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Contesting the Selective Moralism of the Liberal International Order: A Behavioural Political Economy of Trust, Legitimacy and Sovereignty in the Non-Western World

Federico Verri[1]

Abstract

Why do non-Western states keep falling back on sovereignty and non-interference when liberal partners would prefer them to do otherwise? Treating that question as clashing values, or regime survival alone, misses what the diplomats themselves often say more bluntly — the rules are not applied the same way to everyone. This article works through the intuition with the tools of behavioural political economy. I read non-Western contestation of the liberal order, and specifically the diplomatic grammar of ASEAN and its neighbours, as a calibrated response to repeated experience of selective moralism: identical human-rights, use-of-force and sanctions claims pressed hard against some, waved through for others. The argument unfolds across three cases drawn from a corpus built in Scopus, Web of Science and HeinOnline (2014–2025), together with regional declarations and UN General Assembly resolutions — ASEAN's handling of the post-2021 Myanmar crisis; the uneven Southeast Asian reception of the 2016 South China Sea award; and the remarkably stable non-Western coalition against unilateral coercive measures. Drawing on Mayer, Davis and Schoorman (1995), Levi (1998), Tyler (2006), Beetham (1991) and Tallberg and Zürn (2019), and on fieldwork-informed observation across Asia, Africa and the Persian Gulf, I find that sovereignty operates here less as ideology than as commitment device — cheap to signal, costly to break, reassuring to neighbours whose regimes look nothing like each other but who share an interest in not being singled out next. Ontological security sharpens the pattern wherever outside pressure reaches the constitutive features of the political self. The implication is uncomfortable for Western reformers: legitimacy beyond the North Atlantic depends less on adding new substantive norms than on demonstrating procedural consistency, and reformers who skip the procedural work tend to deepen the contestation they meant to dissolve. The contribution is a synthesis and a tractable analytical model, the Trust–Legitimacy–Sovereignty (TLS) model, for political science, international law and Southeast Asian studies.

1 British International School of Timisoara, Romania

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Introduction

Few diagnoses are as widely shared as the claim that the liberal international order is unwell. What that diagnosis means is another matter. For one camp the order has been hollowed out from within — by populist drift in the United States, by an erosion of the institutions liberals built and then failed to defend (Ikenberry, 2018; Mearsheimer, 2019). For another — louder each year in the scholarship that writes from outside the North Atlantic — the trouble is not erosion but design: a rule-system whose universalist self-presentation has always co-existed with conspicuously uneven application (Acharya, 2018; Anghie, 2005; Hurrell, 2018). Both diagnoses can be partly right. I take the second one as my starting point, but I want to push it past the level of complaint.

The puzzle I keep encountering — in academic settings, in conversations with civil servants from Jakarta to Tehran to Dakar, and in years of reading speeches that academics rarely read carefully — is more specific. Non-Western states whose internal politics could hardly be more dissimilar (democracies, hybrid regimes, monarchies, party-states) converge on a recognisable diplomatic register. Sovereignty. Non-interference. Multipolarity. Procedural multilateralism. The convergence is too broad to explain by regime type, and too consistent to dismiss as posturing. It calls for a mechanism.

Behavioural political economy offers one. In its strong version (Schnellenbach & Schubert, 2015), it treats political actors as boundedly rational creatures whose decisions are shaped — not determined — by trust, fairness preferences, and the heuristics those preferences generate over time. Trust here is not a vague cultural disposition; it is, after Mayer, Davis and Schoorman (1995) and Levi (1998), a calibrated bet about another party's future conduct under exposure. Legitimacy, with Beetham (1991) and the more recent reframing by Tallberg and Zürn (2019), is a layered property — rule-conformity, justification by shared belief, expressed consent — that can erode at any layer. Security, finally, comes in two flavours: the physical one we are used to, and the ontological one (Mitzen, 2006; Steele, 2008), which protects the state's coherent self-narrative against external pressure to rewrite it.

Selective moralism — the term I use throughout — is descriptive, not denunciatory. It names a pattern: identical normative claims (human rights, the use of force, the legality of coercion) advanced with high intensity against some states and waved through, or muted, for others, including the advocates themselves. The pattern is reconstructible from voting records, sanctions practice and the day-to-day archive of diplomatic language. What matters for my argument is not whether the pattern is morally defensible — opinions differ — but what it does to the people on the receiving end. Repeated exposure, the behavioural literature suggests, breeds a heuristic. I call it fairness-scepticism.

