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Rulers or Rules? International Law, Elite Cues and Public Opinion

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Abstract

One of the mechanisms by which international law can shape domestic politics is through its effects on public opinion. However, a growing number of national leaders have begun to advocate policies that ignore or even deny international law constraints. This article investigates whether international law messages can still shift public opinion even in the face of countervailing elite cues. It reports results from survey experiments conducted in three countries, the United States, Australia and India, which examined attitudes on a highly salient domestic political issue: restrictions on refugee admissions. In each experimental vignette, respondents were asked about their opinion on a proposed or ongoing restrictive refugee policy that was endorsed by the government but also likely contravened international refugee law. Respondents were randomly exposed to messages highlighting the policy's illegality and/or the elite endorsement. The results show that, on average, the international law messages had a small but significant persuasive effect in reducing support for the restrictive policy – at most 10 percentage points. Surprisingly, there was no evidence that the countervailing elite endorsement was a significant moderator of this effect. However, in the case of the United States and among Republican co-partisans of the President, the elite endorsement independently increased respondents' beliefs that the restriction was legal under international law while having no effect on support for the policy. The results suggest that cues from domestic elites do not strictly trump those from international sources and that despite cues about national leaders' policy advocacy, international law can affect the attitudes of some voters even on an issue as heavily politicized as refugee policy.

Introduction

We live in a world of growing conflict among sources of authority. Law-abiding publics are informed that recreational marijuana is a crime by the United States Federal Government but a growing number of states consider it a legitimate enterprise; reproductive practices forbidden in the sacred context are permitted in secular law; and domestic leaders advocate policies in disregard of international law. The last of these is the focus of this research. How do people process information that requires them to choose between contradictory policies advocated by their leaders and international obligations? This is becoming an increasingly urgent issue, as some major countries have begun to reorient their foreign policy away from participation in the global legal order.¹

On the one hand, many scholars of international relations have noted that public opinion on most complex international issues is driven by partisan cues.² On the other hand, a small but growing body of experimental survey research has shown that cues about international law can drive public policy support as well.³ When legal and political authorities clash, attitudes and beliefs may be shaped by legal criteria, or they may reflect partisanship spurred by elite cues. Both outcomes may be reinforced by cognitive and motivated biases based on ideology and partisan identity.

This study explores conflicting cues about policy. Is international law persuasive *even* in the face of high salience, countervailing partisan messaging? Somewhat surprisingly, the study finds evidence for a small but statistically significant law effect on policy attitudes, but not much support for elite partisan cues. Moreover, when given conflicting cues – that a leader supports a particular policy and international law prohibits it – the study finds evidence that law retains a surprising degree of influence over attitudes. Most of these effects are mediated, however, through pre-existing beliefs and political identities. Support for international law encounters notable biases, indicating a need for its advocates to articulate how international law supports broader national interests. The good news is that it is not especially easy for leaders to move publics from their support for international law with mere policy statements. The bad news is that at least in the United States, there is suggestive evidence that the current President's policy

¹ G. John Ikenberry, *The Plot against American Foreign Policy: Can the Liberal Order Survive*, 96 FOREIGN AFFAIRS (2017). arguing "Trade, alliances, international law, multilateralism, environmental protection, torture, and human rights-on all these core issues, Trump has made pronouncements that, if acted on, would bring to an end the United States' role as guarantor of the liberal world order." At 2.

² Elizabeth N Saunders, *War and the Inner Circle: Democratic Elites and the Politics of Using Force*, 24 SECURITY STUDIES (2015).

³ Stephen Chaudoin, *Promises or policies? An experimental analysis of international agreements and audience reactions*, 68 INTERNATIONAL ORGANIZATION (2014). finds that informing respondents that a particular tariff violated a government's commitment under international trade law reduced support for that policy, but only among those respondents with no pre-existing opinion on trade policy; Adam S Chilton, *The laws of war and public opinion: An experimental study*, 171 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS JITE (2015)., finding that providing information to respondents that a military bombing campaign would violate the laws of war reduced public support for military action; Sarah E Kreps & Geoffrey PR Wallace, *International law, military effectiveness, and public support for drone strikes*, JOURNAL OF PEACE RESEARCH (2016). showing that criticisms by NGOs that cite violations of international legal obligations decrease support for the United States' drone program. Adam S. Chilton & Mila Versteeg, *International law, constitutional law, and public support for torture*, 3 RESEARCH & POLITICS (2016). find however, no statistically significant effect of international law cues on torture on average, but do recover an effect for the sub-group of Democrats.

advocacy can convince some of his supporters that a policy is in fact legal, even if it is not. This suggests the possibility that leaders influence beliefs, in some cases more so than attitudes given those beliefs. Public international law advocates ought therefore to articulate clearly the nature and reasons for international legal obligations to correct any impression of a “legal vacuum” for policy choice.

The study examines the evidence for these propositions in three democratic countries in which leaders have recently enacted or proposed policies that plausibly contradict international law: United States, Australia and India. These are all robust democracies of regional and even global importance. It focuses on one of the most controversial issues of the past several years: policies toward refugees. The survey experiments randomly alter the information respondents receive about legality and leaders’ policy advocacy. These experiments fielded across three continents probe how publics process sometimes contradictory authority claims across presidential and parliamentary systems; mature industrialized and developing settings; states with specific treaty commitments and one obligated primarily under customary international law; and very different contexts for refugee movements. The findings suggest that international legal obligations influence individuals’ policy attitudes, but also show that cues affect people in different ways, hinting that motivated biases may be at work as well.

Theory

Attitudes and opinions are influenced by a wide range of messages. Framing – or informational cuing that provides issue or policy context – can affect what people prefer and what facts they believe,⁴ which in turn is fundamental to democratic governance. But how do people distinguish competing political cues from relevant policy information, such as information that a policy is illegal? Do international law cues become irrelevant once a more salient partisan elite cue is available? Do partisan motivated, cognitive and motivational biases affect how individuals interpret policy information? Such questions are important for theories of how international law works, since many models of international compliance operate through domestic pressures that assume publics understand what is (il)legal and are motivated to punish or reward leaders accordingly.⁵

Elite Cues versus Policy Information

Elite opinion and messaging is important in structuring how individuals think about political topics.⁶ People often use simple decision rules when they lack the time – or motivation – to investigate policy issues in depth.⁷ While people may seek policy relevant information to make

⁴ For the foundational explanation of framing, see Amos Tversky & Daniel Kahneman, *The Framing of Decisions and the Psychology of Choice*, 211 *SCIENCE, NEW SERIES* 453(1981). For a recent review relating to public opinion see Jennifer Bachner & Kathy Wagner Hill, *Advances in public opinion and policy attitudes research*, 42 *POLICY STUDIES JOURNAL* (2014).

⁵ For example, BETH A. SIMMONS, *MOBILIZING FOR HUMAN RIGHTS : INTERNATIONAL LAW IN DOMESTIC POLITICS* (Cambridge University Press. 2009); XINYUAN DAI, *INTERNATIONAL INSTITUTIONS AND NATIONAL POLICIES* (Cambridge University Press. 2007).

⁶ JOHN ZALLER, *THE NATURE AND ORIGINS OF MASS OPINION* (Cambridge university press. 1992).

⁷ RICHARD E PETTY & JOHN T CACIOPPO, *ATTITUDES AND PERSUASION: CLASSIC AND CONTEMPORARY APPROACHES* (Westview Press. 1996).

decisions,⁸ they take short-cuts offered by trusted political leaders. Elite agreement is especially influential, while divisions among elites tends to water down their signaling influence.⁹ Moreover, opinions derived from elite cues, once formed, are highly resistant to change from alternative competing information.¹⁰ Some studies find elite cues to be surprisingly influential, even in the face of contrary policy evidence.¹¹

Does the international legal status of a policy influence attitudes about its appropriateness? The literature offers three arguments for the affirmative. Treaties create international obligations and embody a formal commitment to other states. Leaders may suffer a loss of domestic public support when they renege on a foreign policy commitment.¹² Treaties are also widely vetted, domestically and internationally, and therefore convey the idea of “prudent” policy.¹³ Some people may infer a moral obligation from a legal one, even though there is no necessary relationship. For these reasons, one might expect information about the international legal status of a policy to affect respondents’ attitudes about policy appropriateness.¹⁴

However, there are several well-known reasons why international law is likely to be a weak cue at best. Skeptics note its inherent weaknesses: its decentralization, lack of enforcement, and the strength of countervailing norms and laws of state sovereignty.¹⁵ Even some international law scholars consider to be it epiphenomenal nature.¹⁶ Some research suggests that international law

⁸ David J Ciuk & Berwood A Yost, *The effects of issue salience, elite influence, and policy content on public opinion*, 33 POLITICAL COMMUNICATION (2016). Testing the salience hypothesis in the realm of environmental policy, they find that people are more likely to consider policy relevant information when an issue is highly salient (e.g., in the case of hydraulic fracking) compared to low-salience issues (such as waste water management).

