Value–Actor–Procedure: An Analysis of the Legitimacy of Racially Discriminatory Policies under the Trump Administration

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Abstract: Donald J. Trump, President of the United States, has been widely characterized as a racist who unabashedly promoted white supremacist views and repeatedly targeted immigrants and ethnic minorities. During his two terms in office, he enacted numerous racist policies that precipitated a surge of racial tensions across the country. This paper examines the legitimacy of these policies by developing a three-dimensional analytical framework—value legitimacy, actor legitimacy, and procedural legitimacy—and applying it to an in-depth evaluation of Trump's racist measures. In terms of value legitimacy, these policies exhibited low efficiency, failed to uphold principles of fairness and justice, exacerbated racial inequality, and undermined the common good. With respect to actor legitimacy, they lacked broad social support during implementation, provoked strong opposition—particularly from minority communities—and destabilized social cohesion. Concerning procedural legitimacy, the policy-making process was marked by a lack of transparency and public participation, violated the rule-of-law principles, and thereby weakened the policies' standing. A comprehensive analysis demonstrates that deficits in all three dimensions of legitimacy deepened societal divisions and polarization in the United States and had adverse effects on both Trump's electoral prospects and governance.

1. Introduction

On January 20, 2025, Donald Trump was inaugurated as the 47th President of the United States, marking the beginning of his second term defined by an aggressive brand of conservative populism. Compared to his first term, Trump, leveraging Republican control of Congress and a uniformly conservative cabinet, accelerated the implementation of his "America First" populist agenda—chief among which was the aggressive crackdown on undocumented immigrants. In early June 2025, U.S. Immigration and Customs Enforcement (ICE) raided Los Angeles, arresting 44 undocumented immigrants, which immediately sparked violent clashes. This radical style of governance was rooted in Trump's calculated manipulation of conservative populism, combining white supremacist ideology with nationalism to construct an institutionalized conservative revolution. This "ideology-first" approach catered to conservative voters' anxieties over cultural identity and transformed harsh immigration policies into political symbols of power consolidation, thereby reinforcing Trump's base.

Racially discriminatory policies have become a defining feature of Trump's governance across

both presidential terms. From a public administration perspective, the legitimacy of these policies is undeniably a key factor contributing to the political instability in the United States. Why did Trump pursue racially discriminatory policies so extensively on the domestic front? What specific legitimacy issues do these policies present? And how might these legitimacy issues affect the trajectory of his second term? To address these questions, it is necessary to undertake a systematic study of the legitimacy of the racially discriminatory policies enacted by the Trump administration.

2. The Manifestation of Racism in the U.S. under Trump

As early as the 2016 presidential campaign, then-candidate Donald Trump unapologetically played the race card, igniting a deep divide within American society. After taking office, he aggressively pursued his campaign promises—suppressing minorities at home through inflammatory rhetoric and promoting an "America First" doctrine abroad by enacting numerous anti-immigration policies. During his two terms, Trump introduced explicitly discriminatory policies such as the "Muslim Ban" and the "Zero Tolerance" immigration policy, and repealed inclusive measures like DACA initiated under Democratic leadership. While these actions won support among some conservative voters, they drew fierce opposition from liberal constituencies—further accelerating political polarization and social fragmentation.

Domestically, Trump's policies ushered in unprecedented political and social dynamics. Known for his stubborn and confrontational personality, Trump persisted with his decisions despite immense pressure—a trait that emboldened many Americans who shared his views. Alongside the president, they launched an unprecedented backlash against liberal values such as racial and gender equality, and LGBTQ rights, thereby slowing the rapid liberalization of American society. After dismantling much of the liberal policy legacy, Trump and his supporters sought to revert the U.S. to a more insular and conservative era. For the first time in modern American history, the legitimacy of liberalism was openly challenged, and long-silenced conservatives found renewed voice. The divide between the political left and right deepened, plunging the nation further into division and polarization. The killing of George Floyd in May 2020 ignited this volatile environment. The ensuing Black Lives Matter movement drew global attention, and political and racial divisions in America reached an unprecedented peak. Yet, rather than acting as a national unifier, Trump openly sided with conservative white factions—stoking division, calling for violent suppression of protestors, and remaining silent on white supremacist incitement and racial violence. Through a series of inflammatory actions, Trump deepened societal fractures and intensified the chaos surrounding the protests. The chaos culminated in the January 6, 2021 Capitol riot, marking a dramatic endpoint to Trump's first term.

