# International Organizations as Orchestrators

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**Abstract**

This paper develops a conceptual framework for analyzing *IO Orchestration*, a governance approach which is widely used by international organizations (IO) to attain their goals but hardly analyzed. The paper conceptualizes Orchestration as an indirect and soft mode of governance to be distinguished from traditional governance by regulation which addresses the targets of governance directly through hard governance instruments. It also distinguishes Orchestration from both collaborative governance by self-regulation (which is soft, but direct) and governance through delegation (which is indirect, but hard). Accordingly, IOs act as Orchestrators when they enlist intermediary actors on a voluntary basis by providing them with ideational and material support in order to achieve governance goals with respect to target actors. Based on this conceptualization, the paper develops a framework for analyzing the conditions under which IOs rely on Orchestration.

## 1. Introduction

IOs have ambitious governance goals but moderate governance capacity. IOs are tasked, for instance, to contain the use of violence, facilitate free trade, promote economic development, fight organized crime, enforce human rights, assert labor standards, defend biodiversity, and provide disaster relief after earthquakes, floods and civil wars. Yet their ability to govern state and non-state behavior to ensure the achievement of these goals is constrained by restrictive treaty mandates, member state oversight, and limited financial and administrative resources: IOs often lack the capacity to perform the roles that they have been nominally allocated. Many IOs have reacted to this dilemma by experimenting with new modes of governance (Abbott and Snidal 2009a,b; 2010, Reinicke 1998, Zürn 1998, Rosenau 1995, Mathews 1994, Slaughter 2004). They still engage in making, monitoring and adjudicating international law. In addition, however, some IOs enhance their governance capacity by delegating specific tasks to third parties as when the United Nations (UN) contracts-out the construction of refugee camps to selected aid agencies (Cooley and Ron 2002). Other IOs collaborate directly with target actors to promote voluntary self-regulation (Cutler 1999, 2003, Reinicke 1998, Rosenau 1995) as when the UN convinces private businesses to voluntarily accept the Global Compact's social and political standards (Ruggie 2007). In this paper, we focus on another new mode of IO governance which is widely used but rarely analyzed in International Relations or International Law scholarship. We call it Orchestration.

Orchestration occurs when an IO *enlists Intermediary actors on a voluntary basis by providing them with Material and Ideational support in order to achieve governance goals with respect to Target actors.* The *intermediaries* are often Non-Governmental Organizations (NGOs) but sometimes are business organizations, public-private partnerships or other IOs. The intermediaries are important because they control governance capacities – including valuable information, access to targets, enforcement capacity, material resources, or legitimacy – that the IO lacks. *Target actors* can be both states and private entities. Thus IOs such as the UN OHCHR enlist the support of human rights NGOs such as Amnesty International to monitor state compliance with international human rights law and to lobby national governments to support new treaty instruments; here, states are targets (Martens 2004). The United Nations Environmental Program (UNEP), by contrast, orchestrates the Global Reporting Initiative (GRI) to develop and disseminate globally applicable "Sustainability *Reporting* Guidelines" for voluntary use by private businesses and other actors ; here, private actors are targets (Dingwerth 2007). The *governance goals* that IOs pursue by orchestration include both the regulation of target behavior and the provision of public goods to targets. In the human rights example, the governance goal is to regulate state conduct; in the GRI example, the goal is to shape and regulate private behavior. Orchestration for public goods provision is illustrated by the World Bank, the WHO and other IOs enlisting the Gates Foundation, World Vision International and local NGOs to provide basic health services in Somalia (Schäferhoff 2011).

The key to orchestration is to bring third parties into the governance arrangement to act as intermediaries between the IO and target actors rather than try to govern the targets directly. Orchestration is thus an *indirect* mode of governance. Importantly, IO orchestrators have no firm control over the activities of intermediaries but must mobilize and facilitate their voluntary cooperation in a joint governance effort. Orchestration is thus a *soft* mode of governance. The orchestrator is not a governor in the traditional, hierarchical sense but rather is a focal actor creating and integrating a multi-actor system of soft and indirect governance geared towards shared governance goals that neither the orchestrator nor the intermediaries could achieve on their own.

The concept of orchestration potentially applies broadly to a variety of governance actors. For instance, nation states have long engaged in domestic Orchestration alongside traditional hard law regulation (see Abbott and Snidal 2009; Genschel and Zangl 2008). Indeed, we will use the domestic context as a convenient reference point to elaborate the concept of orchestration. Yet our focus is on IOs as orchestrators. The goal is to describe different patterns of IO orchestration and to specify the conditions under which IOs use orchestration as a governance tool. On this basis we explore situations where orchestration might prove a better tool for effective and legitimate governance. Our effort thus has both positive and normative elements: it is positive in that it seeks to understand when IOs *will* adopt orchestration; it is normative in identifying when IOs *should* adopt such techniques. To be sure, there is no presumption that orchestration is generally desirable. It might be ineffective for some problems; might be used for IO organizational goals rather than substantive governance missions; might have undesirable distributional consequences; and might even be used by a nefarious orchestrator working through, e.g., al Qaida.

The analysis of IO orchestration contributes to the scholarly literature in two ways. First, it enhances our understanding of IOs and their role in global governance by identifying a substantively important mode of IO governance that scholars and even policy makers tend to ignore or overlook. Orchestration is sometimes conflated with 'new' collaborative modes of governance that promote the self-regulation of target actors (which are soft, but direct) or with governance by delegation to supranational agents (which is indirect, but hard). We flesh out analytically how to distinguish orchestration from these other modes of governance. Second, our analysis contributes to a better understanding of NGOs and how they influence global governance. While the dramatic rise in the number and capabilities of transnational non-state actors has engendered a huge scholarly literature, most of this literature is focused on who these actors are, what they do and how they influence decision-making inside states or IOs. The reverse image of how IOs react to the proliferation of non-state actors and use them for their own governance purposes has attracted less attention. Our research helps to close this gap.

The paper is structured as follows: We begin by elaborating the concept of orchestration to distinguish it from other modes of IO governance. We then develop a simple Orchestrator-Intermediary-Target (OIT) model of Orchestration to clarify the relation between the three

actors. To highlight the distinctive character of orchestration, we contrast the OIT model with the Principal-Agent (PA) model that is widely used to study IOs. In order to explain why and when IOs orchestrate, we propose a set of hypotheses that predict an IO's use of orchestration according to its relation to member states, its internal characteristics and the availability of Intermediaries. These hypotheses are intended to guide and organize the subsequent empirical chapters in this project. We conclude with a brief discussion of the normative implications and limitations of orchestration.

## 2. Orchestration as a mode of governance

Here we introduce the concept of orchestration in the abstract by juxtaposing it to other modes of governance. We then elaborate on specific features of IO orchestration.

