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**Contestations of the Liberal International Order.  
From Liberal Multilateralism to Postnational  
Liberalism**

SCRIPTS Working Paper No. 3

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Series-Editing and Production: Dr. Anke Draude, Dr. Gregor Walter-Drop, Cordula Hamschmidt, Paul Geiling, and Carol Switzer

Please cite this issue as: Börzel, Tanja A. / Zürn, Michael: Contestations of the Liberal International Order. From Liberal Multilateralism to Postnational Liberalism, SCRIPTS Working Paper No. 3, Berlin: Cluster of Excellence 2055 “Contestations of the Liberal Script – SCRIPTS”.

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# Contestations of the Liberal International Order

## From Liberal Multilateralism to Postnational Liberalism

Tanja A. Börzel and Michael Zürn

### ABSTRACT

The 1990s saw a systemic shift from the liberal post-World War II international order of *liberal multilateralism* (LIO I) to a post-Cold War international order of *postnational liberalism* (LIO II). LIO II has not only been rule-based but openly pursued a liberal social purpose with significant authority beyond the nation state. While postnational liberal institutions have helped increase overall well-being globally, they worked in favor of Western societies and elites and regularly violated the principle of treating like cases alike. We argue that these institutional features of postnational LIO II led to legitimation problems, which explains both the current wave of contestations and the strategy chosen by different contestants. We develop our argument by first mapping the growing liberal intrusiveness of international institutions. Second, we demonstrate an increase in the level and variety of contestations in international security and international refugee law. We show that increased liberal intrusiveness has led to a variety of contestation strategies, influenced by a contestant's preference for postnational liberalism and its power within the contested institution.

### 1 INTRODUCTION

The liberal international order (LIO) has come under pressure (Lake et al. 2021). We argue that the tide of LIO contestations is driven by the increase in liberal authority that set in after 1989. The move from *liberal multilateralism* – the type of LIO which emerged after World War II – to *postnational liberalism* – the post 1990s version of LIO – caused the degree and the variety of LIO contestations

to increase. Postnational liberalism is substantially more intrusive than liberal multilateralism and, therefore, creates unresolved legitimation problems. State as well as non-state actors from both the Global North and the Global South contest LIO, although they pursue different strategies. To account for the variety of contestations observed, we focus on the contestant's view towards postnational liberalism and its position within the contested institution.

The initial set-up after World War II with the United Nations (UN) system and the Bretton-Woods institutions was rule-based multilateralism with the social purpose of promoting free trade while protecting the capacity of states to regulate their economies to reduce unemployment. This “embedded liberalism” (Ruggie 1983) in the economic realm was limited to the Western world and complemented by global, but comparatively weak institutions, notably the UN human rights regime and the UN Security Council charged with the maintenance of international peace and security. While human rights institutions were part of political dynamics in Western societies and on the transnational level (Keck/Sikkink 1998; Risse et al. 1999), they had less traction in the Eastern Bloc of socialist states in world politics. Overall, it seems fair to consider the post-World War II order as a thin liberal order, which was only somewhat liberal but quite effective.

With the end of the Cold War, we saw – in addition to the ongoing entrenchment of liberal institutions in the decades after WWII – a new thrust towards LIO. It included a significant rise in the authority of international institutions, a strengthening of decisively liberal features, such as human rights, the rule of law, democracy, and the free movement of people, and an extension of states joining these institutions. These liberal principles have been instantiated and protected by specific institutional arrangements that emerged mainly in the 1990s and early 2000s. The arrangements comprised conditionally sovereign states, which gained legitimacy by enforcing and guaranteeing liberal rights, rules, and decisions. Externally, the cooperation of states was promoted by international institutions exercising authority regulated by international law. Moreover, open markets and supranational bodies maintaining the rules for an economic order pushed economic policies towards further liberalization. In other words, the initially weak liberal international institutions set up by the US and its Western Allies after World War II appeared to prevail around the globe, to gain in strength, and to become more liberal over time. In our view, the 1990s saw a systemic shift from a thin liberal post-World War II international order of *liberal multilateralism* (LIO I) to a post-Cold War international order of *postnational liberalism* (LIO II), which was not only rule-based but openly pursued a liberal social purpose with significant authority beyond the nation state (Zürn 2018: ch. 5).

This transformation towards postnational liberalism has led to contestations of LIO, which have been more and more visible since the late 1990s (Lake et al. 2021). Many of the postnational liberal institutions worked in favor of Western societies and elites, had a neoliberal flavor with significant distributional effects, regularly violated the principle of treating like cases alike, and institutionalized state inequality. The surge of Islamic fundamentalism, revisionism in Russia, and the rise

of China, anti-globalization movements as well as the proliferation of right-wing populism and nationalism in Europe and the US, have emerged as new (or renewed) challenges for liberal societies and their relationships at the international level. These contestations have converged into a critique of the universal understanding of individual rights backed by strong institutions and the “unhealthy” diversity of lifestyles (gender relations, multiculturalism, LGBT+).

The massive challenges to the liberal script, conceptualized as shared understandings about the organization of society (Börzel/Zürn 2020), have a strong international dimension. LIO provides the international scenery for liberal societies to blossom. With the liberal script being under fire, borders are emphasized again, and the free movement of capital, goods, services, and people is increasingly challenged. All this is accompanied by a growing rejection of political authority beyond the nation-state. The legitimacy of multilateral institutions protecting and promoting economic freedom, security, human rights, democracy, and the rule of law is called into question by autocratic regimes as well as nationalist and populist forces on the right and leftist movements targeting neoliberal policies in those Western states that have built and sustained LIO. Some of these contestations are directed against the move towards postnational liberalism in the 1990s and early 2000s; others address LIO in general. While these challenges and contestations have accumulated into a wave, or even a tide, different types of actors target different components of LIO and choose different strategies. We therefore speak of a differentiated wave of contestations. Our contribution aims to provide an understanding of the wave and variety of contestations.

We argue that the institutional features of the new, postnational liberal international order explain both the current wave of contestations and the strategy chosen by different contestants and

develop our argument in three steps. We start by discussing four theoretical explanations for LIO contestations which dominate the debate in International Relations (IR). We then present our own account as a more powerful explanation of the timing, levels, and types of LIO contestations. The empirical part of the paper first maps the growing political authority of international institutions and their increasing liberal intrusiveness. It goes on to illustrate that this has led to a rise of different contestations which are pre-determined by the contestant's preference or support for post-national liberalism and its power within the contested institution. In two case studies, we illustrate our arguments on the increased level and variety of contestations in separate issue-areas: the contestations of the UN-based international security regime complex and of international refugee law in the European migration crisis. In both instances, we aim to show that increased liberal intrusiveness has led to a variety of contestation strategies the choice of which is affected by the preferences and the power of the contestant. We conclude by discussing the challenges that our findings pose for the study of IR.<sup>1</sup>

1 This is an earlier version of an article forthcoming in the *75th Anniversary Issue of International Organization "Challenges to the Liberal International Order"*, edited by David Lake, Lisa Martin, and Thomas Risse. We would like to thank the participants of the seminar of the Cluster of Excellence "Contestations of the Liberal Script (SCRIPTS)" and the participants of the *International Organization* workshops in Madison, Wisconsin, and Berlin for useful discussions of earlier versions of this contribution. Our special thanks for extensive comments go to David Lake, Lisa Martin, Abe Newman, Judy Goldstein, Thomas Risse, Alexandros Tokhi, Eric Voeten, Gregor Walter-Drop, and two anonymous reviewers. The research assistance of Joia Buning, Maria Dellasega, Lukas Müller-Wünsch, Phuong-Ha Nguyen, Johannes Scherzinger, and Felix Vosse is gratefully acknowledged. Research for this contribution is part of the Cluster of Excellence "Contestations of the Liberal Script" (EXC 2055), funded by the *Deutsche Forschungsgemeinschaft* (DFG, German Research Foundation) under Germany's Excellence Strategy.

