The Art of Imitation:
IO Legitimacy and Strategic Treaty Design

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Abstract

New international organizations (IOs) are often viewed warily by proponents of the liberal international order. But not all nascent institutions seek to upend liberal norms. How can stakeholders assess whether new institutions are threats? We argue that the architects of new agreements often borrow treaty language from core liberal institutions — a process we term "imitation" — to signal they are not revisionist institutions. We develop a theory of imitation in which treaty architects weigh the discretion costs of recycling text against its legitimacy benefits. We examine this process in two empirical tests. First, we analyze original data on imitation in 10,000 economic treaties from 1944-2015. Second, we field an elite survey experiment on officials from leading economic IOs. Our results show that treaty imitation is most common among states with moderately revisionist foreign policy preferences, and that imitation can successfully increase the perceived legitimacy of new institutions among stakeholders of the liberal order.

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1 Introduction

Despite persistent talk of a backlash to globalization and international cooperation (Copelovitch and Pevehouse 2019; Voeten 2020; Walter 2021), states have banded together to form a dizzying array of treaties in recent years. Some of these initiatives are spearheaded by geopolitical challengers that are dissatisfied with the political status quo.[1] For instance, Venezuela helped launch the Bolivarian Alliance for the Peoples of our America (ALBA) in 2004. This new institution sought a process of regional integration that opposed neoliberal economics and US influence (Casarões 2017). Russia led the charge to establish the Eurasian Development Bank and Eurasian Fund for Stabilization and Development in 2006 and 2009 respectively — international financial institutions that help Russian allies and former-Soviet satellites to skirt liberal policy conditions and shop away from the World Bank and International Monetary Fund (Porter et al. 2017; Clark 2022). China and Russia worked in tandem to create the Shanghai Cooperation Organization (SCO) in 2001, which directly challenged liberal norms of interventionism in areas like economic development and human rights, privileging the preservation of "state identity" and sovereignty (Perskaya et al. 2021).

But other nascent international agreements are aligned with or neutral toward existing liberal treaties. For instance, countries have created new international environmental agreements to cover areas of emerging concern including the governance of Antarctica (Jupille, Mattli and Snidal 2013; Green 2022). In other cases, existing international organizations spawn "progeny" that reinforce the mandates of existing organizations and can even increase their autonomy (Johnson 2014). A recent example is the initiative led by the Organisation for Economic Cooperation and Development (OECD) to negotiate a multilateral convention for corporate taxation.

Notably, it is not always clear whether new institutions represent a threat or complement to the rules-based multilateral system that has dominated global governance since World War II. Emergent treaties are shrouded with a veil of uncertainty, as elites in governments and existing IOs

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[1]They may have done so as a result of ideological differences (Urpelainen and Van de Graaf 2015) or frustration with the balance of power in existing organizations (Pratt 2021).

attempt to gauge their character. Consider the 2015 establishment of the Asian Infrastructure Investment Bank (AIIB), a Chinese-led initiative which some perceived as a challenge to the World Bank.[2] Uncertainty over the new institution's character created a split among Western governments: the US and Japan opposed the bank, while Australia, Germany, and the UK joined as founding members.

As these examples illustrate, perceptions of new institutions – especially among Western governments and incumbent IOs – can be quite consequential. If these audiences determine the new institution is consistent with the norms and authority structures of the liberal international order, their acceptance can offer tangible benefits. ALBA has struggled to attract financing and member states, in part due to opposition in the US and international financial institutions. The AIIB has had considerably more success, reflecting mixed perceptions of the institution. The effort to craft a global tax treaty, which enjoys support from most Western governments, the OECD, and the G20, has expanded to 139 members.[3] These patterns are consistent with scholarship linking an institution's success with the ability to attract member states (Gray 2018; von Borzyskowski and Vabulas 2019) and build constructive relationships with existing IOs. Clark (2021), for example, shows that IOs are more likely to collaborate and share information with institutions when the most powerful member states are politically aligned. On the other hand, IOs may undermine new governance initiatives that compete or conflict with their mandate (Busch 2007; Davis 2009; Morse and Keohane 2014; Clark 2022).

Given these stakes, how can the architects of new treaties signal their type (i.e., orthodox or revisionist) to these gatekeepers of global governance? We argue that states often do so by borrowing text from core treaties of the liberal order. Taking key provisions from well-known, collectively accepted treaties can credibly signal a willingness to behave according to status quo rules and norms. This positions new agreements as aligned with longstanding liberal institutions like the

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[2]Quibria, M.G. "U.S. Gets Little Support in its Opposition to AIIB." *Baltimore Sun*. April 9, 2015. https://bit.ly/4bRfX4M.

[3]See https://www.oecd.org/tax/beps for a list of member jurisdictions.

International Monetary Fund (IMF), World Bank, United Nations, and World Trade Organization (WTO), which enjoy relatively high legitimacy and espouse liberal norms and ideas.[4] By imitating these treaties, institutional architects limit the likelihood that powerful stakeholders in the current international order (e.g., the U.S., Germany, and France) and individuals within predominant international institutions will perceive the new institution as a threat and mobilize against it.

This paper argues that treaty "imitation" is a strategic tool used by states to signal the type of new institutions.[5] The strategy comes with costs – most importantly, the forgone ability to craft new institutions that reflect the political preferences of treaty architects – which staunchly revisionist states are often unwilling to pay. Imitation therefore serves as a credible signal that increases an institution's acceptance among proponents of the prevailing multilateral order and limits the likelihood of costly competition with powerful liberal IOs. This argument has implications for the historical practice of treaty design and its effect on the perceptions and behavior of political elites. We generate theoretical expectations for each and test them with novel observational and experimental evidence.

To explain patterns of imitation, we identify a core trade-off that treaty architects face when designing new agreements. Imitating liberal agreements creates *legitimacy benefits* for the new institution, but also creates *discretion costs*. We argue that imitation is attractive when the potential *legitimacy benefits* are higher than *discretion costs*. As we argue below, this occurs most frequently for treaty architects that stand at the ideological periphery of the current order: their foreign policy preferences are neither perfectly aligned nor starkly opposed to liberal states.

We test this expectation using novel data on the imitation of multilateral treaty text among ap-

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[4]The broad acceptance of these bodies reflects their expansive membership, durability, the participation of great powers, and the efforts of Western architects who spent decades socializing countries to endorse them (Johnston 2008).

[5]Our description of imitation mirrors that in animals, who often match the behaviors of other animals as a form of protection and to signal a non-threatening character. We similarly conceive of imitation in treaties as a means to signal benevolence.

proximately 10,000 economic treaties from 1944-2015. Our dataset measures the extent to which each treaty mimics the agreements at the heart of the liberal order, including the UN Charter, Bretton Woods Agreement (which established the World Bank and IMF), and General Agreement on Tariffs and Trade (GATT). We investigate our strategic theory of imitation alongside the prevailing argument that states recycle treaty text for efficiency purposes (Poulsen 2014; Allee, Elsig and Lugg 2017*a*; Allee and Elsig 2019; Peacock, Milewicz and Snidal 2019). We find support for both processes. Consistent with our strategic theory of imitation, we find that imitation is higher among states with moderately revisionist foreign policy preferences.

A second empirical test examines whether imitation can increase the perceived legitimacy and acceptance of newly created institutions, as our theory suggests. We assess the causal effect of treaty imitation using an elite survey experiment fielded to over 300 Western experts on the global governance of economic development and trade. Using information from LinkedIn profiles, we identify a set of elites employed by leading liberal international organizations in these fields. The survey shows that IO officials increase their confidence in new institutions, and indicate greater willingness to cooperate with them, when the institution's charter borrows text from existing liberal IOs.

Our paper contributes to several important literatures. First, we revise the large body of work interested in the determinants of institutional design in international relations (Abbott and Snidal 1998; Koremenos, Lipson and Snidal 2001; Copelovitch and Putnam 2014). While existing work mostly examines the design of individual treaties as isolated events, we reinforce studies showing that broader institutional context matters (Copelovitch and Putnam 2014; Lipscy 2015), and design features may diffuse across international agreements (Hofmann 2010; Böhmelt and Spilker 2016).[6] We also build on important work that probes the consequences of regime complexity for the form and function of multilateral policies (Busch 2007; Drezner 2009; Pratt 2018; Clark 2022). We highlight how text borrowing is an important coordinating mechanism for international agreements

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[6]The literature on institutional interaction more often focuses on performance than design, see Oberthür and Gehring (2011) for an overview.

under regime complexity.

We further build on scholarship examining international law and multilateral cooperation as signaling devices in international politics. Scholars have long argued that states can leverage multilateral institutions to signal their willingness to cooperate and their commitment to policy reforms (Keohane 1984; Guzman 2008; Mansfield and Pevehouse 2006). Others have argued that institutions can be used to signal dissatisfaction with the principles and rules of the existing order (Morse and Keohane 2014; Broz, Zhang and Wang 2020). We find that states can calibrate these signals by reusing or rejecting the body of text in core liberal treaties.

2 A Strategic Theory of Treaty Imitation

States devote substantial time and energy to negotiating the text of international treaties. The content of these agreements has implications for subsequent patterns of economic and political exchange, the resolution of collective action problems, and the distribution of benefits among member states. Negotiators pay careful attention to design features like scope, flexibility, and decision-making authority, which shape an agreement's ability to address functional problems in global governance (Downs, Rocke and Barsoom 1998; Koremenos, Lipson and Snidal 2001; Rosendorff and Milner 2001; Copelovitch and Putnam 2014). Treaty architects also use agreement text to lock in political arrangements that perpetuate their power and settle distributional conflicts in their favor (Gilpin 1981; Krasner 1991; Ikenberry 2001; Kaya 2015).

