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**A Study on Ideology, Cohesion and  
the Strategic Use of Executive  
Action in Italy**

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# Introduction

Due to the recent global pandemic as well as to the occurrence of globalized crises, governments around the globe are being forced to make ample use of emergency legislation and executive action. These instruments are of crucial importance in order to deliver swift responses against unexpected disasters, as well as to modify the regulatory architecture so that societies are better protected against extreme events. One immediate example of this is the use of executive action and/or emergency powers to allocate resources needed to offer refuge to an unforeseen migratory wave or to establish rules governing access to vaccinations against COVID-19. However, a growing scholarship focuses on how unilateral action is used strategically by political actors independently from the occurrence of a crisis. This thesis tries to understand the system of incentives and the possible consequences of the political use of emergencies through three separate papers. All of them are directly concerned with actors, ideological stances and procedures within the Parliamentary environment.

The first paper finds that governments in Italy make strategic use of executive action in order to overcome the hostility of the legislature. To do so, the paper computes the ideological coordinates of cabinet parties across multiple policy areas. On this occasion, political manifestos give the necessary source of information to identify where parties stand in the left-right spectrum.

On the other hand, the second paper analyses the relation between voting cohesion and the use of executive action by Italian cabinets from 2001 to 2018. Correlational evidence from a Bayesian analysis finds that cabinets take advantage of periods of cohesion to issue more executive decrees. However, observing less cohesion than expected incentivizes executives to moderate this practice. This corroborates the "consensus riding hypothesis", suggesting that cabinets tend to exercise larger legislative jurisdiction when ruling over a cohesive majority. Nevertheless, the Italian Chamber of Deputies is a very cohesive body on average, as far as voting behavior shows. The magnitude of the effect is therefore small, suggesting that patterns of voting behavior may not be the most important determinants

of unilateral action. These findings expand our understanding of legislative strategies employed by governments in Parliamentary democracies.

Finally, the third paper analyses the results of a survey experiment aiming to verify whether a correspondence exists between the opinions of voters about a government and its use of executive decrees. In other words, I test the hypothesis that governments emit more decrees to signal activism and responsiveness to voters. To do so, I have devised an experiment divided into two components in order to estimate the causal effect of decrees. The first part is a conjoint experiment where voters are faced with the alternative between legislation on 2 given topics that has been enacted through decree or proposed by the ordinary legislative proposal. The second part proposes an experiment where respondents are presented with a news title explaining that the government has enacted a decree on a given topic whereas the control has no mention of executive decrees. Post-treatment questions will then test any impact on how the respondents judge the activity of the government. I find that issuing decrees decreases the approval of respondents for a given legislative draft. However, it does not impact satisfaction with the government. Conversely, those cabinets that make use of executive action are also considered more efficient. Additional evidence also proves that individuals realize that governments implement decrees as a communication strategy to elicit a sense of urgency

# Chapter 1

## Ideology and the Strategic Use of Executive Action: Evidence from the Italian Case

### **Abstract:**

The paper analyses the role of government fragmentation as predictor of the use of emergency decrees in parliamentary democracies. In particular, it focuses on the relationship between ideological divisiveness within cabinets and the choice by executives to issue emergency decrees rather than initiating ordinary legislative procedures. A Bayesian multilevel analysis conducted on the population of government-initiated legislation in Italy between 1996 and 2018 finds significant evidence that those legislative proposals which are further away from the ideological centre of gravity of the executive are around three times more likely to be issued as emergency decrees. Likewise, legislative projects regulating more contentious policy areas are significantly more likely to be issued by decree. However, for more contentious issues the importance of ideological distance as a predictor diminishes. This evidence suggests that cabinets prefer decrees to ordinary legislative procedures when they expect that the bargaining environment in Parliament is more hostile. These results persist regardless of the fluctuations of the political-economic cycle. Their robustness is also tested against a battery of controls and against fixed effects both at the government level and at the legislature level.

***Keywords:** Bayesian multilevel logit model, executive action, executive decrees, ideology, legislative studies, polarization*

## 1.1 Introduction

The paper studies how fragmentation within the majority supporting the cabinet influences the likelihood of unilateral executive action by the government in Italy. The results show that the more hostile the bargaining environment in Parliament is expected to be, the more cabinets tend to rely on executive decrees. This finding contributes to the existing literature in many respects. Firstly, it contributes to the epistemological approach to unilateral action by devising a more detailed framework able to avoid the misclassifications of the current debate. Also, scholars have mostly focused on presidential activism in the United States and on the phenomenon of the “decretismo” in Latin America [Cox & Morgenstern (2001)]. To date, little effort has been devoted to the study of executive action within advanced parliamentary democracies. Hence, this paper tries to fill this gap in the literature by looking at the practice of decree issuance in Italy, trying to understand its role in a modern democracy long-vexed by government instability. In addition, this analysis makes use of Bayesian logit models able to overcome some of the statistical weaknesses of legislative studies such as multicollinearity and sample size. The identification of sources of variance is also explained by a Bayesian multilevel design which allows a better estimation of the perimeter of the results. This constitutes a significant improvement vis-à-vis current scholarship.

Several scholars have analysed in depth how multiple parties deal with the constraints and opportunities of legislative institutions. Parliamentary speeches and question times are often used by the opposition to vet on ministerial activity and by coalition parties to establish their difference on divisive issues [Vliegenthart & Walgrave (2011), Martin & Vanberg (2008)]. By the same token, both the opposition and coalition partners make use of the rules governing the committee system to scrutinize government drafts and manage tensions within the coalition [Strøm et al. (1990), Powell & Powell Jr (2000), Martin & Vanberg (2004, 2005, 2011), Kim & Loewenberg (2005), Carroll & Cox (2012)]. However, very little attention has been devoted to the strategic use of executive action as a semi-perfect substitute of the ordinary legislative procedure under the right circumstances.

In the literature on executive unilateral action, the majority of the contributions do not give the necessary space to defining the constitutional details of the phenomenon under study. As a result, unilateral action by the government is currently used to identify a broad spectrum of legislative phenomena ranging from the American presidential directives to the French “projet de loi d’habilitation”. Generally, there are two main faultlines along which scholars sometimes fail to position their contributions.

Firstly, executive decrees should be studied keeping in mind whether they concern the implementation phase or whether they constitute tools of unilateral legislative initiative. Most of the literature blossomed around the use of presidential decrees in the US is mainly concerned with the implementation tools that the president uses to steer bureaucratic activity. Although it does not mean that presidential decrees in the US are not able to produce policy innovation per-se, they do entail a series of principal-agent dynamics vis-à-vis the bureaucratic apparatus which are less important in contexts where executive decrees are high-order legislative tools. To address this latter connotation of executive decrees, Carey and Shugart have coined the term “Constitutional Decree Authority” (CDA from now on) meaning the constitutional prerogative given to the executive to initiate policy by decree under specific conditions [Carey & Shugart (1998)]. Often enough, constitutions require that decrees are used only in times of emergency but this has not stopped countries such as Italy or Brazil to normalise the use of decrees beyond this requirement. In fact, the enactment of fast-track legislation under urgency can be argued as a distinct “mode of government” where the appeal to extraordinary necessity or emergency is relegated to a supporting narrative [White (2015)].

Secondly, it is important to distinguish between delegated and unilateral executive action. Delegated action usually occurs as a formal invitation by an elected body to the executive branch to legislate over a specified issue. Whatever form the executive will give to the policy output, it can usually become effective without the vote of the legislative body. Conversely, the CDA does not need to exist as a result of formal request and, albeit being immediately effective, they do require the approval of Parliament. An unclear definition of the phenomenon under study can lead to unexpected results and unnecessarily Manichean scholarly debates. As an example, the literature on executive decrees often counterposes the scholars belonging to unilateral action, who document how fragmentation in the majority has a positive effect on executive activism, and those belonging to the so-called delegation theory. The former focuses on how decrees become more frequent when the President faces stronger opposition in Congress [Gleiber & Shull (1992)] whereas the latter argue that presidents with stronger legislative support will enjoy larger policy delegation [Epstein & O’halloran (1999), Kiewiet & McCubbins (1991), McCubbins et al. (1987, 1989)]. Part of the reason behind this contrasting results has to do with the fact that “delegated decree authority” (DDA) and CDA are not always easily distinguishable within the American constitutional environment. On the other hand, the Italian context allows for a stronger identification strategy and a more clear-cut distinction between CDA and DDA due to the fact that delegated and unilateral action are undertaken with two



separate legislative tools. By focusing on CDA, the paper can control for delegation most efficiently, showing that the degree of ideological fragmentation within the legislature is a significant predictor of unilateral action by the government.

Carey and Shugart (1998) argue that the expected hostility of the bargaining environment should incentivise governments to employ legislative strategies that limit the capacity of the legislature to stall and/or modify any piece of legislation submitted to them. Some evidence has been gathered regarding the Italian case by Della Sala and Kreppel but they do not provide a large empirical test of their thesis [Kreppel & Della Sala (1998)]. They also argue that the reason behind the extensive use of executive decrees in Italy is linked to both the hostility of the bargaining environment and the degree of agency loss by governments.

The mentioned loss of agency refers to the very little discretion executives in Italy have to set the legislative agenda. In 1971, a change in the Parliamentary procedures determined that the plan of the legislative agenda had to be voted unanimously by the *capigruppo*, the heads of all party factions in Parliament. Remarkably, this did not grant the executive with the ability to vote for the program. Since then, the use of decrees has spiralled out of control as a mean to impose the governmental agenda when the executive could not breach the opposition of the *capigruppo*. Through the decades, reforms of the procedures allowed a bit more discretion to the cabinet and the number of decrees under discussion was prohibited to clog more than half of the agenda. Likewise, since 1996 decayed decrees cannot be re-presented bearing the same content. Nonetheless, the overall use (or abuse according to some scholars) of decrees did not stop and they still are the more frequently used tool of policy innovation.

These arguments suggest that even though there might be an agency loss component that drives the frequent use of decrees, studying how features of the bargaining environment are connected to executive action is still of paramount importance to understand why cabinets make such a frequent use of it. Italy, in this regard, is the optimal field of observation where tools of delegated and unilateral executive action are constitutionally differentiated. This can give this analysis additional credibility compared to the previous studies finding conflicting evidence on the relationship between cabinet strength, ideological fragmentation and executive action [Pereira et al. (2005, 2008), Ochieng'Opalo (2020), Huber (1998), Parrish (1998)].

## 1.2 Identification and Hypotheses

The goal of the paper is to identify existing relationships between the likelihood of decree-issuance and the expected hostility of the bargaining environment. I assume that the strategic objective of the government is that of maximising the likelihood of a legislative project to be 1) considered by the legislature 2) passed without too severe an alteration, knowing that the best possible deal for legislators is represented by the ideological coalition centre of balance. Such ideological centre of balance ( $\Gamma$ ) is the multidimensional seat-and-saliency-weighted mean of the ideological left-right position of every party supporting the government (more in the data and method section). Thus, the more distant any piece of legislation proposed by the government is from ( $\Gamma$ ), the more I assume the majority will try to amend it. The higher the ideological distance from the centre of gravity ( $\delta$ ), the more “hostility” the committees will show against the text of a given legislative project.

As most of the ideology-related indexes in the literature, these too bear a set of assumptions. Firstly, I assume that the most acceptable legislative proposal by individual MPs supporting the government has  $\delta = 0$ . Even though policy compromises are sometimes hard to sell to legislatures, those MPs to whom this assumption applies already showed their consent to the government in the confidence vote. Hence I assume that the government knows that the most acceptable policy compromise for the MPs is the one minimizing individual differences among parties supporting the cabinet ( $\Gamma_{g,d}$ ). Nonetheless, policy deals within the government may not necessarily reflect the optimal ideological compromise on every issue since *do-ut-des* exchanges are very common across policy areas. Governing deals may also entail more or less visible exchanges which are not perfectly observable in terms of policy but it is reasonable to assume that the parliamentary support expects a deal which mediates the different ideological positions taking the relative size of parties into account.

Another important assumption is that ministers propose legislation to change the status quo in the direction of their ideal point. More simply, when a minister belonging to a liberal centre-right party who advocates for de-regulating the market to incentivise private enterprise presents a piece of legislation on the matter, the content of it will be close to what it has publicly declared. Now, reality may diverge from this assumption as it is known that parties do not always legislate according to what they have declared. It also does not take into account the strategic considerations that parties make when coming up with their platform. Another underlying tension that remains undetected refers to the fact that ministers are subject to private and office-related incentives more than the lower rank-and-file [Laver & Schofield (1998)]. However, without better measures able

to pinpoint the ideological coordinates of every legislative project, the ideal policy drawn from the official party platform remains the most likely predictor of a politician's intentions.

Most importantly, the paper does not assume that the ideological distance from the centre of gravity ( $\delta$ ) constitutes a satisfying index of hostility of the bargaining environment. Other variables such as party discipline and the presence of multiple cabinet parties sponsoring the legislation are also expected to be correlated with it. Nevertheless, ideological distance minimises the risks of reverse causality given our data-generating process. In fact, the sequence of steps leading to the decision of which form a given legislative proposal takes is the following. First, a minister drafts a legislative proposal to submit to the cabinet where he has to gain the favour of the rest of the members and, most importantly, of the Prime Minister. Regarding the content of the draft, the text is often amended according to the sentiments of the other parties in cabinet and the political opportunity of the moment. Regarding the legislative procedure to be undertaken, it is possible that the minister herself advances her initial proposal. Once the initial negotiation among cabinet members is concluded, it is up to the PM to decide when and in which form to present the legislative project. If the ordinary legislative proposal is deemed more appropriate, the executive will negotiate with the *capigruppo* a place in the agenda. If the PM decides to issue it as executive decree, the text is immediately sent to the responsible parliamentary committee for a debate to be concluded within 60 days or the decree will expire (or decay).

Now, it appears there are 3 *loci* where the decision to issue a decree may take place. The earliest one is the ministerial proposal stage. A minister can anticipate the consideration of the cabinet and suggest successfully to the PM the form of a decree. Another moment is at the cabinet stage, where the PM assigns the form according to her strategic consideration regardless of the ministerial suggestion. Thirdly, the PM can observe the chances of calendarization given by the state of the negotiations with the *capigruppo*. Faced with the strenuous opposition of the other political forces she may withdraw the proposal and issue it as decree either in its entirety or stripped in parts. Whatever the process leading to the executive action, the ideological considerations are pre-existent. Therefore, even though ideological fragmentation is only one of elements characterising the bargaining environment, it is more reliable.

### 1.2.1 Limits and advantages of executive action

Art. 77 of the Italian constitutions prescribes that, under circumstances of exceptional urgency and necessity, cabinets have the authority to issue decrees which are immediately

applicable. If not approved within 60 days, such decrees lose validity *ab initio*. Originally, decrees were meant to be issued under emergency but even though they are still formally bounded by that requirement, their field of application is nowadays completely overlapping with normal legislation. Not only they are used at times of no particular crisis, but they also legislate all sorts of issues [Celotto (1997)].

