

Testing the Limits

Examining Public Support for Checks on Presidential Power

INSIGHTS FROM THE DEMOCRACY FUND VOTER STUDY GROUP

BY LEE DRUTMAN, LARRY DIAMOND, AND JOE GOLDMAN

MAY 2018

ABOUT THE PROJECT:

The Democracy Fund Voter Study Group is a new research collaboration of nearly two dozen analysts and scholars from across the political spectrum examining and delivering insights on the evolving views of American voters.

As the 2016 presidential campaign unfolded, it became increasingly clear that the underlying values and beliefs driving voter decisions need to be better understood. To that end, the Voter Study Group sought not to achieve consensus, but to engage in discussion about how the views of the electorate are evolving and what the implications of those changes may be.

Special thanks to project director, Henry Olsen (Ethics and Public Policy Center); research director, John Sides (The George Washington University); report editor, Karlyn Bowman (American Enterprise Institute); and Joe Goldman and Lauren Strayer (Democracy Fund).

To learn more, visit www.voterstudygroup.org.

ABOUT THE REPORT AND SURVEY:

“Testing the Limits” is published by the Democracy Fund Voter Study Group. It is based on the Voter Study Group’s 2017 VOTER Survey (Views of the Electorate Survey). In partnership with the survey firm YouGov, the VOTER Survey interviewed 5,000 Americans in July 2017, all of whom had been previously interviewed in 2011, 2012, and 2016.

ABOUT THE AUTHOR:

Lee Drutman is a senior fellow in the program on political reform at New America. He is the author of “The Business of America is Lobbying” and winner of the 2016 American Political Science Association’s Robert A. Dahl Award.

Larry Diamond is senior fellow at the Hoover Institution and the Freeman Spogli Institute for International Studies at Stanford University. He is the founding co-editor of the *Journal of Democracy* and author and editor of numerous books on democracy, including “The Spirit of Democracy” and “In Search of Democracy.”

Joe Goldman is the president of Democracy Fund and Democracy Fund Voice. He is the co-founder of the Democracy Fund Voter Study Group.

The Democracy Fund Voter Study Group project is made possible through support from Democracy Fund. The views and opinions in this paper are those of the authors and do not necessarily reflect the views and opinions of Democracy Fund, nor of all Voter Study Group participants. Find out more about the Democracy Fund and why it supports this research at www.democracyfund.org.

This Democracy Fund Voter Study Group Brief will examine how the public thinks about the relationship between presidential authority and three specific checks on his power: the Congress, the courts, and the press. It builds on our recent report that sought to understand authoritarian sympathies among the American public, called [“Follow the Leader: Exploring American Support for Democracy and Authoritarianism.”](#)

“Follow the Leader” found that while the vast majority of Americans support our democratic political system, a substantial portion of the public have at least some doubts about democracy with about a quarter expressing at least some explicit support for an authoritarian alternative. Further, the report found that support for authoritarian leadership tends to come from those who are disaffected, disengaged from politics, distrustful of experts, culturally conservative, and have negative views toward racial minorities.

“Follow the Leader” was based on the July 2017 VOTER Survey (Views of the Electorate Research Survey) from the Democracy Fund Voter Study Group, which included a battery of questions about checks on presidential authority.¹ Specifically, the survey introduced a series of binary statements, asking respondents whether the president should be constrained by or subject to oversight from the law/courts, the Congress, or the media.

Which of these two statements come closer to your view?

Law/Courts	<ul style="list-style-type: none">• Since the president was elected to lead the country, he should not be bound by laws or court decisions he thinks are wrong.• The president must always obey the laws and the courts, even if he thinks they are wrong.
Congress	<ul style="list-style-type: none">• Members of Congress should provide oversight of the president and executive branch, even if the president is in their same party.• Members of Congress should give the president freedom to make the decisions he feels are right for the country.
Media	<ul style="list-style-type: none">• The news media should scrutinize the president and other politicians to ensure they are accountable to the American people.• The news media should allow the president and politicians to make decisions without being constantly monitored.

¹ The July 2017 Democracy Fund Voter Study Group VOTER Survey interviewed a group of 5,000 Americans who were part of a longitudinal panel that has been reinterviewed several times since 2011 by the survey research firm YouGov.

