrate how executives may use their formal powers to influence policy (Howell, 2003; Huber, 1996*b*), there is only limited evidence of how people evaluate the use of constitutional force in lawmaking. Do voters focus on outcomes and ignore the process through which they have been achieved? Or do considerations about process matter independently of policy preferences and partisan attachments? While standard spatial models or theories of retrospective voting focus on outcome-based political evaluations and accountability[1], in recent years political scientists have started to

[1]Large literatures examine voter responses to party positions (Iversen, 1994; Tomz and Houweling, 2008), policy decisions (Healy and Malhorta, 2009; Wlezien, 2017), and the economy (Duch and Stevenson, 2008; Lewis-Beck and Stegmaier, 2000).

pay more attention to process. However, several empirical challenges related to the strategic use of constitutional force make it difficult to study the role of process in accountability. Moreover, existing research is almost exclusively focused on the presidential system in the United States (Christenson and Kriner, 2017*a*,*b*, 2019; Graham and Svolik, 2019; Reeves and Rogowski, 2016, 2018).

In this paper, we go beyond the case of the American presidency and provide new insights on whether and when citizens hold executives accountable for the process they use to make policy. These insights have implications for the incentives of government leaders and highlight non-institutional limits to executive dominance. Conceptually and empirically, we focus on the institution of the confidence vote procedure as the strongest constitutional weapon available to executives (i.e., prime ministers) in many parliamentary and semi-presidential democracies.[2] By invoking this procedure, prime ministers credibly fuse the vote on a policy issue with a vote on the survival of the government, and in some countries the government's proposal may become law without an explicit vote in parliament as long as there is no majority to break the government. Bargaining theory shows that this institution can decidedly shift policy outcomes in favor of the prime minister relative to backbenchers, coalition partners, and parliament more broadly (Diermeier and Feddersen, 1998; Huber, 1996*b*).

Using the confidence procedure to make policy is a highly visible and salient political event. For example, in 1993 British prime minister John Major invoked the confidence procedure to ratify the Maastricht treaty against the rebels within his own party. But several observers also remarked that the process had significant costs. The prime minister "emerged bloodied and bruised", unpopular in the electorate and presiding over a divided

[2]It exists in most of Western Europe, Australia and New Zealand. In 9 of the 17 cases covered by Huber (1996*b*), the prime minister can unilaterally invoke the procedure. After 1990, many democracies in central and Eastern Europe adopted it (Evans and Schleiter, 2019). It is also featured in several constitutions in Africa (`https://www.constituteproject.org`).

party.[3] In Germany, chancellor Gerhard Schröder used the procedure to force his Green coalition partner to support the war in Afghanistan. Although perhaps not the "nuclear option" it is sometimes referred to, the confidence vote has been used in a restrained and selective manner. For instance, in France the procedure was used, on average, 1.5 times per year between 1958 and 2018 – affecting a small number (51) of the more than 5000 laws passed in that period.

This is puzzling from the perspective of purely outcome-oriented theories. The spatial model assumes that people have induced preferences over the process of lawmaking based on their policy preferences. It implies that policy ends can justify the procedural means (Acemoglu, Robinson and Torvik, 2013). Theoretically, however, people evaluating executives may care about both outcomes and process (Huber, 1996*b*). This suggests that prime ministers who face veto hurdles and care about their popularity can face a stark trade-off between getting punished for not getting things done or for using constitutional force.

Empirically, we analyze a series of survey experiments, most of them embedded in a French election panel. France is a theoretically relevant case because its 1958 constitution, which influenced constitutional design around the world, provides the prime minister with a strong confidence procedure to circumvent the normal parliamentary process to make laws (Huber, 1996*a*). Our experimental design overcomes several vexing empirical problems. Strategic selection, endogeneity, and multiple attributes of executives and their performance as lawmakers make it difficult to establish whether democratic process matters for accountability using observational data. The few existing survey-experimental studies most directly addressing these issues focus on whether presidents in the U.S. are punished for pursuing a particular policy by procedural force rather than working through the legislature (Christenson and Kriner, 2017*a*,*b*; Reeves and Rogowski, 2018). This is clearly important. However, the executive's incentives are also shaped by how voters respond to the alternatives of trying

[3]Eugene Robinson. "Major survives vote of confidence." *Washington Post*, July 24, 1993.

but failing to pass policy or taking no action. Not considering these counterfactuals can understate the trade-off voters and executives face between policy and process.

Our experiments randomize different vignettes concerning the attributes and performance of the prime minister that may come to power after the upcoming election: partisanship, which policy is proposed, whether the policy is enacted by majority vote or constitutional force or is not passed, as well as the economic context. We find that ordinary people evaluating prime ministers put significant weight on policy and party. But we clearly reject the null hypothesis that they do not care about process. A prime minister who enacts a policy using constitutional force through the confidence procedure is evaluated significantly more harshly than a prime minister who passes the same policy through majority voting in the assembly. Importantly, there is a substantive willingness to punish prime ministers for the use of procedural force even among co-partisans and those who prefer the policy to the status quo. If passing policy without constitutional force is not feasible, prime ministers either have to accept policy failure or risk punishment for the use of procedural force. We find that people dislike both results. The average popularity gain of using the confidence procedure over not delivering the policy is modest. Moreover, our results suggest that prime ministers who care about their popularity can be strictly better off not legislating rather than applying force.

Taken together, our findings underscore the importance of both outcome and process evaluations for political accountability. They are broadly consistent with recent evidence from the U.S. (Christenson and Kriner, 2017*b*; Reeves and Rogowski, 2018). Going further, we study a political institution that is absent in presidential systems but takes a central place in the constitutional architecture elsewhere. Our design accounts for missing counterfactuals and generates new evidence on the trade-off between policy and process. As a result, we can better explain the real-world behavior of prime ministers and the functioning of representative democracy.

Theoretical motivation

Canonical theories of the confidence vote procedure capture the idea that public evaluations of prime ministers may reflect both their policy achievements, as in the standard spatial model, and their actions with respect to process (Huber, 1996*b*; Huber and McCarty, 2001). While prime ministers may employ constitutional force in the form of a confidence vote to pass their proposal against significant parliamentary opposition, these theories assume that ordinary people typically dislike the executive's use of constitutionally legal but extraordinary means to bypass majoritarian decision making in the legislative arena. Opposition to constitutional force may be rooted in a mix of motivations, including normative concerns about democracy and signaling about leadership competence or the quality of the policy proposal. Whatever the motive, public qualms about the use of procedural force shape the incentives of prime ministers to use their prerogative. Public opinion may thus shape whether prime ministers engage in constitutional hardball or forbearance as well as the resulting policy compromise. However, there is no experimental evidence on the relevance of process in the evaluation of prime ministers pursing their policy agenda with and without the confidence procedure.

