The Politics of Informal Governance*

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Abstract

Why do states sometimes use informal institutions instead of formal organizations to govern global policy issues? Extant research on the forms of institutionalization in world politics focuses on formal modes of cooperation, such as intergovernmental organizations and treaties. Formal rules, however, do not exhaust the institutional variety of international cooperation. They are often inadequate, if not entirely misleading, descriptions of the game that actors play in world politics. Recent work in political science has started to examine informal governance as a mode of cooperation in global governance. Informal governance refers to unwritten (and often vaguely specified) rules, shared expectations, and norms that are not enshrined in formally constituted organizations and which modify or substitute legally binding rules. It includes informal practices within formal intergovernmental organizations, informal institutions, and a broad array of networks constituted by state and non-state actors. This paper examines the factors that lead states to choose between formal intergovernmental organizations, informal intergovernmental organizations, and transnational public-private governance initiatives to structure their interactions and govern global problems. I highlight the political dimensions of informal governance and argue that distributional conflict and power asymmetries are critical for the selection and design of informal modes of cooperation. States use informal institutions as a means to project power and bias outcomes toward their particularistic interests. Using a new dataset on formal and informal international institutions, I test hypotheses derived from this argument as well as alternative functionalist explanations of informal international institutions. Results indicate that power dynamics are a strong driver of the emergence of informal international institutions, while functionalist factors are of less importance.

Keywords: informal governance, international cooperation, international institutions, rational design.

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Introduction

In the 19th and most of the 20th century, cooperation among nations was based on international regimes and formal intergovernmental organizations (FIGOs) (Krasner, 1983; Keohane, 1984). Yet, beginning in the 1980s and accelerating in the 1990s, states have started turning to governance through informal intergovernmental organizations (IIGOs) (Vabulas and Snidal, 2013) and transnational public-private governance initiatives (TGIs) (Abbott and Snidal, 2009) to structure their interactions and govern global problems. IIGOs are intergovernmental organizations in which states participate in regular meetings to make policies and coordinate behavior without a formal institutional support structure (Vabulas and Snidal, 2013, p. 197). Examples include the various G groups (e.g. G8) (Gstohl, 2007) and the Proliferation Security Initiative (Eilstrup-Sangiovanni, 2009). By contrast, in TGIs, states work together with both business actors and non-governmental organizations (NGOs) to govern problems that no actor alone has the knowledge and resources to address effectively (Abbott and Snidal, 2009, p. 45). Examples include the World Commission on Dams in the environment domain (Dingwerth, 2007) and the International Code of Conduct for Private Security Service Providers Association in the security area (Avant, 2016).

Despite the recent surge in informal forms of cooperation in world politics, research has largely focused on formal institutions, such as FIGOs and treaties (Abbott and Snidal, 1998; Goldstein et al., 2000; Koremenos, Lipson and Snidal, 2001; Barnett and Finnemore, 2004; Hawkins et al., 2006; Thomson, 2006; Thompson, 2009; Copelovitch and Putnam, 2014; Koremenos, 2016).[1] Formal institutions and the rules governing cooperation in this framework, however, provide only a very limited picture of international cooperation and are only one part of the increasingly complex patchwork of contemporary global governance (Lake, 2010; Barnett, Pevehouse and Raustiala, 2016). They are often inadequate, if not entirely misleading, descriptions of the game that actors play in world politics (Achen 2006: 295, Stone 2013: 122, Kleine 2014: 2). Recent work has started to examine informal governance as a mode of international cooperation (Stone 2011, 2013, Pauwelyn et al. 2012, Kilby 2013). Informal governance refers to unwritten rules, shared expectations, and norms that are not enshrined in formally constituted organizations and which

[1]For extensive reviews of the literature, see Martin and Simmons (1998) and Keohane and Martin (2003).

modify or substitute legally binding rules. It includes informal practices within FIGOs, informal institutions, and a broad array of networks constituted by state and non-state actors.

Existing work largely focuses on informal governance within FIGOs (Stone 2011, 2013, Kilby 2013, Kleine 2013). But the phenomenon is broader than this. Informal governance outside FIGOs is an alternative to governance within a formal, treaty-based structure, though the two should theoretically influence each other (Abbott and Snidal, 2009; Avant and Westerwinter, 2016). In short, while scholarship that focuses on the formal structures of FIGOs neglects informal forms of cooperation altogether, the work on informal governance within FIGOs tends to overlook informal governance outside formal arrangements. Both research programs can benefit from incorporating IIGOs and TGIs in their models. Moreover, neglecting the co-existence of formal and informal types of international cooperation makes it difficult to examine the trade-offs between different types of governance.

This paper starts to fill these gaps. Drawing on a new dataset that combines detailed information on 1,122 FIGOs, IIGOs, and TGIs, I examine the factors that drive states' decisions when they choose between FIGOs, IIGOs, and TGIs as modes of cooperation. Existing works point to the efficiency and flexibility advantages of informal international institutions vis-à-vis formal organizations to explain their emergence and proliferation (Aust, 1986; Lipson, 1991; Abbott and Snidal, 2000; Prantl, 2005; Benvenisti, 2006). In contrast to such functionalist explanations of informal institutions, I highlight the political dimensions of informal governance and argue that distributional conflict and power asymmetries are critical for the selection and design of informal modes of cooperation. States use informal institutions as a means to project power and bias outcomes toward their particularistic interests. I test hypotheses derived from functionalist theories as well as my own power-oriented argument. Preliminary results suggest that the choice for informal global governance is shaped by power dynamics, while functionalist factors play less of a role in the emergence of informal modes of global governance.

