Handbook of Transnational Governance
Handbook of Transnational Governance

Institutions and Innovations

Edited by
Thomas Hale and David Held

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Notes on Contributors


Dr Reinhard Biedermann is Assistant Professor at the Department of Global Politics and Economics at Tamkang University in Taiwan, and at the Graduate Institute of European Studies at the same university. He worked for the German nongovernmental organization Misereor on globalization and was a post-doctoral researcher at the Law Institute of Academia Sinica in Taipei, Taiwan. Besides his research focus on globalization and corporate social responsibility, he also publishes on trade and security relations between the EU and East Asia.

Dr Kathrin Böhling, Assistant Professor in the Department of Forest and Environmental Policy at Munich Technical University, has developed a particular interest in the emergence and diffusion of multi-stakeholder arrangements as a standard in global governance. Currently, she looks at the role of these arrangements in the resolution of conflict in environmental governance. Prior to her work at Munich Technical University, Kathrin was a member of the Social Science Research Centre in Berlin.

Daniel D. Bradlow is SARCHI Professor of International Development Law and African Economic Relations at the University of Pretoria, South Africa, and Professor of Law at American University Washington
College of Law in Washington, DC. He is also the Chair of the Roster of Experts for the Independent Review Mechanism at the African Development Bank.

Rainer Braun is a political scientist in New York. He teaches at Columbia University and Long Island University, where he is the research coordinator for the graduate United Nations Program. His research interests are political development, human rights and corporate social accountability.

Rainer has worked as a consultant with various organizations in the field of corporate social responsibility. He is currently advising the Office of the New York State Comptroller on human rights related policies for its investment portfolio. In the past, his human rights related work included positions with the National Human Rights Commissioner of Honduras and the Friedrich Ebert Foundation. Rainer holds a BA in Political Science and Economics from the University of Bremen and an MA from the Free University of Berlin, where he is currently finishing his Ph.D. in International Political Economy.

Carlos Bruen is a researcher and Ph.D. candidate in the Division of Population Health Sciences, Royal College of Surgeons in Ireland. His research focuses on global health governance and policy, including the emergence and evolution of new global health initiatives, and the role of individuals, organizations and networks in shaping health systems responses and institutional change. He also assists with coordination activities for the Global HIV/AIDS Initiatives Network (GHIN), a network of researchers from twenty-two countries (www.ghinet.org). Prior to this he completed an M.Sc. in Equality Studies in University College Dublin (UCD), after which he worked as a teaching and research fellow at the UCD Equality Studies Centre, responsible for modules on global politics and development.

Notes on Contributors

Professor Dr Monica den Boer holds the Police Academy Chair on Comparative Public Administration, in particular the Internationalization of the Police Function, at the VU University Amsterdam, and is Professor at the College of Europe in Bruges. Her publications focus on European law enforcement cooperation, with a more recent focus on the ethical aspects of international counter-terrorism governance and surveillance. Within the European Commission-sponsored INEX project, she carries responsibility for international research on ethical values of security professionals.

Radoslav S. Dimitrov is Associate Professor of Political Science at the University of Western Ontario. He participates in UN environmental negotiations as government delegate for the European Union, UN rapporteur for the Earth Negotiation Bulletin, and consultant to the World Business Council for Sustainable Development. His research on global institutions, environmental regimes, the science–policy connection and norms in world politics is published in Science and International Environmental Policy: Regimes and Nonregimes in Global Governance (Rowman and Littlefield, 2006), and articles in International Studies Quarterly, International Studies Review, Global Environmental Politics and the Journal of Environment and Development.

Marie-Laure Djelic is Professor in Management at ESSEC Business School, France. She has published in many different outlets on capitalism and its transformation, and on the diffusion of practices, ideas and organizational forms, as well as on globalization and its governance. She is, in particular, the author of Exporting the American Model (Oxford University Press, 1998) – which obtained the 2000 Max Weber Award for the Best Book in Organizational Sociology from the American Sociological Association. She has also edited, together with Kerstin Sahlin-Andersson in 2006, Transnational Governance, and, in 2010, with Sigrid Quack, Transnational Communities: Shaping Global Economic Governance (both for Cambridge University Press).