To fix the theoretical ideas that guide our empirical investigation, is it is sufficient to consider a political situation with a binary policy choice x between the status quo, denoted by q or a policy proposal, p, made by the prime minister.[4] Moreover, we consider three possible actions taken by the prime minister with respect to the policy. First, policy proposal p is submitted to a majority vote in parliament and it passes (this case is abbreviated as mv). Second, the policy proposal is passed after the prime minister uses the confidence vote procedure (cv). Third, the policy proposal is not passed. In particular, consider the

[4]Our empirical analysis is exploratory in the sense that it is based on the theoretical expectations spelled out below but not pre-registered hypotheses.

case where the government withdraws the bill from consideration (w). In many democratic regimes, including France, not further pursing a policy is the most common way of government proposals to die as governments rarely lose floor votes or confidence votes.[5] We can represent the satisfaction of citizen i with the prime minister, denoted by S_i as a function of the policy outcome, $x = \{p, q\}$, and the actions taken by the prime minister, denoted by $a = \{mv, cv, w\}$. Following behavioral extensions of the spatial model (Adams, 2001), we also account for partisanship. Somewhat more formally,

$$S_i = \begin{cases} u(|x_i - p|) + \gamma CoP & \text{if } a = mv \\ u(|x_i - p|) + \gamma CoP + \alpha_i & \text{if } a = cv \\ u(|x_i - q|) + \gamma CoP + \beta_i & \text{if } a = w \end{cases}$$

where $u(|x_i - x|)$ represents policy motivations. As in the standard spatial model, they are captured by a general loss function such that a larger distance between the policy outcome x and the preferred policy x_i corresponds to lower welfare. Following Huber's model (1996*b*), α_i captures a procedural penalty (or reward) for the use of the confidence vote. It is a summary parameter that may combine a bundle of motivations. As indicated by the subscript, it may be heterogeneous across individuals. The co-partisanship term (CoP) is a dummy equal to 1 if the individual shares the partisanship of the prime minister, and zero otherwise.

Our principal expectation is that, on average, there is a negative causal effect of using the confidence vote on popular satisfaction with the executive, holding fixed policy and party. It follows from theories of the confidence vote as well as the broader, multi-disciplinary literature on process in the evaluation of decision-makers discussed below. Using the notation above, the individual causal effect of the confidence vote on satisfaction with the prime minister

[5]In one of the experiments, we also allow for no policy action. This is discussed later.

is $S_i(cv) - S_i(mv) = \alpha_i$. It cannot be identified from the data because of the fundamental problem of causal inference. We only observe one potential outcome, $S_i(cv)$ or $S_i(mv)$, for each individual. However, our experimental design enables us to obtain unbiased estimate of the average causal effect of the confidence vote for the French population: $E(S_i(cv)) - E(S_i(mv)) = E(\alpha_i)$.

E1: On average, the use of procedural force in the form of the confidence vote procedure rather than normal parliamentary voting to pass a policy reduces public satisfaction with the the prime minister.

Going beyond average effects, it is important to assess the heterogeneity of the procedural penalty with respect to the alignment of partisanship and policy preferences. Following scholarship on the importance of partisanship and policy motivations for the evaluation of politicians, punishment for the use of procedural force should be contingent (Christenson and Kriner, 2017*a*). If partisanship or policy-motivated reasoning are dominant relative to process motivations, then we should observe highly asymmetric effects: While people who oppose the prime minister based on a different partisanship and/or policy preferences will punish the use of procedural force, co-partisans and those who agree with the policy should be acquiescent and largely refrain from punishing "their" prime minister. The absence of a procedural effect for co-partisans or aligned respondents would indicate an important limitation to accountability beyond outcomes (Graham and Svolik, 2019). In contrast, we explore the possibility that even co-partisans and those who prefer the prime minister's policy proposal negatively respond to the use of procedural force: $E(S_i(cv|p \succ q)) - E(S_i(mv|p \succ q)) < 0$ and $E(S_i(cv|CoP = 1)) - E(S_i(mv|CoP = 1)) < 0$.[6]

[6]It is of course plausible that the penalty is somewhat reduced compared to those who are not co-partisans or do not like the policy, and our results will shed light on this. Though a first-order question is whether policy and party effectively trump process.

E2: A penalty for using the confidence vote compared to majority voting exists regardless of co-partisanship with the prime minister or congruent policy preferences.

When no parliamentary majority is available in the absence of a confidence vote, prime ministers face the hard political choice between being punished for the use of procedural force or for not delivering the policy outcome. We will explore empirically how people resolve this trade-off. To do so, the experiments will also include the outcome of a policy proposal that is not passed, leaving the status quo policy in place. If it is always more popular to rely on procedural force compared to withdrawing policy or refraining from legislating, incentives clearly push prime ministers toward playing constitutional hardball. Withdrawal leaves the status quo policy in place. In addition, there may be a non-policy effect of non-getting things done (captured by β_i).

An ancillary goal of this paper is to unbundle the mix of motives that is summarized by α_i. First, informational accounts of policymaking and accountability suggest that rational voters can rely on highly visible actions of executives as a signal about the quality of their leadership and the policy proposal. While this informational logic concerns expectations about (future) outcomes, it can provide a foundation for public limits on the use of executive power. The use of procedural force may be seen as a signal that the executive lacks crucial skills to govern, such as the ability to select and manage a competent staff, formulate compelling policy and forge alliances (Huber 1996*a*, 119; also see Duch and Stevenson 2008, 131-147).

Second, process-based evaluations may also reflect an intrinsic value. Prime ministers' use of constitutional force to circumvent collective decision-making in the legislative assembly stands in conflict with the notion that democratic decision making, in the legislative stage, requires voting. Simple majority voting in particular "is widely seen as *the* democratic method and departures from it are usually seen as requiring some special justification" (Ward and Weale, 2010, 40). In normative political theory, this view has been justified based on the principle of political equality. When there are fundamental disagreements about policy, the

ideal of democracy "supports a roughly majoritarian way of making final decisions" (Christiano, 2008, 103). Relatedly, social choice theory has shown that the method of majority rule embodies basic notions of fairness and equality. It is well-known that majority rule may not lead to a decisive winner in some situations. Following Arrow's Impossibility Theorem, however, it is clear that the pathologies of majority rule apply to any non-dictatorial decision method, and some theorists have argued that majority rule is the most robust voting rule as it works well for the largest domain of preferences (Dasgupta and Maskin, 2008).

Of course, actual legislative procedures never resemble pure majority voting, as there are inequalities in agenda setting and amendment rights, and citizens are not political theorists. What matters is that majoritarian decision making processes in real-world assemblies tend to be closer to the democratic norm than executive unilateralism. This is not to say that the latter has no place in democratic constitutions. For instance, constitutional designers in countries like France have argued that government stability and effectiveness merit the price of "rationalizing" parliament (Huber, 1996*a*, ch. 2).

Should we thus expect ordinary people to hold prime ministers accountable for how they achieve policy ends? Some public opinion scholars argue that people's intrinsic views about the democratic decision-making process matter independently of their policy preferences or partisan leanings, and have the potential to shape the behavior of executives (Hibbing and Theiss-Morse, 2001; Reeves and Rogowski, 2016, 2018). This perspective also draws on research on procedural fairness in psychology and behavioral economics. Procedural justice theory argues that people's evaluations of allocation decisions or leaders responsible for them are not only responsive to outcomes but also to perceptions about the fairness of the allocation process, such as whether a leader considered views from multiple sides or took enough time to make a careful decision (Tyler, Rasinski and McGraw, 1985). Most studies in this body of research have focused on implementation decisions rather than policymaking and they often focus on process perceptions rather than variation in actual decision-making

procedures (Esaiasson et al., 2016). Beyond American presidents, we know very little about the relevance of process for the evaluation of chief executives.