### *Orchestration and other modes governance*

A useful starting point for conceptualizing modes of governance is the ideal typical image of the national state as a hierarchical governor of domestic society: the state, acting through the government, defines the rules of the game of the society and enforces them through the state bureaucracy. The rules are mandatory, backed by the state's 'monopoly of legitimate physical violence' (Weber [1919] 2004: 33) and directly address the ultimate targets of governance (i.e. individual and corporate citizens). Familiar instances of this top-down, hierarchical approach are taxation, military conscription, compulsory schooling, and social transfers. More mundane examples include environmental command and control regulation, food safety standards or no-smoking legislation. In table 1, hierarchical governance is represented by the top-left combination of "hard" and "direct" governance: Governance is hard because the governor promulgates enforceable rules; Governance is direct because the rules apply directly to target actors.

|  | Direct | Indirect |
|---|---|---|
| **Hard** | Hierarchy | Delegation |
| **Soft** | Collaboration | Orchestration |

**Table 1: Four modes of governance**

Real world governments are not limited to hierarchical modes of governance but also use other modes. For instance, they engage in hard-indirect governance through Principal-Agent forms of "delegation" (e.g. Majone 1997). This happens when a legislature delegates to an independent regulatory agency the tasks of interpreting and applying hard law rules, delegates to an independent central bank the responsibility for managing monetary policy or mandates an IO to deal with a defined trans-boundary issue. Governance by delegation is indirect in that the governor addresses target actors via a third actor, the agent; it is hard because, first, the governor is the (formal or factual) principal of the agent, supervises its activities and can ultimately rescind the agent's governance authority, and, second, because the agent can impose binding rules and policies on target actors. This combination of hard-indirect governance is represented by the top-right cell of table 1

In addition to hard governance, national governments also govern by softer means, substituting ideational and material inducements for legal obligation and coercive threat. Thus in policy fields requiring high levels of technical expertise, governments have often preferred to collaborate with target actors to promote their self-regulation rather than to impose state regulations top-down (Streeck and Schmitter 1985). Classic examples include the quality regulation of medical practice by medical associations, technical standard setting by industry associations or the traditional (until the 1980s) self-regulation of the British financial sector by "club government" (Morgan 2006). A more recent case is the US Environmental Protection Agency's National Environmental Performance Track which allows firms to substitute adherence to a voluntary regulatory regimen for some features of mandatory state regulation. This governance approach is soft because it relies mainly on the voluntary collaboration of target actors; it is direct because the governor addresses target actors directly without third party intermediation. Governance by "collaboration" is represented by the bottom-left cell of Table 1.

Finally, governments engage in soft and indirect governance. The poster example here is neocorporatist concertation as practiced by many West European states in post-WW II decades: governments enlist the support of national peak industry and labor associations to implement economic and social policy goals with respect to their membership and in return offer ideational and material support to these associations and their leadership (Streeck and Kenworthy 2005). This approach corresponds to our notion of "orchestration." Orchestration is indirect because the governor addresses the ultimate targets of governance via intermediaries rather than directly; it is soft because the governor lacks firm control over intermediaries, which, in turn, lack compulsory means to coerce target actors into compliance. Combining softness and indirectness, orchestration represents the opposite of traditional, hierarchical governance and is located in the lower-right cell of table 1.

For conceptual clarity, we introduce the four modes of governance – hierarchy, delegation, collaboration, orchestration – as stark ideal types. In practice, however, these modes are mixed and blended into hybrid forms. Rather than treating the direct-indirect and hard-soft distinctions of table 1 as categorical differences, they should be considered as extreme

points of a continuum. Thus, there are degrees of '(in)directness' in governance. Delegation to a domestic independent regulatory agency as a sole principal, for example, is a more direct mode of governance than delegation to a multinational IO where a state shares this role with a host of other governments. Likewise, there are degrees of hardness or softness. Orchestration blends into delegation as orchestrators gain stronger control over intermediaries. When national peak associations owe their power and sometimes their very existence to the national government under neocorporatism (Streeck and Kenworthy 2005), the government has more control over these intermediaries than their formally private status would suggest. This moves the government-intermediary relationship from the pure orchestration end some way up towards the delegation end. Conversely, delegation blends into orchestration as principals lose control over agents. For instance, when independent central banks enjoy large latitude from government oversight, governments must rely more on persuasion and inducement rather than formal controls in dealing with them. This pushes the relationship between the two from the pure delegation end towards the orchestration end.

### *IO orchestration*

Orchestration is used by national states but it is of particular value to IOs given their relative disadvantage in pursuing either hard or direct modes of governance. In general, IOs have less capacity than states to adopt and enforce mandatory and direct policies. States are reluctant to delegate authority that would empower IOs to govern them hierarchically by hard international law or by delegation to powerful supranational agents. If anything, states are even more reluctant to allow IOs to hierarchically govern private actors within their national territory even though the activities of private actors such as farmers, producers, consumers, financial institutions, travellers, or crime suspects are central to many of the most pressing contemporary international governance issues – multinational production, transnational supply chains, trans-boundary pollution, financial crashes, global pandemics, international terrorism and so on. Thus, the ability of IOs to meet their governance objectives through hierarchical governance or through delegation is narrowly circumscribed. Even soft governance by collaboration is difficult. Usually IOs lack both direct access to private targets as well as the ability to offer (positive or negative) incentives to targets because states are jealous of intervention by external governance actors. Orchestration enables IOs to (partially) overcome these limitations: It helps IOs to "manage states" so as to improve the level of state consent to, and state compliance with, IO governance goals, and it also helps IOs to "bypass states" to implement governance goals with respect to private target actors without state support.

Consider orchestration to "manage states." In this case, IOs as orchestrators enlist intermediaries for the purpose of shaping state preferences, beliefs and behaviors in ways that are conducive to IOs' governance goals. For instance, human rights NGOs such as Amnesty International (AI) educate governments regarding the desirability of international human rights law; they lobby governments to ratify or accede to human rights treaties such

as the International Covenant on Economic, Social and Cultural Rights or the International Covenant on Civil and Political Rights; and they press governments to incorporate international human rights standards into national legislation and monitor state compliance with these standards (Martens 2004). In other policy areas where effective monitoring requires inspections inside states, IOs rely on intermediaries to lobby and control states. Thus the effectiveness of the 1985 Long-Range Transboundary Air Pollution Convention (LRTAP) has depended centrally on the role played by domestic NGOs in monitoring state reports (Dai 2007). As these illustrations show, orchestration enables IOs to achieve greater latitude from states to achieve their governance goals. This represents a significant reversal in IO-state relations: Instead of being Agents controlled by states, IOs as orchestrators can – through intermediaries – (partially) guide and shape the behavior of states as target actors.

Orchestration can also help IOs "bypass states" to regulate the conduct of private actors inside states or supply public goods to private targets. Take UNEP as an example, which gained some, admittedly soft and very indirect, regulatory control over subnational private actors and public actors by joining with the environmental NGO CERES to found the Global Reporting Initiative (GRI). The GRI sets standards for environmental reporting widely used by private sectors organizations and public bureaucracies, and thereby nudges these actors towards more sustainable business practices (Dingwerth 2007). Another example is the UN's Office for Coordination of Humanitarian Affairs (OCHA) which enhances the UN's capacity to provide humanitarian aid in crisis areas by orchestrating aid provision through NGOs. The OCHA facilitates NGO field operations, including access to disaster zones; it arranges customs clearances, logistical support for relief delivery and security for NGO humanitarian workers; it channels donor support to local NGOs to implement community assistance and capacity-building projects; it involves NGOs in advocacy work at all stages of disaster relief; and it relies on NGOs to cover temporary gaps in the capacity of its own field offices. Because it is indirect and soft, orchestration helps to keep IO involvement in domestic affairs inconspicuous and low-key. IOs as orchestrators do not directly impinge on the domestic authority of states but leave such interventions to intermediaries, i.e. mostly private actors. The intermediaries thereby provide a domestic base of support for IO activities which reduces the likelihood of orchestration being blocked by bypassed states.

Importantly, IO orchestration always involves third party intermediaries and should not be confused with other soft modes of governance which do not. Thus when the UN Global Compact directly calls upon private business firms to voluntarily accept the social standards embodied in various UN agreements (Ruggie 2007), this is not orchestration, in our terminology, but governance by "collaboration": If there isn't an intermediary, it's not orchestration!