## 2 PREDOMINANT EXPLANATIONS

How can we account for the increased level and variety of contestations in a time of few interstate wars, continued growth rates and poverty reduction in many countries in the Global South, modest average unemployment rates in most of the consolidated economies of the Global North, and a significant improvement in the Human Development Index? Why is the LIO that helped make these accomplishments possible increasingly contested and how can we account for the differences in contestants' strategies?

There are four lines of current IR theory that have especially sought to deal with these questions. First, *power transition theories* focus on a changed distribution of power in the international system. There is a cross-theoretical consensus that power shifts pose challenges for existing international institutions, especially since some of today's rising powers have also been long-standing critics of the established order. *Hegemonic stability theorists* have traditionally seen liberal economic order as the product of the dominance of a leading economic power, which may be eroded when the power of the hegemon wanes (Gilpin 1987; Layne 2012). To the extent that "catch-up" developmental states rely upon interventionist industrial policies, they challenge the competitive advantages of the dominant powers (Caldeney 2008; Wade 2003). Similar thinking leads others to conclude that rising powers challenge the most liberal aspects of the international order that are incompatible with their domestic orders (McNally 2012; Kupchan 2012). In any event, power transition theories expect a strong and growing degree of revisionism by rising powers, mostly playing out on the international level as a challenge to the existing order as such. Most power transition theories thus see those states that are the winners of globalization as the most important challengers of LIO.

Our explanation focuses on the institutional structure of LIO II. We therefore expect rising powers to contest not necessarily the order as a whole, but specific aspects of this order. Moreover, we envisage that rising powers adopt different strategies depending on their position towards and within LIO II. Finally, in our account, contestants can also be located within Western societies.

Second, *rational institutionalism* focuses on the effectiveness of international institutions in managing the relations between interdependent states so that they serve the interests of the member states. Rule-based cooperation in multilateral institutions has thus facilitated the opening of markets, the establishment of collective security systems, and the protection of human rights. However, they have failed to effectively address new challenges, including the stabilization of financial markets, the fight against climate change, the proliferation of weapons of mass destruction, and the rise of Islamic terrorism (Acharya 2016). In this view, their lack of performance and problem-solving capacity fuels contestations of liberal international institutions. At the same time, changes in the distribution of power may affect the underlying constellation of interests leading to demands for adapting international institutions to new interests. These demands for change are, however, channeled by existing international institutions that mitigate the effects of international anarchy and provide benefits to both rising and established powers rendering the liberal international order more robust than realists acknowledge (Ikenberry 2011). Consequently, rising powers are seen as reformist, advocating a change of policies and institutional reforms rather than a demise of the liberal international order. Different forms of “counter-institutionalization” (Zürn 2018: 173) allow states that are critical of the status quo to press for change without rejecting the institutional order as such. In sum, rational institutionalist approaches expect

to see contestations especially from rising powers directed against the specific contents of given regimes rather than the postnational liberal order in general.

Contrary to such theories, we expect that it is not only liberal policies but institutional and status-generating features of LIO that are contested. Moreover, our explanation can also account for the rejection of international liberal authority in general within both the Global South and those Western societies that were crucial in creating and sustaining the institutions in the first place.

Third, *sociological institutionalist approaches* warn against overestimating the contestation of LIO. They emphasize the embedding and socialization of rising powers into the (liberal) norms and principles espoused by established powers and enshrined in international organizations (Johnston 2007; Ikenberry 2011). *Socialization* describes a process by which governing elites of states come to accept and internalize the norms and principles that support the structure of existing international organizations. This suggests that emerging powers may be brought into line with existing normative structures of LIO, via mechanisms such as arguing and persuasion, habitualization, and social integration (Finnemore 1996; Checkel 2005). However, socialization does not necessarily mean acquiescence to every existing rule. It includes the habit of questioning the interpretation and application of existing principles and norms, especially those which have turned out to be counter-productive. In this way, sociological institutionalists can account for contestations of those (neo)liberal norms that have turned out to be normatively indefensible in liberal terms.

While some of the current contestations of LIO are indeed reformist in the sense that the demands for change are justified with principles that are compatible with postnational liberalism,



our explanation emphasizes that other demands fundamentally challenge liberal principles that are constitutive for LIO.

*International political economists*, finally, focus on how the neoliberal thinking behind post-1990s international institutions produced a change in the distribution of global wealth, with social inequalities growing in many parts of the world, especially in the West. Such reasoning points out that not everybody has benefitted from economic globalization. Growing inequalities, fear of social exclusion, and the volatility of value orientation have driven the emergence of populism and the threat that it may pose to international institutions, such as the UN, the European Union (EU), the World Trade Organization (WTO), and the North Atlantic Treaty Organization (NATO) (Weymouth et al. 2021; Gulotty/Goldstein 2021; Flaherty/Rogowski 2021). A more critical version of this perspective argues that economic elites designed international institutions to serve their interests and to create stronger links between themselves and state governments. The economic and social costs of promoting and protecting economic freedom are born by those who are unemployed or work in sectors that cannot compete in global markets (Overbeek/Van Apeldoorn 2012; Colgan/Keohane 2017). LIO is mainly challenged from the inside of liberal states by those who perceive themselves as the losers of globalization.

This perspective is valid in explaining part of the current wave of contestations of LIO. It, however, fails to account for the most vivid LIO contestations by authoritarian governments of societies that have undoubtedly benefitted from the global redistribution of wealth in recent decades. Globalization winners with authoritarian governments that contest LIO include Turkey, Hungary, Brazil, India, and, of course, China.

In sum, none of the predominant explanations in the IR literature can fully account for the range of

contestations of LIO. We need an explanation not only for the current wave of contestations but also for the variety of contestations that differ with regard to the contestants and their strategies.

### 3 AN ALTERNATIVE ACCOUNT: LIBERAL INTRUSIVENESS AND VARIETIES OF CONTESTATIONS

Our account of the rise and variety of contestations focuses on the shift from liberal multilateralism to postnational liberalism. We consider thickly liberal international authorities with a high level of intrusiveness as the main driving force behind the current wave of contestations. Given that the shift from liberal multilateralism to postnational liberalism is at least partially the result of self-reinforcing dynamics triggered by the post-World War II LIO, our account has affinities to historical institutionalism (Zürn 2018). However, we take the rise of liberal intrusiveness practiced by international institutions as a major explanatory variable without directly addressing its historical origins.

After 1945, US-American leadership facilitated the establishment of a multilateral international order with some liberal ingredients. The postwar LIO I was based on state consent and centered around the competition between two world systems. It was a weak liberal but quite successful international order. Its self-reinforcing dynamics resulted in the postnational LIO II, which emerged after the end of the Cold War (cf. Lake et al. 2021). On the one hand, LIO I deepened, broadened, and strengthened the liberal elements of its institutions. The deepening of free trade from the 1960s on and the slow but progressive recognition of human rights as universal standards in the global system are indicative of this move towards liberalism. On the other hand, the growing attractiveness of the Western model of society, especially its economic success which was at least partially

owed to LIO I, put pressure on the Soviet Union leading to *Perestroika*, which enabled the revolutions in Eastern Europe and the demise of the Soviet Empire. These dynamics triggered a process that led to the rise of contestations and pre-determined contestants' choice of strategy. Our model captures this process in four steps.

