1 Public Policy for Global Problems

Global problems are everywhere. So too are many answers to these problems. But our capacity to create global public policies to deal with these problems seems to be a case of too little, too late. Oftentimes the causes of problems are already well known. Communities of scientists, researchers and other kinds of 'experts' who might be based in a university, independent scientific body or government agency have provided a wealth of theories, data or other forms of evidence with some kind of scientifically rigorous explanation or analysis of problems. Many times, these experts and scientists are pressed into being advisers, to explain to government or society at large what the problem is and what causes the problem as well as to provide solutions. Yet, problems persist and are particularly 'wicked': global problems grow at a faster rate than the mustering of inter-state cooperation to deal with them.

Global policy problems are 'wicked' because they are very difficult, sometimes impossible, to solve for many reasons: first, incomplete or contradictory knowledge creating uncertainty; second, the number of countries, communities and other interests involved with quite disparate values; third, the multiple arenas for deliberation; and fourth, the interconnected nature of many global issues with other problems (Geuijen et al., 2017; Head, 2013). International policy coordination to deliver collective action and implement a set of genuine global responses is often slow and incomplete, while effectiveness is often riven by non-compliance.

Global problems are multifarious. Take disease, for example. Disease does not respect national borders; it travels in the bilge water of tankers traversing international sea lanes, spreading waterborne disease like cholera (Lee, 2001). Disease travels in business class with sick passengers on a plane (Budd et al., 2009). The worldwide rise of some non-communicable diseases in our societies may have resulted as one of the many perversities of industrialised food production, with high fat, sugar or preservative content contributing to diabetes and obesity (Heasman and Lang, 2015). Today, there is a scientific consensus that smoking tobacco contributes to higher worldwide incidence of certain cancers – a concern which led to the Framework Convention on Tobacco Control (FCTC) (Mamudu et al., 2015).

Human lives, from cradle to grave, are touched by global and regional dynamics. This touch is unevenly spread and has dramatically different outcomes across states and societies. Regardless, global policy problems affect us all in some way. This is also felt in everyday life through the transnational regulations, 'soft laws' or global rankings and targets that shape policy, particularly in areas like the seventeen goals of the SDGs – the Sustainable

Development Goals led by the United Nations (UN), which came into effect from 2016. National deference to 'international best practice' or the policy pronouncements and procedures of leading transnational actors in global governance also tie the fate of one country or community to those of others elsewhere in the world. In this milieu, various types of experts, policy consultants and scientific advisers seek not only to provide evidence to support global policy development but also to consolidate their power in global policy making.

Epistocracies may well be emerging. The concept of epistocracy is usually associated with giving more educated and expert constituents greater voting power, or even limiting votes only to the educated. This conflates the concept with electoral contests. *Epistocracy* has wider meaning as 'knowledge-based rule' or 'rule by knowers' (Klocksiem, 2019). It is a form of power that entails giving the more educated or expert actors greater judgement in decision-making processes (Holst, 2012; Reiss, 2019). Epistocracy is a useful concept to capture knowledge-based decision-making as well as knowledge networking between states and in transnational policy communities.

Global policy incorporates both governmentally steered processes of 'international public policy', better known today as 'trans-governmentalism', and 'transnational policy processes' where there is a greater degree of authoritative steering from non-state actors. The word *transnational* will be encountered far more frequently in this Element than the words *international* or *intergovernmental*. The latter two words speak to formal political relations between nation-states. By contrast, *transnational* recognises the integral roles of business, civil society and scientific actors in global and regional policy making. Recognising these distinctions draws attention to a new sub-field of Policy Studies, that is, 'global policy' studies. In tandem, this Element also develops the new policy concept of 'epistocracy' as one power dynamic behind global policy making.

Policy making that supersedes the nation-state is undergoing three interconnected revolutions. First, policy making is witnessing a diversification of the goals it is expected to pursue by going beyond traditional objectives of supporting national communities and local economies. Policy making is now adjoined to additional tasks of financing, or otherwise supporting and delivering 'global public goods' (GPGs) (Kaul, 2019). Second, new domains of public action above and beyond the nation-state – in part created by rapid advances in information technology that have eased the flow of communication alongside far faster and cheaper means of travel – have prompted an increase in the number and diversity of policy actors. Official actors – governments and international organisations – have become partners in global policy with private actors in the corporate world and civil society. Third, the instruments used by this expanding array of actors to achieve a broader range of policy objectives

have themselves mushroomed with the emergence of transnational policy institutions, innovative regulatory structures and global networks created to deliver, finance or monitor regional and global GPGs. These circumstances also generate a governance conundrum by fuelling the fragmentation of global policy into many different 'sectors', a dynamic also known as 'differentiation' (Sending, 2019).