Experimental design

We implemented a series of factorial or conjoint survey experiments. Three of the four experiments were embedded in the French National Election Survey (FNES) conducted before the parliamentary and presidential elections held in May and June of 2017 (for a timeline, see Online Appendix Figure A1).[7] In the experiments, we randomly vary multiple dimensions of prime ministers and their performance as lawmakers.

Constitutional setting

France provides an ideal setting for the experiments. The constitution of the French Fifth Republic adopted in 1958 is a textbook case of semi-presidentialism and rationalized parliamentarism that puts an emphasis on government effectiveness and stability and has been widely emulated (Duverger, 1980; Huber, 1996*a*). The constitution endows the prime minister, as the head of government appointed by the president but responsible to the lower house

[7]This is a panel survey conducted online by IPSOS (see `https://www.enef.fr/`). As nearly all surveys in France, sampling is done with a quota method based on age, gender, occupation, region and type of residential area (Gschwend, 2005). The sample closely approximates the subsequent voting behavior in the first round of the presidential election: the mean absolute error of the vote intentions in last wave of the panel before the elections was very low (.6) and the (close) ranking of the four leading candidates was accurate. Using a sample that is representative of the French electorate is important as survey experiments from convenience samples may not recover real-world political behavior (Hainmueller, Hangartner and Yamamoto, 2015).

of parliament (*Assemblée nationale*), with strong powers to curtail or bypass legislative debate and majoritarian voting procedures.

The strongest and most controversial legislative power is contained in Article 49.3 of the constitution. It provides the prime minster with a confidence vote procedure that is incorporated into our experiments. The procedure enables the government to enact policies with the force of law without a vote in the *Assemblée nationale* unless a majority of deputies votes to censure and thus break the government. However, this institution has been contested since its inception. It is "one of the most controversial aspects of the Constitution" (Huber, 1996*a*, 54). It is often described as unfair, heavy-handed or anti-democratic by politicians and democratic theorists. Of course, such criticisms from politicians may be part of political mobilization against the government rather than sincere qualms about procedure. Altogether, the confidence procedure has been invoked 88 times since 1958.[8] A confidence-vote is material for front-page news (Becher, Brouard and Guinaudeau, 2017; Huber, 1996*a*) and the public has a fairly good knowledge of the process (Online Appendix, p. 3).

The confidence procedure was a salient feature of French politics during the time of the first survey. Prime minister Manuel Valls relied on the procedure three times to "ram through parliament" his labor market reform against opposition in his parliamentary party and mass protests in the street.[9] As was widely reported in the media, these episodes featured public controversy over the policy and the method of lawmaking. They occurred in the month before and in the month after our first experiment and three years before our last experiment. Our experimental results are consistent across this time span.

[8]See `http://www.assemblee-nationale.fr/connaissance/engagements-49-3.asp`.

[9]Anne-Sylvaine Chassany. "French government bypasses parliament to force through jobs bill." *The Financial Times*, May 10, 2016.

Design principles

Our approach shares with existing survey experiments the ability to address the strategic selection problem. Theoretically, executives strategically choose the means to pursue a policy (Huber, 1996*b*). If the use of procedural force is constrained by voter evaluations, they will occur for some policies but not others, diminishing the ability of researchers to find comparable observations in non-experimental data (Reeves and Rogowski, 2018).

Moreover, our experiments share several important design principles. They ask respondents to consider a hypothetical but plausible political situation that may emerge after the upcoming election. Each experiment randomly assigns different vignettes about the legislative actions of a potential future prime minister and then asks respondents to evaluate the prime minister's overall performance. We focus on the prime minister because the constitutional power to use procedural force, by means of the confidence vote, belongs to the prime minister, not the president. Consistent with this, the media reports the use of this procedure as a decision of the prime minister (for examples, see Online Appendix p. 3). Moreover, under unified government popular evaluations of the prime minister are highly predictive of evaluations of the president, and under divided government the prime minister is the main focus of accountability for domestic matters (Lewis-Beck, 1997).

Multiple attributes. The vignettes deliberately confront respondents with richer information about the prime minister's action with respect to policy and process as well as other attributes, such as party or economic conditions, all of which are varied experimentally. While the goal is to capture how respondents react to goal conflicts between policy outcomes and legislative process, there is information, as in the real-world, about additional attributes. We also vary the policy issues to increase external validity. In comparison to single-attribute experiments, this design approximates a more realistic environment and thus enhances the theoretical and external validity of the results (Hainmueller, Hopkins and Yamamoto, 2014).

Multiple counterfactual policy outcomes. A policy may be adopted by majority vote in the national assembly or it may be adopted using the confidence vote procedure. This enables us to compare whether using procedural force matters compared to majority voting. In addition, a policy may be proposed but not adopted. While governments in many non-presidential systems are rarely defeated in a parliamentary vote, this does not mean that they always manage to pass their agenda. A government's policy proposals may die in committee, expire with the end of the parliamentary session or be withdrawn for lack of support. Our experiments capture this possibility of proposing but failing to enact a policy. While not included in previous studies, theoretically the counterfactual that the government may not get things done is key to the incentives of executives considering the use of procedural force.

Outcome variable. After being shown a particular vignette, respondents are asked to evaluate the prime minister on a 11-point scale that asks about the satisfaction with the prime minister's action, ranging from absolutely not satisfied (0) to absolutely satisfied (10).[10] The dependent variable does not specifically ask whether respondents approve of the use of the confidence vote because the goal of the experiments is to assess how voters assess executive performance more broadly, which is what ultimately matters for accountability. Respondents have to weight potentially competing considerations to come to a summary judgement (as in Reeves and Rogowski, 2018). In all analyses reported below, the dependent variable is rescaled to vary between 0 and 1.

The focus on satisfaction is consistent with the theoretical framework of Huber (1996*b*), where public opinion directly enters into prime ministers' objective function. It captures that governments in France and elsewhere are finely attuned to public opinion because it is expected to shape future electoral contests within the party and in the general electorate. For instance, prime ministers who experience a large decline in popularity may never become

[10]"In this instance, would you be satisfied or not with the Prime Minister's action?"

viable presidential candidates (e.g., Manuel Valls). A large body of empirical work has documented that satisfaction and vote choice are highly correlated (Lewis-Beck and Stegmaier, 2000, 201), and we replicate this relationship in the context of our experiments (Online Appendix Table A2). Hence, a logical first step is to evaluate how executive actions affect evaluations.[11] Our last experiment adds outcome variables related to different mechanisms.

Sample size. Our unusually large sample size (N>19,000 in experiment 1, N>6,000 in experiment 2 and N> 15,000 in experiment 3) ensures that we have several hundred respondents for a particular vignette (we are more precise below). It enables us to show only one vignette per experiment. This design avoids carryover effects from exposing respondents to repeated rating tasks (Hainmueller, Hopkins and Yamamoto, 2014), which is frequently done in existing studies, and it limits respondent disengagement. As in any survey, some respondents may nonetheless fail to pay attention. They may be satisficing (e.g., by answering randomly). The main effect of such behavior is to add noise to the data, reducing our statistical power to detect effects. However, recent work on the impact of satisfying in factorial experiments suggests that it has a limited impact even in designs with a larger number of attributes (Bansak et al., 2019). Furthermore, our large sample size helps to mitigate this concern. It also facilitates the analysis of heterogeneity in the treatment effects.

