

Introduction

THIS BOOK IS ABOUT how the global environment is regulated and, in particular, the diversity of actors involved in addressing the problem of climate change. But it is not only, or indeed mostly, a book about climate change. Rather, it is about how private actors—including nongovernmental organizations, firms, transnational networks, and others—exercise authority in world politics. Increasingly, private actors assume duties normally considered the province of governments. They are taking on the role of regulators, as they create, implement, and enforce rules to manage global environmental problems. This book asks when and why private actors perform these regulatory roles. Three examples show the diversity of private authority and the ways in which nonstate actors are serving as rule makers.

In 2005 Walmart decided it was time to go green. It outlined three long-term goals to guide its sustainability efforts: zero waste, 100 percent renewable energy sourcing, and sustainable sourcing of its products. Since then, it has taken additional steps to achieve these goals. To promote “sustainable sourcing,” Walmart has created an index that helps its suppliers evaluate the sustainability of their production and performance.

When Walmart decides on a new set of practices, the world has to listen. It has 200 million visits *per week*—roughly equivalent to having every citizen of Brazil shop at Walmart on a weekly basis. In 2011 it had nearly nine thousand retail units in fifteen nations and did roughly half a trillion dollars in sales.¹ And that’s only the retail end of the story. To keep all of these consumers in low-price goods, Walmart relies on more than 100,000 suppliers across the globe; roughly one-tenth of these are in China.² Indeed, if Walmart were a country, it would be China’s fifth- or sixth-largest export market.³ Walmart’s commercial reach—and its environmental impact—are truly global.

So a new sustainability index for Walmart potentially means big changes all along the supply chain. Walmart has become, in effect, a global regulator of production practices. Its rules require suppliers to change their behavior or lose a major source of revenue. For instance, Walmart recently announced it would cut 20 million metric tons of carbon emissions from

¹ Walmart 2011 Annual Report. http://www.walmartstores.com/sites/annualreport/2011/financials/Walmart_2011_Annual_Report.pdf.

² Dauvergne and Lister 2012.

³ Mufson 2010.

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its supply chain by 2015.⁴ Suppliers must therefore find ways to reduce their carbon intensity—lowering their emissions while maintaining current production levels. Although the measure is voluntary, the signal is clear: Walmart will buy from those who achieve the goal and stop doing business with the laggards. Some defenders of industry have renounced the measure as coercive.⁵ But many suppliers have simply accepted this new reality and have started making the requisite adjustments to ensure Walmart’s continued business. One representative of a Chinese company noted: “We heard that in the future, to become a Wal-Mart supplier, you have to be an environmentally friendly company. So we switched some of our products and the way we produced them.”⁶

Sustainability is no longer a future goal of Walmart but a present requirement. Although Walmart cannot physically audit all of its suppliers, it has begun to evaluate systematically the extent to which they are in compliance with the newly created sustainability criteria. Companies that receive a “disapproved” ranking are banned from selling to Walmart for a year. Those found to be in egregious violation can be permanently barred from doing business with Walmart. Of course, the system is new, and inspections are still incomplete; less than 4 percent of all audited Chinese suppliers fell into these bottom two tiers in 2011.⁷ However, the threat of losing the ability to sell to the second-largest corporation in the world is enough to make many suppliers “go green”—whether they want to or not. For better or worse, Walmart is now a global rule maker for sustainability.

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Varecia variegata, commonly known as the ruffed lemur, is a primate found only in Madagascar. There are approximately ten thousand left in the wild, and about six hundred in captivity. The remaining wild lemurs are under threat, primarily due to habitat destruction and hunting. These surprisingly humanlike creatures are protected by the Convention on the International Trade in Endangered Species (CITES). As a regulated species, commercial trade in ruffed lemurs is prohibited. Approximately one thousand of the world’s most endangered species are similarly protected

⁴ http://www.nytimes.com/2010/02/26/business/energy-environment/26walmart.html?_r=1.

⁵ <http://www.prnewswire.com/news-releases/corporate-ethics-group-blasts-wal-mart-for-forcing-its-politics-on-suppliers-through-new-environmental-mandates-58278977.html>.

⁶ <http://www.washingtonpost.com/wp-dyn/content/article/2010/02/26/AR2010022606757.html>. As quoted in Dauvergne and Lister 2012.

⁷ Lister and LeBaron 2012.

by CITES: trade is prohibited, with limited exceptions for research and education.

What is surprising about the ruffed lemur and other endangered species facing a similar fate is not their protection under CITES, but who actually does the protecting. In 1975 states created a global treaty to help stem the trade in endangered species, but since then, they have delegated key aspects of running the treaty to an international nongovernmental organization (NGO), called TRAFFIC. TRAFFIC (or Trade Records Analysis of Flora and Fauna in Commerce) was created in 1979 by two large conservation NGOs and quickly became the largest and most respected organization for monitoring wildlife trade. For two decades, TRAFFIC has been an authoritative source of data on trade in endangered species. It often contributes reports to CITES that serve as the basis of debate and decision making among states.

Then, in 1999, the Secretariat of CITES—the administrative body that oversees the treaty—entered into a formal relationship with TRAFFIC. Now, TRAFFIC helps police the treaty. It has been delegated the important task of detecting noncompliance. It issues regular bulletins reporting on threats to species protected by the treaty. In 2010 it reported a surge in illegal hunting of lemurs in Madagascar to provide meat to local restaurants which serve lemur as a delicacy.⁸ It also maintains two key databases that track the illegal trade in ivory. Information gathered from TRAFFIC has led to in-depth investigations of state practice. More generally, when suspected violations of the terms of the treaty arise, states often delegate the task of investigation to TRAFFIC.

The fates of the ruffed lemur, the elephant, and hundreds of other endangered species rest not only in the hands of states and their policies but also in the actions of nonstate actors like TRAFFIC. Armed with authority delegated by states, this NGO helps decide who is following the rules and who is not.

* * *

As I finish this book, states have just completed yet another round of negotiations on the future of the Kyoto Protocol—the centerpiece of their efforts to address climate change. The global legal process has been bumpy, but most agree that the Kyoto Protocol has not worked. It's true that some developed countries have reduced their emissions, but the consensus is that this is not sufficient to change the perilous trajectory that we are on. Many countries have said they will not commit to "hard targets" into the future and instead have focused on nonbinding

⁸ TRAFFIC 2010.

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“pledges” to reduce their emissions. Collectively, states are focused on an agreement that will take effect in 2020, leaving a gap in efforts over the next eight years. Arriving at this underwhelming state of affairs has taken two decades, innumerable meetings and negotiations, and a great deal of resources.