In this changing context of global policy making, science is often said to be 'universal'. This commonplace saying is meant to convey the idea that science has the features of a public good. That is, knowledge – in the form of human understanding, or data sets and theories – has the capacity, or contains the seeds of innovation, for resolving pressing social and economic concerns. The processes that underpin global science – funding regimes, international knowledge exchange, peer review and publication and academic conferences – are also increasingly globalised. This is seen in international scholarship schemes, in associations like the Global Research Council or the International Network for Government Science Advice (INGSA) and in the emergence of international branch campuses or joint research programmes of universities. Those working in the multifaceted world of science and scholarship are often tasked to provide evidence and help find solutions to alleviate or remedy the range of global problems that seem to be proliferating.

By introducing the new concept of 'global policy', the objective of this Element is threefold: first, to draw attention to the burgeoning literature on global policy; second, to outline some of the network innovations and policy partnerships for delivering global policies; and third, to look at how experts, scientists and other knowledge actors participate in global policy processes. As policy instruments of global governance, policy networks and partnerships do not exercise the same degree of authority that government exercises. Instead, this Element argues that they tend to be reliant more so on the epistemic authority that comes from the evidence created by experts. Through practices such as science diplomacy, epistocracy is a form of power that may consolidate in global policy making. Yet, state sovereignty continues to be an important rein upon the authority of new transnational actors. The state is not in retreat. There are many opportunities for states to reconfigure their roles and responsibilities in global policy processes.

The next section introduces the reader to global policy processes and various endeavours to develop a common 'conceptual grammar'. The discussion provides a snapshot of 'global policy studies' and addresses the overlapping fields of Global Governance and Policy Studies. A long-standing scholarly link between the two fields of inquiry is 'public goods' theory. Another concept from Policy Studies that has also been used to interpret global governance dynamics is the 'policy community' idea (Broome and Seabrooke, 2015).

Transnational policy communities are composed of actors from government agencies and international organisations as well as other relevant 'stakeholders' from the professions, academia, business and civil society, including leading non-governmental organisations (NGOs) and international philanthropies. They coalesce around specific policy issues and are 'networked across globally distributed sites of knowledge production and exchange' (Prince, 2010). These communities often seek to build and entrench a policy paradigm – a consensual way of thinking about and acting upon specific policy problems – which specifies both a set of instruments and a set of goals to be pursued using these instruments (Babb, 2013: 272). In many instances, transnational policy communities have become social ecologies and cultural epistocracies 'where respect for knowledge and knowers is considerable and many subscribe to the idea that decision-making must be knowledge-based and knowers must play a significant role in decision-making' (Holst, 2012: 4). This is a broad notion of decision-making that includes problem definition and agenda setting as well as many decisions made in the course of the operationalisation and review of policy.

Transnational policy communities are treated here as manifestations of a distinctly *global* public sector. Organisational actors and their networks in these communities engage in global policy making, public financing and service delivery around policy issue areas or specific problems. But unlike national public sectors organised under the hierarchical control of the state, the global public sector is much more decentralised (from singular sovereign control), devolved (to many private-sector and civil society bodies) and disaggregated (across scales of governance). The *global* public sector emerges partly from a delegation by states of administrative powers and functions but also, if not more so, from the gradual accrual of responsibilities, funds and mandates by these communities, which operate with their own professional interests and policy coordination ambitions.

Section 3 outlines the diversity of network structure and composition. For instance, trans-governmental networks are composed entirely of government officials. By contrast, public–private partnerships bring in private-sector actors to help tackle global problems. These and other types of networks are global policy instruments. In many instances, the inclusion of corporate-sector and civil society interests as 'stakeholders' in the management of global policy problems provides some legitimacy for the network. As sovereign authority is often lacking in global policy making, transnational policy communities also seek legitimation through expert knowledge and a (social) scientific consensus the community can use for legitimation and to bolster their policy paradigm.

