

# Referendum-endorsed challenges to international institutions:

## Consequences and responses

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### Abstract

National referendums that challenge international cooperation present a growing problem for international institutions. This paper presents a framework for analyzing how these institutions and their member states respond to unilateral, referendum-endorsed attempts to withdraw from, or renegotiate the terms of, existing international institutions. It argues that the politics of referendum-endorsed disintegration bids are shaped by the relative size of two spillover effects: the loss of cooperation gains that not accommodating a disintegration bid entails for the other member states, and the contagion risks that can emerge when other countries view the challenging country's experience as an attractive precedent. A non-accommodating response is likely to be more disruptive and therefore increases the loss of cooperation gains. By contrast, accommodating the disintegration bid raises contagion risk, as it creates favorable outcomes for the challenging state. The relative size of these spillover effects shapes the institutional response: When one type of spillover effect clearly exceeds the other, the member states will choose the response that minimizes costs, but when both types of spillover effects are large, member states face an "accommodation dilemma," which makes the negotiations with the referendum-country politically charged and difficult to resolve. Comparative case studies of seven referendum-endorsed disintegration bids demonstrate that this framework can explain the negotiation dynamics and outcomes of renegotiation or withdrawal processes launched by a large variety of different referendums. More generally, the accommodation dilemma sheds light on the tradeoffs faced by an IO and the consequences for its cycle of life.

Keywords: international institutions; international organizations; referendums; withdrawal; renegotiation; international negotiations

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## 1. Introduction

International institutions are increasingly confronted with a popular backlash against international cooperation. Demands to not only slow down, but to reverse international cooperation have proliferated and have been endorsed by voters in referendums and elections in a growing number of cases. The most prominent example of such a referendum-endorsed challenge to an international institution is the 2016 Brexit referendum in the United Kingdom (UK), in which British voters decided to leave the European Union (EU). This direct democratic vote set in motion the biggest withdrawal negotiations ever seen. Although highly disruptive, Brexit is, however, not unique. Voters in Greece and Switzerland have used popular referendums to repudiate the terms of existing international agreements in recent years.<sup>1</sup> And political parties and politicians in countries such as Italy, Slovakia, and Iceland have pushed for referendums designed to withdraw their countries from international institutions such as the European Union (EU), European Monetary Union, or NATO. Such referendums can have an important impact on an IO's vitality (Gray 2018); withdrawals and dramatic challenges to an IO's mandate can prompt IO death altogether (Eilstrup 2020, Debre and Dijkstra 2020), as was seen in the case of CAFTA (Urbatsch 2013). Thus, it is important to understand the institutional tradeoffs in accommodating these challenges, and the risks that accommodation poses to IO survival.

Although skepticism about international cooperation is nothing new (e.g. Hobolt and de Vries 2016; Walter 2021c), the vehemence with which it has manifested itself more recently in the form of referendum votes and the impact it has had on international relations are novel developments (De Vries, Hobolt, and Walter 2021; Voeten 2019; Copelovitch and Pevehouse 2019). This makes it important to understand the challenges such referendum-endorsed bids to renegotiate or withdraw from an existing international institution produce for the institution

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<sup>1</sup> And voters have turned against new or extended forms of international cooperation in even more referendums.

itself and its other member states. After all, the consequences of national votes in favor of such disintegration bids reach far beyond the countries in which they originate. Not only does one member's unilateral bid to improving its membership terms threaten to leave the others worse off. Referendum-endorsed disintegration bids also reverberate among the elites and the mass publics in other countries (Walter 2021a; Chopin and Lequesne 2020; Martini and Walter 2020; Adler-Nissen, Galpin, and Rosamond 2017; Glencross 2019; Malet and Walter 2021). These reverberations will be particularly pronounced when the withdrawal occurs in a highly visible and politicized manner such as through a referendum vote, which politicizes the withdrawal process and provides it with a high degree of legitimacy and a lot of attention both at home and abroad. For example, after the Brexit referendum vote, euphoric Eurosceptics across Europe, from France's Marine le Pen to the Slovak People's Party-Our Slovakia, called for similar referendums in their own countries. Similarly, the leaders of Spain's Podemos or Italy's Five-Star-Movement celebrated Greece's 2015 referendum-endorsed bid for a more generous bailout package, raising fears that it would spark similar demands in other Eurozone crisis countries. Yet, political contagion does not always occur. For example, the Icelandic debt referendums have not inspired other countries to repudiate their international debt, and Brexit has not led to an increase in disintegration bids among European populist radical right parties (van Kessel et al. 2020; Martini and Walter 2020).

Referendum-endorsed disintegration bids thus pose considerable risks both in terms of putting existing cooperation gains at risk and in terms of political contagion, but there is also considerable variation in outcomes. Nonetheless, the phenomenon is widely seen as a serious threat to international cooperation, especially as nationalist policymakers increasingly view referendums as a useful tool to further their aims. The Economist has warned that the "politics of anger" might lead to an unravelling of globalization and the prosperity it has created (The Economist 2016). This concern is shared by academics, who have argued that growing popular support for non-cooperation may pose a fundamental challenge for international institutions

such as the EU (Hobolt 2016; e.g., Blyth 2016) and the contemporary liberal world order more generally (e.g., Lake, Martin, and Risse 2021). Against this backdrop, it is important to better understand how referendum-endorsed disintegration bids can be contained, and which dynamics they produce in the international arena.

This paper works towards this goal by conceptualizing and systematically exploring the politics of *referendum-endorsed disintegration bids*, defined as unilateral attempts by one member state to change or terminate the terms of an existing international agreement on the basis of a strong popular mandate, such as a referendum vote. It shows empirically that referendums aimed against existing international institutions have proliferated in the past decade. The paper then examines the challenges, that unilateral referendum-endorsed disintegration bids present to the other member states. These challenges arise because of two types of spillover effects of such disintegration bids: first, the loss of cooperation gains that a unilateral withdrawal or a renegotiation in the challenging country's favor entails for the other member states, and second, the contagion risks that can emerge when other countries view the challenging country's experience as an attractive precedent. The size of these spillover effects is shaped by the response of the remaining member states: a non-accommodating response is likely to be more disruptive and therefore increases the loss of cooperation gains. By contrast, accommodating the disintegration bid raises contagion risk, as it creates favorable outcomes for the challenging state. The relative size of these spillover effects shapes the politics of referendum-endorsed disintegration bids. When one type of spillover effect clearly exceeds the other, the member states will choose the response that minimizes costs. The choice is most difficult when both types of spillover effects are large. In this case, member states face an "accommodation dilemma," which makes the negotiations with the referendum-country politically charged and difficult to resolve, especially as the best outcome for the other member states is the retraction and thus non-implementation of the disintegration bid.