IOs as orchestrators can draw on a broad range of potential intermediaries:

- Civil society *Non-Governmental Organizations* (NGOs) are perhaps the most likely potential intermediaries. Their interests are often closely aligned with those of IOs.

They share IOs' institutional concern for independence from state control, and often pursue similar substantive governance agendas. Also, NGOs often control key governance resources that IOs lack and are often seen by governments as less threatening and intrusive than IOs. For instance, domestic NGOs have easy access to local information and to private target actors. Examples of NGOs serving as intermediaries in IO orchestration include AI in human rights, CERES in environmental protection, and World Vision International and the Gates Foundation in humanitarian assistance.

- Private sector *business organizations* are more typically targets of IO orchestration but also sometimes serve as intermediaries. For instance, the Basle Committee on Banking Supervision (BCBS) relies centrally on commercial credit rating agencies to implement its capital requirements regulation. The BCBS lacks the organizational resources to rate the credit risks of individual financial institutions, is wary of leaving this task to national regulators and fears political repercussions from state governments. Private credit rating agencies have greater resources, are (potentially) independent of national regulators and, as market players, do not have to fear political repercussions to the same degree (Kruck 2011).

- *Transnational partnerships*, both public-private and private-private (Reinicke 1998, Abbott and Snidal 2009b, Beisheim, Liese and Ulbert 2008) partnerships act as intermediaries as well. For instance, The United Nations helped states, private businesses and civil-society NGOs establish the multi-stakeholder Kimberly Process Certification Scheme (KPCS) to certify diamonds according to their origin. This contributed to curbing the trade in "blood diamonds" that hard UN sanctions had failed to suppress effectively (Haufler 2010).

- Finally, *International Organizations* may serve as intermediaries to other IOs. Thus, the WHO's historically most important intermediary is UNICEF. The Global Environmental Facility (GEF) set up to manage the funds attached to the UN Framework Convention on Climate Change has enlisted various IOs including UNDP, UNIDO, FAO and the World Bank as "implementing agencies" to handle project applications for funding and manage funded projects on the ground (Graham and Thompson 2011).

IO orchestration operates through both material and ideational support for intermediaries. This support strengthens the governance capacity of intermediaries while at the same time providing IOs a channel of influence over intermediaries' governance aims and activities. By providing *Material* support in terms of financial or administrative assistance, IOs strengthen the operational capacity of the intermediaries to pursue shared governance objectives. By providing *Ideational* support in terms of technical expertise, formal approval, and political endorsement, IOs enhance the social authority of intermediaries as governance actors. In return for their support, IOs gain a measure of control over the governance goals and

strategies of intermediaries. IOs as orchestrators can "steer" intermediaries by selecting which actors and organizations to work with and by imposing conditions on the ideational or material support they provide.

Orchestration starts with enlisting intermediaries. Oftentimes IOs draw on existing NGOs and non-state actors for this purpose. Sometimes, however, they catalyze the creation of non-state actors, which then serve as intermediaries. For instance, IOs aiming to regulate the behavior of large numbers of private target actors often find collaborative governance by self-regulation difficult to organize. To overcome this problem they may consolidate the most important targets into a common interest association to serve as a conduit between the IO and targets. IOs can facilitate the creation of new intermediaries by various material and ideational means: They can approach potential participants, invite them to a founding event, host the event on IO premises, grant financial aid to individual delegates, endorse the new body politically, and provide start-up funds for it. An example is the KPCS for the diamond trade initiated by the UN. Frustrated by the ineffectiveness of UN SC Resolution 1173 for stopping the trade in "blood diamonds", the UN sought a new way to achieve this goal by bypassing non-compliant states. For this purpose, it invited key actors — producer and consumer states, industry representatives, and activist groups – to an initial meeting in Kimberley in 2000 which eventually led to the creation of the multi-stakeholder KPCS to design and implement a certification scheme for diamonds. The UN General Assembly endorsed the idea of certification and discussed the modalities of UN administrative support for KPCS. UNEP's support for setting up the GRI provides another example of IOs orchestrating the creation of intermediaries.

IOs can support and steer intermediaries at different stages of the governance cycle. First, IOs orchestrate at the agenda setting stage by influencing how intermediaries define their own governance goals. IO governance agendas such as the UN Millenium Development Goals, the UNAID's strategic planning for 2011-2015 or the work plans of individual OCHR field offices provide important reference points for NGOs for both ideational and material reasons. Because IOs typically include a range of states, and increasingly of civil society, they are fairly representative of the international community and comparatively independent of the special interests of particular states (Abbott and Snidal 1998). This increases their political legitimacy for setting the international governance agenda. Moreover, IOs often have relevant expertise to identify problems that require international attention and to propose solutions, and they are well-positioned to bring together the most important public and private actors for implementing these solutions. This gives them technical legitimacy to set the agenda. Finally, there are material incentives to adjusting to IOs' governance agendas. Not only do IOs have resources of their own – albeit limited – through which they can assist and reward participating NGOs, IO governance agendas provide a reference point for other donors – both private and individual states – deciding their own spending priorities. Hence, working with an IO may also enhance other efforts by NGOs to increase their organizational support.

Next, IOs can orchestrate at the implementation stage when intermediaries take action to implement policies and achieve governance goals. IOs can offer ideational support, for instance by formally recognizing or politically endorsing intermediaries as appropriate and competent actors in the field or by sharing technical expertise with them, and they can offer material support such as financial aid for NGO's operating expenses and administrative assistance, as when the WHO hosted the Gates Foundations on the premises of its Geneva headquarters during the Foundations' early years. Importantly, the support rendered by IOs can vary in specificity. Sometimes the support is relatively focused providing the orchestrator with extensive opportunities to shape the governance activities of intermediaries, sometimes it remains relatively diffuse and provides little control for the orchestrator. When the World Bank, in adapting its new strategy to promote sustainable forest management in 2002, encouraged national governments "to take advantage of growing opportunities to engage in third-party certification bodies in performance-based monitoring of forest … operations" it offered general ideational support to NGOs such as the Forest Stewardship Council (FSC).[1] When, by contrast, the EU Commission provides the three key European standard setting organizations CEN, CENELEC, and ETSI with mandates and financial support for specific standard setting projects, it offers focused support and exerts considerable control over intermediaries' activities (Genschel 1995).

Finally, IOs can orchestrate at the enforcement stage by offering material or ideational incentives for target actors to comply with the rules and policies of intermediaries. For instance, by referencing voluntary standards promulgated by intermediaries in international law, policy documents and adjudication, IOs increase the social authority of these standards and 'harden' them ex post. For instance, the WTO's endorsement of ISO standards provides not only incentives for governments to reference these standards in national legislation in order to prove their compliance with international trade law but also incentives for export industries to adopt these standards in order to gain easy access to foreign markets. The EU provides additional, more focused support by recognizing ISO 14001 standards as appropriate proof that companies fulfill the requirements of the EU's Environmental Management and Audit System (EMAS) (Abbott and Snidal 2009b:522.

