



Thomas Risse

Deep Contestations and the Resilience of the Liberal International Order

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Thomas Risse

ABSTRACT

The Liberal International Order (LIO) has proven to be remarkably resilient in its history since World War II and has managed to thrive in the face of previous deep contestations. It is premature to count the LIO out resulting from the contemporary deep contestations. The paper starts with a brief history of the LIO and then discusses three causes for the contemporary deep contestations – intrusiveness without inclusiveness, inequality, and incapacity (to solve urgent global problems). In addition, there are the regime survival interests of autocratic powers, whether rising (China) or in decline (Russia). The paper also looks at possible sources of resilience of the LIO. The LIO survive depending on a) the reaction by LIO defenders to the deep contestations; b) reform of crucial LIO institutions toward greater inclusiveness; and c) effective institutional solutions with regard to tackling both global inequalities and the existential threat of climate change.

1 INTRODUCTION

The Liberal International Order (LIO) is under siege, both globally and in core regions such as Europe and the Americas.¹ Russia's invasion of Ukraine has not only violated global core norms of territorial integrity and of peaceful resolution of conflicts (all enshrined in the LIO's "constitution",

the United Nations Charter)², but also led to war crimes and crimes against humanity. It has also all but destroyed the European security and peace order which came in place with the 1975 Helsinki Final Act (of the Conference on Security and Cooperation in Europe, CSCE) and was further strengthened after the end of the Cold War. China's ever more autocratic leadership not only threatens the territorial integrity of its neighbours in the South China Sea and beyond. It challenges core features of the LIO including the international human rights regime as well as rules-based multilateralism. Rather than defending the LIO, rising powers such as India or South Africa appear to be fence-sitting, waiting to see how the emerging rivalry between China and the US plays out in world politics. Last but not least, the Hamas massacre of Israeli citizens on Oct. 7, 2023, the humanitarian crisis in Gaza resulting from Israel's (legitimate) military response, and the ambivalent response by the international community (with the UN General Assembly refusing to condemn the massacre and the US originally vetoing various ceasefire resolutions of the UN Security Council) have further shown in a nutshell that the LIO is deeply contested.

Moreover and at least equally significant, liberal democracy itself has come under siege among core members of the LIO, such as the US or the

¹ This is the draft concluding chapter for Antje Wiener, David A. Lake, and Thomas Risse (under review). I thank the participants in the "Conversations with Companions" workshops in Berlin and Centennial, Wyoming for their valuable input and discussions. Special thanks for comments on the draft of this chapter go to Tanja A. Börzel, David A. Lake, and Antje Wiener. Research for this paper has been funded by the German Research Foundation (DFG – Deutsche Forschungsgemeinschaft) in the framework of the Cluster of Excellence "Contestations of the Liberal Script" (SCRIPTS; grant EXC 2055) and project grant RI 798/12-1.

² On the United Nations Charter as the global constitution of the liberal international order and its non-hegemonic origins, see Bardo Fassbender (2009), Wiener and Stefan Oeter (2016), Mattias Kumm, Anthony F. Lang, Miguel Poiares Maduro, James Tully, and Wiener (2012), and Risse (2024).

European Union (EU). Authoritarian nationalism including populist leaders or parties (Lake/Wiener under review; on authoritarian populism, see Norris/Inglehart 2019; Schäfer/Zürn 2024) has captured half of the political space in the US (Lake under review; see also Börzel et al. 2024) and France, are in power in some European countries (e.g. Hungary) as well as in the only Middle Eastern democracy, Israel, and constitute political forces to be reckoned with in otherwise stable democracies such as Germany (Checkel under review). The world's most populous democracy, India, has become an "electoral autocracy" (V-Dem Institute 2023: 13). These developments in democratic core regions of the LIO further weaken the rule-based global order.

In sum, we are faced with deep contestations of the LIO, which emerge "when the fundamental rules of politics, the principles and procedures through which policies get made, come under challenge" (Lake/Wiener under review). While contestations are normal and actually necessary for the thriving of liberal orders – whether domestic, regional, or international, deep contestations are characterized by increasing radicalization (e.g. the use of violence) and polarization³ outside the realm of institutions geared toward solving conflicts in liberal societies (Deitelhoff under review; on contestations in general, see Wiener 2014; Zimmermann et al. 2023). Do we, thus, witness the end of the LIO, as we know it and as some scholars seem to suggest (see Kornprobst/Paul 2021), or do we just face adjustable "challenges" (see Lake et al. 2021)? In other words, the resilience of the LIO is at stake. Resilience concerns "the capacity of societies, communities, and individuals to deal with opportunities and risks [in their environment] in a peaceful manner" (Stollenwerk et al. 2021: 1223; see also Chandler 2017; Korosteleva/Flockhart 2020). Resilience implies change, not stability. An order is resilient when it

is able to preserve its core features by proactively adapting and transforming in a rapidly changing environment and under stress. As we have argued elsewhere (Börzel/Risse 2021: particularly ch. 3; Stollenwerk et al. 2021), resilience relies on two sources in particular:

- Legitimacy of an order as perceived by its stakeholders (on legitimacy, see also Lake under review), be it state or non-state actors (as in the case of the LIO);
- Appropriate design of an order's institutions "fit for purpose" and adaptable to changed circumstances including the provision of institutional solutions that channel conflicts and contestations toward productive outcomes and "normal" contestations (Deitelhoff under review; Wiener under review).⁴

I argue in the following (against the grain of at least some of the literature) that the LIO has proven to be remarkably resilient in its history since World War II and has managed to thrive in the face of previous deep contestations. In fact, the LIO arose out of the deepest contestations of liberal order in the 20th century, namely the Holocaust and Stalinist mass murders. It has faced contestations including deep contestations ever since, and – as a result – it has adjusted and transformed itself. It has also become more inclusive, first, by integrating the postcolonial and newly independent states in Africa and Asia (de-colonization itself qualifying as deep contestation). Second, it overcame another instance of deep contestation, namely the East-West conflict, and integrated Central Eastern Europe into the EU and NATO as regional liberal orders, while most post-Soviet states became part of the global LIO. As a result, it might be premature to count the LIO out resulting

⁴ A third source of resilience is social trust among citizens which allows to solve even complicated collective action problems (Ostrom et al. 1994). I submit that this source of resilience is less relevant in the case of the LIO which is probably too remote from the daily experience of citizens.