The remainder of the paper proceeds in five steps. First, I map the informal turn in global governance by presenting descriptive data on patterns of emergence and distribution, and growth trajectories of TGIs and IIGOs in comparison to FIGOs. Second, I briefly outline functionalist

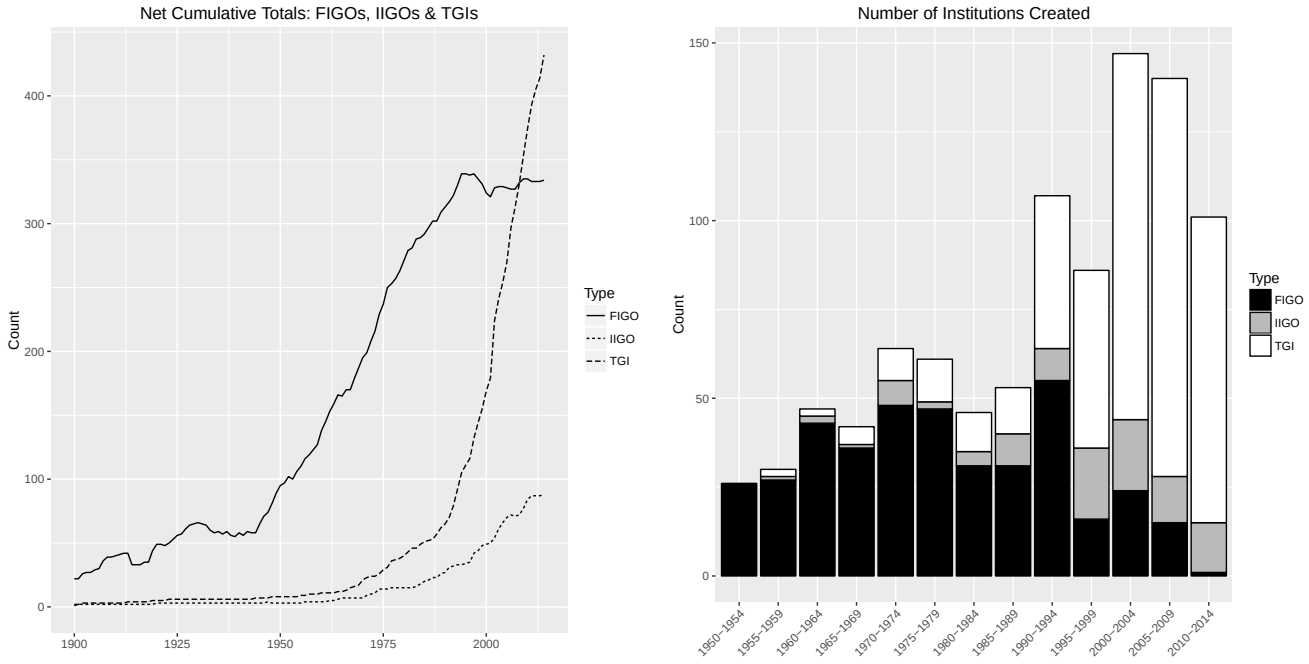
theories of informal governance, present my own power-based argument, and derive testable hypotheses from both theoretical arguments. Third, I assess these two alternative arguments using statistical analysis. The final section summarizes the findings and concludes.

Informal governance in world politics, 1815-2014

The institutional architecture of global governance has undergone dramatic changes in the past decades. The number of informal international and transnational institutions in the form of IIGOs and TGIs has been growing rapidly since the 1990s, both in absolute terms and even more so relative to FIGOs. I base my exploration of the growing importance of IIGOs and TGIs in world politics on a new dataset that allows for the comparative analysis of FIGOs, IIGOs, and TGIs over time and across issue areas. This dataset was collected as part of the project "The Politics of Informal Governance" funded by the Swiss Network for International Relations. It builds on, expands, and complements datasets by Pevehouse et al. (2015), Vabulas and Snidal (2013), Abbott and Hale (2014), and Andonova, Hale and Roger (2016). The data contain information on three types of international institutions; namely, formal intergovernmental organizations, informal intergovernmental organizations, and transnational public-private governance initiatives and covers a temporal domain from 1815 to 2015.

Starting with the development of IIGOs, we observe that, while in 1990 there existed only 27 IIGOs, their number multiplied to 88 by 2014. This corresponds to a growth rate of about 216 percent. TGIs experienced even more rapid growth. From 65 in 1990, within 24 years their number increased by about 563 percent to a total of 431 in 2014. This evidence is consistent with other studies of transnational governance initiatives. According to Abbott and Snidal (2009), transnational public-private governance initiatives are a recent phenomenon. While few such arrangements existed before 1994, since then their number has increased steadily (2009: 53-5). Likewise, Abbott, Green and Keohane (2016, p. 248) find that "private transnational regulatory organizations" formed by different combinations of civil society and business actors have proliferated in the past decades. Although the absolute number of FIGOs was still higher at 313 in 1990, TGIs became the most frequent form of cooperation in our data as of 2009. In addition, between 1990 and 2014,

Figure 1: Growth of informal global governance: IIGOs and TGIs, 1900-2014

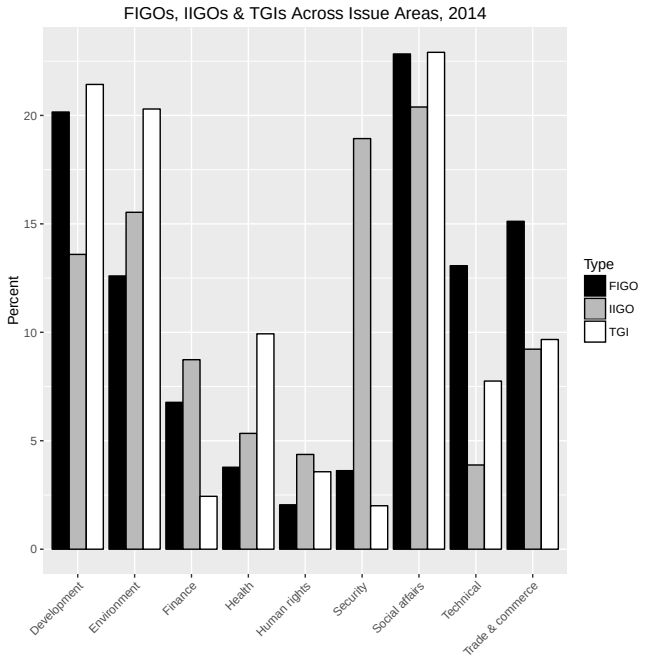


the growth of FIGOs was much slower, at about 7 percent, and became virtually flat after 2008 (see figure 1 left-hand panel).

Importantly, the decrease and flattening out of the growth of FIGOs co-occurred with the beginning of the sharp increase in the importance of IIGOs, and even more so of TGIs, as major forms of cooperation in the late 1990s. This observation is further supported if we look at the number of new formations of international institutions over time. As the right-hand panel of figure 1 shows, the growth rates of FIGOs were consistently higher than those of IIGOs and TGIs between 1950 and 1990. Only in the 1990s, and particularly in the second half of that decade, FIGO growth rates began to plummet, while at the same time the number of new TGIs created increased dramatically. The same observation can be made about the growth of IIGOs in comparison to FIGOs, although on a lower scale.