[11]The experiments refrained from asking a vote choice question as this requires comparing the incumbent with an alternative candidate that may also vary on multiple dimensions but does not necessarily have a track record as prime minister. Only comparing prime ministers would be too artificial as in the real-world voters only face one incumbent. For this reason, we opt for simpler design with a single vignette (or profile) rather than a paired design. A next step would be to study a more complex design including a challenger.

Experiment 1: Party, policy and process

The first experiment is designed to answer the following questions: First, holding policy outcomes and party fixed, are prime ministers punished by the public for the use of procedural force—in the form of the confidence procedure—compared to making policy by majority rule? Second, are process effects mainly driven by those who disagree with the policy content or do not share the prime minister's partisanship? Third, how large is the procedural punishment compared to the punishment for not getting things done?

The experiment was included in the wave of the FNES administered on the internet between June 17 and 27, 2016 (with a sample size of 19,383 respondents). The topic was introduced by a short paragraph on the confidence vote procedure.[12] It re-states conventional trade-off between efficient government and collective parliamentary decision making identified in the French debate since the inception of the Fifth Republic, without taking sides. It is followed by a factual question about the use of confidence vote in the last 12 months. Only 10% of the respondents did not report any knowledge of at least one of the three uses of the confidence vote between mid-June 2015 and mid-June 2016. The prompt and information question were not repeated in experiments 2 and 3 conducted several months later. The fact that we find similar process effects in these experiments indicates that the initial priming was not crucial. Results in the Online Appendix shows that respondents who were never primed react very similarly to the use of constitutional force compared to those primed once months before (Figure A6). We also re-ran a version of this experiment without any prime about the confidence vote in a fresh sample of respondents, replicating our results (see Online Appendix, Experiment 4).

In the experiment, each respondent was presented with a relatively short and straightforward vignette where the party of the prime minister, the issue of the policy proposal, and the

[12]See Online Appendix, p. 3.

legislative process and outcome were randomly allocated. Table 1 provides the full wording for each profile of experimental conditions (translated into English, French versions are available upon request). The wording resembles factual newspaper reports. Altogether, there are 24 different vignettes (or attribute profiles) and there are around 800 respondents for each of them. A randomization check shows that the vignettes are balanced across pre-treatment co-variates (Online Appendix Figure A2).

As the use of procedural force is only meaningful when there is political conflict, the policy proposal is always presented as being associated with "heated debates both with the opposition and within the majority". The prime minister belongs to one of the four parties that were at the time of the survey the four most important parties in France (from left to right): the Left Party, the Socialist party (PS), the Republicans, and the National Front. The survey was conducted 10 months before the elections and there was considerable political uncertainty. In this context, considering that different parties may win is plausible. The PS and the Republicans (under various names) were the two main parties for most of the Fifth Republic and the four included parties received 82% of the vote in the last election that occurred before the experiment (regional elections in December 2015). However, dissatisfaction with the incumbent PS and scandals involving the Republicans meant that it was by no means a foregone conclusion that one of them would again win the premiership (neither of them did).[13]

Furthermore, each vignette was randomly assigned to one of two policy issues and to one of three legislative conditions. The prime minister proposes either "to increase the wealth tax" or "to limit the number of refugees and asylum seekers welcome in France". By design, this controls information about who is responsible for the policy action (Duch, Przepiokra and

[13]The party of the president elected in June 2017 (*En Marche*) was created only two months before the survey and E. Macron was neither candidate for the 2017 presidential election nor a front runner in the polls at the time. Note that experiment 3 differs.

Table 1: Vignette question wording for experiment 1

	Majority vote condition	Confidence vote condition	Withdrawal condition
Wealth tax	Suppose that the next Prime minister belongs to [Party]*. The prime minister proposes to *increase the wealth tax*. Then the reform is adopted *by a majority in the National Assembly* after heated debates both with the opposition and within the majority.	Suppose that the next Prime minister belongs to [Party]*. The prime minister proposes to *increase the wealth tax*. Then the reform is adopted *without a parliamentary vote on the bill as the Prime minister invoked a confidence vote (article 49.3)* after heated debates both with the opposition and within the majority.	Suppose that the next Prime minister belongs to [Party]*. The prime minister proposes to *increase the wealth tax*. Then the reform is *not* adopted *as the Prime Minister withdrew the bill* after heated debates both with the opposition and within the majority.
Refugees	Suppose that the next Prime minister belongs to [Party]*. The prime minister proposes to *to limit the number of refugees and asylum seekers welcome in France*. Then the reform is adopted *by a majority in the National Assembly* after heated debates both with the opposition and within the majority.	Suppose that the next Prime minister belongs to [Party]*. The prime minister proposes to *to limit the number of refugees and asylum seekers welcome in France*. Then the reform is adopted *without a parliamentary vote on the bill as the Prime minister invoked a confidence vote (article 49.3)* after heated debates both with the opposition and within the majority.	Suppose that the next Prime minister belongs to [Party]*. The prime minister proposes to *to limit the number of refugees and asylum seekers welcome in France*. Then the reform is *not* adopted *as the Prime Minister withdrew the bill* after heated debates both with the opposition and within the majority.

*Notes: *Party is a random allocation of one of the following: Left Party, the Socialist party, the Republicans, the National Front. In total, there are 24 different experimental conditions. Original survey wording is in French.*

Stevenson, 2015). Related survey experiments on public evaluations of American presidents emphasize the importance of studying concrete policy issues that may conflict with attitudes about process (Christenson and Kriner, 2017*b*; Reeves and Rogowski, 2018). We selected these two policies because both issues are salient in France (and many other countries) and they have opposite ideological direction: the wealth tax increase is a left-leaning proposal whereas the limitation of refugees is a right-leaning one. Prior surveys suggested that a little more than half of the public favored each proposal (Online Appendix, p. 3). All profiles are plausible. While left prime ministers may be more likely to propose increasing the wealth tax and less inclined to reduce immigration than right prime ministers, in Europe governments of all colors have strengthened immigration controls and right governments facing the European Unions' fiscal rules have not been beyond increasing taxes.[14]

There are three possible legislative outcomes. In the *Majority vote* condition, the prime minister's proposal is adopted by "a majority in the National Assembly". In the *Confidence vote* condition, the prime minister's proposal is adopted "without a parliamentary vote on the bill as the Prime minister invoked a confidence vote (article 49.3)." In the *Withdrawal* condition, the prime minister's proposal "is not adopted as the Prime Minister withdrew the bill". Withdrawing a bill from further consideration is the main form of legislative defeat for the government in France. Consistent with the theory of Huber (1996*b*), there has been no case where a prime minister was defeated in a confidence vote.

[14]Excluding profiles seen as less likely, such as somewhat surprising policy proposals for a given party or extreme parties, does not change the results (Online Appendix Figure A4.