³ I thank Tanja A. Börzel for pointing this out to me.

from the contemporary deep contestations, even though it must probably undergo another round of deep transformations in a “multiplex” world (Acharya 2014). At least, the contemporary deep contestations have to be compared with previous contestations (on comparisons as the basis of contestations, see Albert under review).

I start with a brief history of the LIO and its transformations in order to document its resilience so far. The three “Is” discussed in David A. Lake and Antje Wiener (under review) – intrusiveness without inclusiveness (Börzel under review; see also Wiener under review on the *quod omnes tangit* principle), inequality (particularly Lake under review), and incapacity (to solve urgent global problems such as climate change) – offer a good starting point. These three drivers are internal to the LIO, they arose out of inherent contradictions of liberal order(s) and the backlash against the LIO is at least partly resulting from its very success, especially in the area of human rights (Sikkink under review), and from its inherent contradictions (e.g. between the universality of human rights and the territorial state organization of the international system; Simmons under review). In addition, there are the regime survival interests of autocratic powers, whether rising (China) or in decline (Russia). What makes the current deep contestations of the LIO unique, though, is the combination (and partial alliance) of authoritarian nationalism in core states of the LIO and these autocratic regimes.

Last but not least, I look at the “evidence for hope” (Sikkink 2017), namely the possible sources of resilience of the LIO in terms of legitimacy and institutional fit (see above). In my view, there are three possible outcomes of the current period of deep contestations:

1. *Disordering and chaos* in terms of the emergence of a Hobbesian “dog eat dog” world where might makes right: None of the current

deep contestants favours this outcome,⁵ but it might well be the unintended consequence of the contemporary crisis.

2. *Bouncing backwards* by strengthening the sovereignty-based territorial state order component of the international order (Simmons under review) thereby stripping it from its intrusive and liberal components: This appears to be the favoured outcome of many contestants including China, on the one hand, and authoritarian populism in liberal states, on the other.
3. *Bouncing back or bouncing forward of the LIO*: If the LIO is resilient, it might embrace reforms to cope with the current challenges in a world of several centres (see also Ikenberry 2024). This entails dealing effectively with the three “Is” (Lake/Wiener under review). In other words, the LIO will bounce back or bounce forward depending on a) the reaction by LIO defenders to the deep contestations (Sikkink under review); b) reform of crucial LIO institutions toward greater inclusiveness thereby strengthening “participatory” as well as “procedural” legitimacy (Börzel under review; Deitelhoff under review; Lake under review; Wiener under review); and c) effective institutional solutions increasing “performance legitimacy” (Lake under review) with regard to tackling both global inequalities and the existential threat of climate change.

2 A BRIEF HISTORY OF THE LIO AND ITS RESILIENCE

Throughout its history, the LIO has proven to be remarkably resilient, largely because it was able to rely on two sources of resilience (see Börzel/Risse 2021: ch. 3; Stollenwerk et al. 2021), namely effective international institutions “fit for

5 The Trumpist „Make America Great Again” (MAGA) unilateralism and Putin’s destruction of the European peace and security order probably come closest to this option.

purpose” (Koremenos et al. 2001) and (participatory, procedural, performance, and principled) legitimacy (Lake under review). The LIO emerged out of the ashes of the deepest contestation of the 20th century, the Holocaust and World War II. Conventional wisdom has it that the LIO has been a US- or Western-designed international order. Interestingly enough, scholars from a variety of perspectives share this view until today, both affirmatively and critically (see Cox 1987; Ikenberry 2012; Meyer 1987; Wallerstein 1979). While I do not deny the significance of US material and ideational power as a central anchor of the LIO, the LIO has had many authors (Risse 2024) and the US record as a staunch defender of its principles and norms is decidedly mixed (Viola 2024; see also Sikkink under review with regard to the Iraq war).

As Marcos Tourinho (2021) has shown, the LIO and the state-based territorial order were co-constitutive from the beginning leading to inherent tensions between its liberal elements and its sovereignty-preserving components (Simmons under review). The UN Charter encompasses both genuinely liberal elements (referring to individual and collective self-determination) as well as references to territorial sovereignty, and most of these constitutive principles were taken from the Latin American 1933 Montevideo Declaration (Finne-more/Jurkovich 2014). The principle of “sovereign equality” which Latin Americans inserted into the Charter, is particularly instructive in its Janus-faced nature: On the one hand, it protects the (liberal) principle of collective self-determination against external interventions (by the former colonial powers). On the other hand, it can also be (ab-) used by autocracies to safeguard the repression against their own people (i.e., a non- or illiberal understanding). Moreover, as Beth A. Simmons (under review) argues, border controls to uphold state sovereignty rights are increasingly used to deny basic human rights to migrants including refugees. Part of the backlash against the LIO in Western democracies results from the

inability to resolve effectively the tension between the rights of migrants and the rights of national communities to protect their borders (Börzel under review; Checkel under review).

As to the genuinely liberal components of the LIO, their inclusiveness as well as performance effectiveness varied considerably. As to political liberalism, actors from what is now called the Global South were crucial with regard to the 1949 Universal Declaration of Human Rights (UDHR), the founding document for what is now a global human rights regime as a constitutive part of the LIO. This concerns particularly Latin American (Sikkink 2014) and Indian actors (Berger 2022) as significant co-authors of the UDHR. Starting with the UDHR, the global (and regional) human rights regime would not have emerged without the co-authorship of post-colonial states and innumerable underprivileged non-state actors, transnational advocacy networks (Keck/Sikkink 1998; Risse et al. 1999), and the like. The new historiography of the global human rights regime documents this in detail, from the two international conventions of the 1960s to the women’s rights regime and with regard to the rights of indigenous peoples (see particularly Jensen 2016). This history contradicts the notion that international human rights have been a Western concept imposed on the rest of the world through US hegemony (Moyn 2019). Rather, the global human rights regime as a constitutive part of the LIO is a significant example of how increasing liberal content, intrusiveness, and inclusiveness can be combined successfully. In a way, the global human rights regime “bounced forward” throughout its history.