This paper is not concerned with the debate over the constitutional appropriateness of this phenomenon, but it cares about what elements of the bargaining structure can favour executive decrees. Primarily, the immediate applicability of decrees gives a first mover advantage to the executive against those legislators who are more averse to the status quo. The establishment of a new state of the world limits the bargaining options of the MPs in a similar way as in Romer & Rosenthal (1978), where a bureaucrat could capitalise on its first mover advantage to establish more sweeping changes to the status quo. However, in the case of the Italian executive action, legislators have the opportunity to modify legislation in their favour and possibly offset the initial advantage of the cabinet. In the absence of veto powers, the scenario where the executive acts as a policy dictator is not an equilibrium. With this in mind, the options of the majority nonetheless appear much smaller when compared to the ordinary legislative procedure. Too greater a change to the text of the decree may yield higher adjustment costs given that the decree is already producing its effects. Moreover, the existence of the 60 days deadline may pose a limit to MPs in their ability to negotiate more sweeping changes to the status quo. Clearly, MPs can always refrain from discussing a decree and let it expire but this may be less likely the more unappealing the status quo is and the greater the chances of being sanctioned by voters. Therefore, even though the cabinet cannot act as policy dictator, the bargaining rules under decree are more favourable to the executive compared to the ordinary legislative procedure.

Nonetheless, the continuous use of executive actions may ostracise the majority in the long run, especially on issues where urgency is less justifiable. Even among legislators supporting the government, being at the receiving end of executive action can lead to increasing disgruntlement. This may be particularly true for those more enthusiast and competent MPs who feel their input should be taken more into consideration. Hence, even though unilateral action does have its benefits, a too liberal use of it can possibly jeopardise government support.

### 1.2.2 A very simple formalization

A primitive mathematical characterization of the utility for the cabinet to issue decrees ( $U_{decree}$ ) has to take into account the advantage of immediate applicability, its ability to

deliver the reforms and the cost associated with growing a distrust in the legislature. The utility of initiating the ordinary legislative procedure ( $U_{ord}$ ) depends on the ability to deliver reforms too, but it is hindered by the time lag between the date of the presentation and its adoption. For both procedures I assume that the ability of delivering reform ( $Z$ ) can be thwarted by the hostility of bargaining environment such that  $Z = 1 - H$ , where  $H \in [0, 1]$  represents the level of hostility. When  $H$  is minimal,  $Z = 1$  and the procedure will deliver the reform in the exact same form the cabinet has conceived. Conversely, when  $H$  is maximal, the legislature will alter the proposal to the core. That means the decay of the project after 60 days in case of decrees and the reduction to a legislative text that has no improvements for the cabinet compared to the status quo in case of ordinary procedure. In their entirety, the two utilities take the following simplified form:

$$U_{decree} = R + Z(H) - c \quad (1.1)$$

$$U_{ord} = Z(H) - t \quad (1.2)$$

Where  $R \in [0, 1]$  stands for the ability of decrees to give quicker responses when needed and it represents the utility from having a given provision enacted immediately even if it will last for less than 60 days.  $R$  is maximal when unexpected emergencies demand for rapid and temporary measures. As the balance between responsiveness and durability decreases such as in the case of structural reforms,  $R$  tends to zero. On the other hand,  $c, t \in [0, 1]$  are respectively the costs associated with the alienation of the legislators and the indefinite duration of ordinary legislative procedure.

Not surprisingly, both utilities are maximal when  $H = 0$ . However the comparative analysis of high and low levels of bargaining allows for other intuitions. In particular, when bargaining hostility is minimal, for decrees to be more attractive than ordinary legislation they need to satisfy the condition:

$$t > c - R \quad (1.3)$$

This means that decrees yield surely more utility when the value of responsiveness overcompensates the cost associated with angering the majority. Although this can surely occur in times of emergency, the main object of study are those reforms which do not require for special emergency power, but can either be issued as decrees as well as normal laws. When hostility from the majority is minimal, the majority's and the cabinet's preferences converge and approval is expected to be swift even through the ordinary procedure. In such an idyllic scenario, for reforms which are not extremely urgent (low  $R$ ), there is likely no point in forcing the hand of the legislature (high  $c$ ).

Conversely, as  $H$  increases towards 1, the condition for the attractiveness of decrees is more likely to be satisfied. A hostile legislature can drag the normal legislative procedure even beyond the duration of the government. This may be an explanation for the fact that during the third Berlusconi government between 2005 and 2006 none of the 18 ordinary legislative projects were successful. Under these less than optimal circumstances, issuing a decree is not likely to alienate an already poisoned majority further. As  $c$  is expected to be lower, executive action can become the standard practice of governments.

In its simplicity, this formalisation leaves out several other parameters which are more than likely to affect the comparative utility of the two legislative procedures. As briefly mentioned, the expected duration of governments should tip the balance in favour of executive action as a new cabinet may be installed before the end of the legislative course. The literature on legislative overproduction argues that shorter cabinet lifespan does increase legislative activism [Gratton et al. (2021)] but only more capable politicians are expected to present immediately applicable legislation. In this regard, the relationship between the competence of cabinet members, legislative quality and executive action requires additional analysis. Another important element which is left out is the fact that greater participation by MP through the ordinary procedure can possibly enrich the legislative output with the knowledge and insights of members of parliament. In fact, Cockerham & Crew Jr (2017) find that greater professionalisation of state legislators in the US is better able to counter legislative unilateralism by the governor. This result is very much in line with the argumentation of this paper as it increases the comparative advantage of the ordinary procedure when bargaining hostility is low and members of parliament are fairly competent. Therefore, even though several elements are left out of this very simple formal characterisation, they are not expected to undermine the utility trade-off this paper identifies.

### 1.2.3 Hypotheses

To sum up, this paper formulates a series of hypotheses on the relationship between elements of the bargaining environment and the likelihood of executive action.

- **Hypothesis 1:** *The higher the distance between the ideological coordinates of a policy proposal and the coalition centre of gravity, the higher the likelihood of executive action.*
- **Hypothesis 2:** *The higher the ex-ante degree of ideological disagreement, the higher the chances of executive action.*

- **Hypothesis 3:** *There is a diminishing marginal effect of ideological distance on executive action in those policy areas where there is a higher ex-ante ideological disagreement.*
- **Hypothesis 4:** *Stronger effects of ideological distance on the likelihood of executive action are expected for more moderate degrees of dissatisfaction with the status quo by the majority in Parliament.*

The first and second hypotheses descend from the theoretical argument that connects hostility of the bargaining environment to executive action. In particular, the second hypothesis holds that in those policy areas where parties in government already are in greater disagreement the bargaining hostility is expected to be higher *ceteris paribus*. I would expect that if parties want to legislate on a very contentious subject, they would probably issue decrees even if the ideological distance of that piece of legislation with the gravity centre is small due to the fact that the bargaining environment is already enflamed by pre-existing ideological contrapositions. By the same logic, I would expect that cabinets internalize such disagreement by moderating the degree of ideological distance of legislation to some extent. However, independently from the mechanisms of internalization of policy conflict by the executive, the paper predicts that the positive effect of ideological distance is moderated in contexts of high ex-ante disagreement (H3). Finally, hypothesis 4 builds on the previous ones suggesting that the shared dislike of the status quo in the legislature mitigates the hostility of the bargaining environment. Therefore, I expect that it also diminishes the role of ideological distance as a predictor for executive action. In the presence of a high dislike for the status quo, only legislative projects with a higher level of ideological disagreement are expected to trigger the use of decrees.

## 1.3 Data and Methods

### 1.3.1 The Dataset

The analysis leverages on the population of government-sponsored bills in Italy between 1996 and 2017, spanning through thirteen governments and five legislatures. This constitutes a new dataset where all piece of legislation is followed through all of its steps between the two Chambers from the day it had been presented to the last available update. The data also allows to group legislation by a long series of variables such as government, legislature, proposing minister, assigned speaker and many more.

As many pieces of legislation as possible are assigned one or more policy areas among the six dimensions coded in Martin & Vanberg (2020). Policy areas (or dimensions) are assigned to legislation on the basis of the portfolio of the proposing minister. As ministers may be responsible for areas that span across the six original dimensions, pieces of legislation can be assigned multiple policy areas. In fact, if a piece of legislation is proposed by more than one minister, it will most likely be assigned more than one dimension. Unfortunately, in some cases it is not possible to retrieve their ministerial ownership. That, however, is not expected to damage the analysis as typically such legislative projects are discarded before the executive sends them to a parliamentary cabinet for discussion. In other words, even though they appear in official records, the largest majority of them are stillborn due to a missing calendarization or a change of heart by the executive.

### 1.3.2 Main Variables

Each policy dimension maps onto a set of ideological indicators in the MARPOR dataset. Therefore, using the political parties of ministers, together with their portfolios, I can attach to each piece of legislation an accurate indicator of the left-right ideological position of the proposing minister regarding the policy area that she wants to legislate. Such ideological position is composed by two elements: ideology and salience. Both issue saliency and ideological scores are computed using the scaling approach developed by Lowe et al. (2011). Such scores are essential to calculate the ideological centre of gravity for each cabinet, the absolute value of which will represent the level of dissatisfaction with the status quo by the parties in the cabinet. To do so, I compute the mean ideological score across all parties in cabinet ( $P$ ) for each combination of policy dimensions weighted by 1) how important each policy dimension is and 2) its share of seats in the majority according to:

$$\Gamma(g, d) = \sum_{j=i}^P \frac{\pi_{(j,g)} I_{(j,g,d)} S_{(j,g,d)}}{\bar{P}} \quad (1.4)$$

Where  $\pi_{(j,g)}$  represents the seat share of party  $j$  within government  $g$ ,  $I_{(j,g,d)}$  refers to its ideological position on a specific policy dimension  $d$  and  $S_{(j,g,d)}$  is the corresponding issue salience.

By the same token, the ideological coordinates of every piece of legislation can be computed identically, with  $j$  representing the party of the minister responsible for a given legislative project and  $P \subseteq \bar{P}$  representing the subset of parties in cabinet sponsoring an individual piece of legislation. Clearly,  $P$  can vary from the individual party  $j$  to the whole set of parties represented in government  $\bar{P}$ . In this paper, the absolute value of the distance between the ideological centre of gravity of government and the ideological coordinate of



each piece of legislation is the main independent variable. This index of ideological distance ( $\delta_{(P,g,d)}$ ) is meant to capture how much a legislative project deviates from the coalition centre of gravity and it is directly comparable across policy areas, governments and legislatures according to:

$$\delta_{P,g,d} = \frac{\sum_{j=1}^{P \subseteq \bar{P}} S_{(j,g,d)} \pi_{(j,g,d)} |\Gamma_{(g,d)} - I_{(j,g,d)}|}{P} \quad (1.5)$$

Where the index of ideological distance ( $\delta_{(p,g,d)}$ ) is the mean of the salience-and-seat-weighted absolute differences between the dimension-specific government centre of gravity and the individual ideological position of each party sponsoring an individual piece of legislation. This index produces a positive measure of how much a given legislative project is expected to depart from the ideological position that minimizes individual differences.

Critically, not all policy areas are equally amenable to compromise both within the cabinet and the parliamentary majority. As some issues are foundational to political alliances, other areas can only accommodate a precarious equilibrium between parties in the executive. Therefore, the ideological distance that separates a piece of legislation with the ideological centre of gravity may have a larger effect on government stability in areas where the ideological equilibrium is more fragile. Conversely, issues showing very little polarization (used interchangeably with divisiveness) can afford larger ideological deviation, albeit less probable to occur. Hence, the degree of ex-ante issue divisiveness may reasonably impact the likelihood of legislative production and coalition stability.

This paper employs an index of ex-ante ideological divisiveness in line with the existing literature on polarization, with the crucial difference of having adapted it to the six foundational policy dimensions used in this analysis. For each individual combination of policy dimensions, the polarization index is the grandmean of pairwise multidimensional Euclidean differences among all parties in government:  $\bar{P}$

$$\Phi(g, D) = \sum_{j,k \subseteq \bar{P}; jk, kj \subseteq \binom{\bar{P}}{2}} \sqrt{\frac{\sum_{d=1}^6 (s_j s_k)(\pi_j \pi_k)(d_{jk} - d_{kj})^2}{D}}{\bar{P}}} \quad (1.6)$$

Where  $j$  and  $k$  are unique parties belonging to the set  $\bar{P}$  of parties represented in cabinet  $g$  and  $jk$  (or  $kj$ ) represent one of the  $\binom{\bar{P}}{2}$  possible pairwise combinations for which I compute the mean of the multidimensional Euclidean difference for each item  $D \subseteq \bar{D}$  of possible combinations of the six foundational dimensions  $d$  present in the dataset for each individual government. As such, the number of dimensions for which to compute the pairwise differences can range from 1 to 6. Unfortunately, one feature of the Euclidean differences is the limited performance on large number of dimensions and other ways of

computing spacial differences (such as Manhattan) do not seem to amend the problem which is nonetheless quite limited given that the overwhelming majority of legislation is concerned with no more than 3 dimensions. Notably, none of the Euclidean differences is weighted by the salience or seat share thus representing a crude portrayal of how much ex-ante disagreement there is among cabinet parties on different policy areas.

In addition, other variables are meant to explain variance both at the individual and at the government level. One variable isolates the parties in the dataset which score higher than average in the PopuList dataset 2.0. In fact, the literature on populism often describes populist parties as trying to dismantle the distance between elite and voters. This attempt at a higher reciprocity may be delivered through the choice of directly applicable legislative tools so as to create a faster correspondence with the electorate. Finally, other variables compute the number of ministries supporting each piece of legislation, the number of “technical ministries”, their gender, whether they belong to an extremist party and whether they belong to the main sponsor of the coalition.

### 1.3.3 Methods

The first challenge of the analysis is to isolate those legislative projects which are by their nature more likely to be issued as ordinary legislation or executive decrees. The clearer example of this are emergency decrees designed to face civil unrest, earthquakes and other major disasters needing immediate and possibly temporary response. Luckily, Italian legislation can be sourced according to the *teseo classification* which is composed by a series of over 3600 hierarchical descriptors defining the content of every piece of legislation compatibly with the Universal Decimal Classification (UDC). Through the *teseo* classification I define as more prone to executive actions those legislative projects with the following characteristics:

- Explicit reference to geographic areas as it increases the likelihood to be a response to extraordinary environmental events such as floods, earthquakes, fires, but also to infrastructure disaster such as the collapse of a bridge or the overflow of a dam.
- Explicit reference to public, private or mixed corporations, banks or other kinds of financial institutions. The reason behind this is the fact that emergency legislation has been used in the past to channel funds to fragile institutions in times of crisis such as banks under a liquidity crisis or corporations on the brink of failure considered of strategic or political relevance.
- Explicit reference in the *teseo* classification to “urgency”, “emergency” and synonyms.

The second challenge requires isolating those pieces of legislation which are constitutionally required to be issued as ordinary legislative procedure. Among them are laws delegating to the executive the authority to legislate without legislative approval on a specific matter. This is where the paper efficiently separated delegated decree authority (DDA) from constitutional decree authority (CDA). As a result, the analysis is performed on the subset of legislative projects containing, to my knowledge, provisions that are equally amenable to be issued as decree or as ordinary legislation.

