research highlights

POLITICAL SCIENCE

Obey my orders

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REUTERS / ALAMY STOCK PHOTO

Executive orders are a tool for the US president to establish law directly. However, the relative ease with which these orders can be overturned by a new commander-in-chief makes them a particularly ephemeral type of legislation.

Sharece Thrower of Vanderbilt University presents a theory of executive order longevity and tests it by conducting survival analysis on orders issued and/or repealed between 1937 and 2013. Thrower finds that orders related to foreign policy, that show continuity with established law or convention, that are issued by a popular president or issued during a time of governmental division between the executive and legislative have a lower risk of repeal. The latter finding is most surprising and may reflect more moderate orders issued by politically less-secure presidents. Conversely, orders issued with weaker legal or political authority, that relate to domestic affairs, that are a central part of the issuing administration's policy goals or that confront an ideologically opposed incoming president have a higher risk of being overturned.

Research of this kind may provide insights into the longevity of the recent spate of controversial executive orders issued by the current president, Donald Trump. Future work will aim to examine how executive orders are amended.

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