It also shows how contestations can ultimately strengthen the LIO. The global human rights regime – particularly with regard to freedom as well as political and civil rights – has been deeply contested throughout the Cold War by the Soviet Union and its allies as well as by other autocratic states until today (on China, see Berger 2023). Not

only did it survive the contestations because of its staunch defenders (on human rights defenders, see Spannagel 2023; on this mechanism, see Sikkink under review). Its principled legitimacy (Lake under review) ultimately contributed to overcoming communism and the Cold War (for details with regard to the human rights provisions in the 1975 Helsinki Final Act, see Thomas 2001).⁶ Last but not least, as Kathryn Sikkink (2017) has shown in detail, the performance effectiveness of the international human rights regime has improved the livelihoods of billions of people.

In sum, the institutional design of most global and regional human instruments has been remarkably adequate and adaptable to new circumstances. At the same time, the global and regional human rights regime is by and large a story of improving all four sources of legitimacy (Lake under review). Yet, as Nicole Deitelhoff (under review) shows with regard to the International Criminal Court (ICC) and the grievances of particularly African states, this legitimacy can erode quite quickly as a result of failing inclusiveness and participatory (“input”) legitimacy. Be that as it may and throughout its history, the human rights regime as constitutive part of the LIO has shown its resilience against various onslaughts and deep contestations by autocratic states.

The same cannot be said with regard to economic liberalism and the Liberal International Economic Order (LIEO). On the one hand, market capitalism and the open international economic order have survived many contestations including deep ones such as Soviet-style planned economies (see below). Besides, the LIEO has probably moved billions out of poverty including hundreds of millions of Chinese, since the successful

“rise of China” owes a lot to the open international economy as part of the LIO. On the other hand, the LIEO exemplifies a part of the LIO whose institutions have become ever more intrusive without increasing inclusiveness, thereby fostering global inequalities, both between and within states. Interestingly enough, the exclusive and unequal parts of the LIEO have been contested from the very beginning, that is, the 1944 Bretton Woods negotiations. Latin American as well as Asian states put “international development” on the global agenda from the very beginning (Hel-leiner 2014a). In a way, these countries tried to embed liberalism (Ruggie 1983) not only domestically, but also globally by reminding the industrialized democracies and former colonial powers of their obligations toward the global South – to little avail. The issue was contested from the beginning, despite international pronouncements such as the 1986 UNGA “Declaration on the Right to Development”. For instance, efforts to establish a New International Economic Order (NIEO) in the late 1960s and 1970s largely failed (Krasner 1985), strongly resisted by the highly industrialised democracies led by the US. In that sense, the LIEO has never been inclusive, and the period of hyper-globalization from the 1980s on accelerated the trend toward economic inequalities, particularly inside countries (Lake under review). Nevertheless, global distributive justice has remained on the global agenda ever since and is currently one of the most contentious items in the ongoing negotiations on climate change (see below). In sum, the LIEO is an example of increasing intrusiveness of the global trade order (e.g. the WTO) without increasing inclusiveness or participatory legitimacy (Börzel under review; Lake under review; Lake/Wiener under review). While there is no alternative model for an international economic order in sight, the contestation of basic features of the LIEO is increasing (e.g. authoritarian populism favouring protectionism).

6 Of course, the Cold War was also a power rivalry between two nuclear armed superpowers. As Mathias Albert (under review) discusses, the balance of power between the US and the USSR was largely measured in terms of their military capabilities, thus constituting the Cold War order including a significant part of its contestation.

The third part of the LIO – liberal internationalism or what John G. Ruggie called “principled multilateralism” (1992) – has faced similar issues as the LIEO over time. On the one hand, multilateral institutions – both global and regional (on the EU, see Börzel under review; on comparative regionalism in general, see Börzel/Risse 2016) – thrived and their institutional design was able to solve at least some global governance problems (a prominent example being the restoration of the Ozone layer by the 1987 Montreal Protocol as well as the 1973 CITES regime to protect endangered species), increasing their performance legitimacy. On the regional level and with the help of the US (Lake under review), a transatlantic security community emerged thereby creating a rather inclusive – initially West – European order of prosperity and peace that then extended into Central Eastern Europe at the end of the Cold War.

Over time, multilateral regional and global institutions also became ever more intrusive moving toward supranational components through the pooling and delegating of sovereignty (Hooghe/Marks 2015). Here, the end of the Cold War as a deep contestation of the LIO served as a catalyst to enormously strengthen the intrusiveness and liberal content of multilateral institutions (Börzel/Zürn 2021: particularly fig. 3, 292), both globally and regionally. This was particularly relevant for Europe (Börzel under review): The EU both deepened through various treaty reforms and widened by taking in ten more members, including all former Central Eastern European allies of the USSR and three former Soviet republics, namely the Baltic states.

On the other hand, it is precisely the resilience of liberal internationalism and the LIO in general which is at stake at the moment in light of the current deep contestations. As various authors argue (see Börzel under review; Deitelhoff under review; Wiener under review), increasing the intrusiveness of multilateral institutions without

strengthening their inclusiveness with regard to the *quod omnes tangit* principle (Wiener under review) led to considerable backlash including the rise of authoritarian populism and ethnonationalism (Lake under review; Lake/Wiener under review). At the same time and throughout the post-World War II history of the LIO, the US and its allies continuously undermined the principled legitimacy (Lake under review) of the global order by not living up to their own standards, from the autocracy-preserving interventions in Latin America during the Cold War to the “liberal” military interventions of the post-Cold War era that lacked UN mandates, (see Viola 2024). Last but not least, while LIO institutions were able to cope with some governance problems (see above), we can also observe quite some incapacity with regard to global problems including climate change. As a result, this undermines the performance (or “output”) legitimacy of the LIO further contributing to deep contestations.