Another issue is connected with multiparty governments who issued a common coalitional electoral manifesto. Sharing, at least formally the same party position would inevitably yield null coefficient both in terms of ideological distance and polarization. This would not only impair the empirical exercise but represent an incorrect representation of reality. As an example, one of the cabinets sharing a single manifesto is the second government presided by Romano Prodi. Famously, that government crumbled after only 2 years of activity due to extreme divergences among the parties in the majority. To obviate the issue, the analysis only takes into consideration those cabinets without common electoral party manifestos.

Likewise, the analysis cannot include legislation issued before January 1997, when the sentence of the Italian Constitutional Court prohibiting the reiteration of decrees with similar content. A separate analysis on those pieces of legislation issued before 1997 nonetheless confirms the results of the paper. Another minor adjustment concerns “technical” and without-portfolio ministers. Following other example in the literature [Martin & Vanberg (2020)] this paper does not apply any specific ideological connotation to technical figures in the cabinet and to ministers without independent spending capacity.

Finally, the paper employs both Bayesian logit and Bayesian multilevel logit regressions to address variance at the government and legislature level effect as well as the individual legislation-level effect. Time fixed effects are also deployed to control for monthly variations of the political-economic cycle. Bayesian models also allow to enlarge the relative sample size with the use of a weakly informed normal prior centred around zero. Together with a full multicollinearity diagnostic confirming the solidity of the model, the successful patterns of convergence diagnostic can address the remaining doubts.

## 1.4 Results and Discussion

Descriptive evidence shows that executive action varies consistently across policy areas and government. Figure 1 shows the percentage of decrees issued by every government in

the dataset for comparable legislation. Conversely, Figure 3 portrays the count of ordinary procedures against executive actions across selected policy areas. In this case, the policy area reflect the parliamentary committees where legislation is examined. Not surprisingly, matters concerning Defence and Foreign Affairs are mostly regulated through ordinary procedure in peace time but, until very recently, it used to be highly unlikely that parties supporting the cabinet disagree on the two core tenants of Italian foreign policy: Atlantism and Europeism. Also, the approval by parliament of international treaties requires the ordinary legislative procedures. Thus, they are not included into the subset of directly comparable legislation. This also explains the relatively small count of legislative projects concerning Defence and Foreign Affairs in a period when Italy has been involved in several international conflicts. Nonetheless, it appears that the number of decrees over comparable legislation has grown over the five legislatures covered in the dataset. What is also notable is that decrees constitute a very large share of the legislation in issues where both spending and regulatory intensity is high such as Agriculture, Industrial Production, Welfare and Health. In this regard, it should not be surprising that the bargaining environment can turn more hostile on issues where spending is immediately observable by firms, agricultural producers and people dependent on state-checks since parties are expected to position themselves vis-à-vis coalition allies and to please core voters when money is at stake.

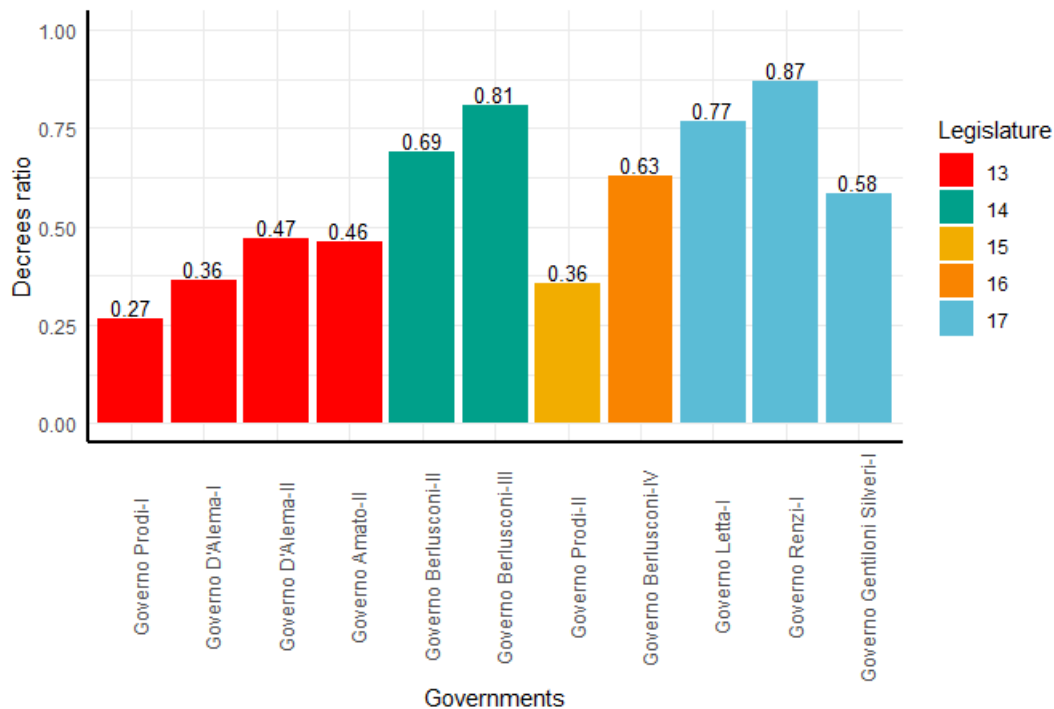


Figure 1.1: Ratio of executive decrees over total comparable legislation by Government

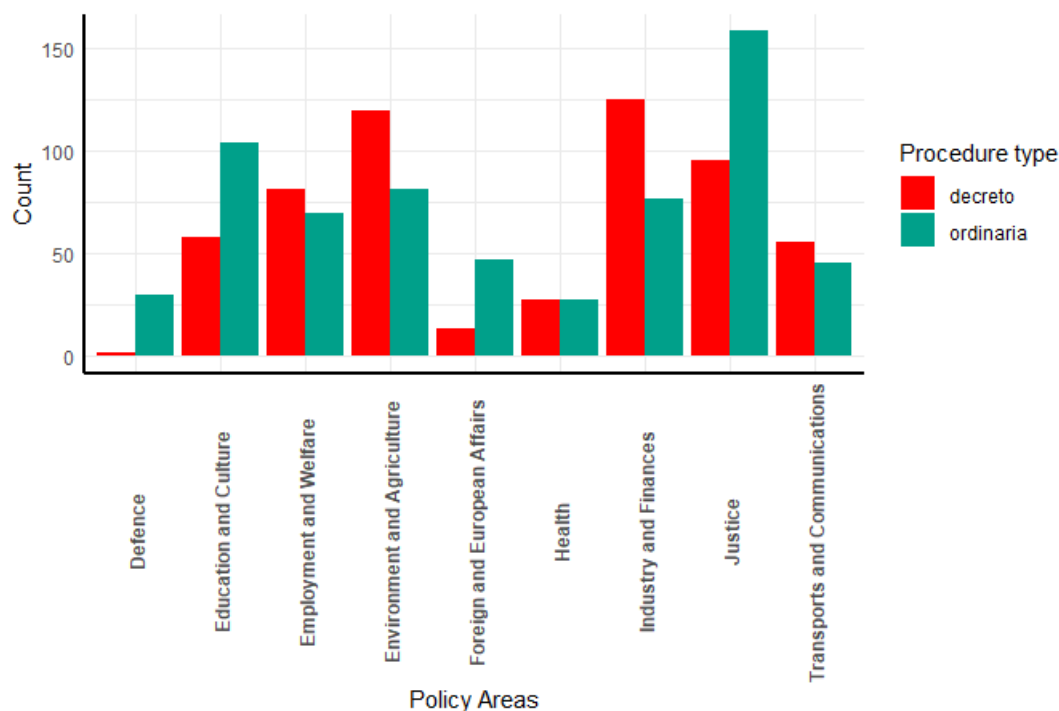


Figure 1.2: Quantity of decrees and ordinary procedures issued per policy areas on comparable legislation

Overall, the around 75% of the variance is at the individual level, meaning that the portion of variance explained at the government and legislature level is still large. Hence, this paper tests the hypotheses both with regard to the individual and the group level. Table 1 reports the results of Bayesian logit models that isolate the individual-level variance employing time, government and legislature-level fixed effects. Conversely, Table 2 details the output of a Bayesian logit random effects model which tests the impact of ideological distance and ex-ante divisiveness on the government level as well.

Column 1 and 2 of the fixed effect table show a basic model where our independent variables (ideological distance and divisiveness) are regressed without individual-level controls. Both models yield positive and significant coefficients for the variables characterizing expected hostility from the majority, giving initial support for hypotheses 1 and 2. The third and fourth columns show models that include both variables respectively as covariates and interacted. A full diagnostic does not show evidence of large multicollinearity. However, the coefficient from the ex-ante divisiveness seems to “soak up” a portion of the effect from ideological distance. The fourth model tries to test hypothesis three by interacting the two variables. Both an increase in R2 and a LOOIC comparison show a significant improvement in terms of expected log predictive density indicating that this fourth model

has a better fit. The coefficient from the interaction appears negative and significant as a sign that ideological distance from the coalitional centre of gravity is less of a crucial predictor of executive action in policy areas where there is a larger ex-ante ideological divisiveness, giving support to the third hypothesis. The inclusion of the interaction also seems to increase the magnitude of the coefficient of ideological distance considerably. This coefficient remains larger in all the other models including individual and group-level predictors. The last two columns represent the complete model that includes a series of individual-level predictors together with monthly, government and legislature-level fixed effects. In particular, this last model including monthly-fixed effects shows a significantly improved fit.

By exponentiating the results we see that a unitary increase in ideological distance triples the odds of executive action. Likewise, legislating over a policy area where the ex-ante disagreement is one point higher is correlated with an approximate 60% increase in the odds of executive decrees. Executive action is also more likely when more ministers and more cabinet parties co-sponsor a legislative project. This paper does not give a formal interpretation of this result, however it seems to support the thesis that expected hostility in the legislature increases the likelihood of executive action. In fact, when a piece of legislation is sponsored by multiple parties that can trigger the necessity to differentiate each other, leading to more extensive positioning effort in line with what found by Fortunato (2012) and Fortunato & Stevenson (2013). The presence of “technical” ministers along with “political” cabinet members also appears to be strongly correlated with executive action. This result is not surprising given that high-profile technical figures are often called to participate in cabinets in order to legislate over more contentious matters. Times of crisis may require extensive efforts towards painful policy innovation and decrees not only offer higher responsiveness but also a tool to overcome discontent across the legislature.

The Bayesian logit models deliver a satisfactory fit to variation in terms of legislative procedure at the individual level. However, as mentioned previously, a noticeable part of the variance comes from the higher levels, namely government and legislature-level. The two models in column 2 and 3 of Table 2 regress ideological distance and ex-ante divisiveness both at the individual level and at the government level. Not surprisingly, those coefficient do explain part of the variance at the government level as well. Nonetheless, there is not a significant correlation between varying slope and varying intercept. This is captured by the first *sigma* in both columns indicating that in those governments where the likelihood of issuing decrees is higher at zero values of ideological distance there is no higher (or lower) within-government effect of the main variables. Importantly, this means that the hostility of bargaining environment as it is captured by the main independent variables does not

have a larger impact on the likelihood of decrees for those governments where decrees are issued more often *ceteris paribus*. Hence, the random models show evidence that phenomena such as the lack of agency by executive in setting the agenda do not bear significant consequences on the correlation between ideological distance, divisiveness and executive action. Moreover, from the ICC comparison we can see that ideological distance and divisiveness variable map significantly more at the individual level than at the government level.

Finally, the last columns display a replication of the model with fixed effects in column 4 of Table 1 with the addition of two grouped variables: parties in cabinet and effective number of parties in Parliament. The former varies at the government level and should account for the increase in hostility in the bargaining environment deriving from having multiple parties represented in the government. The latter varies at the legislature level and is meant to capture the variance caused by more fragmented parliaments. Both show positive and significant correlation with executive action, highlighting a possible connection between electoral rules and legislative behaviour by executives but the fit of this more complex model is not significantly better than the model without random effects.

To answer hypothesis 4, this paper regresses the complete model in two subsets of the data containing respectively legislative projects characterised by lower than average dislike for the status quo and higher than average dislike for status quo. From the hypothesis, I expected to find a mitigated impact of ideological distance when the dislike for status quo is higher. Higher dislike for the status quo in the legislature signals a willingness towards change that may increase the leniency of members of parliament for legislative projects which do not exactly represent an optimal bargain between the position of the different parties in cabinet as changing the current situation can be a victory in itself. As a consequence, I hypothesised that ideological distance would increase the odds of legislative action more for lower levels of dislike for the status quo. Surprisingly, Table 3 shows the opposite. The coefficient for ideological distance is larger when parties in cabinet collectively dislike the status quo more. This suggests that dislike for the status quo reflects that parties do feel strongly about those issues and they probably also expect to be held more accountable by voters to deliver a specific political outcome. As a result, the bargaining environment in Parliament can turn more sour when cabinets deliver a policy project which is more distant than the optimal bargain. This can be enough to drive up the odds of issuing decrees for a unitary increase in ideological distance from 1.3 to 2.7.

	1	2	3	4	5	6
(Intercept)	-0.25	-2.31*	-2.29*	-2.64*	-6.73*	-7.96*
	[-0.64; 0.13]	[-3.16; -1.46]	[-3.14; -1.47]	[-3.52; -1.80]	[-10.69; -2.82]	[-12.54; -3.52]
Id distance	0.20*		0.16*	0.94*	1.09*	1.36*
	[0.07; 0.34]		[0.02; 0.30]	[0.45; 1.43]	[0.57; 1.66]	[0.75; 2.00]
Ex ante id divisiveness		0.43*	0.41*	0.49*	0.46*	0.52*
		[0.28; 0.58]	[0.27; 0.56]	[0.34; 0.65]	[0.25; 0.68]	[0.29; 0.76]
Id distance*Ex ante id divisiveness				-0.18*	-0.20*	-0.25*
				[-0.28; -0.08]	[-0.32; -0.08]	[-0.40; -0.12]
Avg dislike for status quo (absolute value)					0.00	-0.02
					[-0.33; 0.34]	[-0.38; 0.34]
Co-sponsored by "technical" ministers					2.56*	2.69*
					[2.09; 3.05]	[2.21; 3.20]
Ministers involved					1.25*	1.37*
					[0.88; 1.64]	[0.99; 1.79]
Parties involved					1.01*	1.17*
					[0.39; 1.65]	[0.48; 1.86]
Sponsored by the main party					0.25	0.41
					[-0.24; 0.75]	[-0.12; 0.94]
Sponsored by the extreme party					-0.29	-0.33
					[-1.01; 0.45]	[-1.15; 0.48]
Unemployment (previous quarter)					0.03	0.07
					[-0.33; 0.40]	[-0.34; 0.48]
FE	Gov + Leg	Gov + Leg	Gov + Leg	Gov + Leg	Gov + Leg	Gov + Leg + Month
R2	0.164	0.185	0.189	0.197	0.459	0.534
Pairwise elpd	0	-13.4(6.1)	0	-4.8(3.4)	0	-38(10.9)

\* Null hypothesis value outside 95% credible interval.