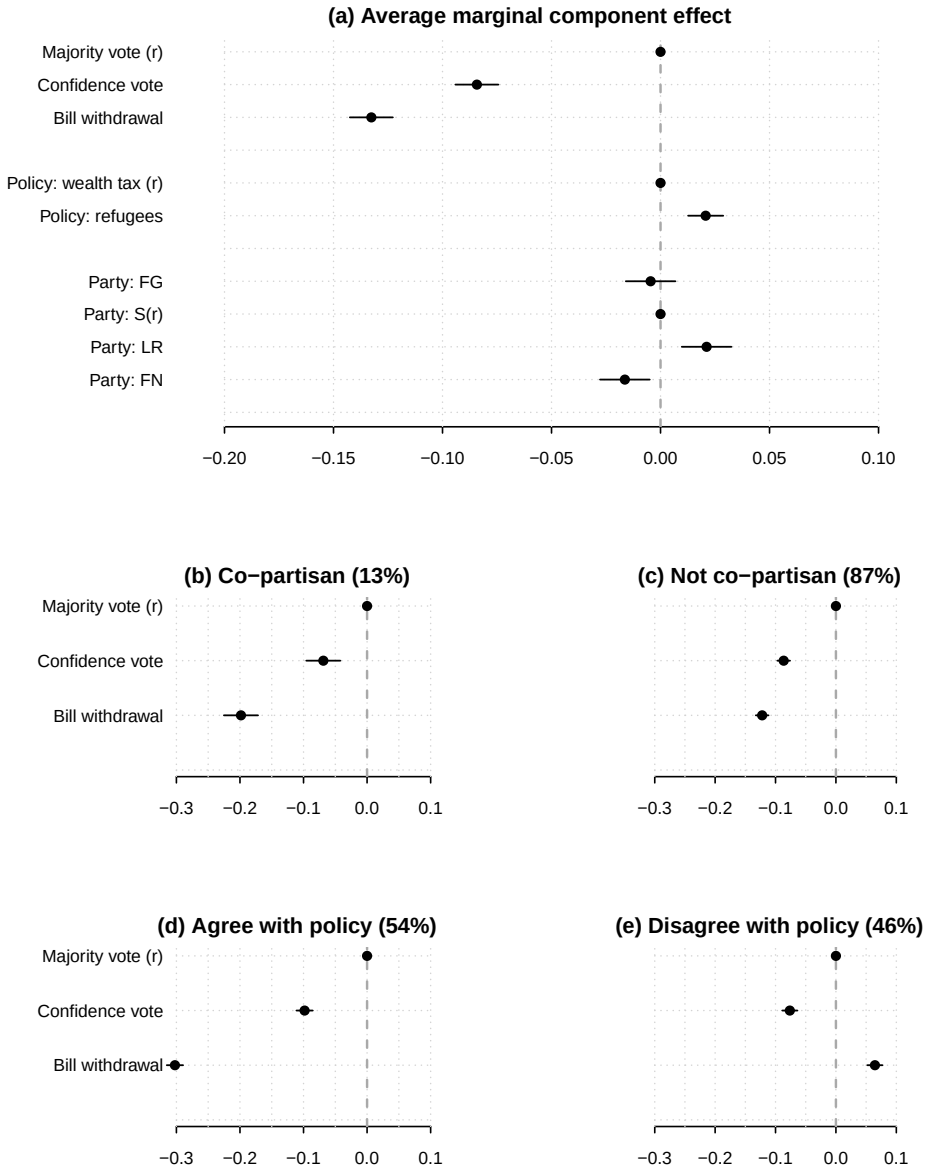

Figure 1: Effects of the executive's legislative performance and party affiliation on public evaluations. Based on experiment 1 (N=19,283) embedded in French election study (June 2016), these plots show the effects of randomly assigned attributes on the satisfaction with the prime minister, rescaled to vary from 0 ("Absolutely dissatisfied") to 1 ("Absolutely satisfied"). Plot (a) shows the Average Marginal Component Effects for all attributes. The remaining plots show conditional effects of confidence vote and bill withdrawal across partisanship and policy preferences (policy/party attributes are included but not displayed). Linear regression estimates; horizontal bars represent 95% confidence intervals; points without bars denote reference category.

Main results

We are interested in the marginal effect of a particular experimental condition rather than differences between individual vignettes.[15] To asses our first theoretical expectation (E1), for instance, we like to know how much satisfaction with the prime minister changes, on average, when the policy is adopted using the confidence vote procedure rather than by majority vote. This is what Hainmueller, Hopkins and Yamamoto (2014) call the average marginal component effect (AMCE). Intuitively, it is the effect of changing one feature in a profile, say the confidence vote, averaged across all other conditions, in this case party and policy proposals. Given the completely independent randomization of conditions, the AMCE is non-parametrically identified and can be estimated using an ordinary least squares regression that includes dummy variables for each component of each experimental condition (Hainmueller, Hopkins and Yamamoto, 2014). Thus, the statistical model we employ includes a dummy for the confidence vote condition, another for the withdrawal condition and uses the majority vote condition as the baseline. It also includes three party dummies (PS is the baseline), one policy dummy (wealth tax is the baseline), and an intercept.

Figure 1 reports the main results from the first experiment. Panel (a) shows the estimated AMCEs with 95% confidence intervals. In line with our first theoretical expectation, respondents evaluate prime ministers more favorably when they manage to pass a policy by majority vote rather than by constitutional force using the confidence vote. Using force leads to a drop in satisfaction of 0.084. Recall that the dependent variable was rescaled to range between 0 and 1. This effect is precisely estimated and substantively relevant. It corresponds to a 16% reduction compared to average satisfaction with prime ministers in the majority vote condition. Given the strong relationship between satisfaction and vote choice (Lewis-Beck and Stegmaier 2000, 201; also see Online Appendix Table A2), it is highly likely

[15]Online Appendix Figure A2 displays results for each vignette.

that the magnitude of the process effect is electorally relevant. At the same time, policy outcomes are clearly important. The experiment reveals that failing to adopt the policy leads to significantly lower evaluations of the prime minister compared to the majority vote condition. The negative effect of 0.13 corresponds to a 25% reduction of satisfaction. People neither like executives who use procedural force nor ineffective policymakers.[16]

It is also instructive to consider the effect of the confidence vote relative to bill withdrawal as the reference category. Using the confidence vote to pass the policy improves, on average, the satisfaction with the prime minister compared to not passing the policy by 0.048 ($\pm$ 0.01). However, this boost is small, about one-third, compared the effect achieving the same outcome through a majority vote (0.13 $\pm$ 0.01). Procedural force neutralizes much of the popularity gain from delivering the policy. This suggests a hard choice for prime ministers.

Panels (b) - (e) of Figure 1 speak to our theoretical expectation (E2) concerning the heterogeneity of the effects with respect to partisan and policy alignment between respondents and the (hypothetical) prime minister. We find that a penalty for using procedural force exists even for respondents who share the partisanship or policy preferences of the prime minister. Panels (b) and (c) plot the AMCEs conditional on whether the respondent is a co-partisan of the prime minister. Co-partisans evaluate their prime minister significantly less favorably after the use of procedural force. The effect is of similar magnitude than that of people who do not share the prime minister's partisanship.