In sum, the short history of the LIO documents both trends: On the one hand, the LIO has proven resilient against various contestations resulting in its “bouncing back” as well as “bouncing forward” (human rights) throughout the past. On the other hand, the three “Is” – intrusiveness, inequality, and incapacity (Lake/Wiener under review) – have served to undermine the LIO leading to the contemporary deep contestations. I will now turn to these drivers of the current crisis of the LIO.

3 DRIVERS OF THE CONTEMPORARY DEEP CONTESTATIONS

This article cannot and will not provide a comprehensive explanation for the contemporary deep contestations of the LIO. Lake and Wiener (under review) mention three “Is” as drivers: intrusiveness, inequality, and incapacity. In my view, lack of inclusiveness – in combination with intrusiveness – constitutes another driver (particularly Börzel

under review; Deitelhoff under review; Wiener under review). These four causes for deep contestations have in common that they are endogenous to the LIO. In other words, they are unintended consequences of the LIO's very success. In addition, I introduce one more driver of the deep contestations, namely the survival interests of autocratic regimes in the current world order that are directly threatened by political liberalism including human rights as a constitutive component of the LIO (see above).

I start with (economic) inequality. Particularly Lake (under review) points to the economic drivers of the contemporary deep contestations leading to a vicious circle with growing legitimacy problems for the LIO. He compares the immediate post-World War II period whereby the US substantially engaged in re-constructing (Western) Europe leading to economic prosperity with the current period. The US engagement exemplified "embedded liberalism" (Ruggie 1983) at work whereby the losers of open trade economies are compensated domestically. US policies toward Europe not only helped keep left-wing parties out of power but also helped increase the legitimacy of the European liberal order including European integration. In contrast, "hyper-globalization" and the economic policies of the 1980s and beyond (sometimes erroneously called "neoliberalism"; see Biebricher 2018 on this misnomer) led to increasing economic inequalities inside liberal societies, the US in particular (see also Broz et al. 2021; Flaherty/Rogowski 2021). For instance, the real incomes of particularly white male working class Americans have steadily declined since 1972. Lake argues that particularly Donald Trump managed to mobilize these aggrieved groups thereby channelling their views toward contesting democratic principles including substantial parts of the LIO, such as trade liberalism and migration (Simmons under review). As a result, an ex-President who is indicted with regard to the Jan. 6, 2021, insurrection, the interference in elections,

the illegal storing of classified documents, and paying hush money to a prostitute is nevertheless the front runner of the Republican Party for the 2024 elections (on the deep contestations in the US, see Börzel et al. 2024).

While it is plausible that economic inequalities contributed to the current deep contestations of the LIO, the exact causal mechanisms are less clear. For example, we have seen a rise of right-wing populist parties even in regions such as Scandinavia where income inequality, while rising, is nowhere near the US. Lukas F. Stoetzer, Johannes Giesecke, and Heike Klüver (2022, 2023) argue, therefore, that it is perceived rather than "objective" income inequality that leads to a rise in populist attitudes, but that the link to votes for right-wing populist parties remains more tenuous. Others have argued that it is not so much income inequality but fear of status loss among white (evangelical) middle classes leading to grievances which then translate into support for right-wing populism (Mutz 2018; Pally 2024). What is at stake here is the liberal promise of upward mobility based on meritocratic principles.

Moreover, while the global income inequality between countries has steadily declined, the gap between the wealthiest states and the poorest ones is still enormous (World Bank Group 2016). Global justice issues and the "right to development" have been on the international agenda of the LIO since at least Bretton Woods (Helleiner 2014a). Thus, the contestation of the liberal script between individual prosperity and social solidarity or between market competition and the welfare state has its own global component in the so-called "North-South" conflict, thereby exacerbating the crisis of the LIO. For example, it constitutes one of the thorniest issues in the various Conferences of Parties (COP) of the global climate change negotiations leading to another deep contestation of the LIO.

A second driver of the contemporary deep contestations of the LIO (Börzel under review; Sikkink under review) concerns the increased liberal intrusiveness of international institutions (see also Börzel/Zürn 2021), particularly since the end of the Cold War. International institutions, particularly in the human rights area and concerning the international economic order, have become ever more liberal in content. A prominent example concerns the expansion from gender rights to LGBTQ+ rights (Sikkink under review). In the EU in particular, the refugee regime has also become ever more liberal going beyond the 1951 Geneva Convention and the 1967 Protocol, for instance by granting “subsidiary protection status” for war refugees, especially after the post-Yugoslav wars (see Börzel/Zürn 2021: 297–301). This led to a huge backlash in the mid-2010s which was both triggered and exploited by authoritarian populists (Checkel under review; on the inherent tension in the liberal script between human rights and territorial border control, see Simmons under review).

At the same time, international institutions have become ever more intrusive regarding interferences in the “Westphalian” sovereignty of states (see Krasner 1999 on this concept). Ever more states have pooled sovereignty (majority voting) or delegated it to supranational bodies such as courts and other dispute settlement systems (Hooghe/Marks 2015). The EU as a regional liberal order only constitutes the tip of the iceberg (Börzel under review). The dual movement toward more liberal content and more intrusiveness have led to deep contestations including the rise of authoritarian populist movements and parties (Norris/Inglehart 2019) as well as the “hardening” of borders (Checkel under review; Simmons under review). “Brexit” has also been one consequence of this backlash as well as the attacks on the World Trade Organization (WTO) and on free trade in general during the Trump presidency. Sikkink (under review) uses Moral Foundations Theory (MFT) to account for the populist backlash

against international liberal norms. Accordingly, social conservatives with moral intuitions of obedience to authority and loyalty to clan and community are deeply contesting individualizing moral foundations as expressed in individualist versions of liberalism and libertarianism. Her psychological account resonates quite nicely with arguments from sociology and political science about an emerging “new cleavage” partially replacing and complementing the “old” socio-economic cleavage (see particularly de Wilde et al. 2019; Hooghe/Marks 2018; Hutter et al. 2016). Accordingly, the political space in many Western countries is increasingly organized on a continuum ranging from cosmopolitanism/libertarianism to authoritarianism/nationalism. Authoritarian populist forces are located at the nationalist end of this cleavage, thereby deeply contesting the liberal intrusiveness of the international order.