To illustrate the merits of this argument, the paper conducts a comparative case study of all seven referendum-endorsed disintegration bids to date. The analysis examines how the relative size of the two types of spillover effects shapes the responses of remaining member states to other countries' referendum-endorsed disintegration bids and the outcomes of these bids. Although these referendums occurred in different countries and cover very different issues – from debt repayment to membership in international organizations –, the systematic comparison of the relative size of spillover effects in each case sheds much light on why member states responded differently to these disintegration bids. It also shows that those cases where the accommodation dilemma was most pronounced (the referendums in Switzerland (2014), Greece (2015) and the UK (2016)), were the most politically charged ones. Zooming in on one of these cases (Brexit), the analysis also shows that member state negotiation positions can vary across member states as well depending on how exposed they are to the potential loss of cooperation gains. The conclusion discusses what my framework suggests for the long-term challenges generated by the popular backlash against international institutions for international cooperation.

## **2. Referendum-endorsed disintegration bids**

I define referendum-endorsed disintegration bids as *unilateral attempts of one member state of an international institution to change the terms of or withdraw from an existing international agreement on the basis of a strong popular mandate*, most notably a referendum vote. Such bids seek to partly or fully withdraw the country from the jurisdiction of an existing international agreement or an international or supranational organization. While in the past, such challenges have typically been an elite affair (von Borzyskowski and Vabulas 2019; Helfer 2005), more recently they have increasingly received strong domestic popular support (De Vries, Hobolt, and Walter 2021). What makes referendum-endorsed disintegration bids

different from more elite-based challenges is that they not only provide the disintegration decision with a high degree of democratic legitimacy, but also politicizes the question of whether an international treaty can be changed *ex post* or be terminated (Zürn 2014; Hutter, Grande, and Kriesi 2016; De Vries, Hobolt, and Walter 2021; Rose 2019). Referendum-endorsed disintegration bids therefore tend to be more politicized and salient in the political debate than renegotiation bids or withdrawal decisions taken by a small foreign policy elite. They also provide the disintegration bid with a high degree of democratic legitimacy, which often reduces governments' room to compromise on the international level.

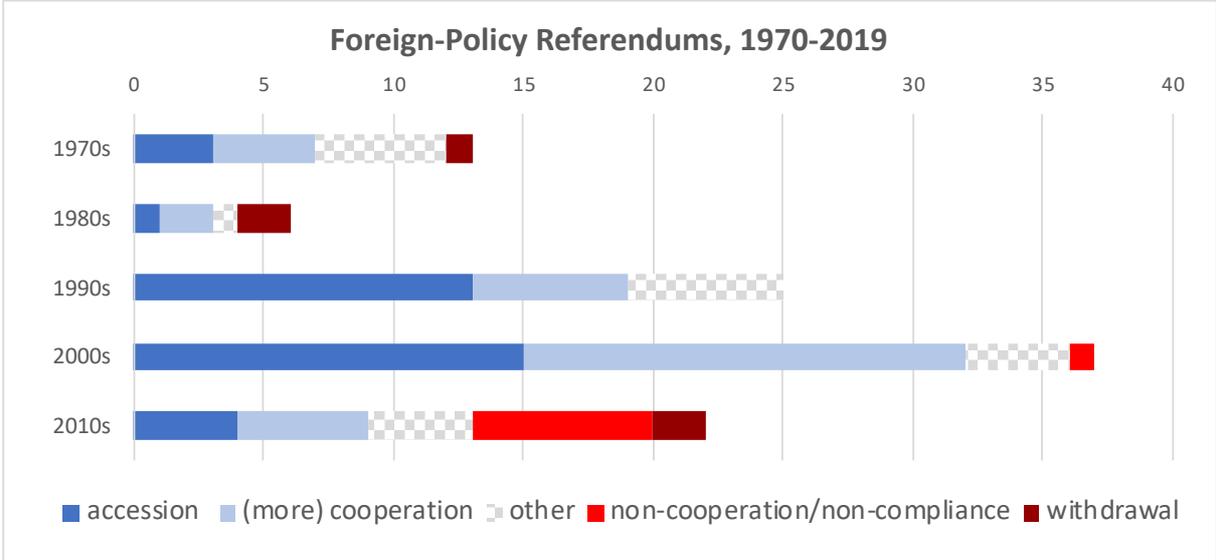
Figure 1 shows that such disintegration bids by referendum have proliferated in the 2010s.<sup>2</sup> It distinguishes between referendum proposals that establish or deepen cooperation between states and disintegration bids, that is referendum proposals that aim to roll back *existing* forms of international cooperation either by mandating a renegotiation of existing international agreements, or by directly putting continued membership in the international institution up for a vote. Both of these types of referendum can seriously challenge a country's membership in an international organization and the organization's legitimacy (Rose 2019), but only disintegration bids put *existing* cooperative arrangements in question.<sup>3</sup> Figure 1 shows that while referendum-based disintegration bids are still relatively rare, they have become much more frequent and much more dominant in recent years. Ten of the thirteen referendums challenging existing international cooperation were held in the 2010s.

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<sup>2</sup> See table A1 in the online appendix (OA) for a list and classification of referendums and table A2 for frequencies of outcomes. For a similar classification see Mendez and Germann (2016).

<sup>3</sup> For example, the 2016 Dutch referendum on the Ukraine association agreement with the EU, which was launched by populist Euroskeptics, is not counted as a disintegration referendum, but rather as a referendum on establishing cooperation that was rejected at the polls. The No-vote complicated EU relations with Ukraine, but it did not put institutions and cooperation gains at risk that had existed for a long period of time. That said, these types of non-cooperative referendums can also seriously challenge international institutions, and future research should explore to what extent the framework advanced here

**Figure 1: Types of foreign-policy referendums, 1970-2019**



Source: C2D Datenbank, Zentrum für Demokratie Aarau, classified for recent years and updated by myself.