⁹ Adam J Berinsky, *Assuming the costs of war: Events, elites, and American public support for military conflict*, 69 THE JOURNAL OF POLITICS (2007). Matthew Baum & Tim Groeling. *Shot by the messenger: Partisan cues and public opinion regarding national security and war*. 31 Political Behavior (2009). showing that conflicting cues between the president and other partisan elites may temper public approval of the president’s national security policy.

¹⁰ James N Druckman, et al., *A source of bias in public opinion stability*, 106 AMERICAN POLITICAL SCIENCE REVIEW (2012).

¹¹ James N Druckman, et al., *How elite partisan polarization affects public opinion formation*, 107 see id. at (2013). demonstrating that cues from partisan elites often drown out other sources of information. Robert J Brulle, et al., *Shifting public opinion on climate change: an empirical assessment of factors influencing concern over climate change in the US, 2002–2010*, 114 CLIMATIC CHANGE (2012). Finding that political elite messages have a more significant impact on public beliefs about climate change than do either the media (which is arguably epiphenomenal to elite cues) or extreme weather events themselves.

¹² James D. Fearon, *Domestic Political Audiences and the Escalation of International Disputes*, 88 AMERICAN POLITICAL SCIENCE REVIEW (1994); James D Fearon, *Signaling Foreign Policy Interests: Tying Hands versus Sinking Costs*, 41 THE JOURNAL OF CONFLICT RESOLUTION (1997).

¹³ Endorsements from international organizations regarding the use of force may affect domestic support for a president’s proposed use of force. See Joseph M. Grieco, Christopher Gelpi, Jason Reifler, and Peter D. Feaver. *Let’s Get a Second Opinion: International Institutions and American Public Support for War*. International Studies Quarterly, 55(2):563–583, 2011.

¹⁴ Tonya L Putnam & Jacob N Shapiro, *International law and voter preferences: the case of foreign human rights violations*, 18 HUMAN RIGHTS REVIEW (2017). Showing that Americans were much more likely to say they supported sanctions when told a country was in clear violation of international law than in the absence of such information.

¹⁵ For a brief review of realist IL positions, see Beth A Simmons, *International Law*, in HANDBOOK OF INTERNATIONAL RELATIONS (Walter Carlsnaes, et al. eds., 2012).

¹⁶ George W Downs, et al., *Is the good new about compliance good news about cooperation?*, 50 INTERNATIONAL ORGANIZATION (1996); JACK L. GOLDSMITH & ERIC A. POSNER, THE LIMITS OF INTERNATIONAL LAW (Oxford University Press. 2005).

cues have varying influences in different national contexts.¹⁷ So whether international law matters to the public is not fully settled, and is likely to be context specific.

The Problem: When International Law and Political Leadership Collide

How do people process policy information when their political leaders say “yes,” and law says “no”? Recently, national leaders have advocated refugee policies that contravene international law, which presents an opportunity to investigate this question. The surveys presented probe a specific kind of contradiction: *advocacy by a head of government of policies that are currently illegal*, without any mention of changing international law or otherwise legally abrogating the international obligation.

Some studies suggest that partisan cues are influential, even when paired with information that a policy may be unconstitutional or otherwise not legal.¹⁸ Publics typically appear to be influenced by the most repetitive messages and the loudest messengers¹⁹ and confused by exposure to concurrent competing messages that cancel each other out.²⁰ But some researchers argue that the public can sort through contradictory messages in a rational way, distinguishing the most credible, authoritative sources of information from that which is less so.²¹

Confirmation and Motivational Biases as Mediators

Decades of research in psychology show that people process information and draw inferences in predictably biased ways, causing them to seek and favor evidence that confirms their beliefs (confirmation bias)²² and to process information such that it will yield a desired conclusion (motivational bias).²³ When individuals *want* to reach a particular conclusion, it influences their

¹⁷ Yonatan Lupu & Geoffrey Wallace, *Violence, Non-violence, and the Effects of International Human Rights Law*, AMERICAN JOURNAL OF POLITICAL SCIENCE (forthcoming). Available at <http://yonatanlupu.com/Lupu%20Wallace%2006.23.17.pdf> (2017)

¹⁸ However, see Stephen P Nicholson & Thomas G Hansford, *Partisans in robes: Party cues and public acceptance of Supreme Court decisions*, 58 AMERICAN JOURNAL OF POLITICAL SCIENCE (2014). Finding that political cues were strong even in the face of countervailing cues from no less a legal authority than the United States Supreme Court.

¹⁹ See the discussion in Dennis Chong & James N Druckman, *A theory of framing and opinion formation in competitive elite environments*, 57 JOURNAL OF COMMUNICATION (2007).

²⁰ Dennis Chong & James N Druckman, *Dynamic public opinion: Communication effects over time*, 104 AMERICAN POLITICAL SCIENCE REVIEW (2010).

²¹ See the discussion in Chong & Druckman, JOURNAL OF COMMUNICATION, (2007). Adam F Simon & Jennifer Jerit, *Toward a theory relating political discourse, media, and public opinion*, 57 JOURNAL OF COMMUNICATION (2007). Simon and Jerit hypothesize that the public consider competing messages and develop political and policy opinions by subconsciously sorting and arriving at reasonable positions mediated neither by the frequency of the message nor by their own political or partisan predispositions.

²² The foundational work is Charles G Lord, et al., *Biased assimilation and attitude polarization: The effects of prior theories on subsequently considered evidence*, 37 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY (1979). See also the review by Ziva Kunda, *The case for motivated reasoning*, 108 PSYCHOLOGICAL BULLETIN (1990). Raymond S Nickerson, *Confirmation bias: A ubiquitous phenomenon in many guises*, 2 REVIEW OF GENERAL PSYCHOLOGY (1998).

²³ Lindsley G Boiney, et al., *Instrumental bias in motivated reasoning: More when more is needed*, 72 ORGANIZATIONAL BEHAVIOR AND HUMAN DECISION PROCESSES (1997). Robin L Nabi, *Exploring the Framing Effects of Emotion: Do Discrete Emotions Influence Information Accessibility, Information Seeking, and Policy Preference?*, 30 COMMUNICATIONS RESEARCH (2003).

perceptions, attitudes, and attributions,²⁴ especially for salient issues and given cues that stimulate emotional responses.²⁵

These biases may be further reinforced by high levels of political polarization,²⁶ as well as the partisanship of individual respondents.²⁷ First, polarization has been shown in some contexts to enhance the appeal of nationalist rhetoric and policy messages.²⁸ Second, recent research finds that polarization itself reduces the influence of policy information in favor of cues from partisan leaders.²⁹ Partisan cues are expected to tap differential citizen motivations to learn and make informed decisions, causing individuals to interpret information through the lens of their party preferences.³⁰ Overall, both confirmation and motivational biases would lead one to expect very heavy influence of previous policy preferences, party identification, and support for specific leaders.

The Policy Domain: Refugee Policy

International Refugee Law

International law has been starkly challenged lately on many fronts, but nowhere as saliently as in the areas of the rights of and responsibilities of states toward refugees. Refugee law is both customary and in treaty form. The Refugee Convention of 1951³¹ gives refugees – persons who have been forced to flee their country because of persecution, war or violence, and who have a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or

²⁴ Boiney, et al., ORGANIZATIONAL BEHAVIOR AND HUMAN DECISION PROCESSES, (1997).

²⁵ Kari Edwards & Edward E Smith, *A disconfirmation bias in the evaluation of arguments*, 71 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY (1996).

²⁶ Rising political polarization in the United States is documented in Joseph Bafumi & Robert Y Shapiro, *A New Partisan Voter*, 71 THE JOURNAL OF POLITICS (2009). Documenting the increasing salience of partisanship and party identification in the formation of policy attitudes; Christopher Hare, et al., *Using Bayesian Aldrich-McKelvey Scaling to Study Citizens' Ideological Preferences and Perceptions*, 59 AMERICAN JOURNAL OF POLITICAL SCIENCE (2015). Showing that polarization may even be underestimated using existing techniques that do not account for respondent ideal points. Furthermore, there is some evidence that polarization and partisanship are related in both public opinion and party systems. See Noam Lupu, *Party Polarization and Mass Partisanship: A Comparative Perspective*, 37 POLITICAL BEHAVIOR (2015).

²⁷ Alexandra Guisinger & Elizabeth N. Saunders, *Mapping the Boundaries of Elite Cues: How Elites Shape Mass Opinion across International Issues*, 61 INTERNATIONAL STUDIES QUARTERLY (2017). Showing that the value of information from neutral sources depends on the pre-existing polarization of the subject matter. Michael Tesler, *Elite Domination of Public Doubts About Climate Change (Not Evolution)*, POLITICAL COMMUNICATION (2017). Showing that partisan cues matter tremendously for public opinion on climate change, though not for belief in theories of evolution.