While the recent growth of IIGOs and TGIs is striking, it is not universal. In some issue areas we observe more of a turn towards informal global governance than in others. Looking at TGIs, we see that in 2014 about 20 percent of all organizations in our data are concerned with environmental issues, including climate change and energy-related problems; 21 percent deal with development. Twenty-three percent address social problems, and 10 percent deal with health

Figure 2: FIGOs, IIGOs, and TGIs across issue areas, 2014



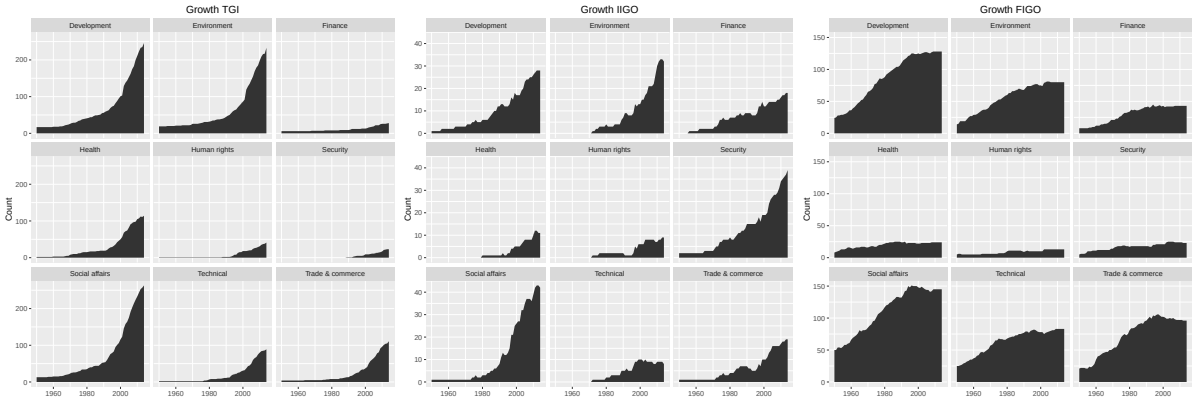
problems. Transnational public-private governance initiatives have also begun to enter the realms of high politics, with 10 percent of the TGIs in our data dealing with trade and commerce, 2 percent with finance, and 2 percent with security issues.

The picture looks different for IIGOs. Here 19 percent of the organizations in our data address security issues, and 8 percent deal with questions related to finance; 20 percent deal with social problems, 16 percent environment issues, and about 5 percent health problems. FIGOs, by contrast, are most prominent in the areas of social affairs, development, trade and commerce, and technical issues (see figure 2).

These figures should be interpreted cautiously. Nevertheless, we can see that IIGOs and TGIs are not equally distributed among issue areas, and that they are not limited to the low politics of environment, health, and human rights. They are also increasingly important for states that seek to address economic and security problems.

The growth trajectory of informal modes of global governance also varies across issue areas. Starting again with TGIs, we can see in figure 3 that the creation of transnational public-private governance initiatives in the environment, development, and social affairs domains can be traced back to the 1950s. It began to increase slowly in the 1980s, and then exponentially in the 1990s.

Figure 3: TGI, IIGO, and FIGO growth across issue areas, 1950-2014



For TGIs operating in the health, technical, and trade and commerce areas, we observe a similar growth pattern, although here growth started later and its intensity level has so far remained below that in environment, development, and social affairs TGIs. In the areas of finance, security, and, interestingly, human rights, the speed and intensity of TGI growths has remained low until very recently.

A different pattern emerges for the growth trajectories of IIGOs. Here, organizations that govern development, finance, and security issues started to emerge as early as the 1960s, and their numbers have increased considerably since then. The increase in IIGOs focused on environmental and social problems has also increased rapidly in recent years, but this development only took off in the 1980s. IIGOs in the health, human rights, technical, and trade and commerce areas appeared later, and their growth has remained at a lower level compared to issue areas such as development, social affairs, and security. The growth of FIGOs was most pronounced in the fields of development, environment, social affairs, technical, and trade and commerce, but has flattened out or even decreased since the 1990s. FIGO growth has remained slower and lower in the finance, health, human rights, and security areas.

Explaining informal global governance: Theories and hypotheses

The previous section showed that the trend toward informal governance spans all areas of world politics, while at the same time significant variation continues to exist across multiple dimensions including issue areas and growth trajectories. In this section, I first outline the conventional functional wisdom on the emergence and proliferation of informal international institutions, and then present my own alternative explanation based on a power-oriented perspective on international cooperation and institutional design.

The conventional wisdom: functionalism

The first wave of research on the topic approached informal governance from a functionalist perspective and emphasized its efficiency advantages in solving collective action problems vis-à-vis formal agreements (Aust, 1986; Lipson, 1991; Abbott and Snidal, 2000; Prantl, 2005; Benvenisti, 2006; Kleine, 2013). These arguments were originally developed in the study of informal international agreements and have dominated the field since the late-1980s. Advocates of this perspective refer to the greater speed and flexibility as well as lower contracting costs of informal governance as major drivers of its emergence and proliferation (Aust 1986: 789-93, Lipson 1991: 500-1, Abbott and Snidal 2000: 434-50).

The speed and flexibility with which informal organizations can be negotiated and adapted are particularly appealing design elements for states that are confronted with a problem that is characterized by uncertainty about the state of the world. Uncertainty about the state of the world refers to a cooperation problem where the future benefits and costs of cooperation are not easily predicted, and therefore organizational structures for governing the problem are difficult to design because the problem and available solutions are ill-known and subject to frequent change (Koremenos et al. 2001, Thompson 2010, Urpelainen 2012). The uncertainty can be scientific technical but it can also be about political and economic issues. For example, the states that collaborate in the Inter-American Tropical Tuna Commission (IATTC) initially knew only little

about how fishing techniques affect dolphin mortality and had no precise idea of how to accomplish their shared goal of preserving Eastern Tropical Pacific tuna stocks and protecting dolphins. This uncertainty made devising specific policies and organizational structures difficult (Búrca, Keohan and Sabel 2013: 744-49).

Previous work has shown that the incorporation of flexibility measures in formal intergovernmental agreements and organizations, such as termination clauses, can facilitate cooperation under circumstances of uncertainty (Kucik and Reinhardt 2008, Helfer 2013, Baccini et al. 2013). Importantly, while the flexibility provisions in FIGOs are typically designed as instruments to respond to unforeseen exceptional circumstances, the speed of negotiations and flexibility of IIGOs and TGIs result from the fact that their rules and procedures deliberately remain informal (Lipson 1991, Abbott and Snidal 2000). This kind of flexibility is more fundamental than the flexibility within FIGOs and provides an institutional setup that enables actors to continuously learn and redefine the problems they face and quickly readjust the processes needed for solving them (Búrca, Keohane and Sabel 2013). This makes it easier to readjust the set of actors involved and reform governance procedures as new information about the problem at hand and its potential solutions becomes available. The speed and flexibility provided by IIGOs and TGIs is therefore well-suited to deal with problems and issue areas characterized by persistent uncertainty about the state of the world.