Table 1 provides an overview of all referendum-based disintegration bids. It shows that most of these referendums are related to European integration. This is not a coincidence, but rather reflects that the EU has achieved a level of integration and authority that makes the trade-offs between national sovereignty and international cooperation gains particularly pronounced (Zürn, Binder, and Ecker-Ehrhardt 2012; Hooghe and Marks 2009). Not surprisingly, many Euroskeptic parties in Europe push for referendums on EU-related issues. Yet referendum-based disintegration bids happen also in non-European countries, such as the (non-binding) referendum against an IMF program in Brazil in 2000.

Moreover, Table 1 shows that not all of these referendums actually result in a vote in favor of renegotiation or withdrawal. Rather, disintegration bids have been endorsed by voters only in about every second instance (58%). But even when voters endorse a disintegration bid, the outcome of these bids is not clear a priori (see also Schimmelfennig 2019). Some of them result in a change of the international arrangement in favor of the challenging state, some in the

**Table 1: List of referendums challenging existing international institutions**

	<i>Referendum name &amp; topic</i>	<i>Referendum vote (outcome)</i>
<b>Referendums on the renegotiation of or non-compliance with existing international agreements</b>		
2000 Brazil	National Plebiscite on the External Debt Unofficial, non-binding referendum on exiting from IMF program and non-repayment of foreign and domestic public debt	Non-cooperative
2010 Iceland	First loan guarantees referendum (Icesave referendum I) Referendum on repayment of loan guarantees to the British and Dutch government meant to cover British and Dutch savers' deposits in a bankrupted Icelandic bank (Icesave bill 2).	Non-cooperative
2011 Iceland	Second loan guarantees referendum (Icesave referendum II) Referendum on the renegotiated agreement between Iceland, the UK and the Netherlands on debt repayment (Icesave bill 3)	Non-cooperative
2014 Switzerland	"Against Mass Immigration" initiative Referendum mandating renegotiation of the "Treaty on Free Movement of People" with the EU.	Non-cooperative
2015 Greece	Greek Bailout referendum Referendum on accepting the bailout conditions proposed by EU Commission, IMF and ECB; no bailout would put Greece's EMU membership at risk.	Non-cooperative
2016 Switzerland	Implementation Initiative Referendum on a law proposal openly in breach of the European Human Rights Declaration	Cooperative
2016 Hungary	Migrant quota referendum Referendum against the EU's Emergency Response Mechanism, adopted in 2015.	Invalid (non-cooperative)
2019 Switzerland	Swiss weapon law reform referendum Approval was required by the Schengen and Dublin treaties (non-approval leads to exit)	Cooperative
<b>Referendums on continued membership in an existing international treaty/organization</b>		
1975 UK	Referendum on continued European Communities (EC) membership	Remain
1982 Greenland	Referendum on leaving the EC after Greenland had achieved self-rule	Leave
1986 Spain	Referendum on continued NATO membership	Remain
2014 Switzerland	ECOPOP initiative Proposal included termination of the free movement of people treaty with EU	Remain
2016 UK	Brexit Referendum on leaving the EU	Leave

withdrawal of the challenging state from the international institution, and some are retracted when the challenging state aborts its plans to renegotiate or withdraw from the institution. This wide variety of outcomes underscores the need for a better understanding of the dynamics and reactions these efforts produce.

### **3. Referendum-endorsed disintegration bids as a challenge for the other member states**

Like any bid to withdraw from, not comply with, or to renegotiate the terms of an existing international institution, unilateral, referendum-endorsed disintegration bids have significant spillover effects for the respective international agreement or international organization and its other member states (Walter 2021a, b; Jurado, León, and Walter 2021). When one member state withdraws from or renegotiates its terms of membership in an existing international institution in its favor, this affects the other members in two main ways: through a loss of existing cooperation gains and through the risk that similar demands might spread to other member states. These spillover effects shape the institution and its other member states' incentives on whether to respond to such disintegration bids in a more or less accommodating manner.

#### *Spillover effects I: Lost cooperation gains*

International cooperation is typically established because both sides benefit from such cooperation, even if the gains of cooperation are not always shared equally (Abbott and Snidal 1998; Keohane 1984; Gruber 2000). In the same vein, reintroducing barriers to cooperation is costly. A withdrawal or one-sided renegotiation outcome therefore reduces the share of the cooperation gains the other member states enjoy. Although withdrawal or one-sided renegotiation outcome can also create some upsides for some member states, for example when

they succeed in luring business or activities from the leaving state as a result or when the new setting better suits their political preferences, in most cases, the loss of cooperation gains will outweigh the benefits.

For example, if trade barriers are re-introduced, exporters will be hurt and international supply chains will be disrupted, and when the leaving state uses this opportunity to deregulate, its businesses may enjoy a competitive advantage over its competitors in the other member states. Withdrawal can also make other forms of cooperation and policy coordination – from police cooperation to environmental protection – between the other countries and the leaving country more difficult. This creates transaction costs, economic distortions, and also financial risks that arise as economic agents adjust to the new environment. Countries vary in their exposure to a potential loss of cooperation gains. Exposure tends to be highest for member states who depend strongly on cooperation with the cooperation-challenging state.

#### *Spillover effects II: Political contagion risks*

A second type of spillover effect are political contagion risks that arise because successful withdrawal or renegotiation can embolden integration-sceptics abroad (Walter 2021a). Within the revisionist state, a successful disintegration bid such as a renegotiation in the country's favor, may encourage further challenges against international institutions in the future. But in addition to this temporal contagion effect, contagion can also spread cross-nationally. For one, successful disintegration bids lower the overall economic and political attractiveness of the international institution for the remaining member states, which creates the risks that other member states will find it no longer worth to pay the price of membership. Moreover, they demonstrate that they offer a way for countries to unilaterally improve their position, that integration and cooperation can be reversed, and that nation states can be better off on their own. As such, they are therefore likely to spur similar demands and support for

similar actions in other member states as well (Walter 2021a; De Vries 2017; Hobolt et al. 2021; Malet and Walter 2021). If this turns into a domino effect, this can pose a threat to the long-run viability of the international institution as a whole (Hobolt 2016).<sup>4</sup> However, when a disintegration bid fails (for example because the government aborts its challenge for fear of negative consequences), or makes the challenging country worse off, this makes voters and political elites abroad more pessimistic about the viability of such challenges, deterring similar demands abroad (Walter 2021a).

