How do Transnational Private Regulations Emerge?
A Causal Process Tracing Study on the Open Contracting Partnership

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Abstract of Dissertation

How do Transnational Private Regulations Emerge?
A Causal Process Tracing Study on the Open Contracting Partnership

The phenomenon of transnational private regulations (TPRs) has attracted significant scholarly attention recently. Private actors are increasingly moving away from purely serving as policy influencers to becoming policy makers, which as a result has transformed the traditional concepts of governance and authority. The emergence of privately created rules across borders has been studied disparately, and not much has been done to understand the relationships between various forces in an integrated manner. This dissertation disentangles the conceptual complexity embedded in TPRs and contributes to the growing body of literature that "stretches" and adapts existing public policy making frameworks designed for national settings to examine global governance phenomena. With the construction of a causal mechanism adapted from the Multiple Streams (MS) framework, I conduct a within-case process tracing study on the emergence of a revelatory and information-rich transnational private regulator – the Open Contracting Partnership (OCP), an initiative that employs a two-pronged regulatory strategy to set global norms and principles in public procurement transparency and participation and promotes a technical disclosure and data standard for voluntary adoption. Empirical tests on a large body of diagnostic evidence are performed to detect and analyze the observable fingerprints surfaced from OCP's development trajectory over the course of 10 years, with data from nearly 1000 documents from three different sources, as well as interviews with almost all founding members of OCP, and the global policy community comprised of organizational elites from international organizations

active in the open government movement. This dissertation demonstrates that a complex web of rationalistic, governance, and institutional factors influenced how OCP emerged. The multi-layered policy environment empowered and constrained the rule-making process. Specifically, economic, and political focusing events, regulatory voids at the transnational level, and a high degree of stability of the policy coalition in the open government policy field propelled the global policy community to endorse a new policy alternative designed by a non-state actor. And the deliberate epistemic, instrumental and advocacy efforts exerted by OCP founders were also critical in ensuring that the policy conditions were ripe for a private alternative. This dissertation also questions the presumed state of organized anarchy speculated by the MS framework, and shows that changes in policy problems and policy solutions streams would largely leave the politics stream unaffected. Suggestions are offered on how to further enhance the TPR causal mechanism by combining compatible concepts from Kingdon's MS framework with Sabatier and Jenkins-Smith's advocacy coalition framework.

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Chapter 1: Background

Introduction: Regulatory Pluralism and the Emergence of Transnational Private Regulations

Globalization has instigated a "power shift" (Mathews, 1997) in the way that economic, social and political affairs are conducted. The responsibility to safeguard civil, political and social rights of citizens is no longer the sole prerogative of the state (Cerny, 1995; Hall and Biersteker, 2002; Drahos, 2004; Matten and Crane, 2005; Scherer et al., 2006), which as a result, has transformed the traditional definitions of governance and authority. There has been a restructuring of the "playing field" of policy making (Cerny, 2006, p. 97). The shift from the state-centered rule-making paradigm to the pluralistic, polycentric regulatory processes has given momentum to regulatory pluralism (Gunningham and Sinclair, 1999; Black, 2001; Scott, 2001; O'Rourke, 2006; Rhodes 2007; Grabosky, 2012), in which regulations are made by a multitude of actors, originated from various sources, and institutionalized into different forms.

Particularly at the global stage, there is a "higher degree of pluralization of actors" than is usually the case at the domestic level (Stone, 2008, p. 19). Private actors play a more central role in initiating and leading regulatory efforts. The organizational space once occupied solely by public officials to promulgate regulations has been opened to a wide array of non-state actors and is now characterized by shared sovereignty among them. National governments no longer serve as the sole "organizing center" of public policy making (Stone, 2008). The emergence of transnational policy communities – who are carriers of the global policy processes – further delinks policy making from sovereign-based decision making, and as a result, has created a transnational public sphere (Nanz &

Steffek, 2004), defined by fluid and complex relations among politics, markets, and society.

Non-state actors are gradually moving away from purely serving as policy influencers – lobbyists, interest groups, and opinion shapers – to policy makers that establish global norms, set voluntary standards, and effectively govern public affairs (Cutler et al., 1999; Pattberg, 2005; Porter and Ronit, 2006; Ruggie, 2007; Vogel, 2008; Abbott and Snidal, 2009; Mayer and Gereffi, 2010; Bartley, 2011; Haufler, 2013; Steurer, 2013). Consequently, the space for governance has been significantly enlarged, the range of "governors" diversified (Haufler, 2018), and the loci for authority and legitimacy expanded (Green, 2013). Examples of such global private governance arrangements have proliferated in a variety of sectors, including forestry (Falkner, 2003; Cashore et al., 2004; Pattberg, 2005), climate change (Green, 2013), apparel (Bartley, 2003; Bartley, 2005), and organic agriculture (Guthman, 2004; Auld, 2014), and have been institutionalized through certifications, standards, voluntary codes, and reporting schemes.