Our Findings

1. Large majorities of Americans believe that the president should be subject to oversight and constraints on executive power.

- **Rule of Law:** Ninety-one percent of respondents agreed that “the president must always obey the laws and the courts, even if he thinks they are wrong.” By contrast, just 9 percent said that the president “should not be bound by laws or court decisions that he thinks are wrong.”
- **Congressional Oversight:** Eighty-one percent of respondents say that “members of Congress should provide oversight of the president and executive branch, even if the president is in their same party.” The remaining 19 percent say that “members of Congress should give the president freedom to make the decisions he feels are right for the country.”
- **Media Scrutiny:** Seventy-five percent of respondents said that “the news media should scrutinize the president and other politicians to ensure they are accountable to the American people.” By contrast, 25 percent chose the other option: “The news media should allow the president and politicians to make decisions without being constantly monitored.”

2. Those who have a favorable view of President Trump are much more likely to express a preference for less accountability and oversight.

Thirty-six percent of those who had favorable impressions of President Trump when the VOTER Survey was conducted in July do not support congressional oversight, and almost half do not support media scrutiny. (Fewer of those who have a favorable view of Trump oppose rule of law at 15 percent.) In contrast, those who have unfavorable views about President Trump overwhelmingly support oversight and media scrutiny of the president and politicians.

Figure 1

Support for Checks on Presidential Power by View of Trump

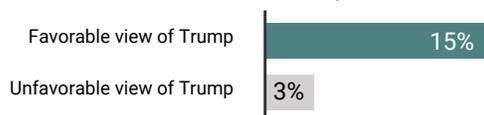
Congress shouldn't oversee president



Media shouldn't scrutinize president



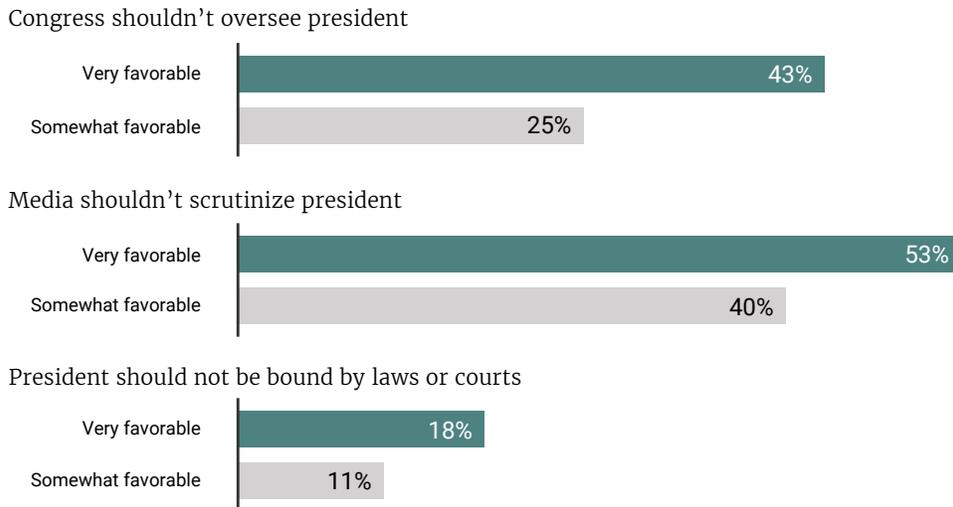
President should not be bound by laws or courts



Support for checks on presidential power decrease further among those who are “very favorable” to President Trump. Most notably, strong Trump supporters are 18 points less supportive of congressional oversight than those who have a somewhat favorable opinion of him (43 percent compared to 25 percent). Similarly, those with the most unfavorable ratings of Trump are the strongest supporters of checks and balances.

Figure 2

Support for Checks on Presidential Power Among Those with “Favorable” Views of Trump



Notably, Republicans who did not vote for Donald Trump in the 2016 primary were significantly more supportive of oversight and accountability of a president. For example, while 18 percent of Trump primary voters said that the president should not be bound by the rule of law, only 6 percent of Cruz voters, 3 percent of Rubio voters, and 2 percent of Kasich voters felt the same way. Similarly, while 52 percent of Trump primary voters opposed media scrutiny, only 29 percent of Cruz supporters, 26 percent of Rubio supporters, and 22 percent of Kasich supporters said that the media should allow the president to make decisions without being constantly monitored.