Table 1.1: Bayesian Logit FE Models



	Empty	2	3	4
(Intercept)	0.25 [-0.51; 1.00]	-0.18 [-0.74; 0.41]	-1.93* [-3.71; -0.24]	-4.45* [-8.56; -0.79]
Id distance		0.46* [0.05; 0.94]		1.10* [0.58; 1.65]
Sigma[gov:Id distance,(Intercept)]		0.15 [-0.17; 0.58]		
Sigma[gov:Id distance,Id distance]		0.25* [0.03; 0.91]		
Ex ante id divisiveness			0.78 [-0.06; 1.64]	0.46* [0.26; 0.66]
Sigma[gov:Ex ante id divisiveness,(Intercept)]			-1.45 [-5.67; 0.50]	
Sigma[gov:Ex ante id divisiveness,Ex ante id divisiveness]			2.04* [0.30; 6.56]	
Avg dislike for status quo (absolute value)				0.04 [-0.28; 0.35]
Co-sponsored by "technical" ministers				2.45* [2.01; 2.93]
Ministers involved				1.27* [0.90; 1.66]
Parties sponsor				0.92* [0.30; 1.55]
Sponsored by the main party				0.28 [-0.20; 0.77]
Sponsored by the extreme party				-0.26 [-0.98; 0.45]
Unemployment (previous quarter)				-0.06 [-0.37; 0.27]
Id distance*Ex ante id divisiveness				-0.20* [-0.32; -0.08]
Sigma[gov:Parties in cabinet,Parties in cabinet]				0.03* [0.00; 0.16]
Sigma[Legislature:Parties in Parliament,Parties in Parliament]				0.22* [0.00; 1.39]
RE	Gov	Gov	Gov	Gov + Leg
ICC	0.252	0.314	0.875	0.176
FE to RE ELPD				-1.0(1.7)

\* Null hypothesis value outside 95% credible interval.

Table 1.2: Bayesian Logit Random Effects Models

	High Dislike	Low Dislike
(Intercept)	-9.74*	-6.39*
	[-12.88; -6.89]	[-8.30; -4.57]
Id distance	0.98*	0.29*
	[0.43; 1.72]	[0.03; 0.56]
Ex ante id divisiveness	0.75*	0.37*
	[0.35; 1.17]	[0.08; 0.67]
Co-sponsored by "technical" ministers	5.47*	2.02*
	[4.02; 7.15]	[1.55; 2.52]
Ministers involved	1.92*	1.08*
	[1.16; 2.72]	[0.65; 1.55]
Parties sponsor	-0.67	2.21*
	[-2.00; 0.65]	[1.36; 3.08]
Sponsored by the main party	1.59*	-0.14
	[0.07; 3.21]	[-0.71; 0.43]
Sponsored by the extreme party	1.74*	-1.50*
	[0.24; 3.30]	[-2.65; -0.35]
FE	Gov + Leg	Gov + Leg
Obs	364	705

\* Null hypothesis value outside 95% credible interval.

Table 1.3: Statistical models

## 1.5 Conclusion

The paper studies how cabinets in Italy make strategic use of executive action when they expect higher hostility in the bargaining environment. More precisely, when a minister proposes a piece of legislation which is further away from the ideological centre of gravity of the cabinet, majority partners are expected to be more active in their scrutiny. Likewise, on issues where the cabinet partners display greater disagreement, the path to legislative adoption can be considerably more difficult. Governments appear to exploit the procedural advantages of executive decrees in order to overcome the obstacles connected with less popular legislative projects. The paper employs both a fixed effects and a random effects Bayesian logit model finding that a unitary increase in ideological distance between any legislative project and the coalition centre of gravity is around three times more likely to be issued as a decree. Also, those policy areas where there is a larger ex-ante ideological disagreement are significantly more likely to be regulated through executive action. The importance of ex-ante divisiveness is so pronounced that it moderates the effect of ideological distance as a determinant for the issuance of decrees. In other words, when gov-

ernments regulate areas that are more contentious among cabinet parties, they are more likely to use executive action even if the legislative proposal is only moderately distant from the coalitional centre of gravity. Finally, contrarily to the expectation of the paper, both ideological distance and ideological polarization (or divisiveness) seem to be a larger determinant of executive decrees when cabinet parties dislike the status quo more. This indicates that as parties devote greater effort in signaling to voters that they advocate for sweeping policy changes, they also expect to be hold accountable by voters to deliver such change. As a result, the bargaining environment in Parliament can turn sour when cabinets deliver a policy project which is more distant than the optimal bargain. To overcome this, governments are predicted to make larger use of executive authority.

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## Chapter 2

# Consensus-Riding in Parliamentary Systems: A Study of Cohesion and Executive Decrees in Italy

Parliamentary democracies commonly exhibit relatively high degrees of voting cohesion. Italy makes no exception despite having transitioned between different electoral regimens and party structures. Throughout these transitions, Italian executives have made extensive use of executive legislation. This paper tries to investigate whether cabinets make strategic use of executive action to manage consensus within the majority. Drawing from an extensive dataset of electronic votes in the Chamber of Deputies from 2001 to 2018, the findings reveal that while the Italian Chamber of Deputies is generally cohesive, cabinets capitalize on periods of cohesion to issue more executive decrees. In contrast, observing less cohesion than anticipated prompts them to moderate this practice. This behavior supports the "consensus riding hypothesis," suggesting that cabinets tend to exert more legislative control when overseeing a cohesive majority, offering a nuanced understanding of legislative behaviors and strategies in parliamentary democracies. In addition, the paper introduces a novel measure of cohesion, the STM, capturing the impact of dissenting votes on the likelihood of legislation's success.

### 2.1 Introduction

Scholars in legislative studies generally concur that voting cohesion is typically higher in parliamentary systems compared to presidential ones. The Italian political landscape corroborates this observation. Evidence consistently shows that both government and opposition parties in Italy exhibit strong cohesion [Cox et al. (2000, 2008), Carey (2008),



Martin S. (2008)]. As a result, voting patterns often reflect government-opposition dynamics rather than ideological left-right distinctions [Bräuninger et al. (2016)]. While parties do maintain distinct ideological stances, policy support conflicts primarily arise between the majority and opposition, rather than within these blocs.

Party cohesion as expressed by voting, at least in the Italian context, may hide other very important sources of party conflict. The emergence and persistence of factions, as an example, indicates that parties do not hold as much control over MPs as voting cohesion suggest [Curini et al. (2011), Ceron (2012)]. While exploring these dynamics is crucial, understanding the drivers of cohesion in Italy's tumultuous political environment is equally vital.

A prominent explanation for the variance in party cohesion between presidential and parliamentary systems centers on the binding nature of the vote of confidence procedure. This procedure can effectively ensure that majority MPs align with the party stance [Diermeier & Feddersen (1998), Huber (1996)]. However, in scenarios where government changes are frequent, MPs might perceive cabinet alternations as inevitable [Curini & Zucchini (2012)]. Other compelling explanations include parties' tight control over candidate selection [Hix (2004), Bøggild & Pedersen (n.d.)] and strategic platform ambiguity by party leaders [Bräuninger & Giger (2018)]. Nevertheless, high levels of cohesion seem to be consistent across periods characterized by major changes in the electoral system and in the party structure.

Another characteristic of the Italian political system is the consistent use of executive legislation. According to Art. 77 of the Italian Constitution, in times of emergency or exceptional urgency, the executive has the authority to issue decrees that become immediately applicable. Since the late 1970s, Italian cabinets have increasingly utilized this mechanism, despite reservations from several Presidents of the Republic and interventions by the Constitutional Court [Stradella et al. (2016)]. Not all legislative drafts can be presented in the form of decree, such as those that would modify the Constitution or ratify important international agreements<sup>1</sup>. Yet, even taking into account these limitations, from 2001 to 2018,

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<sup>1</sup>The following regulatory acts cannot be presented in the form of decree:

1. Constitutional laws
2. Delegation laws
3. Laws directly connected with the yearly budget law
4. Approval of international treaties
5. Laws regulating split or absorption of municipalities, provinces and regions.

decrees constituted approximately 79% of all votes in the Chamber of Deputies. These decrees span a wide array of policy areas, effectively diluting the original constraints of Art. 77.

This study aims to explore whether cabinets strategically leverage the procedural nuances of executive action to manage internal dissent. Specifically, it examines if cabinets are more inclined to issue decrees when anticipating higher (or lower) cohesion in upcoming voting sessions.

This analysis finds limited evidence that governments are more likely to legislate by decree when they expect that the next voting session in the calendar will be more cohesive. However, when cabinet members observe that their predictions have been too optimistic, they will moderate the use of executive legislation. This is consistent with a legislative style that can be called “consensus riding”, where governments take advantage of the confidence of their majority to act unilaterally. Yet, the size of the effect is modest due to the high level of baseline cohesion in the Italian Chamber of Deputies. The paper finds these results employing autoregressive Bayesian analysis with multinomial Bayesian fixed-effect models. An outline of the theoretical approach of the paper can be found in the next section. Then, the paper describes the dataset employed, together with the main variables of the analysis and the empirical strategy. Finally, we report the result of the analysis together with a discussion on their interpretation.

## 2.2 Cohesion and unilateral action: consensus riding or dissent management

Cabinets prioritize certain legislative projects over others. While some drafts might be anticipated to face challenges or even be discarded, it’s generally believed that cabinets strategically select the timing and procedure to optimize the likelihood of a draft’s success. Voting cohesion is a pivotal indicator of parliamentary consensus and can be used by cabinets to predict the fate of future bills. Similarly, the legislative procedure chosen can influence a draft’s success. This paper delves into the relationship between cohesion variability and legislative procedure choice, proposing two potential mechanisms.

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6. Laws instituting "Commissioni Parlamentari di inchiesta".

In addition, the paper filters out those laws that are more likely to be issued by decree, like those dealing with natural disasters, social unrest and bankruptcy of large economic actors.

Firstly, during times of strong consensus among governing partners, cabinets might leverage this unity to push forward legislation that aligns closely with the executive’s preferences. The executive procedure, given its immediate effect and 60-day voting window, limits the scrutiny of bills in committees. While committee MPs might not appreciate these constraints, they might be less vocal about their concerns during periods of heightened executive approval. This approach, termed “consensus riding”, aligns with findings that suggest a correlation between unilateral action and increased presidential approval [Epstein & O’halloran (1999), Kiewiet & McCubbins (1991), McCubbins et al. (1987, 1989)].

- **Consensus riding hypothesis:** *In anticipation of heightened voting cohesion, cabinets are inclined to issue more executive decrees.*

Conversely, another mechanism might be at work. Given the limited legislative oversight inherent in the executive procedure, cabinets might be motivated to employ it during times when their majority lacks cohesion. Limiting the scope and duration of legislative review can be advantageous, especially when MPs are poised to introduce significant modifications to legislative drafts. This is particularly relevant in constitutional systems with influential parliamentary committees, like Italy or Germany [Martin & Vanberg (2011, 2020), Zubek (2021)]. This strategy, driven by the need to manage or mitigate dissent, suggests that cabinets will opt for more executive decrees when they anticipate reduced cohesion.

- **Dissent management hypothesis:** *Anticipating reduced cohesion within their majority, cabinets are inclined to issue more executive decrees.*

Subsequent sections will detail the data and empirical methodologies used to evaluate these hypotheses.

## 2.3 Data and Methods

This study utilizes a unique dataset detailing final electronic votes in the Chamber of Deputies from 2001 to 2018. This dataset provides insights into the legislative process being voted upon and the individual voters. For legislation, it includes a description, reference name, parliamentary stages, legislative procedure, and more. Voter data encompasses their parliamentary group, party, and other personal details. This comprehensive data allows for a detailed analysis of cohesion at both party and parliamentary group levels and offers insights into the legislative content of all projects.

### 2.3.1 Dependent Variables

The paper’s objective is to discern the relationship between cohesion and executive action. However, defining executive action is challenging since voting sessions don’t always align with when legislation is introduced. This necessitates grouping instances of executive action over relevant time periods. Weekly grouping is straightforward, but 3-week periods also make sense considering the legislative calendar of the Italian lower Chamber.

Another aspect to consider is how cohesion influences the number of decrees issued. Cohesion might either increase (or decrease) the number of decrees, termed the “quantitative effect” of cohesion. For instance, a confident government might introduce more drafts via the executive procedure. Alternatively, uncertain cabinets might divide a draft into smaller sections, presenting them as separate decrees. This is the “substitution effect”, where decrees replace the ordinary procedure to enhance the likelihood of legislative success.

To differentiate between these effects, four dependent variables are used. For the quantitative effect, *decrees\_weekly* and *decrees\_3weeks* are used. The former counts executive procedures weekly, while the latter averages them over three weeks. The substitution effect is gauged by *decrees\_ratio* and *decrees\_ratio\_3weeks*, indicating the preference for decree-based legislation.

### 2.3.2 Independent Variables

Cohesion has been measured in various ways in academic research. A prevalent method is the RICE index [Rice (1925)], which captures cross-voting within a political unit. However, the RICE index can be skewed by party size and inherent cohesive voting tendencies. Desposato [Desposato (2005)] suggests a correction for this bias, especially for smaller parties. This paper uses both the traditional RICE index and Desposato’s modified version (DRICE).

Additionally, a new measure is introduced to assess how a lack of cohesion impacts legislative success. While the RICE index measures cohesion’s impact, other strategies can overcome its effects. For instance, surplus majorities can tolerate more dissent, and external support through opposition abstention is common in minority governments. However, varying attendance rates can alter cohesion’s significance. To address this, the paper introduces the STM (sum of threats to the majority) measure.

$$STM_m = \frac{Nay_m}{|1 + RiskGap_m|}$$

Where  $m$  refers to the parties composing the government majority as the unit of ref-

erence and the *RiskGap* is the difference between the number of people from the majority that are present in the voting session and the  $50\% + 1$  needed for passing the draft. Crucially, abstentions are counted as Nays because they matter setting the legal number but reduce the *RiskGap* in the session. The measure can have any real positive with the obvious constraint that there cannot be more rebel votes than MPs in the majority and a few other caveats apply. Firstly, the *RiskGap* can be negative in cases when MPs from the majority desert the voting session en masse. However, not only this is an extremely rare occurrence due to the fact that the analysis focuses on government-initiated bills but also unhelpful in falsifying the expectations of the paper. In fact, cohesion *per-se* is both not meaningful and unlikely when a bill is bound to fail because a very large portion of the majority is not even present. Therefore, I impose the restriction that  $RiskGap \geq 0$ . This creates the necessity to apply a small distortion on value 1 to avoid undefined values deflating the STM more when the *RiskGap* is very small.

### 2.3.3 Empirical Strategy

This study utilizes Bayesian techniques due to their robustness with nested data structures and their interpretative clarity. Specifically, the ability to present results with exact percentages of the posterior distribution on either side of the point estimate enhances understanding. Declaring the priors openly also promotes transparency and invites a comprehensive critique of the research design. Additionally, the Bayesian updating mechanism is invaluable for the paper's second part, where I generate weekly predictions of cohesive behavior within the majority throughout a legislature's duration.