Navroz K. Dubash works on climate change policy and politics, global environmental governance, the political economy of energy in India and Asia, and environmental governance in India. In addition to publishing in various journals, he is also active in Indian policy fora, has a long history of engagement with civil society in India and globally, and is on the editorial board of several international journals. Dr Dubash holds an AB in Public Policy from Princeton University, and MA and Ph.D. degrees from the University of California, Berkeley.
Niklas Egels-Zandén, Ph.D., is Director of the Centre for Business in Society at the School of Business, Economics and Law, University of Gothenburg, Sweden. His areas of research are international business and corporate social responsibility, especially in relation to multinational corporations in emerging economies. He has previously published in, for example, *Journal of Business Ethics, Business Ethics: A European Review, Business Strategy and the Environment* and *Journal of Corporate Citizenship*.

Elizabeth Elwakeil is a graduate student in the Department of Political Science at Iowa State University. Her research interests primarily involve international relations, with specific concentration on Middle East affairs.

Randall Germain is Professor of Political Science at Carleton University, Canada. His scholarly publications include *The International Organization of Credit: States and Global Finance in the World-Economy* (Cambridge University Press, 1997) and *Global Politics and Financial Governance* (Palgrave, 2010). He is also editor of *Globalization and Its Critics: Perspectives from Political Economy* (Palgrave, 2000), and co-editor, with Michael Kenny, of *The Idea of Global Civil Society: Politics and Ethics in a Globalizing Era* (Routledge, 2005). He is currently Chair of the Department of Political Science.

Professor Jessica F. Green is Assistant Professor of Political Science at Case Western Reserve University. She received her Ph.D. from the Woodrow Wilson School of Public and International Affairs at Princeton University. Her research focuses on the ways that private actors make rules and set standards in world politics, particularly in the environmental arena. She holds an MPA in Public Policy from Columbia University and a BA from Brown University. She has worked with the United Nations University in New York and Tokyo, the UN Framework Convention on Climate Change, and the World Resources Institute.

Thomas Hale is a Ph.D. candidate in the Department of Politics at Princeton University. His research focuses on the governance of transnational problems such as climate change and commercial dispute resolution. He has written on the role of private actors in global governance, the accountability of international organizations, East Asian regionalism, innovative governance mechanisms, and transnational democracy. He holds a Master’s degree in Global Politics from the London School of Economics, and an AB in Public Policy from Princeton’s Woodrow Wilson School.
Dr Johanna Hanefeld is an honorary research fellow in the Department for Global Health and Development at the London School of Hygiene and Tropical Medicine (LSHTM). There, she recently completed her Ph.D., a policy analysis focusing on policy implementation processes relating to the roll-out of antiretroviral treatment in Zambia and South Africa, taking a special interest in the role of global health initiatives. She has extensive research experience in Sub-Saharan Africa and the Caribbean, mainly focusing on HIV/AIDS, health and human rights in Africa. Prior to joining LSHTM, Johanna worked as a researcher at Amnesty International and the Coordinator of the Panos Global AIDS Programme. Johanna now works for the WHO EURO Region on Social Determinants of Health.

Andrew Harmer is a research fellow in the Department of Global Health and Development at the London School of Hygiene and Tropical Medicine (LSHTM). A political scientist by training, his research has focused primarily on global health partnerships and initiatives. He is a coordinator of the Global Health Initiatives Network (www.ghinet.org), a network of researchers exploring the effects of global health initiatives on scale-up of HIV/AIDS services at sub-national level in countries across Africa, Europe and Asia. His research also explores synergies between public health and international relations theory, particularly constructivist approaches to global health governance and globalization. His interest in ideas and discourse is reflected in publications in various journals.

Nathaniel Harris is a graduate student in the Department of Political Science at Duke University. His primary research interests include non-state actors in global politics, global governance, and international relations theory, as well as human security. Substantively, his current research focuses on the influence of international human rights instruments and the impact of conflict and violence on global health.

David Held is the Graham Wallas Chair in Political Science, and co-Director of LSE Global Governance, at the London School of Economics. Among his most recent publications are Cosmopolitanism: Ideals and Realities (2010), Globalisation/Anti-Globalisation (2007), Models of Democracy (2006), Global Covenant (2004), Global Transformations: Politics, Economics and Culture (1999) and Democracy and the Global Order: From the Modern State to Cosmopolitan Governance (1995). His main research interests include the study of globalization, changing forms of democracy and the prospects of regional and global governance. He is a director of
Polity Press, which he co-founded in 1984, and General Editor of *Global Policy*.