## 3. A model of Orchestration

In the previous section we introduced the concept of orchestration and provided a descriptive account of conspicuous features of IO orchestration. In this section, we distinguish IO orchestration from other governance modes such as supranational regulation, delegation and collaborative regulation by developing an Orchestrator-Intermediary-Target (OIT) model of the relations between these three actors. Just as the Principal-Agent (PA) model lays out the relationship between a Principal that delegates tasks and its Agent that carries them out, the OIT model lays out the relationship between an Orchestrator that

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[1] See World Bank, *Sustaining Forests: A Development Strategy* (2004:31-32), available at http://siteresources.worldbank.org/INTFORESTS/Resources/SustainingForests.pdf.at 31–32. This is consistent with the Bank's intention to implement the strategy through partnerships. Id. at 25.

coordinates or facilitates the activities of an Intermediary which in turn influences the behavior of a Target.

The OIT approach can be explicated by comparing its basic assumptions with those of standard PA theories (see Figure 1 below).[2] In the PA model the Principal seeks to affect the actions of its Agent by offering it incentives (positive or negative) to perform certain actions as depicted by arrow 1 in Figure 1. The orchestration relationship is depicted by the two arrows 1 and 2 in Figure 1. The Orchestrator seeks to enlist, empower and influence the actions of an Intermediary (arrow 1: O-I) with the ultimate objective of influencing the Target (arrow 2: I-T). On the first link, the Orchestrator does not have authoritative control of the Intermediary, and so must rely on softer approaches to coordinate its activities. In turn, the Intermediary typically has relatively weak mechanisms by which to influence the Target. Although we focus on the first link, its connection to the second link is vital for understanding orchestration.
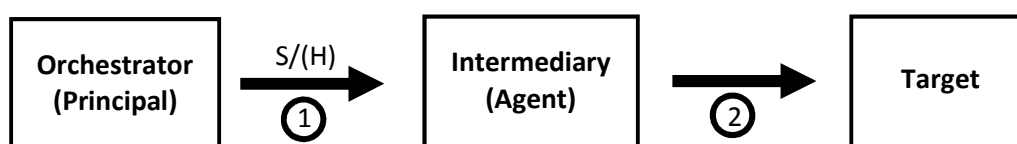


**Figure 1: Orchestration as a form of Governance**

The similarities between the PA and OIT approaches are substantial. Both are interested in a relationship in which an Agent/Intermediary performs certain task on behalf of a Principal/Orchestrator which the latter could not perform itself, at least not as successfully (Arrow 1). In the PA approach, Principals delegate tasks to Agents because of efficiency gains, time constraints, lack of expertise or need for enhanced credibility. In the OIT approach, Orchestrators support Intermediaries for very similar reasons. They join forces with Intermediaries because this can make their own governance efforts more effective, more efficient, and more legitimate and can make up for their lack of expertise and capabilities.

However, the differences between the approaches are also substantial. The PA approach focuses on a relationship in which the Principal has recourse to "hard" (H) means to motivate and control the Agent. The Principal typically proposes an enforceable contract that creates incentives for the Agent to implement the Principal's goals and includes a control mechanism to make sure that the Agent will not shirk. By contrast, in the OIT

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[2] For valuable discussions of the application of PA theory to international relations see Hawkins et al. (2006) and Pollack (2003). Barnett and Finnemore (1999) offer a different, more cynical perspective on IOs which is very useful but we believe that additional insight is provided by rebalancing towards a more positive view of the potential role of IOs in global governance.

relationship the Orchestrator has only soft inducements and persuasion to motivate the Intermediary's actions vis-à-vis the Target.

In both the Orchestration and P-A models, the Orchestrator (Principal) seeks to influence the actions of the Intermediary (Agent). In the simplest P-A model, however, the Principal is concerned only with the Agent's performance – for example, performing some bureaucratic task efficiently. By contrast, in Orchestration, the Orchestrator's ultimate goal is to change the behavior of a third party (Target). To be sure, in many real world settings a Principal also has a third party Target in mind; for example, in legal settings a Principal typically enlists an Agent to negotiate a contract with a third party. But with its focus on the Arrow 1 problem of controlling the Agent, the P-A model implicitly assumes that a properly controlled Agent can ensure the Target's desired behavior. The Orchestration model, in contrast, takes account of the second link (Arrow 2) between the Intermediary and the Target in addition to the direct O-I relation.

Several other differences are especially salient:

1) *Asymmetric control versus mutual dependence*: The PA model describes a highly asymmetric (hierarchical) relationship in which the Principal designs the contract that structures its relationship with the Agent. Only through the contract does the Agent gain authority to act (on behalf of the Principal): The Principal thus empowers the Agent and has the ability to disempower the Agent. This power asymmetry is further reflected in the standard "take-it-or-leave-it" structure of the PA model, which allocates all of the contractible gains of the relationship to the Principal who needs to offer only terms sufficient to ensure the Agent's participation. The Principal may also retain the power to re-contract if, for instance, the Agent does not reach the goals set by the Principal. The asymmetry is even greater if there are multiple Agents, so that the Principal can use competition among them to extract a more favorable outcome.

The OIT approach, by contrast, describes a more symmetric (horizontal) relationship between an Orchestrator and Intermediary who depend on each other to realize their goals. Without Orchestrator support, the Intermediary may find it more difficult – if not impossible – to achieve its goals; similarly, the Orchestrator is unable to reach its goals without the Intermediary's efforts.[3] To be sure, Orchestrators and Intermediaries have different roles: Intermediaries engage in activities that are coordinated and facilitated by Orchestrators and provision of support to the Intermediary creates leverage for the Orchestrator to steer the Intermediary's actions towards its own interests. Thus Orchestrators are focal but cannot empower or disempower the Intermediary and so cannot simply dictate the terms of their relationship.[4] Thus, whereas PA theories assume an asymmetric relationship with the Agent

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[3] Indeed, the Orchestrator and Intermediary together may lack the necessary capacities without participation of the Target. Abbott and Snidal (2009) discuss the respective properties of the key actors (IOs, NGOs and firms) in terms of the ANIME sequence of regulatory standard-setting.

[4] See Abbott and Snidal (2009) for an analysis of the bargaining relationship among states, NGOs and Firms.

serving the Principal, the relationship assumed in the OIT approach is one of mutual dependence and empowerment between the Orchestrator and the Intermediary

2) *Conflicting versus aligned interests*: The PA model emphasizes conflicting interests between the Principal and Agent, whereas the OIT approach assumes a significant commonality of purpose between the Orchestrator and Intermediary.[5] Thus PA analysis adopts a view that the Agent cannot be trusted to pursue the Principal's goals. This is why it is crucial that the contract creates incentives that bring the Agent's interests more in line with those of the Principal. In general, however, it is not possible to write a perfect contract that fully resolves the problem. The resulting gap between Principal's interests and Agent's performance is typically described in negative terms such as such as "drift", "shirk" and "slack".[6]

In Orchestration, by contrast, the Intermediary largely shares the Orchestrator's basic goals: Both want to influence the behavior of the Target in roughly the same direction. Because their goals are closely albeit not perfectly aligned, there is less concern with "drifting", "shirking" or "slacking".[7] Their relationship is one of collaboration to realize largely common interests; the collaborative logic of the OIT approach further suggests that Orchestrators and Intermediaries may increase their commonality through learning.[8] But their interests are not identical – both some tensions over what policies to pursue and differing organizational goals remain. However, the OIT relationship is not overshadowed by such differences which are the essence of the PA model.

3) *Information asymmetry versus symmetry*: The informational asymmetry between Principal and Agent that lies at the heart of the PA model is not a necessary feature of the OIT model. The Agent is inherently better informed about its own performance: what it is doing, why it

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[5] We use "purpose" to describe the motivations of the actors in the Orchestration model to stress that their motivations are often broader than the material "interests" which are often implicitly assumed in the P-A model. Although the P-A model can also be applied to such broader considerations, this distinction is particularly important in Orchestration where a broader range of Orchestration techniques (e.g., ideational ones) are used.