First, the post-Cold War period saw the rise of multilateral institutions at the global and regional level with more authority than ever before, undermining the consent principle in interstate decision-making (Lake 2009; Börzel 2013; Zürn 2018). The social purpose of these institutions beyond the nation-state was strongly liberal, promoting and protecting individual economic, political, and civil rights. We argue that the increased authority of international institutions and strength of their liberal content combined into a systemic shift from the liberal multilateralism of LIO I to the postnational liberalism of LIO II.

Second, to the extent that international institutions increased their liberal intrusiveness, we expect a growing propensity of contestation. This argument draws on the link between authority and legitimation (Tallberg/Zürn 2019). We identify two causal mechanisms at work that limit the legitimation of an institution as it gains authority. The starting point for both is that international authority concentrates decision-making power in the hands of executives of a few powerful states backed up by technocrats. On the one hand, these executives utilize international institutions to affect the policies of less powerful states. Core states, in contrast, tend to be less targeted by international institutions. Like cases are often not treated alike. In this sense, international institutions formalize stratification between states through weighted voting and veto power as well as through more informal stigmatization processes (Adler-Nissen/Zarakol 2021; Tourinho 2021; Búzás 2021). As a result, actors that are not at the core of the decision-making process tend

to become more critical of specific international institutions.

On the other hand, the exercise of international authority allows for overruling elected governments. Technocratic regulation and dispute-settlement by independent bodies (delegation) controlled by cosmopolitan liberals trump popular sovereignty. Postnational liberalism thus pushes states towards respecting human rights, the rule of law, and towards democratization, placing universal liberal ideas over popular sovereignty. The promotion and protection of liberal norms by international institutions increase the propensity particularly for authoritarian populists inside and outside liberal societies to contest the intrusiveness of postnational LIO II. In addition, the redistributive consequences of international institutions become much more visible. Rather than being indifferent, citizens have increasingly taken a stance on neoliberal international agreements, as exemplified by the worldwide anti-globalization protests by civil society groups against the Transatlantic Trade and Investment Partnership (TTIP). International liberal institutions also constrain states in their redistributive capacity to compensate the losers of "disembedding" liberalism, yet they shirk their political responsibility for compensating the losers of globalization (see also Gulotty/Goldstein 2021). As a result, we see an overall rise in the level of LIO contestations that informs the theme of this special issue (Lake et al. 2021).

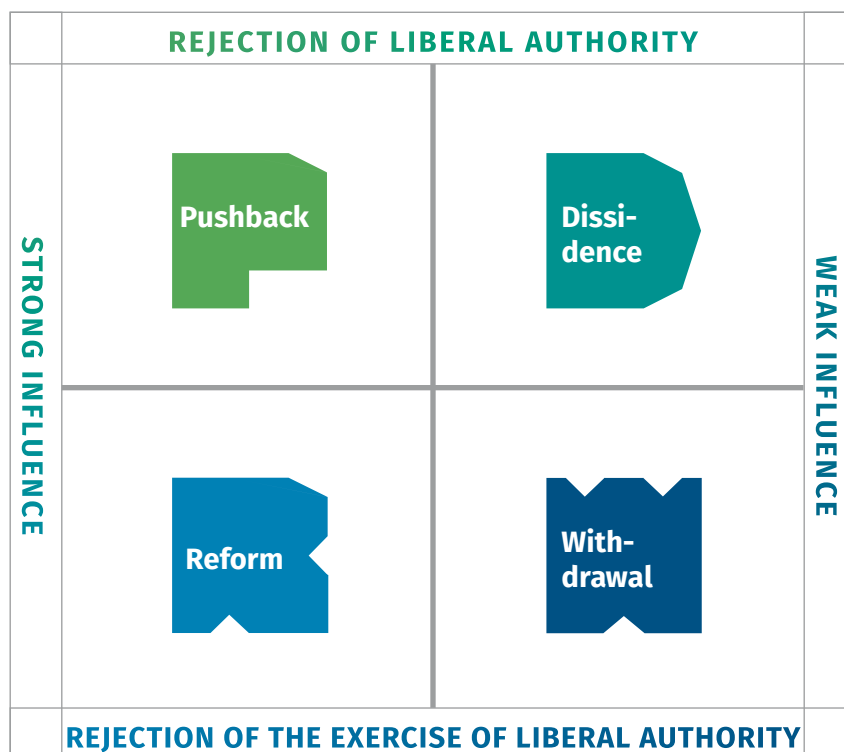
Third, both of the described mechanisms are accentuated by moments of crises when the liberal intrusiveness of international institutions becomes visible. Two such moments are particularly relevant for translating legitimation problems into actual contestations. Regarding security issues, the attack on the Hussein government in Iraq by a US-led "coalition of the willing" in 2001 increased suspicions that LIO mainly served the national interest of the hegemon.

The final justification of the attack, which referred to the non-proliferation of nuclear weapons, made it especially obvious that like cases were not treated alike. The intervention in Libya in 2011 also fueled the suspicion that international institutions were used to let Western interests prevail over others. Regarding economic issues, the financial crisis of 2008 as well as the ensuing Euro-crisis showed with remarkable clarity that major decisions were carried out via international institutions with little accountability, such as the International Monetary Fund and the European Central Bank, or as a result of behind-closed-door negotiations. National parties and parliaments played, at best, a marginal role. As we will show below, the so-called European refugee crisis in 2015 equally disclosed controversial features of postnational liberalism (Börzel/Risse 2018). We argue that these moments of visibility have influenced the growing contestations of LIO driven by the open display of increased liberal intrusiveness.

Fourth, the growing visibility of the steep rise of liberal intrusiveness has led to a wave of differentiated contestations with significant variation concerning what is contested and where. In general, we define contestations of the liberal international order as discursive and behavioral practices that come with a certain level of social mobilization and challenge the authority of international institutions, their liberal intrusiveness, or the liberal international order as a whole. Based on this general definition, we develop a typology to contrast different strategies of contestation that target rule-based multilateralism and/or the liberal social purpose of international institutions.

In our alternative account, the attitude of contestants towards liberal authority (preferences) and their relative position in the contested institution (power) pre-determine the strategy of contestation. The combination of these two distinctions leads to a two-dimensional space of LIO II contestations (figure 1). The horizontal dimension refers