Three adjacent literatures share parts of the terrain. The English School on legitimacy in international society (Reus-Smit, 2007) tells us that legitimacy is socially constituted; it does not tell us through which cognitive and affective channels the constitution happens. Norm-contestation scholarship, especially Acharya's (2014, 2018) work on subsidiarity, tells us that local actors actively

remake global norms; it leaves the conditions under which they do so partly unspecified. Realism in the Mearsheimer (2019) idiom takes asymmetric power seriously, then collapses contestation into balancing — losing, along the way, the perceptions that make balancing politically thinkable in the first place. The TLS model I propose is meant to fill the joint in these three accounts: a mechanism-level theory that respects what is constructed, what is contested and what is materially constrained, without dissolving any of them into the others.

A note on method, briefly. The corpus was built through Scopus, Web of Science and HeinOnline for the period 2014–2025, on the controlled terms ‘legitimacy', ‘liberal international order', ‘sovereignty', ‘ASEAN', ‘non-interference' and their behavioural correlates — trust, procedural fairness, ontological security — with forward and backward citation tracking around the foundational works named above. The documentary set is narrower: the ASEAN Charter (2007), the Five-Point Consensus (2021), the PCA Award (Case No. 2013-19, 2016), and the annual UNGA resolutions on unilateral coercive measures from 2014 to 2024. The three cases are not a sample. They are sites — chosen to vary across policy domain (regional security, maritime governance, the political economy of sanctions) while holding the dependent variable steady, which is the recurrent appeal to sovereignty under outside pressure. I read them with the framework, not against a controlled comparator. The article is conceptual; the empirical job it asks for — interviews, voting analyses, experiments — I flag in the limitations section.

Three parts follow. The first lays out the framework. The second walks through the cases. The third draws out the implications, faces the obvious objection — that any such reading risks excusing bad regimes — and points to where the argument should be tested next.

Part One: Background — Trust, Legitimacy and the Behavioural Turn in International Politics

1.1 The behavioural political economy framework

Behavioural political economy grew up against the cheerful unrealism of standard rational-choice models — actors who maximise unproblematic preferences, in full information, with no fairness intuitions, no memory and no reputation. Ostrom (1998) was already chipping away at the picture, the experimental tradition behind Schnellenbach and Schubert (2015) finished the demolition. The replacement is not, contrary to a common misreading, a psychological reductionism. Institutions still matter; incentives still bite. What changes is that how the rules feel — whether they look fair, whether you got to speak before being judged — enters the explanation on its own (Tyler, 2006; Levi, Sacks & Tyler, 2009).

Three findings carry the rest of the argument. Trust is asymmetric and slow — destroyed in days, rebuilt over years, and only against visible repetition of reliable conduct (Levi, 1998). Procedural fairness matters at least as much as substantive outcome; people will accept losing a case if they were heard fairly, and resent winning one if the procedure looked rigged (Tyler, 2006). And when actors come to believe — rightly or wrongly — that rules are applied selectively to their disadvantage, they do not

simply defect. They invest. They build alternative institutions; they cultivate alternative narratives of legitimacy that promise more even-handed treatment (Acharya, 2014). This last step is the engine of what follows.

1.2 Legitimacy as a multidimensional and contested property

Beetham's (1991) account remains, for my purposes, the cleanest. Legitimate rule rests on three legs — conformity to established rules, justification by beliefs the ruler and ruled actually share, and consent expressed in conduct, not only in words. Each leg can fail on its own. In international politics, all three are visibly strained. Conformity is unevenly enforced: powerful states use force without authorisation and pay no procedural price; weaker states are sanctioned for less (Anghie, 2005; Krieger & Nolte, 2019). The shared-belief leg wobbles whenever the substantive content of human rights, democracy or rule-of-law is articulated almost exclusively in North-Atlantic idioms (Acharya, 2018; Reus-Smit, 2007). Expressed consent is — to put it diplomatically — performative; many states sign and then resist (Hurrell, 2018).

