

Governing Immigration by the Rules

Legal Procedure, Equal Treatment, and Public Support Across Four Countries

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Do citizens judge immigration policy only by what it does and whom it affects? Or also by how the government makes and applies it?

Most of what we know is about the first two.

Recent backlash is also about how governments handled immigration, not only what they decided.



United States

Presidents set deportation and border policy by executive order, from DACA in 2012 to the 2025 deportation orders. The court fights were over the **authority to act** and **due process**.

the dispute is who may decide, and how

Tichenor 2002; Christenson & Kriner 2017



Germany

In 2015 the government admitted asylum seekers by executive decision, bypassing the EU's Dublin rules. The backlash asked whether it had **acted lawfully** or **lost control (Kontrollverlust)**.

was the law followed, is the government in control

Joppke 1999; Solodoch 2021

Yet most explanations of immigration attitudes ask who gets in and at what cost, not how the government acts.

Existing explanations, from groups to order

Group threat	In-groups react to a perceived threat from newcomers to their culture, status, and political power. Blumer 1958; Quillian 1995; Sniderman, Hagendoorn & Prior 2004; Hangartner et al. 2019
Economic competition	Jobs, wages, and services, judged mostly for the country as a whole rather than for oneself. Scheve & Slaughter 2001; Hainmueller & Hopkins 2014; Dancygier & Donnelly 2013
Control & order	Newer work. A sense of control and order, and knowing how demanding the immigration system is, raise support for immigration. Solodoch 2021; Briggs 2024; Kustov & Landgrave 2025

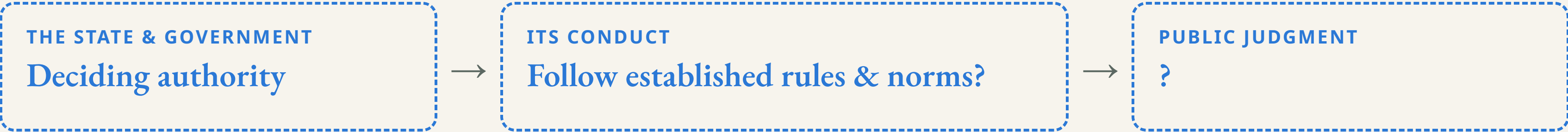
Immigrants are judged by whether they follow the rules.



Rule-following

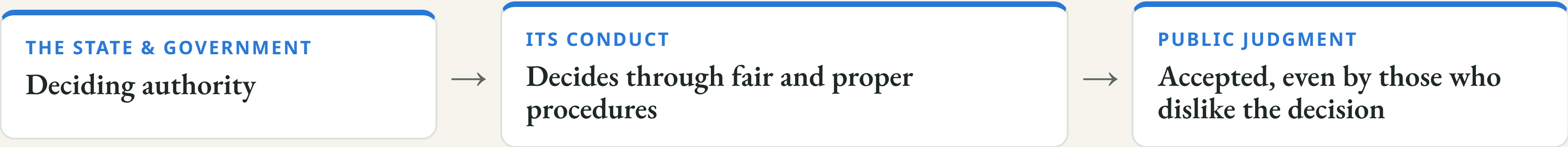
Legal entry has one of the largest effects on immigration attitudes.

Aviña et al. 2026; Levy & Wright 2020



Citizens expect immigrants to follow the rules. Do they expect the same from governments?

For governments, it is about procedural legitimacy.



Procedural legitimacy	An authority earns acceptance when it operates through fair and proper procedures. This is the basis of institutional legitimacy. Tyler 1990, 2006; Lind & Tyler 1988; Levi, Sacks & Tyler 2009
Some disagreement	On public policy, outcomes matter greatly and might outweigh process. Martin, Mikolajczak & Orr 2022; Esaiasson et al. 2019; Christenson & Kriner 2017

This study tests whether governments are held to a procedural legitimacy standard in immigration policy.

Must the government follow the rules too?

WHAT WE KNOW

Immigrants are judged by whether they follow the rules.

Aviña et al. 2026; Levy & Wright 2020

WHAT THIS STUDY TESTS

Are governments?

DESIGN

Pre-registered conjoint

COUNTRIES

4

RESPONDENTS

≈10,000

Fielded in the United States, Germany, South Korea & Singapore in **August 2026** using quota-matched online panels.