²⁸ Liesbet Hooghe & Gary Marks, *Calculation, community and cues: Public opinion on European integration*, 6 EUROPEAN UNION POLITICS (2005). Show that elite division in the European context is associated with greater space for nationalist attitudes.

²⁹ Druckman, et al., AMERICAN POLITICAL SCIENCE REVIEW, (2013).

³⁰ Thomas J Leeper & Rune Slothuus, *Political parties, motivated reasoning, and public opinion formation*, 35 POLITICAL PSYCHOLOGY (2014). Toby Bolsen, James N Druckman, & Fay Lomax Cook, *The Influence of Partisan Motivated Reasoning on Public Opinion*, 36 POLITICAL BEHAVIOR (2014).

³¹ UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, available at: <http://www.refworld.org/docid/3be01b964.html> [accessed 9 July 2018].

membership in a particular social group – the right to special protections. Originally limited to Europe, the convention was amended in 1967 to lift this geographical restriction, and it is now universally applicable. The convention is fundamentally based on three rules: that people who claim to be refugees should not be discriminated against on the basis of race, religion or country of origin,³² that refugees should not be penalized for otherwise illegal entry or stay,³³ and that refugees should not be forcibly returned to a dangerous situation.³⁴ States maintained the right to deny refugee status to persons deemed threats to national security³⁵ and who had committed serious war crimes,³⁶ but the convention solidified obligations otherwise to allow entry to persons who could make a credible claim to refugee status.

Refugees are protected under customary international law as well. Article 14(1) of the Universal Declaration of Human Rights, which is broadly considered by many as customary international law, recognizes that: “Everyone has the right to seek and to enjoy in other countries asylum from persecution.”³⁷ Specifically, the principle of *non-refoulement* – no forcible return to a situation of danger or serious human rights abuse – is contained in several multilateral human rights treaties,³⁸ and is widely recognized by the international community as a norm of customary international law, obligatory for all states.³⁹

Opinion and Obligation in Three Cases: United States, Australia and India

The United States has traditionally been a world leader in the resettlement of refugees, and while it is not a party to the 1951 Refugee Convention, it acceded to the 1967 Protocol, and therefore is committed to international legal norms through both treaty and customary international law. American refugee admissions have drastically curtailed since 2017. By the end of 2017, the United States had settled 102 refugees per million population; during the same period, Australia had settled refugees at more than six times that rate.⁴⁰ In the United States, the public discourse about refugees tends to be overwhelmed by an obsession with unauthorized entry of immigrants.⁴¹ What little is known about American public opinion toward refugees is mixed, possibly due to the public’s confusion about what a refugee is and what rights they have

³² Refugee Convention, Preamble and Article 3.

³³ Refugee Convention, Article 31(1).

³⁴ Refugee Convention, Article 33(1).

³⁵ Refugee Convention Articles 9, 28(1) and 32(1).

³⁶ Refugee Convention, Articles 1(F)(a).

³⁷ Universal Declaration of Human Rights, available at: <http://www.un.org/en/universal-declaration-human-rights/>

³⁸ For example: The International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention against Torture (CAT) have *non-refoulement* provisions.

³⁹ United Nations High Commission for Refugees, General Conclusion on International Protection, No. 25 (XXXIII) – 1982. Executive Committee 33rd session. Contained in United Nations General Assembly Document No. 12A (A/37/12/Add.1). Available at: <http://www.unhcr.org/en-us/excom/exconc/3ae68c434c/general-conclusion-international-protection.html>.

⁴⁰ See statistics collected by the American Immigration Council, available at: <https://www.americanimmigrationcouncil.org/research/overview-us-refugee-law-and-policy>.

⁴¹ Kate E Murray & David M Marx, *Attitudes toward unauthorized immigrants, authorized immigrants, and refugees*, 19 CULTURAL DIVERSITY AND ETHNIC MINORITY PSYCHOLOGY (2013). Claiming that there is very little evidence of public attitudes about refugees specifically in the US. At 333.

by law. This could be why there is very little solid evidence of public opinion specific to refugees in the United States.⁴²

Immigration and refugee policies as well as pre-existing preferences for international law tend to be partisan in the United States. National surveys suggest that about half of all Americans believe their country has an obligation to accept refugees, but three times as many people who identify as Democrats (three-quarters) are likely to hold that opinion as Republicans (about one quarter).⁴³ At the same time, American conservatives are more likely to be suspicious of international policies and obligations than are liberals, who tend to hold more multilateralist preferences.⁴⁴

Australia was one of the first countries to become a state party to the 1951 Refugee Convention (in January 1954) and to ratify the 1967 Protocol (December 1973). Nonetheless, according to researchers, “There is almost no knowledge among Australian voters about Australia’s obligations under the 1951 Refugee Convention or even awareness of the Convention’s existence. Hence there is very little appreciation of Australia’s legal obligations to asylum seekers.”⁴⁵ Refugee policy in Australia has become a matter of contentious domestic politics.⁴⁶ Since the mid-1990s, Australian politicians have often framed refugees as national and international crises to which they are compelled to respond decisively.⁴⁷ Refugee policy has arguably become increasingly sensitive to domestic public opinion over time.⁴⁸ A recent poll suggests that about 46% of Australians favor accepting fewer permanent refugees.⁴⁹ Polling has typically revealed Australians to support fairly tough policies toward refugee interdiction and deflection, with these attitudes often driving domestic policy in a harsh direction.⁵⁰

India is the only state in this study that is not a party to the 1951 Refugee Convention or the 1967 Protocol. However, as noted above, India does have obligations under customary international law which provide for basic rights of asylum seekers and in particular bar their

⁴² Bradford Jones & Danielle Joesten Martin, *Path-to-Citizenship or Deportation? How Elite Cues Shaped Opinion on Immigration in the 2010 US House Elections*, 39 POLITICAL BEHAVIOR (2017). Attitudes toward migrants generally seem to be affected by salience, with areas of new immigration being more sensitive to political messages from elites about the value of restrictions, at least among Republicans. It is unknown whether this applies to attitudes about refugees specifically.

⁴³ Pew Research Center, available at <http://www.pewresearch.org/fact-tank/2018/05/24/republicans-turn-more-negative-toward-refugees-as-number-admitted-to-u-s-plummets/>.

⁴⁴ OLE R. HOLSTI, PUBLIC OPINION AND AMERICAN FOREIGN POLICY (University of Michigan Press, 1996). Tyler Johnson & Victoria Rickard, *United Nations, Uniting Nations: International Support Cues and American Attitudes on Environmental Sustainability**, 98 SOCIAL SCIENCE QUARTERLY (2017). Finding that conservatives are more suspicious when they are cued that Agenda 21, an international environmental effort, was supported by UN consensus.

⁴⁵ Denis Muller, *Islamisation and other anxieties: Voter attitudes to asylum seekers*, MELBOURNE, AUSTRALIA: THE UNIVERSITY OF MELBOURNE (2016). 14.

⁴⁶ KLAUS NEUMANN, ACROSS THE SEAS: AUSTRALIA'S RESPONSE TO REFUGEES: A HISTORY (Black Inc. 2015).

⁴⁷ William Maley, *Australia's refugee policy: domestic politics and diplomatic consequences*, 70 AUSTRALIAN JOURNAL OF INTERNATIONAL AFFAIRS (2016).

⁴⁸ Matt McDonald, *Australian Foreign Policy under the Abbott Government: Foreign Policy as Domestic Politics?*, 69 see id. at (2015).

⁴⁹ According to a national poll by the *Guardian*, reported here: <https://www.theguardian.com/australia-news/2018/apr/24/australians-growing-more-concerned-over-immigration-guardian-essential-poll>.

⁵⁰ Muller, MELBOURNE, AUSTRALIA: THE UNIVERSITY OF MELBOURNE, (2016).

return to dangerous and life-threatening situations. In general, analysts consider India to have historically been fairly generous to refugees, though domestic law is inconsistent and there is blatant discrimination among groups at different points in time.⁵¹ People in India are among the world's most likely to say their borders should now be closed to refugees. In a poll conducted in 2017, 60 percent of Indians polled agreed strongly or somewhat with the statement that "We must close our borders to refugees entirely – we can't accept any at this time," which, among 24 countries polled, was third only to Turks and Hungarians. By comparison, 40 percent of Americans and 35 percent of Australians answered similarly.⁵²

In each of these three cases, national leaders have openly endorsed refugee policies that if implemented would plausibly contravene each state's international law obligations. President Donald Trump issued the first of three versions of a travel ban that was to apply, at least temporarily, to refugees from certain Muslim countries.⁵³ Prime Minister Malcolm Turnbull oversaw policies toward asylum seekers that were roundly criticized by the United Nations Human Rights Committee.⁵⁴ The administration of Prime Minister Narendra Modi advocated the wholesale deportation of Rohingya, despite their registered refugee status with the United Nations High Commissioner for Refugees.⁵⁵ These positions inform this study's treatment strategy, which is discussed below.