In January 2020, as Trump's first term ended, his successor Joe Biden swiftly repealed many of his racially charged policies, including the "Muslim Ban" and the "Remain in Mexico" program. Biden also reinstated the Deferred Action for Childhood Arrivals (DACA) program and, amid the pandemic, introduced the COVID-19 Hate Crimes Act to curb racially motivated violence and advance racial and gender equity through federal action. These measures temporarily subdued the fervor of racial nationalism among conservative Americans and signaled a retreat of overt racism in the public sphere. However, following Trump's re-election, issues of racism were once again reignited across the United States. At the federal level, Trump resumed his systematic exclusion of minorities and immigrants, signing executive orders to revoke birthright citizenship, suspend refugee admissions, and declare a national emergency at the U.S.–Mexico border. He deployed military and National Guard units for border enforcement and authorized ICE to conduct mass arrests and deportations of refugees. Even traditionally protected areas such as schools and churches were no longer exempt. In early June, anti-ICE protests that began in California quickly spread nationwide, with demonstrators

voicing opposition to Trump's racial policies. These protests have continued unabated. Evidently, in the "Trump 2.0" era, the federal government has fully revived and reinforced the racial policy agenda of his first term. The return of institutional racism has further deepened social fragmentation and polarization in the United States.

3. Theoretical Background on Policy Legitimacy

Policy legitimacy refers to the extent to which the target population recognizes and supports the policy system, its processes, and its outcomes. It involves questions of justification, reasonableness, and the ability of a policy to command public trust and loyalty. The concept originates from political legitimacy but serves as its dynamic expression in public policy. Due to its interdisciplinary and systemic nature, policy legitimacy lacks a universally accepted definition in academia. However, scholars generally agree it comprises four core elements: legality, people-centeredness, effectiveness, and justice.

3.1 Policy Legality

Policy legality requires formal compliance with the law—meaning that formulation, implementation, evaluation, and feedback processes must be legally prescribed, transparent, and well-defined. In a rule-of-law state, the law reigns supreme. All policies must be grounded in existing legal frameworks, reflecting both the authority and stability of law. Evaluating policy legality relies on the "three-fold legality" principle: legal subject (policy actors must be authorized by law), legal procedure (the process must follow statutory rules), and legal content (policy must not contradict existing law).[1] Moreover, policy and law should be mutually reinforcing in content, complementary in function, and harmonized in direction to avoid overstepping or lagging behind one another—thus ensuring a stable rule-of-law framework alongside flexible policy-making.[2] At the same time, a balance must be struck between formal and substantive legality to prevent deviation from legal norms into arbitrary rule.

3.2 People-Centeredness of Policy

The people-centeredness of a policy reflects the principle of popular sovereignty. A policy gains legitimacy by serving the public and addressing citizens' interests. Policy content must faithfully represent public opinion—especially in the digital age, where online discourse serves as a key expression of popular sentiment and deserves serious attention from policymakers. Broad citizen participation is essential to people-centered legitimacy. Governments should actively promote public involvement in both policy formulation and implementation to enhance democratic quality and policy effectiveness. To ensure broad acceptance and participation, governments must engage in proactive communication and outreach regarding policies. Furthermore, policies should balance normative ideals with practical realities, ensuring that they not only solve real problems but also align with public expectations to minimize resistance during implementation.

3.3 Policy Effectiveness

Policy effectiveness refers to the extent to which a policy meets the needs of its intended beneficiaries, making it a key indicator of legitimacy. While not sufficient on its own, effectiveness is a necessary condition for legitimacy. David Easton identified "specific support," driven by policy performance, as a core source of legitimacy. However, since policy performance may fluctuate, legitimacy cannot rely on it alone. Instead, "diffuse support"—derived from long-term trust in the

policy system—helps sustain legitimacy even when performance is lacking.[3] Thus, both specific and diffuse support are essential and complementary in sustaining policy legitimacy.

3.4 Policy Justice

Policy justice evaluates a policy from a normative standpoint. Although justice is inherently subjective, it holds veto power over legitimacy. If a policy violates the principle of justice, it cannot be considered legitimate—even if it is procedurally sound and broadly supported. Justice requires that a policy promote fairness in both formulation and execution, safeguard fundamental rights, and balance collective and individual equity. Policies should align both ends and means with justice—ensuring that pursuit of outcomes does not override fairness in process. Ignoring this balance can lead to policy failure. As the fourth dimension of legitimacy, justice must build upon legality, effectiveness, and public orientation, though it entails more nuanced moral reasoning and implementation complexity.