Most treaties are not constructed from scratch. Contemporary treaty-making takes place in the context of thousands of prior agreements that govern social, political, and economic relations between states. The forgers of new international treaties often lift text from existing treaties as they draw up their own founding documents. For example, when Iran, Pakistan, and Turkey negotiated the charter for a new trade and development bank in 1995, more than 7% of the new treaty text was recycled language from the World Bank charter.[7] This includes treaty text defining the basic

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[7]Calculations by authors; see Section 3.1 for the methodology used.

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principles, decision-making procedures, member state obligations, and authority of bureaucratic actors in the new institution.

Other studies have documented the propensity for states to reuse treaty text. Around 100 preferential trade agreements copy 80 percent or more of their substantive text from a single existing treaty (Allee and Elsig 2019). This behavior is often thought to be driven by efficiency and effectiveness considerations, and the recycled text is largely "boilerplate" or standardized technical language (Peacock, Milewicz and Snidal 2019). Drawing on prior treaty text can reduce costs for states with low diplomatic and legal capacity; it may also help negotiators overcome gridlock by providing a body of previously accepted language. Specific treaty provisions may contributed to high performance or desirable outcomes (Kim 2021), and such provisions may be copied into new treaties as a result of learning (Gehring and Oberthür 2009; Ovodenko and Keohane 2012). This process of "templating" is common in preferential trade agreements (Baccini, Dür and Haftel 2015; Allee, Elsig and Lugg 2017*a*; Morin, Pauwelyn and Hollway 2017), bilateral investment treaties (Vandevelde 1992; Brown 2013; Poulsen 2014), and international environmental agreements (Ovodenko and Keohane 2012; Böhmelt and Spilker 2016). Once provisions or models of governance are adopted, states often continue using them in future agreements (Kim and Manger 2017).

While we acknowledge the functional benefits that accrue from recycling treaty text, we argue that states also have broader, strategic incentives to mimic prior agreements. The main argument of this paper is that treaty text reuse — an action we refer to as "imitation" — is employed by treaty negotiators to signal the character of the newly established institution. Specifically, it can assure powerful states and their agents that new institutions are aligned with the prevailing multilateral order. In our account, the motivation for text borrowing goes beyond compensating for state capacity constraints or ensuring coordination on technical standards. Instead, treaty architects strategically imitate core treaties of the international order to increase the perceived legitimacy of the treaty among key audiences invested in this order.

Because imitation is used strategically to signal alignment with the liberal order, it is most

effective when states lift text from the treaties at the heart of that order. These are the central institutions that took shape after World War II and have come to symbolize the rules-based system of multilateral governance. The United Nations (UN) charter, the Bretton Woods Agreement, and the General Agreement on Tariffs and Trade (GATT) are among the most prominent liberal treaties. Some conceptions include additional regional or functional agreements that share basic principles with these institutions.[8] We refer to this set of core treaties as the "liberal canon." Imitating the liberal canon demonstrates that new agreements and their members are committed to the basic principles and relationships embedded in the liberal order.[9] Diverging from the canon, meanwhile, can signal revisionist intent, or a desire to compete with liberal institutions.

Our focus on strategic treaty imitation provides new insights into the behavior of treaty negotiators and the power structures that sometimes limit their autonomy. As we discuss below, imitation is most attractive for treaty architects that might otherwise face opposition or exclusion from the traditional (largely Western) gatekeepers of the liberal order. This helps explain why Iran, Pakistan, and Turkey — states which inconsistently embraced the prevailing multilateral order — have chosen to imitate important parts of the Bretton Woods agreement. These states had an elevated need for legitimacy in the eyes of status-quo oriented audiences, including Western states and financial markets. In their case, the benefits of imitation outweighed the cost of reduced flexibility and discretion in treaty design. More broadly, the practice of imitation represents a latent redistribution of treaty-making power: states on the periphery of the liberal order frequently mimic text from the liberal canon, while others enjoy more autonomy in treaty design.

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[8]For example, Deudney and Ikenberry (1999) include NATO and the European Union as central institutions in the Western liberal order. Staniland (2018) considers the NPT.

[9]Our focus on core treaties of the liberal order is a departure from some existing work that has focused mostly on borrowing amongst bilateral treaties, and specifically in the areas of trade and investment. An exception is Allee, Elsig and Lugg (2017*b*), who show how text from the WTO charter appears in PTAs.

2.1 The Decision to Imitate

Our theory of strategic imitation is rooted in a rational cost-benefit calculation that confronts treaty architects. Negotiators of new international agreements face a decision about whether, and to what extent, the treaty will mimic the canon of liberal institutions that came before it. The decision is informed by two crosscutting considerations, which we term the *discretion costs* and *legitimacy benefits* of treaty imitation.

Discretion costs reflect the loss of autonomy in treaty negotiation and design that accompanies imitation. States negotiate international agreements to serve political goals. These may include resolving problems of coordination or collective action (Keohane 1984), forging political and economic ties among allies (Davis and Pratt 2021; Davis 2023), or constructing environments for learning and socialization (Johnston 2001). Treaty architects prefer to design agreements that serve these goals without any encumbrance. A large literature on institutional design, for example, argues that states tailor the terms of international agreements to optimize their effectiveness, given the functional problems and political concerns they face (Abbott and Snidal 1998; Koremenos, Lipson and Snidal 2001; Hawkins et al. 2006). As states bargain over treaty text, they may also want to adopt new principles or procedures that reflect changing technological, economic, or political circumstances (Jupille, Mattli and Snidal 2013; Pratt 2021). Imitation undermines these goals. It requires that states adopt the language of the liberal canon, rather than selecting treaty text that reflects the specific functional or distributional interests of member states. Reusing text also limits innovation: each imitated clause is a lost opportunity to articulate novel principles, rules, or procedures in the new agreement.

Imitation of the liberal cannon poses the greatest cost for coalitions of states that *want* to challenge the status quo and contest prevailing practices in global governance (Morse and Keohane 2014). The institutions that comprise the liberal canon were designed largely to reflect the interests and values of the United States and its allies. Friends and allies of the U.S. receive preferential treatment from liberal organizations like the IMF and World Bank (Copelovitch 2010; Stone 2011; Kilby 2013; Clark and Dolan 2021). Imitation of these institutions perpetuates these power struc-

tures. States may object to the liberal ideology embedded in these treaties, the uneven distribution of benefits they create, or both. The *discretion costs* of imitation are therefore linked to the ideological and geopolitical preferences of states. All states face a loss of autonomy when imitating the liberal canon, but these costs are higher for those who stand opposed to the Western architects of the liberal order.

Why would a state accept the *discretion costs* of imitation? We argue that mimicking treaty text can provide meaningful *legitimacy benefits* to new international agreements. Here we refer specifically to the perceived legitimacy of the new institution in the eyes of Western states and bureaucratic agents in existing liberal international organizations. These audiences are important to treaty architects because they often act as gatekeepers of global governance. Their support enhances the authority and capacity of the new institution, allows it to attract greater participation from potential member states, and increases collaborative opportunities with existing institutions (see e.g., Voeten 2005; Clark 2021). Their opposition can undermine the new institution and thwart its objectives. These audiences are motivated, in part, by whether the new treaty complements or competes with the multilateral system that serves their interests.

New institutions often need legitimacy because they have no track record of successful governance and may therefore struggle to attract participants, particularly in dense institutional environments where states possess several options (Alter and Meunier 2009; Alter and Raustiala 2018). As scholars of organizational ecology have argued, newly constructed organizations frequently suffer a "liabilty of newness" that incentivizes architects to adopt observable markers of legitimacy (Freeman, Carroll and Hannan 1983; Singh, Tucker and House 1986). Taking text from core treaties in the liberal canon is one such strategy. Specifically, borrowing text from liberal institutions signals a willingness to operate within the bounds of the rules set forth in status quo treaties.

There are two reasons why status-quo oriented audiences should interpret imitation as a credible signal of a treaty's type. The first is the cost of imitation. As described earlier, imitating text can erode the effectiveness of treaties and creates opportunity costs for member states. This minimizes the risk that imitating treaty language is dismissed as cheap talk (cf. Fearon 1997).

Second, imitation ties the hands of treaty architects by locking in specific legal obligations and procedural commitments. These features constrain member state behavior. For example, treaties that create new international organizations specify decision-making processes that endure long after the treaty negotiation period; path dependence is endemic in these institutions (Bennett and Elman 2006). Similarly, treaty language opens states to legal challenges at international judicial or arbitration bodies for years after a treaty is concluded.

Because imitation is a credible signal, member states can leverage the practice to shape the perception of audiences that are committed to the liberal order. When treaty architects borrow substantial text from the liberal canon, they increase support and head off criticism from powerful states and elites in existing Western-backed institutions. For instance, trade agreements that borrow text from the General Agreement on Tariffs and Trade (GATT) or the charter of the WTO convey acceptance of the principles and rules at the heart of the global trade regime. Similarly, new development institutions that mimic the World Bank's founding text affirm the neoliberal framework favored by the U.S. and its allies. The AIIB followed this strategy to reassure skeptics in Western governments, IOs, and financial markets that it would not undermine existing institutions.[10] Key stakeholders may then be willing to join or promote this new institution. This is important because international agreements critically rely on member state participation to remain potent governance actors (Gray 2018), and they are especially reliant on powerful member states (Mearsheimer 1995; Stone 2011).[11] If member states do not use a new treaty, shopping away to alternative arrangements instead (Busch 2007; Davis 2009; Clark 2022), the new treaty is little more than a scrap of paper. Moreover, if states perceive a treaty as legitimate, they may be less likely to exit or undermine it in the future (von Borzyskowski and Vabulas 2019), even if states themselves are eventually led by leaders that are otherwise skeptical of global governance (Copelovitch and Pevehouse 2019;

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[10]The charter of the AIIB borrows over 20% of its text from the Bretton Woods agreement, GATT, and UN Charter. See section 3 for further details.