**David Hess** is an associate professor of Business Law and Business Ethics at the Ross School of Business at the University of Michigan. Professor Hess has a Ph.D. in Management from The Wharton School of the University of Pennsylvania and a JD from the University of Iowa College of Law. His work on corporate accountability has appeared in such journals as *Business Ethics Quarterly, Journal of Business Ethics, Journal of Corporation Law* and the *Michigan Law Review*.

**Anna Holzscheiter** is Lecturer in International Relations at the Free University Berlin. Her theoretical research focuses on the theory and analysis of discourse in the discipline of International Relations, on constructivist theories of power and on the role of nongovernmental actors in world politics. Empirically, she has focused on international law in the field of children’s rights and on contending policy discourses and policy coordination in the global governance of HIV/AIDS.

**Carola Kantz** currently works as a consultant for stakeholder relations and sustainability issues in the energy and mobility sectors. Prior to this, she taught in the International Relations Department at the London School of Economics and worked as a freelance consultant on corporate social responsibility issues in the extractive industries. She received her Ph.D. from the London School of Economics. Her doctoral thesis is titled ‘Precious Stones, Black Gold and the Extractive Industries: Accounting for the Institutional Design of Multi-stakeholder Initiatives’.

**Dimitrios Katsikas** is a ‘Stavros Costopoulos’ Research Fellow at the Hellenic Foundation for European and Foreign Policy. He has been recently elected Lecturer of International and European Political Economy at the University of Athens. His research interests include non-state actors, the institutions of global governance, political authority and democracy in the context of multilevel global governance, and transnational business and financial regulation.

**Eun-Hee Kim** is Assistant Professor of Strategic Management and Public Policy at the George Washington University. She received her Ph.D. from the University of Michigan, Ann Arbor, in 2009. Her work ‘Strategic Environmental Disclosure’ is forthcoming in the *Journal of Environmental Economics and Management* (with Tom Lyon). She is currently working on several topics including environmental regulation, renewable energy and symbolic management.
Notes on Contributors

John Kirton is co-Director of the G20 Research Group and Director of the G8 Research Group, as well as co-Director of the Global Health Diplomacy Program, all based at Trinity College at the Munk School of Global Affairs at the University of Toronto, where he is a professor of Political Science.

Mathias Koenig-Archibugi is Senior Lecturer in Global Politics at the London School of Economics and Political Science and Research Fellow at LSE Global Governance. His work is published in the European Journal of International Relations, International Organization, Philosophy & Public Affairs, and other journals. He edited New Modes of Governance in the Global System, with Michael Zürn (Palgrave, 2006) and Global Governance and Public Accountability, with David Held (Blackwell, 2005).

Meredith R. Koparova is the Director of Programs at the INECE Secretariat. Mrs Koparova’s main areas of work include communicating the importance of environmental compliance and enforcement, delivering capacity building programmes on performance measurement indicators, and supporting INECE projects on climate compliance and seaport environmental security.

Jonathan Koppell is Director of the School of Public Affairs at Arizona State University where he also holds the Lattie and Elva Coor Presidential Chair. He is the author of World Rule: Accountability, Legitimacy and the Design of Global Governance (University of Chicago Press, 2010), an empirical study of the structure of twenty-five global rule-making organizations, as well as The Politics of Quasi-Government: Hybrid Organizations and the Dynamics of Bureaucratic Control (Cambridge University Press, 2003).

Dirk Lehmkuhl is Professor of European Politics at the University of St Gallen in Switzerland. His teaching and research portfolio includes issues on European public policies and EU external governance, comparative regional integration, the contribution of non-state actors to global governance and the legalization of transnational relations. He is Academic Director of the BA and MA Programmes in International Affairs and Governance at the University of St Gallen.