A single-profile factorial conjoint experiment

Decision process lawful baseline · executive overreach · external imposition · procedural neglect	4
Application even-handed · discretionary · unequal	3
Policy area skilled labor · asylum · family reunification	3
Policy direction expand · restrict	2
Immigrant composition five country-specific origin bundles	5

360 profiles, fully crossed · **≈100,000** policy evaluations

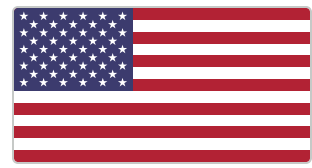
10 policy cards per respondent + first task repeated (Clayton et al. 2025)

OUTCOME
Support or oppose the policy.

THEN
“Regardless of how I personally feel about this policy, I would accept the government's decision as **properly made.**”

ESTIMATION
AMCEs, respondent fixed effects; errors clustered by respondent.

Four countries, one design



United States

n = 2,498

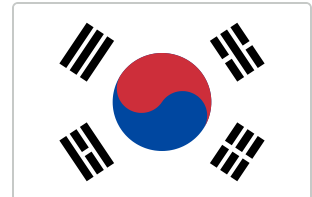
Established democracy. Immigration highly salient and rigidly partisan; executive power at the center of the fight.



Germany

n = 2,502

Established democracy. Immigration highly salient; legal-procedural and multilevel, with the EU as a real outside authority.



South Korea

n = 2,500

Newer democracy. Immigration growing but less politically salient; politics recently turned on the limits of executive power.



Singapore

n = 2,500

Electoral autocracy. Managed, technocratic migration regime; legitimacy rests on administrative competence.

Regime type and salience vary. Design localizes for institutions and context.

Ogura, Miwa & Kobayashi 2026

One policy card

POLICY	The government announced it will reduce the number of skilled worker visas issued each year to prioritize domestic workers.
AFFECTED GROUPS	This policy would primarily affect immigrants from India, Pakistan, and Bangladesh .
DECISION PROCESS	The decision was made by the President through an executive order, bypassing congressional approval and judicial review. The White House argued swift action was needed.
APPLICATION	Administration officials signaled the policy would be applied unevenly , with some applicants exempted and others in comparable situations strictly enforced, with no stated basis.

Do you support or oppose this policy?

Support

Oppose

SHOWN AFTER THE RESPONDENT ANSWERS

“Regardless of how I personally feel about this policy, I would accept the government's decision as properly made.”

