

Fairness, Threat, and the Norms-Based Model of Immigration Legitimacy

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Research question

When does immigration governance lose legitimacy because the process itself is seen as unfair?

- Asks about the *governance process*, not just immigrants or outcomes
- Backlash often follows procedural failures (undocumented entry, asylum backlogs, supranational rulings) rather than immigrant traits

From group-centric to procedural explanations

Dominant accounts

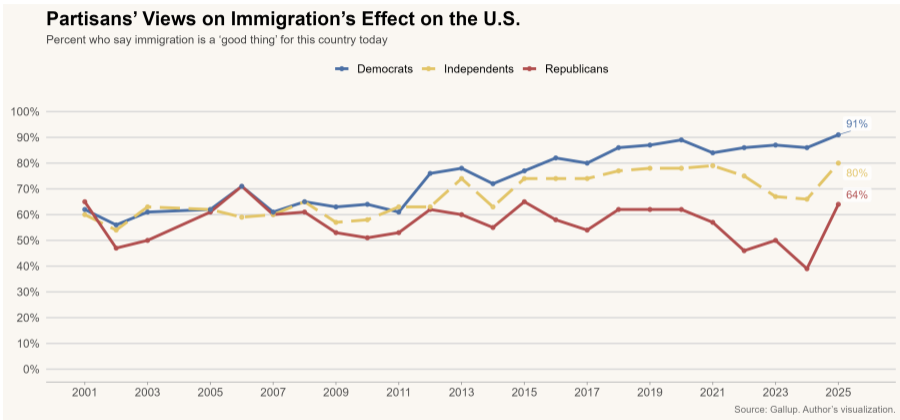
- **Group threat:** cultural and political out-group reactions (Sniderman, Hagendoorn, & Prior, 2004; Valentino, Brader, & Jardina, 2013)
- **Economic competition:** jobs, wages, fiscal strain (Hainmueller & Hopkins, 2014; Scheve & Slaughter, 2001)

What they miss: backlash that tracks *how* immigration is governed, not *who* arrives

- Perceived governmental control shifts opposition independently (Solodoch, 2021)
- Information about administrative complexity moves attitudes *toward* openness (Kustov & Landgrave, 2025)

The procedural turn: legitimacy depends on whether procedures look fair (Martin, Mikołajczak, & Orr, 2022; Tyler, 1990).

A motivating puzzle



Republican views on immigration swung sharply, then rebounded.

Group and economic accounts struggle to explain attitude shifts at this speed.

Source: Gallup. Author's visualization.

The contribution

The paper does three things:

1. Treats **fairness-based reasoning** as a distinct evaluative dimension, separate from group threat, economic competition, and distributive fairness.
2. Recasts immigration backlash as a problem of **procedural legitimacy**, specifying the mechanism from procedural justice theory.
3. Tests how the logic varies across **four regimes** that differ sharply in institutional structure.

The Norms-Based Model of Immigration Legitimacy

Bridges the civic fairness tradition (Levy & Wright, 2020) and procedural justice theory (Tyler, 1990): **one fairness schema, two applications** (to immigrants and to governance).

Empirical strategy

Two choice-based conjoint experiments, fielded in four countries.

Experiment 1: individual deservingness

Re-test Levy and Wright (2020)'s civic fairness argument in the United States and **test its portability to Germany, South Korea, and Singapore** (they presented civic fairness as a feature of American political culture).

Experiment 2: governance legitimacy

Test whether procedural violations reduce support for immigration policy **regardless of policy content or immigrant composition**.

Case selection: four regimes

United States	Polarized democracy; legality and executive overreach central to debate
Germany	Rule-oriented democracy embedded in EU multi-level governance; “external imposition” is ecologically valid
South Korea	Newer democracy; steadily rising migrant share from a low baseline; strong state tradition meets evolving immigration politics
Singapore	Hybrid regime; meritocracy and administrative order substitute for electoral accountability

Selection logic

Cases vary by regime type, immigration history, and governance institutions. The design tests scope conditions rather than assumes equivalence.