While these effects also hold for any successful one-sided challenge to an international institution, the contagion effect is likely to be particularly strong when the disintegration bid has been endorsed by voters in a direct democratic vote. Such challenges tend to be highly salient and politicized far beyond the country in which the vote takes place (De Vries, Hobolt, and Walter 2021). By observing developments abroad, voters obtain information that allows them to update their own policy preferences (Malet 2019; De Vries 2018; Kayser and Peress 2012; Schraff 2020). This is particularly important regarding challenges to international institutions, because such challenges have been so rare in the past. It is therefore difficult for voters to correctly predict how their own country would fare if it left an existing international institution or tried to renegotiate its membership terms, how other countries would respond, and what the economic, social, and political consequences would be (Walter et al. 2018). Another country's disintegration experience provides voters with such information, allowing them to update their beliefs about the desirability and feasibility of a disintegration bid by their own country. As such, the extent and direction of political contagion effects – encouragement or deterrence – are themselves influenced by the negotiation process and outcome.

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<sup>4</sup> This process is similar to the cross-national diffusion of domestic regime contention (e.g., Weyland 2010)

### *Responding to a referendum-endorsed disintegration bid*

These spillover effects create considerable problems for policymakers faced with a referendum-endorsed challenge to an international institution by another member state. Yet, although a country can unilaterally decide to withdraw from an international institution, the other parties to an agreement have several options of how to respond. Sometimes, these options are limited because the terms of withdrawal are pre-determined in an international agreement (Rosendorff and Milner 2001), or because withdrawal simply means a return to the status quo (Thompson, Broude, and Haftel 2019). But often, disintegration bids result in negotiations about the terms of withdrawal, of a renegotiated treaty, or the countries' future relations (De Bruyne, Fischhendler, and Haftel 2020; Haftel and Thompson 2018; Huikuri 2020; Lester and Manak 2018; Hix 2018; Schimmelfennig 2020).

In these negotiations, the other member states – who will negotiate themselves or via a representative of the respective international organization – can decide whether or not to accommodate the challenging state's demands (Jurado, Léon, and Walter 2021; Walter 2020; 2021b).<sup>5</sup> This gives the other member states leverage as they can influence how the disintegration process evolves, whether the country pursues or aborts its disintegration bid, and whether the challenging country is ultimately worse or better off after challenging the international institution. On the one hand, the other member states can accommodate the challenging country's democratically endorsed disintegration-bid, for example by granting the exceptions demanded or maintaining wide-ranging cooperation after withdrawal. Such an *accommodation strategy* changes the distribution of cooperation gains in the challenging country's favor, but also preserves many of these gains for the other member states. However, accommodation comes with two downsides for the other member states: not only does it usually

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<sup>5</sup> Although the negotiations can be conducted by representatives of the international institution, negotiating outcome typically need to be ratified by the remaining member states.

leave the other member states worse off than under the status quo, but it also makes it likely that the challenging country's experience is positive, which in turn provides an attractive precedent that is likely to encourage exit-tendencies and support for other challenges in other member states. Accommodation thus can carry considerable political contagion risks.

On the other extreme, the remaining member states can take a *hard, non-accommodating stance* by refusing to make concessions or to grant exceptions. By tying the benefits of cooperation to the existing agreement, this strategy tries to make withdrawal or non-compliance as costly as possible for the challenging country. A non-accommodation strategy has two advantages: For one, it raises the likelihood that the challenging member state will withdraw its disintegration bid. This implies a continuation of the status quo, and this is the best outcome for the other member states. Second, even if the disintegration bid is not aborted, a non-accommodating strategy is likely to lower contagion risks because it makes the outcome less attractive and highlights the benefits of the existing arrangement to potential further challengers. However, this strategy has a significant downside: If the challenging state does not back down, it has the potential to be very costly for the other member states as they lose out on many of the benefits of cooperation that they had so far mutually enjoyed.

These spillover effects create significant downside risks, which shape policymakers' incentives of to respond to unilateral disintegration bids in a more or less accommodating fashion, as summarized in table 2. In situations when the potential loss of cooperation gains clearly dominates contagion risks (lower right-hand corner), accommodation is the most likely response. In contrast, when contagion risks dominate the loss of cooperation gains (upper left-hand corner), there are strong incentives to pursue a non-accommodation strategy.<sup>6</sup> Importantly, the systemic repercussions of contagion dynamics mean that policymakers need to consider not

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<sup>6</sup> The extent to which governments are concerned about potential encouragement effects also depends on their own ideological leaning. More cooperation-skeptic governments will be less concerned about contagion risks and are therefore more likely to accommodate a disintegrating state, not least because they may be interested in setting a positive precedent for leaving (Jurado, Léon, and Walter 2021).

only the political contagion risks in their own country, but also the contagion risks in other member states and in the withdrawing. Even if a government represents a country in which the mass public strongly supports continued membership in the international institution, it has incentives to support a non-accommodating strategy if it fears that accommodation will encourage cooperation-sceptics in another member state. High contagion risks at home or in another member state thus increase support for a hawkish negotiation strategy, and this effect will be particularly pronounced when the disintegration process is highly politicized.

**Table 2: Spillover effects and responses to unilateral disintegration bids**

		Cooperation gains at risk	
		Low	High
Contagion risks	High	Non-accommodation	Accommodation dilemma (non-implementation preferred)
	Low	Response unclear: Low costs associated with either strategy	Accommodation

The choice is much more difficult when the disintegration bid puts both many cooperation gains at risk and creates significant contagion risks (upper right-hand corner). In these situation policymakers in the other member states face an “*accommodation dilemma*,” (Jurado, Léon, and Walter 2021; Walter 2020; 2021b) based on the trade-off between minimizing cooperation losses and minimizing contagion risks: Whereas accommodation minimizes the disruption caused by disintegration, it makes the challenging country better off by allowing it to enjoy the benefits of cooperation without sharing the costs. This not only leads to a redistribution of cooperation gains, but is also likely to encourage further challenges, which may threaten the long-term stability of the international institution. This speaks in favor of non-accommodation, but this is a strategy that – unless the challenging state aborts its disintegration

bid – creates high costs not just for the challenging state, but also for the remaining member states.