Thomas P. Lyon is the Director of the Erb Institute for Global Sustainable Enterprise at the University of Michigan. He holds the Dow Chair of Sustainable Science, Technology and Commerce, with appointments in both the Ross School of Business and the School of Natural Resources and Environment. Professor Lyon is a leader in
using economic analysis to understand corporate environmental strategy and how it is shaped by emerging government regulations, nongovernmental organizations and consumer demands. His book *Corporate Environmentalism and Public Policy* (2004), published by Cambridge University Press, is the first rigorous economic analysis of this increasingly important topic. His current research focuses on corporate environmental information disclosure, greenwashing, the causes and consequences of renewable energy policy, and voluntary programmes for environmental improvement.

**Kate Macdonald** is a lecturer at the University of Melbourne, having held previous positions at the London School of Economics and Political Science, the Australian National University, and Oxford University. Her current research focuses on social, labour and human rights governance arrangements and their implications for developing countries. She has carried out research and consultancy work on these topics for a range of nongovernmental organizations including Amnesty International, Action Aid Australia and the UK’s Corporate Responsibility Coalition.

**Ross MacKenzie** is a lecturer in health studies at Macquarie University in Sydney. He has worked on tobacco control research projects at the School of Public Health, University of Sydney; the Cancer Council New South Wales; the Centre on Global Change and Health at the London School of Hygiene and Tropical Medicine; and Action on Smoking and Health (ASH) Thailand in Bangkok. He has published articles on topics ranging from tobacco industry operations in Southeast Asia to media influence on government subsidization of medicine.

**Kenneth Markowitz** is the Managing Director of the INECE Secretariat, President and founder of Earthpace LLC, and Senior Climate Change Consultant for Akin Gump Strauss Hauer & Feld. Mr Markowitz plays a central role in the management of INECE and has headed INECE initiatives to strengthen compliance, improve investor confidence and ensure environmental integrity in carbon markets, bringing together regulators, business and civil society around the world.

**Donato Masciandaro**, born in Italy in 1961, is Full Professor of Economics, Chair in Economics of Financial Regulation, at Bocconi University. He is head of the Department of Economics and Director of the Paolo Baffi Centre on Central Banking and Financial Regulation. He is a Board member of the SUERF (The European Money and Finance Forum). Formerly he served as a visiting scholar at the IMF Institute, as well as Consultant at the United Nations. He is Associate Editor

**Ivan Montiel** is an assistant professor of Corporate Sustainability at College of Business Administration at Loyola Marymount University. He received his Ph.D. in Environmental Science & Management at the University of California. His research interests include how organizations can design socially responsible and sustainable strategies while remaining competitive. He is currently working on several research projects analysing environmental behaviour of firms in Mexico.

**Dr Elisa Morgera** is Lecturer in European Environmental Law at University of Edinburgh School of Law, UK. She specializes in European, international and comparative environmental law and has published in the area of environmental integration in the European Union external relations, biodiversity law, and corporate environmental accountability (including the monograph *Corporate Accountability in International Environmental Law* (Oxford University Press, 2009).

**Andria Naudé Fourie** is Assistant Professor of Public International Law at the Erasmus School of Law, Rotterdam, in the Netherlands. She completed her Ph.D. on the World Bank’s Inspection Panel in 2009 (*cum laude)*.

**Andreas Nölke** is Professor of Political Science, in particular International Relations and International Political Economy, at Goethe University Frankfurt. He is co-editor of *The Transnational Politics of Corporate Governance Regulation* (Routledge, 2007) and *Transnational Private Governance and its Limits* (Routledge, 2008), and has published in journals such as *World Politics, Review of International Political Economy* and *Journal of Common Market Studies*.

**Philipp Pattberg** is Associate Professor of Transnational Governance, Department of Environmental Policy Analysis, Institute for Environmental Studies (IVM), VU University Amsterdam, the Netherlands. He acts as the deputy-director and research coordinator of the international Global Governance Project, a joint research programme of leading European universities, and is currently Management Committee Chair of the European COST Action ‘The

**Chip Pitts** is a lecturer in Law at Stanford Law School and Oxford University, and Professorial Fellow at the SMU Law Institute of the Americas. His teaching, research and writing focuses on ethical globalization, corporate social responsibility, sustainable development and business/human rights. Previously a partner at Baker & McKenzie global law firm, then Chief Legal Officer of Nokia, Inc., he is former Chair of Amnesty International USA, an Advisor to the UN Global Compact, and a frequent delegate to UN conferences. He is co-author and editor of the recent book *Corporate Social Responsibility: A Legal Analysis* (LexisNexis, 2009) (the royalties for which all go to sustainability and business/human rights charities).