The benefits of speed and flexibility of informal institutions come at a price. The institutional adaptability and frequent re-negotiations of governance procedures increase bargaining costs as individual actors seek to modify agreements to serve their short-term interests (Oye 1986, Koremenos et al. 2001). These costs are likely to be particularly acute among large heterogeneous groups but are less liable to cause problems among a small number of countries that are, all else being equal, more likely to achieve agreement fast (Koremenos, Lipson and Snidal, 2001, p. 782). Thus, small homogenous groups are better able to reap the benefits of speed, flexibility, and low contracting costs from IIGOs and TGIs (Eilstrup-Sangiovanni, 2009, p. 205). I hypothesize:

Hypothesis 1*:* All else being equal, international cooperation that involves smaller numbers of states is more likely to take the form of IIGOs and TGIs.

Hypothesis 2*:* All else being equal, international cooperation that involves homogeneous groups of states is more likely to take the form of IIGOs and TGIs.

The argument: Power

Functionalism abstracts away from the agents of global governance and neglects the conflicting interests and power differentials involved in institution building and change. As an alternative to the conventional wisdom, I therefore advance an argument about the selection of informal modes of global governance that places distributional conflict and power asymmetries at the center of the analysis of the selection and design of informal institutions (Stone, 2011, 2013; Westerwinter, 2014, 2016*a*).

Power-oriented theories of international institutions suggest that the creation and the design of global governance arrangements are a direct function of the preferences of powerful players (Krasner, 1991; Garrett, 1992). Consequently, as the distribution of power among states changes, and/or the preferences of powerful players change, shifts in the institutional architecture of global governance are likely to occur. What applies to international institutions in general, is likely also to be at play with informal global governance arrangements. States use informal institutions as a means to project power and realize more favorable outcomes (Stone 2011, 2013, Westerwinter 2013, 2014a, 2014b, Avant and Westerwinter 2016). The resulting institutions are not always, perhaps not even most of the time, efficient responses to the collective action problems they address (Krasner, 1991; Garrett, 1992; Moe, 1990, 2005). I therefore conjecture that the decision of whether to base cooperation on a FIGO, an IIGO, or a TGI is less determined by the nature of the collective action problem that states face or the number of actors involved in the cooperative effort, and more reflective of political processes that underlie bargaining over the design of the institutions of global governance.

Structural power is an important currency in all political organization, whether formal or informal. Compared to formal organizations, however, IIGOs and TGIs impose fewer constraints on structural power and thereby increase the returns to power. This creates incentives for powerful states to favor IIGOs and TGIs as forms of cooperation that preserve their power advantage. By instituting formal procedures for information-sharing, agenda-setting, proposal-making, and

voting, FIGOs weaken the relationship between structural power and control over outcomes by distributing power more widely among those who participate in an organization (Stone 2011). Within formal IGOs, informal governance can be used by powerful players to bypass these formal constraints and achieve their goals (Steinberg, 2002; Stone, 2011; Kilby, 2013). The IMF, World Bank, and WTO are cases in point.

More broadly, IIGOs and TGIs do not grant formal access and voting rights to weaker actors. In fact, they do not grant them to any actor. Thus, they leave powerful actors freer to dictate policy by exploiting their superior agenda-setting power and bargaining leverage (Steinberg, 2002). Knowing about these advantages of informality, powerful states have strong incentives to steer institutional design toward IIGOs and TGIs, particularly in situations where their preferences are strong. This may apply to situations where strong players, such as the US, the European Union (EU), or regional powers are involved in cooperative endeavors. It may also apply more generally to situations of high power asymmetry. Therefore, I test the following two hypotheses:

Hypothesis 3*:* All else being equal, international cooperation efforts that include powerful states are more likely to take the form of IIGOs and TGIs than those that do not include powerful states.

Hypothesis 4*:* All else being equal, a high degree of power asymmetry is likely to lead to international cooperation that takes the form of IIGOs and TGIs.

Data and measurement

To test my hypotheses, I use information from a new dataset on formal and informal international institutions that is currently being finalized. This data contains information on 1,122 international institutions across a broad range of issue areas. Specifically, the data includes 534 formal intergovernmental organizations (FIGOs), 107 informal intergovernmental organizations (IIGOs), and 481 transnational public-private governance initiatives (TGIs). FIGOs are the traditional intergovernmental organizations which have traditionally been at the center stage of the analysis of international institutions and organizations (Pevehouse, Nordstrom and Warnke, 2004). IIGOs are intergovernmental organizations in which states participate in regular meetings to make policies

and coordinate behavior without a formal institutional support structure (Vabulas and Snidal, 2013). Examples include the various G groups (e.g. G8) (Gstohl, 2007) and the Proliferation Security Initiative (Eilstrup-Sangiovanni, 2009). The FIGOs in the dataset are drawn from the most recent version of the Correlates of War (COW) data on international organizations (Pevehouse et al., 2015). The IIGO cases are based on the data collected by Vabulas and Snidal (2013) and complemented by additional observations identified using websites of IIGOs and other sources.

No undisputed definition of TGIs in world politics exists. I define transnational public-private governance initiatives as institutions that 1) involve at least one state and/or formal intergovernmental organization (FIGO),[2] one business actor, and one civil society organization, 2) perform tasks that are related to governing global problems, and 3) are institutionalized to the extent that they create a basis for shared expectations about behavior and are observable. First, I focus on institutions that are of a multi-stakeholder nature and bring together actors from the public sector, the private for-profit sector, as well as the private non-profit sector. In other words, my definition of a TGI zooms in on the center of the governance triangle proposed by Abbott and Snidal (2009). State actors are governments, government agencies, or representatives of government agencies. Institutions in which the only public participant is a local government actor, such as a municipality or a city, are not included in our sample. FIGOs may participate in a TGI either through their main secretariat or one of its organizational branches. Business actors encompass firms, business associations, and business foundations. Civil society actors may be NGOs, NGO coalitions, or universities and research institutes.