The extent to which states face an accommodation dilemma is likely to fundamentally shape their response to a referendum-endorsed disintegration bid.<sup>7</sup> The other member states will be particularly hawkish in cases in which their net domestic costs of non-accommodation are small, but more dovish when non-accommodation is very costly for their domestic economy and society. Responding to a referendum-endorsed disintegration bid becomes more difficult and harder to predict the more pronounced the accommodation dilemma is. The accommodation dilemma is particularly pronounced when both spillover effects are large. States have incentives to pursue a non-accommodation strategy to reduce contagion risks (ideally by persuading the challenging country to withdraw its disintegration bid), but they also have incentives to compromise if this strategy fails. Given the high costs associated with disintegration, these instances are likely to be politically charged and difficult to resolve. Moreover, when the accommodation dilemma is particularly pronounced, member states have a clear preference for non-implementation, that is the decision by the challenging state not to pursue its disintegration bid further. Given that the relatively equal size of the two types of spillover effects, the outcome of these cases will strongly be influenced by other factors as well, in particular the power differential between the challenging state and the other member states, and the domestic stakes for the challenger government to follow through with the disintegration bid. The weaker the challenging state's position vis-à-vis the other member states, and the less invested the government in the referendum result, the more likely it is that the challenging state will retract the disintegration bid, and vice versa.

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<sup>7</sup> In addition, more traditional determinants of negotiation strategies such as the distribution of bargaining power between the challenging state and the other member state will also influence how good a deal a withdrawing country can expect from the remaining member states (Bailer 2010; Huikuri 2020; Lipsy 2017).

In sum, because the response of the other member states depends both on how high the net costs of non-accommodation are for them and on how real the risks of political contagion are, we can expect considerable variation in how the other member states of an international institution react to a unilateral, referendum-endorsed renegotiation or withdrawal bid by one member state across cases, countries, and issue areas.

#### **4. A comparative case study of referendum-endorsed disintegration bids**

How useful is this framework for explaining the trajectories and responses of the remaining member states to referendums in which voters have endorsed a challenge to an existing international treaty or organization? To answer this question, I conduct a comparative case study of those seven referendums in which voters have endorsed a bid to renegotiate the membership terms in or to withdraw from an international institution in a referendum vote (see Table 1). These referendums cover a large variety of different issues, most notably membership in the EC/EU (Greenland 1982, UK 2016), debt repayment and austerity (Brazil 2000, Iceland 2010 and 2011, Greece 2015), and migration (Switzerland 2015).

##### *Assessing cooperation gains at risk and contagion risks*

For each referendum, I begin by classifying the level of cooperation gains at risk for the other member states, and the level of contagion risk. Here, the challenge is that all seven referendums are quite different from each other, so that the cooperation gains at risk and the contagion risks come in a variety of forms. I address this challenge by identifying the different dimensions of each of the two concepts, assessing the nature of the issues at stake in each referendum, evaluating the respective issue on each dimension, and then aggregating these dimensions to an overall assessment of the respective spillover effect.

The extent to which a referendum-endorsed disintegration bid puts cooperation gains at risk for the other member states depends on the effect of the bid on three dimensions: the size of the cooperation gains placed at risk, their breadth, and whether the potential losses accrue on a one-off basis or whether they constitute long-term or repeated losses. The bigger and broader the potential losses are for the remaining member states, the higher are the cooperation gains at risk from the disintegration bid.<sup>8</sup> This is because sizeable and broad cooperation gains are likely to affect member states in a much more profound way than smaller and more narrow cooperation gains, which can be offset more easily. Moreover, cooperation gains that do not just accrue in a one-off manner, but instead have long-term consequences, increase the level of cooperation gains at risk. I aggregate the indicators on all three dimensions by calculating their unweighted average.

Table 3 shows that the seven cases vary considerably along the three dimensions. The cooperation gains at risk were smallest in the two Icesave referendums. Here, the cooperation gains at risk were the money Iceland owed to several British and Dutch banks after the default and nationalization of one of Iceland's major banks, Landbanki. The issue at stake was thus a narrow issue and a one-time payment. Moreover, although large in nominal terms, the 4.5 billion euros, which Britain and the Netherlands claimed from Iceland, pales in comparison to the cooperation gains at risk in the other cases. Costs were larger and somewhat broader in the case of Brazil, where all of the country's external debt and an IMF loan were at stake. However, this still constituted a one-off loss. The cooperation gains at risk were larger in all other cases, especially as they concerned overall relations with the challenging state and thus extended to a much broader range of issues that were not one-off, but would accrue repeatedly in the long

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<sup>8</sup> Note that what matters here are the potential worst-case consequences of the referendum for the international institution, which can reach far beyond the issue of the referendum at stake. For example, even though both the Brazilian and the Greek referendum were about debt repayments, the potential loss of cooperation gains were much larger in the Greek case because in a worst-case scenario, a Greek exit from the Eurozone had the potential to put European Monetary Union at risk.

term. Cooperation gains at risk were medium in the case of Greenland, whose geographical remoteness limited the size of its integration with the other EC countries (with the exception of Denmark) and whose strong reliance on the fishing industry reduced the breadth of the cooperation gains at risk. Cooperation gains at risk were higher in the case of Switzerland, because the bilateral ‘Treaty on the Free Movement of People’ challenged by the referendum is tied by law to a set of additional bilateral treaties covering a broad range of issues ranging from research to traffic which form the basis of Switzerland’s close relations with the EU. By putting at risk both relatively sizeable and rather broad cooperation gains, non-accommodation thus risked seriously disrupting relations with the EU’s third largest trading partner.

**Table 3: Classification of cooperation gains at risk**

	<b>Type of cooperation gains at risk</b>	<b>Size of cooperation gains at risk</b>	<b>Breadth of cooperation gains at risk</b>	<b>One-off vs. repeated/ long-term costs</b>	<b>OVERALL assessment of cooperation gains at risk (average)</b>
Greenland 1982: EC Membership	close ties with Greenland	small, with exception of Denmark (1)	broad, but concentrated in fisheries (2)	long term (3)	<b>Medium (2)</b>
Brazil 2000: IMF & external debt referendum	repayment of IMF loan and external debt	medium; external debt end-1999: US\$242 billion (2)	Medium (debt repayment, IMF loan) (2)	one-off (1)	<b>Rather low (1.67)</b>
Iceland 2010: Icesave I referendum	repayment of outstanding external debt	small; repayment of \$5.3 billion to savers in UK and NL (1)	narrow (debt repayment) (1)	one-off (1)	<b>Low (1)</b>
Iceland 2011: Icesave II referendum	repayment of outstanding external debt	See Icesave I (1)	narrow (debt repayment) (1)	one-off (1)	<b>Low (1)</b>
Switzerland 2014: Immigration Referendum on	close ties with Switzerland	large (important trading partner, close migration relations) (2)	Rather broad (bilateral treaties I) (2.5)	long term (3)	<b>Rather high (2.5)</b>
Greece 2015: Bailout Referendum	EMU stability	huge; Greek EMU membership (3)	broad (Greek EMU membership + further EMU disruptions) (3)	Rather long term (2.5)	<b>Very high (2.8)</b>
UK 2016: Membership in EU	close integration with UK	huge: almost all UK-EU interactions (3)	broad (almost all aspects of the relationship) (3)	long term (3)	<b>very high (3)</b>

Note: The overall cooperation gains at risk are calculated as average value of the size, breadth, and time profile scores, which both range from 1 (small/concentrated/one-off) to 3 (huge/broad/long term). Overall cooperation gains at risk are classified as low (1-1.3), rather low (1.4-1.7), medium (1.8 -2.2), rather high (2.3-2.6), very high (2.7-3).