[6] Whether these deviations are normatively good or bad depends, of course, on an evaluation of P's and A's respective motivations. From the perspective of P, however, A's deviations are undesirable.

[7] The Target may sometimes share more much commonality of interest with the Orchestrator than one might expect. For example, firms that are otherwise subject to actions by NGO activists may prefer an orchestrated scheme that both regulates their activities *and* restrains NGO actions. Firms may also share an institutional interest in Orchestration because they prefer uniform regulation at a global level rather than face a multitude of varying individual state regulations. Similarly, when the Targets are states, at least some states may share an interest in an Orchestrated outcome over an alternative outcome where powerful states have more control. Thus the full Orchestration model is then about taking advantage the commonality of interests among all three actors to overcome their conflicts of interest.

[8] The PA and OIT approaches intersect in important ways. The same actor may have the capacity to operate as Principal or Orchestrator according to the particular circumstances of a problem and thus be a Principal in one setting and an Orchestrator in another. The models themselves may also blend together, as when the use of inducements over time by an Orchestrator provide an alternative means of enforcement similar to that available to the Principal. Our purpose here, however, is to draw the models starkly in order to demonstrate the different overarching logic of Orchestration.

is doing it and perhaps even whether this is in the Principal's best interest. The Principal by contrast does not know these things and can only observe the results of the Agent's activities. To reduce the information asymmetry, the PA contract typically contains provisions for monitoring the Agent, for instance, through reporting or inspection. Yet, the Principal cannot monitor the Agent's effort perfectly – otherwise the Principal could enforce an optimal contract to incentivize the Agent.[9] But in any case, the Principal must find a way to monitor the Agent in a way that does not entirely consume the gains of delegating tasks to the Agent in the first place.

By contrast, informational asymmetry is not a necessary feature of the OIT model and any informational asymmetries may run in both directions. Intermediaries have better information on their own activities than Orchestrators, but Orchestrators are better informed about their coordinating and facilitating activities than any Intermediary. Because their interests are largely aligned, Orchestrators and Intermediaries have much less incentive to withhold or distort information. Instead, they have an incentive to share their information in order to realize common interests. As a consequence, the need for Orchestrators to monitor Intermediaries' activities – while present for other reasons (e.g., learning) – is not as prominent a focus of our OIT approach.

In summary, despite their ostensible similarities, the PA and OIT approaches are substantially different. The PA model emphasizes the need for the Principal to design enforceable contracts that shape the incentives of an Agent and harness its conflicting interests to its own purposes. Because Agents enjoy informational advantages, the Principal also has to invest in monitoring the Agent's activities. By contrast, the OIT approach presumes that the Orchestrator and the Intermediary empower each other and their relationship is based on correlated interests rather than binding contracts. The Intermediary is generally inclined to implement the Orchestrator's goals, but needs its assistance just as the Orchestrator needs the Intermediary to perform the required tasks

Finally, our substantive interest in IOs brings the PA and OIT models together in an ironic way. On the one hand, states as Principals delegate tasks to IOs as Agents who develop expertise and legitimacy in that area. States also exert significant effort to limit IO autonomy and slack, often by limiting their material resources – although that also limits IOs ability to achieve their intended objectives. On the other hand, the resulting combination of resources available to IOs – expertise, legitimacy but limited material resources – means they are not always well-positioned to achieve their goals – both the ones intended by states as well as the IOs own organizational and other goals – through PA delegation. But with this

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[9] Typically the Principal can observe the final outcome but not the Agent's contribution to the intermediate process. The Principal therefore cannot distinguish the extent to which the observed outcome is due to the Agent's effort or to other unobserved factors that affect the outcome. With enforceable contracts, the PA problem could be resolved by contracting over the observable outcome plus the (known) probability distribution of the unobserved factors. PA models generally assume that the Agent is less able to bear the implied contractual risk than the Principal to explain why the problem is not fully resolvable by contract. No such assumptions about risk preference are needed in the Orchestration model.

combination of resources, IOs may be well situated to pursue their goals through OIT Orchestration. Thus slacking by IOs as Agents in their PA relationship with states may be manifested in their operating as Orchestrators able to sometimes bypass states or even manage states as Targets. This may also empower them to (partially) achieve states' initial goals in delegating to IOs but at lower sovereignty costs than through stronger delegation.

## 4. When do IOs engage in Orchestration?

When do IOs engage in orchestration rather than in alternative modes of governance? Because our analysis of IO orchestration is at an early stage, we do not offer hypotheses in the classic sense of testable predictions. Nevertheless, basic propositions as to when particular IOs should be more likely to use orchestration follow directly from the O-I-T model. For clarity and to organize our project, we present them in the form of hypotheses. We distinguish between hypotheses that focus on 1) the relationship between IOs and their member state principals, 2) the individual characteristics of IOs, 3) the supply of potential intermediaries. Table 3 provides an overview of the hypotheses.

| Factor | Hypothesis: IOs are more likely to orchestrate if |
|---|---|
| **1. IO-member state relations** | |
| *Incongruence* | … member states are (somewhat) unwilling or unable to follow or implement IO policies. |
| *Oversight* | … they are independent from member states. |
| **2. IO characteristics** | |
| *Capabilities* | … they control moderate capabilities. |
| *Bureaucratic Culture* | … they have a goal-oriented and entrepreneurial bureaucratic culture. |
| *Focality* | … they are focal in their field of governance. |
| **3. Supply of intermediaries** | |
| *Availability* | … the supply of potential intermediaries is plentiful. |

**Table 3: Overview of hypotheses on IO Orchestration**

### *IO – member state relationship*

IOs are agents of their member states. They exist because states found it in their interest to delegate certain tasks and powers to them, and they operate in the shadow of member state direction and control. However, IOs may gain some autonomy from member states that allows them to pursue their own objectives, although this ability is ultimately bounded by states (imperfect) control over them. Hence, the likelihood of IOs engaging in orchestration depends crucially on their relationship to their member states. More specifically, it depends on the congruence between IO and member state interests and capabilities (incongruence

hypothesis) and on the extent and effectiveness of member state oversight (oversight hypothesis).

> *Incongruence hypothesis*: IOs are more likely to orchestrate if member states are (somewhat) unwilling or unable to follow or implement IO policies.

The likelihood of IO orchestration increases as the congruence between the interests and capabilities of an IO and its member states decreases – up to a point. If an IO's governance goals are closely aligned with the governance *interests* of the member states, and if member states have all the *capabilities* necessary to support and implement IO policies ("willing and able") there is little reason for the IO to bypass or manage states. The member states will comply voluntarily and effectively with IO policies, and they will support hard modes of IO governance such as international regulation or delegation to strong supranational agents in order to ensure policy efficacy and minimize risks of free-riding and defection (as in the Prisoners' Dilemma). Hence, if there is close congruence between an IO and its member states in terms of governance interests and capabilities, orchestration is unnecessary.

If an IO's governance goals are closely aligned with states' governance *interests* but states lack the *capabilities* to properly support and implement IO policies ("willing but not able"), there is strong reason to orchestrate: The IO will enlist intermediaries to fill the capabilities gap and the member states will support this effort because it is in their own best interest. Hence, if there is congruence of governance interests but incongruence of capabilities, orchestration is necessary and attractive for both the IO and its member states. Thus we expect IO orchestration to be frequent in areas of limited statehood where the national government lacks the capacities to implement international policies. Humanitarian aid in failing states such as Somalia is an example. Western states have a general interest in aid provision in order to prevent destabilizing refugee flows, piracy, and other negative repercussions of state failure. Usually, however, they lack the capabilities or the will to provide the aid directly on the ground. They therefore give IOs such as the WHO, the World Bank or the OHCA a free hand to orchestrate aid provision in failing states through local and international NGOs.