Second, TGIs are built to fulfill a task or set of tasks that is related to providing governance at the global level in a broad sense. Governance tasks that TGIs may be concerned with include the creation of rules and standards that govern the behavior of states, corporations, and other actors, the implementation of rules and standards, the financing of projects, as well as the facilitation of information exhange and networking related to a global problem. Other governance tasks that may be part of the activities of TGIs are agenda setting as well as the monitoring, enforcement,

[2]FIGOs are traditional formal intergovernmental organizations, such as the United Nations, the World Bank, or the World Trade Organization. I define FIGOs in accordance with the Correlates of War project definition which considers an international institution an intergovernmental organization if it has at least three member states, holds regular plenary meetings at least once every ten years, and possesses a permanent secretariat and corresponding headquarter (Pevehouse, Nordstrom and Warnke, 2004).

and adjudication of rules and standards (Abbott and Snidal, 2009; Avant, Finnemore and Sell, 2010). The important point here is that an institution is explicitly focused on contributing to governing global problems or the provision of global public or collective goods in a broad sense. As a consequence, the definition of a TGI and therefore the sample does not include, for example, information platforms without a focus on a particular governance problem. I also exclude award systems.

Third, TGIs are characterized by a minimum level of institutionalization that generates stable shared expectations about the behavior of the actors involved. This minimum level of institutional structure of TGIs is critical for distinguishing them from a range of instances of cooperation at the global level that are of a less regular nature. For example, once off, ad-hoc meetings of public and private actors are not captured by our definition of a TGI. The definition also does not include project-based collaboration between states and/or FIGOs, business, and NGOs. The minimum level of institutionalization of TGIs required by the definition is also important from a practical research perspective. TGIs are often characterized by a lower level of institutional formalization than other forms of global governance, such as FIGOs. While mapping the empirical variation in the level of institutional formalization of TGIs is part of the purpose of the dataset presented in this paper, there is a limit to the extent of the informality of global governance institutions that researchers are able to observe. One of the hallmarks of informal institutions is that they are difficult to trace empirically because the leave little or even no publicly accessible paper trail (Christiansen and Neuhold, 2012; Koremenos, 2013). At the lower end of the continuum of institutional formalization, governance efforts become difficult to observe and many global governance institutions of a very informal character may never be observed by any researcher. To address this problem and to avoid bias toward more institutionalized forms of governance in the dataset, I theoretically exclude from the definition of a TGI governance efforts that feature very low or even no institutionalization.

All institutions that meet these three requirements are part of the population of all TGIs in world politics as understood here and were therefore targeted by the data collection. An example of a TGI that governs issues related to global health is the Global Fund to Fight AIDS, Tuber-

culosis and Malaria (GF) (Liese and Beisheim, 2011). Based on the participation of states, the private sector, and NGOs, the GF garners, manages, and disburses resources to fight HIV/AIDS, Tuberculosis, and Malaria. Founded in 2002, the GF has a governing board and its work is supported by the Global Fund Secretariat, the Global Fund's Office of the Inspector General, as well as other institutional structures.[3] In the security area, the International Code of Conduct for Private Security Service Providers Association (ICoCA) was founded in 2013 (Avant, 2016). Building on the International Code of Conduct for Private Security Service Providers (ICoC) process that started in 2009, the ICoCA brings together states, private security companies, associations of private security companies, and a range of civil society organizations that collaborate to create and monitor standards for private security service providers and how states make use of their services. The ICoCA meets on an annual basis in the form of its general assembly, has its own secretariat, as well as working bodies focused on different substantive aspects of the governance of private security providers.[4]

The TGIs covered in this paper are a sample of the population of all TGIs in world politics. The creation of the sample took place between 2015 and 2016 and was done by a research team at the University of St. Gallen. To identify TGI cases, we applied our definition of a TGI to seven source databases and lists that were identified as containing information about transnational governance arrangements and other forms of global governance. These databases include the Global Solution Network (GSN) database,[5] the United Nations Environment Programme (UNEP) Climate Initiatives Platform,[6] and the UN World Summit on Sustainable Development (WSSD) partnerships database.[7] We also searched all organizations that are recorded as "networks" in the Yearbook of International Organizations.[8] Furthermore, we applied our TGI criteria to the organizations documented in the databases of Andonova, Hale and Roger (2016) as well as ongoing research projects at the University of Zurich and Duke University.[9] Finally, we searched websites of

[3] http://www.theglobalfund.org/en/overview/, accessed: 12.09.2016.
[4] http://icoca.ch/en, accessed: 12.09.2016.
[5] http://gsnetworks.org/, accessed: 12.09.2016.
[6] http://climateinitiativesplatform.org/index.php/Welcome, accessed: 12.09.2016.
[7] https://sustainabledevelopment.un.org/partnership/search/?str=, accessed: 13.09.2016.
[8] http://www.uia.org/yearbook, accessed: 13.09.2016.
[9] We thank Katharina Michaelowa and her team at the University of Zurich as well as Ben Collins and Suzanne Katzenstein (Collins and Katzenstein, 2016) and their team at Duke University for sharing their databases.

TGIs that were included in our sample for references and links to identify additional organizations that meet our definition. Thus, in total we used eight sources to identify TGI cases for our dataset.

In a first step, a team of researchers worked with a portion of the GSN database and tested our TGI identification criteria and their empirical operationalizations. Each researcher set out independently to identify the TGI cases that were contained in this first portion of the GSN database. To code TGI cases, we used websites of organizations, primary documents, such as founding charters and mission statements, government and NGO reports, as well as secondary sources, such as academic papers. Whenever possible, we triangulated different sources to increase the validity of coding decisions. Once the first set of case identifications was finished, results were compared and the initial experiences used to revise the coding guidelines and harmonize coding practices. After this first step and the identification of a first set of TGI cases, researchers continued individually to work through the remainder of the GSN database as well as the other source databases to identify additional organizations for inclusion in our dataset.

In total, we included 481 TGIs in our dataset. At the time of the creation of our sample, the GSN database consisted of 762 organizations out of which we identified 154 as TGIs. The UN WSSD partnerhip list and the UNEP Climate Initiatives Platform included 187 and 184 organizations and we identified 41 and 27 TGIs in these lists respectively. A total of 2,625 organizations were identified as "networks" in the Yearbook of International Organizations. Using our selection criteria, we found 98 TGIs among these organizations. The database of Andonova, Hale and Roger (2016) contains 119 cases, while the lists from the research projects at the University of Zurich and at Duke University involve 684 and 84 cases respectively. Across these three source databases, we identified 18, 40, and 16 TGIs acccording to our criteria. Finally, we found an additional 85 TGIs through our search of the websites of organizations that were identified as TGIs in our data. The dataset spans a temporal domain that starts in 1815 and ends in 2014.