Tallberg and Zürn (2019) sharpen the picture by separating the two questions that often get muddled. Does an institution meet defensible normative standards? And, distinctly: do the relevant audiences treat it as authoritative? The two can drift apart spectacularly — an institution can be normatively impeccable on paper and sociologically dead in the room, or the opposite. What is now playing out at the global level is, in their language, a politics of legitimation: the discursive and procedural work institutions do to make audiences accept them. Read against that backdrop, the sovereignty–non-interference–multipolarity grammar of non-Western diplomacy is not a denial of legitimacy. It is a counter-offer.

1.3 Ontological security and the politics of the political self

There is one more piece. States, like persons, have interests that exceed survival. They want continuity — a recognisable self-story across time, decipherable to themselves and to others (Mitzen, 2006; Steele, 2008). When external pressure reaches the constitutive parts of that story — the configuration of religion and state, the architecture of authority, the constitutional balance between political order and the economy — the pressure is felt not just as cost, but as threat to the self. This is, in my reading, why sovereignty carries such ontological weight in the post-colonial world. From Jakarta to Tehran to Algiers, the word does not signal nostalgia for Westphalia; it marks the historical fact of having become a political subject — and the determination to remain one (Bayart, 2007; Anghie, 2005).

Part Two: Analysis — Three Sites of Contested Liberal Legitimacy

Table 1

Three sites of contested liberal legitimacy: behavioural mechanisms and observable indicators.

Case	Trigger of contestation	Behavioural mechanism	Observable indicators
ASEAN and the post-2021 Myanmar crisis	External pressure to abandon consensus and non-interference after internal political reconfiguration	Diffuse trust within the regional grouping; ontological security of member regimes	Five-Point Consensus (2021); slow procedural pace; intra-regional envoy mechanism
South China Sea disputes	External insistence on full implementation of the 2016 arbitral award	Fairness-scepticism heuristic primed by historical selective enforcement	Uneven endorsement of the 2016 award; preference for ASEAN–China Code of Conduct negotiations
Unilateral coercive measures	Proliferation of sanctions outside UN Security Council authorisation	Procedural-fairness concern about equality of sovereigns; multipolar legitimation grammar	Annual UNGA resolutions critical of unilateral coercive measures with broad non-Western majorities

2.1 ASEAN and the Myanmar crisis: consensus as a procedural value

February 2021 — the Tatmadaw seizes power, and the humanitarian situation deteriorates almost in real time. The pressure on ASEAN to abandon non-interference is immediate and, from a Western vantage, reasonable: exclusion, targeted sanctions, recognition of the parallel National Unity Government in some readings. What ASEAN produced instead — the Five-Point Consensus of April 2021, and the slow, uneven, often frustrating implementation that followed — has been read, in much of the Anglophone commentary, as evidence of institutional weakness. I want to suggest a different reading.

Insistence on a consensus-based, intra-regional process — however maddening to outside observers — does three things at once, and the cost-benefit becomes visible only when one steps inside the room. It preserves a procedurally fair forum where members with wildly heterogeneous internal politics can keep talking; the diffuse trust on which ASEAN rests is destroyed faster than rebuilt (Acharya, 2014). It refuses the precedent that outside actors get to define when internal reconfiguration becomes intervenable — a precedent whose costs would fall, predictably, on smaller members (Goh, 2013). And it shelters the ontological security of regimes that look nothing like Western liberal templates but have spent decades investing in ASEAN as a marker of belonging (Mitzen, 2006). The normative

deficits are real and worth criticising. The behavioural rationality is also real, and ignoring it is one reason outside pressure has, year after year, achieved less than its advocates expected.

2.2 The South China Sea: law, power and the perception of selectivity

The 2016 award in the Philippines–China arbitration (PCA Case No. 2013-19) was, in many Western capitals, a vindication: an Annex VII tribunal under UNCLOS had spoken; the rules-based order was alive. The reception across Southeast Asia was — and is — markedly less enthusiastic (Thayer, 2017; Talmon, 2016). Several governments whose own maritime claims rest on UNCLOS have stopped well short of full-throated endorsement. The standard Western explanation reaches quickly for Chinese coercion, and Chinese coercion is certainly part of the story. It is not the whole one.

Two further factors deserve weight. First, the same governments have a long memory for selective invocation of international law by its loudest defenders — Iraq in 2003 is the case everyone remembers, but the list is longer (Sands, 2005). That memory primes the fairness-scepticism heuristic: a ruling is evaluated not only on its merits, but on whether the advocate has been consistent. Second — and this rarely surfaces in Western analysis — the rhetorical pressure to obey the law here and now grates when it is not matched by any willingness to accept binding adjudication where Western interests are at stake. The result is not lawlessness. It is a slower, more indigenously paced negotiation, in which the formal law is taken seriously but filtered through accumulated experience of its uneven enforcement (Chesterman, 2016).