The case is more ambiguous if IO governance goals conflict with the governance interests of member states. On the one hand, the incongruence of governance *interests* makes orchestration attractive for the IO. By enlisting intermediaries, it can hope to manage state preferences and behavior (so as to increase congruence or improve compliance despite continued incongruence) or to bypass states so as to implement contested governance goals without state consent and support. In either way, orchestration enhances the leverage of IOs over member states. On the other hand, for precisely that reason, an incongruence of interests may make orchestration unacceptable for states: When states uniformly oppose IO governance goals ("unwilling"), they will block any IO activity including orchestration. Hence, we expect orchestration to be most likely if governance interests are neither completely congruent between IO and member states (because then orchestration is unnecessary) nor completely incongruent (because then orchestration is impossible) but partially incongruent

in the sense of some states concurring with the governance goals of the IO and others opposing them or are being indifferent to them ("somewhat unwilling"). Such heterogeneity of state interests precludes the use of hard IO governance modes such as supranational regulation which, because they are hard, require a high level of state consent. Yet it may provide IOs with sufficient latitude for orchestration which, because it is informal and indirect, is less dependent on state consent. If state interests are sufficiently heterogeneous, the IO can draw on the support of some states for its orchestrating activities to counter the potential opposition of others. The UN use of orchestration with the Millennium Development Goals rather than attempting to commit states to binding regulation is possibly an effect of the heterogeneity of states interests.

In conclusion, we expect orchestration to be positively associated with divergence of governance interests between an IO and its member states (up to a point) and/or the relative deficiency of member state capabilities for implementing IO policies.

> *Oversight hypothesis*: IOs that are more independent from their member states are more likely to orchestrate.

Orchestration potentially allows IOs to pursue governance goals that conflict with member state interests. In P-A language: it enables IOs as agents to evade the control of their collective principals, the member states. The ability of IOs to do so depends crucially on the extent and effectiveness of member state oversight. The factors contributing to effective oversight are well-known from the P-A literature (see Hawkins et al. 2006: 20-22). They include control mechanisms and the size and heterogeneity of the membership. Control mechanisms such as rule-based delegation[10], sophisticated monitoring arrangements, low cost options for overruling IO decisions and activities, and costly sanctions constrain IOs' room for independent action and, hence, reduce the likelihood of orchestration. Conversely, discretion-based delegation, lax monitoring, consensus-based and deadlock-prone intergovernmental decision-making procedures and lack of effective sanctions increase IOs' independence and, hence, broaden the scope for orchestration, all else equal. For example, we expect IOs that are emanations of other IOs to be subject to less stringent control mechanisms, and hence more likely to orchestrate, than traditional, treaty-based IOs. Since emanations emerge from decisions that IOs take through their normal decision-making procedures rather than through classic intergovernmental treaty making, they are less likely to be subject to strict mechanisms of member state control (Shanks et al. 1996), and hence more likely to enjoy leeway for orchestration.

A large and heterogeneous membership increases IO independence by decreasing the likelihood that governments will use given control mechanisms to guide and restrain IO activities, including orchestration. A large number of member states hinders IO control by increasing problems of intergovernmental coordination and communication: states find it

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[10] Rule-based delegation implies that principals instruct agents exactly how, by what policy instruments, to pursue their delegated tasks (Hawkins et al. 2006: 27).

more difficult to agree on reprimanding the IO. Also interest heterogeneity and disagreement tend to increase in the number of participating states: Usually large groups are simply more diverse than small groups. Unsurprisingly, orchestration is fairly uncommon with small, homogenous IOs such as the Nordic Council or the Shanghai Cooperation Organization while it is very common and widespread among the large and diverse special agencies of the UN system. Note also, that interest heterogeneity may vary with governance area. States are more likely to agree on strict controls of IO independence in core areas of national sovereignty such as defense or fiscal policy than in low politics areas such as environmental policy, development aid or disaster relief. Suggestive evidence is that environmental IOs such as UNEP and technical IOs such as the WHO rely much more on orchestration than security IOs such as the UNSC or NATO or monetary institutions such as the IMF.

To sum up, we expect IOs with lax control mechanisms, and/or large and heterogeneous membership to engage in more orchestration than IOs with extensive control-mechanisms, and small and homogenous membership

### IO characteristics

Orchestration places specific demands on the orchestrator. The ability of IOs to meet these demands depends on their internal structure and their external position vis-à-vis other IOs. More specifically, we expect orchestration to vary with two internal factors, an IO's resource endowment (capabilities hypothesis), and its potential for policy entrepreneurship (bureaucratic culture hypothesis), and one external factor: an IO's focality in its respective fields of governance (focality hypothesis).

> *Capabilities hypothesis*: IOs with moderate capabilities are more likely to orchestrate than IOs with very high or very low capabilities.

IOs with extensive capabilities do not need intermediaries to achieve their governance goals. IOs with very few capabilities have nothing to offer intermediaries in order to enlist their support. IOs with moderate capabilities, by contrast, both need intermediaries and have something to offer them. More specifically, IOs are unlikely to orchestrate when they have an extensive rule- and policy-making mandate in a given field of governance (regulatory competence) *and* have sufficient operational resources to adopt, implement and enforce policies (operational capacity), *and* enjoy taken-for-granted legitimacy with target actors. Such IOs can control governance processes single-handedly and don't need intermediaries.[11] At the other extreme, IOs that have no regulatory competence, no operational capacity and no legitimacy are equally unlikely to orchestrate because no intermediaries will want to work with them. IO orchestration is most likely when an IO can provide intermediaries with certain capabilities (in terms of regulatory competence, operational capacities or legitimacy), and at the same time needs other capabilities which can be provided by intermediaries. Thus

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[11] For the distinction between regulatory competence, operational capacity and legitimacy see (Genschel/ Zangl 2011).

it no great surprise that UNEP with its important but limited governance capabilities has been a leader in the use of orchestration (Abbott and Snidal 2010) while international institutions such as the World Bank or NATO with much greater capabilities only occasionally engage in orchestration.

As a corollary, we expect IOs to select intermediaries with complementary capabilities. In general, an IO will seek intermediaries which are strong in terms of those capabilities that it partially or completely lacks. For instance, an IO with limited operational capacity will look for intermediaries with strong operational capacity. Consider the UN Office of the High Commissioner for Human Rights (OHCHR) which certainly lacks the operational capacity to monitor human rights in every UN member state. To bridge this capabilities gap, the OHCHR relies on information provided by human rights NGOs such as Amnesty International (Martens 2004). To facilitate the information flow, the OHCHR has taken various measures to mobilize and orchestrate the monitoring activities of NGOs. Recently, it established a Civil Society Section to serve as the main entry point for NGOs wishing to contact OHCHR and as a platform of advice and assistance. The OHCHR "Handbook for Civil Society" provides detailed information on how to use the OHCHR to raise complaints, including 'model complaint forms' that local NGOs can use to file a case through one of the Treaty bodies. The OHCHR field offices facilitate human rights monitoring by local NGOs, for instance, by offering training seminars, serving as meeting points or local activists or by providing financial assistance. Another example of an IO using orchestration to fill gaps in its governance capabilities is the WTO. Diverging technical standards are an obvious threat to international free trade. However, the WTO lacks the regulatory competence to harmonize standards worldwide. To (imperfectly) compensate for this lack of competence, the WTO has strengthened the authority of the International Organization for Standardization (ISO) vis-à-vis states. Key to this empowerment are WTO rules establishing the presumption that states using ISO standards (as opposed to idiosyncratic national standards) are not misusing them for protectionist purposes.