3.5 Constructing the Value–Actor–Procedure Framework

These four dimensions are widely regarded as the core components of policy legitimacy. A deficit in any one of them can trigger a legitimacy crisis. Legitimacy crises are a common phenomenon in all political systems, regardless of regime type or ideological orientation. They often emerge when a ruling authority's policies are no longer accepted by the public or fail to meet the basic standards of legitimacy. These crises can be categorized into three types: value legitimacy crises (stemming from lack of justice or effectiveness), actor legitimacy crises (stemming from lack of public inclusivity), and procedural legitimacy crises (stemming from lack of legality). These crises manifest as declining public trust and diminished identification with governing institutions, which in turn lead to noncompliance and disengagement. If left unchecked, such crises can drastically erode policy effectiveness, potentially resulting in governance breakdown, institutional failure, or widespread social unrest.

Based on the preceding analysis, this paper proposes a three-dimensional framework for evaluating policy legitimacy: value, actor, and procedure (Table 1). This framework will be applied in the following sections to assess the legitimacy of racially discriminatory policies under the Trump administration.

Table 1 A Three-Dimensional Analytical Framework for Evaluating Policy Legitimacy: Value, Actor, and Procedure

Analytical Dimension	Involved Elements	Specific Content
Value Legitimacy	Effectiveness & Justice	Whether it reflects public interest, justice, and efficiency
Actor Legitimacy	People-centeredness	Whether it reflects actor diversity and public acceptance/recognition
Procedural Legitimacy	Legality	Whether it complies with legal procedures, democratic systems, and scientific norms

Source: Compiled by the authors

4. Value Legitimacy Analysis of Trump's Policies

4.1 Value Legitimacy

As a reflection of governmental ethos, value legitimacy captures the alignment between state

policy and public expectations. It is characterized by the promotion of public interest, justice, and efficiency.

Legitimate policies strive to maximize the public good. In the U.S., the interests of minority groups should be integral to the public good. However, Trump's racially discriminatory policies repeatedly infringed upon their legal rights. On one hand, measures such as the travel ban and "America First" employment policies directly reduced the quality of life for immigrants. On the other hand, Trump's overt white supremacist rhetoric emboldened racists to commit acts of discrimination and violence against minorities, threatening their well-being and personal safety. Clearly, these policies did not serve the broader public interest—they catered to Trump's core electoral base while systematically excluding and harming marginalized groups.

The departure from justice in these policies is particularly stark. John Rawls, in A Theory of Justice, argued that justice entails equal access to basic rights and freedoms, and that no individual's rights should be sacrificed for the benefit of the majority. Racially discriminatory policies that arbitrarily violate the rights of minorities in the name of majority preference stand in direct opposition to this principle. Trump even attempted to invert the moral narrative by invoking the idea of "white victimhood" during discussions of the Black Lives Matter movement—portraying the minorities as aggressors while ignoring the injustices they faced.[4] This rhetorical strategy reflects the clearest expression of his racially biased ideology.

Efficiency, in economic terms, evaluates the ratio between policy costs and benefits as a key measure of value legitimacy. Trump's policies failed even this basic standard. Many faced widespread public resistance and legal challenges, significantly raising administrative costs and severely diminishing implementation outcomes. Policies like the "Muslim Ban" were eventually overturned or suspended after legal scrutiny. Even the policies that remained in effect, such as the U.S.–Mexico border wall—which cost over $25 billion during early construction—failed to meaningfully address illegal immigration or security concerns, while generating public backlash and diplomatic tension. Although Trump claimed these initiatives would "improve life for real Americans," in reality, they increased governance burdens and wasted significant public resources. [5]

Trump's policies were severely deficient in value legitimacy. Nonetheless, he appeared to view these trade-offs as worthwhile—openly enacting racially charged measures and frequently making divisive, inflammatory remarks about immigrants and minorities. His goal was to exploit racial resentment among segments of white voters to gain electoral advantage.[6] However, this strategy backfired: the erosion of value legitimacy alienated many voters and contributed to Trump's defeat in the 2020 presidential election.

4.2 Actor Legitimacy

Actor legitimacy, on the one hand, refers to the requirement that all participants involved in policy formulation, implementation, and evaluation must comply with constitutional and legal norms, and must be capable of representing the interests of various social strata and groups.[7] On the other hand, when the interests and will of diverse actors are fully expressed and reflected, their sense of recognition and satisfaction with the policy feeds back into the policy itself, thereby enhancing its legitimacy.[8] In short, public policy must ensure the participation of multiple actors throughout the entire process.