**Tony Porter** is Professor of Political Science at McMaster University in Hamilton, Canada. His most recent books are *Globalization and Finance* (Polity Press, 2005) and *The Challenges of Global Business Authority: Democratic Renewal, Stalemate, or Decay?* (SUNY Press, 2010), co-edited with Karsten Ronit.

**Matthew Potoski** is a professor in the Department of Political Science at Iowa State University where he teaches courses on public management and policy. He has received Iowa State University LAS awards for Early and Mid-Career Achievement in Research. He is co-Editor of the *Journal of Policy Analysis and Management* and the *International Public Management Journal*. He is co-author with Aseem Prakash of *The Voluntary Environmentalists* (Cambridge, 2006) and co-Editor of *Voluntary Programs: A Club Theory Approach* (MIT, 2008).

**Ian Roberge** is Department Chair and Associate Professor in the Department of Political Science, Glendon College, York University, in Toronto, Ontario, Canada. Professor Roberge’s research focuses on organized crime, money laundering and terrorism financing, as well as on financial services sector regulation. He holds a Ph.D. in Comparative Public Policy from McMaster University in Hamilton, Ontario.

**Robert J. S. Ross** is Professor of Sociology and Director of the International Studies Stream at Clark University, where he has been since 1972. He has held visiting positions at MIT, Harvard, Michigan and Wheaton. Ross is the author of *Slaves to Fashion: Poverty and Abuse in the New Sweatshops* (Michigan University Press, 2004) and numerous journal and magazine articles about the global apparel industry. With

**Verónica Rubio Vega** is a Global Governance Ph.D. student at Wilfrid Laurier University (Balsillie School of International Affairs). She holds an MA in Globalization Studies from McMaster University in Canada. Her academic interests focus on the political economy of Latin America regarding issues such as Latin American countries’ scope for participation in global policymaking and in the ongoing reconfiguration of financial governance. She has previously conducted research on international labour and taxation mechanisms and also worked in the private telecommunications industry in Ecuador.

**Dr Charlotte Streck** is Director of Climate Focus and a former Senior Counsel with the World Bank in Washington, DC. Charlotte has been actively involved in climate change policy and carbon projects throughout her career and has worked on, among other things, the setting-up of several of the World Bank’s carbon funds. Charlotte is an advisor to numerous governments, private companies, foundations and non-for-profit organizations, and is actively involved in the debate around the development of new carbon finance mechanisms in the area of reducing emissions from deforestation, climate-resilient agriculture, national and international climate frameworks, and a reform of the current Kyoto Mechanisms. She serves on several advisory and editorial panels and serves as lead counsel for climate change with the Center for International Sustainable Development Law at McGill University.

**Halina Szejnwald Brown** is Professor of Environmental Science and Policy at Clark University, Worcester, Massachusetts. Currently she works in the areas of environmental policy, socio-technical innovation for sustainability, the role of the corporate sector in sustainability transition, and sustainable consumption. Brown received a Ph.D. degree in Chemistry from New York University, and, prior to joining Clark University, she was a chief toxicologist at the Massachusetts Department of Environmental Protection. Brown has served on numerous advisory panels, including: the National Academy of Science; Environmental Protection Agency; Massachusetts Toxic Use Reduction Institute; National Science Foundation; and American Association for the Advancement of Science. She is a fellow of the International Society for Risk Analysis, a fellow of the American Association for the Advancement of Science, and a co-founder of Sustainable Consumption Research and Action Initiative (SCORAI).
Helmut Weidner, political scientist, is Senior Researcher at the Social Science Research Center (WZB) and Adjunct Professor at the Free University Berlin. His major topics of research include cross-national analysis of environmental policy and capacity building; climate policy and equity; mining and sustainable development. Selected publications include: ‘Capacity Building for Ecological Modernization: Lessons from Cross-National Research’ in American Behavioral Scientist (2002), and ‘German Climate Change Policy: A Success Story with Some Flaws’ in The Journal of Environment & Development (with Lutz Mez, 2008).