[11]This is especially true in issue areas with costly barriers to entry, such as the emergency lending space (Lipscy 2015).

Voeten 2021).

For these reasons, treaty architects that are concerned about the reaction of Western audiences may pursue imitation as a legitimation strategy. In practice, this means borrowing from prominent, foundational agreements in the liberal canon. While there is nothing inherently legitimate about the ideologies and governance structures underpinning such liberal treaties, they are central to the prevailing order and have the backing of powerful states like the U.S. that have spent decades cultivating their broad acceptance (Ikenberry 2001; Johnston 2008). Imitation of these texts therefore signals that the new agreement is not a threat to status quo norms, ideas, and policies.

Like discretion costs, the legitimacy benefits of imitation vary systematically with states' ideological orientation toward the liberal order. Here, however, we expect a non-linear relationship. States that are clearly aligned with the existing order are already viewed positively by Western powers and institutional elites. Imitation provides low legitimacy benefits because these states have relatively little to gain by mimicking core liberal institutions. Similarly, highly revisionist states are unlikely to benefit substantially from imitation. These states have hardened reputations that inhibit a large shift in perceptions of their governance initiatives. In contrast, we expect imitation to provide the greatest legitimacy benefits for treaty architects with 'intermediate' ideological distance from the liberal order. There should be greater uncertainty about new treaties negotiated by these states, thereby increasing the marginal effect of legitimation strategies like imitation.

Figure 1 visualizes the theorized pattern of discretion costs and legitimacy benefits across different ideological orientations. Discretion costs increase linearly with a state's ideological distance from the liberal core, reflecting the higher dissatisfaction revisionist states face when mimicking the liberal canon. Legitimacy benefits initially increase with ideological distance, then decrease as states become firmly entrenched in their antagonism toward the order. Ultimately, the choice to imitate treaty text depends on the relative balance of costs and benefits among treaty architects. The shaded region in Figure 1 marks instances where anticipated benefits are higher than discretion costs. We leverage this basic trade-off to generate testable hypotheses about treaty imitation.
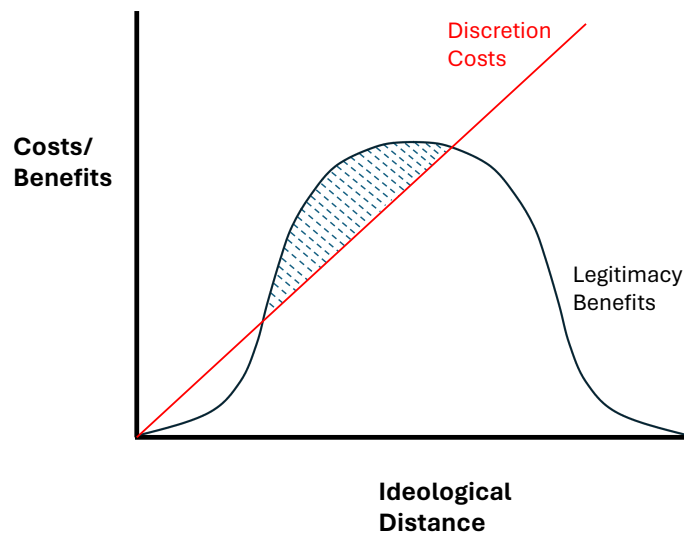
Figure 1: **Discretion Costs and Legitimacy Benefits of Imitation**. The figure shows the hypothesized pattern of discretion costs and legitimacy benefits as a function of ideological distance from the liberal order. The shaded portion identifies cases where expected benefits exceed costs.

2.2 Hypotheses

We test several implications of our theory in the following section. We first examine the determinants of imitation: the forces that motivate treaty architects to recycle text from core liberal institutions. Then, we test the effect of imitation on the perceptions of elites embedded in multilateral economic institutions.

Our argument implies that states are more likely to recycle text from the liberal canon when the loss of discretion it entails is outweighed by increased legitimacy. We therefore anticipate higher levels of imitation when treaty architects 1) have an elevated need to legitimate the new treaty, and 2) are willing to sacrifice some autonomy in treaty design. To predict which states meet these criteria, we examine the foreign policy preferences of treaty architects.

We conceptualize the foreign policy preferences of a given state as that state's orientation toward the prevailing liberal order. Status-quo oriented states have views that are closely aligned with the liberal order. These states have relatively low *discretion costs* since the text in the liberal canon is consistent with their foreign policy interests. However, they also anticipate few *legiti-*

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macy benefits since they are already viewed positively by Western powers and institutional elites. We therefore anticipate low to moderate levels of imitation from these states. Imitation by highly revisionist states that oppose the liberal order could generate a more substantial increase in legitimacy, but these states confront high *discretion costs* from imitating the liberal canon. These states should also borrow text at low rates. As such, we expect imitation to be highest among treaty architects with 'intermediate' foreign policy preferences. These states are not fundamentally opposed to borrowing treaty text and can still strategically benefit among Western audiences by signaling solidarity with the liberal order. Signaling type is especially beneficial for such states since there may be significant uncertainty about where they stand vis-á-vis the liberal order.

Hypothesis 1. *Treaty imitation is higher among states with moderately revisionist foreign policy preferences, compared to states that are fully aligned with or opposed to the liberal order.*

This hypothesis reflects the strategic motivations for imitation that follow from our theory. Of course, there are alternative reasons that states may reuse text from core treaties, and we account for these motivations in our empirical analysis. Two alternative logics are particularly important. The first is a functionalist account in which state preferences over the content and structure of international exchange drive treaty design. This argument rejects the broader strategic trade-off discussed above and suggests treaty architects adhere to a narrower goal of optimizing cooperative gains in the domain of the relevant treaty (Koremenos, Lipson and Snidal 2001). Among other implications, this logic would suggest a more straightforward, monotonic relationship between states' foreign policy preferences and patterns of borrowing from the liberal canon.

The second prominent alternative argument is that treaty architects recycle text primarily for efficiency purposes. In this view, states draw on prior treaty text to reduce the costs of treaty negotiation, limit uncertainty about the interpretation and future repercussions of treaty clauses, and resolve bargaining problems among negotiating parties (Allee and Elsig 2019; Peacock, Milewicz and Snidal 2019).[12] We account for efficiency concerns by controlling for the material capacity of treaty architects, prior state experience in treaty negotiations, and the policy domain of treaties.

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[12]Other work has employed text reuse as a measure of state power or influence over multilateral

If negotiating countries have more material resources and more diplomatic experience negotiating treaties, efficiency concerns should be less salient.

Our second set of tests takes imitation as the independent variable, examining its effect on perceptions of experts employed at prominent liberal economic IOs. We view these elites as a "hard case" for persuasion. They have a vested interest in the existing order and are likely to be wary of newly created institutions that may compete for state attention and resources. Competition with novel institutions also activates career concerns for such bureaucrats since their livelihood is dependent on an IO's vitality (see Gray 2018; Honig 2018). Nonetheless, if imitation shapes the perceived alignment and legitimacy of new institutions, this should be reflected in the opinions of elites and experts in the field.[13] Therefore, we argue that when IO elites are informed that a new institution borrows text from central treaties in the liberal order, they will have more confidence in and will be more willing to collaborate with the new institution.

Hypothesis 2. *New institutions that imitate text from existing treaties will generate more confidence and willingness to collaborate than institutions that do not.*

3   Testing Treaty Imitation and Legitimacy

We leverage two sources of evidence to test the theory described above. First, we investigate historical patterns of treaty imitation among economic agreements to examine the circumstances in which states are more likely to recycle text from liberal institutions. This observational analysis treats imitation as the outcome, testing whether treaty architects that have low discretion costs

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negotiations. Allee and Lugg (2016), for example, show that U.S. preferential trade agreements were a prominent source of text for the 2015 Trans-Pacific Partnership, including its most controversial chapters.

[13]Our argument builds on a large literature interested in elite opinion and the role of international bureaucrats in global governance (Honig 2018; Clark 2021; Heinzel and Liese 2021; Kertzer and Renshon 2022).

and anticipate high legitimacy benefits are more likely to borrow text from the liberal canon. Our empirical tests estimate the relative importance of preferences on treaty imitation, while controlling for other motivations that may lead states to reuse treaty language.

Second, we assess the effect of imitation in a survey experiment conducted on officials employed at international economic organizations. The experiment tests whether a hypothetical new institution can increase its perceived legitimacy among this key audience by borrowing text from other treaties. To calibrate the effect of treaty imitation, we also vary the membership size and lead architect of the new institution. The sections below describe the data and research design and present our results.

3.1   Empirical Patterns of Treaty Imitation

To analyze the historical use of text borrowing, we construct an original dataset of imitation among economic treaties from 1944-2015. We include a broad range of economic treaties encompassing agreements focused on trade, financial cooperation, investment, development, energy, and taxation. The restriction to economic treaties ensures that agreements in our sample have sufficient topical overlap with the most prominent institutional cornerstones of the liberal canon, such as the GATT and Bretton Woods agreements. At the same time, the sample represents an increase in scope over existing studies, which focused primarily on single issues like trade or investment (Allee and Lugg 2016; Peacock, Milewicz and Snidal 2019; Chaisse et al. 2022).