To sum up: we expect an inverted U-shaped association between orchestration and IO capabilities. Orchestration is least likely where IO capabilities (in terms of regulatory competence, operational capacity and legitimacy) are either very high or very low. It is most likely at moderate levels of IO capabilities.

> *Bureaucratic Culture hypothesis*: IOs with an open, entrepreneurial and goal-oriented bureaucratic culture are more likely to orchestrate.

Even when orchestration is a superior mode of governance, its adoption cannot be taken for granted. Orchestration requires policy entrepreneurship, and IOs vary greatly in the degree to which they allow for, or encourage an entrepreneurial policy orientation among their officials. Orchestration is not a standard mode of governance that IOs routinely use, or are instructed to use by their treaty mandates and member states. Rather it is something that IOs do on their own initiative and risk. Hence, a lot depends on the mind sets of IO officials

and the bureaucratic cultures shaping these mindsets. Orchestration is therefore facilitated by bureaucratic cultures that prize openness, creativity and goal-orientation. Openness makes officials more alert to outside information and more likely to detect governance failures that could potentially be mended by orchestration. It reduces barriers to interaction with potential intermediaries and facilitates learning how to enlist intermediaries from other IOs´ orchestration successes. Creativity and goal-orientation encourage experimentation with non-standard policy tools such as orchestration, and discourage the adherence to ineffective policy legacies. Conversely, orchestration is hindered by a bureaucratic culture that highlights closure, prizes continuity and routine, and promotes a legalistic rule-following orientation.

While the tension between openness and closure, creativity and conformity, goal-orientation and rule-orientation is inherent to all IOs, trade-offs differ across IOs. We expect relatively new IOs to be more open, goal-oriented and conducive to policy entrepreneurship than old, well-established institutions. This is first because organizational inertia tends to grow over an organization's lifetime, as vested interests solidify and militate against organizational change, and organizational routines turn into sacred traditions (Weaver 2008: 37). It is also because threats to organizational survival generally decrease with organizational age: Old IOs whose survival is taken for granted tend to be less concerned about governance failure and less likely to change their governance mode in response to failure than new IOs whose survival is still at stake. Finally, new IOs are more likely to be imbued by entrepreneurial organizational ideologies such as the new public management than older IOs whose legalistic traditions hinder the conversion to more entrepreneurial ways of policy making (Barnett and Finnemore 1999).

The comparison of ILO and UNEP provides a poster example of how bureaucratic culture can hinder or facilitate orchestration. In principle, orchestration of a wide range of NGOs working on worker and/or human rights would be a natural complement to the ILO's traditional governance role in setting global labor standards. In practice, however, the ILO has not opened up to new types of civil society actors and has been reluctant to adopt new techniques because it is captured by bureaucratic routines and hampered by the vested interests created by its tripartite structure (Baccaro and Mele 2010). By contrast, as a relatively new IO trying to stake out a claim for itself, UNEP has been open to the participation of all kinds of stakeholders and has become a leader in orchestration (Abbott and Snidal 2010). For instance, UNEP joined with the environmental NGO CERES to found the Global Reporting Initiative (GRI), provides material and organizational support to GRI's operation and helps to build support for GRI among its member states.[12]

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[12]    http://www.globalreporting.org/AboutGRI/Funding/; GRI Sustainability Report 2007-08 at 32, http://www.globalreporting.org/NR/rdonlyres/E8B6ED9E-1A29-4154-A6DA-F14E6F71A2C9/2877/SR_FINAL_09_06_with_links.pdf

In conclusion, we expect IOs with an open, goal-oriented bureaucratic culture to be more active and 'entrepreneurial' in orchestration than inward-looking IOs with a strong rule-following orientation.

> *Focality hypothesis*: IOs that are focal within a particular field are more likely to orchestrate.

IO focality refers to the degree to which expectations of policy leadership converge on a particular IO in a given field of international governance: IOs are focal if other governance actors 'naturally' turn to them for information, guidance and support. Focality facilitates orchestration in various ways. First, by attracting outside attention, focality makes it easier for the focal IO to contact potential intermediaries, enlist their support, and start orchestration. Second, focality provides for consistency in orchestration. By ensuring that all intermediaries take their material and ideational guidance and support from the same IO, it reduces the risk of conflicting cues and inconsistent support measures. Orchestration is more likely to be effective at coordinating the activities of intermediaries and at achieving its governance goals. Finally, focality increases the likelihood of successful orchestration being recognized and attributed to an IO. By facilitating credit claiming, focality makes orchestration potentially more rewarding for the orchestrator and hence more likely.

Focality reduces the transaction costs of orchestration irrespective of its source. Some IOs are seen as 'natural leaders' in their field because they command unrivaled capabilities. Focal IOs may, for instance, enjoy special legitimacy due to their technical expertise or moral authority (Abbott and Snidal 1998). Think of the WHO or the UN OHCHR as examples. Other IOs, such as the WTO or the World Bank owe their focality to a broad grant of regulatory authority and extensive material resources. For these IOs it is fairly easy to enlist intermediaries – but perhaps also unnecessary.[13] Historical path-dependency can also increase focality: IOs first established in their fields tend to remain central to those fields. Thus the ITU founded in 1865 as the International Telegraph Union is still a key institution in the area of technical communication. Another factor affecting focality is the personal characteristics of IO leaders. Exceptionally skillful and charismatic leaders may command recognition, which allows them to be effective orchestrators even if the IO they head is fairly weak (Cox and Jacobson 1973: 20). The importance of charisma is illustrated by Kofi Annan's role in convincing private businesses to voluntarily accept the Global Compact's social and political standards. A second example of skillful leadership is provided by Maurice Strong, Secretary-General of the 1992 United Nations Conference on Environment and Development (Rio Earth Summit) who enlisted the well-connected Swiss industrialist Stephan Schmidheiny to help create the World Business Council on Sustainable Development (WBCSD). Finally, an IO's internal structure and centralization may determine its external focality. Thus, an IO with a secretariat is more likely to be looked upon as a coherent actor capable of providing

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[13] Recall from the capabilities hypothesis above that strong IO capabilities reduce the dependence on outside support and hence reduce the likelihood of orchestration. An IO strong enough to be focal may also be stronger than needed to orchestrate.

leadership to non-state intermediaries than an IO that is merely an arena of intergovernmental bargaining.[14] The secretariat does not have to be powerful but it has to provide for consistency, continuity and one-stop access for NGOs. From this perspective, it is not surprising that the G20 hardly engages in orchestrating NGOs or that, within the UN, it is neither the Security Council nor the General Assembly that drives orchestration but rather the UNSG and specialized agencies such as UNESCO or the Office for Coordination of Humanitarian Affairs (OCHA).