Stakes were even higher in the 2015 Greek bailout referendum. A non-accommodated outcome implied Greece's exit from European Economic and Monetary Union ("Grexit"), an outcome that European policymakers had been trying to avoid for years because such a move would be hugely disruptive not just for Greece but also for the Eurozone as such, because the loss in the belief that euro membership were irreversible would likely cause huge risk premia to emerge on international financial markets. The potential loss of cooperation gains in this case were thus both sizeable and broad. Finally, a hard Brexit put the cooperation with a former, closely integrated major EU member state at risk in a vast range of areas, making it potentially hugely costly not just for the UK, but also for the remaining EU-27 member states (Hix 2018). The large, broad and repeated losses in cooperation gains put the Brexit-related potential losses of cooperation gains in the "very high" category.

There is also considerable variation in the level of contagion risks associated with each of these disintegration bids, as Table 4 shows. I classify the level of contagion risk based on variation in two dimensions – the attractiveness of the accommodative solution to others and the uniqueness of the case – that can be assessed across the different kinds of contagion risks posed by the seven referendum votes. The assumption is that the potential of contagion for a disintegration bid is higher, the more attractive an accommodating outcome if for the challenging state compared to the status quo. In contrast, the more unique the situation is, the lower contagion risks are because the situation cannot easily be applied to the situation of other member states, limiting the usefulness of this country's experience as a precedent. I once more aggregate by calculating an unweighted average of both dimensions.

**Table 4: Classification of contagion risks**

	<b>Kind of contagion risk?</b>	<b>Attractiveness of an accommodative solution</b>	<b>Uniqueness of situation</b>	<b>Overall contagion risk</b>
Greenland 1982: EC Membership	Further (regional) EC withdrawal	medium (2)	unique (1)	<b>Rather low (1.5)</b>
Brazil 2000: IMF & external debt referendum	Non-repayment of external debt	high (2.5)	not unique (3)	<b>Very high (2.75)</b>
Iceland 2010: Icesave I referendum	Non-repayment of external debt	medium (2)	somewhat unique (2)	<b>medium (2)</b>
Iceland 2011: Icesave II referendum	Non-repayment of external debt	medium (2)	somewhat unique (2)	<b>medium (2)</b>
Switzerland 2014: Immigration Referendum	Exceptions to the four freedoms, especially free movement of people	very high (3)	not unique (3)	<b>Very high (3)</b>
Greece 2015: Bailout Referendum	Exceptions to Eurozone rules and conditionality	very high (3)	not very unique (2.5)	<b>Very high (2.75)</b>
UK 2016: Membership in EU	Further EU withdrawal, exceptions to the four freedoms	very high (3)	Somewhat unique (2.5)	<b>Rather high (2.5)</b>

Note: The overall contagion risk is calculated as average value of the attractiveness and uniqueness scores, which both range from 1 (not attractive/unique) to 3 (very attractive/not unique). Overall contagion risk is classified as low (1-1.3), rather low (1.4-1.7), medium (1.8 -2.2), rather high (2.3-2.6), high (2.7-3)

Table 3 shows that contagion risks were smallest in Greenland, because it had a unique geographical, historical, and cultural situation that created a very special setting that would be hard to transfer to any other member state (Harhoff 1983). As a former colony and part of Denmark, Greenland had joined the then EC in 1973 even though a large majority of Greenlanders had voted against accession in Denmark's 1972 EC accession referendum, and the referendum to leave the EC was held as soon as Greenland had gained the right to home rule within the Kingdom of Denmark just a few years later. Even though some EC member states nonetheless voiced concerns that accommodating Greenland's withdrawal request might encourage other regions to follow a similar path (Johansen and Sørensen 1983), this uniqueness of Greenland's situation limited the usefulness of this precedent to others despite to the relatively attractive solution, thus reducing contagion risks to medium-low levels.

International acceptance of a refusal to repay large amounts of debt seems like an attractive precedent at first sight, especially to voters in other countries saddled with external debt. This is particularly the case when not just a specified sum of money (e.g. based on one or several loans) is at stake, as in the Icelandic case, but when all external debt is concerned (as in Brazil<sup>9</sup>). However, debt defaults have bad consequences with regard to financial market access, which ultimately dampens their attractiveness. Whereas the Brazilian case – an emerging market saddled with debt and an IMF program – was also not unique, the Icelandic referendums occurred in the wake of an existential financial and economic crisis, which makes the case more unique. As a result, the Brazilian case is more applicable to other debtor countries than the context in which the Icelandic referendum had taken place. Taken together, contagion risks are classified as high in the case of the Brazilian referendum and as medium in the two Icesave referendums. Although the Greek bailout referendum also concerns issues related to debt repayment and bailout loans, the nature of contagion risks is different here. Because the referendum centered on repudiating the bailout conditions proposed by the EU Commission, IMF and ECB while still receiving the bailout funds, the other eurozone governments worried mostly about the extent to which an accommodating stance might encourage other eurozone member states to push for similar exceptions, the cornerstone of Eurozone crisis management (Frieden and Walter 2017). A solution that would allow countries to receive financial support without strict conditions to structurally reform their economies and impose significant austerity was likely to be attractive, especially to other eurozone economies mired in crisis. Because several Eurozone countries experienced similar problems during the euro crisis, the situation is also not very unique. Contagion risk in the Greek case is thus estimated to be very high.