3. Among Trump supporters, lower levels of education and news interest are associated with lower support for checks on executive authority.

To understand what factors may shape whether those who have a favorable view of President Trump are more or less supportive of checks and balances, we tested those factors that we previously found to be most closely associated with authoritarian attitudes in our earlier “Follow the Leader” report.

- **Education:** Among Trump supporters, higher levels of education correspond to more support for democratic norms. Noncollege-educated Trump supporters are more likely to disregard checks and balances. Still, a surprising number of college-educated Trump supporters (37 percent) oppose media scrutiny.

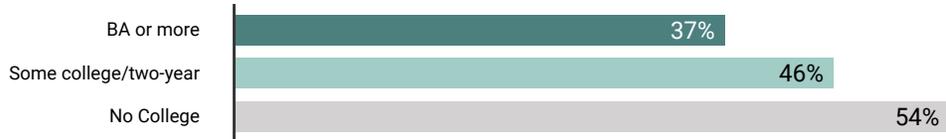
Figure 3

Support for Checks on Presidential Power Among Those with “Favorable” Views of Trump, by Education

Congress shouldn’t oversee president



Media shouldn’t scrutinize president



President should not be bound by laws or courts



- **News Interest:** Those who pay less attention to the news are less likely to favor scrutiny of the president. Fifty-four percent of those who have a favorable view of President Trump and who consume political news only sometimes or less say media shouldn’t scrutinize the president, as compared to 43 percent who follow the news closely.

Figure 4

Support for Checks on Presidential Power Among Those with “Favorable” Views of Trump, by Interest in Political News

Congress shouldn’t oversee president



Media shouldn’t scrutinize president



President should not be bound by laws or courts



4. Even among Trump supporters who express dissatisfaction with democracy or openness to authoritarian alternatives, many remain supportive of checks on the president's authority.

Although Trump supporters who express doubts about our democracy or openness to authoritarian alternatives are more likely to oppose checks on the president's authority, there is a silver lining: many of these seemingly anti-democratic Trump supporters still support some limits on presidential power.

- **Satisfaction with Democracy:** Among Trump supporters who say they are not satisfied with our democracy, 57 percent support congressional oversight (compared to 68 percent among Trump supporters who are satisfied), 44 percent support media scrutiny (compared to 56 percent among the satisfied), and 79 percent say the president should be bound by the law (compared to 88 percent among the satisfied).
- **Preference for Democracy:** Among Trump supporters who say that democracy is not the best system under all circumstances or who say they have no preference for democracy, 53 percent support congressional oversight (compared to 68 percent among Trump supporters who always prefer democracy), 39 percent support media scrutiny (as compared to 57 percent among those who prefer democracy), and 72 percent say the president should be bound by the law (as compared to 89 percent among those who prefer democracy).
- **Strong Leader:** Even among Trump supporters who prefer a political system in which a strong leader doesn't have to bother with Congress or elections, 45 percent support congressional oversight (as compared to 73 percent among Trump supporters who oppose a "strong leader"), 33 percent support media scrutiny (as compared to 61 percent among those who oppose a "strong leader"), and 69 percent say the president should be bound by the laws (compared to 92 percent among those who oppose a "strong leader"). These numbers show mixed support for American democratic norms of checks and balances even among many of those who endorse an authoritarian alternative to democracy.

5. Partisan opposition to checks on executive authority is not related to the blame that Trump supporters are assigning to institutions for obstructing President Trump's progress.

The July 2017 VOTER Survey also asked respondents how much responsibility various actors had for "how things have gone." On balance, respondents held Trump himself and Republicans in Congress most responsible, but also gave some blame to the news media, Democrats in Congress, and the courts.