Figure 1 Varieties of Contestations



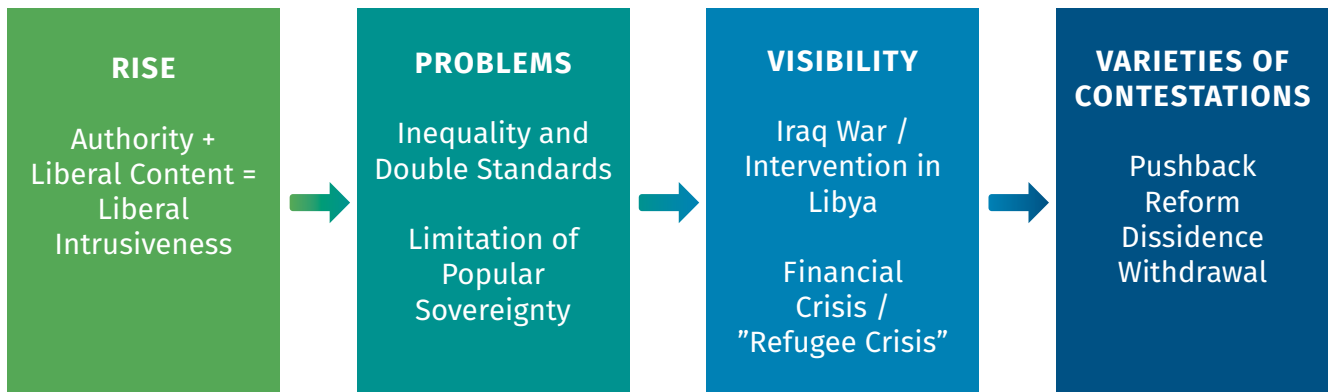


Figure 2 Postnational Liberalism and Its Varieties of Contestations

to the degree to which an actor has the power to shape the decisions of an institution (institutional influence). In our broad understanding, institutional influence consists of a formal element that refers to its material capabilities and the institutional rules an actor can draw on to affect decisions. Another more informal element describes the extent to which the actor is part of background talks prior to decisions, or is stigmatized as a trouble-maker that needs to be controlled as opposed to recognized as an order-maker that controls others. These two elements are combined into a dimension the extreme values of which we label as weak and strong institutional influence.

The vertical dimension registers the position or attitude of a contestant towards postnational liberalism. While some contestations are directed against the specific way in which liberal authority is exercised (“rejection of the exercise of liberal authority”), others defy liberal international authority as a whole (“rejection of liberal authority”). This distinction refers to the question whether an international authority in place is rejected as such or whether its practices (decisions and decision-making) are challenged.

“Pushback” describes a strategy to reduce liberal international authority from the inside. The core of this strategy is to return to a prior condition

of less liberal intrusiveness. In many cases, it involves challenging core components of the dominant liberal order. Pushback contestations are voiced by governments that wield enough power to affect institutional change in international authorities or social movements and political parties that are close to such governments.

Actors that are dissatisfied with the way authority is exercised but accept international liberal authority in general should opt for “reform” if they have sufficient capabilities to make their demands for change heard within the international institution.<sup>2</sup> Reforms that aim to strengthen liberal authority or change policies are examples.

In contrast, outsiders that see little chance to change the way liberal authority is exercised are likely to opt for “withdrawal”. This can take the form of “counter-institutionalization” (Zürn 2018: 173), that is, the creation of new liberal authorities, without necessarily abandoning the existing ones.<sup>3</sup>

2 “Reform” is an established term for “within-changes” both in IR and comparative politics. It is very close to what Albert Hirschman (Hirschman 1970) has labelled as “voice” in his typology of strategies used by dissatisfied actors.

3 We consider “withdrawal” as more appropriate than the more specific terms like “regime-shifting” and “contested multilateralism” used in the regime complex literature. See Alter/Raustiala (2018) for an overview of *regime shifting* and *contested multilateralism*. The common feature of all strategies falling into this category is the threat or the attempt to withdraw, which has affinities with Hirschman’s “exit” (Hirschman 1970).

Another form of withdrawal is to disregard liberal authority that actors find disagreeable but lack the means to change or replace with alternative international institutions.

Finally, we use “dissidence” to refer to the strategy that aims to destroy liberal international institutions rather than reduce their power because actors reject any form of liberal international authority yet lack the power to defy it.<sup>4</sup> A non-violent form of dissidence is the attempt to fully repatriate international authority by transferring sovereignty rights back to states. Terrorism can be considered as a violent form of dissidence.

In sum, we posit that postnational liberalism is increasingly challenged by four different types of contestations. The expectation is, first, that we see a general rise of LIO contestations, and, second, that the choice of strategy is affected by the contestant’s preference regarding postnational liberalism and its power to change international authorities. Figure 2 summarizes our model, which provides a joint explanation of the rise in and varieties of contestations of LIO.

#### 4 EMPIRICAL PROBE

Our empirical exploration proceeds in two steps. First, the empirical probing of our argument is based on demonstrating the transformation of LIO from liberal multilateralism to postnational liberalism. For this purpose, we develop a measure of liberal intrusiveness consisting of the overall degree of international authority combined with the relative strength of the liberal content. In a second step, we delve deeper with two case studies that illustrate our theoretical

argument on how the shift towards postnational liberalism has given rise to varieties of contestations in two issue-areas that are key to LIO: international security and international refugee law.

#### 4.1 LIBERAL INTRUSIVENESS

We measure the extent to which postnational liberalism has evolved after the 1990s with a liberal intrusiveness index, using the data on international authority as developed in the International Authority Database (IAD) in two ways.<sup>5</sup> First, we assess the overall level of authority in the international system as a whole. The IAD measures the authority of international organizations (IOs) in terms of their *autonomy* from states in taking decisions and the extent to which their decisions, procedures, and rules are *binding* for states, limiting a state’s discretion regarding a *number of policy functions*.<sup>6</sup> To empirically capture the autonomy and bindingness dimensions for each policy function, a comprehensive coding scheme with more than 150 items was used. The “authority score” is the product of autonomy, bindingness, and policy scope with a maximum of 10.25 for each IO. In figure 3, authority scores are plotted over time to show how IO authority has developed. The y-axis refers to the sum of the authority scores of all 34 IAD assessed IOs, with 358.75 as the overall maximum. The x-axis describes the development of these values over

5 The database assesses the authority of 34 IOs and 230 IO bodies based on geographic and issue-specific selection criteria from the pool of all 359 active IOs in the Correlates of War dataset on intergovernmental organizations (Pevehouse et al. 2007). The IAD coded approximately 1.000 legal documents comprising founding treaties, potential amendment treaties, and rules of procedures. See <https://www.wzb.eu/en/research/international-politics-and-law/global-governance/projects/international-authority-database> (accessed 2 July 2020) and Zürn et al. (i.p.), where the method and major descriptive findings are presented.

6 The database identifies seven crucial policy functions ranging from capturing agenda setting via rule-making to monitoring, adjudication, enforcement, IO evaluation and knowledge generation. For each of these seven policy functions, authority is assessed by collecting information on the actor performing the particular policy function and on the corresponding decision rules.

4 We borrow the term from Daase/Deitelhoff (2019), who use “dissidence” to describe a full rejection of existing systems of rule, challenging both its social purpose and decision-making structures and processes.