At the same time, nonstate actors of all stripes have begun to take decisive action—sometimes on a surprising scale. Firms like Walmart are preparing for a carbon-restricted world by creating their own targets and timetables for emissions reductions. The ripple effects of their decisions reverberate throughout the global economy. There is also a burgeoning private market for carbon offsets; well-meaning actors can reduce their carbon footprint by buying offsets from private retailers. In 2011 this produced almost 100 million tons of reductions, valued at more than half a billion dollars.⁹ There is even a new umbrella association—the International Carbon Reduction and Offset Alliance—that polices the quality of these private offsets. Institutional investors representing US\$10 trillion now participate in the Investor Network on Climate Risk, which seeks to reduce their exposure to climate risks through investment practices.¹⁰ All of these activities are happening independently of government regulation.

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Why is Walmart becoming a standard-bearer of sustainability? Why do states entrust NGOs with the fate of the ruffed lemur? Why would firms choose to report their carbon emissions—let alone spend money to offset them—without being compelled to do so by regulation? The goal of this book is to answer these questions. I develop a theoretical account of private authority, which I define as situations in which private actors make rules or set standards that others in world politics adopt. But I also argue that there is much legwork to be done before grand theories can be presented. For instance, we need more conceptual clarity on what, exactly, constitutes private authority. We also need a better understanding of the importance of this phenomenon by determining how frequently each type of private authority occurs and if this has changed over time.

The book makes three key contributions to understanding the role of private actors in global environmental politics. First, I offer a new typology of the concept, which distinguishes between two different types of private authority—delegated and entrepreneurial. I show that this distinction is crucial not only to understand the breadth of private authority in global environmental politics but also to formulate a complete explanation of

⁹ Peters-Stanley et al. 2011.

¹⁰ <http://www.ceres.org/incr/about>.

why it emerges. The three examples show very different ways that private actors are contributing to the production of global public goods. If we are to understand fully their role in environmental governance—and, indeed, in world politics more generally—then we must examine *each type* of private authority, while also considering them jointly.

Second, I provide a much-needed empirical assessment, which includes some of the first longitudinal data on private authority. Certainly, Walmart's foray into sustainability could potentially have a huge impact on both local and global environmental quality. And yes, endangered lemur, elephants, and toads would be worse off without TRAFFIC carefully watching states' efforts to protect these species. But beyond these examples, we know surprisingly little about how often private actors are acting as rule makers and whether this has changed over time. So the second key contribution of this book is to provide one of very few elaborations of the extent of private authority, both quantitatively and longitudinally.

The third contribution is to explain why this is happening. Only with a clear typology of private authority, and a much bigger picture of its breadth and variation over time, can we turn to understanding the conditions under which private authority emerges. Here, the book engages with a question broadly applicable to the study of international relations: What does private authority mean for the authority of the state? Some have argued that the state is waning, as the power of nonstate actors grows. This book shows that such a story is an oversimplification of reality. Private authority is definitely a fixture of contemporary world politics. But this fact does not imply a zero-sum relationship with the authority of states.

Indeed, despite its focus on private authority, this book is as much about governments as it is about private actors. Instead of arguing, as many have, about *the* locus of authority in world politics (i.e., states), I show that there are multiple loci of authority in the international system—some of which include private actors. These private actors (which I also refer to as nonstate actors) include NGOs, firms, and transnational networks.¹¹ By focusing on policy outputs—the effective governance of transnational environmental problems—this approach does not privilege the public or private sphere. I purposefully sidestep what I believe to be misleading juxtapositions of private versus state authority. Rather, I maintain that private authority is one of many sources of governance in world politics and seek to specify the conditions under which we should expect the private sphere to serve as one, among many, loci of authority.

¹¹ Because they are created, governed, and funded by states, I do not include international organizations in the category of nonstate actors.

THE ARGUMENT

A clear conceptualization of private authority is the first step toward assessing the conditions under which it occurs. Thus, the first part of the argument is conceptual, distinguishing between two different types of private authority. Second, because there are multiple loci of authority to address a given global environmental problem, I turn to an explanation of the relationship among them. I argue that private authority does not occur in a vacuum, and so a theory of private authority must necessarily examine the role of the state. The final piece of the argument sets out when we should expect to see private authority emerge and, importantly, which type—delegated or entrepreneurial—it will be.

Laying the Conceptual Foundations: What Is Private Authority?

Definitions matter. One of the themes of the book is that definitions of private authority have been underspecified and incomplete. As a consequence, investigations into the incidence and effects of private authority have been correspondingly flawed. Chapter 1 seeks to redress these conceptual shortcomings by identifying two distinct types of private authority. But before turning to this discussion, a more general conceptualization of authority in world politics is needed.

Authority is a slippery concept. Like pornography, most would agree that we know it when we see it, even if it is difficult to define. In world politics, states are the only actors with the legal right to coerce, but coercion is generally costly. As a result, authority—whether projected by states or other actors—is generally based on consent. *Somebody* must consent to following the rules, or else there is no authority. In this sense, authority is “a social relationship between authority and subject,” because it is mutually constituted, requiring that the subject acknowledge and consent to the claim of authority.¹²

Private authority shares these attributes. It is relational and requires the consent of those who are subject to it. Formally, it can be understood as *situations in which nonstate actors make rules or set standards that other actors in world politics adopt*. To be clear, private authority is distinct from efforts by nonstate actors to influence states; it does not include activities like lobbying or agenda setting. Nor does it include the creation of norms. Rather, this definition restricts private authority to the creation of actual rules, standards, guidelines, or practices that other actors adopt.

¹² Pauly 2002, 6.

In this book, I distinguish between two types of private authority: delegated private authority and what I call “entrepreneurial private authority” (or, more briefly, delegated and entrepreneurial authority). In both types, the rule maker is recognized as legitimate—that is, it has the right to rule.¹³ Because of the perceived legitimacy of the rule maker, the targets of rules consent to change their behavior. Yet the origins of authority differ in each.

Claims of delegated authority are ultimately derived from the state. States, acting collectively, are the principal. They delegate a circumscribed set of tasks to a private actor, which serves as the states’ agent. If the source of authority does not originate with the state, then private authority is entrepreneurial. In this mode, any private actor that projects authority must persuade others to adopt its rules or practices. If the private actor is successful in its persuasion, entrepreneurial private authority occurs. Entrepreneurial authority moves beyond traditional conceptions of nonstate actors as lobbyists, seeking to influence the rules made by states.¹⁴ Rather, in entrepreneurial authority, private actors strike out on their own, serving as *de facto* rule makers in world politics. The rules, standards, or practices created by private actors “can become authoritative” owing to the expertise of the private actors or to other tactics that they use to cultivate legitimacy.¹⁵ Other tactics might include persuasion through moral arguments, or by leveraging market pressure, whereby the adoption of entrepreneurial authority facilitates entry into new markets. In other words, entrepreneurial authority is the translation of claims of authority by private actors into actual control.¹⁶ Often, the timing of consent can also help distinguish between the two forms. In general, the governed grant their consent *ex ante* in the case of delegated authority, whereas it tends to be *ex post* in entrepreneurial authority.¹⁷ In sum, delegated authority is *de jure*, while entrepreneurial authority is *de facto*.