Initially, the analysis determines the relationship between cohesion and unilateral action by regressing various versions of the dependent variable on different cohesion indicators. Given that observations are nested within governments and legislatures, the models incorporate multiple levels of fixed effects.

The subsequent part of the analysis examines whether cabinets adjust their use of unilateral action based on observed deviations from expected cohesion levels in the chamber. This necessitates predicting cohesion levels weekly, following a learning process that mirrors cabinet behavior. Given the challenge, the paper adopts a streamlined approach, making future cohesion levels dependent solely on past values and the policy area under legislation.

This method acknowledges that certain topics might be more contentious than others. Moreover, policy areas often align with committee jurisdictions, and some committees might be more resistant than others, especially if chaired by the opposition. While the

paper recognizes that cabinets might have various mechanisms to gauge parliamentary sentiment, such as efficient communication channels between lower ranks and the *capigruppo*<sup>2</sup>, past cohesion remains paramount.

Another aspect of this streamlined approach is that the learning process begins anew with each legislature. While many MPs in the Italian Chamber of Deputies serve multiple terms and likely become familiar with parliamentary procedures, changes in electoral rules, party alliances, and external shocks prevent us from assuming continuous learning. This approach also avoids potential biases between early and later legislatures in the dataset, leading to a more conservative research design.

The paper also considers the intricate data-generating process, as illustrated in figure 1. The figure depicts the legislative calendar's progression, with the dashed arrow indicating time's flow and numbered segments representing weeks. The legislative calendar spans three weeks (Art.24 Regolamento della Camera dei Deputati). During this period, the cabinet observes the chamber and committees' cohesion levels and formulates future cohesion predictions (fase 1).

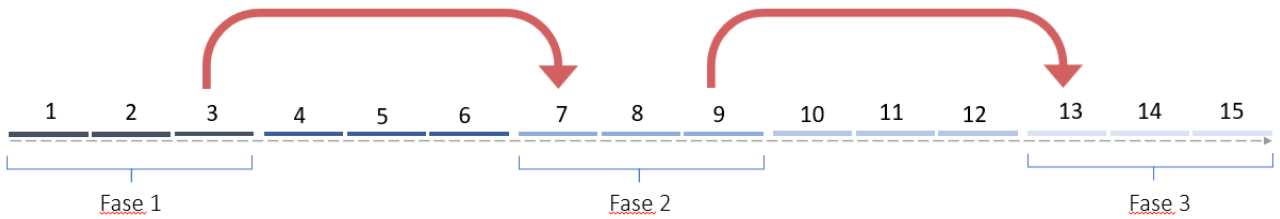


Figure 2.1: Scheme of the legislative calendar

In fase 2, cabinets can assess their cohesion predictions' accuracy. Based on this, they can decide on proposing, altering the procedure, or postponing new draft presentations for weeks 13 to 15 (fase 3). Ideally, a correlation should emerge between the cohesion data from weeks 7-9, the cabinet's estimation errors during the same period, and the number (or ratio) of unilateral actions presented in the 13th week. While it's unlikely that the legislative calendar adheres strictly to this scheme, any observed effect within this temporal framework could hint at a broader mechanism.

The timeline's insights are applied to a *bsts* autoregressive forecasting model<sup>3</sup>. This

<sup>2</sup> *Capigruppo* refers to the heads of organized Parliamentary groups

<sup>3</sup> *bsts* R package: Bayesian Structural Time Series

model uses past weekly cohesion values and dummy variables for legislated policy areas to predict a cohesion score four weeks after its last observation. Dummy variables are crafted to signify score underestimation or overestimation. Subsequently, the number of times cohesion has been overestimated (or underestimated) over the past three weeks is lagged to align with the next legislative session, forming the new independent variable in our model.

## 2.4 Results

### 2.4.1 Cohesion and Executive Action

The regression outcomes reveal that without fixed effects, neither the DRICE index nor the other variables utilized in this paper are significant. However, once government-level fixed effects are incorporated, both the base and adjusted DRICE index become significant. In contrast, the STM remains non-significant when applied to the weekly values of the dependent variable. These findings suggest that in the context of Italy, cohesion's role as a predictor of executive action is relatively minimal. Given the inherent cohesiveness of parliamentary systems, especially Italy, this isn't unexpected. Out of the 1666 voting sessions from the primary dataset, only 27 instances saw the number of dissenting MPs from the majority surpass the *RiskGap*. Furthermore, not only are government bills rarely defeated, but cabinets often resign even before potentially unsuccessful no-confidence votes. As such, for Italian governments, cohesion (as represented by dissenting votes) isn't a primary concern.

However, when fixed effects are employed to account for government-level confounders, the DRICE index emerges as positive and significant. This suggests that while cohesion's influence may be limited, it still plays a role in the deployment of unilateral decrees. A unit increase in the cohesion score over a three-week period doesn't influence the number of decrees introduced. However, it does enhance the probability that, three weeks later, a legislative proposal will be presented as a decree rather than a standard legislative project by a factor of 1.24. This supports the notion that decrees have evolved into a more direct substitute for conventional legislation in Italy. It also underscores the phenomenon of consensus riding within the Italian parliament: when cabinets are confident of the chamber's backing, they are more inclined to legislate via decree, knowing that no significant opposition will emerge from the chamber.

	Weekly average	Weekly ratio	Weekly average	Weekly ratio
(Intercept)	0.42	0.36	-1.33	-0.45
	0.60	0.70	0.72	0.71
Adjusted RICE	-0.26	0.49	1.67	1.24*
	0.56	0.75	0.77	0.94*
sigma		0.33		0.33
		1.00		1.00
FE	NO	NO	YES	YES

Table 2.1: Adjusted RICE index with and without FE

### 2.4.2 Expected cohesion and unilateral action

Given the findings from the prior section, it's imperative to discern if cabinets genuinely utilize their assessment of cohesion as a tool to modify their legislative approach. This paper seeks to determine this by integrating an interaction model between the DRICE index and the overestimation (under) variable, which was derived from a *bsts* autoregressive model. To account for potential confounders, government-level and legislature-level fixed effects are incorporated.

The variables representing over and underestimations derive their variance from two primary sources, leading to two potential relationships with the dependent variable. The first is the level of expected cohesion. A higher expected cohesion increases the likelihood of decrees due to the consensus-riding effect. The second is the updating process, which is based on the difference between predicted and actual values. A positive effect from updating based on overestimation suggests that even when observing less cohesion than anticipated, the cabinet remains undeterred from issuing decrees. On the other hand, a negative effect might indicate a shift away from the consensus-riding effect, suggesting that the chamber might be less receptive to executive legislation.

It's essential to note some considerations. Firstly, expectation and updating can operate in opposing directions, especially when one of the components aligns with cohesion. In such cases, the interaction's coefficient and its interpretation become crucial. Secondly, consensus riding can coexist with dissent management. This duality might be present when the majority's preferences align with the government's, and the executive action procedure effectively counters filibusters and dissenting MPs. In other words, even cohesive majorities can be affected by considerable levels of legislative infight and drafts can have a hard time seeing the light. When the executive procedure proves effective at reducing the ability of MPs to delay or modify legislation, decrees can become a tool of dissent management as well. Italy might exemplify this scenario.

The model's outcomes seem to corroborate this interpretation. When interacted with "overestimation", the DRICE coefficient becomes more pronounced and significant. Overestimation itself is positive and significant but smaller, hinting that the consensus-riding



effect may not be the sole driving force. When there's heightened cohesion, decrees are issued more frequently. However, overestimating cohesive voting behavior might indicate caution on the executive's part. Possibly, the executive interprets overestimation as a signal that the floor is growing discontent with the use of unilateral action, or it fears that overconfidence will ultimately backfire

This understanding also clarifies the results related to "underestimation". When cabinets anticipate a contentious voting session, there is less opportunity to enjoy consensus-riding. As earlier, perhaps the executive can sense discontent throughout the majority for the use of decrees which suggests parsimony. At the same time, when the cabinet notices that cohesion is not so bad, the updating component correlates with more executive action. This part of variance seems to be acquired by the interaction term at the detriment of the DRICE index. It is important to notice that all sources of variance across the right-hand side of the model are in line with the consensus riding effect and both underestimation and the interaction tap into the same mechanism as the one we expected for cohesion. Under this perspective, it cannot surprise that its variance has been eaten up by other components. A more simplified version of the DRICE index, without the adjustments suggested by Desposato [Desposato (2005)], behaves in the same way and the results can be found in the additional material.

In conclusion, despite the significance of the coefficients, the magnitude of the studied phenomenon is relatively minor. In a cohesive parliament like Italy's, minor variances in cohesion are unlikely to significantly predict future unilateral action trends. A posterior analysis of average predicted probabilities indicates that the overall effect on decrees, given the most frequent values of the independent variables, is minimal (3.2). This evidence is also supported by the fact that the same models that were significant for the DRICE index were non-significant for the STM. The STM measure was developed for the very reason of measuring how the immediate threat to the passage of legislation correlated with the use of executive decrees. Its non-significance cannot be surprising in a scenario where credible threats to legislation are extremely rare. Nevertheless, it does not disprove that, however tiny, cohesion-based feedback between cabinet and legislature exists along the lines of the evidence gathered through the DRICE index.

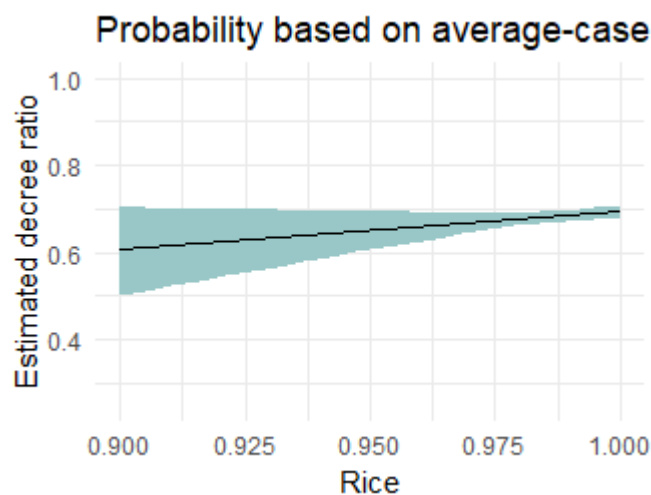


Figure 2.2: Average posterior probabilities

	Weekly average	Weekly ratio	Weekly average	Weekly ratio
(Intercept)	-8.32	-3.06	-0.51	0.23
	0.93	0.90	0.58	0.60
Rice	8.71*	3.89 * *	0.91	0.53
	0.94	0.95	0.64	0.72
Overestimation	2.65*	1.23*		
	0.90	0.92		
Rice*Overestimation	-2.66*	-1.26*		
	0.90	0.92		
sigma		0.33		0.33
		1.00		1.00
Underestimation			-3.77*	-1.00
			0.93	0.85
Rice*Underestimation			3.77	1.03
			0.93	0.85
FE	YES	YES	YES	YES

Table 2.2: Correlation between expectation, updating and executive action

## 2.5 Conclusion

The paper has attempted an analysis on the relation between voting cohesion and the use of executive action by Italian cabinets from 2001 to 2018. Correlational evidence from a Bayesian analysis finds that cabinets take advantage of periods of cohesion to issue more executive decrees. However, observing less cohesion than expected incentivizes executives to moderate this practice. This corroborates the "consensus riding hypothesis", suggesting that cabinets tend to exercise larger legislative jurisdiction when ruling over a cohesive majority. Nevertheless, the Italian Chamber of Deputies is a very cohesive body on average, as far as voting behavior shows. The magnitude of the effect is therefore small, suggesting

that patterns of voting behavior may not be the most important determinants of unilateral action. These findings expand our understanding of legislative strategies employed by governments in Parliamentary democracies.

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# Chapter 3

## Executive decrees and the Public Opinion: The Demand-side of Unilateralism

This study examines the implications of executive decrees in Italy, focusing on their impact on legislative processes and public perception. Utilizing a novel comprehensive dataset, we find respondents evaluate legislative drafts conditioning on the legislative procedure employed. In particular, executive action decreases the support by around 10%. Political affiliation and legislative content further influence public evaluations. While the use of decrees does not directly enhance satisfaction with the government's performance, it does shape perceptions of governmental efficiency and responsiveness. The research underscores the strategic use of decrees to frame issues as urgent, raising concerns about the potential balance shift from the legislative branch in favor of the executive. The findings offer insights relevant to legislative dynamics in parliamentary democracies.

### 3.1 Introduction

The use of executive decrees in Italy has grown to significant proportions. With the rising popularity of decrees as a legislative instrument, their application across various policy areas has expanded. This trend has alarmed many observers, who caution against the diminishing legislative authority of the parliament Celotto (1997). Beyond these concerns, the frequent issuance of decrees presents tangible challenges. The Italian Parliament, inundated with a high volume of decrees, struggles to effectively process and oversee legislation<sup>1</sup>. This influx can result in legislative overproduction and a diminished capacity for leg-

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<sup>1</sup>Openpolis, I problemi legati all'abuso della decretazione d'urgenza, <https://www.openpolis.it/i-problemi-legati-allabuso-della-decretazione-durgenza/>

islative scrutiny, potentially undermining transparency, accountability, and the quality of legislative output Gratton et al. (2021). Consequently, discerning the factors driving the use of executive action becomes crucial.

Much of the existing literature focuses on the institutional determinants of executive action, emphasizing the trade-offs that influence prime ministers' increasing reliance on decrees Carey & Shugart (1998). A prevalent explanation is the Italian executive's limited agenda-setting power. Given that cabinets cannot freely schedule their bills on the legislative calendar, they resort to decrees to compel the chamber to address pressing issues Kreppel & Della Sala (1998). Another perspective links the rise of decrees to fragmented executives and the presence of numerous institutional veto players Pereira et al. (2005). The challenge of maintaining stable majorities in the chamber often results in delays in bill approvals through standard legislative procedures. Yet, decrees also serve as a potent communication tool for governments. In recent times, cabinets have strategically named decrees—like the “Decreto Aiuti”, “Decreti Sicurezza”, and “Decreto Dignità”—to resonate with public sentiment. This raises the question: does the electorate view the issuance of decrees favorably, or do they penalize the cabinet for such actions?

This paper seeks to address these queries using a survey experiment, incorporating both a conjoint component and a single-blind treatment. The findings suggest that respondent support for legislative drafts is influenced by the chosen legislative procedure. Not only can individuals distinguish between decrees and standard legislative processes, but the choice of procedure also significantly affects their support. On average, there's a prevailing negative sentiment towards unilateral actions. Specifically, opting for an executive procedure reduces approval rates by 10%. Intriguingly, even with a balanced sample and controls for ideological biases, more progressive reforms witness a dip in support. While the use of decrees doesn't necessarily enhance overall satisfaction, it does increase the likelihood of respondents associating the government's actions with efficiency and promptness. The data underscores that cabinets deploy decrees as a signaling tool, emphasizing the urgency but failing to communicate commitment for a given issue.