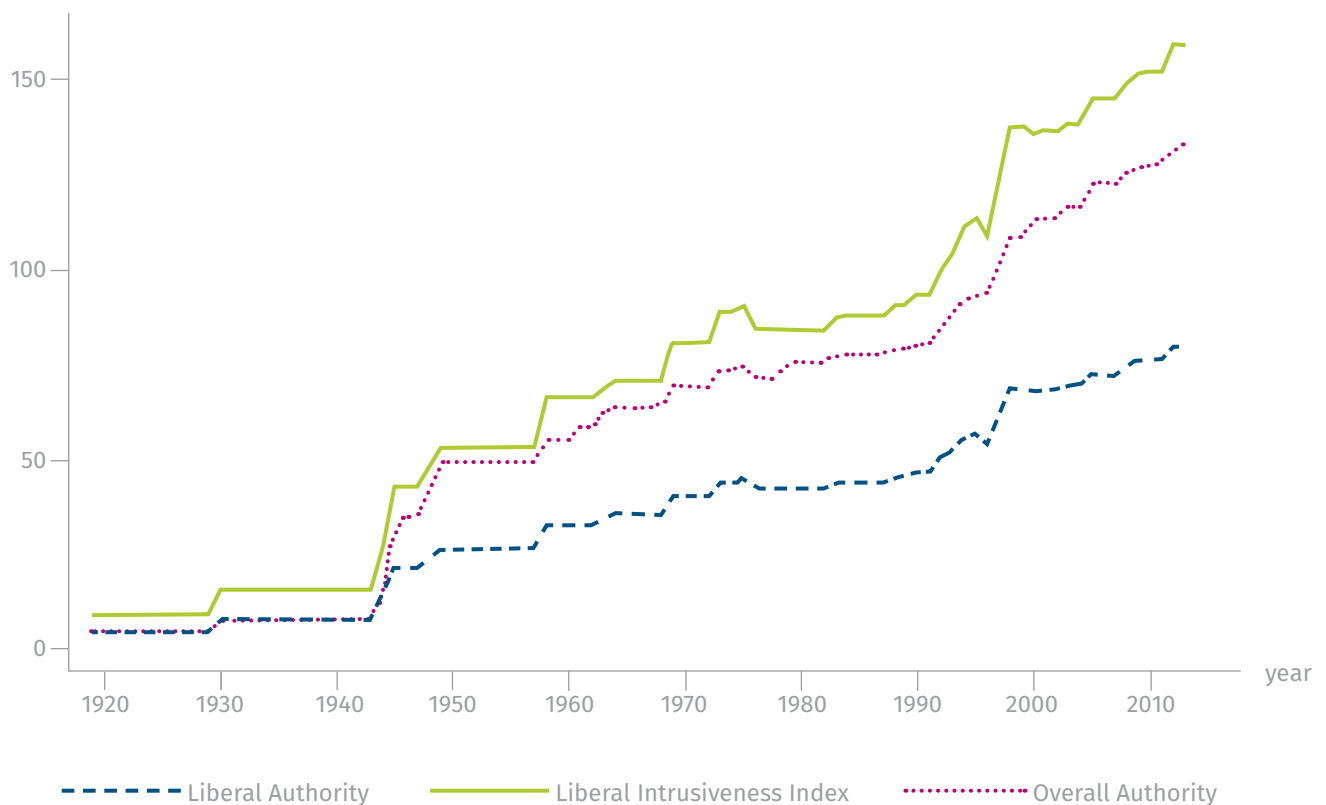


Figure 3 The Liberal Intrusiveness Index

Source: Own compilation with data from the International Authority Database (IAD)

(<https://www.wzb.eu/en/research/international-politics-and-law/global-governance/projects/international-authority-database>, accessed 2 July 2020).

time. The dotted line represents the combined authority scores of all coded IOs. We clearly see two periods with a sharp increase in international authority: after 1945 and after 1990. The first period of growth was driven by the founding of new IOs in the aftermath of World War II, the most important of which are the UN, the Bretton Woods Institutions, and the European. It levels out in the 1970s. The second wave started with the end of the Cold War and is as steep as the first one. This time, the number of IOs remains relatively stable; thus, the growth mainly points to an increase in liberal practice among existing authorities rather than the creation of new ones.

Second, we zoom in on liberal IOs, which have a clear focus on either trade (economic liberalism) or human rights (political liberalism). IOs are

coded “0” when neither trade nor human rights are their primary purpose, “1” when either of them is the primary purpose, and “2” when both human rights and trade are major issues. In this way, we capture the degree to which international authority is of liberal content. Again, we see a steep rise of liberal authority after 1945 and 1990 (indicated by the dashed line).

Our liberal intrusiveness index combines the level of authority with its liberal content (indicated by the continuous line), which illustrates the shift of the multilateral LIO I to the postnational LIO II. First, after an initial rise of liberal international authority immediately after World War II followed by a period of stagnation from the 1970s up to 1990, we see a renewed phase of growth starting in the 1990s. Second, after the end of the Cold

War, liberal authorities became not only stronger but also substantially more liberal as evidenced by the sharp increase of liberal international authority, which is steeper than it was after World War II. The post-World War II LIO I was above all “rule-based”. Attempts to make it more intrusive, such as creating the International Trade Organization or the European Defence Community, had failed. The postnational LIO II is both more liberal in content and more authoritative in form. Third, the growth of liberal international authority seems to level off after 2010. According to our model, this is related to legitimation problems that arose when crisis events, such as the military interventions in Iraq and Libya and the global financial crisis, made the intrusiveness of liberal international institutions more visible.

We argue that the steep increase in liberal intrusiveness of LIO II after the end of the Cold War triggered a major wave of contestations starting at the turn of the century. First, transnational movements, mainly based in Western countries, battle neoliberal policies and demand the re-regulation of global markets. They pursue a more or less reformist agenda aiming to address the redistributive consequences of international trade by strengthening international institutions. This form of contestation emerged from the late 1990s on as reflected in research on the politicization of international institutions by transnational social movements (Zürn et al. 2012; Tallberg et al. 2013). Second, international liberal institutions have also become increasingly politicized within liberal societies where authoritarian populist parties echo demands of illiberal regimes to protect national sovereignty against external interference authorized and legitimized by liberal international institutions, including the WTO, the UN, the EU, or the Organization for Security and Co-operation in Europe (OSCE). The success of these authoritarian populist parties is indicated by their increased appearance in electoral democracies as well as the escalation of autocrats

openly challenging liberal institutions (Inglehart/Norris 2016). Third, it is widely recognized that rising powers have contested postnational liberalism, especially after 2001. Similar to contestants from the Global South, they target the Western bias of these institutions as indicated by the voting behavior of BRICS in the United Nations General Assembly (see Binder/Lockwood Payton 2019). Fourth, starting in the late 1990s, LIO in general became the major target of contestations from fundamentalist Islamism, which rejects LIO’s liberal authority and the cosmopolitan worldview associated with it. The increase of terrorist attacks provides an, albeit very rough, indicator here.<sup>7</sup>

We probe the hypothesized relationship between liberal intrusiveness and the rise of contestations by looking in-depth at two cases that are central for LIO. Both cases show that increased liberal intrusiveness has led to increased contestation and that the attitude of contestants towards liberal authority and their position within the contested institution pre-determines their choice of strategy.

#### 4.2 VARIETIES OF CONTESTATIONS OF THE NEW SECURITY-REGIME COMPLEX

Politically, the most relevant move to postnational liberalism is arguably in the field of security. For some time, it appeared that the global governance system would move from a regime based on the principle of international security to one based on human security. Liberal multilateralism’s goal of preventing wars between states was broadened towards preventing any massive violations of human rights in world society. There are two international institutions in particular that became more liberal and more authoritative at the same time: the UN Security Council (UNSC)

<sup>7</sup> Global Terrorism Database (<https://www.start.umd.edu/gtd/>, accessed 30 May 2019).

and the International Criminal Court (ICC). After claims that both the UNSC and the ICC had exercised their authority inconsistently and illegitimately, contestations increased significantly and ultimately resulted in a weakening of these institutions.