This first piece of the argument—the expansion and refinement of the concept of private authority—is a key contribution of this book because it allows consideration of the full range of ways that private actors serve as rule makers in world politics. Research on global environmental

¹³ Hobbes 1996, 112.

¹⁴ The question of when nonstate actors are successful at influencing the policies of states at the multilateral level is addressed by the literature on global civil society and transnational advocacy networks. See, e.g., Keck and Sikkink 1998; Tarrow 1998; Florini 2000; O’Brien et al. 2000.

¹⁵ Cutler, Haufler, and Porter 1999a, 5.

¹⁶ On the useful distinction between theoretical conceptions of authority and empirical mechanisms of control, see McDougal and Lasswell 1970, 364.

¹⁷ In practice, the timing distinction may be blurred by the fact that the private actor can (and often does) lobby for such delegation to occur before the transfer of authority takes place; however, it does not have authority to act until delegation occurs.

governance, with its focus on entrepreneurial authority,¹⁸ has largely overlooked the role of private actors as agents. The international relations literature has focused on delegation to international organizations rather than private actors.¹⁹ However, if we are to understand the ways that private actors are contributing to solving environmental problems, then we must examine *both types* of private authority. While it is critical to recognize that delegated and entrepreneurial authority are distinct phenomena—they occur at different rates for different reasons—we must consider them in tandem. Excluding one of the two types fundamentally skews the picture not only of private authority but also of public authority.

The Relational Story: Private Authority Does Not Occur in a Vacuum

As should be clear from the definitions outlined above, any account of private authority is invariably one of public authority as well, because the distinction between the two types rests in part on the involvement of the state.²⁰ Yet many studies to date have failed to make this fact explicit or even to recognize it. Early discussions view private authority as a regulatory force that emerges in the interstices of global governance, where the state does not regulate.²¹ Although the causal accounts vary, many attribute the emergence of private authority to globalization, as manifested by the growth in size and power of multinational corporations.²² Others see the rise of private authority as reflection of the neoliberal turn in world politics, where private-sector solutions are privileged over government policy.²³

A related interpretation views public and private authority in a zero-sum relationship: to the extent that private actors are exercising authority, states are losing their ability to govern. Thus, Jessica Mathews refers to a “power shift” from states to nonstate actors.²⁴ This view implies only one set of actors can be in charge. In a similar fashion, some have suggested that private authority is “a functional equivalent” to public

¹⁸ Garcia-Johnson 2000; Lipschutz and Fogel 2002; Falkner 2003; Cashore, Auld, and Newsom 2004; Prakash and Potoski 2006; Pattberg 2007.

¹⁹ For exceptions, see Avant 2005; Wolf 2005; Green 2008; Koremenos 2008; Cooley 2010; Büthe and Mattli 2011; Green and Colgan 2013.

²⁰ In the context of global governance, public authority can be understood as cooperative efforts among states; this includes intergovernmental treaties as well as the activities of international organizations.

²¹ Cutler, Haufler, and Porter 1999a; Spar 1999; Kobrin 2002; Pattberg 2005; Betsill and Bulkeley 2006.

²² Cerny 1995; Strange 1996; Ohmae 1995; Cutler 2003.

²³ Bernstein 2002; Bartley 2003.

²⁴ Mathews 1997; Cerny 1995; Strange 1996.

authority.²⁵ This statement suggests that private authority exists only as a substitute for public forms of regulation. In one of the earliest studies of private authority, Cutler and colleagues acknowledge the role of the state but suggest that it can be replaced, noting that substitutability is a key feature of private authority: “The degree to which private arrangements can substitute for the regulatory functions usually associated with states is often not recognized.”²⁶ Contrary to these depictions, I find no evidence that public and private authority exist solely in an either-or configuration.

Indeed, these views are incomplete; they are overly stylized versions of a much more intricate reality. The increasing complexity of global governance arrangements demonstrates that authority is “polycentric,” diffusing across multiple venues and through a variety of actors.²⁷ As Avant and colleagues succinctly note: “No governor governs alone.”²⁸ Private authority is imbricated in a larger constellation of governing institutions, comprising many different types of actors. The findings of this book show the many ways in which this is the case.

In sum, private authority in world politics does not exist in a vacuum. Rather, it is linked to public authority in different and complex ways. In the case of delegated private authority, the relationship is clear and explicit. States serve as principals and as the source of legitimacy for private agents. Moreover, public and private authority are not in conflict; rather, as the next section shows, they have expanded together. This is not evidence of a retreat of the state, as Susan Strange famously claimed, but rather a change in the actors that constitute the public domain.²⁹

In the case of entrepreneurial authority, the role of the state is implicit but still paramount: the absence of the state as a source of legitimacy is a defining characteristic. Moreover, as chapters 3 and 5 demonstrate, entrepreneurial authority often exists in tandem with other public arrangements. These findings illustrate that the relationship between the two is most certainly not zero-sum.³⁰ Instead, the two enable and constrain each other in important and varying ways. Finally, public authority is an important factor in explaining which form of private authority emerges.

This book seeks to remedy earlier incomplete representations of the concept of private authority. Private authority is not just “out there” in

²⁵ Pattberg 2005, 593. See also Börzel and Risse 2010.

²⁶ Cutler, Haufler, and Porter 1999a, 16.

²⁷ Ostrom 2010. This has been well documented in the literature on environmental governance. See, e.g., Biermann and Dingwerth 2004; Betsill and Corell 2008; Biermann and Pattberg 2008; Dingwerth and Pattberg 2009; Haufler 2009; Andonova 2010; Andonova and Mitchell 2010.

²⁸ Avant, Finnemore, and Sell 2010b, 7.

²⁹ Strange 1996; on the changing nature of the public domain, see Ruggie 2004.

³⁰ Avant, Finnemore, and Sell 2010b, 357.

the ether, nor does it always occur at the behest of states. Rather, multiple sites of authority coexist. The relevant line of inquiry is to understand how and when they do, and under what conditions.