Christopher Wright is Senior Researcher at the Center for Development and Environment at the University of Oslo. His research interests are in the field of international political economy, focusing on the interplay between international finance and the global politics of human rights and the environment.

Kevin Young is LSE Fellow in Global Politics at the London School of Economics and Political Science (LSE) in the Department of Government. His research interests include global financial governance, interest group theory and international political economy. His empirical research focuses on the politics of financial regulation and financial sector lobbying, at the national and global levels. He teaches classes on globalization and international political economy.

Durwood Zaelke is founder and President of the Institute for Governance & Sustainable Development (IGSD) in Washington, DC, and Geneva; the founding Director of the Secretariat for the International Network for Environmental Compliance & Enforcement; co-founder of the Program on Governance for Sustainable Development at the University of California, Santa Barbara’s Bren School of Environmental Science & Management; and co-founder of the Center for International Environmental Law. In 2005, Mr Zaelke published Making Law Work: Environmental Compliance and Sustainable Development (with Kaniaru and Kruiková), a two-volume analysis of the best literature on environmental compliance and enforcement; the publication includes ‘What Reason Demands: Making Law Work for Sustainable Development’ by Zaelke, M. Stilwell and O. Young. Mr Zaelke also directs IGSD’s efforts to promote fast-action climate mitigation strategies, including: reducing black carbon, expanding the use of biochar, and continuing to strengthen the Montreal Protocol ozone treaty to protect the climate.
Preface

Our world is changing, and with it the institutions that govern us. Globalization has altered the social, economic and ecological relations between people around the world, creating a host of new policy challenges. Overambitious mortgages in the United States can take the livelihoods from people in Iceland. The health infrastructure in Indonesia can affect how many people will die of flu in Mexico. Rates of car ownership in China can affect national survival for the people of Tuvalu.

Policymakers and scholars have long recognized that our preeminent political institution, the sovereign state, is deeply challenged by problems that fall outside its territorial jurisdiction. Moreover, the traditional institutions that states use to address transborder problems – treaties and intergovernmental organizations – have also proven wanting. On a range of pressing global policy issues today – the Doha trade round, negotiations over climate change, financial regulation, nuclear non-proliferation, etc. – countries seem unable to cooperate effectively. The consequences of these stalemates for the lives of people around the world are severe.

But there is more to contemporary global governance than simply state, behaviour and the formal treaties and intergovernmental organizations they create. We live in a period of remarkable institutional innovation in global politics. States are engaging each other outside of traditional diplomatic channels, linking ‘domestic’ officials into transgovernmental policy networks. Private actors like nongovernmental organizations and companies are engaging in rule-making, implementation, monitoring, enforcement and service provision – that is, in governance – at all levels, either as the partners of states or intergovernmental organizations, or as private authorities in their own right. New modes of accountability and enforcement based on capacity building, transparency, market incentives or moral suasion are joining formal rules as key features of the governance architecture.

These and other new institutional forms are widely recognized in the literature but, in our view, remain poorly understood. They do
not always fit comfortably with the leading academic theories of
global politics. This is unfortunate, because in many areas these new
institutions are increasingly important features of the political land-
scape with profound impacts on people’s lives. From healthcare, to
financial governance, to human rights, to the environment, some of
the governance institutions that matter most are not the kind
of state-to-state institutions imagined by the leading theories. This is
a striking empirical development that students of global politics must
account for.

Given the all-too-visible inadequacies of existing intergovernmen-
tal institutions, institutional innovation matters for normative
reasons as well. To the extent institutional design affects policy out-
comes – and we believe it often does – institutional innovation rep-
resents, potentially, an important means to confront the challenges
of an increasingly globalized world. While by no means a panacea,
institutional design is one of the few factors policymakers can control.
It therefore behooves us to study emerging forms of transnational
governance seriously.

The first step is to understand what, exactly, has changed. Despite
widespread attention in the literature to broad trends and individual
examples, no comprehensive map of new transnational political insti-
tutions exists. This volume aims to change that by providing an indic-
ative sample of over fifty cases. Our goal is to promote further research
on the causes behind these changes, as well as their implications.