The fourth section focuses on the transnational actors and policy communities involved in evidence-based policy making for global governance. One manifestation of evidence-based policy is science diplomacy. This is the 'persuasion' component of global policy making: scientific input to policy making – in the form of data, models or analysis – has become increasingly contested in an era of 'alternative facts' (EL-CSID, 2019). Nevertheless, scientific consensus and policy advice remain important foundations that give direction to cooperative action and policy development. Epistemic authority is one important pillar upon which policy paradigms are built. However, this Element ends on the note that science, evidence and the 'facts' do not provide all the answers. Just as is the case at the city level of governance, global policy making is not simply a normative endeavour to create 'a better world' but is also shaped by the practices of the powerful. 'Epistocracy' concentrates political power among those with superior knowledge of the complexity of public problems and policy processes. In the absence of a global citizenry with rights and responsibilities, the democratic void in most transnational policy spaces potentially provides fertile ground for rule by experts or other powerful interests.

Yet, the impetus towards global policy making, and the rise of transnational policy communities, is not inevitable. The political will and 'appetite' for international collaboration and multilateralism that was evident at the turn of the millennium is today in short supply. In the wake of the 2008 global financial crisis, and the populist-nationalist politics and policies of leaders such as Bolsonaro in Brazil, Órban in Hungary, Duterte in the Philippines and Trump in the USA, the 'appetite' for 'global policies' has abated. Instead, global policy is often dismissed and denigrated as being designed by those portrayed as unaccountable transnational elites who are disconnected from national communities. Even so, global problems persist and proliferate. While collective action and policy responses to these problems are deficient, this makes it all the more pressing to better conceptualise 'global policy'.

Making Global Policy takes one of the great strengths of public policy as a *field* of study – that is, its multidisciplinary character – to draw upon theories and concepts developed in economics, international political economy, law, political geography, political science and social policy. However, the analysis in the subsequent sections goes beyond the 'methodological nationalism' of traditional Policy Studies texts which focus on 'public policy' as an activity controlled by states, inside states or between states. The intention is to 'scale up' Policy Studies in light of the global governance transformations that have taken place over the past quarter century. Everyday understanding of the extent and substance of what is legitimate rule – the norms, practices and mechanisms guiding and structuring public life – often runs on a political philosophy that

peaked from the end of the nineteenth century to the late twentieth century. In a nutshell, our categories, concepts and theories do not necessarily fit anymore with political realities and the policy ills that appear increasingly concurrent with the rising complexity of cross-national economic life and transnational sociocultural engagements. The proliferation of transnational policy networks is symptomatic. But these networks and the partnership 'instruments' they build are not just global policy *tools*; they are also constellations of administrative actors that give life to transnational policy communities. In other words, networks can be seen as both structures and agents.

The maturing of global policy programmes signals innovations in transnational administrative praxis in an era that is witness to rapid reconfigurations of sovereignty. A conceptual ambition in this Elements is to develop and distinguish between the inter-related ideas of 'trans-governmentalism', 'transnational administration' and 'science diplomacy'. For these ideas to have traction requires a move away from the 'methodological nationalism' of Policy Studies to address the new spaces of authoritative public action and policy making that are not centred solely around nation-states. Instead, new policy-making spaces emerge through global and regional partnerships and networks. These spaces are occupied by multiple actors engaged in financing, delivering or managing GPGs. Once these spaces are recognised as 'public sectors', it is possible to develop an appreciation of 'methodological transnationalism'.

Finally, this Elements can only touch upon some normative concerns and dilemmas of transparency, representation and accountability of transnational policy communities. These communities wield considerable decision-making powers in their policy domains but can become detached from the oversight mechanisms of traditional government authorities and national structures of democratic accountability or professional oversight. While epistocratic policy power is not necessarily at odds with democratically informed policy (Jeffrey, 2018), this kind of power is yet to be made fully compatible with democratic policy processes.

2 Creating Global Policy: Public and Private Constructions

'Whatever *governments* choose to do or not to do' is an oft-quoted definition of 'public policy' to be found in a popular textbook (Dye, 1984: 2, my emphasis). Another text defines policy as 'a statement by government – at whatever level, in whatever form – of what it intends to do about a public problem' (Birkland, 2016: 9). The Merriam-Webster (2019) online dictionary defines public policy as 'government policies that affect the whole population'. Many other sources and writers make similar definitions by putting government at the centre of

policy making. This is understandable. Government is at the core of a nation-state's architecture. 'The state' is recognised as the sovereign power in international affairs. 'The state' is the highest authority in national policy. For the most part, policy scholars have reflected and reinforced this reality by treating the state as the core unit of analysis.