Strongly agree

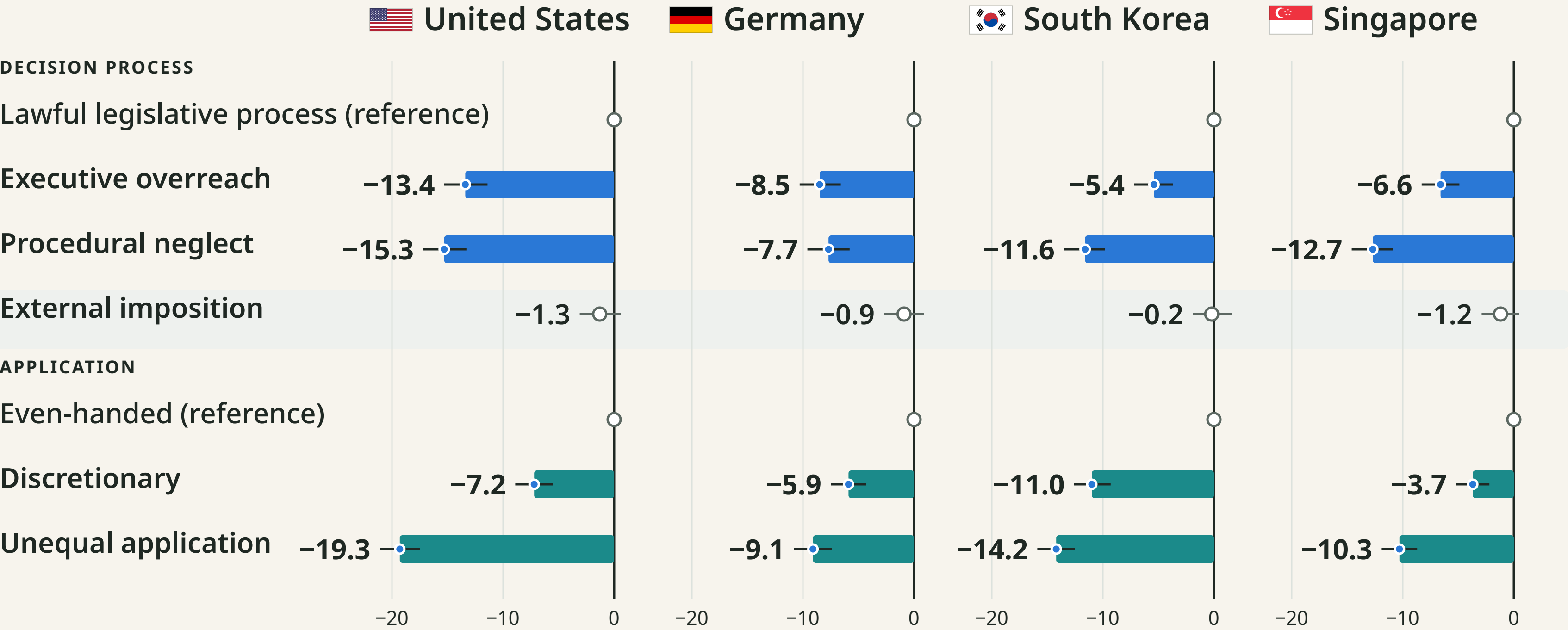
Agree

Neither

Disagree

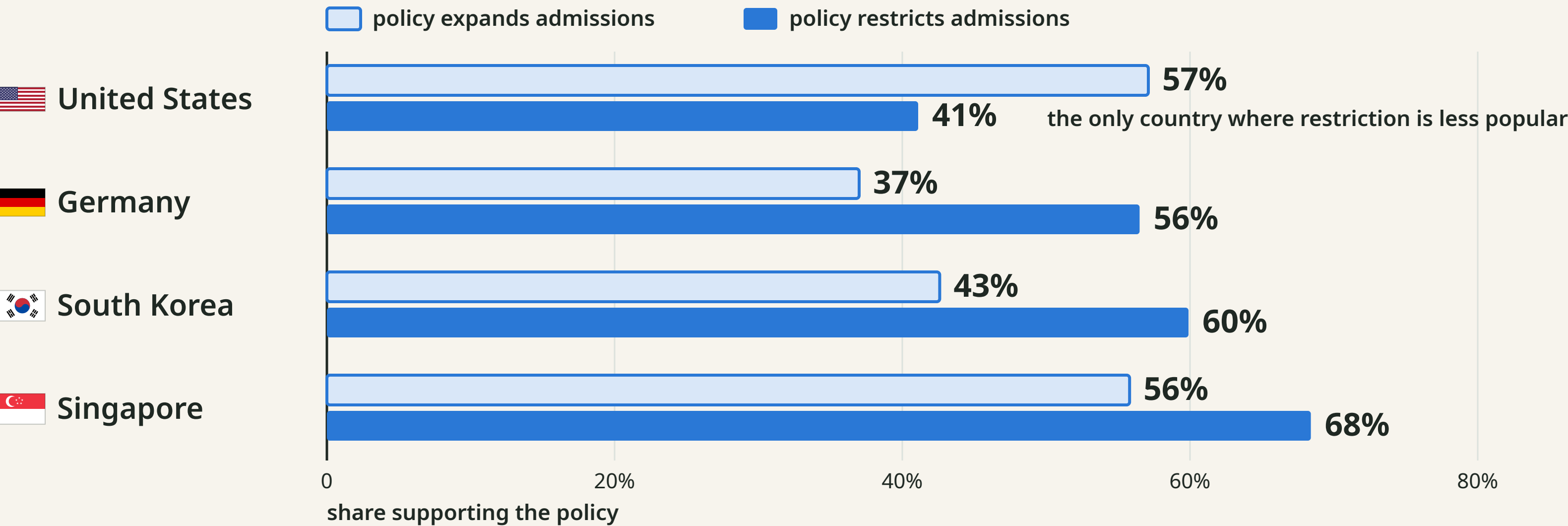
Strongly disagree

Bypass the rules, lose support.