Increasing liberal intrusiveness of the LIO and its components could be more easily accommodated by increasing the inclusiveness of international institutions thereby channelling grievances toward “normal” contestations (Deitelhoff under review). Such “normal contestations” in liberal democracies are structured, channelled, and regulated by democratic institutions to avoid deep contestations. Yet, the growing intrusiveness of the LIO was not accompanied by an increase in its democratic quality leading to further deep contestations. Wiener (under review), Deitelhoff (under review), and Tanja A. Börzel (under review) discuss this driver of the current contestations in detail. While perceived economic inequality ultimately affects “performance legitimacy”, violations of the *quod tangit omnes* principle (Wiener under review) concern primarily “input” or “participatory legitimacy” (Lake under review; Scharpf 1999). As Wiener argues, violations of the (democratic) principle that those who are affected by an institution and its norms should have a voice in the norm-making process, often lead to deep

contestations. Deitelhoff's case study of the ICC (under review; see also Zimmermann et al. 2023) shows this mechanism in detail. African states felt exclusively targeted by the court with no voice. As a result, they increasingly challenged the normative validity of the ICC, resulting in deep contestation. In the end, only a few states left the ICC, though, partly because the ICC reacted to the grievances. Börzel (under review) explains some of the current deep contestations of the EU's liberal order by the grievances of Central East European (CEE) countries which had to accept the EU's *acquis communautaire* in its entirety with no voice and no opportunity to affect it. In a similar vein, the Chinese-led Asian Infrastructure Investment Bank (AIIB) is often described as a reaction to the refusal of the US and other Western powers to reform the Bretton Woods institutions such as the International Monetary Fund (IMF) and the various development banks thereby giving China and other emerging economies stronger voting shares.

A fourth endogenous driver of contemporary deep contestations of the LIO concerns its broken promises, i.e. the incapacity to solve urgent problems of the global commons (Lake/Wiener under review). I have already mentioned the inability of the LIEO to establish "embedded liberalism" on a global scale in terms of (re-)distributive justice as well as the lack of progress in tackling climate change (both in terms of mitigation and adaptation). These issues have already led to a considerable backlash against the LIO emanating from the so-called "Global South". As a result, Latin American, African, and many Asian countries have been reluctant to defend the global international order against the deep contestations by Russia (invasion of Ukraine) or China (attacks on the human rights regime that these countries themselves brought into being, see above).

In short, this explanation for the current deep contestations of the LIO focuses on yet another

broken promise of the liberal script, namely the democracy principle itself. If those affected by the norms and rules of international institutions have little say in the process of setting up these rules, the LIO's input legitimacy suffers giving rise to deep contestations.

In addition, the inability of the EU and the US to deal with the migration challenges and to solve the inherent tension between legitimate border control and liberal migration policies including the protection of asylum-seekers (Drewski/Gerhards 2020; Simmons under review) has been readily exploited by authoritarian populism in the US and in Europe including Germany (Checkel under review). On the one hand, it is precisely the attractiveness of liberal democracies in terms of freedom and prosperity that appeals to migrants including war refugees and asylum seekers. On the other hand, the increasing liberal intrusiveness of the international and regional refugee regimes has overwhelmed border communities, rural towns, and societal capacities in general leading to backlash and deep contestations. Yet another endogenous cause of contestations!

Yet, there is a fourth driver of the current contestations of the LIO which has not been systematically explored in other sources (see, however, Sikkink under review on Russia's invasion of Ukraine): The regime survival of autocratic powers in the contemporary international system is directly threatened by the increasing liberal intrusiveness of the LIO. While the political and human rights components of the LIO have always been a challenge to autocratic regimes, its increased intrusiveness since the end of the Cold War has exacerbated the threat to these regimes. Russia and China are instructive in this regard. They are both autocratic systems and their international outlooks both have imperialist and expansionist visions, particularly with regard to their respective regions. They nevertheless behave rather differently. As to Russia, it holds a share of world

PPP-adjusted GDP of almost 3% (IMF 2023b) and it very much follows the path of a declining power which Robert Gilpin (1981) described more than forty years ago. Putin's aggression against Ukraine has violated all principles and norms of the UN Charter and of the LIO including the norms of its state-based foundations (Lake/Wiener under review) such as territorial integrity. While Putin has not put forward an alternative vision except for Russian claims to Eurasia (Bluhm 2023), regime survival appears to require the LIO, particularly in Europe and in Eurasia.

China is very different in that regard. To begin with, it is a rising power with a world PPP-adjusted GDP share of currently 19%, and still increasing (IMF 2023a). Its economic growth has profited enormously from the LIO in terms of the open international economic order. Hence, it still supports the LIO, while it deeply contests the political liberal order and attempts to systematically undermine the global human rights regime (Bergner 2023). With regard to the third component of the LIO, liberal internationalism, China behaves rather ambivalently. As Jessica Chen Weiss and Jeremy L. Wallace (2021) have argued, the Chinese stance toward the LIO is thoroughly driven by how important the various issues are to the rule and authority of the Communist regime. As an emerging power, however, China has no interest in destroying the LIO without replacing it. It has started to formulate an international order script that accepts parts of the LIO while rejecting others (see Wei 2023).