We began with the text of approximately 55,000 treaties included in the World Treaty Library database maintained by HeinOnline. From this broad sample, we identified economic agreements using a keyword search of each treaty's title, introductory text, and subject matter as listed by the United Nations Treaty Series database.[14] The resulting subset of economic treaties is comprised of 10,777 agreements negotiated between 1944 and 2015. These include broad multilateral treaties

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[14]We use an extensive list of keywords, available from authors upon request and viewable in our replication materials upon publication, to classify treaties as economic. These include terms related to finance, development, trade, investment, banking, and various commodities.

such as the 1973 International Telecommunication Convention, regional agreements like the 1984 Central American Tariff and Customs Regime, and a large number of bilateral treaties governing currency, investment, aid, or economic exchange between states.

3.1.1 Descriptive Patterns of Text Borrowing

While our hypotheses are explicitly focused on imitation of core liberal treaties, we first present some descriptive data on broad patterns of text borrowing. This exercise allows us to characterize states' general propensity to borrow text from all multilateral treaties and to examine which treaties are most frequently imitated. To do so, we structure the data as a series of treaty dyads in which a potential "borrower" treaty is paired with a potential "source." All 10,777 treaties enter the dataset as borrowers. For each borrower, we construct a set of possible source treaties by identifying all *multilateral* economic agreements that were completed at the time of the borrower treaty's negotiation. For example, a 2009 tax cooperation agreement between Mexico and Colombia could potentially draw text from the 1988 Convention on Mutual Assistance in Tax Matters, the 1959 Agreement Establishing the Inter-American Development Bank, or any other multilateral treaty completed before 2009. Each borrower-source pair enters the dataset as a unique observation.

To assess imitation among the agreements, we first preprocess the text of each treaty[15] and split the agreement into a series of 5-word tokens. Our primary measure of imitation by borrower treaty A from source treaty B is the percent of treaty A's tokens that originally appeared in treaty B.[16] To minimize noise arising from the general evolution of treaty language over time and to cut out some of the technical boilerplate text, we also exclude the most common tokens used each year when calculating the imitation measure.[17]

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[15]We convert each treaty text to lower case and remove numbers and punctuation.

[16]For this descriptive exercise, we use only the *novel* language in treaty A — excluding tokens in treaty A that were borrowed from other treaties. This adjustment ensures we assign the source of a given clause or string of text to the original treaty in which it appeared.

[17]We exclude tokens that appear in at least 10% of all treaties negotiated in a given year.
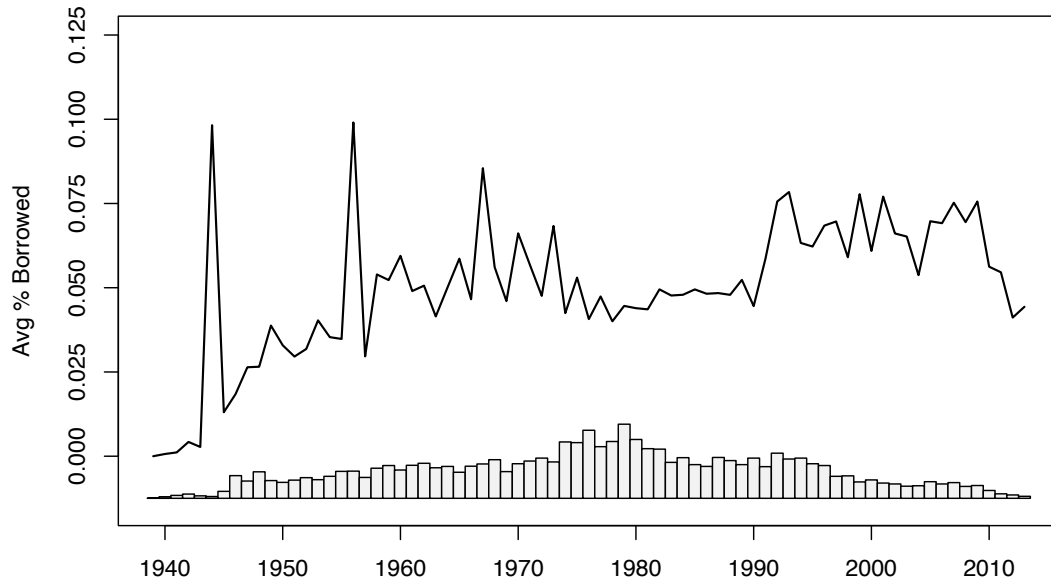
Figure 2: **Average Percent of Treaty Text Borrowed from Existing Agreements.** For each year, the figure shows the percent of new treaty text that is borrowed from existing treaties in the sample. The histogram displays the distribution of new treaties over time.

The resulting imitation measure reflects the percent of a new agreement's text that is borrowed from a prior treaty. In our sample, imitation ranges from 0 (81.6% of treaty dyads) to 54.5%. Most borrower-source pairs feature no text borrowing, though almost every agreement (99.8%) borrows some text from at least one source treaty in the sample. Figure 2 displays the average proportion of imitated text at the treaty level over time. The average economic agreement borrows approximately 5% of its text from other treaties, with imitation generally increasing over time.

The content of imitated text we identify varies widely. In some cases, economic agreements directly adopt the basic principles articulated in prior treaties. The charter for the African Development Bank, for example, copies exact language from the World Bank charter regarding the political neutrality of the Bank and its bureaucrats.[18] Other cases of imitation reflect the borrow-

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[18]Among the imitated text in the charter of the African Development Bank is the World Bank's requirement that the institution "shall not interfere in the political affairs of any member nor shall they be influenced in their decisions by the political character of the member," and that Bank

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ing of operational procedures, technical terms, and definitions from prior agreements. The 1944 Convention on International Civil Aviation, for example, introduced a set of concepts and procedures that were replicated in dozens of subsequent transport agreements.[19] The 1972 Treaty of Accession that added Denmark, Ireland, Norway, and the UK to the European Communities (EC) similarly pioneered substantive and procedural clauses that were heavily imitated in future EC and EU agreements.

Figure 3 visualizes the most frequently borrowed treaty texts in our sample. The figure displays the aggregate amount of imitated text from each of the 751 multilateral source treaties, arranged by year of negotiation (x-axis). The y-axis measures the summed imitation score for each source treaty across all of its potential borrowers. The most imitated source treaty is the GATT, the prominent post-war trade treaty and precursor to the WTO. The 1944 Bretton Woods Agreement establishing the IMF and World Bank is the second most imitated treaty in our sample. The status of these institutions as anchors of the liberal order lends credence to our argument that concerns about alignment with liberal ideas are an important driver of treaty imitation. These and other highly imitated agreements (e.g., the International Telecommunications Convention, Convention on International Civil Aviation, and Treaty establishing the European Steel and Coal Community) are broadly recognized as legitimate and central institutions in global economic governance. Other frequently copied treaties represent the "first movers" in the governance of particular economic outcomes. The 1940 Inter-American Coffee Agreement, for example, was among the first major treaties in a large number of agreements regulating trade in specific commodities. Similarly, a 1986 labor market agreement among Nordic countries preceded a proliferation of similarly crafted labor, trade, and financial agreements among these states.

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officials "owe their duty entirely to the bank and to no other authority."

[19]The 1955 U.S.-Germany Air Transport Agreement, 1963 Inter-American Convention on Waterborne Transportation, and 1997 Indonesia-Hong Kong Air Service Agreement are among the treaties that borrow substantially from the Convention on International Civil Aviation.
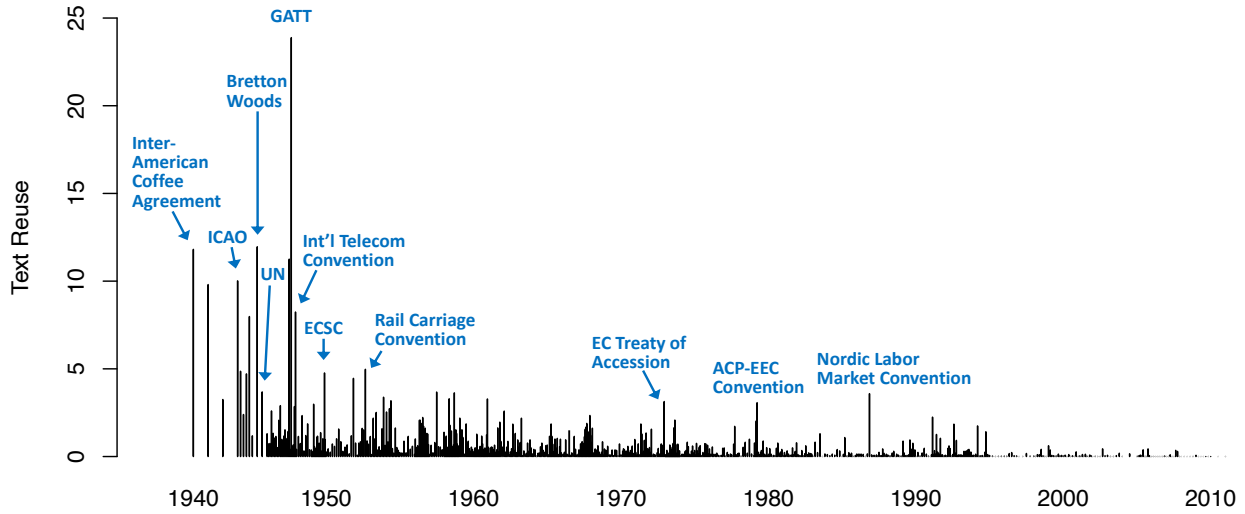
Figure 3: **Aggregate Imitation from each Source Treaty.** The figure displays the total amount of imitation from each of 751 multilateral source treaties. Height of the vertical bars reflect the summed imitation score for each source treaty across all potential borrowing treaties. Source treaties are arranged on the x-axis by year of completion.