The unit of analysis in this paper is the international institution. Each observation in the data contains information about a particular international institution which can be a FIGO, an IIGO, or a TGI. I create two dependent variables. The first dependent variable is an indicator variable that captures whether an international institution is of an informal nature or not. It

is coded 1 if an international institution in the dataset is an IIGO or a TGI and 0 otherwise. The second dependent variable is a categorical variable with three outcome categories: "1" for a FIGO, "2" for an IIGO, and "3" for a TGI. In addition to capturing differences between formal and informal international institutions, this variable also allows to differentiate different types of informal governance inststutions and examine whether the factors that shape their emergence differ. To estimate models that use the informal institution indicator as dependent variable, I use logistic regression. The models with the categorical outcome variable are estimated using multinomial regression.

To test hypotheses 1 and 2, I create two independent variables. The first captures the number of states that are involved in the creation of an international institution. Since the distribution of the number of states that participate in the creation of international institutions is skewed, I use the natural logarithm of the count of states involved in the creation of an international institution. The second variable combines information on state participation in the creation of international institutions with data on idealpoint estimates of states' preferences based on United Nations (UN) General Assembly voting (Voeten, 2000). Specifically, I compute the absolute difference between the lowest and the highest idealpoint estimate of the states that participate in the creation of an international institution to approximate the degree of heterogeneity of the preferences of the states involved in an international institution.[10] If hypotheses 1 and 2 are confirmed, we expect to observe a negative sign on the coefficients for these two independent variables in the statistical analysis.

To test my power-related hypotheses, I create three independent variables. The first variable captures whether the United States participates in an international instiution. It is an indicator variable that is coded 1 if the US participates in the creation of an international institution and 0 if the US is not involved. If the selection of informal forms of cooperation as means of global governance is driven by powerful players, the coefficient for this variable in the estimated models should be positive.

The second variable captures the participation of powerful states in the creation of international

[10] I also calculate the standard deviation and variance of states UN General Assembly voting based on ideal point estimates as proxy for preference heterogeneity. Results obtained with this alternative measure do not differ from the ones presented in the empirical analysis.

institutions more generally. I use countries' GDP as a proxy of their power in global governance (Drezner, 2007). Based on state involvement in the international institutions in the dataset as well as GDP data, I generate a variable that captures the mean GDP of the states involved in the creation of a particular international institution. This variable captures the average level of economic power present among the states involved in an international institution. Hypothesis 3 suggests a positive sign of the coefficient of this variable in the statistical analysis.

A third power-oriented variable captures the asymmetry in economic power among the states involved in the creation of an international institution. Using the absolute difference of minimum and maximum GDP and, alternatively, the standard deviation and variance of GDP values of the states involved in an international institution, larger values on this variable refer to situations in which international institutions are designed by groups of states that are heterogeneous in terms of the amount of economic power they control. Evidence that supports hypotheses 4 would result in a positive sign on the coefficient of this variable in the statistical analysis.

Researchers have suggested that the type of political regime of a country affects its behavior at the global level including the type of international institutions in which it participates (Pevehouse, 2003; Tallberg, an Theresa Squadrito and Jonsson, 2013). Specifically, scholars argued that democracies are different from autocracies in the types of international institutions they decide to get involved in (Tallberg, an Theresa Squadrito and Jonsson, 2013). To control for the effect of democracy on whether an international institution is likely to be of a formal or informal nature, I include a variable in the statistical models that captures the average regime type of the countries involved in the creation of an international institution. I use the PolityIV data to measure countries' regime types (Gurr and Moore, 1989). I use Polity's autocracy and democracy scores to measure levels of autocracy and democracy in each country that is involved in the creation of an international institution in a particular year. I take a country's democracy score minus its autocracy score ($democ_{it} - autoc_{it}$) to create a single continuous measure of democracy (Oneal et al., 1996). The resulting measures ranges from -10 (complete autocracy) to 10 (complete democracy). Using this measure I create a variable that is coded 1 for states that have a regime type score of 6 or higher and 0 otherwise (Pevehouse, 2003). Based on this democracy indictor, I compute the

average number of democracies that participate in the creation of an international institution. Using the continuous regime type measure or a different democracy cutpoint (e.g. 7) does not affect results.

Finally, I control for the issue area of cooperation by including indicator variables for a security, environment, and trade and commerce. Data on the policy scope of FIGOs comes frome the most recent version of the COW data on intergovernmental organizations (Pevehouse et al., 2015). The measurement of the issue areas in which IIGOs and TGIs operate is based on the issue area coding scheme applied in the Transnational Public-Private Governance Initiatives in World Politics Data (Westerwinter, 2016*b*). For FIGOs, all organizations coded as "defense" in the COW data are coded as security. Environment FIGOs are those coded as "environment" or "energy" in the COW data, and trade and commerce FIGOs are those coded as "trade" or "commerce" organizations in the COW data. For IIGOs and TGIs, organizations with a focus on "peace/stability", "soft security", "private security", "defense", "conflict", "counter-terrorism", "money laundering", "piracy", "nuclear proliferation", or "proliferation" are coded as security. Trade and commerce IIGOs and TGIs are organizations coded as "trade" or "commerce", and environment captures IIGOs and TGIs that are coded as "environment", "climate change", or "energy". Table 1 provides summary statistics for the variables used in the empirical analysis.

Table 1: Summary Statistics: Dependent and Independent Variables

	Mean	Variance	Std. Dev.	Min.	Max.	N
Informal institution	0.524	0.250	0.500	0.00	1.00	1,122
Institution type	1.953	0.903	0.950	1.00	3.00	1,122
Log number states	1.734	1.569	1.253	0.00	5.00	1,122
Abs. diff. ideal points	1.844	2.096	1.448	0.00	5.08	731
US participation	0.281	0.202	0.450	0.00	1.00	1,122
Mean logged GDP states	25.080	6.439	2.538	18.05	30.48	627
Abs. diff. logged GDP	4.396	8.981	2.997	0.00	13.31	627
Mean democracy	4.484	26.738	5.171	-9.50	10.00	838
Security	0.086	0.079	0.281	0.00	1.00	1,122
Environment	0.348	0.227	0.477	0.00	1.00	1,122
Trade and commerce	0.263	0.194	0.440	0.00	1.00	1,122