DELEGATED AND ENTREPRENEURIAL AUTHORITY: TWO EMPIRICAL STORIES

This book provides an expansive picture of what private authority in the environmental arena looks like now, and how it has changed over the past one hundred years, offering much needed context for the case studies presented in the second half of the book.³¹ The new data presented in chapters 2 and 3 show two very different ways in which private actors are exercising authority. Delegated authority is a small but consistent phenomenon in which states tap private actors for their expertise. Entrepreneurial authority, by contrast, is new and growing rapidly, with an increasing amount of overlap among standards.

There are now more than a thousand multilateral agreements and thirteen hundred bilateral agreements related to environmental issues.³² And yet we have little notion of the role that private actors play in them. For almost sixty years, states have called on private actors to aid in the implementation of multilateral environmental treaties. They asked the International Union for Conservation of Nature to compile lists of endangered species. They tapped the Scientific Committee on Antarctic Research to compile and analyze data and make recommendations to states about how to manage fragile ecosystems. And they empowered numerous technical and scientific experts to provide advice, help arbitrate disputes, and review treaty implementation.

Interestingly, the role of delegated private authority has largely been overlooked in the work on environmental governance. This work tends to focus on nonstate actors either as advocates, trying to influence interstate bargaining, or as sources of entrepreneurial authority, creating their own rules outside the intergovernmental arena. The few contributions that examine private actors as states' agents in international politics are largely outside the environmental realm.³³ For this reason, it is not surprising that a recent work on international delegation identified research on the role of NGOs as agents as "the research frontier."³⁴

³¹ Ragin 2004.

³² Mitchell 2002–13. For a slightly different count, see *ecolex.org*.

³³ See e.g. Mattli and Büthe 2005; Koremenos 2007; Koremenos 2008. The International Accounting Standards Board is an example of a private standard setter that is now an agent. Exceptions in the environmental arena are Green 2008; Lund 2010.

³⁴ Lake and McCubbins 2006, 341.

Consequently, the data presented in this book provide important new insights about how private actors serve as sources of authority in multi-lateral environmental treaties. I find that they have a small but consistent role, though this has mostly occurred in the last two decades. In general, states delegate to private actors because of their expertise. In the 1998 Dolphin Conservation Treaty, states delegated to an international review panel—composed of states, NGOs, and industry representatives—to monitor the performance of member states, notify parties to the agreement about potential infractions, and make recommendations about ways to improve the treaty’s implementation. In the North American Agreement on Environmental Cooperation, a side agreement to the North American Free Trade Agreement, states delegate to private legal experts to serve as potential arbiters in cases of dispute. Other treaties tap private agents to serve as arbiters or to evaluate scientific data. Thus, the authority delegated to these private actors is rather narrow—generally limited to a few tasks in which their expertise can be of explicit use to states.³⁵

The data yield another important finding: once they have been delegated authority, private actors rarely govern on their own. That is, there are usually other actors, either IOs or states, that are responsible for the same tasks. This fact has two important implications. First, the authority of private actors is doubly constrained—by their principals and by other agents. Private actors not only must stay within the bounds of the authority delegated by the principals but must coordinate and contend with other agents. Second, the governance landscape is becoming increasingly complex, as more actors are responsible for the same task. The relationship between public and private authority is not zero-sum. Rather, the loci of authority are at once expanding and increasingly overlapping.

The relatively limited role for delegated private authority raises a question: If private actors are increasingly serving as global governors, as many claim, where, exactly is this phenomenon occurring? The answer is evidenced by the data on entrepreneurial authority. In contrast to the rather small and auxiliary role that private actors play in environmental treaty making, they are increasingly active in the realm of “civil regulation,” where privately created rules govern the social and environmental practices of firms and their supply chains.³⁶ Civil regulations can be understood as a form of entrepreneurial private authority. As I show in chapter 3, there has been a veritable explosion in the number of these private rules over the past decade. Eco-conscious consumers and

³⁵ This does not mean that agents are always perfectly controlled by their principals. The issue of agency slack and shirking is addressed in greater detail in chapters 1 and 2.

³⁶ Vogel 2008.

health-obsessed citizens of developed nations have been able to purchase food products certified as organically grown since the 1970s. But now one can also purchase sustainably harvested timber, cruelty-free clothes and beauty products, and environmentally friendly appliances and even go on holidays that promote sustainable development in some far corner of the world. Private actors are also deciding about what constitutes carbon neutrality, environmental safety, and social justice and creating systems of environmental management and disclosure. All of these are examples of entrepreneurial authority.

Of course, authority is a two-way street, and entrepreneurial authority is no exception. Not only are private actors creating rules, but many different types of actors, firms in particular, are increasingly adopting their rules. In 2007, 7.6 percent of the world's forest cover was certified as sustainable according to private environmental codes.³⁷ For some leading nations, the percentage climbs from 20 percent to as much as 40 percent of total forested lands. Sales of Fairtrade products, which aim to level the playing field between producers and consumers, approached five billion dollars in 2009.³⁸ Starbucks now sells Fairtrade certified coffee in every store in the United States.³⁹ The Marine Stewardship Council certifies the sustainability of fish sold in retail giants such as McDonalds, Walmart, Carrefour, and Whole Foods.⁴⁰ An array of firms, NGOs, and other organizations purchased almost a half a billion dollars' worth of carbon offsets on the voluntary carbon market, which is governed entirely by private rules.⁴¹ These data show that entrepreneurial authority is credible and useful to a sizable swath of the private sector.

Whereas the picture of delegated authority is relatively straightforward and simple, the survey of entrepreneurial authority is complex and messy. Several interesting findings stand out. First, the data above suggest that entrepreneurial authority is growing rapidly and diffusing across the globe. The longitudinal data bear this out: almost 60 percent of all civil regulations were created in the past decade.

Second, the content of these schemes is changing. Instead of creating their own rules, civil regulations are increasingly drawing on existing ones (both public and private) and incorporating them into their own "new" rules.⁴² This shows yet another way in which private authority

³⁷ Auld, Gulbrandsen, and McDermott 2008.

³⁸ Fairtrade International n.d., "Facts and Figures." Available from http://www.fairtrade.net/facts_and_figures.html.

³⁹ Conroy 2007, 2.

⁴⁰ See <http://www.nytimes.com/2011/06/09/business/global/09fish.html> and <http://www.msc.org/where-to-buy/product-finder>.

⁴¹ Peters-Stanley et al. 2011.