#### 4.2.1 FROM LIO I TO LIO II: CASES OF HUMANITARIAN INTERVENTION

In the 1950s, the East-West conflict had deadlocked the UNSC. In response, in the 1960s Dag Hammarskjöld, former UN General Secretary, developed the concept of peacekeeping, which required the consensus of all parties involved in a conflict and was practiced almost exclusively in cases of interstate war. In the early 1990s, a second generation of peacekeeping operations emerged, which continued to observe the consensus rule but also deployed troops in intra-state wars. It was this shift to peace enforcement that moved the UNSC into the age of postnational liberalism. After Iraqi President Saddam Hussein's forces invaded Kuwait in August 1990 and refused to withdraw, the UNSC authorized the liberation of Kuwait by military means. While the social purpose of the intervention was still international security, it moved quickly towards the liberal notion of human security in line with the new norms embraced by the second generation of peacekeeping. For the first time, the UNSC acknowledged that "a humanitarian crisis – including threats to democracy – can constitute a threat to international peace, justifying actions as authorized by Chapter VII of the UN Charter" (UNSC Resolutions 841/1993 and 1529/2005 on the situation in Haiti). This marked a heretofore unknown height of liberal intrusiveness by the UN intervention regime.

Whereas the UNSC changed practice after 1990, the International Criminal Court (ICC) was a newly founded flagship organization of postnational liberalism. The Rome Statute was adopted on 17 July 1988 and entered into force four years later.

The lengthy negotiations and the early phase of the ICC were characterized by strong resistance from the US, which was overcome only when France and Great Britain changed sides (Deitelhoff 2009). African states overwhelmingly endorsed the ICC with Senegal being the first country in the world to ratify it. Adopting the ICC stood for a new era of postnational liberalism, marked by democratization, the expansion of global governance and global institutions, and widespread recognition and implementation of human rights standards. In this vein, in 2001 the International Commission on Intervention and State Sovereignty (ICISS) called for a strong version of *Responsibility to Protect* (R2P). The international community adopted a somewhat more limited version at the UN's 2005 World Summit, which, however, still provided justification for interventions into genocide, war crimes, ethnic cleansing, and crimes against humanity.

#### 4.2.2 A DIFFERENTIATED WAVE OF CONTESTATIONS

Despite initial support, the exercise of liberal authority in the new security-regime complex failed to produce legitimacy. Non-Western states claimed that the UNSC and the ICC did not treat like cases alike but reinforced double standards and Western dominance. For the UNSC, the interventions in Iraq (2003) and later in Libya (2011) were decisive events. Without authorization from the UNSC for an intervention in Iraq, US President Bush gathered a "coalition of the willing" to remove Saddam Hussein from power and bring about a regime change. In 2011, UNSC Resolution 1973 had authorized the military intervention in Libya by a multi-state NATO-led coalition. However, China and Russia had abstained and did not see the Resolution as authorization for a regime change. Regarding the ICC, mainly African states, which had initially supported the ICC, criticized the court for selective prosecution and the UNSC for selective reference of cases to the ICC. Prior to an investigation in Georgia in 2016, the ICC



had only investigated African cases and was accused of “neocolonialism” and “race hunting” by official representatives of the African Union (AU) (Gissel 2018).

This decreased legitimacy of liberal authority led to an increased level of contestation. The second Iraq intervention in 2003 was a game changer. On 15 February 2003, there was a coordinated day of transnational protests across the world during which people in more than 600 cities expressed opposition to the imminent Iraq War. Social movement researchers have described these coordinated protests as the largest in human history (Walgrave/Rucht 2010). It was part of a series of protests and political events that had begun in 2002 and continued as the war unfolded. These developments also strengthened the mounting critique by Russia and China towards so-called humanitarian interventions. At the same time, regional powers and major contributors to the UN asked for a reform of the UNSC’s membership and decision-making rules. Attacks by African states on the ICC can be observed from 2009 on (Gissel 2018). Contestations not only grew. They also differed. In line with our argument, contestations in the security regime complex can be accounted for by attitudes towards the liberal authority and the position within the institution in question.

*Pushback:* As members of the group of the five permanent members of the UNSC (P5) equipped with veto rights, Russia and China are very close to the decision-making center and do not contest the political authority of the UNSC as such. Instead, their contestations target the *liberal* content of the human security approach (Jetschke/Abb 2019: 180). They aim to push back any far-reaching interpretation of human security and the R2P by emphasizing the principle of Westphalian sovereignty and the need to act only with UNSC authority. Russia and China had already justified their abstention from voting on Resolution 1973 expressing doubts about the

threshold of “just cause” based on human security and R2P. After the UNSC’s liberal interpretation of resolution 1973, they hardened their strategy by working more often and more forcefully with their veto-right, again based on the justification that humanitarian intervention was a Trojan Horse for the advancement of the parochial interests of Western states (Bellamy 2005: 42).

Pushback is different from full rejection or even dissidence. Russia and China consistently emphasize the value of the UNSC as an authoritative institution. China and, to a lesser extent, Russia also reluctantly began to adopt the language of human rights but disentangled it from its liberal content (Morozov 2015). As a result, the purpose of the UNSC was reinforced, while international monitoring of Russia’s and China’s own domestic human rights records were prevented. While part of this contestation strategy is certainly due to changes in domestic politics in China and Russia, the general trend towards increased contestation can be explained by a failure to legitimize the new liberal intrusiveness and perceived abuse of its power by Western states.

*Reform:* India, Brazil, Japan, and Germany are central actors that do not challenge the liberal intrusiveness of the UNSC but demand reforms of its institutional rules to increase the representativeness of the UNSC. The so-called G4 have seen an increase in their power since the UNSC was established, including in their GDP, contributions to the UN activities, and recognition as regional powers. They posit that this should be reflected in their own permanent seat in the Council. The G4 have advanced their demands by relating them to three normative justifications: representation, effectiveness, and power (to “reflect realities”).

The P5 have so far shown no sign of supporting such a reform, unless it is conducive to all five veto powers at the same time. In the meantime, the demands for change by Brazil, India, and South

Africa have become more accentuated in tone (Jetschke/Abb 2019). Yet, while the need for reform has been more or less globally accepted, a reform of the UNSC remains unlikely.

*Withdrawal:* Especially since 2009, African states have made decisions that have damaged the image of the ICC: failing to cooperate with the ICC in prosecuting Sudanese President Omar al-Bashir and Libyan President Muammar Gaddafi, hosting wanted individuals, threatening to leave the ICC, and voting indicted individuals into the highest office. Over the years, the Assembly of the AU has also adopted various resolutions critical of the ICC and its practices (Gissel 2018).

The African critique is based on a perception of selective prosecution. The UNSC has referred to some cases, like Libya and Darfur, but not to others, such as Israel and Syria, supporting the accusations of a double standard and an anti-African bias (Asaala 2017). Two cases are notable examples of this bias. The first investigation ever to be launched by the ICC Prosecutor herself (*proprio motu*) referred to Kenya in 2010. The ICC ruled that the government of Kenya had not taken sufficient steps towards investigating political leaders and Kenya challenged the jurisdiction of the court by asserting its right to handle the cases under national law. Two of the accused were elected into official positions. Eventually, all charges were dropped because the ICC Prosecutor refused to present the cases. Moreover, the AU claimed that the warrant against Libyan President Gaddafi complicated efforts to find a negotiated political solution to the crisis. It asked the UNSC to suspend the work of the ICC, but its request was not honored (Vilmer 2016).

In 2016, three African states, Burundi, South Africa, and the Gambia, announced their withdrawal from the Rome Statute. The Gambia revoked its withdrawal notification following the election of a new president; so did South Africa after a

ruling by its High Court. Instead, Burundi withdrew from the Court on 27 October 2017. Although the ICC still has 33 African state parties, its legitimacy has been fundamentally damaged by these challenges from African states and the AU. The recent crisis in Africa's relationship with the ICC "reflects a dissonance between the ICC's practices and the court that African states sought to create or thought they were creating" (Gissel 2018: 729). The threat of withdrawal is accompanied by demands of replacing the ICC with a regional African institution corroborating our typology that places counter-institutionalization as a special form of withdrawal.