Imitating the Liberal Canon

To test the hypotheses articulated in the previous section, we restrict the analysis to imitation of prominent liberal treaties. Doing so requires identifying the collection of foundational agreements that comprise the liberal canon. Lacking an authoritative list of key liberal treaties, we rely on a flexible approach that progressively expands the potential set of imitated agreements. Our first measure restricts attention to a narrow "core" group of agreements: the 1944 Bretton Woods agreement, the 1945 UN Charter, and the 1947 GATT. These treaties are broadly recognized as pillars of the liberal order (Staniland 2018; Borzel and Zürn 2021). They were explicitly designed to govern global economic and political interaction in the post-war era and were concluded after intense and expansive multilateral negotiations.

Two additional measures include broader sets of multilateral agreements. We subjectively identify an "expanded" set of 14 prominent multilateral treaties that were negotiated from 1944-1955, were designed to structure economic exchange between states, and have become associated with the liberal order. This list includes treaties with broad membership, such as the 1950 Convention

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on the Valuation of Goods for Customs Purposes and the 1952 Universal Copyright Convention, as well as key regional institutions like the 1951 Treaty instituting the European Coal and Steel Community and 1948 Charter of the Organization of American States.[20] Finally, we develop an "inclusive" list that includes all multilateral treaties signed in the period 1944-1955 that include the United States as a signatory.

The dependent variable in our analysis is the percent of each economic treaty's text that is copied from these core liberal treaties. The regression results presented below maintain the treaty-dyad level of analysis. All economic agreements appear as borrowing treaties, while only treaties identified as part of the liberal canon appear as potential source texts.

Our independent variable of interest captures treaty architects' foreign policy preferences. Specifically, we calculate the average UN Ideal Point distance (Bailey, Strezhnev and Voeten 2017) between the original state signatories of the borrowing treaty[21] and the United States.[22] We hypothesized that states with intermediate preferences — those neither firmly committed nor strongly opposed to the liberal order — are most likely to imitate liberal treaties. To model this non-linear relationship, we include a cubic polynomial of the `Ideal Point Distance` variable.

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[20]The full list of expanded liberal treaties additionally includes the Statute of the Council of Europe, Convention establishing the Customs Co-operation Council, International Air Services Transit Agreement, Articles of Agreement of the International Finance Corporation, International Convention for the Regulation of Whaling, International Civil Aviation Convention, and International Wheat Agreement.

[21]To measure state participation, we draw from two sources. For treaties that can be unambiguously matched to the UN Treaty Series (UNTS) database, we use the state participation information listed by UNTS. When treaties cannot be identified in UNTS, or data on state participation are missing, we draw on the text of the treaty. The World Treaty Library, our source for treaty texts, typically lists the participants in each agreement at the start of the text.

[22]Ideal points are calculated based on states' voting record in the UN General Assembly; the distance measure decreases as the voting patterns of two states converge.

We include several control variables that account for text reuse motivated by capacity and efficiency concerns. `Number of Countries` measures the number of state signatories in the borrower treaty, and `Prior Treaty Experience` measures the logged count of treaties previously negotiated by these states. We further control for the average GDP and average polity score of member states in the borrower treaty. To reflect states' propensity to reuse their own prior treaty text, we add a count of the number of overlapping member states between the borrower and source treaty. An indicator for `Multilateral Borrower` accounts for the possibility that bilateral and multilateral agreements imitate liberal treaties at systematically different rates. Finally, we include a time polynomial to model temporal trends and issue area fixed effects to account for differences across economic policy domains.[23]

Regression Analysis

We analyze the data in a series of regression models examining the degree to which all economic agreements imitate a set of core liberal treaties. Our general specification is a linear model that takes the following form:

$$\% \text{ Imitated}_{ij} = \alpha + \beta_1 \text{Ideal Point Distance}_i + \beta_2 \text{Ideal Point Distance}_i^2 + \beta_3 \text{Ideal Point Distance}_i^3 +$$
$$\beta_4 \mathbf{X}_i + \beta_5 \mathbf{D}_{ij} + \epsilon_{ij}$$

The dependent variable is the percent of 5-word tokens in borrower treaty *i* that appeared in liberal treaty *j*. Our key predictor is the average UN Ideal Point distance between borrower treaty members and the United States. The models also include the vector of control variables described above, which are measured at the borrower treaty or treaty-dyad level. Standard errors are clustered by borrower treaty.

Table 1 displays coefficient estimates and standard errors for several versions of this model. The columns are distinguished by the set of liberal treaties included as potential source texts. The

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[23]For issue area fixed effects, we classify each borrower treaty as one of the following categories: trade, finance, commodity, development, or other.

first column measures imitation of the "narrow" collection of the UN Charter, Bretton Woods
agreement, and GATT. The second column displays estimates using the "expanded" canon of 14
liberal treaties, and the third uses the "inclusive" measure of 19 broad, multilateral treaties that the
United States joined in the post-war period.

	Dependent variable: Imitation		
	Narrow Canon	Expanded Canon	Inclusive Canon
Ideal Point Distance	-0.149^{***}	-0.022	-0.013
	(0.050)	(0.019)	(0.016)
Ideal Point Distance^2	0.063^{**}	0.032^{***}	0.031^{***}
	(0.025)	(0.010)	(0.009)
Ideal Point Distance^3	-0.010^{***}	-0.007^{***}	-0.007^{***}
	(0.004)	(0.002)	(0.001)
Number of Countries	0.001	-0.004^{***}	-0.005^{***}
	(0.004)	(0.001)	(0.001)
Prior Treaty Experience	0.023^{***}	0.053^{***}	0.049^{***}
	(0.006)	(0.004)	(0.004)
Average GDP	0.008^{***}	-0.004^{***}	-0.002
	(0.003)	(0.002)	(0.002)
Average Polity	0.003^{***}	0.003^{***}	0.003^{***}
	(0.001)	(0.0005)	(0.0004)
Member Overlap	0.037^{***}	0.024^{***}	0.032^{***}
	(0.010)	(0.008)	(0.008)
Multilateral Borrower	-0.050	0.071^{***}	-0.066^{***}
	(0.040)	(0.027)	(0.018)
Time Polynomial	✓	✓	✓
Issue Area FE	✓	✓	✓
Observations	29,091	133,809	182,345

Table 1: **Determinants of Treaty Imitation**. Results of linear models estimating the predictors
of imitated treat text. Standard errors are clustered by borrower treaty. Statistical significance is
denoted by: *p<0.1; **p<0.05; ***p<0.01.

We find evidence consistent with our first hypotheses. `Ideal Point Distance` between
the United States and members of the borrower treaty is a significant predictor of imitation. In
general, there is a negative correlation between `Ideal Point Distance` and `Imitation`,
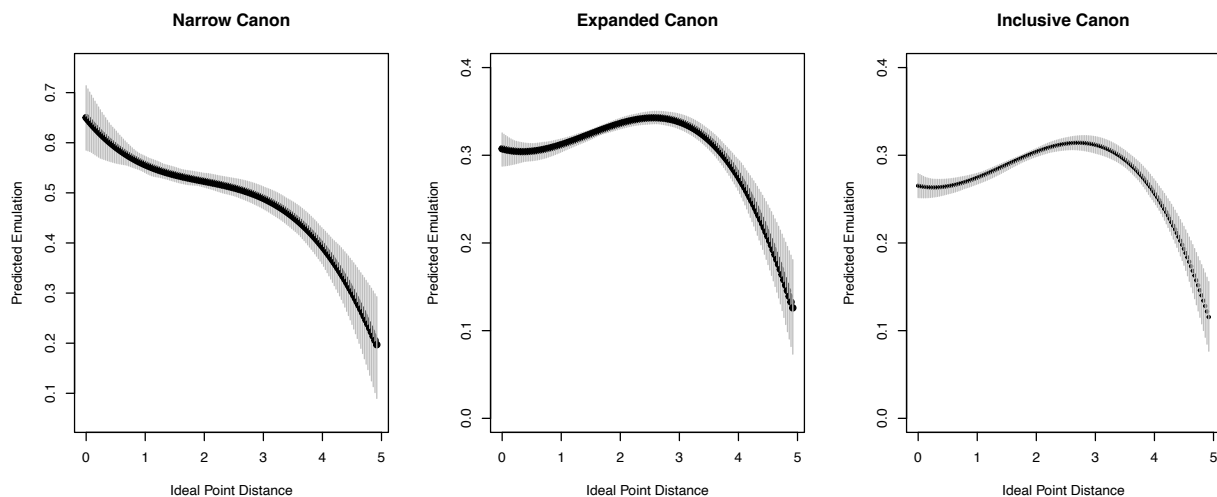
Figure 4: **Effect of Ideal Point Distance on Imitation**. Estimated effect of UN Ideal Point Distance from the United States on treaty imitation. Results are based on regression models from Table 3 Results are based on regression models from Table 1. Confidence intervals are calculated via 1,000 bootstrapped samples.

though the polynomial terms suggest the relationship is non-linear (consistent with *H1*). To ease interpretation, we visualize the estimated effect in Figure 4. The figure plots the predicted level of `Imitation` (y-axis) across the range of possible `Ideal Point Distance` values (x-axis), along with 95% confidence intervals.[24] We observe some evidence of a non-linear relationship in the narrow sample of liberal treaties, and a more pronounced pattern in the expanded and inclusive samples. In the latter two cases, predicted levels of imitation are moderate among treaty architects closely aligned with the U.S., higher among those with intermediate foreign policy preferences, and lowest among states with opposing preferences.