⁴² Green 2013a.

does not occur in a vacuum: private rule makers frequently build on extant rules to establish their own entrepreneurial authority. This finding also suggests a potential pathway for the diffusion of entrepreneurial authority: by embedding older private standards into newer ones. The Greenhouse Gas Protocol, described in chapter 5 provides a useful illustration of how private authority can become embedded in others' rules. The protocol provides a system for organizations to account for and report their greenhouse gas emissions—a “corporate accounting” tool. This system not only has been widely adopted by firms around the world but also serves as the basis for virtually all other corporate accounting tools, both public and private. The International Organization for Standardization based its accounting framework on the Greenhouse Gas Protocol, as did the Climate Registry. The former is the oldest and largest international standard-setting organization in the world. The latter is an emissions reporting registry used by firms and local, city, state, and provincial governments in North America.

Third, the majority of certification schemes are “hard” schemes, requiring a third party to verify compliance. For example, timber companies cannot simply say that they meet all of the requirements for sustainable logging set forth by the Forest Stewardship Council (FSC); they must hire an FSC-approved third party to verify that this is in fact the case. Thus, most certification schemes (with the notable exception of those that promote corporate social responsibility) are concerned about compliance and the perceived legitimacy of their rules. These instances of entrepreneurial authority are not just nice ideas about improving environmental quality; they have been created as real governance tools for achieving this goal.

Moreover, hard rules require verifiers, which are in turn another source of private authority. The firm that certifies a timber producer as FSC-compliant is itself a source of entrepreneurial authority. It does not have any authority delegated by the state but decides what constitutes compliance with privately created rules. In other words, some forms of entrepreneurial authority have created the need for even more private authority, in the form of those NGOs and firms charged with verifying compliance.

In short, the data provide important issue-wide, longitudinal data about how private authority *really* operates and how it has changed (and not changed) over time. The conceptual distinction between entrepreneurial and delegated authority is of pivotal importance in this regard, allowing the disaggregation of different phenomena that tell fundamentally different stories. In one story, private delegated authority, though relatively small, is consistent and long-standing; private actors are lending their expertise at the request of the state. However, it is a relatively untold story, with most work focusing on how nonstate actors influence

the environmental law-making process. It is noteworthy that these private actors have been helping to regulate environmental problems for six decades—beginning well before any arguments about the demise of the state in the face of globalization.

The other story, that of entrepreneurial authority, is a relatively new one—and it continues to grow rapidly in breadth and importance. Here, private actors are largely targeting other private and subnational actors in a variety of environmental areas. They are creating standards of environmental quality, in many cases leveraging the power of the market to project authority.⁴³ The data here paint a much more complex picture of global governance. Although these rules are ostensibly “soft law,” most require some third-party verification of compliance. There are multiple sets of rules targeting a single issue, so that different private actors compete for rule adopters. Interestingly, there is considerable overlap among rules, suggesting that private authority can serve as a means to embed rules—both public and private—and expand the scope of users. These stories are very different, but both demonstrate the multiple loci of authority in contemporary global environmental politics.

A CAUSAL THEORY OF PRIVATE AUTHORITY

With a revised conceptualization of private authority, which accounts for the broad spectrum of ways in which private actors serve as rule makers and acknowledges the key role of public authority, I now turn to a causal theory. The theory, previewed here, has two main components. First, it explains when we should expect to see private authority emerge in world politics. Second, when it does emerge, it offers an explanation for the form of private authority—that is, whether it is delegated or entrepreneurial. While other works simply address the question of emergence, this book advances our collective understanding of private authority by also explaining the difference in form.

The Emergence of Private Authority

To explain the emergence of private authority, I use a model of supply and demand,⁴⁴ though in a metaphorical sense rather than as an economic concept. I argue that a demand for private authority will arise if there are actors who will benefit from such rules. These benefits can come in multiple forms. Like international institutions, institutionalized

⁴³ Cashore 2002; Cashore, Auld, and Newsom 2004.

⁴⁴ Mattli and Woods 2009b; Bütke 2010a.

forms of private authority can reduce uncertainty and the incentives for defection and can increase flows of information.⁴⁵ According to this logic, private authority emerges because actors in world politics—both states and nonstate actors—anticipate that they will benefit from adopting the rules and practices promulgated by private actors.

Specifically, private authority can offer four benefits to those choosing to adopt it. First, it can reduce transaction costs. Much of the logic of delegation is rooted in minimizing transaction costs; the costs of supervising an agent well versed in the issue at hand is often easier than taking the time to learn the task oneself. In terms of economic theory, it is cheaper to buy the knowledge or know-how than to make it.⁴⁶ States often adopt this logic when delegating to private actors.

Second, private authority can help enhance the credibility of commitments. Two actors are more likely to believe that the other will abide by the rules if they agree to have a third party monitor their behavior. As such, we see private actors monitoring treaty implementation, as demonstrated by the endangered species example. But they are also monitoring firms' behavior, as illustrated by the many civil regulations that require third-party verification.

Third, private authority can potentially confer first-mover advantage to early adopters. Rule takers may adopt private standards because they believe that they will not only benefit from doing so but also gain advantages relative to their competition. Essentially, if private authority seeks to solve a coordination problem, then early action can be beneficial.⁴⁷ This logic clearly motivated users of the Greenhouse Gas Protocol, who thought that managing their emissions would be a first step in preparing for future regulation under the Kyoto Protocol. This would not only allow them to insulate against future costs of regulation but also put them in a better position than their less forward-looking counterparts.

Fourth and finally, private authority can benefit its users by helping to improve their reputation. It is no secret that many multinational companies adopt various forms of entrepreneurial authority with the hopes of greening their reputation. Conroy notes that “‘branding’ is the name of the global corporate game in the 21st century.”⁴⁸ Adopting privately created sustainability rules is often a way for firms to demonstrate their environmental commitments (though, of course, whether these achieve the desired effects is another story altogether).

There must also be a supply of private authority—actors capable of creating rules and securing consent. In this study, the supply of private

⁴⁵ Keohane 1982; Keohane 1984.

⁴⁶ Alchian and Demsetz 1972.

⁴⁷ Mattli and Büthe 2003.

⁴⁸ Conroy 2007, 1.

authority is derived, at its core, from expert knowledge.⁴⁹ It is a key reason that other actors choose to defer to private authority. In its common usage, to be “an authority” on something is to be able evaluate the veracity of information.⁵⁰ There are, of course, many sources of expertise in the world, not all of them necessarily private actors. Thus, private expertise is a necessary but not sufficient condition for private authority; it creates only the *possibility* of emergence. However, if private actors with expertise are able to provide one (or more) of the benefits described when others cannot, then private authority may emerge. Recall that private authority does not exist in a vacuum; accordingly, there is another piece to the supply part of the equation.

Expertise is not the sole route to private authority. Actors with market power, as demonstrated by Walmart, are capable of creating rules and promoting their adoption. In addition, those with moral legitimacy, such as in the TRAFFIC example,⁵¹ are also potential rule makers.