*Dissidence:* In 2014, the Islamic State (IS) drew international attention when it brutally conquered vast swathes of Iraq and declared itself a Caliphate. By mid-2014, it had become "the strongest, best-resourced and most ideologically potent terrorist quasi-state of the post-9/11 era" (Brands/Feaver 2017: 11). The central goal of the IS is to destroy the existing order substituting it with a universal Islamic order. The IS interpretation of Islam rejects state-based international order as an organizing principle. As a Jihadi-Salafi movement, it also rejects international law, because man-made law subverts the principle of legislation as the prerogative of God alone. Most importantly, international law is seen as emanating from the most powerful states and reflecting the norms of the "Crusader West" (Mendelsohn 2015).

The differentiated wave of contestations – consisting of the rise of pushback, reform, withdrawal, and dissidence – has been consequential. Debates about the security regime complex and the R2P has changed course. The early debate focused on human security and aimed for a fundamental "re-conception of security, solidarity, and even sovereignty" (Slaughter 2005: 619) to allow for a norm change aligned with the growing liberal intrusiveness of the UNSC. Since about 2001, R2P became much more narrowly defined. More

recently, it has been made clear that the final authorization of an intervention in domestic affairs requires a decision by the UNSC with China and Russia insisting that any such measure would not be considered legitimate without the consent of the affected sovereign state. Therefore, contestation has been successful in the sense that the current situation is closer to the liberal multilateral security regime of LIO I than to the original ambitions of the postnational liberal security regime envisioned by supporters of human security and R2P in LIO II.

### 4.3 VARIETIES OF CONTESTATIONS OF INTERNATIONAL REFUGEE LAW: THE EUROPEAN MIGRATION CRISIS

The International Regime on Refugees built around the 1951 Convention (Geneva Convention on Refugees) and its 1967 Protocol (New York Protocol) are together the cornerstone of international refugee law and, as such, form a constitutive part of the liberal international order. The Geneva Convention was inspired by and designed on the experience of massive refugee flows during and immediately after WWII. Several states had denied admission to Jews fleeing the Holocaust. After the war, millions of refugees from the Soviet Union were forcibly returned despite concerns they would face retaliation from the Soviet government. The refugee status as defined in the Convention therefore pertains to people persecuted in their home country; it does not cover people fleeing from poverty or natural disasters. The core principle of the Geneva Convention is *non-refoulement*. The principle forbids a country receiving a refugee from expelling or returning them “to the frontiers of territories where [their] life or freedom would be threatened on account of [their] race, religion, nationality, membership, of a particular social group or political opinion” (Art. 33 para.1 *Geneva Convention*). The New York Protocol removed the geographic and temporal limitations of the Geneva Convention. Their

universal coverage is fortified by regional protection regimes, such as the Organization of African Unity (now African Union) Convention governing the Specific Aspects of Refugee Problems in Africa of 1969 or the Cartagena Declaration on Refugees of 1984. Asia is the only region that has refrained from developing regional refugee regimes despite having the largest refugee population in the world.

#### 4.3.1 THE EU’S GROWING LIBERAL INTRUSIVENESS

The European Union took almost 50 years to set up its own postnational refugee regime. All member states have been party to the 1951 Geneva Convention and its 1967 Protocol. Moreover, the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights/ECM), which entered into force in 1953, has protected the human rights of refugees. In case of violation, a state can be taken to the European Court of Human Rights (ECtHR) and its judgments are binding and enforced. With the Amsterdam Treaty of 1997, the EU obtained the authority to develop its own regional refugee regime. The Common European Asylum System (CEAS) has been a decisive step towards postnational liberalism. Between 1999 and 2004, the EU set supranational standards for receiving asylum seekers, determining which member states were responsible for registering asylum seekers and handling their applications. EU legislation also specified procedures for granting and withdrawing refugee status and made provisions for temporary protection in the event of a massive influx. The Treaty of Lisbon of 2009 further strengthened the EU’s liberal authority giving it the power to create a single European system built around a uniform status of asylum and subsidiary protection, a common system of temporary protection for displaced persons, uniform procedures for granting and withdrawing asylum or subsidiary protection status, and common standards concerning reception conditions

(Article 78 of the Treaty on the Functioning of the European Union/TFEU). Article 80 of the TFEU also explicitly provides for the principle of solidarity and fair sharing of responsibility, including financial implications, between member states.

The Lisbon Treaty further increased liberal intrusiveness by making co-decision the ordinary legislative procedure for adopting EU asylum laws. The Commission has the sole right to table legislation, the Council decides by majority rule, and the European Parliament has an equal say in adopting new laws. Finally, the Court of Justice of the EU (CJEU) obtained extended judicial oversight giving it the possibility to develop more case law on asylum.

The EU has used its extended liberal authority to develop a refugee regime that moves beyond the Geneva Convention in at least four significant ways. First, it sets common standards for refugee reception including the principle of first entry, which places the responsibility for registering refugees and processing their applications on the member states at the EU's external borders. Other member states are allowed to transfer refugees back to the country through which they first entered the EU. Second, in 2015 the Council invoked the principle of solidarity to adopt by qualified majority a temporary but mandatory mechanism to relocate 120,000 Syrian refugees, who were in clear need of international protection, from Greece and Italy to other member states. Third, the EU transformed its European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (FRONTEX) into the EU Border and Coast Guard Agency (EBCG). Besides assisting member states in securing their borders, the EBCG has coordinated the EU's operations to rescue refugees and to fight against human trafficking and smuggling in the Mediterranean. Fourth, the ECtHR has interpreted Article 3 (prohibition of torture) of the European Convention on Human Rights in

such a way as to extend the scope of the *non-refoulement* principle to include criminal offenders. Moreover, individuals must not be sent back to countries where they will face inhumane conditions. These prohibitions hold even within the European Union. Returning refugees to Greece as a country of first entry has not been possible since 2010, when both the ECtHR and the CJEU raised concerns about the human rights situation in the so-called reception centers for refugees.

#### 4.3.2 CONTESTING THE EU'S GROWING LIBERAL INTRUSIVENESS

The extension of the EU's liberal authority after the turn of the millennium had gone largely unnoticed by the European publics. This changed with the massive influx of over one million refugees in 2015, which made the EU's liberal intrusiveness visible and its consequences felt. Authoritarian populist parties (APPs) boosted their electoral support by contesting the EU's liberal refugee regime in most member states. Where they did not take over the government, their mobilization of popular sovereignty against what they perceived as an imposed reception of foreigners by cosmopolitan elites induced center-left and center-right governments to challenge the EU's liberal authority. Contestations have centered around three issues: returning refugees, relocating refugees, and external border security. As the ensuing analysis shows, contestants have pursued different strategies depending on their views of the EU's liberal authority and their position within the EU's decision-making institutions.

Not all member states have been equally affected by the influx of refugees. Finland, Luxembourg, Ireland, and Portugal, none of which are major first entry, transit, or destination countries, have little reason to contest the EU's liberal authority. Among the remaining member states, principled rejection has emerged where APPs have seized (partial) control over the government (Austria, Denmark, Hungary, Italy, Poland, UK). Where APPs

have remained in opposition but substantially gained electoral support since the height of the crisis, governments tend to take issue with the way the EU exercises its liberal authority (France, Germany, Greece, Netherlands).