This map was originally envisioned as an online wiki that would
collect and update examples of innovative governance institutions in
real time. However, as is often the case in global politics, the most
functionally efficient solution was not the one that proved compati-
ble with the incentives of the relevant actors, as the exigencies of
academic life continue to favour words that appear on paper over
words rendered in electrons. But happily, the project’s central goal
of providing an empirical baseline of innovative transnational gov-
ernance mechanisms has not suffered in the transition from wiki
to book. Indeed, we believe the entries that follow will give the
reader an excellent understanding of what is new in transnational
institutions.

Many individuals and institutions have proven invaluable along the
way. Conceptual and practical guidance came from an advisory board
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T. H. and D. H.
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Governance institutions alter over time, often dramatically. Human societies have ruled themselves through tribes, city states, empires, kingdoms, leagues, confederations, nation states, and many variations thereon. The institutions that cut across and link these polities – transborder institutions – change as well. Records of treaties date back to the first permanent settlements (Tucker 1965). It was only in the last century, however, and especially since the Second World War, that the formal treaties and intergovernmental organizations we are familiar with became so numerous and authoritative.

But contemporary changes in global politics go beyond just the increasing number and importance of treaties and intergovernmental organizations. We live in a remarkable period of institutional innovation in transnational governance, with different types of institutions – some with historical antecedents, some unprecedented – playing a crucial role. This volume seeks to map these changes.

Consider a few examples. Following the 2008–9 global financial crisis, financial regulation has become a top concern of policymakers around the world. Much of this regulation is drawn up not simply by national politicians and diplomats, but by networks of government regulators, international bureaucrats and, in many cases, representatives of the regulated industries. Such networks, like the Basel Committee on Banking Supervision (chapter 2) or the International Association of Insurance Supervisors (chapter 8), develop technical standards that profoundly shape the global economy.

In the environmental realm, countries have frequently failed to negotiate and enforce the rules needed to sustain the ecosystems and natural resources on which we depend. But private groups have gone ahead and developed their own standards and regulations, ‘enforcing’ them through innovative techniques like labelling schemes that allow consumers to choose green products over damaging ones (chapters 33, 39).

Even the institutions governing such a basic concern as health have evolved. Developing countries’ healthcare systems are increasingly
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 guided by global initiatives like the International Health Partnership and its related initiatives (chapter 23), a multisectoral, expert-driven consortium of donor countries, international organizations and a private organization, the Bill and Melinda Gates Foundation. In order to receive funds from these sources – which can mean life or death for millions of people – countries must design their healthcare delivery systems according to the experts’ directives.

Examples like these raise three fundamental questions. What has changed, why has it changed, and what are the implications of these changes? This volume, a survey of innovative transnational governance institutions, addresses the first of these questions with the hope of opening a path to further research on the other two. While many observers have recognized changes in transnational governance, never has such a broad sample of institutional innovations been gathered together. Such an empirical baseline is needed for sound theorizing of the causes and effects of innovations in transnational governance.

The Handbook’s goal is to push forward a debate on institutional change at the transborder level that has been carried out predominantly in very broad or very narrow terms. On the broad end of the spectrum, some scholars have identified contemporary transnational governance institutions as partial or even complete replacements for national governments, predicting an epochal shift in political institutions (Strange 1996; Zürn and Leibfried 2005; Rosenau 2007). For example, a number of observers have declared a ‘neo-medieval’ period in politics, in which globalization renders political institutions increasingly overlapping and pluralistic (Korbin 1999). Others speak of a ‘postnational constellation’ (Habermas 2001) or of increasing sectoral autonomy and self-regulation (Teubner 1983) Slaughter (1997, 2004), in turn, identified transnational networks of government officials as a novel form of governance, but one that continued to rely on the state. By ‘disaggregating’ sovereignty and allowing the state — or parts of it — to act transnationally, ‘transgovernmental’ networks represented an alternative to intergovernmental institutions, and even a ‘new world order’ (Slaughter 1997, 2004). This work can take a deterministic flavour, implying that political institutions necessarily evolve with macro trends in society. There likely are causal relationships between institutions and structural changes, but the diversity of political institutions implies that these relationships are anything but straightforward and homogeneous. The ‘broad’ literature can only take us so far.

At the narrow end, numerous observers have identified specific changes within an issue area, noted the emergence of a new type of governance mechanisms across issue areas, or otherwise explored particular aspects of changes in global governance. Such work pro-