Hypotheses:

The theories reviewed above motivate four explicit hypotheses:

First, the *international law treatment* will reduce support for restrictions on refugee admissions, compared to those exposed to neither treatment (H1).

Second, the leader policy treatment will increase support for restrictions on refugee admissions, compared to those exposed to neither treatment (H2).

Third, cues related to a leader's advocacy for policies contrary to international law will erode the positive effects of the international law treatment (H3).

Finally, respondents' *party identification* will moderate contradictory law and leader cues in favor of the leader, consistent with theories of motivated and confirmation bias (H4).

⁵¹ Mike Sanderson, *The Role of International Law in Defining the Protection of Refugees in India*, 33 WIS. INT'L LJ (2015).

⁵² IPSOS Immigration and Refugee Poll, "Global Views on Immigration and the Refugee Crisis." September 2017. at 23. Available at https://www.ipsos.com/sites/default/files/ct/news/documents/2017-09/ipsos-global-advisor-immigration-refugee-crisis-slides_0.pdf.

⁵³ See the Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into The United States," restricting entry of immigrants and refugees; available at <https://www.nytimes.com/2017/01/27/us/politics/refugee-muslim-executive-order-trump.html>.

⁵⁴ See the UNHRC's assessment at https://uploads.guim.co.uk/2016/05/17/CCPR-C-116-D-2233-2013-English-chn-avv_1.pdf.

⁵⁵ See <https://www.reuters.com/article/us-myanmar-rohingya-india-idUSKCN1AU0UC>.

Experimental Design

The survey experiments evaluate how cues from national leaders interact with messages regarding each country's international legal obligations to influence policy attitudes (Table 1). The study carried out three survey experiments in total, each describing an analogous scenario in the United States, Australia, or India.

The U.S. experiment was conducted on 1,020 respondents recruited between August and November of 2017 using Amazon's Mechanical Turk platform.⁵⁶ In order to obtain a sufficient number of Republican respondents, the study utilized a two-stage recruitment procedure.⁵⁷ Subsequent experiments in Australia and India were conducted in July-August of 2018 and used opt-in panels maintained by commercial survey research firms.⁵⁸ The Australian sample consisted of 2017 respondents who completed the survey. The India sample consisted of 1491 respondents, 1469 of whom answered all of the relevant survey questions. Both the US and Australian samples were nationally representative in regards to party identification, but the Indian sample had a disproportionately large number of Bharatiya Janata Party (BJP) supporters. As such, we post-stratified to improve precision on a combination of age and party identification strata for the Indian sample, but one should be cautious when generalizing from our Indian sample treatment effect estimates to the Indian population as a whole.⁵⁹ However, considering that the BJP is currently the dominant political party in India, studying the behavior of this sub-group is highly salient to the study of Indian politics.

After reading each country's refugee vignette, quoted in full in the first row of Table 1, respondents were randomly assigned to be exposed to one of the four conditions: the law cue (row 2), the leader cue (row 3), both (row 4) or neither.⁶⁰ Respondents were then asked about

⁵⁶ The U.S. experiment was pre-registered with Evidence in Governance and Politics (EGAP) ID 20170821AB, "Does International Law Affect Public Attitudes on Refugee Policy and Use of Torture?" All interventions in all three experiments were reviewed and approved by the Harvard University Committee on the Use of Human Subjects under Protocol #IRB17-0162.

⁵⁷ Existing work on the representativeness of Mechanical Turk suggests behaviorally MTurk subjects respond to experiments similarly to respondents in more representative pools despite demographic differences, see Berinsky, Adam J., Gregory A. Huber, and Gabriel S. Lenz. "Evaluating online labor markets for experimental research: Amazon.com's Mechanical Turk." *Political Analysis* 20.3 (2012): 351-368. However, because we are interested in examining heterogeneity by covariates, in order to design an experiment with enough power, we needed to obtain enough respondents with each political affiliation. We therefore followed the recommendations in Huff, Connor, and Dustin Tingley. "'Who are these people?'" Evaluating the demographic characteristics and political preferences of MTurk survey respondents." *Research & Politics* 2.3 (2015) which suggests over-sampling less common sub-groups in order to obtain a sample more representative of the target population. We acknowledge, however, that this sub-group of self-identified Republicans differs from the overall population of Republicans. It remains difficult to recruit older respondents on Mechanical Turk which may limit our ability to extrapolate effect estimates beyond younger, more digitally literate Republican voters. See: Munger, Kevin, et al. "Age matters: Sampling strategies for studying digital media effects." (2019). Working Paper.

⁵⁸ The Australia survey was conducted through YouGov. The India survey was fielded by the research firm Robas Research.

⁵⁹ Details on the specific analyses used for the US, Australia and India surveys can be found in Appendices A, F and H.

⁶⁰ For respondents receiving the "both" condition, the order of law/leader cue was randomized. We find no evidence of differences in how respondents reacted to these different orderings – see Appendix E. In the U.S. case, covariate information on respondents was obtained before randomizing, allowing for block-randomization within strata based on party identification, political ideology, and education level strata. All effect estimates are stratified on these

their attitude toward the policy described in the vignette (row 5). Finally, after a wash-out period, respondents were asked whether they believe that the policy described in the vignette is illegal under international law (row 6).⁶¹ This was originally intended as a manipulation check to confirm that the law treatment was sufficiently well-understood by respondents. However, the surprising behavior of U.S. Republican respondents with respect to this outcome made the question of belief worthy of further theoretical consideration. The outcome responses were in all cases dichotomized to a discrete “yes” or “no” variable, and all analyses were conducted on this binary outcome.

Because the surveys were necessarily tailored for each countries’ specific leader, context and policy, exact comparisons across cases cannot be made. For example, some variation across cases was necessarily introduced by stipulating a law violation in the US survey, and mentioning that authoritative UN bodies had judged the advocated policy – which itself differs across countries – to violate international law in the case of Australia and India. Both the US and the India leader cues mention specific groups (Muslims, Rohingya) while the Australia leader cue does not. Such variations may reduce comparability somewhat, but they better assure the overall appropriateness of each survey instrument.

Results: United States

In the U.S. experiment, there was significant evidence that respondents were, on average, more likely to oppose nationality-based restrictions when exposed to the law treatment, which supports Hypothesis 1.⁶² Figure 1 plots the estimated treatment effects. Compared to respondents who received neither the law nor the presidential cues, respondents receiving the law cue were on average about 9 percentage points less likely to say that the United States should limit the entry of refugees from certain countries ($p < .05$). The effect size suggests that the law cue has a limited but statistically significant effect on individuals. This difference dropped slightly to about 4 percentage points for respondents exposed to the additional presidential cue (Hypothesis 3), but the difference between these two effect estimates is not statistically significant. Therefore, somewhat surprisingly – and contrary to Hypothesis 3 – the study does not find that the inclusion of President Trump’s endorsement significantly eroded the effect of the law prime.

groupings established before fielding the experiment. In the follow-up Australian/Indian surveys, there was no pre-treatment blocking due to the use of third-party survey recruitment firms. However, in these cases, the analysis post-stratifies on strata defined by two highly predictive covariates: party ID and age. Details on the specific analyses used for the US, Australia and India surveys can be found in Appendices A, F and H.

⁶¹ In the U.S. experiment, another vignette on international law and torture was also fielded. The order in which the vignettes was presented was randomized and therefore the half of respondents who were given the refugee vignette first were subsequently asked about their beliefs about the refugee policy’s legality, with the second vignette serving as the wash-out period. In both the India and Australia surveys, all respondents were asked the belief question after a wash-out period consisting of questions about their country’s relations with neighboring countries. Details on the survey texts used for the US, Australia and India surveys can be found in Appendices C, G and I respectively

⁶² All p-values and test statistics presented correspond to conventional asymptotic two-sided z-tests that the treatment effect differs from zero. Consult the appendix for more information regarding the post-stratification estimator used in the U.S. experiment which adjusts for potential prognostic covariates.

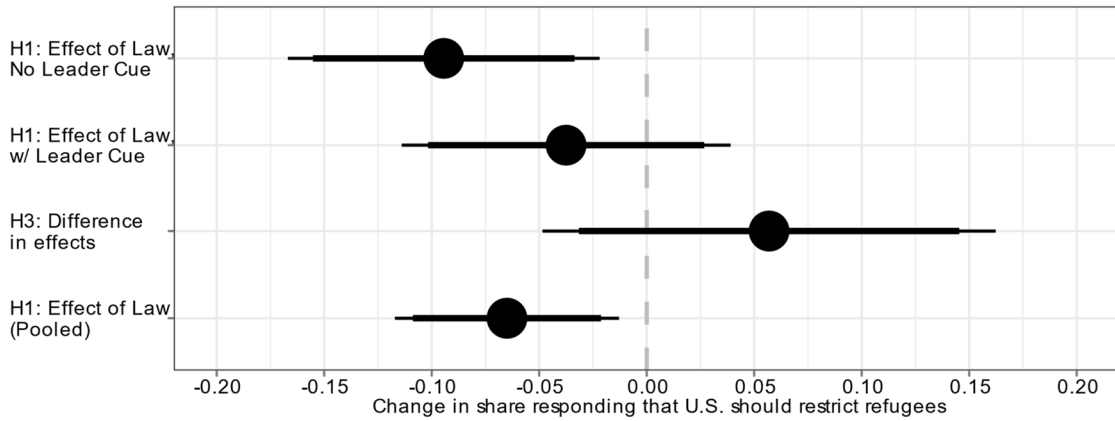


Figure 1. United States: Effects of law treatment on support for refugee restrictions.