Subsequent sections of this paper will detail the rationale for the five hypotheses under examination, describe the survey experiment and empirical approach, and delve into the results, providing a comprehensive discussion of both causal findings and relevant marginal probabilities.

## 3.2 Executive Action and Popular Support: Five Hypotheses

Numerous studies have demonstrated that the American public closely observes and evaluates U.S. presidents based on their use of unilateral action. These studies consistently indicate that voters tend to disapprove of unilateral action, sometimes even penalizing presidents for such measures Reeves (2011), Reeves & Rogowski (2022, 2018, 2016, 2015), Christenson & Kriner (2019), Lowande & Shipan (2022). While some scholars have ventured to compare attitudes towards unilateral action across various political systems Chu & Williamson (2022), there remains a gap in large-scale empirical studies specific to the Italian context. This paper aims to bridge that gap, exploring whether Italian voters consider the legislative procedure when assessing legislative drafts and if the use of decrees influences support for individual drafts or overall government performance.

- **Hypothesis 1:** *Voters' evaluation of a legislative draft is influenced by the cabinet's chosen procedure.*
- **Hypothesis 2:** *Voters favor the ordinary legislative procedure over unilateral action.*

This research also delves into potential context-dependent mechanisms that could account for the prevalent use of unilateral action. In Italy, executive decrees, as outlined in Art. 77 of the Italian Constitution, are constitutionally recognized tools intended for policy initiation during urgent or emergency situations. However, their contemporary application often extends beyond these stipulated conditions, suggesting that governments might employ decrees to signal their responsiveness to pressing issues. By emphasizing urgency, governments could potentially rally public support and dominate public discourse.

During crises or emergencies, the executive branch might consolidate public opinion, amass additional powers, and even exert influence over elected assemblies Rossiter (1948), Howell & Rogowski (2013). An examination of executive action during the COVID-19 crisis by Lowande and Rogowski revealed an anomaly: contrary to prior findings, the public's policy evaluation remained consistent regardless of the implementation through executive action Lowande & Rogowski (2021). This suggests that governments might be incentivized to frame decrees as protective measures during imminent crises. While research on the endogeneity of crises remains limited Bills (2022), understanding this dynamic is pivotal to discerning the relationship between executive action and government support. This paper seeks to determine if voters perceive policies legislated by decree as more urgent and to analyze the correlation between unilateral action and perceptions of government efficiency and responsiveness.



- **Hypothesis 3:** *Utilizing executive action enhances support for the cabinet.*
- **Hypothesis 4:** *Cabinets employing executive action are perceived as more efficient.*
- **Hypothesis 5:** *Cabinets use executive action as a signal to voters, emphasizing the urgency and commitment to an issue.*

### 3.3 Data and Methods

This study utilizes a survey experiment divided into two segments: a conjoint experiment and a single-blind treatment. The conjoint experiment is designed to address Hypotheses 1 and 2, while the single-blind treatment explores the relationship between executive action, perceived urgency, and government support. The survey, conducted by Dynata in September 2023, yielded responses from approximately 2000 Italian adults.

For the conjoint experiment, participants were tasked with evaluating two legislative proposals, each characterized by three attributes: the ideological stance of the cabinet, a brief outline of the legislative proposal, and the procedure used. The ideological attribute has three levels, mirroring the types of governments Italy has seen over the past three decades: centre-left, centre-right, and technocratic. The "grand coalition" government type was excluded because it is not necessarily well-known by the public. Secondly, almost all instances of grand coalition have occurred under technocratic executives, creating possible redundancies and noise in the data. The second attribute provides a concise description of the draft's content, with four variations: two related to immigration and two to education. The choice of these policy areas reflects the varying urgency associated with different issues. The survey was delivered in a time when the refugee crisis was tragically severe and a very hot political talking point. The management of the influx of refugees may require swift legislation, which would be appropriately delivered by decree. In contrast, education, less urgent in nature, might not necessitate such a unilateral approach. Each policy area presents a conservative and a progressive option to control for mismatches in preference elicited by partisan affiliation.

Participants were presented with a vignette containing two randomized policy proposals. Each task is repeated four times. Similarly to Reeves and Rogowsky (2018) and Chu Williamson (2022), both policy proposals have to be evaluated with a numerical value between 0 and 10. The difference in terms of numerical evaluation communicated the preference of the respondent towards one or the other. This process was repeated four times. The numerical difference in evaluations indicates the participant's preference, serving as the dependent variables for Hypotheses 1 and 2.

Given the nested structure of evaluations and preferences within individual respondents, I employ a varying intercept model with a thick-tailed half-T prior on individual-level intercepts to account for individual differences. The priors on the general intercept and on the coefficients are slightly informative and normally distributed around zero. This model gauges the average marginal component effect of each attribute. Subsequently, marginal means were computed to elucidate the nuanced preferences over procedures within significant respondent subgroups.

To address Hypotheses 3, 4, and 5, a single-blind treatment experiment was implemented. Participants were presented with a vignette detailing a legislative draft introduced by a hypothetical cabinet. They were then randomized between two legislative drafts, one addressing an industrial pollutant spill and the other proposing a regulation on train ticket prices to areas with declining populations. A treatment group received a vignette where the cabinet addressed one of the two issues via decree, while a control group saw the draft proposed through the standard procedure. Similarly to the conjoint model, the two policy areas are meant to control for the variance in the dependent variable that is attributable to the urgency of the issues rather than to the procedure itself.

Respondents are then asked questions a series of questions related to the draft and the intentions of the cabinet. More precisely, they are told to rate their satisfaction with how the cabinet has approached the issue. They are also asked whether they think the cabinet aims to communicate that an issue is urgent matter and whether it is taken at heart. Finally, they are invited to choose 3 words from a set of 16 adjectives related to speed and efficiency (8 positive and 8 negative).

Contrarily to the conjoint component, responses from the single-blind treatment are not nested within individuals. For this reason, the paper employs a Bayesian multinomial model without random intercepts. As earlier, the priors for the coefficient and the intercept are slightly informative, centered around zero and normally distributed.

## 3.4 Results and Discussion

### 3.4.1 Legislative procedure and public approval

The primary outcomes of the conjoint experiment are derived by regressing experimental attributes against preference evaluation scores. To account for minor imbalances in the randomization, I incorporated multiple sources of variation in a secondary specification. As depicted in figure 3.1), the use of decrees as a legislative method decreases support for a draft by approximately 10 percent (table 3.1), affirming H2. This trend persists across the entire sample, irrespective of whether respondents were provided with an explanatory para-

graph detailing the differences between standard legislation and unilateral actions. Table 1 presents a comprehensive list of coefficients, highlighting several key points that warrant deeper exploration.

A notable observation is the negligible effect of the explanatory paragraph, which parallels the non-effect of self-reported prior knowledge of political systems. Grasping how the capability to differentiate legislative procedures influences the assessment of legislative drafts is pivotal for addressing H1. The data suggests that access to the explanatory paragraph doesn't markedly alter outcomes. The graphs, specifically the marginal mean draft evaluations based on varying levels of political knowledge (figure 3.2), provide further clarity. The graph on the top illustrates that while evaluations appear more varied for those exposed to the explanatory paragraph, the overall influence of this supplementary information is minimal. The central plot underscores that as individuals' political knowledge intensifies, their average draft evaluations rise. This distinction becomes particularly evident when considering evaluations from those with minimal or no self-reported political knowledge. Such individuals not only exhibit more skepticism but also demonstrate heightened caution towards executive decrees. It's plausible that moral, ethical, or ideological considerations might replace knowledge as evaluation heuristics. In this regard, Reeves and Rogowsky find that respect for the rule of law negatively impacts approval for executive action Reeves & Rogowski (2016). Once primed with additional pieces of information though, those who admit to lack expertise on the matter seem to be more prone to update their evaluation. Consequently, the final graph in Figure 1 reveals that offering the explanatory paragraph to politically uninformed individuals considerably diminishes their approval of decrees.

So far, the evidence suggests that supplementary information predominantly influences evaluations of those lacking prior expertise. This infers that respondents can effectively differentiate between legislative procedures and condition their evaluations accordingly. Hypothesis 1 is thus substantially validated. However, evaluations appear linked to two other significant variance sources, despite analyzing a well-balanced survey. The initial variance source is political affiliation. As illustrated in figure 3.1, transitioning from a technocratic to a center-left cabinet adversely affects respondent approval. In contrast, a shift from technocratic to center-right doesn't significantly modify approval levels. A parallel trend emerges when assessing the influence of legislative content. Drafts aligned with liberal stances are notably less favored than their conservative equivalents. Yet, the conservative subgroup, in terms of party affiliation, mirrors its leftist counterpart in both sample composition and effect magnitude. This suggests that a substantial portion of left-wing voters

also prefer more conservative policies. However, allegiance to the Meloni administration and a more conservative party affiliation do not necessarily equate to heightened unilateral action support. Concurrently, conservative respondents consistently express greater approval too all drafts compared to their liberal counterparts, especially pronounced among staunch Giorgia Meloni supporters.

Pertinent ethical judgments potentially influencing these estimates relate to the values of compromise and decisionism in democratic contexts. This research categorizes individuals who assign high value to political compromise as "parliamentarists." Such individuals advocate for consensus-driven decisions respectful of political minorities and believe that parliamentary processes should constrain the executive power. Conversely, "decisionists" criticize the slowness of democratic deliberations, championing a more dominant executive role. These attitudes are gauged through two key questions:

- How strongly do you agree with the following statements: "Parliamentary procedures are slow and inefficient. Elected governments should be free to legislate as they prefer"?
- How strongly do you agree with the following statements: "Parliamentary protocols are vital for curbing executive power and safeguarding minorities. Governments, even if victorious in elections, must legislate bound by the agreement of the forces represented in parliament"?

Logically, decisionist-leaning individuals should exhibit favorable views towards unilateral actions, with parliamentarists expected to lean the opposite way. However, those expressing strong agreement or disagreement with either statement don't display markedly different behaviors. As figure 3.3 showcases, approval trajectories for drafts and procedures closely align, suggesting that prior commitments to parliamentarism or decisionism offer limited explanatory value. Similarly, factors like income and educational levels do not significantly influence decree preferences, as no subgroup demonstrates distinct preferences.

### 3.4.2 Executive action and government support

This study evaluates hypotheses 3-5 using a single-blind experiment. The baseline and full models, which incorporate various controls, are presented in tables 3.2 and 3.3. Hypothesis 3 posits that respondents exposed to a legislative proposal issued by decree should exhibit heightened satisfaction with government performance. Yet, the models do not identify a direct causal link between executive action and satisfaction with government activity.

Notably, respondents displaying the most satisfaction are those presented with the environmental reform treatment, a policy addressing the urgent issue of pollutant spillover. Irrespective of the legislative method used, respondents recognize the gravity of the situation and reward the cabinet's proactive stance (figure 3.4).

While the treatment itself doesn't directly boost government satisfaction, treated participants more frequently use positive descriptors related to swift execution and efficiency (figure 3.5). Thus, legislative proposals issued via decree do garner favorable feedback. The top five descriptors used by treated respondents to characterize the cabinet's legislative approach are "Sensible, Effective, Adequate, Suitable, and Superficial". In contrast, the untreated group's top five are "Suitable, Sensible, Superficial, Adequate, and Ineffective". Among these, the untreated group includes an additional negative term, and "effective" is supplanted by its antonym. Intriguingly, while treated participants more frequently use positive speed-related terms, the most prevalent descriptors pertain to efficacy. This is surprising given that decrees' primary advantage is their swift implementation, designed for urgent scenarios. Terms like "sensible" and "effective" seem more apt to describe structural reform leading to greater advantages in the long term. This discrepancy likely stems from ingrained attitudes towards democratic deliberation. Treated respondents identifying as staunch decisionists emphasize the velocity of decrees. The more discontented respondents are with the sluggishness of parliamentary compromise, the more they recognize elements of rapidity in executive legislation. On the other hand, those who are more likely to be defined as parliamentarists tend to justify executive action by emphasizing the element of efficiency.

This association between treatment and efficiency supports hypothesis 4, indicating the presence of positive reinforcement. However, executive action fails to convey commitment to the issue (figure 3.7). This could have been a double-edged sword. On one hand, it fosters accountability by communicating to voters that an issue has a high priority on the agenda. Executives who are unable to solve issues that they deem important can be punished at the polls. On the other, frequent executive actions and shifting priorities can impede voters' ability to monitor successes and failures. The lack of a causal link between commitment and executive action indicates that cabinets may try to shield themselves from the responsibility arising from policy failures. If decrees are communicated as a tool employed by the the compelling nature of the policy challenge rather than a deliberate choice of the executive, cabinets can argue for the inefficiency of legislative procedures as opposed to low quality of legislation.

In light of this, the results on communicating of urgency are particularly illuminating

because it could also contribute to lower degrees of accountability. In fact, treated participants more readily perceive the cabinet's portrayal of issues as urgent (figure 3.6). This is a critical mechanism that links executive action with the balance of power between the government and parliament. This tactic, framing matters as pressing, is widespread. The spectrum of an imminent crisis can unify supporters and sterilize criticism. At the same time, by leveraging on a sense of immediate need, cabinets may acquire greater power and influence. Italian respondents recognize this strategic use of decrees to amplify urgency. While this doesn't directly boost satisfaction or alter procedural preferences, cabinets employing this tactic are deemed more effective. This insight is pivotal for comprehending the interplay between executive power, crisis politics, and potential democratic backsliding. Surely, further research needs to investigate the extent to which a reinforcing cycle exists between decree issuance, government popularity and threat to democratic representation.