The survival interests of autocratic regimes add to the deep contestations of the LIO. Yet, the LIO has been able to deal with autocratic challengers before, for example during the Cold War. What makes the current constellation so unique is the emerging transnational coalition of autocracies with authoritarian populism in Western democracies. While the latter tries to undermine the LIO from within its core supporters, autocratic regimes not

only profit from these deep contestations but also actively support them (see also Adler-Nissen/Zarakol 2021). Putin's Russia has aligned itself with authoritarian populist movements and parties both in Europe and the US and has even tried to interfere in the 2016 US presidential elections. In the case of Germany, Putin and Russia's energy companies have built a strong network deep inside German politics and (energy) industry (Bingener/Wehner 2023). China has apparently been more subtle with regard to interference in Western politics and societies. But it is increasingly wielding its power with regard to providing a political and economic alternative to the West in relations with the Global South (e.g. the Belt and Road Initiative).

In sum, while most drivers of the contemporary deep contestations of the LIO result from internal contradictions, double standards, and the evolution of the liberal script itself, they are exacerbated by the challenges posed by autocratic regimes. The question arises of what this means for the future of the LIO.

4 CONSEQUENCES: BOUNCING BACK, BACKWARD, OR FORWARD, AND THE RESILIENCE OF THE LIO

This article not only tries to analyse the causes for the deep contestations of the LIO. It also attempts to understand under which conditions the LIO will be weakened or strengthened (Lake/Wiener under review). As argued above, I see three possible outcomes of the current deep contestations:

1. *Disordering and chaos*;
2. *Bouncing backwards* by strengthening the sovereignty-based territorial state order component of the order;
3. *Bouncing back or bouncing forward*: If the LIO is resilient, it might embrace reforms to cope

with the current challenges in a world of several centres (see also Ikenberry 2024).

Note that “bouncing back or forward” does not necessarily mean continuing on the “more liberal content and more intrusiveness” path. As Börzel (under review) argues with regard to the EU, more European integration is unlikely to overcome the current deep contestations with regard to migration (Checkel under review) and other contentious policies. It might even exacerbate the contestations up to a point where the survival of the European liberal order is at stake. The same holds true for the global LIO. As long as the underlying causes of the deep contestations are not addressed, making the LIO ever more liberal and more intrusive will ultimately weaken and not strengthen it. If Sikkink (under review) is correct, some of the grievances against liberal intrusiveness, while exploited by authoritarian populism, might be justifiable on moral grounds with regard to community loyalties and identities. The same holds true for perceived status loss and income inequalities as drivers of deep contestations (Lake under review). More international cooperation and more binding international institutions as such are unlikely to address these issues.

The outcome of the current deep contestations depends crucially on the resilience of the LIO. As argued above, resilience is not about preserving the status quo, but adaptation and change in a rapidly moving environment. An order is resilient, if it enjoys sufficient legitimacy (Lake under review) on the one hand, and if its institutional features are capable of social learning and of coping peacefully with conflicts thereby transforming deep contestations into “normal” contestations (Deitelhoff under review) on the other hand. How can this be accomplished?

I see three pathways toward strengthening the resilience of the LIO by simultaneously increasing

its legitimacy and reforming some of its core institutions:

- Defending the LIO against deep contestations thereby enhancing its principled legitimacy (Lake under review; Sikkink under review; Wiener under review);
- Making LIO institutions more inclusive thereby increasing their “input” or “participatory” legitimacy (Börzel under review; Deitelhoff under review; Wiener under review);
- Enhancing the problem-solving capacity of the LIO (Börzel under review; Checkel under review; Lake under review; Sikkink under review; Simmons under review) thereby increasing its “output” or “performance” legitimacy.

The first pathway requires active agency by LIO stakeholders – whether state or non-state, while the second and third pathways necessitate reforms of key institutions, both globally and regionally.

4.1 DEFENDING THE LIO

This pathway follows from research on contestations of international norms (Sikkink under review; Wiener under review; see also Deitelhoff/Zimmermann 2018; Orchard/Wiener 2024; Zimmermann et al. 2023). When norms are deeply contested and/or violated, it crucially depends on their defenders whether the outcome is a weakening of the norms or greater robustness. As Deitelhoff and Lisbeth Zimmermann (2018) have shown, applicatory contestations usually strengthen norms, as long as the contestations do not become permanent. They argue that it is validity contestations – “deep contestations” as defined in this article – which are more likely to weaken international norms (Deitelhoff/Zimmermann 2018: ch. 1). As Sikkink (under review) argues, this outcome is all the more likely, the less norm supporters put up a strong defence and the more they are inclined to just let the norm wither away. While such a

defence might initially lead to further polarization,⁷ it is likely to strengthen the norm's legitimacy in the long run, a point discussed by Lake (under review) as "principled legitimacy".

This argument can be applied to international orders, such as the LIO, both regionally and globally. Let me discuss two examples. The first concerns Russia's aggressions against Ukraine (Sikkink under review). Both the 2014 annexation of Crimea and the Russian-led capture of East Ukrainian territory in the Donbass Region and the 2022 invasion constitute onslaughts on constitutive norms of the LIO such as the prohibition against wars of aggression and the protection of the territorial integrity of states, not to mention fundamental human rights. The response to the 2014 aggressions was rather muted: While the Obama administration largely stepped aside, European countries such as France and Germany engaged in endless negotiations with Putin's regime in order to institute a ceasefire as well as a peaceful resolution of the conflict. To no avail. At the same time, particularly Germany under Chancellor Merkel pushed the EU to adopt a sanctions regime against Russian oligarchs supporting Putin (Wright 2018). However, German companies continued to do business with Russia, and German energy dependency on Russian oil and particularly gas even increased dramatically after 2014.