Note: N=1020. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

As Figure 2 shows, there is also little evidence for Hypothesis 4 as there is no clear effect moderation even when the sample is split and each party is considered separately: ($p > .05$). Indeed, there is no evidence for even a marginal effect of the leadership cue on attitudes towards refugee restrictions (Hypothesis 2). Republicans in the sample exposed to the leadership cue were not more supportive of the refugee ban than those unexposed (Figure 3). Overall, the U.S. experiment finds that international law cues had a small but statistically significant persuasive effect on reducing support for nationality-based refugee restrictions. We found that the inclusion of a countervailing presidential cue did not significantly attenuate that effect (Hypothesis 3 received no support), nor is there a statistically significant difference between Democrats and Republicans.

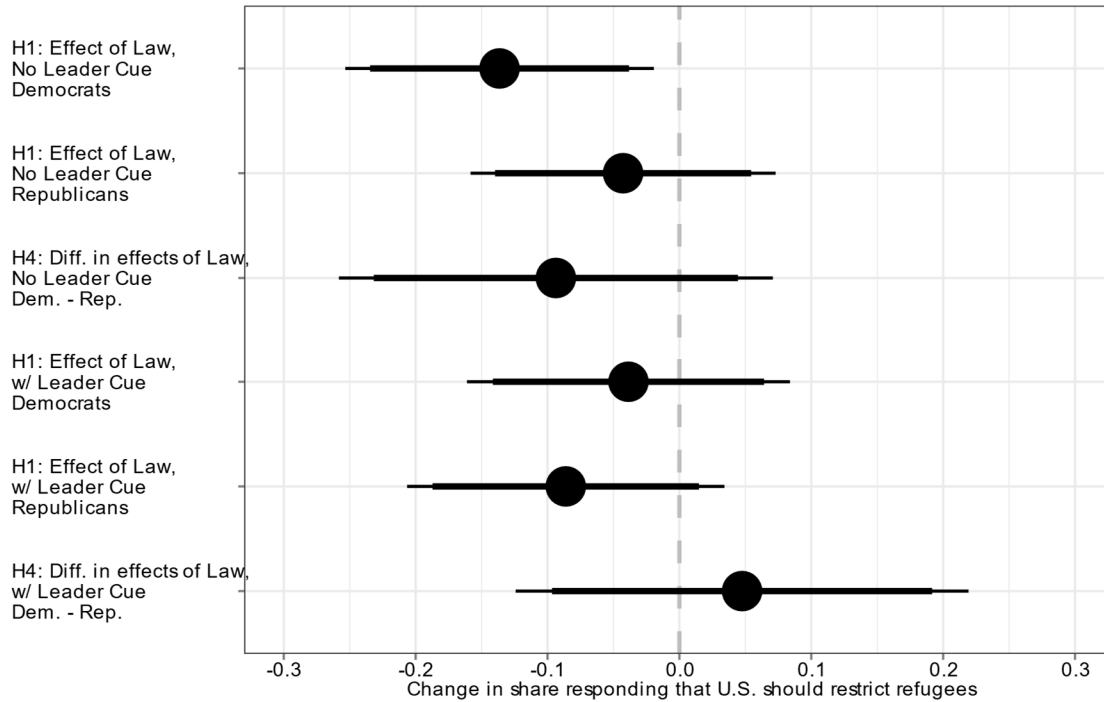


Figure 2: Effects of law treatment on support for refugee restrictions: U.S. Experiment, by Party.
Note: Democrats: N=395, Republicans: N=302. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

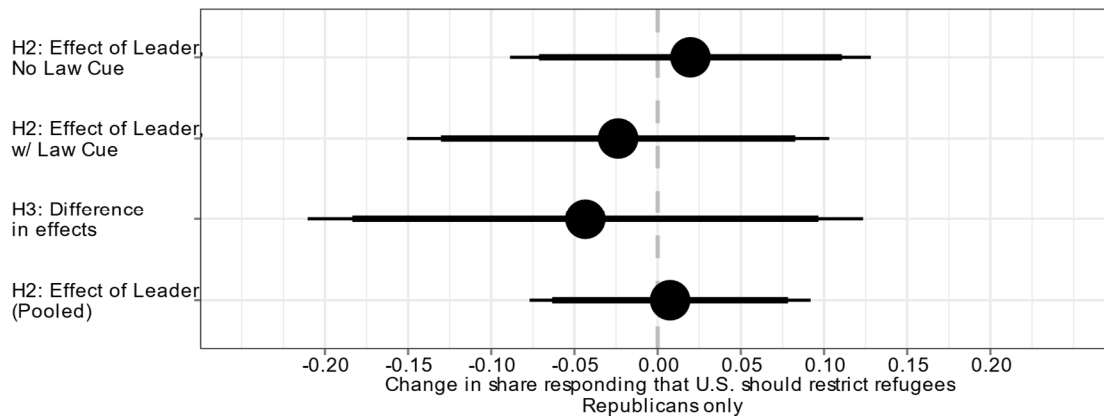


Figure 3: Effects of leader treatment on support for refugee restrictions: U.S. Experiment, Republicans
Note: Republicans: N=302. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

The absence of a partisan elite cue effect, even among Republican respondents may be explained by respondents already having strong pre-existing attitudes towards refugee restrictions. However, could partisan elite cues manifest through other means? The study found that, among Republican respondents, the leader cue treatment had surprising effects on *beliefs* about

legality.⁶³ This was not originally proposed as a testable hypothesis in the pre-analysis plan, but surfaced as a byproduct of testing for respondents' attention to prompts. When Republican respondents were exposed to the statement saying that President Trump endorsed a refugee ban, they were about 29 percentage points more likely to say that these restrictions were not illegal relative to the control condition (no cues; $p = 0.005$). The magnitude of this estimate is attenuated slightly when the law cue is introduced (though the study cannot reject the null of no difference here). On average, in-sample, Republicans were about 18 percentage points more likely to say that they believed the refugee ban was probably or definitely legal under international law when told that President Trump supported it during the campaign (Figure 3). In other words, co-partisans in the sample appear to treat the president's endorsement as evidence of legality itself. A leader can influence public perceptions of the *legality* of a salient policy, irrespective of his ability to influence public perceptions of the *legitimacy* of a salient policy. This finding is consistent with previous research on confirmation bias in which respondents weigh their co-partisan elite cues extremely heavily while dismissing policy information contrary to their preferences. This also suggests that respondents may be affected by motivational bias and engage in wishful thinking by willfully (mis)interpret the leader of one's party as "law-abiding."⁶⁴

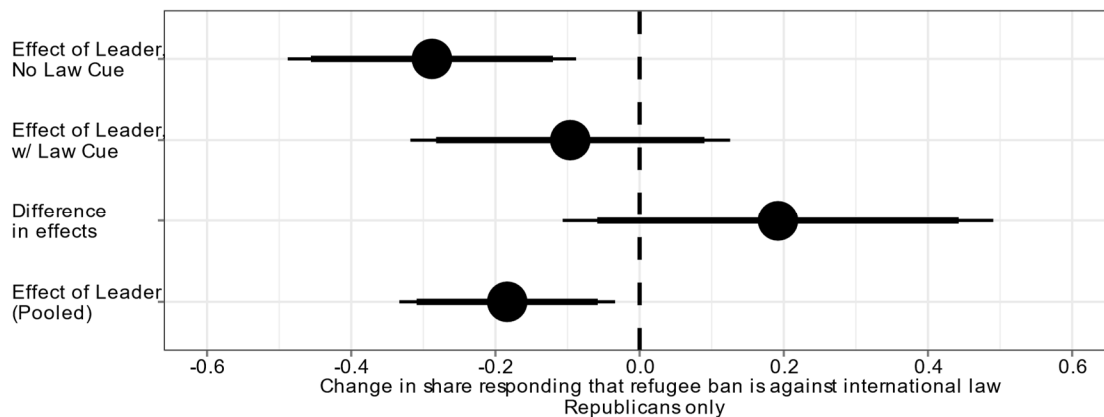


Figure 4: Effects of law treatment on belief that refugee restrictions are illegal. Republicans only. Since these coefficients were not explicit hypotheses prior to fielding the surveys; there are not labeled as such. Note: $N=144$ Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

Results: Australia

The survey of 2017 Australian voting-age adults finds additional evidence that international law cues shift opinions, but primarily among Labor party supporters. In the U.S.