The emergence of private authority also depends on *other* potential sources of authority: states and other actors will defer to private expertise—thereby transforming it into private authority—if there is no ready equivalent public expertise. Thus, in principle, states might be more predisposed to delegate to international organizations, which they can control more readily through direct governance structures and the power of the purse.⁵² However, if IOs do not have the requisite skills or experience, developing them may be a time-consuming process, making delegated private authority more attractive. In this sense, the theory of private authority presented here is a theory of institutional choice: understanding how actors in world politics choose among myriad institutional arrangements to address transnational problems.

The Form of Private Authority

According to the first half of my theory, then, private authority should emerge in instances when private actors have existing expertise and can provide benefits that other actors cannot.⁵³ However, if a complete conceptualization of private authority must include both delegated and entrepreneurial forms, as I argue above, it follows that a causal theory must also explain both types. Because private authority constitutes one among many possible institutional designs, these hypotheses all describe neces-

⁴⁹ This is consistent with Cutler, Haufler, and Porter 1999a and P. Haas 1990 but is more expansive in the types of actors.

⁵⁰ Raz 1990, 2.

⁵¹ On sources of legitimacy, see Weber 1978, chap. 3.

⁵² For a similar argument about hybrid organizations, see Koppell 2003.

⁵³ This is consistent with Büthe and Mattli 2011.

sary but not sufficient conditions to explain the form of private authority. In this sense, the hypotheses presented below are probabilistic rather than absolute.

The second half of the theory explains when we should see delegated or entrepreneurial forms of private authority. The type that emerges can be explained by two key factors: whether or not there is an existing focal institution (often an IO), and the degree to which powerful states have similar preferences about the specific policies to be implemented.

When powerful states are in agreement about a given policy and a strong focal institution exists, delegated authority may emerge. A strong focal institution, which serves as point of convergence for actors' expectations, can also be a locus of state control.⁵⁴ If states are in agreement on a course of action, and they have identified private actors that are able to provide the benefits that they seek, delegated authority will occur. This is because the focal institution can serve as a means to screen and monitor private agents, to ensure that they are carrying out states' bidding. A focal institution lessens the possibility of "agency slack"—situations in which agents pursue their own interests in lieu of (or in addition to) the tasks assigned by the principal.⁵⁵ Such logic was evident in states' decision to delegate key monitoring tasks to private actors in the Clean Development Mechanism of the Kyoto Protocol. Private actors had both the experience and expert knowledge about carbon measurement, which international organizations had not developed as fully. Recognizing the need for an impartial third-party monitor, states delegated key regulatory tasks to private firms—an institutional design feature still in place today.

By contrast, when powerful states cannot agree on a course of action, and there is no focal institution to oversee agents, entrepreneurial authority may emerge. This situation is commonly identified by scholars as instances of public governance failure. Because states are unable to cooperate, a window of opportunity opens for private actors, who seek to address the problem. The absence of a focal institution often means that there is no other organization with the requisite expertise to provide similar benefits. Thus, private actors are able to insert themselves into the policy process. If they can attract adherents, their expertise will be transformed into authority.

The reader may object here, and point out that my argument appears to contradict my earlier claim that private authority does not exist independently of public authority. One could reasonably suggest that an absence of equivalent public expertise suggests just the kind of either-or relationship that this book eschews. The important distinction here is what

⁵⁴ Schelling 1960, 53–80.

⁵⁵ Epstein and O'Halloran 1999.

constitutes “similar benefits” and for whom. Entrepreneurial authority may not substitute for public regulation, but it can provide benefits for other relevant actors.

An example involving the International Tropical Timber Agreement (ITTA) serves to illustrate that the question of who benefits is central to the theory. The tropical timber treaty aims “to promote the sustainable management of tropical timber producing forests.”⁵⁶ It is a clear example of public authority resulting from international cooperation. However, the treaty has been criticized as being largely ineffective, owing in part to the intransigence and veto power of exporting nations that wish to preserve revenue streams from exports.⁵⁷ Moreover, although the agreement aims to “improve marketing and distribution of tropical timber and timber product exports from sustainably managed and legally harvested sources,” it deliberately rejected any attempts at a labeling scheme to achieve this goal.⁵⁸ At the same time, tropical deforestation soared to new heights.

As the weak rules of the treaty were being implemented, NGOs stepped up their pressure on large retailers who were selling products containing tropical timber. Companies such as Home Depot in the United States and B&Q in the United Kingdom became targets of naming-and-shaming campaigns by large international NGOs such as the World Wildlife Fund and Friends of the Earth, which called for boycotts.⁵⁹ Clearly, the public rules put in place by the ITTA were not benefiting these companies. B&Q could not forestall unwanted NGO attention by pointing to international treaties. Conveniently, the NGO movement around tropical deforestation eventually coalesced into entrepreneurial authority—creating rules to help these firms reform their deforesting ways and adopt more sustainable practices. The reputational benefits to these firms accrued only through private authority, not through extant public rules. Thus, private actors were able to provide benefits that public authority could not.

In sum, a theory of private authority must explain not only when it emerges but also what form—delegated or entrepreneurial—it will take. I submit that private authority emerges when conditions of supply and demand are met. When private actors have existing expertise that can potentially be parlayed into rule-making authority, they provide the supply of private authority. When other actors in world politics recognize that

⁵⁶ International Tropical Timber Agreement 2006. TD/TIMBER.3/12,1 February 2006. Available from http://unctad.org/en/Docs/tdtimber3d12_en.pdf.

⁵⁷ Gale 1998.

⁵⁸ ITTA, Article 1(k).

⁵⁹ Bartley 2003.

they will benefit from private rules, they are generating a demand. The particular form of private authority will depend on the configuration of powerful states' preferences and the presence or absence of a focal institution that can monitor private agents.

ALTERNATIVE PERSPECTIVES

This book constructs quantifiable measures of delegated and entrepreneurial authority and then uses these measures to describe the evolution of private authority over time. With this new data, I develop a theory and test its plausibility through two case studies in chapters 4 and 5. Although this is not meant to be a definitive test of my theory, some consideration of alternative explanations of private authority is appropriate.