When it comes to shaping the EU's liberal authority within the EU's Common Migration and Asylum System, France and Germany form the core of EU decision power. UK is not part of the Schengen Area and Italy's position has been weakened by its reputation as a trouble-maker, starting with former Prime Minister Silvio Berlusconi who has governed Italy on and off since 1994. Likewise, Poland, as the largest among the Eastern European member states, has marginalized itself by joining Hungary's Prime Minister Victor Orbán as the main democratic backsliders in the EU. Other countries of first entry, including Greece, Cyprus, Malta, and Latvia, are too small and poor to be close to the core. The Northern Europeans (Denmark, Netherlands, Austria), in contrast, yield more influence in EU decision-making due to their strong economic and political performance.

Classifying member states along the two dimensions of our conceptual framework allows us to formulate expectations regarding their different strategies when contesting the EU's refugee regime. As the liberal power houses of the EU, we predict that France and Germany, supported by the Netherlands, would seek *reform* to strengthen the EU's liberal authority in dealing with the influx of refugees. Denmark and Austria, due to their strong populist opposition, would *push back* towards a return to the more restrictive pre-2015 regime, which places the responsibility of rejecting or accepting refugees on the countries of first entry. We expect Greece, Cyprus, Malta, and Latvia to *withdraw* from the EU's refugee regime by not applying its rules and procedures for receiving refugees. Finally, Italy, Hungary, and Poland would opt for *dissidence* seeking to destroy the Common European Asylum System altogether by

demanding the return of full control to the member states. The following discussion compares the strategies that various member states actually pursued in contesting the three core issues of the EU refugee regime.<sup>8</sup>

*Reform:* The EU's exercise of its extended liberal authority resulted in a system that placed the responsibility of dealing with refugees largely on Greece and Italy as front-line states. Since the mandatory relocation scheme expired in 2017, France and Germany have sought to end the ad hoc distribution of migrants stranded at sea. Their most recent reform proposal would have a "coalition of the willing" automatically accept a certain quota of refugees rescued in the central Mediterranean. The "Franco-German couple" also puts its weight behind a reform of migration and border control proposed by the European Commission. The proposal envisions creating an authoritative EU Border and Coast Guard (EBCG) standing corps to interfere with national border control, e.g. by carrying out identity checks and admitting or refusing people.

*Pushback:* Smaller member states that are still close to the core of the EU's decision-making power have been less receptive of the EU's liberal authority. Pushing back the ECtHR's extended interpretation of the prohibition of torture, Denmark and Austria maintain their right to forcefully return "illegal refugees", including criminal offenders, to Hungary and Greece as countries of first entry despite the risk returners face of inhumane treatment. Both member states also reject any relocation scheme under EU law. Nor are they willing to accept strengthening the EBCG beyond the coordinating role it had before the migration crisis.

<sup>8</sup> See Börzel (2020) for a more detailed case study of contestations of the EU refugee system.

*Withdrawal:* Smaller member states that are in the periphery of the EU, both geographically and politically, have been overwhelmed by their responsibility to deal with the massive influx of refugees. While Greece, Cyprus, or Malta demand solidarity by the other member states, they lack the power to push for a relocation mechanism. Greece, which has to cope with the lion's share of refugees, stopped registering refugees and processing their applications in 2015. Despite substantial technical and financial support from the EU, it has not provided for the basic needs of refugees in its overcrowded reception centers either.

*Dissidence:* Italy, Hungary, and Poland openly defy the EU's authority on asylum and migration. Hungary built razor-wire fences turning back refugees that seek to enter the EU. Likewise, Italian Home Secretary and leader of the authoritarian populist "Lega" party closed Italy's ports and criminalized rescue missions by non-governmental organizations. When Italian courts ordered the government to allow immediate assistance to people in need in Italian territorial waters, Minister of the Interior Matteo Salvini threatened to curb their independence. He also rejected any legal relocation scheme even though Italy would have been a major beneficiary. Only after his resignation in the summer of 2019, did the new center-left Italian government start to support the reform proposal of France and Germany on a redistribution mechanism. Hungary, in contrast, filed a court case (and lost) against the temporary reallocation quota contesting the EU's authority. Poland supported the lawsuit; it refuses to be part of any relocation scheme and faces legal action by the Commission, together with Hungary and the Czech Republic, for not receiving refugees relocated to them under the 2015 temporary scheme. They also reject any EU interference in their national border control.

To conclude, the contestations of the EU's refugee regime support our two arguments. An increase

in contestations was triggered by the massive influx of refugees in 2015, which made the extension of the EU's liberal authority visible and felt in member states. As predicted by our model, member states pursued different strategies of contestation depending on the political strength of authoritarian populist parties defining their position on the EU's liberal authority, on the one hand, and their proximity to the decision-making core of the EU, on the other.

## 5 CONCLUSION

Our account of contestations grasps the systematic shift from LIO I to LIO II and explains the rise of a differentiated wave of contestations. We argue that different types of contestations of LIO are driven by a shift from weak liberal multilateralism to postnational liberalism, which emerged with the end of the Cold War and became especially visible in the aftermath of the global financial crisis of 2008. While we consider the change from the postwar LIO I to the postnational LIO II as a systemic shift, we do not wish to argue that the end of the Cold War constitutes a break with the liberal international order. Rather, the substantial expansion of international liberal authority has moved us into postnational liberalism.

The empirical probe supports this account. We first show that the early 1990s brought a systemic shift with an explosion in the level of intrusiveness of international institutions. Second, we demonstrate that several international (crisis) events substantially heightened the visibility of liberal intrusiveness, particularly with regard to institutionalized inequality and double standards, on the one hand, and interference in national sovereignty and the technocratic domination by cosmopolitan elites, on the other. This gave rise to four different types or strategies of contestations, the choice of which depends on a contestant's attitude towards liberal authority

and their position within the institution in question.

How the differentiated wave of contestations will affect the future of LIO is not yet clear. To understand ongoing changes, three types of research are especially relevant. First, interests are not structurally driven but derive from underlying belief systems and ideologies. The gridlock that we observe in some areas of global governance is accompanied by a rise in new forms of governance, whether labeled as transnational, informal, epistemic, or governance by numbers, or low-cost institutions. Instead of developing sophisticated arguments about their functionality, it may be more meaningful to see them in interaction with the rise and (partial) decline of postnational liberalism. This understudied relationship should be investigated. Second, we have treated the different types of contestation as if they were independent of each other. Yet, the diffusion of international norms goes together with an epidemic tide of contestations. We need to better understand the interactions between different contestations, which involves thinking more critically about the linkage between domestic and international politics.

This leads to a bigger issue. The contestation of LIO is part and parcel of a broader challenge. The liberal script as a whole – understood as shared understandings about the organization of society (Börzel/Zürn 2020) – is under fire. As international scenery, LIO I made the world safe for democracy, and LIO II even presumed that national societies should be liberal and democratic. Today, not only LIO II, but the liberal script in general is contested. There is good reason to believe that current contestations of LIO can be understood only if studied in the broader context of contestations of the liberal script.

Last but not least, especially in times of rapid change and upheaval, we may recall that there

is high demand in society and politics for the explanation and understanding of important social phenomena. Politicians and the public are interested in knowing why we saw a shift from liberal multilateralism to postnational liberalism, why Brexit and the election of Donald Trump happened, and why China is not giving in to the trade demands of the Trump administration. IR scholarship should put more effort in providing such explanations instead of exclusively focusing on the effects of a selected number of independent variables with the use of ever more sophisticated methods. Full-scale explanations may make it necessary to broaden our standards of causal inference to be able to offer insights of greater social relevance.

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