⁶³ This is a serendipitous discovery arising from our manipulation check question. The original purpose of the question was simply to assess whether respondents assigned to the law cue actually changed their beliefs about the legality of the policies in the experiment. As such, it was not explicitly preregistered.

⁶⁴ Charles S Taber & Milton Lodge, *Motivated Skepticism in the Evaluation of Political Beliefs*, 50 AMERICAN JOURNAL OF POLITICAL SCIENCE (2015).

experiment the effect of law is slightly stronger among Democrats sampled than Republicans, although this difference is not statistically significant.⁶⁵ In Australia, however, there are notable differences in how Labor supporters respond to treatment in contrast to supporters of the more conservative Coalition. Figure 5 plots the estimated effect of the law treatment on whether respondents support ending Australia's offshore detention policy, both with and without the corresponding cue mentioning the Prime Minister's support for the policy. The point estimates are positive but small (about 2-3 percentage points) and not statistically significant (that is, there is no support for Hypotheses 1 and 2). Significant differences emerge by party, however (Figure 6). On average, Labor supporters are 10 percentage points more likely to say that they think the policy should end when exposed to the law cue compared to the condition where they receive no cues (Hypothesis 4). Among Coalition supporters, the effect is statistically indistinguishable from zero. The difference between these two sub-group effects is statistically significant at the .1 level ($p = .053$).

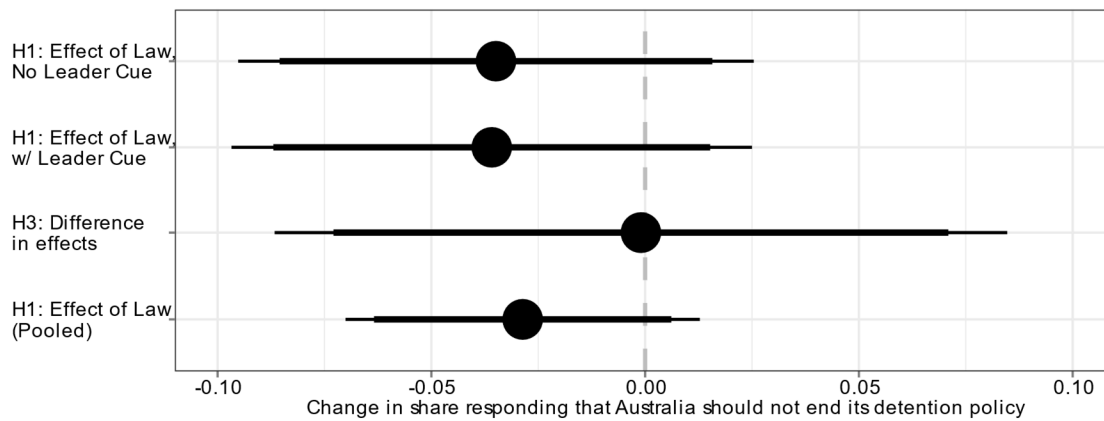


Figure 5: Effects of law treatment on support for Australia's detention policy.

Note: N=2017. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

⁶⁵ Though the existence of such a difference would be consistent with other work on the heterogeneous impact of international law cues by party.

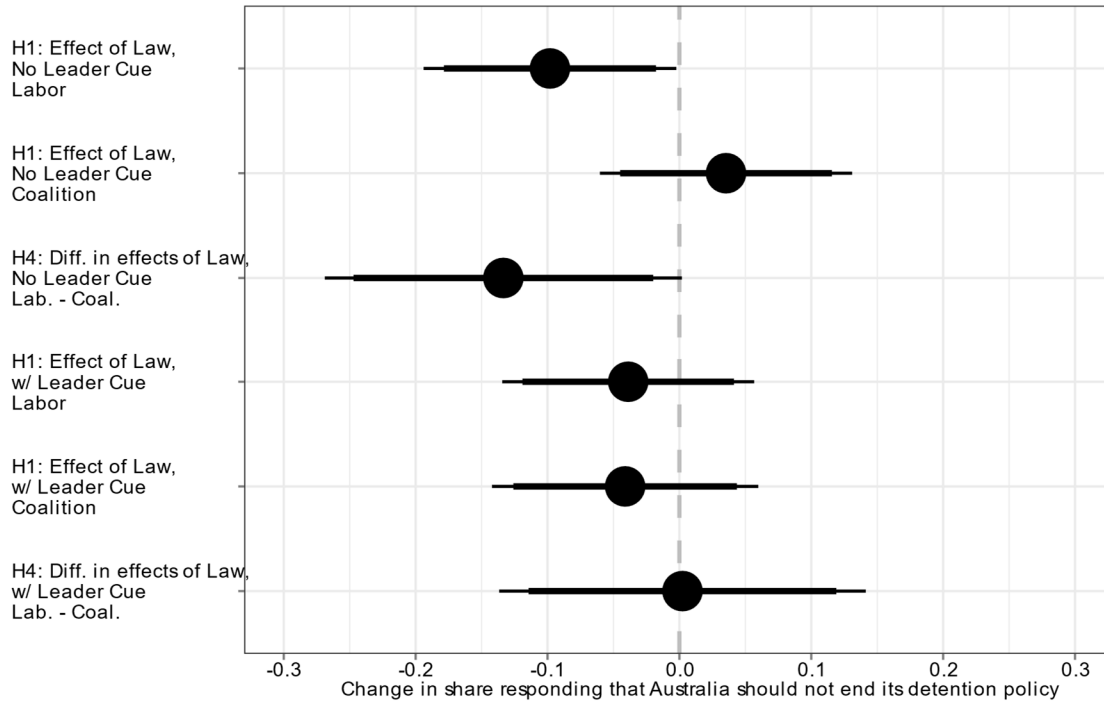


Figure 6: Effects of law treatment on support for Australia's detention policy by party.

Note: Labor $N=795$. Coalition $N=716$. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

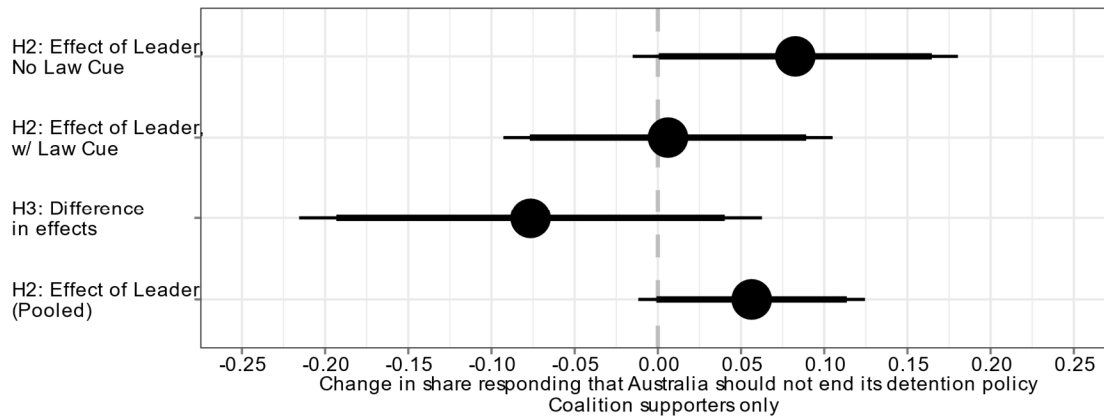


Figure 7: Effects of leader treatment on support for Australia's detention policy: Coalition.

Note: Coalition $N=716$. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

In Australia, the leadership cue does seem to influence the attitudes of supporters of the center-right Coalition, who were on average about 6 percentage points less likely to support ending the detention policy when exposed to any mention of the Prime Minister's policy (that is, there is some support for Hypothesis 4; Figure 7). However, this estimate is only marginally significant at $p < .1$, and is at best weak evidence in favor of any partisan cueing effects. Unlike

the U.S., leader treatment had no effect on *beliefs* about policy legality, even among co-partisans. Overall, the results from Australia provide further evidence for Hypothesis 1 that informing voters that a given restrictive refugee policy violates international law cues can reduce support for that policy. In Australia the law treatment operates primarily through supporters of the Labor party, with supporters of the center-right Coalition largely unaffected (Hypothesis 4). There is no statistically significant moderating effect of leadership cues.

Results: India

India is a hard case for the international law hypothesis (Hypothesis 1) given the significantly higher levels of support for refugee restrictions in this sample relative to either the U.S. or Australia. In the online sample of 1,469 Indian nationals, 75 percent of all respondents and 83% of those who support the BJP stated that the Indian government should definitely or probably deport all Rohingya refugees. Contrast this with the Australia sample where only about 49% of all respondents stated that the government should definitely or probably not end its offshore detention policy, rising to 61% among Coalition supporters. In the U.S. sample, 50% favored of refugee restrictions (83% among Republican respondents).