	Draft evaluation	Draft evaluation
Legislative procedure (Decrees)	-0.09*	-0.10*
	(0.98)	(0.98)
Ideology (Center-right)	0.02	0.00
	(0.64)	(0.53)
Ideology (Center-left)	-0.09	-0.10*
	(0.94)	(0.96)
Content (Education - liberal)	-0.71*	-0.70*
	(1.00)	(1.00)
Content (Immigration - conservative)	-0.16*	-0.14*
	(0.99)	(0.98)
Content (Immigration - liberal)	-0.76*	-0.74*
	(1.00)	(1.00)
Explanatory paragraph	-0.02	0.02
	0.59	0.59
Knowledge (self-reported)		0.08
		(0.91)
Decisionism		0.15*
		(1.00)
Parliamentarism		0.07*
		(0.96)
Immigration (determinant of gvt support)		-0.00
		(0.53)
Education (determinant of gvt support)		0.03
		(0.89)
Immigration (relevance)		0.11*
		(1.00)
Education (relevance)		0.07*
		(1.00)
Immigration (urgency)		-0.01
		(0.62)
Education (urgency)		-0.02
		(0.79)
Employment (Retired)		-0.21*
		(0.94)
Employment (Student)		-0.07
		(0.67)
Employment (Unemployed)		0.27*
		(0.98)
Support for Meloni		0.36*
		(1.00)
Income		0.01
		(0.62)
Education		0.02
		(0.74)
Political preference (left)		0.10
		(0.69)
Political preference (other)		-0.37*
		(0.97)
Political preference (right)		-0.29
		(0.92)
sigma	2.58	2.59
	(1.00)	(1.00)

Table 3.1: Results from the conjoint analysis

	Satisfaction	Positive comment	Efficiency	Speed	Urgency	Responsiveness
Intercept	0.41* (1.00)	0.21* (0.99)	0.27* (1.00)	-1.09* (1.00)	1.52* (1.00)	0.39* (1.00)
Treatment assignment	0.09 (0.94)	0.20* (0.98)	-0.16* (0.94)	0.35* (1.00)	0.15* (1.00)	0.04 (0.77)
High/Low urgency assignment	0.17* (1.00)	0.21* (0.98)	-0.08 (0.80)	0.37* (1.00)	0.04 (0.86)	0.32* (1.00)
sigma	1.13 (1.00)				0.77 (1.00)	1.11 (1.00)

Table 3.2: Baseline treatment regression table

## 3.5 Conclusions

The magnitude of the phenomenon of executive legislation in Italy cannot be underestimated. As a larger percentage of legislation is adopted through the executive procedure, decrees have become a common feature of the political debate. This paper has examined the use of executive decrees in Italy, highlighting its implications for legislative processes and public perception. The increased use of decrees has raised concerns about the diminished role of the Italian Parliament in the legislative process. Our research shows that the use of decrees reduces public support for legislative drafts by approximately 10 percent. However, the public's understanding and perception of these decrees vary. The data indicates that individuals can differentiate between legislative procedures and evaluate legislative drafts accordingly. Factors such as political affiliation and the content of the legislation also influence public evaluation. While decrees do not directly increase satisfaction with the government's performance, they do impact how the public views the government's efficiency. Using decrees to present issues as urgent is a clear communication strategy, indicating the government's focus on specific issues. However, this approach also raises questions about its potential to shift the balance of power between the executive and legislative branches and a possible threat to accountability.

This study has provided insights into the relationship between executive action, public perception, and democratic processes in Italy. However, more research is needed. The frequent use of decrees to present issues as urgent suggests a need to explore their long-term effects on democratic representation. The relationship between the frequency of decree issuance, government popularity, and potential threats to democratic representation also requires further investigation.



	Satisfaction	Positive comment	Efficiency	Rapidity	Urgency	Responsiveness
Intercept	−0.50 (0.99)	−0.92 (0.99)	−1.09 (1.00)	−0.79 (0.97)	1.00 (1.00)	−0.80 (1.00)
Treatment assignment	0.00 (0.51)	0.27 (0.98)	0.26 (0.97)	0.36 (1.00)	0.16 (1.00)	0.07 (0.86)
Support for Meloni	0.30 (1.00)	0.54 (1.00)	0.54 (1.00)	0.29 (1.00)	0.19 (1.00)	0.31 (1.00)
Explanatory paragraph	0.06 (0.82)	0.12 (0.82)	0.17 (0.89)	−0.01 (0.53)	0.06 (0.89)	0.07 (0.86)
Environment (determinant for gvt support)	0.02 (0.78)	0.09 (0.97)	0.10 (0.98)	0.07 (0.92)	0.01 (0.68)	0.01 (0.63)
Infrastructure (determinant for gvt support)	0.04 (0.95)	−0.02 (0.67)	−0.04 (0.77)	0.01 (0.55)	0.03 (0.95)	0.02 (0.82)
Environment (relevance)	0.00 (0.57)	0.02 (0.71)	0.03 (0.72)	−0.02 (0.70)	0.01 (0.71)	0.02 (0.88)
Infrastructure (relevance)	0.00 (0.51)	−0.01 (0.55)	−0.01 (0.56)	0.02 (0.70)	−0.00 (0.54)	−0.00 (0.58)
Environment (urgency)	0.03 (0.87)	−0.01 (0.61)	−0.02 (0.63)	−0.07 (0.94)	0.00 (0.61)	0.03 (0.92)
Infrastructure (urgency)	−0.02 (0.77)	−0.04 (0.79)	−0.02 (0.64)	−0.07 (0.93)	−0.02 (0.83)	0.01 (0.63)
Party affiliation	−0.09 (0.97)	−0.12 (0.88)	−0.12 (0.89)	0.05 (0.69)	0.02 (0.70)	−0.05 (0.85)
Urgent issue	0.20* (1.00)	0.29* (0.98)	0.25* (0.97)	0.36 (1.00)	0.08 (0.95)	0.31 (1.00)
sigma	1.05 1.00				0.73 1.00	1.05 1.00

Table 3.3: Full specification models for the single-blind experiment

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## 3.6 Figures

## 3.7 Complete Questionnaire

### 3.7.1 Pre Treatment Questions

- How well do you know the process of law-making and the functioning of political systems?

- Very well
- Quite well
- Not very well
- Not well at all
  
- **How much do you agree with the following statement: "Parliamentary rules are slow and inefficient. Elected governments should be free to legislate as they prefer"?**
  - Strongly agree
  - Somewhat agree
  - Somewhat disagree
  - Strongly disagree
  
- **How much do you agree with the following statement: "Parliamentary rules are essential for limiting the executive and protecting minorities. Elected governments should legislate bound by the agreement of the forces represented in parliament"?**
  - Strongly agree
  - Somewhat agree
  - Somewhat disagree
  - Strongly disagree
  
- **How relevant are the following political areas for your private and/or professional life (0 = not important, 10 = very important)? Move the slider to make your choice.**
  - Agriculture
  - Immigration
  - Defense
  - Education
  - Environment
  - Infrastructure and Transport
  
- **How relevant are these political areas when you judge the government's performance (0 = not important, 10 = very important)? Move the slider to make your choice.**

- Agriculture
  - Immigration
  - Defense
  - Education
  - Environment
  - Infrastructure and Transport
- **Currently, how much do you think these political areas need new laws (0 = no immediate necessity, 10 = extreme need for legislation)? Move the slider to make your choice.**
- Agriculture
  - Immigration
  - Defense
  - Education
  - Environment
  - Infrastructure and Transport

### 3.7.2 Conjoint Analysis

You will be shown two tables, each with two alternative legislative proposals. The proposals will be characterized by:

1. The ideological orientation of the government.
2. A brief description of the legislative proposal.
3. An indication of whether the proposal is formulated as a decree-law or as ordinary legislation.

If you are not familiar with the difference between ordinary legislative procedure and decree-law, read the brief paragraph below. For each table, express your support for each proposal with a number from 1 to 10.

#### **Explanatory Paragraph**

The decree-law is a legislative act adopted by the government and is immediately applicable without the preliminary vote of Parliament. The chambers are convened within 5 days of the adoption of the decree and must approve it (with or without amendments)

within 60 days; otherwise, the decree expires. Article 77 of the Constitution prescribes that the decree-law can be used in times of extraordinary necessity. On the other hand, the ordinary legislative procedure requires the adoption of the same text in both houses of Parliament. The Constitution establishes that Parliament holds legislative power, and as such, there is no time limit for the adoption of any bill, which can only produce legal effects after being successfully voted on by a parliamentary majority.

### Attributes, Levels, Randomization Strategy

- **Political Orientation of the Government:** Right; Center-right, Left, Center-left, Broad agreements. Equally likely (doubles allowed).  $P = \frac{1}{5}$
- **Description:** Policy area: immigration. The legislative project makes it more difficult for international migrants to acquire political asylum; Policy area: immigration. The legislative project allows international migrants to acquire political asylum more easily; Policy area: Education. The legislative project increases the autonomy of regional governments in choosing textbooks for public schools; Policy area: Education. The legislative project limits the autonomy of regional governments in choosing textbooks for public schools. Equally likely (doubles allowed).  $P = \frac{1}{4}$
- **Legislative Procedure:** Decree-law; Ordinary legislative procedure. Both are represented in the same pairwise choice (doubles not allowed). Equally likely (doubles allowed).  $P = \frac{1}{4}$

### 3.7.3 Single-blind experiment

#### Treatment

- **Higher Likelihood of Executive Decree**

You will be shown the introductory paragraph of a newspaper article. Note that it does not refer to the current Italian government but to a hypothetical government without a predefined ideology.

The government has announced a new decree-law that regulates industrial pollution practices along the coasts. The decree provides new guidelines for the disposal of pollutants by industrial complexes and allocates funds to public environmental agencies to oversee its implementation. The decree will be effective in the coming days, and parliamentary commissions will have 60 days to amend it, approve it, or reject it.

- **Lower Likelihood of Executive Decree**

You will be shown the introductory paragraph of a newspaper article. Note that it

does not refer to the current Italian government but to a hypothetical government without a predefined ideology.

The government has announced a new decree-law that regulates train fare rates to areas affected by demographic decline. To revitalize municipalities experiencing depopulation, the decree sets a cap on the price of train tickets for those areas of the country. The decree will be effective in the coming days, and parliamentary commissions will have 60 days to amend it, approve it, or reject it.

### Control

- **Higher Likelihood of Executive Decree**

You will be shown the introductory paragraph of a newspaper article. Note that it does not refer to the current Italian government but to a hypothetical government without a predefined ideology.

The government has presented a new legislative proposal to the parliament that regulates industrial pollution practices along the coasts. The law would provide new guidelines for the disposal of pollutants by industrial complexes and allocate funds to public environmental agencies to oversee its implementation. The government has introduced the legislation in the House and it will only become effective after parliamentary approval.

- **Lower Likelihood of Executive Decree**

You will be shown the introductory paragraph of a newspaper article. Note that it does not refer to the current Italian government but to a hypothetical government without a predefined ideology.

The government has presented a new legislative proposal to the parliament that regulates train fare rates to areas affected by demographic decline. To revitalize municipalities experiencing depopulation, the law would set a cap on the price of train tickets for those areas of the country. The government has introduced the legislation in the House and it will only become effective after parliamentary approval.

### Post Treatment Questions

- **Given the information provided above, are you satisfied with how the government is regulating train fares (industrial pollution)?**
  - Extremely satisfied
  - Quite satisfied
  - Rather dissatisfied

- Extremely dissatisfied
- **Choose 3 words that describe what you think about how the government is regulating train fares (industrial pollution). ELEMENTS: (Hasty, Quick, Late, Rapid, Comprehensive, Incomplete, Adequate, Inadequate, Effective, Ineffective, Appropriate, Problem, Decisive, Impulsive, Superficial, Sensible).**
- **How much do you think the government considered the issue of train fares (industrial pollution) to be urgent?**
  - Very much
  - Quite a bit
  - A little
  - Not at all
- **Do you think the government wanted to communicate to voters that it cares about transportation policy (industrial pollution)?**
  - Definitely yes
  - Probably yes
  - Probably no
  - Definitely no