One objective here is to de-centre the state in emerging processes of global policy making. But this does not mean displacing the state or its authority. De-centring means, firstly, to identify and include private sources of policy making and delivery as equal partners to state actors regardless of whether these actors come from the market place or civil society. Secondly, de-centring entails recognising how state sovereignty has been transformed by globalisation with implications for public administration and policy making at national and sub-national levels. These pressures have brought new practices not only within the traditional policy setting of the nation-state but has also provoked new modalities of administration and policy coordination outside the nation-state.

Putting the state at the centre of analysis is known as 'methodological nationalism'. This section provides a brief review of the methodological nationalism of mainstream Policy Studies as a necessary precursor to introducing the concept of *methodological transnationalism*. The concept of methodological transnationalism helps us understand and map new forms of public-sector activity and transnational administration. The 'internationalisation' of public policy – such as occurs through policy transfer of instruments, tools or legislation across countries (inter alia Evans, 2019; Hadjiisky et al., 2017) or through official 'trans-governmental' policy coordination (Keohane and Nye, 1974; Legrand, 2015) – are relatively well advanced. These are processes where state actors continue to play a central role. Yet these two concepts are distinct from the ideas of 'transnational administration' or 'transnational policy communities' in which actors from the private sector or civil society play key roles in governance.

A second objective is to draw out the distinctiveness of a Policy Studies approach to global governance. This pursuit is not dissimilar to how legal scholars have developed the field of 'global administrative law' or GAL as it is known (Khoo, 2019; Machacek, 2018). The GAL school characterises global governance as administrative action which is also regulated by administrative principles, regulations and mechanisms with a law-like character, especially those relating to participation, transparency, accountability and review. A new generation of scholars in Global Policy Studies are developing their own arsenal of key concepts. This includes advancing notions such as the 'global public sphere'. It also includes applying the economic theory of public goods to analyse transnational policy problems and advocate for the provision of GPGs.

And some are now applying traditional policy concepts and theories to global policy phenomena. For example, the ideas of policy entrepreneur (Alimi, 2015) and 'public value' (Geuijin et al., 2017), or policy design principles (Peters et al., 2018). This disciplinary diversity helps keep the understandings of global governance in constant evolution.

Global Policy Studies: State of the Art

Policy scholarship has long addressed the impact of extra-state dynamics upon domestic politics (inter alia Farazmand and Pikowski, 2007; Reinicke, 1998; Skogstad, 2011; Soroos, 1986). Mainstream policy and public administration studies have also undertaken analysis of the capacity of public-sector hierarchies to globalise their national policies through cross-national learning and policy transfer (Hadjiisky et al., 2017). In tandem with the widening mandates and policy ambitions of international organisations over the past few decades, and the coalitions they form with governments or private-sector actors – such as companies, philanthropic foundations and other elements of civil society – a niche for Global Policy Studies has emerged (see Moloney and Stone, 2019).

A number of academic journals in the Policy Studies domain have already moved into in this niche. Journals such as *Global Governance*, *Global Policy, Global Summitry* and *Regulation and Governance* have been at the forefront of academic debate. *Public Administration* published a special issue on 'Global Public Policy and Transnational Administration' in 2015 and more articles since. There are also a few landmark books. The earliest was an edited collection *Global Policy Studies* (Nagel, 1991). However, the take-off in academic interest really occurred at the turn of the millennium sparked by books such as *Global Public Policy* (Reinicke, 1998) then later *Global Social Policy* (Deacon, 2007; Yeates, 2008) as well as *Global Public Policy: Business and the Countervailing Powers of Civil Society* (Ronit, 2007). A tipping point for the establishment of 'global policy studies' was reached with the publication of two *Handbooks* on the topic (Klassen et al., 2016; Stone and Moloney, 2019).

More frequently seen are academic studies that take a sector-specific focus. There are a plethora of studies of global health policy (see Šehović, 2017, for an overview). Likewise, the now extensive study of global environmental policy (or climate policy) is particularly noticeable (Biermann, 2009) as is scholarly work on overseas development assistance as a driver of global policy (Severino and Ray, 2009). Other smaller but significant bodies of research concern global refugee policy (e.g. Bauman and Miller, 2012) or global education policy (e.g. Green, 2016; Verger et al., 2012).