Design overview

Experiment 1

Choice-based conjoint over individual immigrant profiles

Ten paired tasks per respondent

Experiment 2

Choice-based conjoint over policy text scenarios

Factorial: four attributes, 120 cells

- Four countries, ~2,500 respondents each (~10,000 total)
- Forced choice as primary outcome; 1–7 rating as secondary
- Experiment order randomized between subjects
- Pre-registered on OSF before data collection

Experiment 1: civic fairness vs. group cues

Respondents play *policy advisor*, choosing which of two immigrants should be granted permanent residence. **Nine attributes:**

- **Fairness signals:** legality (mode of entry), integration (language, employment), humanitarian need
- **Comparison cues:** country of origin, religion, occupation (skill tier)
- **Controls:** age, gender

Hypotheses

H1. Fairness signals (legality, integration, humanitarian need) drive prioritization

H2. Fairness effects exceed group-cue effects (origin, religion)

Experiment 1: example task

1/1 [review only]

Read both profiles carefully and choose the immigrant you would prioritize to receive a permanent residence visa (i.e., a green card). Use all of the information shown in the profiles. If neither option is ideal, please select the one you prefer.

	Immigrant A	Immigrant B
Mode of Entry	Crossed the US border without authorization	Entered the US with a valid work visa
Age	40	25
Language Capacity	Conversational English skills	Limited English skills
Gender	Male	Male
Employment Status	Irregularly employed	Unemployed
Country of Origin	Haiti	Australia
Occupation	Licensed nurse	Cook
Special Considerations	Primary caregiver for a dependent (child/elder) with urgent needs	Primary caregiver for a dependent (child/elder) with urgent needs
Religion	Christianity	Catholicism

Who would you prioritize for a permanent residence visa?

Immigrant A

Immigrant B

Experiment 2: procedural legitimacy

Choice-based conjoint over policy text. **Four randomized attributes**
($3 \times 2 \times 5 \times 4 = 120$ scenarios):

- **Procedure** (4): lawful baseline, executive overreach, external imposition, procedural neglect
- **Policy area** (3): skilled labor, asylum, family reunification
- **Direction** (2): expand vs. restrict admissions
- **Composition** (5): regional origin bundles, localized per country

Hypotheses

H3. Procedural violations reduce support vs. the lawful baseline

H4. Procedure effects exceed composition (group-cue) effects

H5a. Procedure effects hold across policy areas (labor, asylum, family)

H5b. Procedure effects hold across expand vs. restrict

Experiment 2: example task

1/1 [review only]

Read both policy descriptions carefully and choose the policy you would be more likely to support as U.S. immigration policy. Use all of the information shown in the descriptions. If neither option is ideal, please select the one you prefer.

	Policy A	Policy B
Policy	The government announced it will increase the number of skilled worker visas issued each year to address labor shortages.	The government announced it will increase the number of family reunification visas issued each year by raising per-country caps and streamlining petitioning processes.
Affected Groups	This policy would primarily affect immigrants from Nigeria, Ghana, and Kenya .	This policy would primarily affect immigrants from Nigeria, Ghana, and Kenya .
Decision Process	The administration implemented this change by waiving standard procedural safeguards and review requirements, without formal legislative review. Officials argued the approach was necessary to address the situation promptly.	The President enacted this change through an executive order, bypassing congressional approval and judicial review. The White House argued that swift action was needed to address the situation.
Which Policy Would You Be More Likely To Support?	Policy A	Policy B

What we'll learn

Theoretical. People reason about fairness in two places: when judging individual immigrants (Exp 1) and when judging how immigration policy is made (Exp 2). The model claims it's **the same fairness logic in both**.

Empirical. Experiment 1 probes whether civic fairness reasoning **travels beyond the United States**. Experiment 2 isolates whether **procedure shapes legitimacy** regardless of policy content or group composition.

PAP and pre-registration are being finalized — **feedback and criticism especially welcome**

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