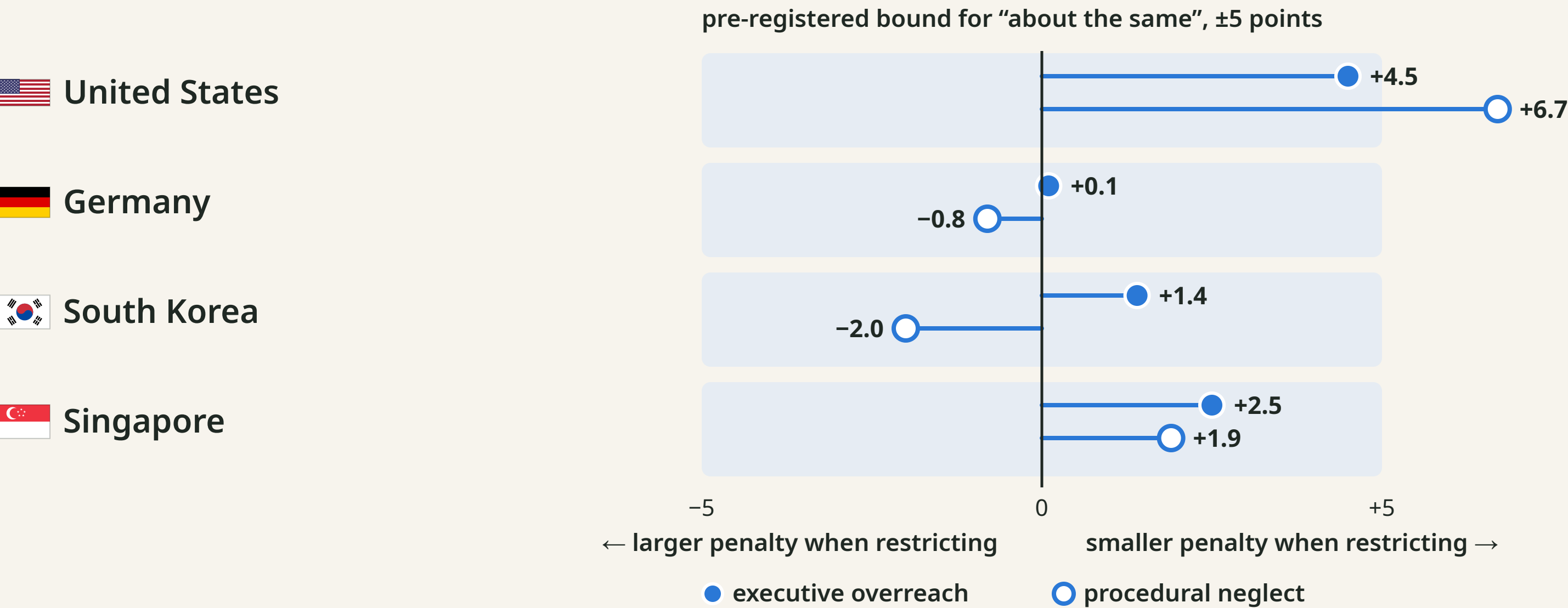
The outcome matters. A lot.

Share supporting the policy when it expands admissions and when it restricts them.