Panels (d) and (e) plot the AMCEs conditional on whether respondents agree or disagree with the policy. Earlier in the survey, respondents were asked questions about both policy issues, which allows us to identify who agrees and who disagrees with the proposal.[17] Again, the confidence vote effect is similar across policy preferences. Even people who like the policy

[16]This is robust across policy issues (Online Appendix Figure A5).

[17]Binary coding at the mid-point on a 11-point scale between "decrease a lot" (0) and "increase a lot" (10) (see Online Appendix, p. 4).

hold the prime minister accountable or the use of procedural force. In line with instrumental theories, the effect of withdrawal strongly varies with respondents' policy preferences and co-partisanship. Those that agree with the prime ministers policy proposal harshly punish legislative defeat, those who disagree with the proposal modestly improve their assessment. This also implies that incentives to use the confidence vote compared to withdrawal, rather than majority voting, vary depending on which group of voters prime ministers cater to.

These experimental results are consistent with a time-series study of the use of the confidence vote and prime ministerial popularity in France (Becher, Brouard and Guinaudeau, 2017), which finds that French prime ministers experience a significant decline in popularity after using the confidence vote. The experimental evidence also corroborates the views of selected French politicians revealed in qualitative interviews (Huber, 1996*a*).

Adding the economy

A follow-up experiment adds information about the state of the economy to the vignettes. This serves two purposes. First, a large literature shows that changes in macroeconomic conditions shape voting and government approval (Duch and Stevenson, 2008; Lewis-Beck and Stegmaier, 2000). Recent experiments on voter reactions to the opportunistic calling of early elections find that economic conditions are much more important than procedural concerns (Schleiter and Tavits, 2018). Hence, accounting for the economy is an important robustness check. Second, inspired by political economy theories on when re-election seeking executives have incentives to manipulate policy or "surf" good economic times by taking no policy action (but calling an early election) (Kayser, 2005), we explore whether voter responses to the use of constitutional force relative to taking no action vary with the economy.

The experiment was part of the FNES's wave fielded between March 31, 2017 and April 4, 2017 (N=15,623). As unemployment has been for years the main issue in France, the

vignette starts with describing the state of the economy "at the end of the first year in power of the next Prime Minister": "there are 350,000 people less unemployed", "there is the same number of unemployed people" or "there are 350,000 people more unemployed". This amounts to a change of 1 percentage point in the unemployment rate. The focus on changes (rather than levels) is consistent with the large literature on economic voting.

We keep exactly the same three conditions regarding the legislative process (*Majority vote*, *Confidence vote*, *Withdrawal*) but add a new no-bill condition in which the prime minister does not propose any policy. It captures the possibility of making no legislative initiative. This corresponds to surfing in the sense that no major policy action is taken (though we abstract from early elections). As most significant policy initiatives generate winners and losers, a strategy of not rocking the boat can be appealing while economic times are good.

On the other hand, being passive when economic times are bad can further undermine electoral prospects (Kayser, 2005). We have no theoretical prior on whether the confidence vote penalty (as compared to passing policy by ordinary means) varies with economic conditions. But this experiment enables us to shed additional light on the question when using constitutional force, even if costly relative to ordinary means, may be attractive for prime ministers compared to other options, such as avoiding to take the initiative in the first place. Constitutional force may be comparatively more attractive than doing nothing when economic times are bad.

The experiment omits information about the party of the prime minister because it was conducted closer to the first-round of the national elections and electoral uncertainty was lower (also justified because experiment 1 found that confidence vote effects were robust across partisanship). Altogether, there are 21 different experimental vignettes[18] (for full text see Online Appendix, Experiment 3).

[18]There are two issues: a salient policy proposal about immigration/refugees and a less salient one about decentralization.

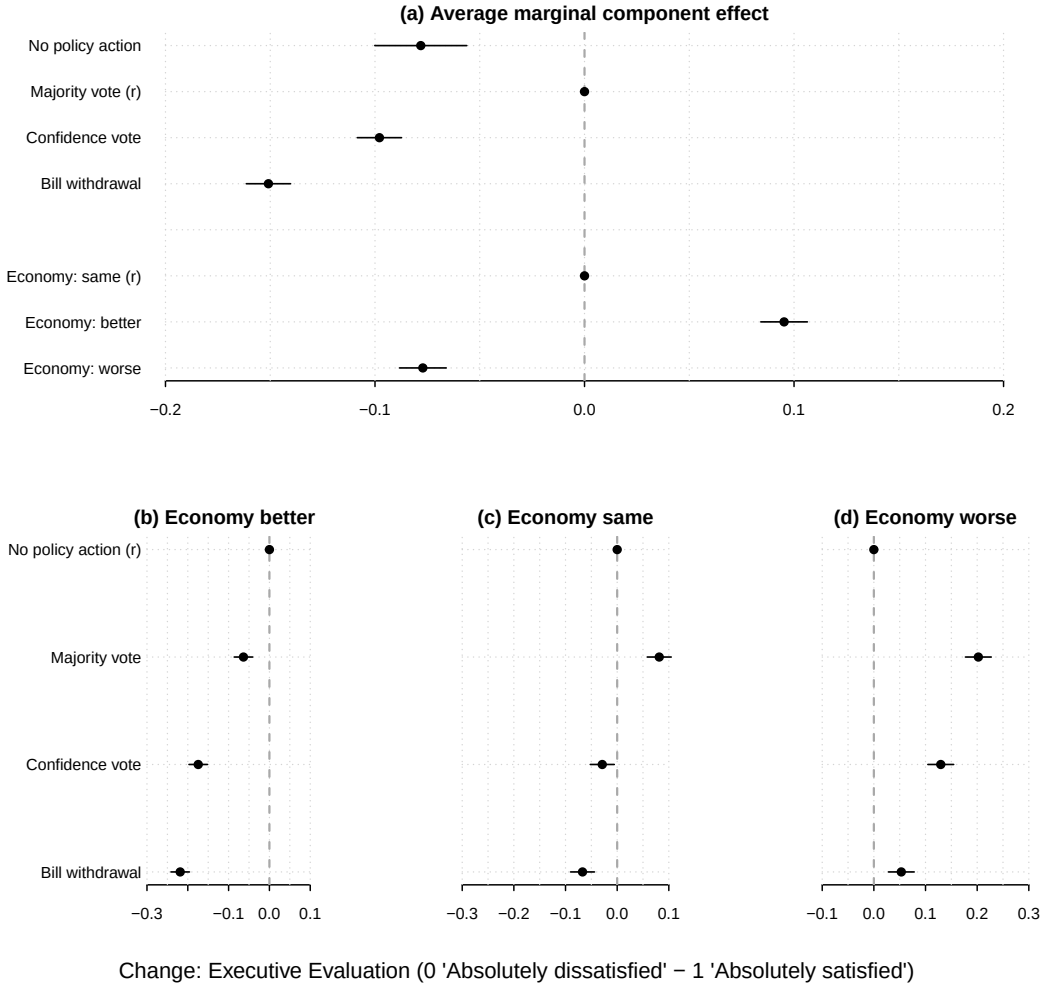

Figure 2: Effects of the executive's legislative performance and economic conditions on public evaluations. Based on an experiment (N=15,623) embedded in French election study (March/April 2017), these plots show the effects of randomly assigned attributes on the satisfaction with the prime minister, rescaled to vary from 0 ("Absolutely dissatisfied") to 1 ("Absolutely satisfied"). Plot (a) shows the Average Marginal Component Effects. Plots (b) - (d) show conditional effects of no policy action, confidence vote and bill withdrawal across randomly varied economic conditions. Linear regression estimates; horizontal bars represent 95% confidence intervals; points without bars denote reference category.