Contagion risks were also very high in the cases of the Swiss immigration and the British Brexit referendums. The Swiss referendum sought to unilaterally limit free movement of people

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<sup>9</sup> The Brazilian referendum also included a question on repayment of domestic debt. Since this is not a foreign policy issue, this is not further discussed.

in its bilateral treaties with the EU. Because free movement is a contentious topic in some EU member states, allowing the Swiss – a non-EU member state – to benefit from cooperation gains such as far-reaching access to the Single Market even though it did not adhere to the rules (in this case the “four freedoms”) would generate a very attractive precedent for right-wing populists all across Europe. As such, accommodating the Swiss disintegration bid generated very high contagion risks. Finally, in the British case, accommodation would have enabled the UK to enjoy most of the benefits of EU membership while eschewing most of its cost on a vast array of issues. This once more promised to generate a very attractive precedent for euroskeptics in other member states. Given that the UK was one of the largest EU member states and also a member state with considerably more outside options than other member states due to the Commonwealth and its status as a premier financial center, the UK’s situation was somewhat unique. Nonetheless, the contagion risks overall from accommodating the UK’s Brexit demands were high from the perspective of the EU-27.

Figure 2 summarizes the insights from this discussion. It places the seven referendums in the 2x2 grid presented above based on the size of their respective spillover effects. It shows that in three cases (Brazil, Iceland I and Iceland II), we should expect to see a non-accommodating response, because contagion risks dominate the cooperation gains at risk. In contrast, in the case of Greenland these risks are reversed, making it most amenable to an accommodating response. Finally, the accommodation dilemma is most pronounced in the cases of Switzerland, Greece and the UK. Here we should see significant efforts aimed at encouraging the referendum countries to retract their disintegration bid, politically difficult processes, and ultimately a medium-ground strategy of some accommodation. The variation within the accommodation quadrant further suggests that there is more room for accommodation in the UK than in the Swiss case, with Greece occupying the middle ground.

**Fig. 2: Spillover effects and responses to unilateral referendum-endorsed disintegration bids**



*The accommodation dilemma and member state responses*

The discussion so far has shown that referendum-endorsed disintegration bids vary widely both with respect to the cooperation gains they put at risk and the contagion risks they create. My argument suggests that the willingness of other countries to accommodate or not accommodate these bids should be influenced by this variation. Table 5 summarizes the predicted and the actual response of the other member states, as well as the ultimate outcome of the respective disintegration bid.

It shows that the theoretical predictions are largely borne out. As predicted by the framework, Greenland’s 1982 referendum vote to end European Communities (EC) membership was accommodated by the EC countries. By offering Greenland “Overseas Country and Territories (OCT)” status, an existing status category for former colonies of EC

countries, concluding a special arrangement in the contentious area of fisheries that preserved both sides' interests, as well as explicitly declaring Greenland a "special case" in the Greenland Treaty, they were able to limit the loss of cooperation gains, without risking major contagion abroad. This paved the way to Greenland's accommodated withdrawal from the EC and continued close relations.

With regard to the three referendums for which the framework predicts non-accommodation, we see more variation in responses and outcomes. In Brazil, a foreign response to the referendum quickly became obsolete: Although voters roundly rejected a continuation of the ongoing IMF program and debt repayment, the Brazilian government – presumably aware of its international creditors' incentives not to accommodate such a challenge – had always openly declared that it would not change its policies irrespective of the voting outcome so as not to damage the country's relations with the IMF and external creditors. This allowed the IMF and the other countries to treat the referendum as an internal Brazilian affair rather than actively respond to it. In the case of the two Icesave referendums, we see a mix of accommodation and (failed) non-accommodation. After the first referendum vote, the Dutch and British governments made some concessions in a renegotiation of the debt repayment agreement they had negotiated with the Icelandic government. When this limited accommodation was once more rejected by voters in the Icesave II referendum, however, the two countries resorted to a legal dispute resolution and brought the issue before the EFTA Court. They thus did not accommodate Iceland, yet ultimately had to yield when the Court ruled in favor of Iceland and freed it from the obligation to repay the deposit guarantees.

Member states faced a pronounced accommodation dilemma with regard to the Swiss 2014 anti-immigration referendum, the 2015 Greek bailout referendum and the 2016 British Brexit referendum. In all three cases, the optimal outcome for the EU was a withdrawal of the disintegration bid. In response to both the Swiss and the Greek referendum, the EU (in the Swiss

case) and the other Eurozone governments (in the Greek case) simply refused to enter any negotiations about a possible compromise. Rather, they confronted both governments with the alternatives of either maintaining the status quo of the existing cooperative arrangement, or giving up the benefits of cooperation altogether, threatening Switzerland with a serious reduction in Swiss-EU cooperation levels<sup>10</sup> and Greece with an exit from the Eurozone (“Grexit”). Confronted with the serious adverse consequences of leaving the Euro and strong domestic opposition to such a move, the Greek government quickly decided to accept a (slightly modified) bailout agreement and thus effectively to not implement the referendum decision (Crespy and Ladi 2019). Switzerland held out longer, and even declined to extend freedom of movement to nationals of a new EU member state (Croatia) in violation of its treaty commitments shortly after the vote. The EU reacted harshly and barred Switzerland’s access to the new Horizon 2020 research program and the ERASMUS program. This non-accommodating stance eventually convinced Swiss policymakers not to implement the referendum with respect to EU citizens and to maintain the bilateral treaties instead (Armingeon and Lutz 2019). In both cases, the decision to withdraw the disintegration bid was influenced by the countries’ weak bargaining positions relative to the other member states (Schimmelfennig 2018, 2019) and the fact that neither government’s survival depended on implementing the referendum result: in Switzerland, the government had opposed the disintegration bid during the referendum campaign and in Greece, surveys showed that voters prioritized eurozone membership over better bailout terms; in fact, the re-elected the Greek government in a snap election three months after it had decided not to retract its demands and to accept a new bailout package with the regular austerity measures in place (Jurado et al. 2020).

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<sup>10</sup> The Swiss-EU Treaty on the Free Movement of People is bound together with six other major bilateral treaties through the so-called «guillotine clause», which means that withdrawal from one of these treaties automatically also terminates all other six.