The theory of private authority developed in this book falls between a strictly realist explanation and a wholly sociological one.⁶⁰ The realist explanation for private authority argues that it is merely a reflection of great power preferences. According to this view, regulatory outcomes, and private actors' involvement in them, will vary with the degree of agreement among great powers.⁶¹ When great powers collectively recognize the benefits of joint action and the costs of coordination are low, they will harmonize their standards. If NGOs or other nonstate actors can offer some beneficial service, then states may choose to delegate to them. In this realist view, private actors exercise authority only at the best and under the control of states. The explanation is strictly material: private authority will emerge only when private actors can offer some material benefit to states.⁶²

As is clear from the preceding discussion, the realist view, though not entirely incorrect (and more on that in chapter 2), is most certainly incomplete. It suffers from an overly narrow conceptualization of private authority—omitting the possibility of entrepreneurial authority. The realist theory sees states as the sole locus of authority and therefore restricts the explanation to a hierarchical relationship between state and private actor. This conception is faulty because it reproduces the state-centric logic that, by definition, cannot allow for multiple loci of authority. Though private actors may serve as agents, authority remains hierarchical. Any

⁶⁰ For another useful attempt to bridge this divide with respect to private authority, see Dingwerth and Pattberg 2009.

⁶¹ Drezner 2007, chap. 3.

⁶² This is consistent with theories of international delegation, discussed in greater detail in chapter 3.

other role for private actors is irrelevant to policy outcomes.⁶³ In other words, in the realist view, entrepreneurial authority is not a possibility.

The sociological explanation of private authority is captured in a broad set of works examining the impact of global civil society, transnational networks, and epistemic communities.⁶⁴ These works posit that private actors are autonomous agents, who can influence world politics through three main mechanisms: information, accountability, and discourse. Information is a key source of authority. Epistemic communities influence states' beliefs about environmental problems, their causes and effects, and the desired solutions.⁶⁵ NGOs can also provide information about states' behavior, identifying instances of noncompliance and sounding a "fire alarm" in cases of egregious action.⁶⁶

Private actors also engage in accountability politics. As Keck and Sikkink note, transnational advocacy networks can apply pressure to national governments to effect change at the domestic level.⁶⁷ In addition, private actors can hold others accountable through "peer accountability," where similar organizations evaluate each other, or through "public reputational accountability," where diverse audiences consider the reputation of those with authority.⁶⁸ Finally, some scholars have argued that private actors are transforming the landscape of world politics either by operating beyond the state⁶⁹ or by "reconstituting the public domain" to include a host of nonstate actors engaged in "discourse, contestation and action concerning the production of public goods."⁷⁰ By changing the terms of the debate, private actors are serving as change agents, which ultimately shape political outcomes.

This sociological account of private authority falls short on two counts. First, much of the literature focuses on successful cases of the influence of nonstate actors. As a result, we know little about failed attempts at influence or the conditions that give rise to the successes.⁷¹ While they do not include failed cases, the longitudinal data on delegated and entrepreneurial authority in chapters 2 and 3 provide a broader view of

⁶³ Drezner 2007, 5.

⁶⁴ Some of the more prominent examples in the environmental arena include E. Haas 1990; Wapner 1996; Keck and Sikkink 1998.

⁶⁵ P. Haas 1990; Litfin 1994.

⁶⁶ Lupia and McCubbins 1994; Raustiala 1997; Dai 2000.

⁶⁷ Keck and Sikkink 1998, 12.

⁶⁸ Jordan and Van Tuijl 2000; Grant and Keohane 2005, 37.

⁶⁹ Lipschutz 1992; Wapner 1996.

⁷⁰ Ruggie 2004, 504.

⁷¹ A number of scholars have discussed problems of selection bias in the study of non-state actors, including Drezner 2007; Vogel 2008. For examples of failed civil society influence, see Cortright and Pagnucco 1997; Carpenter 2007.

the extent of private authority and an important context for successful cases. But, most importantly, the sociological approach fails to engage the same question as the one examined here. Explanations tend to focus on the behavior of *states* and the ways that private authority may influence their behavior. Sociological approaches show the ways that private actors change understandings and norms, which in turn may (or may not) lead to changes in policy outcomes. By contrast, the theory presented here explains when private actors are able to exercise independent rule-making authority. Thus, the chain of influence in the sociological explanation is more diffuse than the theory presented here. Here, the chain of authority is much more direct: from rule maker (the private actor) to rule taker. Sociological approaches insert a causally prior factor, the influence of private actors on rule makers.

In short, alternative explanations in world politics are incomplete. The realist explanation largely restricts itself to the ways in which states enable private authority. Sociological explanations tend to focus on successful examples of private actors influencing the state through information, accountability, and changing discourse. The theory presented here aims to bridge the gap between the realist approaches that focus on authority via delegation and sociological approaches that focus on private actors as sources of influence on states, rather than as rule makers in their own right.

WHY ENVIRONMENT?

Although the book casts its theoretical net widely, the empirical focus is on environmental governance and specifically on climate change. Environmental issues provide a fruitful area of inquiry for several reasons.

The first reason for the focus on the environment, and climate change in particular, is its intrinsic importance. The much-acclaimed Stern Review on the economics of climate change frames the issue quite starkly: “Climate change threatens the basic elements of life for people around the world.”⁷² We cannot simply relegate climate change to the “environmental” box. Although many political scientists consider environmental issues to fall in the realm of “low” politics, Stern’s report, and indeed a passing glance at any major newspaper, illustrates that this dichotomy is no longer apt. Energy security, nuclear safety, food safety and supply, disaster preparedness, infectious diseases—all of these issues (and many more) affect and are affected by climate change. They will impact all

⁷² Stern 2007, vi.

sectors of society, and most corners of the globe.⁷³ As Newell and Paterson succinctly note, “climate change . . . [is] something that affects everything we do . . . which will change how we live in the future, [and] how we live today.”⁷⁴ If states are struggling to take action on climate change, then it is critical to examine whether other actors are capable of helping to address this important problem, and the circumstances under which they might be successful.

The other reason for the focus on environment is guided by principles of research design: global environmental governance is growing by leaps and bounds. The multiplicity of actors and density of institutions afford opportunities to see this new conceptualization of private authority “in action” and is helpful for explaining the emergence of private authority. Because environmental governance is often viewed as particularly permeable to the influence of nonstate actors, we should expect to see private authority in both its forms. In short, if we are to understand the extent of private authority, as well as its causes, environmental issues provide fertile ground for exploration. Finally, given that the aforementioned characteristics make the environment a most likely case for observing private authority, its absence would be a strong indication that arguments about multiple loci of authority are overstated.⁷⁵ Of course, choosing a most likely case raises questions about the degree to which the theory is generalizable to other issue areas in world politics. I take up this important question in the final chapter.

PLAN AND METHODS OF THE BOOK

The book has two main parts: descriptive and causal. Chapter 1 describes the concept of private authority and presents the theory in greater detail. It provides an in-depth discussion of the concept of authority, the definition of private authority, and how it is operationalized throughout the book. It expands on the causal theory, which is briefly outlined above, and discusses expectations about when each form of private authority should emerge.