Despite much greater support for restricting refugees overall, India provides additional evidence in favor of the international law hypothesis. On average, respondents exposed to the international law cue were about 5 percentage points less likely to support deportation of Rohingya refugees than those exposed to no cues (Figure 8) in support of Hypothesis 1, though the evidence for an effect is weaker than both the U.S. and Australia samples ($p < .1$). This result again suggests that the law cue can have a limited but statistically significant effect on public opinion in India. In contrast to results from Australia, however, the effect appears to be driven by supporters of the Prime Minister's ruling BJP party rather than opposition-party supporters. Figure 9 plots the estimated treatment effects for the BJP and INC sub-groups. On average, BJP supporters were about 7 percentage points ($p < .1$) less likely to say they supported the expulsion of Rohingya refugees when exposed to the law treatment relative to the control (Hypothesis 1). Contrary to Hypothesis 3 and consistent with findings in the U.S. and Australia, this study finds no significant moderating effect of the leadership cue or evidence that it has an independent effect on attitudes. And in contrast to the United States sample, there was no effect of either treatment on the follow-up question regarding *belief* in legality.⁶⁶

⁶⁶ This may be partially due to respondent mis-understanding the wording of the question. Respondents who supported the expulsion of refugees were about 17 percentage points more likely to say that the policy was illegal under international law ($p < .001$). This is quite surprising given that one would not expect supporters of a policy to be more likely to state that is illegal compared to its opponents.

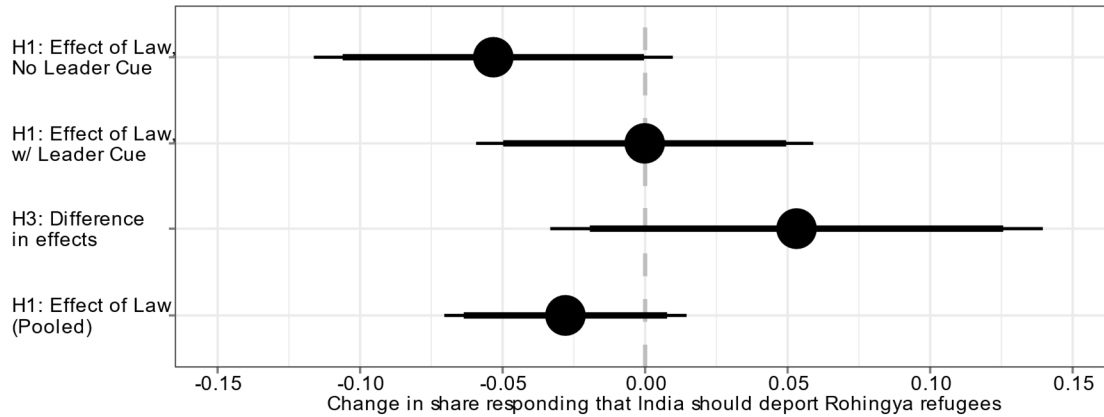


Figure 8: Effects of law treatment on support for deportation of Rohingya.

Note: $N=1469$. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

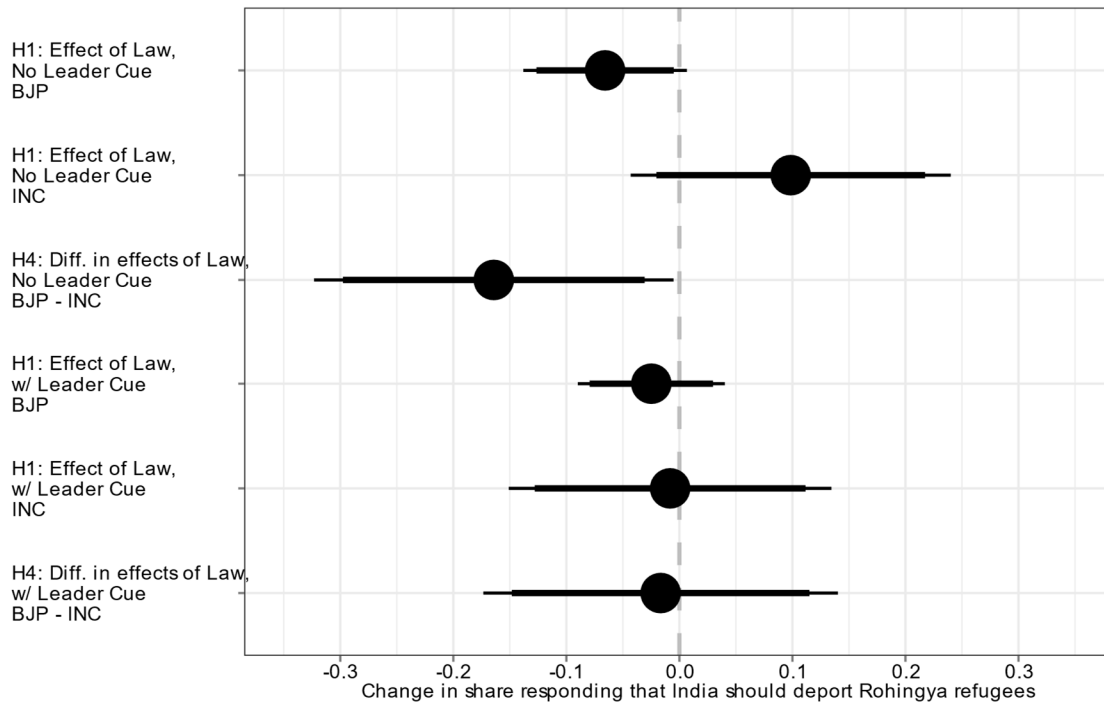


Figure 9: Effects of law treatment on support for deportation of Rohingya: BJP and INC supporters

Note: BJP: $N=890$. INC: $N=320$. Thick lines denote 90% confidence intervals. Thin lines denote 95% confidence intervals.

Overall, the Indian survey experiment finds that even among supporters of the ruling party, messages regarding international legal obligations were able to shift expressed attitudes on refugee restrictions, albeit to a limited degree. Combined, the Australia and India results suggest that findings from the U.S. sample about public attitudes can generalize to other, similar settings in other countries. Where refugee policies adopted by governments conflict with governments'

international legal obligations, the study finds that international law can persuade individuals to oppose those policies even in the face of countervailing partisan cues. Moreover, the effect need not be limited to opposition party supporters as one can see in the India experiment.

The results also clarify US results regarding elite cues and *beliefs* about legality. The finding that messages highlighting Trump's endorsement increase Republicans' *beliefs* that refugee restrictions are legal under international law does not have an analogue in either of the two follow-up experiments. Considering results from all three countries together, it appears that a leader can influence public belief in the state of law only in limited circumstances. Only respondents in the US, the most highly politically politicized country among our three case studies, were susceptible to the leader cue. Given that highly politicized settings are more likely to elicit emotional responses to political salient issues, it appears our results are in accordance with the aforementioned psychological literature, which suggests that people are more susceptible to universal psychological biases when cues stimulate emotional responses. In sum, leaders are better able to take advantage of confirmation and motivational biases to shape the public's belief about legality in politically charged settings.

Discussion and Conclusions

Three of the world's largest democracies have faced intense political pressure recently to restrict the flow of refugees across their borders. Each is also obligated under international law to respect refugee rights, to consider plausible cases of asylum, and never to return human beings to situations in which their basic human rights would be egregiously violated or their lives endangered. In each case, political leaders have proposed refugee policies that are highly questionable if not outright illegal under international law. What is the effect of these contradicting signals on public opinion?

First, cuing respondents with an international law obligation has a limited but detectable ability to shape public opposition to policies that contravene international law. Law treatment effects were on average largest in the United States, moving opposition to restrictions by 9 percentage points, and very large among opposition labor party supporters in Australia (whose opinion shifted by 10 percentage points). The average effects in India were smaller: an estimated a 5 percentage point shift against restrictive policies compared to no treatment. This finding is consistent with other studies of the effects of cuing respondents about international law obligations, but this is the first time it been demonstrated in a policy area as salient and resonant as refugee policy.

Second, international law tends to withstand an instance of contradiction. Cuing respondents with both international law violation and leader advocacy never significantly attenuates these estimates, even when respondents are cued to the fact that presidents or prime ministers have advocated those policies. This finding is even more surprising since the policy cue in each case clearly justifies restrictions on the basis of national security. Specifically, in the United States, restrictions were advocated "to protect the citizens of the United States from terrorist attacks;" in Australia they were said to be necessary "to secure the border and deter human smugglers;" and

in India the leader cue included information that “the unauthorized immigration of Rohingya migrants to India threatens India's national security.” While theories of elite messaging predict that these cues would “undo” law’s constraining influence on public opinion, amazingly, the leader cues did not.