**Table 5: Referendum-endorsed disintegration bids and member state response**

	<i>Predicted response</i>	<i>Response to non-cooperative vote by the other member states and the affected international institution</i>	<i>Outcome</i>
<b>Greenland 1982: EC Membership</b>	accommodation	<b>Accommodation</b> Successful withdrawal negotiations and ratification of Greenland Treaty	EC Withdrawal in 1985
<b>Brazil 2000: IMF &amp; external debt referendum</b>	non-accommodation	<b>Non-Response</b> The Brazilian government announced not to pursue the unofficial, non-binding referendum vote before the vote.	Non-implementation
<b>Iceland 2010: Icesave I referendum</b>	non-accommodation	<b>Limited accommodation</b> Renegotiation of agreement with better terms for Iceland	Renegotiated agreement with better terms for Iceland
<b>Iceland 2011: Icesave II referendum</b>	non-accommodation	<b>Failed non-accommodation</b> UK and NL take the issue before the EFTA Court via the EFTA Surveillance Authority (ESA); the EFTA Court dismissed the case in 2013.	Iceland released from financial commitments
<b>Switzerland 2014: Mass Immigration Initiative</b>	accommodation dilemma	<b>Non-Accommodation</b> EU and EU member states refuse to enter into negotiations	Non-implementation
<b>Greece 2015: Bailout Referendum</b>	accommodation dilemma	<b>Non-Accommodation</b> EMU member states and European institutions insist in negotiations that Greece can have a bailout agreement with roughly the same terms or will have to leave the Eurozone.	Non-implementation
<b>UK 2016: EU Membership</b>	accommodation dilemma	<b>Very limited accommodation</b> Withdrawal agreement contains several concessions on the EU side, but no accommodation on core EU principles (e.g. four freedoms)	EU withdrawal in 2020, much more limited cooperation in the future.

In contrast, after the UK had submitted its official withdrawal request, Article 50 in the Treaty on European Union required the EU to engage in withdrawal negotiations with the UK. Nonetheless, throughout the Brexit negotiations, the EU side made it clear that it was not going to accommodate the “have your cake and eat it”-approach that Brexiteers had championed. The negotiations took much longer and turned out to be much more difficult than observers had originally expected. One major concern, mentioned repeatedly by the EU-27 side, were possible

contagion risks that would put the workings of the Single Markets at risk in the long run. As a result, both the talks about the terms of withdrawal and about the future relationship were close to failure several times.<sup>11</sup> But even in these moments, when the risks of a “No Deal Brexit” and the associated losses in cooperation gains became substantial, the EU-27 did not make major concessions to the UK. With the UK in a stronger bargaining position than Greece and Switzerland due to its economic and military weight and its role as an international financial center, and a government whose fate was strongly married to the Brexit project (especially after Boris Johnson became prime minister), hopes that the UK might retract its disintegration bid proved, however, unfounded. Ultimately, Boris Johnson successfully “renegotiated” and passed the Withdrawal Agreement by returning to an earlier EU proposal. Britain officially left the European Union on January 31, 2020. In line with the accommodation dilemma argument, the area where the EU-27 were most willing to compromise was regarding the status of Northern Ireland, where the loss of cooperation gains in the form of a potential resurgence of the Northern Irish conflict loomed particularly large. Both parties also concluded an agreement about the future relationship in December 2020, which however significantly limited the extent of cooperation between the EU and the UK because the UK was unwilling to sign up to EU rules.

Overall, the comparative case study of these seven rather different referendum-endorsed disintegration bids shows that the accommodation framework provides a sparse but powerful framework to understand the responses to and outcomes of these referendum bids in a comparative manner. Both the potential loss of existing cooperation gains and contagion risks influence these responses, and the politics of these disintegration bids become particularly difficult when both of these spillover effects are large and thus confront the international institution and its other member states with a serious accommodation dilemma.

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<sup>11</sup> Failure to reach an agreement loomed particularly around the original Brexit date in March 2019, in the fall 2019, and in the fall 2020.

## **5. Conclusion: Referendum-endorsed disintegration, a democratic threat to international cooperation?**

This paper has introduced a framework for analyzing a relatively recent phenomenon with far-reaching systemic consequences: referendum-endorsed challenges to international institutions. It focuses on the spillover effects of such disintegration bids on the other member states of these institutions and on their responses to these bids. The other member states confront an *accommodation dilemma*: On the one hand, they risk significant losses of existing cooperation gains when they refuse to accommodate one state's attempt to withdraw from or renegotiate its membership terms in its favor. On the other hand, accommodation may encourage similar challenges abroad, which can create long-term risks to the stability of the institution. Using comparative case studies of unilateral, referendum-endorsed challenges to international agreements, this paper has illustrated the frameworks' usefulness for understanding the negotiation dynamics and outcomes of these processes.

More generally, however, the argument also sheds light on other instances in which countries unilaterally challenge international institutions. Empirically, this paper has focused on challenges to international institutions endorsed by voters in referendums. Although these are the clearest instances of referendum-endorsed disintegration bids, the framework developed in this paper can also be extended to examine disintegration bids that arise from major campaign promises, such as Donald Trump's 2016 promises to withdraw from the Paris Climate Agreement or to renegotiate NAFTA in the US's favor. Moreover, although contagion concerns are likely to be particularly pronounced in referendum-endorsed disintegration processes, the accommodation dilemma is likely to characterize other international negotiations about the evolution of international cooperation as well. From notifications to withdraw from the International Criminal Court, to the difficulties of extending the new START arms control

treaty beyond its expiry date, to renegotiations about IMF quotas in favor of rising powers such as India and China, international institutions have recently faced growing challenges in which countries unilaterally seek to change the costs and benefits of international cooperation in their favor. Even if these challenges are not directly endorsed by voters, they confront the affected international institutions and their member states with the question of how to respond and can equally create accommodation dilemmas. To the extent that accommodation creates contagion risks – either by encouraging other member states to pursue a similar path, or by encouraging the challenging state to repeatedly seek renegotiations in its own favor, the other member states need to weigh the benefits of accommodating the challenging state’s demands and maintaining strong levels of cooperation against these potential contagion effects. The paper thus underscores the dilemmas confronted by countries faced with unilateral disintegration bids, and the difficulties associated with maintaining good, cooperative relations in a context where nationalist challenges to international institutions proliferate. Finally, this paper sheds light on the ways in which contestation in the form of referendums can impact the life cycle of international organizations. Scholars have long looked at the changes in countries’ domestic politics can disrupt the functioning and vitality of international organizations. The theory and evidence presented in this paper highlights one of the tradeoffs that international organizations confront when trying to adapt to member state discontent.

### **Data Availability Statement**

The data that support the findings of this study are available from the corresponding author upon request.

### **Declaration of Conflicting Interests**

The author declares no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.



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