The results provide mixed evidence for efficiency-motivated imitation. Estimates in the expanded and inclusive models suggest that treaties with more member states borrow text less frequently, consistent with a logic of imitation as means to overcome capacity constraints. However, economic capacity has an inconsistent associated with imitation, and states with more treaty-negotiating experience imitate text at a higher rate than those with less experience. Other estimates reflect a higher rate of imitation between treaties with overlapping membership and a higher

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[24]Confidence intervals are calculated via 1,000 bootstrapped simulations.

propensity to imitate among democratic treaty architects.

We report a range of alternative specifications and robustness checks in the appendix. We employ two alternative means of assessing the nonlinear effects predicted in *H1*. First, Appendix Figure A2 displays the results of a generalized additive model, which allows for a more flexible non-parametric relationship between `Ideal Point Distance` and treaty imitation. Second, we employ a categorical measure of UN Ideal Point Distance to demonstrate that treaty architects with intermediate foreign policy preferences differ from US-aligned and US-opposed states (Table A1).[25] Both specifications produce estimates that are substantively identical to those in Figure 4. We also repeat our analysis with alternative measures of imitation based on 3- and 7-word tokens, with consistent findings. Finally, to ensure our findings are not conditional on the treaty-dyad level of analysis, we restructure the imitation data at the borrower-treaty level. The results (presented in Table A2 and Figure A2) are substantively identical to those reported above.

3.2 Effects of Treaty Imitation

Our second hypothesis reflects the expectation that imitation of the liberal canon will increase the perceived legitimacy of international institutions. By signaling alignment with the liberal order, imitation should generate more acceptance, participation, and willingness to collaborate than a new institution would enjoy without borrowing text. These are the legitimacy benefits that accrue from imitation.

Before formally testing this causal effect, we illustrate its plausibility with observational data. We examine levels of imitation for the multilateral development banks in our sample, and compare it with several indicators of institutional success and acceptance. Table 2 lists 15 development banks for which we have data on imitation and institutional success, listed by year of creation. We

[25]We categorize the preferences of borrower treaty member states as "aligned" (below 25th percentile in Ideal Point Distance), "intermediate" (25th-75th percentile) or "opposed" (above 75th percentile).

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provide information on the number of member state participants in each organization,[26] the amount of cooperation they have undertaken with the World Bank, and the capitalization of each bank as of 2023. Cooperation takes the form of information sharing and co-financing (i.e., the pooling of resources and expertise across IOs, see Clark 2021).

IO	Treaty year	Number of members (non-regional)	Co-financing deals with World Bank	Information sharing deals with World Bank	Authorized capital	Percent borrowed (narrow)
IADB	1959	48 (22)	159	18	$18.65bn	7.58
CABEI	1960	15 (7)	6	0	$7bn	2.79
AFDB	1963	81 (27)	128	46	$253.04bn	9.65
IBEC	1963	3	0	0	$423mn	1.66
ADB	1965	68 (19)	93	18	$148.9bn	11.72
EADB	1967	4	1	0	$1.1bn	3.39
CDB	1969	28 (9)	12	0	$1.1bn	9.70
BOAD	1973	13 (4)	17	0	$2.31mn	1.06
EBRD	1990	71	72	1	$30bn	6.41
BSTDB	1994	11	0	0	$3.65bn	8.50
ECOTDB	1995	6	0	0	$1.43bn	8.03
EBID	2001	15	0	0	$3.5bn	4.09
NIB	2004	8	5	0	$8.86bn	3.54
NDB	2014	8	0	3	$100bn	22.19
AIIB	2015	93 (46)	11	2	$100bn	20.27

Table 2: **Descriptive Statistics for Multilateral Development Banks in Sample.** Data is aggregated from IO websites. Data on inter-IO cooperation comes from Clark (2021, 2022).

As the table demonstrates, the institutions that have borrowed more text from core liberal treaties, such as the African Development Bank (AFDB), Asian Development Bank (ADB), and Asian Infrastructure Investment Bank (AIIB), are also among the most successful at attracting participation and cooperation. The extent of imitation from the liberal canon is positively correlated with each measure of institutional success. The association is strongest between imitation and member state participation ($p = .01$), capitalization ($p = .07$), and World Bank cofinancing ($p = .08$). These patterns are consistent with the hypothesized legitimacy effect of imitation.

To test the effect directly, we implement a novel survey experiment on a sample of experts in global economic governance. The advantage of an experiment is the ability to randomly assign whether a hypothetical new international agreement borrows text from other treaties. This design

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[26]Unlike the membership data used in the prior analysis, these data reflect all members as of 2023, including states that joined in the years after the institution was founded.

allows us to avoid the selection bias that would undermine an observational study of the effect of treaty imitation.

Our survey targets elites in economic governance because they are a key audience in assessing the legitimacy of new economic institutions and their alignment with the liberal canon. Overlap among such institutions has become a major problem for these officials, as it limits their ability to affect policy change in target states and make progress towards their organizational mandates (Busch 2007; Davis 2009; Clark 2022). If treaty imitation helps to signal alignment with the existing global order, then it should boost officials' perceptions of the legitimacy of new agreements.

We collect a sample of elites employed at liberal international economic organizations using the social media platform LinkedIn.[27] We focus specifically on individuals employed at multilateral institutions devoted to trade and development finance, two prominent and crowded domains of global economic governance. The survey was distributed in July 2020 via direct message (DM) to LinkedIn users whose profile indicated employment at one of 32 international organizations. These organizations include large, central institutions like the World Trade Organization and World Bank, as well as liberal regional bodies like the Association of Southeast Asian Nations and African Development Bank. Fifteen-hundred users received a DM inviting them to take part in our survey, with 355 choosing to participate.[28] The most common employer in our sample is the World Bank, followed by the Asian Development Bank and African Development Bank.[29] The full list of organizations and number of respondents employed by each in our sample appear in Appendix Table A3. The sample skews heavily in favor of Western liberal IOs; these institutions also have the largest bureaucracies requiring the most operational staff members. Moreover, their impressions

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[27]This sampling strategy has proved effective in existing work on development elites (Clark 2021).

[28]We do not directly compensate respondents, though those who wish can enter a lottery to receive a $500 Amazon gift card.

[29]We received few responses from trade officials, partly because trade bodies have significantly smaller operational staffs than development banks.

are essential for understanding perceived alignment with the liberal canon.

Survey Design & Hypotheses

In the survey, respondents answer a series of questions about their employment history, provide basic demographic information, and then read a hypothetical scenario regarding the negotiation of a new economic institution.[30] The issue area of the institution is matched to the respondent's employment history: officials at development finance institutions read about the creation of a new multilateral development bank, while trade officials read about a new multilateral trade agreement. The scenario describes the new institution, noting three key design features which are randomly assigned. The first two include the most powerful state in the new institution (the United States or China) and the number of participants (5, 50, or 100). Although our focus in this study is the effect of treaty imitation, we expect institutions with more members to be perceived to have more perceived legitimacy (Bechtel and Scheve 2013). Institutions led by the United States, the chief architect of the global liberal order, should also enjoy more legitimacy than those led by China, in line with our theoretical framework. Example text for the development finance institution led by China is below; see the Appendix for full survey text.

> China is spearheading the creation of a new multilateral development bank. The bank will be headquartered in Beijing, and China will be the most powerful member state, retaining a veto over key policies. The institution will have 50 member states.

Respondents in the control group then move on to the outcome questionnaire. Those in the imitation treatment condition are further informed that the founding agreement of the new organization borrows text from an existing liberal global governance institution. We randomly vary the source of imitation between the respondent's home institution and the central institution in the

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[30]The survey design and hypotheses were registered with [redacted registry] in [redacted date], prior to survey distribution.

relevant issue area (i.e., the World Bank or the World Trade Organization). The text of the World Bank imitation treatment reads:

> Notably, the founding treaty text borrowed several key provisions about organizational goals and operating procedures from the charter of the World Bank.

After reading the scenario, respondents are asked about their level of confidence in the new institution and their willingness to collaborate with it in a hypothetical governance initiative.[31] These questions provide our two measures of legitimacy and alignment with the liberal order.

Following these questions, each respondent is randomly assigned to another hypothetical scenario. We repeat the process a total of three times per respondent. After excluding respondents with immaterial job roles,[32] those who spent less than five minutes on the survey, and accounting for attrition, this yields 404 observations. We pre-registered this study with EGAP; see the Appendix for a copy of the pre-analysis plan.

Results

Table 3 displays estimated effects of imitation, the number of participants, and the identity of the most powerful member state. Standard errors are clustered by the respondent's employer. Estimates are obtained via linear regression models.

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[31]We follow Tallberg and Zürn (2019); Dellmuth et al. (2022) in assessing legitimacy by asking respondents about their confidence in the institution. They select among "a great deal," "quite a lot," "not very much," or "none at all,"which we transform into a 1-4 scale. The collaboration question asks respondents to rate their level of support, from 1-10, for the establishment of a co-financed project (development finance) or a joint working group (trade) between their own organization and the new body. This follows (Clark 2021).

[32]To ensure our sample reflects experts in global economic governance, we remove respondents whose job titles include the terms intern, research assistant, HR support, IT support, and administrative assistant.

Column 1 reports effects on respondents' assessed confidence in the hypothetical new body. Consistent with our hypothesis, institutions that borrow text from existing agreements generate greater confidence than those that do not ($p = 0.071$). Substantively, institutions that recycle text from another organization's charter increase confidence by 0.09 on the 4-point scale. While this effect is modest, it compares favorably to the number of members treatment, which has no impact on confidence in the new organization. Leadership by China has the most dramatic effect, reducing respondent confidence by 0.23 ($p < 0.001$) compared to the United States.