2.3 Unilateral coercive measures and the multipolar legitimation contest

Sanctions adopted outside Security Council authorisation are now, for several reasons, the rule rather than the exception in great-power statecraft. The voting record at the UN General Assembly tells a story that Western analyses too rarely treat as analytically interesting. Since the late 1990s, large and stable majorities of non-Western states — ASEAN members usually among them — have backed resolutions critical of such measures (Subedi, 2021; Tzanakopoulos, 2015). The reflex is to dismiss the votes as performative, or as authoritarian solidarity. Neither explanation accounts for the breadth (democracies and autocracies; small states and large) or the stability (across two and a half decades, through governments that agree on very little else).

Read with the behavioural lens, the votes are about something more specific: the procedural fairness of the global governance of coercion. Unilateral measures — whatever their substantive justification in a given case — bypass the multilateral procedures that, however imperfectly, instantiate equal standing among sovereigns (Tzanakopoulos, 2015). Their use is, by any honest accounting, selective: intense against some adversaries, restrained or absent against others. The selectivity, repeated, feeds the heuristic. The alternative grammar that emerges — multipolarity, equality of sovereigns, procedural multilateralism — is not the rejection of human-rights concern that critics sometimes claim. It is a claim about the institutional path through which such concerns should travel if they are to retain long-run legitimacy (Hurrell, 2018; Acharya, 2018).

Part Three: Discussion — Opinions, Counterargument and Policy Suggestions

3.1 Implications for Southeast Asia

ASEAN's preference for consensus and non-interference — codified in Article 2 of the 2007 Charter, operationalised through AICHR — is too often read as a cultural quirk. The cultural reading is not wrong; it is just shallow. Underneath the cultural surface is a structural one: a behaviourally optimised response to asymmetric power and contested norms. Rhetorical pressure will not dissolve that response, and twenty years of trying confirms it. What changes the underlying behaviour is a change in the underlying experience of fairness.

If that is right, the most productive route for human-rights and human-security work in the region is not to try to override the procedural norms — that route has been tried, exhaustively — but to invest in mechanisms that visibly even-hand the procedures and protect ontological security: AICHR-internal instruments, civil-society dialogue at regional level, intra-regional capacity-building in rule-of-law institutions (Acharya, 2014). It also means a different kind of scholarly humility. Writing about Southeast Asia in the vocabulary of democratic deficit — without simultaneously interrogating the procedural deficits of the international order in which the region is embedded — produces analysis that the regional reader recognises immediately as half-told (Chesterman, 2016).

3.2 Implications for the conduct of international legal and political relations

The broader lesson is that reform of the international order is procedural before it is substantive — or it isn't reform at all. The point is not original to me; it is, in one form or another, what Beetham (1991), Tyler (2006) and Tallberg and Zürn (2019) have been saying for a long time. What is perhaps new is the diagnosis of why so much well-intentioned reform fails. Adding new substantive norms while leaving procedural asymmetries intact does not produce a fairer system; it produces a system whose unfairness is more visibly indexed to the proliferating norms. Targeted actors notice. They organise around alternatives. The contestation deepens. This is, in the end, a banal point — consistency matters — but it has unbanal consequences for institutional design.

3.3 The hard objection, and a reply

There is an objection that any responsible reading of this article must face. It runs roughly as follows: to read sovereignty-based contestation as behaviourally rational is to risk laundering it — mistaking the interests of regimes for the interests of the populations they govern, and providing a more sophisticated cover for repression than the regimes themselves could compose. The objection is serious. The reply has to be precise.

The framework is descriptive and explanatory. Nothing in it endorses the substantive content of every claim made under the banner of sovereignty, and nothing forecloses moral critique of specific abuses — abuses I have witnessed in more than one of the countries I have worked in. The point is narrower, and harder. Critique that is procedurally credible changes conduct; critique that is perceived as selective does not. A purely declarative invocation of universal norms, by an advocate whose own conduct violates those norms when convenient, will not modify the behaviour of a targeted actor. It

tends, more often, to consolidate it — to hand the targeted actor a free legitimation move. The framework separates what is normatively desirable from what is procedurally credible, and insists that progress on the first depends on serious work on the second (Tyler, 2006; Tallberg & Zürn, 2019). That is a methodological commitment, not an ethical compromise.