Results

Table 2: Logistic Regression Estimates, Informality

	Model 1	Model 2	Model 3	Model 4	Model 5
Log num. states	-0.891^{***}	-0.723^{***}	-0.400^{+}	-0.379	-0.412^{+}
	(0.135)	(0.145)	(0.225)	(0.232)	(0.240)
Abs. diff. ideal points	0.664^{***}	0.345^{***}	0.185	0.235	0.244
	(0.093)	(0.104)	(0.146)	(0.151)	(0.153)
US participation		1.457^{***}	0.295	0.213	0.136
		(0.215)	(0.330)	(0.328)	(0.331)
Mean log GDP			0.674^{***}	0.632^{***}	0.625^{***}
			(0.071)	(0.090)	(0.095)
Abs. diff. log GDP			0.202^{**}	0.200^{**}	0.204^{*}
			(0.075)	(0.077)	(0.080)
Mean democracy				0.765	0.703
				(0.477)	(0.503)
Security					0.877^{*}
					(0.401)
Environment					0.593^{**}
					(0.230)
Trade and commerce					-0.305
					(0.244)
Constant	0.928^{***}	0.654^{**}	-16.78^{***}	-16.39^{***}	-16.30^{***}
	(0.209)	(0.224)	(1.940)	(2.222)	(2.297)
Wald χ^2	53.33^{***}	97.22^{***}	132.8^{***}	143.6^{***}	152.5^{***}
Pseudo R^2	0.07	0.12	0.32	0.33	0.36
Observations	731	731	623	618	618

Robust standard errors in parentheses. All significance tests two-tailed.
$^{+}$ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

I start my empirical analysis by investigating hypotheses 1 and 2 that examine the effect of the number of states involved in the creation of an institution and the heterogeneity of the revealed preferences of the states involved in the creation of an institutions on informality. Table 2 reports the results of this analyis in the first column. The results of model 1 suggest that there is a statistically significant negative relationship between the number of states involved in the creation of an institution and the likelihood of this institution being of an informal character. In other words, the more states are involved in the creation of an international institution, the less likely this institution is to be either an IIGO or a TGI, all else being equal. This finding is in line with hypothsis 1. By contrast, the heterogeneity of state preferences makes it more not less

likely that an international institution is informal. This result is statistically significant and runs against the argument of a negative relationship between pereference heterogeneity and informality as summarized in hypothesis 2. Together, these findings suggest that it is particularly small groups of states with heterogeneous preferences that create informal institutional arrangements to structure their interactions and to govern global problems that they care about.

Table 3: Changes in Probabilities: Logistic Regression Models

	Δ Pr(informal governance)
Log num. states	-0.250
min $\rightarrow$ max	$[-0.537, 0.372]$
Abs. diff. ideal points	0.167
min $\rightarrow$ max	$[-0.037, 0.372]$
US participation	0.019
min $\rightarrow$ max	$[-0.071, 0.108]$
Mean log GDP	0.925
min $\rightarrow$ max	$[0.844, 1.00]$
Abs. diff. log GDP	0.345
min $\rightarrow$ max	$[0.107, 0.583]$

Note: All other variables held constant at their means. 95% confidence intervals in brackets. Calculations based on model 5 in table 2.

In addition to the two functionalist independent variables, models 2 and 3 also include three variables that capture power-oriented explanations of informal international cooperation. As we can see from the second column of table 2, US participation is positively associated with the likelihood of an international institution being of an informal character. This finding, however, is only statistically significant if other power-oriented variables are not included. Once we include the average logged GDP of all states participating in the creation of an institution as well as the absolute difference between the lowest and highest logged GDP, we observe that only the GDP variables have a positive and statistically significant relationship with the probability of informality. The association between the two GDP variables and the probability of informality is robust even if we control for the effect of regime type and unobserved heterogeneity among issue areas by including issue area variables for the security, environment, and trade and commerce domain. This lends first support to the power-oriented hypotheses 3 and 4.

With respect to the control variables, we see that the average level of democracy among the

states involved in the creation of an international institution does not affect the likelihood of this institution being of an informal nature. We also observe a stronger tendency toward informal international cooperation the security and the environment area. Thus, informality seems to be more not less likely in the security area.

The coefficients of non-linear models are hard to interpret directly. I therefore compute changes in probabilities (table 3) to have a closer look at the substantive effects of functionalist and power-oriented variables on the likelihood of informal global governance to occur. In table 3, we can see that holding all other variales constant at their means, increasing the number of states involved in an international institution from its sample minimum to its maximum leads to an average decrease in the predicted probability of informal governance of about 0.25. Changing the preference heterogeneity of states from the minimum to the maximum increases the average predicted probability of informality of an institution by about 0.17. Both changes, however, are not statistically significant. By contrast, comparable changes in the participation of the US in international cooperation efforts, the mean economic power of the states participating in the creation of an international institution, as well as the absolute difference between the lowest and highest GDP lead to increases in the average predicted probability of informal governance of about 0.02, 0.93, and 0.35. While the change in the average predicted probability for US participation is not statistically significant, the changes in the two GDP-based variables are. This suggests that changes in the distribution of economic power among the states involved in the creation of a new international institution have a statistically as well as substantively profound influence on whether or not this institution is of a formal or informal nature.

One might argue that IIGOs and TGIs, although both often less formal than FIGOs, are distinct types of international institutions and therefore combining them empirically in one measure of institutional informality in world politics is problematic. To address the differences in different types of institutional informality in global governance, I differentiate between FIGOs, IIGOs, and TGIs and use multinomial regression models to examine how functionalist and power-oriented variables shape the likelihood of each of these types of organization to occur. The multinomial models in table 4 split the analysis along the three types of institutions in the dataset (FIGOs,