These sector-specific studies are indicative of the fragmentation of the study of global policy as an analytic endeavour. Three decades of scholarship has really only produced a handful of book-length studies focused directly on the concept of 'global (or transnational) policy' and global policy studies remains a specialised interest. One reason suggested for the sporadic nature of literature on global public policy is that it 'is commonly nested within other disciplines and issue-areas, rather than being a subject of scholarly inquiry in and of itself' (Bauman and Miller, 2012: 4; also Kaul, 2019: 270).

As a consequence, definitions of 'global (public) policy' are still evolving. For everyday people as well politicians and policy makers, the thought of public policy that is 'global' or 'transnational' remains unfamiliar and discomforting with 'big brother' overtones of 'world government'. 'Strictly speaking, there is no transnational state holding a global monopoly on the legitimate use of violence or other defining state features' (Ougaard, 2018: 130). Instead, 'the state' can be considered 'an umbrella concept that covers state *functions*, state *power* and state *apparatuses*'. Accordingly, it is possible to refer to the 'transnational state' as 'the unevenly and partially globalized aspects of statehood' (Ougaard, 2018: 130) that are driven by political, juridical and regulatory networks.

Sovereignty and the Westphalian Grammar

Respect for the principle of 'sovereignty' has been at the heart of Policy Studies and Public Administration. Sovereignty is a concept that has been extensively debated by International Relations (IR) scholars (Fanoulis and Musliu, 2018). The political philosopher Nancy Fraser has noted that this 'Westphalian political imaginary' maintains a sharp distinction between domestic and international space (Fraser, 2013: 181; Volkmer, 2019). Consequently, the literature on 'global policy', 'international public management' or 'transnational public administration' (or other cognate terms of analysis) is relatively sparse. With disciplinary boundaries firmly in place, the Policy Studies and Public Administration scholarly communities have sometimes missed opportunities to bring a distinct set of key concepts and analytical tools and theories of the policy process to the study of global governance.

Much ink has been spilt on the idea of 'sovereignty', and only a few ideas are addressed here. 'Westphalian sovereignty' is based on the principle that one sovereign state should not interfere in the domestic arrangements of another; that is, a state has legal immunity from external influences. By contrast, the notion of 'interdependence sovereignty' refers to the capacity and willingness of public authorities to control or regulate flows of people, goods and capital in

and out of a country. 'Domestic sovereignty' is the capacity of a state to choose and implement policies within its territory (Krasner, 1999). The study of public policy often revolves around the latter two meanings (Stone and Ladi, 2015). These ideas are state-centric, where sovereignty is a property of a state. These ideas are also government-centric, where sovereignty is a territorial definition of political authority. Contemporary developments like the emergence of the European Union (EU) – where member states and EU institutions appear to be co-sovereigns – as well as the impact of some non-state actors on international organisations do qualify the notion of the complete supremacy of the state (Fanoulis and Musliu, 2018: 75). Theoretical developments such as the idea of a 'global public sphere' or of 'transnational administration' do so too.

The idea of 'administrative sovereignty' loosens the assumption of territorial or treaty boundaries defining sovereignty to focus on sovereignty as a set of practices and capabilities. In other words, 'administrative sovereignty is a function that a state, state-like, multiple-state or other actor can maintain with a reasonable measure of autonomy, credibility, and reliability over time' (Muth, 2019: 62). In this understanding, sovereignty is a spectrum of capacities; that is, the ability to initiate and implement. Transnational actors with administrative sovereignty could include private bodies like the credit rating agencies and other types of 'reputational intermediaries' such as international accreditation bodies in the higher education sector (Verger et al., 2012) or various professional organisations (Seabrooke and Henriksen, 2017). Rather than a static concept bound to the unitary state, 'everyday practices of sovereignty' – such as those generated by policy networks discussed in the next section – create new modes of public diplomacy and policy coordination that challenge but do not dispense with state driven modes of sovereignty (Fanoulis and Musliu, 2018: 72–5).

Fact and Fiction in Making Global Policy

'Global public policy' can be characterised as both a 'fact' and 'fiction'. It is a fiction in the sense that the continuing power of the sovereign state is not in doubt, although the state is being re-configured by global forces. But from a social constructivist perspective, the very idea of global policy making comes about through gradual processes of interpretation and inter-subjective understandings that develop in relation to labelling certain management practices, forms of decision-making, and other public acts as 'global public policy'. The idea of global policy also becomes a tangible reality when it is developed into a focus of research or around university teaching. Ideas, policy experiments and professional experiences become real and meaningful, or a 'fact', as they