As discussed earlier, there is a tension in the literature on globalization and global governance between those who believe that states remain firmly in control of world politics and those who argue that other nonstate actors are increasingly important for carrying out basic governing

⁷³ Intergovernmental Panel on Climate Change 2007. Despite widespread effects, it is rapidly becoming clear that the poorest parts of the world will be most affected by climate change.

⁷⁴ Newell and Paterson 2010, 3.

⁷⁵ Eckstein 1975.

functions. To date, there are few extant quantitative studies of private authority. As such, the first-order task of this book is to construct quantifiable measures of delegated and entrepreneurial authority—and to do so in a way to avoid selection bias as much as possible. As a result, chapters 2 and 3 provide some of the first “large-N” data on private authority—two original datasets on delegated and entrepreneurial authority, respectively. The goal of these two quantitative chapters is not to test causal relationships but to define the universe of cases, provide reproducible data, describe variation, and draw inferences from that variation. In this sense, they constitute “exploratory missions,” providing much needed longitudinal data on private authority, which combat some of the selection bias problems outlined above. They also provide a useful frame for the case studies and help avoid generalizing on the basis of the cases alone.⁷⁶

Chapter 2 presents a dataset that examines a century of multilateral environmental agreements (MEAs) for acts of delegation to international organizations and to private actors. It shows that delegated authority in MEAs is indeed on the rise but not as a percentage of total governance activities. In other words, the ratio of policy functions delegated to private actors to the total number policy functions is *not* growing. What we see instead is an overall increase in the amount of governance by *both* public and private actors. The loci of authority are multiplying and the density of relationships among them is increasing. The data also show that states prefer to delegate specific policy functions: monitoring and implementation. This finding is consistent with arguments that principals delegate to enhance the credibility of commitments and reduce transaction costs.⁷⁷ I also find that private agents are rarely the sole actors responsible for these tasks, which are often concomitantly assigned to either IOs or states. This suggests a growing complexity of governance arrangements, where more actors are responsible for performing the same tasks.

Chapter 3 examines entrepreneurial authority from the 1950s to the present by looking at the creation of environmental civil regulations—privately created rules that certify the environmental attributes of various goods and services. The data show a precipitous increase in their number, again suggesting that authority is diffusing across multiple actors, rather than concentrating among states. Moreover, most private rules were created in the past two decades, suggesting that this diffusion is relatively recent. The data also show a considerable repetition of the content of those rules. That is, although there is a growing number of civil regulations, their content is not increasing at the same pace. This suggests that there is competition among various sources of entrepreneurial authority:

⁷⁶ Ragin 2004, 176.

⁷⁷ In the international relations literature, see, e.g., Pollack 2003; Tallberg 2006.

different private actors are jockeying for market share in fairly narrow issue areas. Chapter 3 also shows that most civil regulations are “hard standards” in that they require monitoring and verification by a third party. This finding suggests that private rule makers are concerned with the credibility, if not the efficacy, of the standards they create.

With a better understanding of the basic patterns of private authority, chapters 4 and 5 then seek to explain them. I examine one case of delegated authority and one case of entrepreneurial authority, both drawn from the climate change regime. Although these are positive cases in the sense that private authority successfully emerges (and more on that below), both show that the configuration of state preferences and the presence (or absence) of a focal institution caused the emergence of private authority in its predicted form.

Chapter 4 studies the decision of states to delegate key monitoring tasks to private actors in the Clean Development Mechanism (CDM) of the Kyoto Protocol. It shows that private actors were selected to serve as the “atmospheric police” of the CDM for three reasons. First, the private sector had relatively long-standing experience in the intricacies of measuring carbon offset projects. As such, they were widely viewed as an appropriate overseer in this newly created market. Second, powerful states agreed that this market mechanism should be part of the Protocol, and that a third-party verifier was needed to monitor the quality of offset projects. The CDM was viewed as politically palatable to most and, at a minimum, nonobjectionable to others. Third, there was a focal institution, the CDM Executive Board, which could screen and oversee agents.

Chapter 5 examines a case of entrepreneurial authority in the climate change regime: the Greenhouse Gas Protocol. The protocol is a set of accounting standards to measure and report greenhouse gas emissions created by individual firms. These standards were created by two NGOs and have subsequently become one of the most widely accepted accounting methodologies for measuring and reporting emissions. The chapter explains how these NGOs were able to insert themselves into the policy process while the United States and European Union were arguing about an appropriate role for emissions trading. Building off the regulatory uncertainty resulting from states’ disagreement, the Greenhouse Gas Protocol promised both material and reputational benefits to its adopters. Moreover, it was able to amass the expertise required to create such a sophisticated set of tools, because they were not present in any existing focal institution.

Chapter 6 synthesizes the findings of the book and discusses the theoretical implications—namely, appropriate ways to evaluate the effects of private authority in world politics. Moreover, it suggests potential contributions of private authority to the climate change regime as it moves

forward. It also presents future avenues for inquiry, situating this study within a much broader set of questions about institutional complexity and density and the effects of private authority over time.

CONCLUSION

This book has three rather expansive goals. First, it provides a new conceptualization of private authority, which allows us to disaggregate it into two distinct phenomena while still considering their collective impact on global environmental politics. Second, it presents data that shows how private authority has changed over time and its relationship to public authority. Third, it develops a causal model to explain the emergence and form of private authority. In short, this book aims to respond to two clear gaps in existing work by providing new and much-needed data and further refining extant theoretical accounts.

Of course, there are limits to what one study can do. The main contribution of this book is to develop empirically informed theoretical foundations for a theory of private authority that moves beyond existing explanations. This choice has come at some cost of intensive hypothesis testing. Because the case studies aim to test the viability of my model, they are “on the regression line.” I do not include deviant cases, where the independent variables do not produce the expected outcome of the dependent variable. Although there is a clear and careful logic to my approach, it does not provide definitive proof for the theoretical model presented in chapter 1. In sum, the book engages primarily in theory building rather than theory testing.

Moreover, although I contrast my argument with alternative explanations, I acknowledge that some of their components are compatible with my own. The theoretical model is therefore empirically driven, eschewing a categorical separation between the various “-isms” in international relations theory.

In the following chapters, I show that private authority is now a well-established fixture in global environmental politics. A careful examination of the two different forms of private authority demonstrates that we need to think more expansively about how nonstate actors are involved in world politics. They are not simply lobbying at the margins of intergovernmental forums. The evolution of the climate change regime—from centralized multilateral agreements to a more diffuse set of nonhierarchical activities—demonstrates how the landscape of institutions to produce global public goods is changing. This book shows how private authority is contributing to this shift.