Table 4: Multinomial Logistic Regression Estimates, Types of Institutions

	Model 6	Model 7	Model 8	Model 9	Model 10
IIGOs					
Log num. state	0.268	0.321^{+}	0.758^{*}	0.833^{*}	0.712^{*}
	(0.186)	(0.186)	(0.322)	(0.331)	(0.340)
Abs. diff. ideal points	0.385^{**}	0.271^{*}	0.203	0.238	0.344^{+}
	(0.125)	(0.137)	(0.176)	(0.184)	(0.196)
US participation		0.536^{+}	−0.0854	−0.169	−0.568
		(0.314)	(0.434)	(0.435)	(0.475)
Mean log GDP			0.514^{***}	0.494^{***}	0.437^{**}
			(0.096)	(0.140)	(0.140)
Abs. diff. log GDP			−0.0165	−0.0273	−0.0194
			(0.115)	(0.119)	(0.124)
Mean democracy				0.560	0.835
				(0.721)	(0.730)
Security					2.027^{***}
					(0.375)
Environment					0.390
					(0.313)
Trade and commerce					−0.549
					(0.379)
Constant	-2.713^{***}	-2.765^{***}	-15.68^{***}	-15.78^{***}	-14.76^{***}
	(0.359)	(0.364)	(2.664)	(3.366)	(3.370)
TGIs					
Log num. state	-1.447^{***}	-1.272^{***}	-1.063^{***}	-1.069^{***}	-1.031^{***}
	(0.174)	(0.186)	(0.272)	(0.285)	(0.284)
Abs. diff. ideal points	0.801^{***}	0.425^{***}	0.179	0.256	0.228
	(0.104)	(0.113)	(0.155)	(0.163)	(0.167)
US participation		1.768^{***}	0.467	0.367	0.397
		(0.240)	(0.362)	(0.356)	(0.362)
Mean log GDP			0.753^{***}	0.683^{***}	0.682^{***}
			(0.077)	(0.095)	(0.010)
Abs. diff. log GDP			0.330^{***}	0.329^{***}	0.334^{***}
			(0.081)	(0.083)	(0.084)
Mean democracy				1.034^{+}	0.950
				(0.553)	(0.594)
Security					-1.085^{*}
					(0.495)
Environment					0.670^{**}
					(0.248)
Trade and commerce					−0.187
					(0.268)
Constant	1.509^{***}	1.194^{***}	-18.35^{***}	-17.47^{***}	-17.57^{***}
	(0.252)	(0.272)	(2.110)	(2.360)	(2.438)
Wald χ 2	114.4^{***}	152.6^{***}	198.7^{***}	208.7^{***}	240.7^{***}
Pseudo-R^2	0.11	0.15	0.28	0.29	0.34
Observations	731	731	623	618	618

Robust standard errors in parentheses. All significance tests two-tailed.
$^{+}$ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

IIGOs, and TGIs).[11]

As we can see in the bottom part of table 4, the results from the logistic regression models hold for TGIs. The number of states involved in the creation of a TGI is negatively associated with the likelihood of a new international institution being a TGI and the heterogeneity of state preferences is positively related to to this likelihood. Interestingly, for TGIs, the effect of the number of states involved is statistically significant in the multinomial model, while it was insignificant in the logistic regressions. Further, all three power-related variables are positively correlated with the likelihood of an institution in the dataset being a TGI compared to being a FIGO.

Table 5: Changes in Probabilities: Multinomial Logistic Regression Models

	Δ Pr(FIGO)	Δ Pr(IIGO)	Δ Pr(TGI)
Log num. states	0.066	0.603	−0.669
min → max	[−0.241, 0.373]	[0.296, 0.909]	[−0.789, −0.549]
Abs. diff. ideal points	−0.185	0.115	0.070
min → max	[−0.388, 0.018]	[−0.066, 0.296]	[−0.129, 0.268]
US participation	−0.013	−0.069	0.083
min → max	[−0.101, 0.075]	[−0.081, 0.271]	[−0.007, 0.172]
Mean log GDP	−0.904	0.095	0.809
min → max	[−1.00, −0.803]	[−0.124, 0.164]	[0.655, 0.963]
Abs. diff. log GDP	−0.334	−0.180	0.514
min → max	[−0.565, −0.103]	[−0.389, 0.029]	[0.343, 0.686]

Note: All other variables held constant at their means. 95% confidence intervals in brackets. Calculations based on model 10 in table 4.

With respect to IIGOs (upper part of table 4) we observe some changes. In the fully specified model 10, we observe a positive relationship between both functionalist variables and the likelihood of an international institution being an IIGO. An increase in the number of states involved as well as an increase in preference heterogeneity lead to an increase in the likelihood of observing an IIGO. Of the power-related variables, only the average logged GDP of the states involved in the creation of an international institution remains statitistically significant in the multinomial model and the corresponding coefficient continues to have a positive sign. Thus, the involvement of powerful states increases the likelihood of a new international institution being an IIGO.

[11] FIGOs serve as the baseline category for estimating the model. Changing the baseline category to IIGOs or TGIs does not change results.

The analysis of changes in average predicted probabilities across different types of institutions in table 5 provides additional details on the substantive effects of the variables included in the models. We can see a consistently positive and statistically significant relationship between the power-oriented variables and the average predicted probability of a new international institution being a TGI. Specifically, moving the average logged GDPs of the states that participate in the creation of a new international institution from its sample minimum to its maximum increases the average predicted probability of that institution being a TGI by 0.81. Similarly, increasing the spread of economic power among the states involved in the formation of a new institution from its sample minimum to maximum leads to an increase of the average predicted probability of observing a TGI of 0.51. The number of states involved, by contrast, reduced the average probability of a TGI by 0.67. With respect to IIGOs, we do not find any statistically significant effects of economic power. However, we see that an increase in the number of states involved from the sample minimum to maximum leads to an increase in the average predicted probability of an IIGO of 0.60. Thus, TGIs and IIGOs differ in the extent to which their choice is shaped by functionlist and power-related forces.

Conclusion

This paper examines the factors that shape states' choices of formal and informal institutional forms for structuring their interactions and governing global problems. While informal international institutions, such as IIGOs and TGIs, have become important elements of the patchwork of contemporary global governance, their growth is not universal. While some issue areas have seen a dramatic rise in informal governance (e.g. environment and development), others (e.g. finance and security) have undergone less dramatic changes.

The paper tests four hypotheses about when states choose informal governance as mode of international cooperation that are drawn from funcationlist and power-oriented theories of international cooperation. I find that power-oriented dynamics play a statistically significant and substantively important role in the emergence of informal global governance institutions, particularly of TGIs. Functionalist factors, by contrast, are less important and sometimes have opposite

effects than would be expected based on functionalist theories of international cooperation and informal international institutions more specifically.

Theoretically, the paper contributes to broadening the analysis of informal governance in world politics beyond informal governance within formal international organizations. It also introduces a comparative perspective that allows researchers to capture a broader range of the institutional choices available to states in their analysis. Empirically, the paper introduces a new dataset on formal and informal international institutions which allows the systematic testing of hypotheses about informal cooperation in the context of global governance that have so far only been examined using qualitative case studies. The results also have important policy implications. They suggest that if policy-makers seek to understand what international institution is likely to emerge in a particular situation, they should pay attention to power dynamics in addition to functional requirements related to the issue they wish to govern.

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