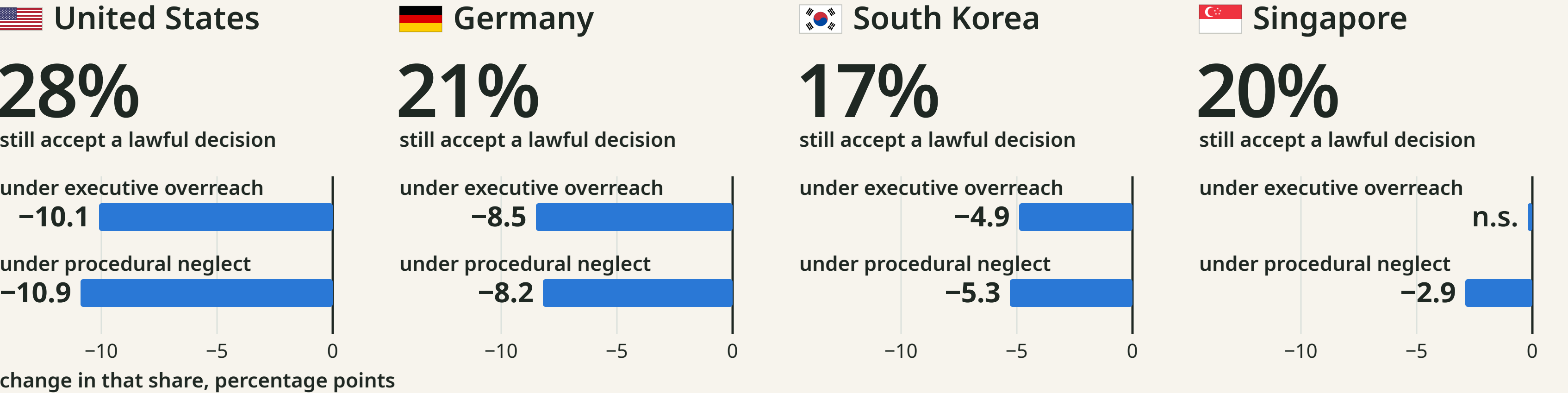


And yet the process penalty does not depend on it, pooled and in three of four countries.

Change in the penalty for bypassing the rules when the policy restricts rather than expands admissions.



Opposed the policy. Still accepted the decision, unless the procedure was violated.

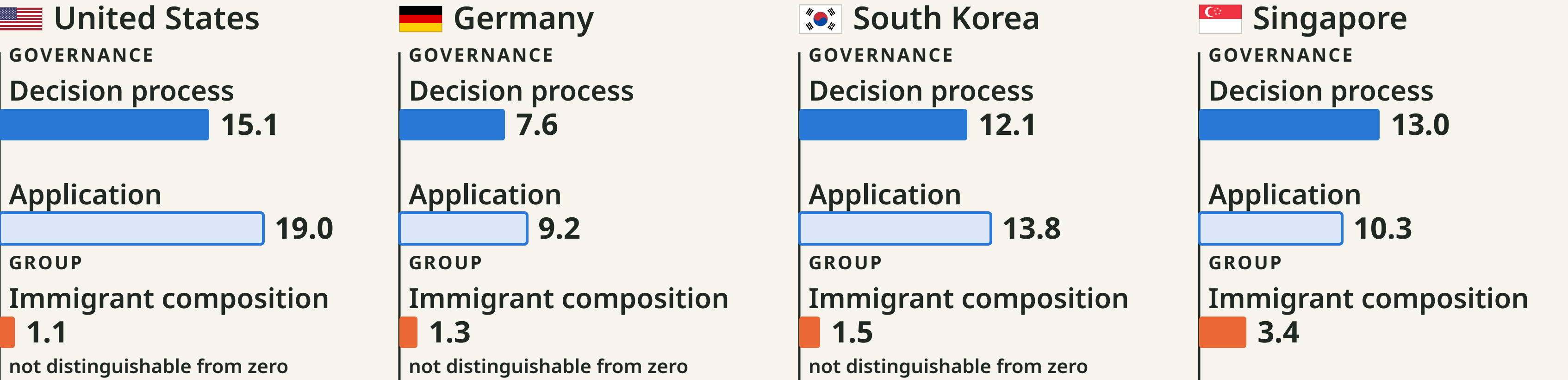


Reactions to immigration policy are not only reactions to immigrants or outcomes. They are reactions to how governments exercise authority.

- 1 Bypassing the rules cost support in all four political systems. Context mainly changed the size of the penalty, not its direction.
- 2 Unequal application is heavily penalized everywhere, too.
- 3 The process penalty holds equally across policy outcomes regardless -- except for American partisans (see appendix item #3). Implications abound.
- 4 A considerable number of people can be brought to accept policies they oppose, but procedural violations undermine that.