The result of this muted response is well known: On Feb. 24, 2022, Russia started a large-scale invasion of Ukraine. This time, however, Putin's aggression was met with a unified Western response under the leadership of the Biden administration, including NATO and the EU. German chancellor Olaf Scholz declared a "Zeitenwende" (historical turning point) that ended Germany's decades-old cosiness with Russia (Bingener/Wehner 2023). Within a year, Germany became the second-largest supplier of military and economic aid

to Ukraine (after the US). Within the UN, the Western security community managed to build a comprehensive coalition of two-thirds of the member states supporting various General Assembly resolutions condemning the Russian aggression (India, South Africa and partially Brazil abstained, however, apart from China). Overall, this constitutes a strong defence of the core principles of the LIO and the global as well as the European regional order in general. Moreover, the "fence-sitting" emerging powers such as South Africa or India which abstained in the General Assembly, are carefully avoiding too close a relationship with Russia. For example, while the South African government refused to arrest then Sudanese president al-Bashir in 2016 despite an arrest warrant by the ICC, it could not guarantee a similar outcome to Putin who is also under ICC arrest warrant in July 2023 (Al Jazeera 2023). As a result, Putin cancelled his visit to the 2023 BRICS summit in South Africa (on deep contestations of the ICC, see Deitelhoff under review). Even China's support for Russia continues to be rather low-key. As the war drags on, cracks in the US support for Ukraine are showing in the run-up to the 2024 presidential elections, making it all the more important that the Europeans and the EU keep up their defence of Ukraine and a regional security and peace order.

The second example had less international visibility, but is nevertheless significant, too. For more than ten years, China has been systematically attempting to undermine the global human rights regime, particularly the monitoring role of the UN Human Rights Council (Berger 2023; Piccone 2018). It assembled a "Like-Minded Group" of states and, in 2017, gathered a "South-South Forum on Human Rights" that issued a Beijing Declaration on human rights expressing an illiberal interpretation of human rights with an exclusive focus on collective rights. However, at the UNHCR, China met with a strong counter-coalition that typically included the US, EU members, some Latin American

7 I thank Tanja A. Börzel for alerting me to this point.

states, as well as Japan and South Korea (details in Piccone 2018). As a result, most China-sponsored resolutions that attempted to weaken the international human rights regime either failed or did not pass. This constitutes another example of a strong defence of core LIO norms in the face of deep contestations.⁸ The case also shows who are the main supporters of the LIO in the UN: Apart from the transatlantic community, the liberal coalition includes many Latin American states as well as Western allies in Asia, while African states belong to a group of fence-sitters.

Defending the LIO in both domestic and transnational public spheres is difficult in the light of propaganda, fake news, and alternative truths (Adler/Drieschova 2021). It speaks to the depth of the current contestations that there are few globally agreed-upon standards by which to measure the success or failure of the LIO in the various issue areas (on standards of comparisons and their relation to contestations, see Albert under review). Yet, it is not impossible to face a transnational coalition of autocratic leaders such as Putin and authoritarian populists in Western democracies. Here are two examples of domestic social mobilization of liberal counter-movements against right-wing authoritarian populism. These counter-movements indirectly affect the resilience of the LIO through the links between domestic politics and foreign affairs:

- There has been considerable electoral mobilization in various countries: In 2020, Donald Trump was narrowly defeated in the US presidential elections. The right-wing “Law and Justice” (PiS) party in Poland was voted out of power in 2023, and the current government under Donald Tusk is working hard to restore the rule of law as well as independent media in

the country. In Brazil, the authoritarian populist Bolsonaro was equally voted out of power.

- In some countries, people took it to the streets: Jeffrey T. Checkel (under review) focuses on the illiberal mobilization by a German extremist right party, the Alternative für Deutschland (Alternative for Germany, AfD). In response and in light of a rise of the AfD in public opinion polls among voters, a mass movement including political parties and civil society organizations emerged in early 2024 whereby hundreds of thousands of Germans took their protest to the streets, in all major cities as well as in small towns everywhere in the country. In Israel and even prior to the Hamas massacres of Oct. 7, 2023, hundreds of thousands of citizens protested for more than 40 weeks against the plans of the right-wing government to severely curtail the competences of the Israeli Supreme Court.

4.2 STRENGTHENING THE LIO'S INCLUSIVENESS

The first pathway toward strengthening the LIO's resilience constitutes a defensive strategy. In contrast, the second and third pathways require deep reforms of both international institutions and policies. It is hard to see how the LIO can survive without addressing the drivers of the contemporary deep contestations addressed in this article. Hence, the second pathway toward strengthening the LIO's resilience means addressing the exclusionary features of LIO institutions, both on the global and the regional levels, that have been identified as significant drivers of the contemporary deep contestations (see Börzel under review; Deitelhoff under review; Lake/Wiener under review; Wiener under review). This concerns both participatory/input and procedural/“throughput” (Schmidt 2013) features of the LIO (Lake under review on these distinctions). Making the LIO more inclusive by respecting the *quod omnes tangit* principle (Wiener under review) does not require instituting a global or cosmopolitan democracy or

⁸ In this particular case, the liberal coalition in the UNHCR succeeded in convincing a range of states that were economically dependent on China (e.g. through the Belt and Road Initiative) to abstain, thus securing the defeat of the resolutions.

other utopian institutional reforms. For instance, the UN Security Council (UNSC) which is currently blocked because of the deep contestations over the LIO, certainly no longer represents the voices of the international community (if it ever did). Yet, a major institutional reform appears to be out of the question, since it would require the current permanent members to either give up their seats or their veto power or both.

However, there are other ways to make international institutions of the LIO more inclusive and more accountable to its stakeholders (on accountability, see Keohane 2003). One way is to strengthen the deliberative quality of global governance institutions as well as to transform deep contestations into regular ones through particular institutional setups (Deitelhoff under review). This is not to argue that global institutions can or should look like Habermasian discourse communities (Habermas 1996; on deliberative democracy in general, see Bächtiger et al. 2018). Rather, more modest reforms enabling “deliberative negotiations” (Naurin/Reh 2018; Warren et al. 2013) might do. First, LIO institutions – both global and regional – need to give relevant stakeholders – whether state or non-state representatives – a voice. Whether or not they sit at the table is less relevant than making sure that their demands are listened to. A study on the IMF Board of Directors has shown that the higher the deliberative quality of the discussions, the more equitable and inclusive the lending decisions vis-à-vis poor countries (Forster 2022, 2024).