Third, the study looks beyond how international law shapes public *support* for salient policies and examines public *belief* in the legality of salient policies. That is, the study differentiates between how a leader can shape the public’s view of the legitimacy of a refugee policy (i.e., should the U.S. implement this policy) and the public’s view of the legality of a refugee policy (i.e., is it illegal for the U.S. to implement this policy). In doing so, the study finds troubling evidence of a potentially serious form of confirmation and motivational biases. In the U.S. (though not elsewhere), the current President appears to have the ability to shape co-partisans’ perception of the state of the law itself. When told that the President advocated refugee entry restrictions, Republicans were much more likely to answer that they believe the policy to be legal, even when told specifically it is not. This is in line with other studies suggesting elite cues tend to dominate policy relevant information.⁶⁷ Not only that, it suggests a leader’s ability to shape his or her co-partisans’ beliefs about the legality of his or her policies. Given that this troubling result is only found in the US, not Australia or India, it seems that the findings may be limited to highly politically polarized settings such as the US. The circumstances in which the public becomes more susceptible to psychological biases to the point where leaders are able to persuade the public of the state of law may be limited. The diverging findings among the three countries suggest the potential for an especially serious form of confirmation and motivational biases only under conditions of highly polarized politics. Future studies could explore the conditions in which leaders are able to leverage universal psychological biases to affect public perceptions of legality.

There are some important caveats and limits to this study’s findings. First, as with all studies of partisan cuing based on survey experiments, it may have been unable to detect an effect of a policy prime simply because respondents come in to the study pre-exposed to the treatment’s message.⁶⁸ Respondents may have already made up their minds about refugee policy, or about their political leaders’ policies specifically, making it hard for cues to alter opinions. Strong partisans in particular are likely already heavily exposed to their leader’s messages on refugee policy. The study’s treatment effects, therefore, may not be independent effects from the treatment itself. Nonetheless, designing a study to test salient issues, where pre-existing beliefs may have made up respondents’ minds, created a hard test to explore the effects of the international law cue and the leader cue. The fact that this study found significant effects, despite respondents’ potential pre-existing beliefs, adds confidence in our results. Meanwhile, designing an experiment with a hypothetical case where pre-existing beliefs could not have played a role would have reduced the substantive significance of the study and may have undermined the internal validity of the experiment by requiring a greater suspension of disbelief.

Second, the source of the “law cue” may affect respondents’ willingness to believe it. Individuals are more likely to accept information when it comes from an “unlikely source” that is

⁶⁷ Druckman, et al., *AMERICAN POLITICAL SCIENCE REVIEW*, (2013). Brulle, et al., *CLIMATIC CHANGE*, (2012).

⁶⁸ Rune Slothuus, *Assessing the influence of political parties on public opinion: The challenge from pretreatment effects*, 33 *POLITICAL COMMUNICATION* (2016).

not perceived to have private interests in advancing that information.⁶⁹ This study's survey experiments were conducted under the sponsorship of Harvard University, which may have affected some respondents' willingness to believe provided information.⁷⁰

Third, as with all experimental studies, there is a question of external validity. How much can one infer about real life conditions from experimental studies? It is unclear whether this study's results hold up in real life conditions in which the public is bombarded with other information. However, the study was careful in its design to mimic real life through careful wording of the survey text that describe salient issues in an accurate manner. As such, it is the authors' contention that many of the effects will survive outside the survey context. At the very least, the study provides a first-cut measure of the impact of international law and leaders on public perceptions of refugee policy. We are also cognizant of slight differences in the structure of how the questions are worded that may affect comparability due to differences in respondents' default tendencies. When faced with uncertainty, individuals will all-else-equal tend to prefer maintaining a present policy versus enacting a change - a "status-quo bias"⁷¹ In the U.S. and India vignettes, respondents were presented with potential policy changes while in the case of Australia, respondents considered ending a policy currently in-force. While this would affect the overall magnitude of support elicited in the vignettes, it is not clear that such a status-quo bias would affect respondents differently across treatment conditions. Therefore, we are not particularly concerned about differences in policy baselines influencing treatment effect estimates.

Finally, the hypotheses concerning respondents' beliefs about legality were not explicitly pre-registered and the sample sizes for these sub-group analyses are much smaller than the sample sizes for the main, pre-registered analyses of respondents' policy attitudes. Given the unexpected findings regarding the U.S. President's influence over co-partisans' perception of legality, a future study could focus on whether a political leader could maintain his or her influence over co-partisans' perceptions of reality in the face of more extensive factual information, from varied sources, about the nature of the law obligation and the seriousness of the risks to national security.

Despite these caveats, the evidence presented here suggests that cues about international legal constraints can play an important role in some circumstances. While important biases seem present in some cases, this research suggests politicians cannot simply disregard beliefs about international law, though in some situations they may be able to change those beliefs themselves.

⁶⁹ Berinsky, Adam J. "Rumors and health care reform: experiments in political misinformation." *British Journal of Political Science* 47.2 (2017): 241-262.

⁷⁰ Existing work suggests that there is little effect of university sponsorship on respondent behavior, see Leeper, Thomas J. & Thorson, Emily. "Minimal Sponsorship-Induced Bias in Web Survey Data" Working Paper. Accessed 01/02/2018 at <https://s3.us-east-2.amazonaws.com/tjl-sharing/assets/SurveySponsorship.pdf>. However, this remains an understudied question.

⁷¹ Samuelson, William, and Richard Zeckhauser. "Status quo bias in decision making." *Journal of risk and uncertainty* 1.1 (1988): 7-59.

Table 1: Summary of the Three Survey Experiments

	USA	Australia	India
1. Issue vignette	“There is currently a debate about whether the United States should limit the entry of refugees from certain predominantly Muslim countries.”	“There is currently a debate about whether the Australian government should continue to detain refugees and asylum seekers attempting to reach Australia by boat in processing centers located in Papua New Guinea and Nauru.”	“There is currently a debate about whether the Indian government should deport about 40,000 Rohingya refugees and asylum seekers who have crossed into India from Myanmar without authorization by the Indian government.”
2. Law cue	“Discrimination against refugees on the basis of nationality is outlawed by the Refugee Convention of 1951 and its 1967 protocol, legally binding international treaties to which the United States is committed.”	“According to a report by the United Nations Human Rights committee, this policy violates the International Covenant on Civil and Political Rights, an international treaty which Australia has ratified.”	“According to the United Nations High Commissioner for Human Rights, expelling Rohingya would violate principles of customary international law by returning refugees to a country where they face the threat of violence.”
3. Leader cue	“During the 2016 Election campaign, President Trump advocated for limiting the entry of refugees from certain predominantly Muslim countries on the grounds that these measures are necessary for the national security of the United States and to protect the citizens of the United States from terrorist attacks.”	“The Government of Prime Minister Malcom Turnbull, leader of the Liberal party, has defended this policy on the grounds that it is necessary to secure the border and deter human smugglers.”	“The Government of Prime Minister Narendra Modi, a member of the Bharatiya Janata Party (BJP), supports deportation, arguing that the unauthorized immigration of Rohingya migrants to India threatens India's national security.”
4. Both law <i>and</i> leader cues [Order of the two sentences is randomized.]	“A comprehensive and indefinite bar of refugees from a particular country to the U.S. is outlawed by Refugee Convention of 1951 and its 1967 Protocol, which the U.S. has ratified. Barring entry of Syrian refugees has been advocated by President Trump as a way to enhance the security of Americans.”	“The Government of Prime Minister Malcom Turnbull, leader of the Liberal party, has defended this policy on the grounds that it is necessary to secure the border and deter human smugglers. According to a report by the United Nations Human Rights committee, this policy violates the International Covenant on Civil and Political Rights, an	“The Government of Prime Minister Narendra Modi, a member of the Bharatiya Janata Party (BJP), supports deportation, arguing that the unauthorized immigration of Rohingya migrants to India threatens India's national security. According to the United Nations High Commissioner for Human Rights, expelling Rohingya would violate

		international treaty which Australia has ratified.”	principles of customary international law by returning refugees to a country where they face the threat of violence.”
5. Policy attitude question [Answers: Definitely yes, probably yes, probably no, definitely no.]	“Do you think the United States should limit the entry of refugees from certain countries, even if it means turning away vetted refugees?”	“Do you think the Australian should end its policy of detaining refugees and asylum seekers in these offshore processing centers even if it means that more refugees and asylum seekers might attempt to arrive in Australia?”	“Do you think the Indian government should expel all Rohingya who have entered India without authorization?”
6. Belief question:	“In the first question, you were asked to consider if the United States government should limit the entry of refugees from certain countries. Do you consider restrictions on allowing refugees to enter the United States that are made on the basis of a refugee's country of nationality to be illegal under international law?”	“In an earlier question, you were asked to consider whether the Australian government should end its policy of detaining refugees and asylum seekers in offshore processing centers in Papua New Guinea and Nauru. Do you consider this detention policy to be illegal under international law?”	“In an earlier question, you were asked to consider whether the Indian government should deport about 40,000 Rohingya refugees and asylum seekers who have crossed into India from Myanmar without the Indian government's permission. Do you consider the deportation of Rohingya in India to be against international law?”