When surfing is better than legislating by force

Figure 2 summarizes the main results from the third experiment. Panel (a) plots the AMCEs. The effect of the economy works in the standard way: improving conditions (i.e., less unemployment) lead to higher satisfaction with the prime minister and deteriorating conditions (i.e. more unemployment) lead to less satisfaction compared to the baseline of no change in the economy. Reassuringly, the process effect plays out as in the previous experiments even when voters get information on the state of the economy. The use of the confidence vote leads to significantly more negative evaluation of the prime minister's performance compared to the majority voting condition. The confidence vote effect is of similar magnitude than a substantive decline in unemployment.

While taking no policy action also leads to more negative evaluations compared to majoritarian policymaking, the magnitude of this effect is similar to the penalty of using the confidence vote. This suggests that prime ministers that care about their popular satisfaction do not generally have incentives to use constitutional force to pass a policy rather than refrain from taking legislative action when they anticipate legislative roadblocks.

To explore the benefits or costs of surfing compared to pursuing policy proposals, including by constitutional force, panels (b) - (e) of Figure 2 plot the effects of different legislative actions relative to the added potential outcome of doing nothing by economic condition.[19] The results suggest that economic context shapes the incentives when and how to legislate. When the economy is improving, taking any policy action hurts the popularity of the prime minister. This makes sense if one thinks of the economy as a valence issue and recognizes that many policy issues, even if supported by a majority, are divisive and generate some losers. When the economy is deteriorating, on the other hand, there are clear benefits from taking action and passing policy even using the confidence procedure. In the intermediate

[19]For results by policy issue, see Online Appendix Figure A9.

case of a stable economy, the prime minister gains in popularity by passing policy using majority voting but loses in popularity when passing policy using constitutional force. In this situation, there are incentives to not use the confidence procedure even though passing policy without it would be beneficial compared to inaction.

Other literatures have examined the degree to which the economy conditions other voter responses. For instance, one survey experimental study shows that the state of the economy conditions corruption voting on Moldova but not in Sweden (Klašnja and Tucker, 2013). This also suggest that the conditioning effect of the economy may vary across country contexts. While we will need another experiment to address this question, it is interesting to note that in our experiments, from an advanced industrialized democracy, the economy shapes the incentives to use the confidence vote relative to not legislating.

Exploring mechanisms

What explains people's dislike of the confidence vote procedure as a means to make policy? Theoretically, it may reflect normative motivations and/or signaling related to the competence of the prime minister or the quality of the law proposal. To shed light on what mechanisms are at work, we can further analyze experiment 1 and leverage two additional experiments. Taken together, this helps us to take a step toward unbundling what drives the negative effect of the confidence procedure on evaluation of the prime minister. The results rule in normative concerns as a relevant mechanism

One approach is to analyze additional outcome variables that tap into the mechanisms directly. Because they are not available in our previous experiments, we designed a follow-up experiment that was conducted between July 29 and August 2 of 2019 by Ipsos France. The representative sample (N=2,070) was drawn from people who had not participated in the FNES that contained our initial experiments. The experimental design is a simplified version

of experiment 1.[20] The experiment includes three new outcome variables beyond the overall satisfaction with the prime minister's actions already included in the previous experiments. One item captures perceptions about the functioning of democracy: "In this case, would you say that democracy in France is working well?" A second item asks about the perceived competence of the prime minister ("In this case, would you say that the prime minister is competent or not?"). A third item asks about trust in the proposed reform ("In this case, how much do you trust the proposed reform?").

This experiment replicates our previous results in a fresh sample of respondents. Compared to passing the same policy proposal by standard majority voting in parliament, the extraordinary use of procedural force causes a decline in satisfaction with the performance of the prime minister (Online Appendix, Figure A10).

Turning to mechanisms, Figure 3 summarizes the effects using the confidence vote on additional outcome variables: perceptions of democracy (panel a), perceptions of the competence of the prime minister (panel b), and trust in the proposed reform (panel c); all outcome variables are rescaled to range between 0 and 1. Panel (a) shows that use of constitutional force in the form of the confidence procedure reduces the perception that democracy is working well. Again, this holds across policy preferences. Furthermore, panel (b) shows use of the confidence vote does not generally lead to a change in the perceived competence of the prime minister. The AMCE is substantively small and not statistically significant. This average effect masks some heterogeneity by policy preferences. As shown in panel (c), the results are very similar for trust in the proposed reform. Altogether, these findings are consistent with

[20]It does not include any pre-treatment information (i.e., prime) on the confidence vote. There are 6 vignettes (compared to 24 in experiment 1) based on the same two policy issues (immigration/refugees and wealth taxation) and the same three actions by the prime minister (passing the proposal by majority vote in parliament, passing it without a vote by invoking article 49.3 of the constitution, and withdrawing it). See Online Appendix Experiment 4.

perceptions of democracy being a channel through which procedural force affects executive evaluations.

To more formally assess the relative importance of each channel, we use statistical mediation analysis (Imai, Keele and Yamamoto, 2010). In the causal mediation terminology, the mediation effect refers to an indirect effect of the treatment working through the mediator. Here, it denotes the change in executive satisfaction driven by a change in mediator, democratic norms or competence or trust in the reform, induced by the use of the confidence vote while holding the treatment status constant.

Randomization of the treatment does not guarantee identification of the mediation effect. In addition, we need to make the assumption that the mediator is ignorable given the randomized treatment as well as observed confounders. To make this part of the sequential ignorability assumption (Imai, Keele and Yamamoto, 2010) more plausible, we control for pre-treatment satisfaction with the incumbent prime minister and policy preferences. Given continuous outcome and mediator variables, the mediation effects are estimated with a system of linear regression equations. One regresses the moderator on the treatment (plus the pre-treatment covariates mentioned above) and the other regresses the outcome variable on the treatment and moderator (plus covariates). The quantities of interest are then calculated using post-estimation simulation from the estimated model parameters.

The estimation results are summarized in Table 2. We find that there is a significant mediation effect of the confidence vote working through perceptions of democracy but not through perceptions of prime ministerial competence or confidence in the proposed reform. Based on the estimation results, we can say that the democracy channel accounts for approximately 65% of the total effect of the confidence vote on prime ministerial satisfaction.[21]

[21] A sensitivity analysis suggests the qualitative effect working through democracy is quite robust to a violation of the ignorability assumption. The mediation effect would be zero if the correlation induced by unobservable confounders was approximately 0.45.