Moreover, deliberative bodies can be designed in such a way that the institutional rules enable justifications and other forms of argumentation so that power asymmetries recede in the background (on the “right to justification”, see Forst 2011; on institutional design to enable deliberative discourse, see Risse/Kleine 2010; Risse 2018). The point is to enable the articulation of grievances, including their moral justifications, (Sikkink

under review) in an atmosphere channelling political and social conflicts toward their peaceful resolution (Deitelhoff under review). Once again, the EU provides interesting institutional solutions enabling deliberative negotiations geared toward problem-solving. One way to do this is to provide room for informal exchanges and negotiations whereby interest-based bargaining recedes in the background and “honest brokers” (such as the Council presidency) have a chance to elaborate compromise solutions and to isolate spoilers. For example, the various EU sanctions packages against Russia which require unanimity, met with strong resistance initially, led by the Hungarian hard-right president Orban (but also Austria, Cyprus, and Malta). However, EU negotiators managed to increasingly isolate Orban in such a way that the various packages ultimately passed. In December 2023, Orban left the room at an EU summit where the decision to open enlargement negotiations with Ukraine was taken (von der Burchard 2023).

4.3 DELIVERING ON THE BROKEN PROMISES OF THE LIO

The most important pathway for the LIO to survive deep contestations and to make it more resilient is also the most difficult one. Defending the liberal script and making international institutions more inclusive, is one thing. Delivering on the promises of the liberal order is more complicated since it probably requires major reforms with regard to global as well as regional governance institutions (Zürn 2018). Two issues stand out: Perceived social and economic inequalities are among the root causes of the deep contestations of the liberal script including the LIO in many Western democracies, particularly the US (Lake under review). Authoritarian populism with its xenophobic, anti-immigrant, and anti-gender/anti-LGBTIQ+ agendas feed on it (Checkel under review; Sikkink under review; Simmons under review). It follows that tackling these inequalities is

of utmost importance for strengthening the resilience of the LIO. If not, core defenders of the LIO – the Western democracies – are likely to continue down the authoritarian populist path, the US in particular, but also the UK, France and possibly even Germany. Defenders of the LIO have apparently understood what is at stake. They have moved away from the austerity policies of the 2010s and embarked upon major state-led investment programs with regard to infrastructure and energy transition toward carbon-neutral economies. Examples include the US \$ 1 tn Infrastructure and the US \$ 369 bn Inflation Reduction bills, the € 1.8 tn Next Generation EU Recovery Plan, or the German € 200 bn “double whammy” (*Doppel Wumms*) program to compensate higher energy prices and manage the energy transition. None of these programs are directly related to reducing economic inequalities, but they do involve large investments benefiting middle classes on either side of the Atlantic.

Moreover, these programs have the added value of setting both Europe and the US on a path toward the energy transition away from fossil fuels. The US and the EU have set their targets for carbon neutrality by 2050. By 2030, the EU plans to reduce its carbon emissions to 55% of the 1990 levels, while the US has committed itself to a reduction target of 52% of the 2005 level. Meeting these targets is essential to accomplish the other – existential – task of the LIO, namely mitigating and adapting to climate change (Lake/Wiener under review). If core liberal states are unwilling or unable to meet the goals of the international climate change regime, in particular the 2015 Paris agreements, it will be rather unlikely that major carbon emitters such as China (30% of world carbon emissions) will follow suit. Climate change mitigation and adaptation have become a major benchmark on whether the LIO is capable of dealing with the world’s most urgent governance problems. What is at stake here, is the “performance” or “output” legitimacy of the LIO (Lake

under review). What good is a liberal international order for, if it cannot deal with the world’s most urgent problems?

Closely related to tackling climate change as a major global governance issue is the question of global distributive justice. The “Common But Differentiated Responsibilities” (CBDR) principle of the 1992 UN Framework Convention on Climate Change (UNFCCC) has put the issue of who is responsible for cleaning up the planet and of differentiating the obligations of the Global North and the Global South on the international agenda. The CBDR principle has been among the thorniest issues with regard to climate change mitigation and adaptation over the years (including the recent controversies over the Loss and Damage Fund whereby industrialized countries are supposed to finance helping vulnerable low-income countries to adapt to climate change). What is at stake here is an issue that has accompanied the LIO, particularly its economic part, from the beginning (see above): Do the principles of “embedded liberalism” (Ruggie 1983) only apply to the domestic level so that states can compensate through welfare state measures the losers of open economies? Or is there a global distributive justice component to it whereby the highly industrialized countries of the Global North should redistribute part of their wealth to low-income countries (Helleiner 2014b)? This question has been contested with regard to the LIO since the 1940s, and it is still on the agenda of the international community, now with regard to climate change action. If the Western liberal and industrialized democracies want to preserve the LIO and to increase its stakeholders among countries of the Global South, particularly Sub-Saharan Africa, they have to tackle these questions. Once again, this is about the (broken) promises of liberal orders and about its (performance) legitimacy. Making international institutions including the International Financial Institutions (IFI) “fit for purpose” to tackle the global

justice problem will be a major task to strengthen the LIO's resilience.

To sum up: Whether the current deep contestations result in a weakening or strengthening of the LIO depends on three crucial factors:

- the defenders in transnational – both global and regional – as well as domestic public spheres;
- Institutional improvements with regard to procedural (input and throughput) legitimacy toward more inclusionary and deliberative practices;
- Improvements of the LIO's problem-solving capacities (both regional and global) in terms of progressively tackling the world's most urgent governance issues such as climate change as well as social and economic inequalities including global distributive justice.

Whether the LIO is able to deal productively with these challenges will decide over its resilience in response to the current deep contestations emanating from authoritarian populism inside liberal democracies, on the one hand, and autocratic powers, on the other. Dealing with the latter is easier, the more liberal states are able to prevent the former from destroying their democracies as well as the LIO.

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