3.4 Limits, and where to take the argument next

The article is conceptual. The evidentiary base is peer-reviewed scholarship and public documents — interpreted, not quantified. Four next steps strike me as worth taking. Elite interviews in specific Southeast Asian foreign-policy bureaucracies could test whether the fairness-scepticism heuristic surfaces in the way diplomats describe their own decisions; my own conversations across the region suggest it does, but conversations are not data. Content-analytic and roll-call work on UNGA voting on unilateral coercive measures could give the multipolar-legitimation grammar empirical teeth. Comparative extension is the obvious move — West Africa, the Gulf, Central Asia all show suggestive parallels, and not always for the reasons one would predict from cultural-areas talk. And experimental designs adapted from procedural-justice research (Tyler, 2006; Levi, Sacks & Tyler, 2009) could probe the heuristic at the micro level, where it ultimately has to live or die.

Conclusion

If I were asked for the practical bottom line in one sentence, it would be this — that the politics of legitimacy in the non-Western world is, more than anything, a politics of memory. Regimes whose populations have lived through selective invocation of universal norms remember. Diplomats remember. The memory is encoded as a heuristic, the heuristic is encoded as a diplomatic register, and the register is what one then meets at the table. Trying to change the register without changing the underlying experience of fairness is not realism; it is, in a precise sense, magical thinking.

Two further observations, less obvious. The actors who have done most to delegitimise the liberal order — by applying its norms selectively when their own interests were at stake — are, in the main, not its declared opponents but its declared friends. And the most promising work I have seen in regions usually classified as illiberal has come from quiet, procedurally serious engagement that took the host's ontological-security concerns seriously enough to let substantive change happen at a non-humiliating speed. Whether that style can scale to the institutional level — whether the architecture of global governance can be retrofitted with the procedural credibility that retail diplomacy occasionally manages — is, I suspect, the question on which the legitimacy of the next international order will turn. The TLS model is one attempt to give that question analytical shape.

New Knowledge

The model I propose — the Trust–Legitimacy–Sovereignty (TLS) model — is meant to be parsimonious, falsifiable, and portable. Four propositions, in plain language:

Proposition 1 (Fairness-scepticism heuristic). Repeated experience of perceived procedural unfairness in the application of international norms produces, in the targeted states, a stable

cognitive shortcut by which subsequent normative encounters are judged as much on the consistency of the advocate as on the merits of the claim.

Proposition 2 (Commitment-device function of sovereignty). Where that heuristic is active, sovereignty and non-interference acquire moral — not only legal — weight. They function as low-cost, high-credibility commitment devices that protect diffuse trust inside regional groupings (ASEAN is the cleanest case) and reduce the strategic exposure of individual members.

Proposition 3 (Ontological amplification). The effects above sharpen wherever external pressure reaches the constitutive features of the political self — the religion–state arrangement, the regime form, the configuration of public authority. The pressure is then experienced as a threat to ontological as well as material security, and the response stiffens accordingly.

Proposition 4 (Procedural-priority condition). Sustainable reform of the international order therefore requires procedural credibility — consistency, inclusion, reciprocity — before, or at least alongside, new substantive norms. Reform that reverses the order should be expected to deepen contestation, not ease it.

Figure 1

The Trust–Legitimacy–Sovereignty (TLS) model: causal structure.

INPUT	Repeated experience of selective moralism in international governance
MECHANISMS	(P1) Fairness-scepticism heuristic → (P2) Sovereignty as commitment device protecting diffuse trust
MODERATOR	(P3) Ontological security amplification when the constitutive self is targeted
OUTPUT	Structured non-Western contestation grounded in sovereignty and procedural multilateralism
POLICY LEVER	(P4) Procedural reform of international order (recursively attenuates contestation)

Source: Author's elaboration. The model is empirically testable through elite interviews, roll-call content analysis, and procedural-justice experiments. It does not predict the content of any particular foreign-policy decision; it specifies the conditions under which sovereignty-based contestation becomes a stable equilibrium — and the procedural levers through which that equilibrium can be moved.

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