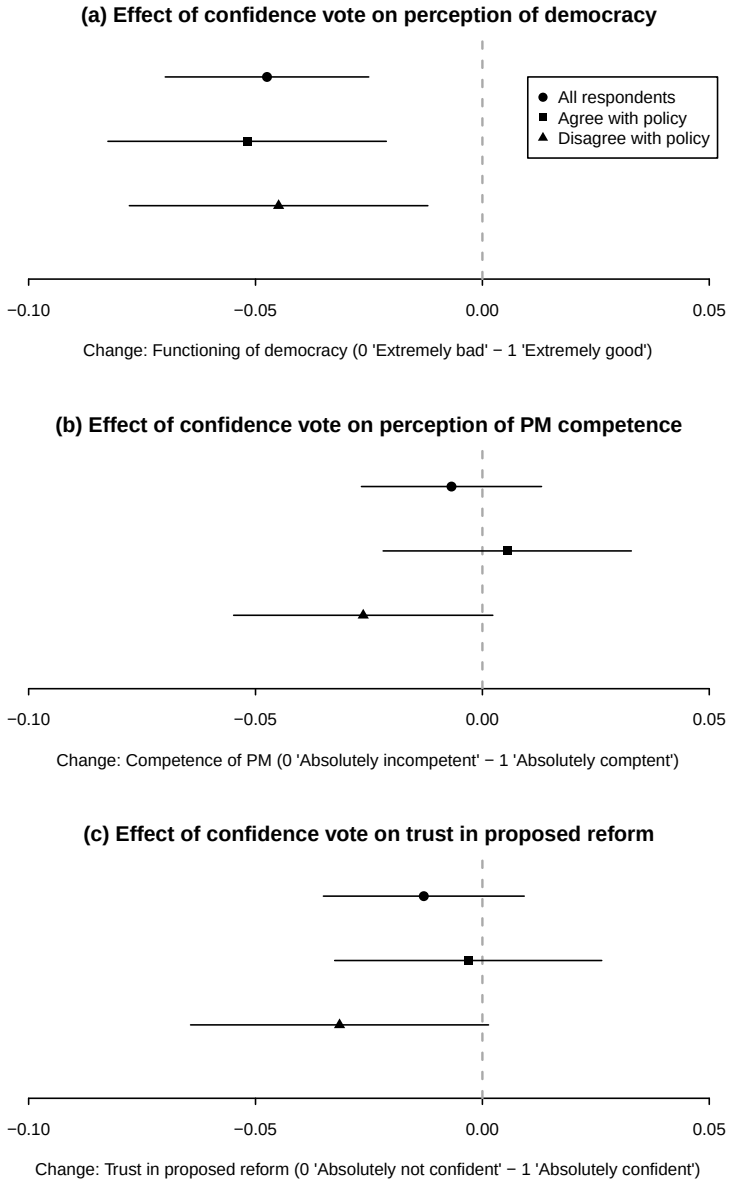

Figure 3: Effects of the confidence vote compared to majority voting on additional outcome variables. Based on the follow-up experiment fielded by Ipsos France in July/August 2019 (N=2,070). Estimates are from nonparametric estimator implemented via linear regression; all models adjust for satisfaction with incumbent prime minister; horizontal bars represent 95% confidence intervals.

Table 2: Results from causal mediation analysis

	Est.	95%Conf. intervall
Total effect of confidence vote	-0.041	[-0.069, -0.012]
Mediation effect: democracy	-0.027	[-0.039, -0.013]
Mediation effect: competence	-0.005	[-0.017, 0.008]
Mediation effect: trust in reform	-0.009	[-0.023, 0.006]

Notes: Estimates are from a parametric algorithm implemented in mediation package (Hicks and Tingley, 2011), which uses simulation to calculate mediation effects from the distribution of model parameters for a system of linear regression equations (1000 simulations).

Second, these results are in line with a complementary analysis of experiment 1 that examines the heterogeneity of the confidence vote effect. If the effect is at least in part related to normative considerations about democratic decision making, then people with lower pre-treatment support for parliamentary institutions should be less inclined to dislike the use of constitutional force by the executive. We find that the procedural effect indeed varies with broader democratic norms. People who, 7 months before the experiment, indicated favoring a strongman who has not to concerned himself with parliament and elections are significantly less inclined to punish prime ministers for the use of constitutional force than those who oppose such a leader (Online Appendix, Figure A7).

Third, in another experiment we vary the political context in which the prime minister acts (Online Appendix, Experiment 2). We find that use of constitutional force is punished when the government appears divided or there are large-scale street protests agains the reform but not if the opposition filibusters the proposal using a large number of amendments. While theoretical models of the confidence procedure do not precisely specify when people view the use of constitutional force as problematic, these results are consistent with people preferring decisions that are based on the support of the majority, holding the outcome fixed.

Conclusion

Building on and extending recent survey experimental work focused on American presidents, we have studied process-based accountability in a different constitutional setting common in many parliamentary regimes. Our experiments demonstrate that public evaluations of constitutionally powerful prime ministers reflect a fundamental trade-off between policy and process. We find that public opinion may act as a constraint against the use of constitutional force and shapes the incentives for when it is used. A government that faces the tough choice between not passing its policy or passing it by constitutional force, in the form of the confidence vote, is not generally better off using the latter, though there can be popularity gains when the economy is doing badly or in a specific segments of the electorate. Moreover, normative concerns explain an important part of the public's distaste of the confidence vote.

Our results have implications for the behavior of government leaders and the working of representative democracy. While our findings most directly relevant for France, they clearly speak to a larger set of democracies in which the confidence vote procedure is the most powerful and highly visible instrument for prime ministers to make policy against significant legislative opposition (Huber, 1996*b*). As for any political institution, the confidence procedure varies across countries. But it generally deviates from the ordinary legislative process by fusing a policy issue with the question of government survival, and often the prime minister alone can make the decision (Huber and McCarty 2001; Evans and Schleiter 2019). In France and some other countries (e.g., Romania), the procedure enables the government to enact legislation without an explicit vote on the floor of parliament, if opponents of the bill do not bother to table a censure vote. Even when an actual vote is mandatory, however, scholars of the confidence procedure consider it a central instrument for making policy through constitutional force. For instance, there is evidence that executives with this power make less policy concessions to parliament (Franchino and Høland, 2009). Theoretically, a

higher public disapproval of using constitutional force increases the set of policies the prime minister is willing to accept without it. Thus, the relative importance of process evaluations is linked to political bargaining over policy. Moreover, scholars have identified institutional forbearance as being fundamental to a functioning democracy (Levitsky and Ziblatt, 2018). Chief executives in many countries have potent constitutional powers that, if employed to the hilt, may enable them to marginalize the elected assembly. Forbearance means that executives' unilateral powers are deployed with restraint. In its absence, constitutional hardball may undermine mutual toleration and procedural legitimacy. Our findings can explain why constitutional force is often used restrictively.

Going forward, it would be instructive to compare public responses to the use of powerful non-majoritarian procedures by the executive that are clearly legal, such as the confidence vote, with those of more ambiguous legality. The latter may include the use of state of emergency declarations to make policy, which often entails disputes about whether the duration and/or scope of the extra-parliamentary measures are consistent with the meaning of the constitution or statute establishing emergency powers.

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