The pattern is similar for respondent willingness to collaborate with the new organization. Treaty imitation increases support for collaboration by 0.28 ($p = 0.045$), while differences in state membership fail to move the views of global governance experts. Respondents have a clear preference for U.S.-led institutions over Chinese leadership when deciding whether to partner with newly established organizations.[33]

These results provide clear evidence that treaty imitation increases perceptions of institutional legitimacy and alignment with the liberal order among elites in global economic governance. To further probe the specific inferences respondents draw about institutions that recycle treaty text, we conduct content analysis of a free response question asked at the end of our survey. The free response question read, "What factors did you consider while evaluating the hypothetical organization? Which characteristics were most important? Please be as detailed as possible." We systematically analyzed these responses with structural topic modeling (STM).[34] This enables us to determine whether certain issues are more or less salient for the respondents in the borrowing treatment vs. control groups.

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[33]In Appendix Table A4, we separately estimate the effect of imitating the central institution (World Bank/World Trade Organization) vs. the subject's employer. The effect sizes are consistent across samples, though the reduction in power results in a loss of statistical significance in some specifications.

[34]We estimate the topic model using the *stm* package in R. Each free response answer enters the model as a distinct document.

	Dependent variable:	
	Confidence	Collaboration
	(1)	(2)
Imitation	0.094*	0.279**
	(0.052)	(0.139)
Members	0.001	−0.002
	(0.001)	(0.003)
China	−0.233***	−0.692***
	(0.059)	(0.244)
Observations	404	404
Adjusted R^2	0.017	0.012

Table 3: **Effect of Imitation, State Participants, and Institutional Leadership on Perceptions of Legitimacy**. Standard errors are clustered by respondent employer. Statistical significance is denoted by: *$p<0.1$; **$p<0.05$; ***$p<0.01$.

In Appendix Figure A1, we display the effect of the text borrowing treatment on the prevalence of the topics respondents raise in their free response answers. Respondents in the treatment (text borrowing) group are less likely to cite concerns about institutional competition than those in the control (no text borrowing) condition. This suggests that text borrowing is perceived as a way for overlapping institutions to coordinate themselves, with the borrowing treaty signaling their willingness to abide by the rules of existing frameworks. The text borrowing treatment also induces respondents to focus on issues of institutional credibility compared to the control group. These effects are consistent with the general connotation of many free response answers; representative responses and common words for each topic appear in Appendix Tables A5–A6. In one case, a respondent expresses trust in the new institution since the new organization adheres to "principles used by the World Bank." Another cites "treaty borrowing from [a] credible institution" as important. These results provide supporting evidence that text borrowing increases institutional legitimacy and perceptions of liberality, in part by increasing the salience of the new institution's credibility and decreasing focus on potential institutional competition.

4 Conclusion

This paper explains how international treaties, which have rapidly proliferated in recent decades, strategically imitate the text of the liberal canon in order to coordinate themselves. We specifically highlight the trade-off between the discretion costs and legitimacy benefits that accrue from treaty imitation. We then model both the drivers and consequences of imitation. Countries with intermediate foreign policy preferences vis-á-vis the U.S. are most likely to pursue imitation since they receive significant legitimacy benefits from doing so while incurring relatively low discretion costs. Both observational and experimental evidence support our claim that new treaties receive legitimacy bumps from imitating the liberal canon.

Our findings revise and extend several influential bodies of scholarship, including those interested in the role of legitimacy in global governance (Hurd 1999; Voeten 2005; Buchanan and Keohane 2006; Tallberg and Zürn 2019), how international institutions coordinate themselves under regime complexity (Keohane and Victor 2011; Abbott et al. 2015; Henning and Pratt 2020; Green 2022), and the recycling of boilerplate language in trade agreements (Allee and Lugg 2016; Allee and Elsig 2019; Peacock, Milewicz and Snidal 2019). We unite these literatures, illustrating how the architects of new international agreements strategically imitate existing frameworks to signal their compliance with predominant rules and norms. We encourage future research to disentangle whether the legitimating effects of treaty imitation extend from international to domestic elites.

Scholars should also examine issue areas outside of the economic realm to determine if similar dynamics are at play. We believe that our contentions could plausibly generalize to several other domains of international cooperation. In regulatory environments like environmental cooperation and nonproliferation, harmonization can similarly be beneficial both for political and efficiency reasons; these are high stakes settings where legal ambiguity and contestation with established norms could have dire consequences.

Last, this research carries important policy implications. We show that core treaties of the liberal order, including the charter of the Bretton Woods institutions and GATT, are subject to

the most borrowing historically, and that borrowing from these treaties remains common today. Our experimental evidence also shows that U.S.-led agreements are perceived to be significantly more legitimate than those dominated by China as the main challenger to the liberal order across a diverse population of elites. Together, these findings suggest that the liberal order may not be as weak as some suggest even amidst populist attacks and the rise of China (Colgan and Keohane 2017; Borzel and Zürn 2021; Farrell and Newman 2021). Instead, liberal treaties remain broadly legitimate, resilient, and influential.

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5 Appendix

	Dependent variable: Imitation		
	Narrow Canon	Expanded Canon	Inclusive Canon
Aligned with US	0.040***	−0.016**	−0.025***
	(0.015)	(0.007)	(0.007)
Opposed to US	−0.037***	−0.010*	0.002
	(0.009)	(0.006)	(0.006)
Number of Countries	0.0004	−0.004***	−0.004***
	(0.004)	(0.001)	(0.001)
Prior Treaty Experience	0.029***	0.051***	0.047***
	(0.006)	(0.004)	(0.004)
Avg GDP	0.004***	0.003***	0.002***
	(0.001)	(0.0004)	(0.0004)
Avg Polity	0.004***	0.003***	0.002***
	(0.001)	(0.0004)	(0.0004)
Membership Overlap	0.037***	0.023***	0.031***
	(0.010)	(0.008)	(0.008)
Multilateral Borrower	−0.059	0.066**	−0.070***
	(0.040)	(0.027)	(0.018)
Time Polynomial	✓	✓	✓
Issue Area FE	✓	✓	✓
Observations	29,091	133,809	182,345

Table A1: **Determinants of Treaty Imitation, Alternate Foreign Policy Preference Coding**. Linear models estimating the predictors of imitated treaty text. New treaties are coded as Aligned with US if the average UN ideal point distance between treaty members and the US is in the bottom quartile of the sample; those in the bottom quartile are coded as Opposed to US. *p$<$0.1; **p$<$0.05; ***p$<$0.01.

	Dependent variable: Imitation		
	Narrow Canon	Expanded Canon	Inclusive Canon
Ideal Point Distance	−0.412***	−0.198	−0.125
	(0.106)	(0.249)	(0.311)
Ideal Point Distance^2	0.169***	0.397***	0.488***
	(0.059)	(0.137)	(0.171)
Ideal Point Distance^3	−0.028***	−0.093***	−0.113***
	(0.010)	(0.022)	(0.028)
Number of Countries	0.023***	−0.001	−0.019
	(0.004)	(0.009)	(0.012)
Prior Treaty Experience	0.087***	0.770***	1.082***
	(0.022)	(0.050)	(0.063)
Avg GDP	0.029***	−0.063**	−0.036
	(0.011)	(0.026)	(0.032)
Avg Polity	0.009***	0.047***	0.055***
	(0.003)	(0.008)	(0.010)
Multilateral Borrower	−0.072	1.174***	−1.096***
	(0.075)	(0.174)	(0.218)
Time Polynomial	✓	✓	✓
Issue Area FE	✓	✓	✓
Observations	9,695	9,695	9,695

Table A2: **Determinants of Treaty Imitation, Borrower-Level Analysis**. Results of linear models estimating the predictors of imitated treat text. Statistical significance is denoted by: *p<0.1; **p<0.05; ***p<0.01.

Organization	Number of Respondents
World Bank	140
Asian Development Bank	125
African Development Bank	25
Inter-American Development Bank	24
International Fund for Agricultural Development	24
Islamic Development Bank	10
West African Development Bank	6
Latin American Development Bank	3
Asian Infrastructure Investment Bank	3
Eastern and Southern African Trade and Development Bank	3
Economic Community of West African States	3
World Trade Organization	3
Association of Southeast Asian Nations	2
Caribbean Community	1
Cooperation Council for the Arab States of the Gulf	1
Economic Cooperation Organization	1
Eurasian Development Bank	1

Table A3: **Survey Respondents by IO of Employment.**

	Dependent variable:			
	Confidence (Central IO)	Confidence (Employer IO)	Collaboration (Central IO)	Collaboration (Employer IO)
	(1)	(2)	(3)	(4)
Imitation	0.097	0.094**	0.265	0.301**
	(0.103)	(0.047)	(0.312)	(0.151)
Members	-0.092	-0.118^*	-0.000	-0.000
	(0.090)	(0.067)	(0.004)	(0.003)
China	-0.193^{**}	-0.224^{***}	-0.598^*	-0.569^{**}
	(0.079)	(0.060)	(0.312)	(0.278)
Observations	283	323	377	323
Adjusted R^2	0.010	0.017	0.005	0.004