Table 1

Level of Responsibility for “How Things Have Gone”

	A great deal of responsibility	Some responsibility	Not very much responsibility	No responsibility
Trump himself	66%	26%	4%	4%
The news media	36%	27%	21%	17%
Democrats in Congress	30%	33%	23%	14%
Republicans in Congress	57%	32%	6%	4%
The courts	25%	50%	18%	7%

However, those who are favorable to Trump and not favorable to Trump allocate responsibility differently. Not surprisingly, Trump’s supporters are much more likely to assign a “great deal” of responsibility to the media (52 percent), Democrats (47 percent), and the courts (34 percent) than those who viewed Trump unfavorably, while those who hold an unfavorable view of Trump (mostly Democrats) are more likely to blame Trump himself (79 percent) and Republicans in Congress (66 percent) than those who viewed Trump favorably. Interestingly, more than half of Trump supporters (51 percent) say that Trump himself deserves a great deal of responsibility for how things are going.

Table 2

Level of Responsibility for “How Things Have Gone” by View of Trump

	Trump supporters saying: A great deal of responsibility	Trump opponents saying: A great deal of responsibility
Trump himself	51%	79%
The news media	52%	22%
Democrats in Congress	47%	18%
Republicans in Congress	47%	66%
The courts	34%	18%

However, whether Trump supporters hold the media responsible seems to have no relation to whether or not they think the media should scrutinize the president. Interestingly, although 46 percent of Trump supporters who hold the media very responsible say the media shouldn’t scrutinize the president, 50 percent of Trump supporters who hold the media somewhat or not responsible say the media shouldn’t scrutinize the president.

Similarly, of those Trump supporters who blame the courts, only 17 percent say the president should not be bound by the laws, as compared to 13 percent of those Trump supporters who don’t blame the courts.

In short, Trump supporters' beliefs about the media and the courts' responsibility for "how things have gone" is unrelated to how they feel about the role those institutions play in our democratic system.

Conclusion

Our "Follow the Leader" report on authoritarian attitudes among the public found that the vast majority of Americans support our democracy. Similarly, we find in this Democracy Fund Voter Study Group brief that most people believe in checks on the president's authority — though the proportion of people opposed to media scrutiny (25 percent) is worrisome on its face. Even among partisan supporters of President Trump who have expressed doubts about our democracy, many continue to support important checks on executive authority.

Nevertheless, it is concerning that such a significant portion of the president's supporters reject traditional American democratic norms of a free press and congressional oversight. At a time when many have expressed concern about the president's attitude toward independent checks on his authority, a notable percentage of the president's supporters seem to be comfortable with fewer limits on presidential power.

The low support for a robust fourth estate among the president's supporters (about half say the press should not scrutinize the president) is most troubling. Unfortunately, we do not have historical data on these attitudes, so we hesitate to say for sure whether Trump's rhetoric has provoked these attitudes, or whether they are unique to this particular moment. Many of President Obama's supporters were certainly comfortable with his expansive use of executive orders and decried media coverage from conservative outlets like Fox News. But it is our strong hunch that the anti-media scrutiny numbers are considerably higher for President Trump because he has uniquely attacked the media and American political institutions more broadly.

Further research will tell us more about the degree to which these attitudes are transitory or whether they are a more permanent aspect of our political landscape. However, we do take heart in the fact that, even among those most strongly favorable to President Trump, solid majorities support the role of the Congress and judiciary in overseeing and checking presidential power.



Participants

Karlyn Bowman

American Enterprise Institute

Michael Dimock

Pew Research Center

Lee Drutman

New America

Emily Ekins

Cato Institute

Morris Fiorina

Stanford University

William A. Galston

Brookings Institution

Joe Goldman

Democracy Fund

Robert Griffin

Public Religion Research Institute (PRRI)

Robert P. Jones

Public Religion Research Institute (PRRI)

Kei Kawashima-Ginsberg

The Center for Information and Research on
Civic Learning and Engagement (CIRCLE)

Taeku Lee

Asian American Decisions

Tod Lindberg

Hudson Institute

Brink Lindsey

Niskanen Center

Dalia Mogahed

Institute for Social Policy and Understanding

Hans Noel

Georgetown University

Henry Olsen

Ethics and Public Policy Center

Adrian D. Pantoja

Latino Decisions

Patrick Ruffini

Echelon Insights

John Sides

The George Washington University

Lauren Strayer

Democracy Fund

Ruy Teixeira

Center for American Progress

Ismail White

Joint Center for Political and Economic Studies

David Winston

The Winston Group

Felicia Wong

Roosevelt Institute

The institutional affiliations listed above are for identification purposes only.