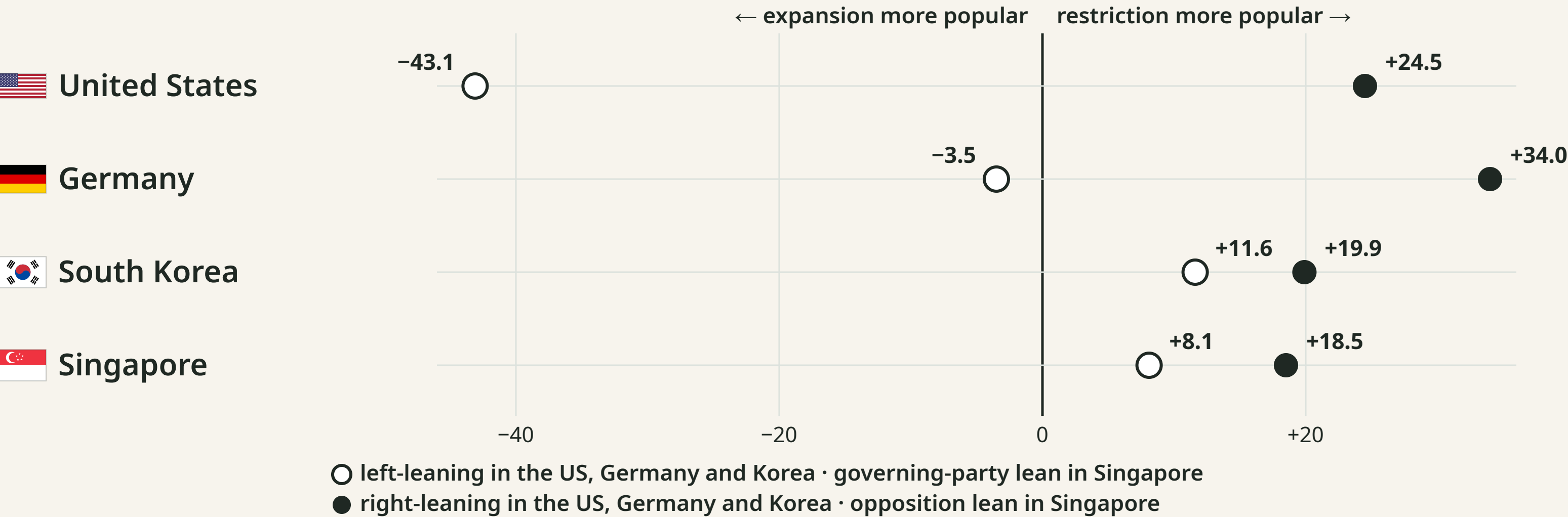
How a policy is governed outweighs which group it affects.



READ NARROWLY Both governance penalties exceed the registered composition contrast in all four countries.

Restriction is the popular outcome in every bloc but two.

Support for a policy that restricts rather than expands admissions, percentage points, by partisan bloc. Singapore's blocs are governing-party lean and opposition lean, not left and right.