Table A4: **Effect of Imitation on Perceptions of Legitimacy by IO source.** Standard errors are clustered by respondent employer. Statistical significance is denoted by: *p<0.1; **p<0.05; ***p<0.01.
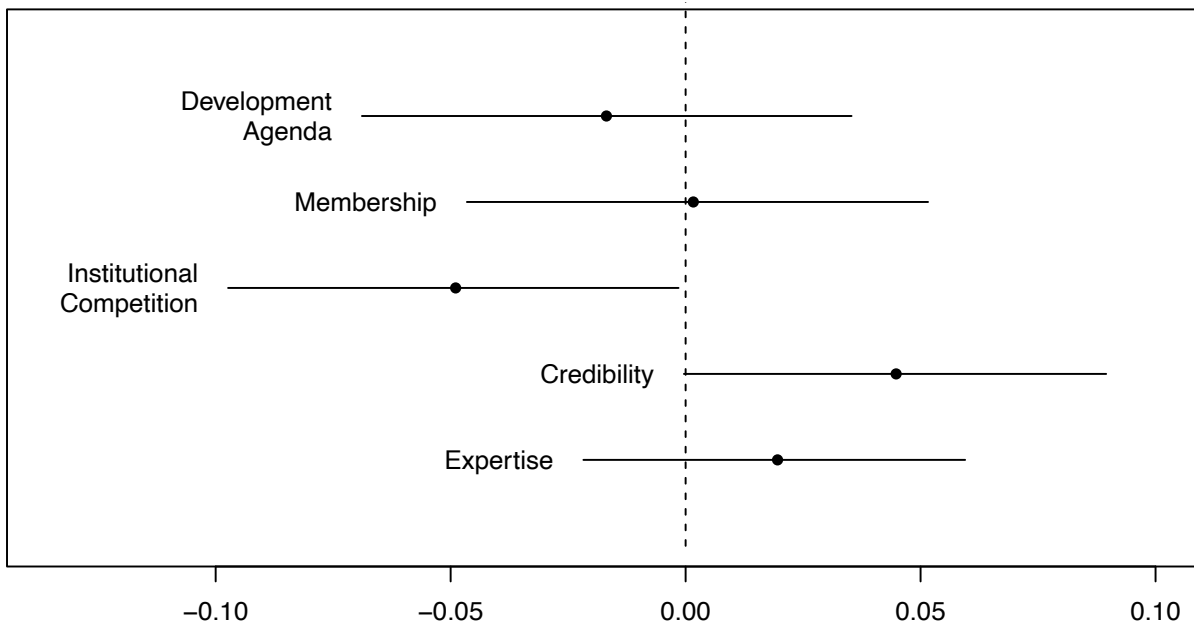
Figure A1: **Effect of Treaty Imitation on Free Responses**. Estimated effect of the treatment (text borrowing) condition on the proportion of respondents' free response answers attributed to five topics, with 95% confidence intervals.
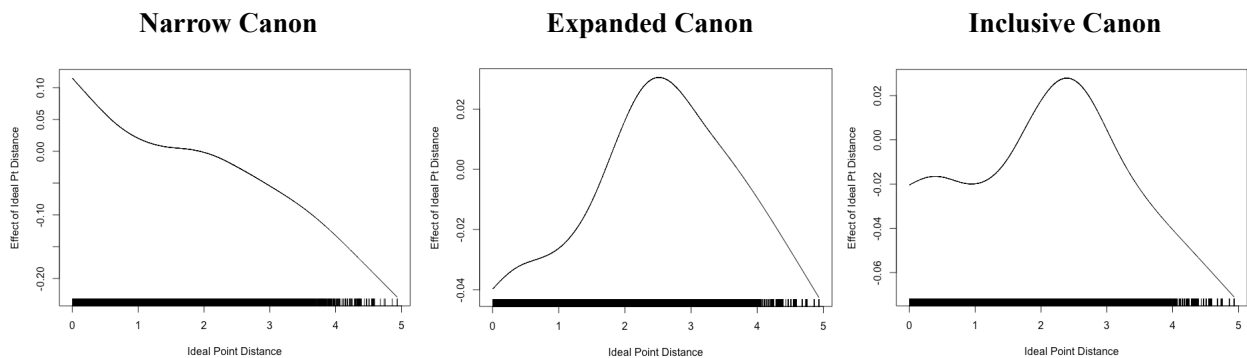

Figure A2: **Effect of Ideal Point Distance on Imitation, Generalized Additive Model**. Estimated effect of UN Ideal Point Distance from the United States on treaty imitation. We replicate the regression models from Table 1, using the "GAM" package to estimate the nonparametric effect of Ideal Point Distance.

Topic 1: Development Agenda

1. Inflation and its impact. 2. Pandemic and mitigation plans 3. Infrastructure development. 4. Low/uneven recovery of loans. 5. Political and economic unrest.

The membership of the organization may impact its priorities. While it may operate following the World Bank, it should be more responsive to the developing countries' plans as well as capacity to implement and repay loans.

1. Localization of development agendas. 2. Composition of loans, grants. 3. Interest rate and terms of credit facility. 4. Political independence and credibility of the organization.

Development oriented, transparent, works with local capacity, participatory development, partnership

Topic 2: Membership

The number of states is increased and will influence a measure of equity in decision making despite the veto power of a single member

With only 5 states, the organization signals the founder is focusing their efforts rather than making it ubiquitous.

Location of Headquarters; Balance of power among member states; Number of member states.

Has to be equal representation for all member States in consultation & decision making.

Topic 3: Institutional Competition

The new organization will bring some additional value by competing with existing ones. It will ensure more efficient, context relevant and result-focused financing offers with comfortable terms.

The new organisation could have a negative impact on the universalism of the World Trade Organisation, which should control the entirety of the multilateral trading system. The hypothetical organisation could displace trade liberalization from the WTO to a regional or interregional organisation.

China is a highly partisan country serving the interests of its own political party. Any multilateral institution coming from its stable will be highly doubtful both in terms of its integrity and also its genuine intentions.

Cofinancing would require the new organization to align to our standards, therefore confidence is only part of the issue...The development space is very well aware of how to partner with politically-driven cofinanciers.

Topic 4: Trust/Credibility

There will be various issues for establishing a credible international organization...it will be fruitful if it can do what the other credible organizations cannot do or achieve yet.

Anti-corruption policy; Respect for the environment; knowledge transfer; use of technologies; Effectiveness in the execution; Non-interference in internal affairs

The USA can not be a trusted ally, we saw that in case of abandoning Afghanistan (twice)

Topic 5: Expertise

Specialization and division of work.

Technically and financially sound, Good reputations, pull of experts, contextually acceptable, professionally sound.

Experience of similar MDBs functioning on the basis of such creation and organizational structure and their market as well as public information / reputation

Demonstrated experience in similar work

Table A5: **Representative Responses in Each Topic**. Four responses were selected from the top 10 most representative responses for each topic. Responses are adjusted for typos and brevity.

Topic 1: Development Agenda

Highest Probability: develop, organ, factor, financi, govern

FREX: financi, commit, social, toward, come

Topic 2: Membership

Highest Probability: member, state, power, organ, project

FREX: member, make, gender, past, beij

Topic 3: Institutional Competition

Highest Probability: countri, develop, will, polit, new

FREX: organis, serv, main, promot, best

Topic 4: Trust/Credibility

Highest Probability: china, organ, world, bank, will

FREX: china, invest, climat, knowledg, now

Topic 5: Expertise

Highest Probability: experi, strategi, previous, fund, object

FREX: previous, fund, answer, busi, offic

Table A6: **Highest Probability and Most Frequent and Exclusive Words in Each Topic**. For each of the five topics in the STM, we display the 5 highest probability word stems, as well as those that are most frequent and exclusive (FREX) to the topic.
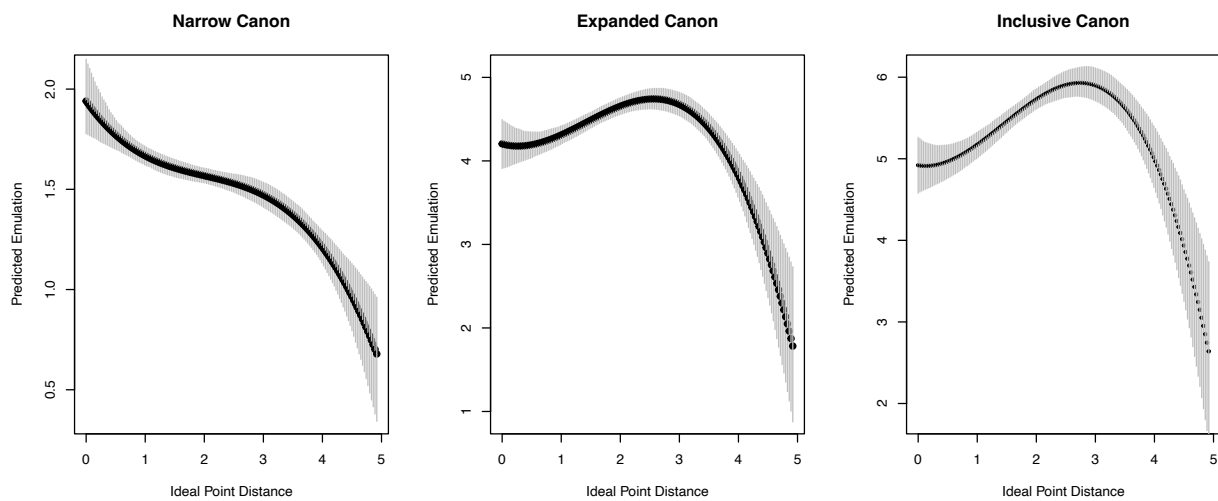
Figure A3: **Effect of Ideal Point Distance on Imitation, Borrower-Level Analysis**. Estimated effect of UN Ideal Point Distance from the United States on treaty imitation. Results are based on regression models from Table A1. Confidence intervals are calculated via 1,000 bootstrapped samples.