Conversely, focality decreases when new IOs enter an area previously dominated by another IO. For example, the focal position of the WHO in global health is challenged by the numerous other IOs such as the World Bank as well as by new prominent NGOs such as the Gates Foundation which have recently moved into health governance. The co-presence of multiple IOs makes it more difficult for each of them to attract potential intermediaries, orchestrate them effectively, and claim credit for governance success. It increases the risk of orchestration failure through either competing orchestration initiatives that counteract each other or through the built-up of unwieldy coordination structures among IOs. The provision of health care in Somalia provides an example of how orchestration arrangements become impaired when IOs lack focality. In the virtual absence of a functioning health system, most health services in Somalia are provided by international NGOs. Given that no single IO is focal enough to successfully claim sole responsibility for orchestrating these NGOs, a huge alliance of public and private actors acts as orchestrator, the so-called 'Coordination of International Support to Somalis' (CISS). It includes, inter alia, the World Bank, the WHO, the OCHA, the Somali Donor Group, and the Somalia NGO Consortium. The involvement of so many actors in this 'compound orchestrator' confuses intermediaries, complicates decision-making and diffuses responsibility – not a recipe for success. We thus suppose that IOs which lack focality in their field are generally less likely to engage in orchestration than IOs that are clearly focal.

### *Supply of potential intermediaries*
Orchestration presupposes a sufficient supply of suitable third-party actors able and ready to be orchestrated.

> *Availability hypothesis*: IOs are more likely to orchestrate if intermediaries with similar interests and necessary capabilities are widely available.

The availability of intermediaries in terms of both quality and quantity varies widely across governance fields. Qualitatively, (potential) intermediaries vary in the degree to which they have capabilities (in terms of regulatory competence, operational capacity or legitimacy) that the orchestrator lacks, and the degree to which their interests are aligned with the orchestrator's interests so as to make cooperation mutually beneficial. When non-state actors have no complementary capabilities to offer the orchestrator or when their interests

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[14] For the distinction between IOs taking the role of an arena and IOs as actor see Archer (2001). See also Rittberger et al. (2011 forthcoming).

are not aligned, orchestration is unlikely because the orchestrator cannot find suitable intermediaries. Quantitatively, there are differences across issue areas in the number of (potential) intermediaries. If there is only one potential intermediary, the orchestrator may find it more costly (in terms of resources offered or policy compromises necessary) to enlist its support than if there are multiple competing intermediaries: a monopoly position usually entails a monopoly rent. However, the size of the rent will vary with the contestability of the monopoly. To the extent that IOs can induce competition by facilitating the creation of new intermediaries, they will be less constrained by a limited supply of intermediaries An early example of an IO helping establish Intermediaries on which it then draws as a tool of orchestration is provided by the 1992 United Nations Conference on Environment and Development (Rio Earth Summit) and its creation of the World Business Council on Sustainable Development (WBCSD). Similarly, in preparation for the 2002 Johannesburg World Summit on Sustainable Development (WSSD), the UN General Assembly, the UN Secretary-General and the UN Commission for Sustainable Development (CSD) endorsed the creation of public-private partnerships.

The availability of intermediaries is partially endogenous to the governance fields in which they operate. For instance, intermediaries are likely to either exist or emerge on highly visible and easily politicized governance issues around which civil society can mobilize. Intermediaries are also likely to be available on complex governance issues that require technical expertise, knowledge and flexibility insofar as these issues engender the formation of professional associations by scientists and technical experts. Conversely, the availability of NGOs for orchestration may be limited by concerns for political independence. Take Amnesty International as an example. On the one hand, it depends heavily on UN human rights instruments as the source of the standards it uses to investigate human rights abuses and is highly receptive to orchestration by the relevant UN bodies. One the other hand, it strives to maintain "a certain distance" (AI head of legal office cited in Martens 2004: 1065) from intergovernmental negotiations and organizations in order to protect its reputation for independence and non-corruptibility. This reputation is essential for AI's credibility as a human rights NGO and may limit its availability for orchestration.

In conclusion, we expect the likelihood of orchestration to vary with the availability of suitable intermediaries, which itself varies across governance fields.

## 5. Conclusion

This preliminary paper develops and investigates the concept of orchestration as a soft and indirect form of governance. While it can be used by many different actors, orchestration is especially valuable for actors who lack traditional "regulatory" powers, with IOs providing a leading example. Indeed, our identification of the concept was inspired by our earlier separate work on IOs, and our elaboration of the concept is an effort to distill what we believe we have observed in those settings. Although we have presented hypotheses regarding why IOs will use orchestration for what sorts of issues and under what sorts of circumstances, our evidence at this point only takes the form of plausible illustrations.

Nevertheless, we suspect that when the characteristics described in the hypotheses of table 3 come together, IO orchestration is a highly likely result. In any case, we welcome suggestion of other cases where IOs do or do not use orchestration, as well as reactions as to whether the concept of orchestration seems useful for thinking about IO governance and to whether we have identified the conditions that are most relevant for IO orchestration.

If orchestration matters, it is potentially a valuable addition to both research and policy. On the research side, it helps expand our understanding of how "weak" institutions like IOs can have an impact on international governance and of the interrelations among actors in multi-stakeholder arrangements. On the policy side, orchestration opens up new strategies for improving the performance of IOs, and potentially of other orchestrators.

The fact that orchestration is a relatively new and still developing form of governance at the international level has two immediate implications. One is that the available evidence is biased against our hypotheses (even if these conjectures are correct) in the sense that IOs may not yet be using orchestration in areas (and for reasons) where it would be valuable to them. Nevertheless, the hypotheses should point towards the relative frequency of orchestration across different circumstance even if it is not used as intensively in some areas as it should be. Moreover, the empirical case studies in this project should not only illustrate the use (or not) of orchestration in different areas but also provide evidence on the development and effectiveness (if any) of orchestration over time.

A related implication is that our discussion of orchestration is normative as well as positive. It is normative in that we are as much making a case for why IOs should use orchestration under certain circumstances as demonstrating that some of them actually do so at this point in time. In particular, if the positive side of this project shows that a number of IOs are using orchestration effectively then that supports our normative presumption that other IOs in comparable circumstances should do so as well. However, our tentative enthusiasm for orchestration implicitly assumes that IOs will orchestrate to good ends. We recognize, of course, that IOs are subject to various organizational pathologies that may prevent them from orchestrating or cause them to orchestrate less than desirable policies. Regardless, major differences exist among relevant stakeholders (IOs, states, civil society) about what goals to pursue if they do orchestrate. While such choices are necessarily political and controversial, we nevertheless see orchestration as holding the potential to be harnessed to good ends however those are defined.

Other limitations of orchestration should be noted too. First, orchestration is an especially important strategy for IOs that lack the material and enforcement capacities necessary for stronger forms of regulation. Thus even if orchestration is potentially quite effective, it may still represent a second-best solution as compared to the traditional (but in many circumstances unavailable) ideal. Second, insofar as orchestration enhances the capability of IOs, it raises corresponding questions about their accountability, like those raised in the "democratic deficit" debate. However, any evaluation of this deficit should be conducted in

terms not only of a democratic ideal, but also in comparison with the realistic alternatives, including traditional IO operations, the failure of international cooperation, or of the imposition of rules by powerful states. Third, orchestration does not change the fundamental fact that states have much greater material capacity than IOs, as well as ultimate authority over IOs. Orchestration provides a way for IOs to pursue collective goals – of states, of non-state actors and of IOs – at lower sovereignty costs to states; it also allows IOs to engage non-state in ways that may shift the goals of states or change their domestic political constraints over time. The ultimate glue that holds orchestrated arrangements together is the common interest created by globalization and the needs shared by states, IOs and other actors to cooperate in managing their changing environment. That said, orchestration is thus far only a modest change in the allocation of authority in the international system.

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