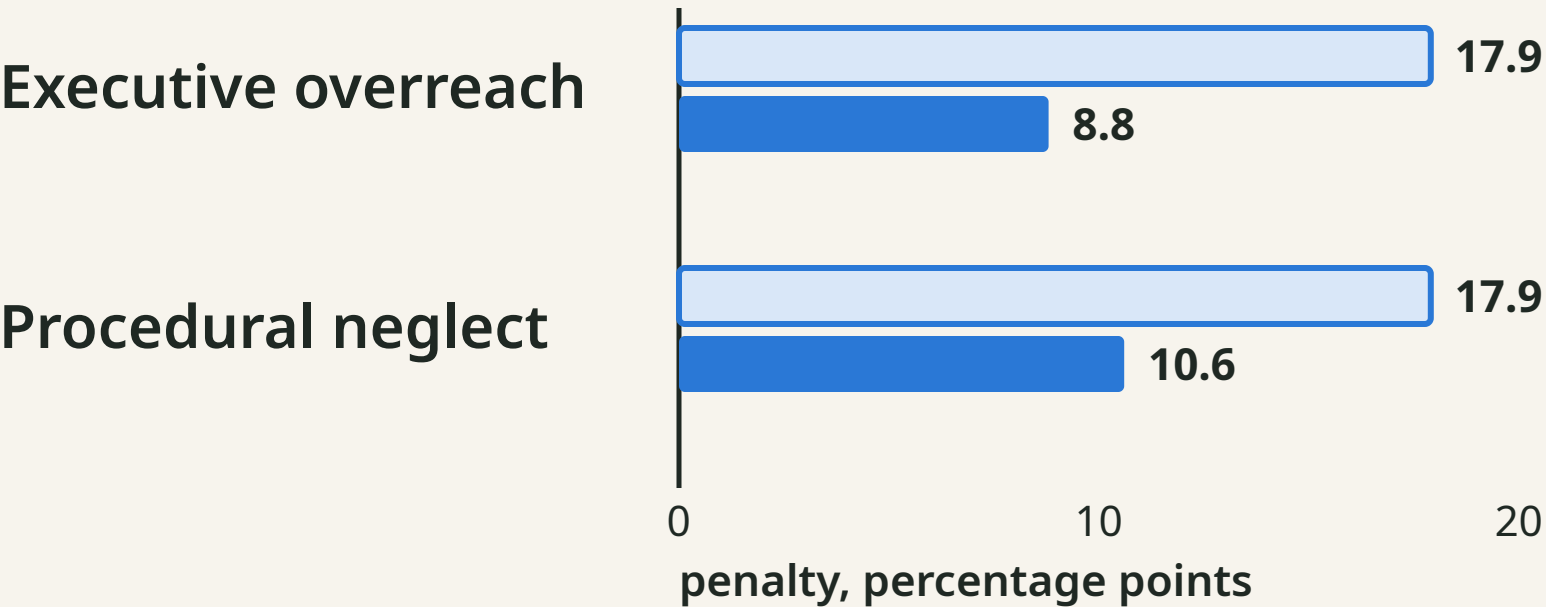


American partisans relax the standard when the policy restricts.

Penalty for bypassing the rules, percentage points, when the policy expands vs. restricts admissions.
Exploratory, not registered.

Left-leaning n = 1,385

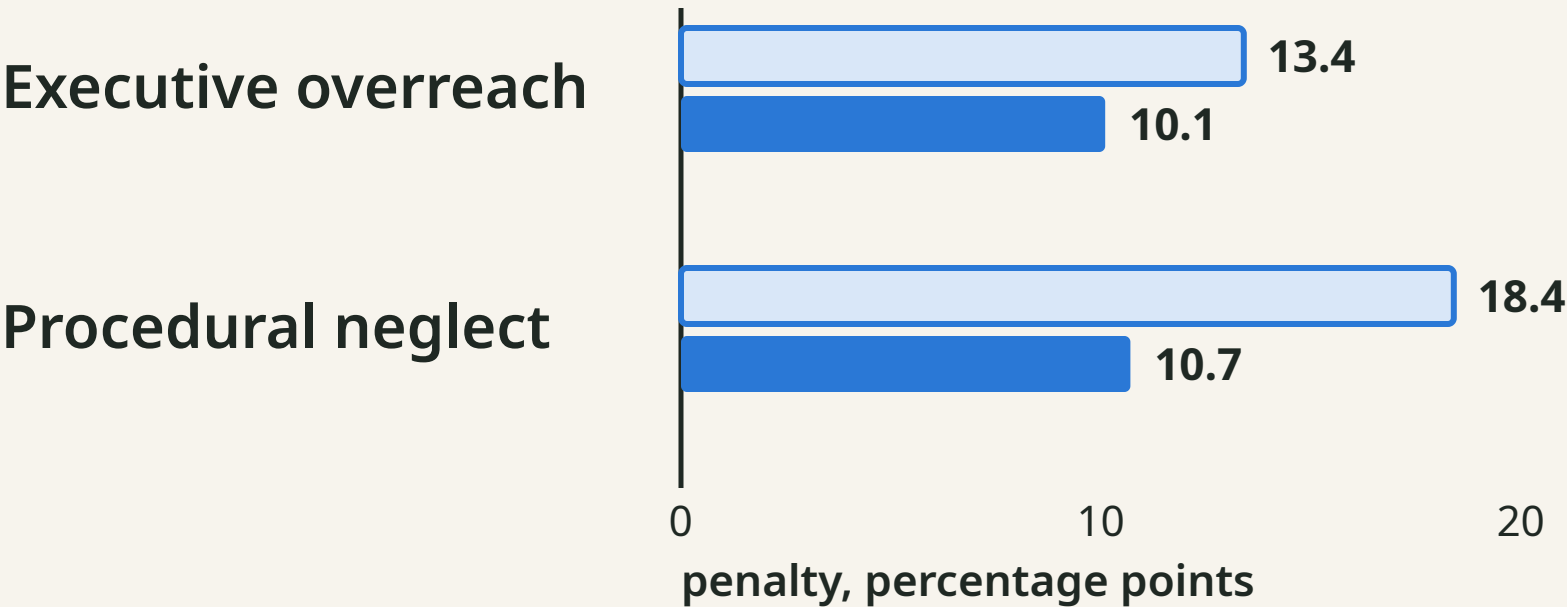
support for a lawful policy: 78% when it expands, 30% when it restricts



policy expands admissions policy restricts admissions

Right-leaning n = 850

support for a lawful policy: 50% when it expands, 70% when it restricts



Pooled, the process penalty is the same under expansion and restriction.

Change in the penalty when the policy restricts rather than expands, all four countries pooled, with 95% intervals.