Trump's racially discriminatory policies inherently excluded actor diversity—they were designed solely to serve his core voter base. A significant portion of white Americans have long held conservative views on race and immigration, but felt silenced under the prevailing trend of "political correctness." Trump's series of anti-liberal actions reactivated this "racially conservative" group, primarily composed of lower- and middle-class white Americans. Their white supremacist beliefs

had long been suppressed by the mainstream culture of political correctness and racial inclusiveness—but Trump's rhetoric brought them back into public discourse, and in an even more radical form.[9] During the 2016 presidential election, Trump's unconventional behavior led mainstream American media to dismiss him as a clown. Yet his unfiltered rhetoric was in fact a strategic appeal to voters: by deploying emotionally charged, divisive, and hateful language, Trump successfully mobilized the "silent majority"—including blue-collar workers, the elderly, rural "redneck" whites, and middle-class individuals long suppressed by the mainstream culture of political correctness—winning over large numbers of votes from his opponents. In sum, Trump's racially discriminatory policies were an extension of his populist electoral strategy and political ideology.[10] Unsurprisingly, these policies rejected the participation of diverse actors, and therefore lacked sufficient actor legitimacy.

4.3 Procedural Legitimacy

In any modern state, the formulation, implementation, feedback, and termination of public policies are subject to strict procedural regulations. These procedures uphold the fundamental order of public administration. Procedural legitimacy generally includes three key aspects: procedural compliance, procedural democracy, and procedural rationality.

Procedural compliance requires that public policy be developed and implemented strictly in accordance with legal and constitutional procedures to ensure its legitimacy and justification. However, many of the racially discriminatory policies introduced by the Trump administration lacked adequate legal foundations and procedural transparency. For instance, the "Muslim Ban" was implemented through a presidential executive order, bypassing congressional scrutiny and excluding the public from participating in the policy-making process. Although issuing executive orders falls within the president's legal authority, the abuse of this power to enact racially discriminatory policies clearly violated the principles of procedural compliance.

The issue of procedural democracy must be analyzed by distinguishing between the periods before and after Trump's inauguration. On one hand, although Trump employed populist tactics during his campaigns, both his 2016 and 2024 election victories were achieved through legitimate democratic procedures. Many voices from the political, academic, and civil sectors raised concerns about the populist manipulation that accompanied Trump's elections. The negative effects of populism became more apparent after Trump assumed office: unlike during the campaign period, the president was no longer as constrained by voter oversight. Meanwhile, the legislature and judiciary—having experienced centuries of power erosion—had become increasingly unable to exert effective checks on the executive branch. As a result, the president was largely able to disregard democratic constraints and unilaterally implement racially biased policies aligned with his own political agenda. Despite repeated impeachment calls from various sectors of society, Trump completed his first term and returned to the White House four years later through another electoral victory. In summary, while Trump's presidency technically adhered to the procedural norms of the U.S. political system, whether the system can preserve its democratic values under the assault of populism remains a deeply contested issue.

Procedural rationality refers to the design of scientifically sound steps to achieve policy goals, grounded in value legitimacy and realistic conditions. Procedural legitimacy inherently demands that policy-making and implementation conform to principles of legality, democracy, and rationality.[7] Many of Trump's policies lacked such rational considerations. A vivid example is the construction of the U.S.–Mexico border wall. In Trump's early vision, the nation would unite to build an impenetrable wall that would completely block illegal immigration. However, once implementation began, the administration faced prohibitive costs, labor shortages, and widespread public opposition—ultimately

completing only portions of the wall, far from the original ambition. This unscientific approach led to massive waste of public resources and substantially damaged the legitimacy of the Trump administration.

5. Conclusion

The series of racially discriminatory policies implemented by Donald Trump during his presidency not only deepened racial divisions within American society but also sparked widespread controversy on the international stage. This paper constructed a three-dimensional analytical framework—comprising value, actor, and procedural legitimacy—to conduct an in-depth examination of the legitimacy of these policies. The findings reveal that Trump's racially discriminatory policies lack legitimacy on multiple fronts. From the perspectives of value, actor, and procedural legitimacy, these policies fail to embody the principles of fairness and justice, lack transparency and public participation, and fall short of legal procedural norms. Moreover, they provoked strong resistance from minority groups, immigrants, and liberal constituencies within the United States. These policies not only undermined the broader public interest but also intensified the already severe issues of social division and polarization in the United States.

As a political realist, many of Trump's seemingly irrational actions during his first term can be understood as efforts to achieve the ultimate goal of securing electoral support. His adoption of racially discriminatory policies and deliberate cultivation of social division followed the same logic. Judging from the outcomes of three elections, this unabashed strategy of appealing to a specific segment of voters enabled Trump to secure victories in both 2016 and 2024. However, the lack of legitimacy surrounding his racially discriminatory policies during his first term contributed to a loss of voter support, leading to his defeat by Joe Biden in the 2020 election. It is foreseeable that should Trump continue down the path of racially discriminatory policymaking, he will face mounting obstacles to effective governance. Whether he can successfully complete his second term remains an open question of global concern.

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