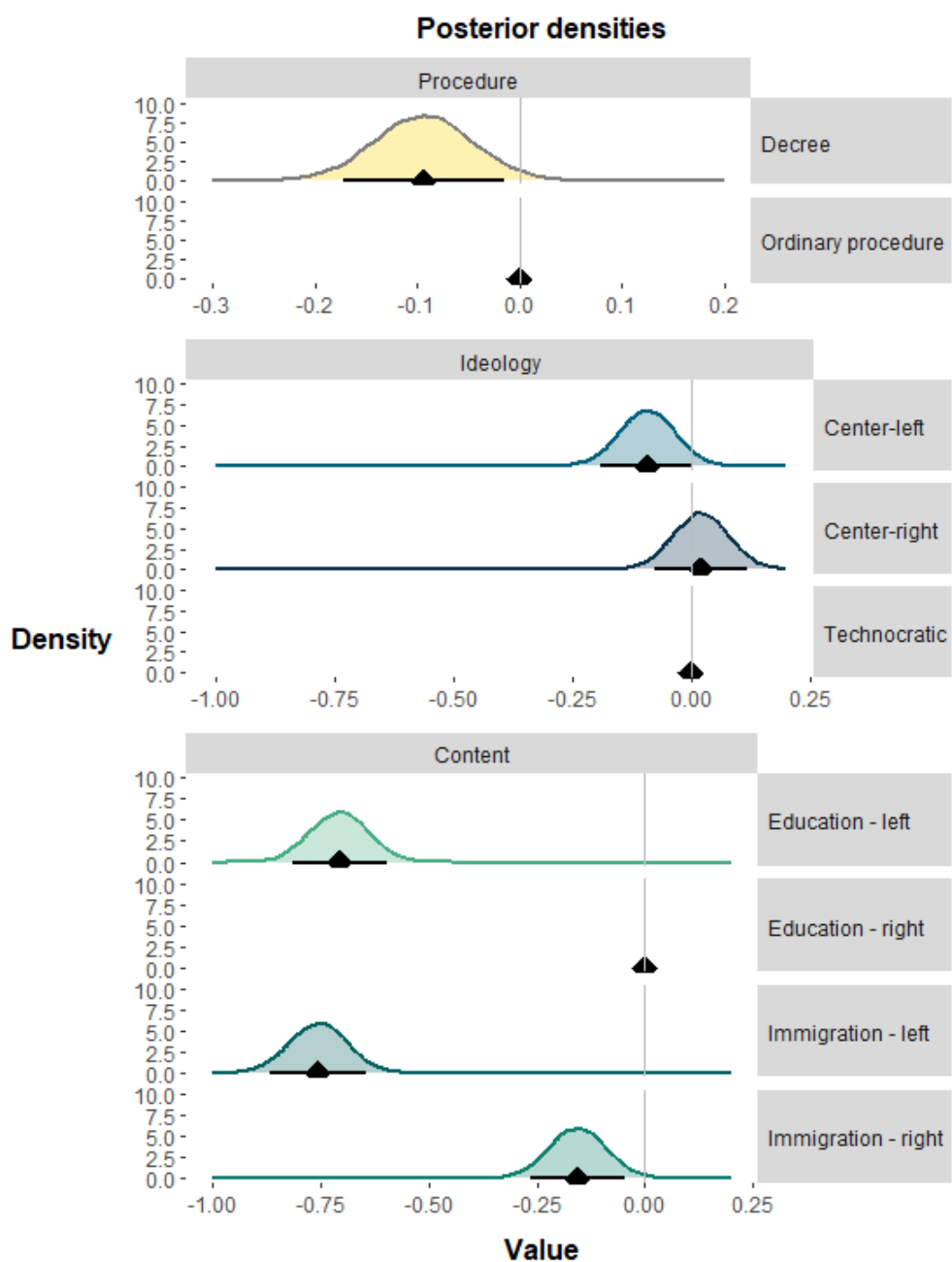


Figure 3.1: Posterior densities of attributes from the conjoint experiment



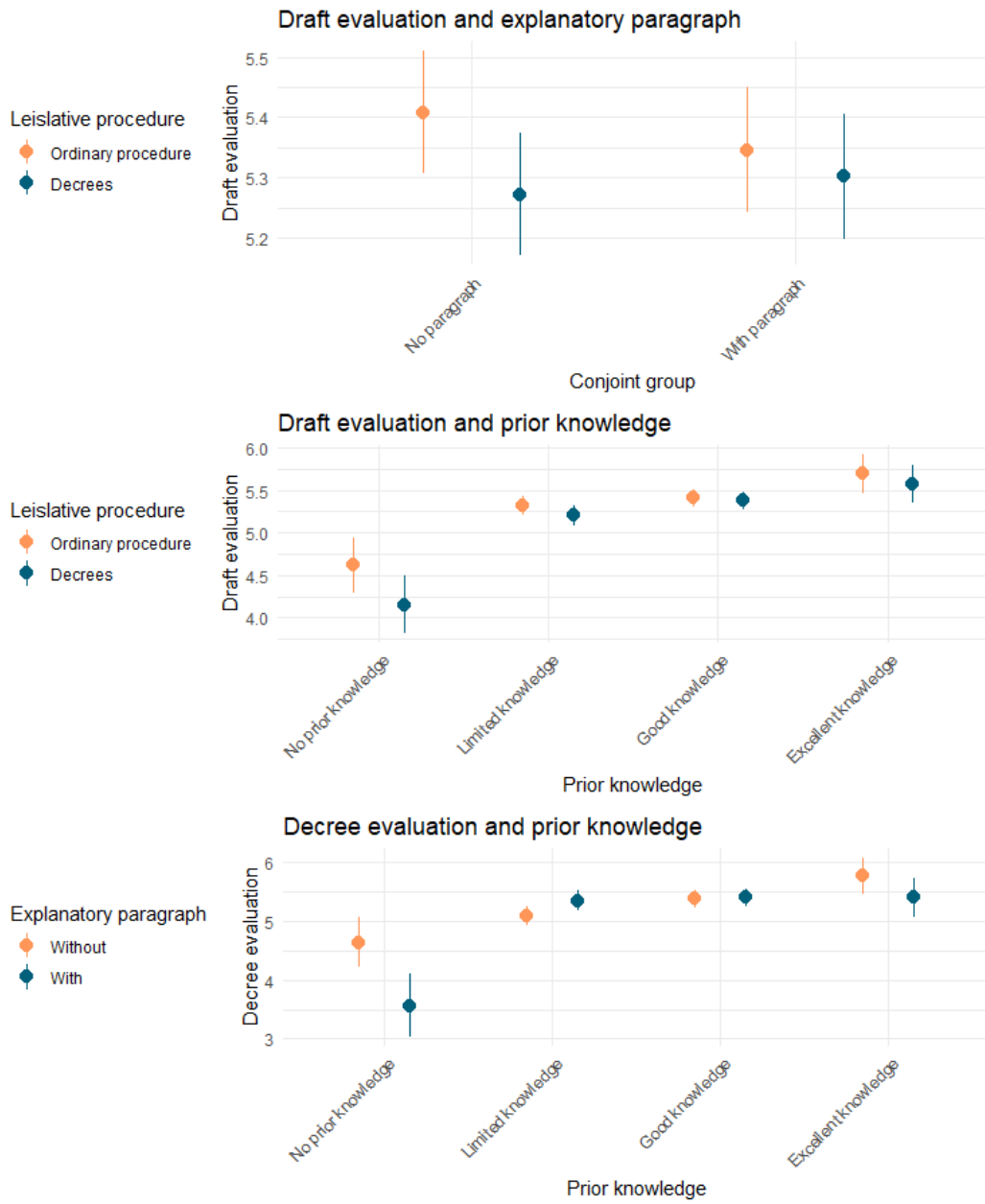


Figure 3.2: Marginal preferences and prior knowledge

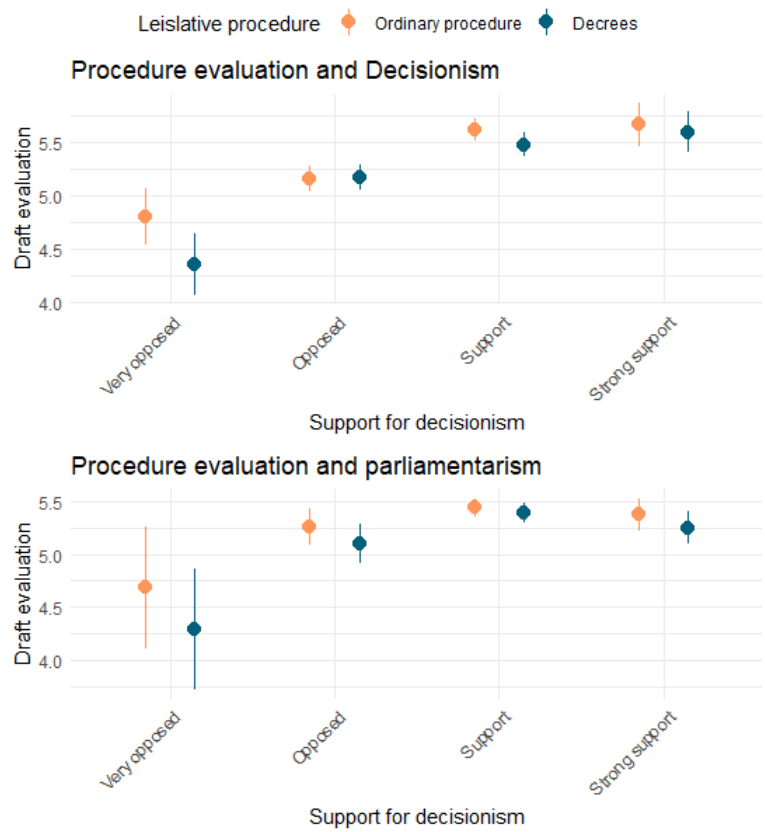


Figure 3.3: Preference evaluations and opinions about democracy

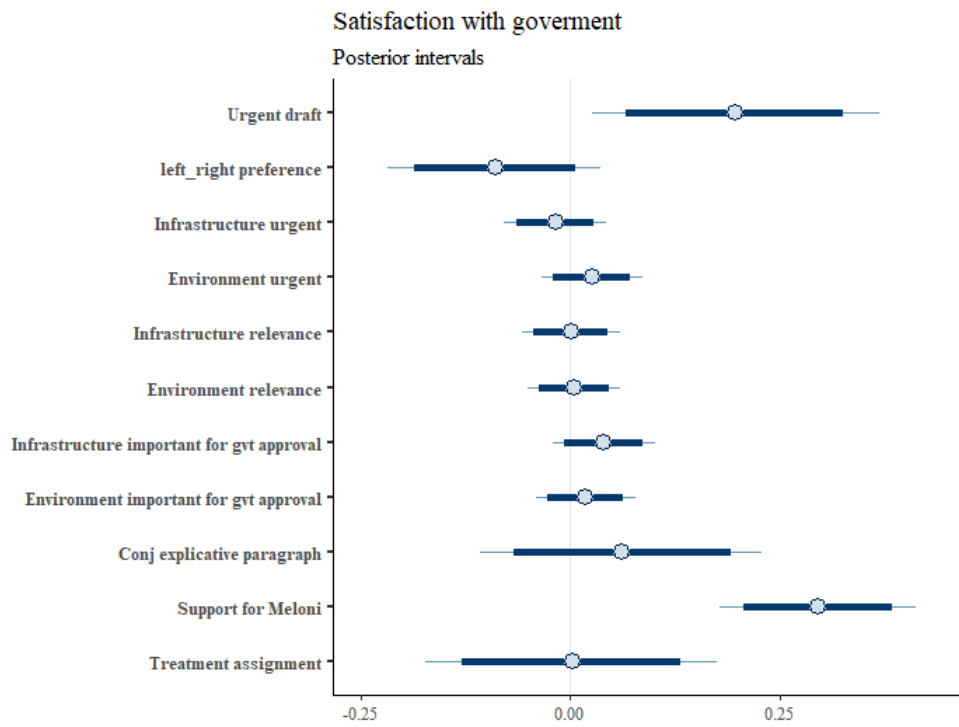


Figure 3.4: Treatment on government satisfaction

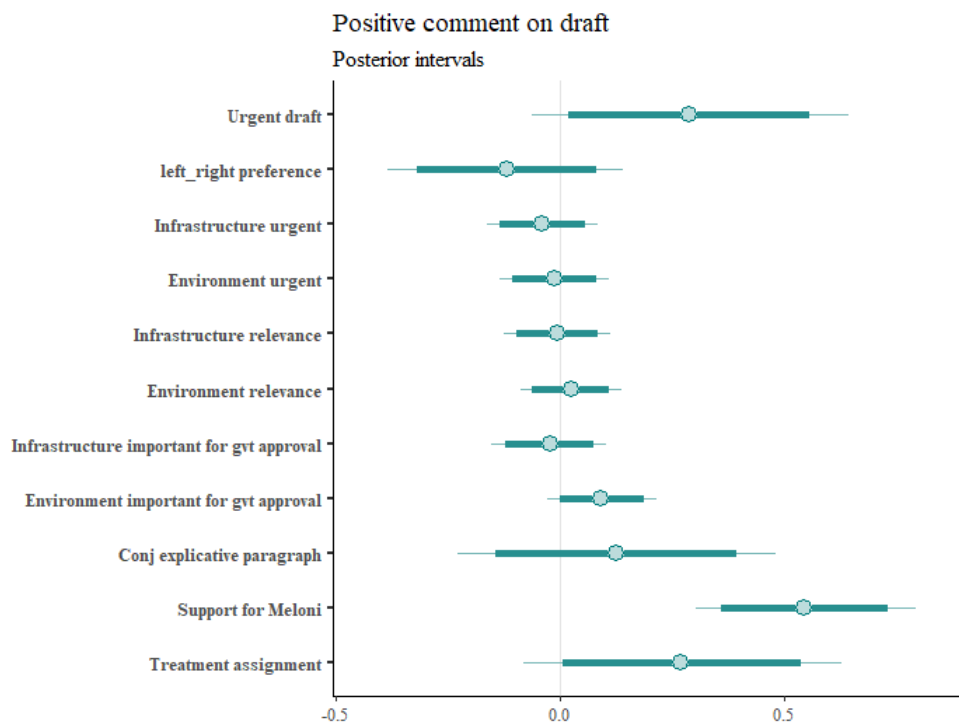


Figure 3.5: Treatment on positive comments

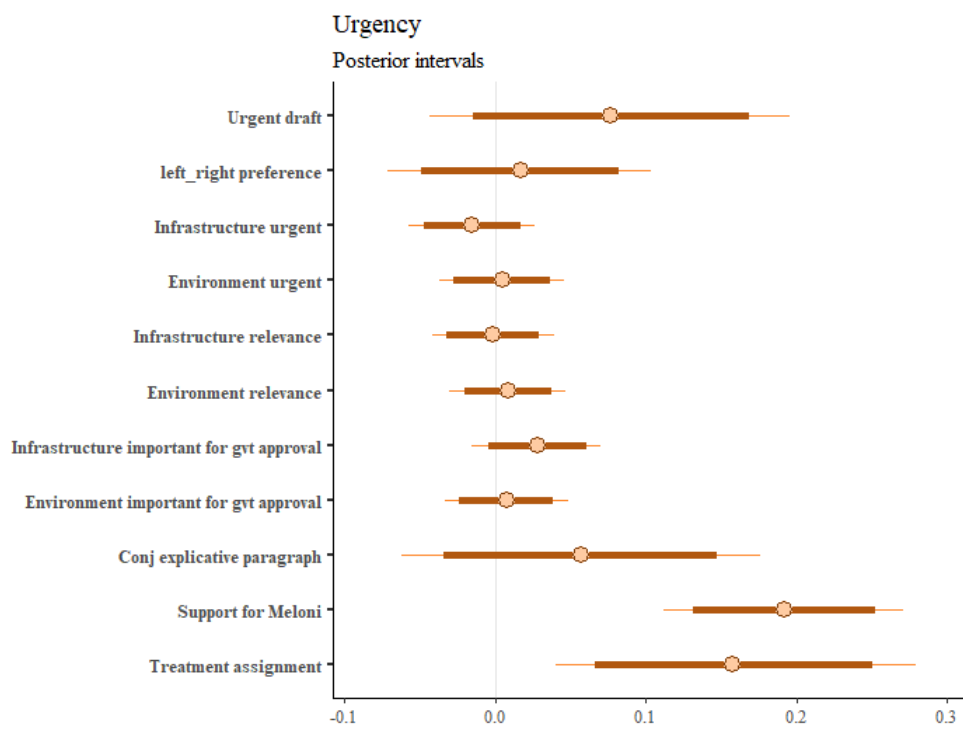


Figure 3.6: Treatment on urgency

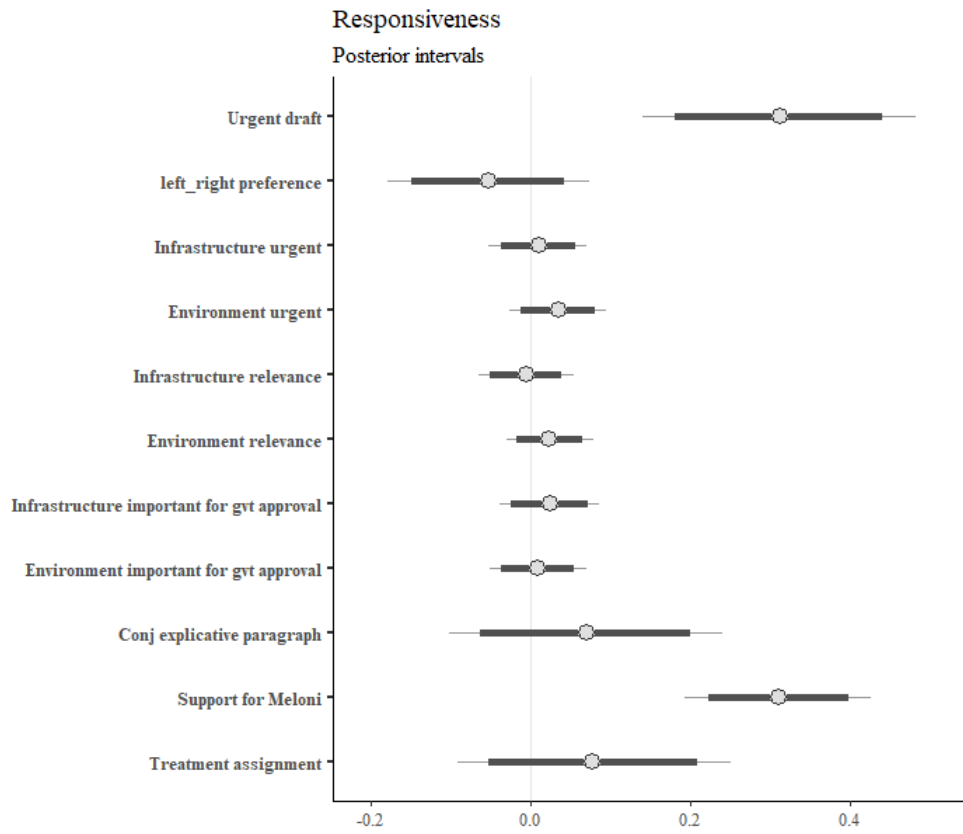


Figure 3.7: Treatment on responsiveness