I contribute to the growing literature on transnational policy making by non-state actors by focusing on the agenda-setting stage of the private regulatory process. Despite increasing research interest in describing and theorizing the nascent phenomenon of privately created global rules, the current literature suffers from conceptual ambiguity in defining the key dimensions and features of transnational private regulations (TPRs) and a lack of an integrated analytical framework for more rigorous empirical testing. There has been little agreement among scholars on the parameters of "policy studies beyond nation-state" (Stone and Moloney, 2019, p. 9). Discussions are often confined to isolated

theoretic perspectives rooted in individual disciplines (Cashore et al., 2004; Pattberg, 2005); research into the transnational policy community is still underdeveloped (Stone, 2008); and potential ways to integrate disparate theories are rarely explored (Coen and Pegram 2018; Haufler, 2018).

This dissertation demonstrated that TPR studies should be explored with an inter-disciplinary mindset, and that concepts that may be rooted in different scholarly fields should be integrated into a holistic analytical framework. By operationalizing the 10-year growth trajectory of the Open Contracting Partnership (OCP) into a causal mechanism, I brought new insights to illustrate how a complex web of factors may trigger a TPR's emergence. Familiar concepts from a governance perspective such as private authority and legitimacy are useful in understanding OCP's emergence, but they need to be supplemented with constructs drawn from rationalistic and institutional perspectives. Specifically, I found that activities surrounding the global policy community in which OCP was anchored, as well as the deliberate epistemic, instrumental and advocacy efforts made by the OCP entrepreneurs worked together to trigger OCP's development into a transnational private regulator that sets global norms and rules on transparency and participation in public procurement.

The transnational policy environment, which worked at various levels, played a critical role in empowering and constraining OCP's development. Political and economic focusing events, such as high-level political commitments, scandals, and public outcries led to external demand for a TPR. In addition, regulatory voids also propelled policy innovation. These included disagreements from nation-states on how to regulate public procurement reforms, the challenges associated with governing "simultaneous problems"

that cross borders, as well as a lack of a hegemonic power that can fulfill a coordination function at the transnational level.

In addition, this dissertation painted a much more granular picture of the mechanism through which endorsements of private authority and legitimacy by the global policy community functioned. I found that there was a sequential relationship between the recognition of different kinds of private authority, with moral authority coming in before knowledge authority. Moreover, a desire to obtain rule legitimacy was a crucial factor in OCP entrepreneurs' decision-making process to transform from a public policy initiative to a private one. And OCP's proactive and persistent efforts to define, frame, and articulate policy problems and their skillful navigation of a wide array of institutional preferences also influenced the ripeness of the policy window for new regulatory instruments to emerge. OCP's rule legitimacy was further reinforced by linking and embedding its normative and technical regulatory instruments into public commitments, established institutions, and focusing events. Notably, the debate between regulatory pluralism and standardization was a controversial point in OCP's emergence, which can be explained by not only transaction cost theories, but also the "logic of appropriateness" (Cashore et al., 2004, p. 24), where emphasis is placed on the assessments of private legitimacy.

Furthermore, this dissertation also challenged existing scholarship's predictions on several fronts. First, the understanding of "politics" has been expanded. Previously, political contestation and institutional conflicts were presumed to be a prominent element in policy creation. But this dissertation showed contrary evidence. I discovered that "politics" in OCP's emergence journey were characterized by a high degree of stability,

which was achieved by maintaining uniformity and maximizing compatibility of the normative pursuits and policy ideals projected by the new initiative (i.e., OCP) and those promoted by the established, dominant institutions in the same policy coalition of open government and open data. Second, existing literature speculated that there would be different policy communities defining policy problems, designing policy solutions, and galvanizing support for a new policy endeavor. Nevertheless, the policy field in this case was comprised of mainly the same cohort of policy organizations that simultaneously played knowledge, instrumental and advocacy roles that shaped the policy environment in which OCP was incubated. Third, the assumed "garbage can" model from the multiple streams framework (MS) in policy creation was also questioned. A noteworthy deviation surfaced from this dissertation was that changes in policy problems and policy solutions streams largely left politics unaffected. The fundamental values, normative pursuits, and institutional dynamics among the stakeholder groups within the global policy community remained unshaken as a privately created transnational regulation emerged.

Lastly, I cautioned that there may be "incommensurable" concepts (Kuhn, 1962) when testing the transferability of Kingdon's (1984)'s MS model in a setting that was characterized by different actors (i.e., from governments to non-states) and a more fragmented policy environment (i.e., from national to transnational level). A distinct example was the operationalization of entrepreneurial policy making, which was a prominent feature of OCP development that centered on devising policy instruments from scratch. The design, socialization and deliberation process for an entrepreneurial policy instrument may be fundamentally different from ready-made, passive, and static policy instruments waiting to be passed or rectified, as envisioned in Kingdon's original model.

Nonetheless, I discerned that to better explain how a privately created regulatory instrument climbs onto the transnational policy agenda, the conceptualization of a TPR causal mechanism can be bolstered by combining compatible concepts from Kingdon's MS framework with Sabatier and Jenkins-Smith's Advocacy Coalition Framework (1988;1993).

Global Trends in Transnational Private Regulations

Corporate Citizenship Initiatives

Borrowing ideas from concepts advanced by other authors (Bartley 2007; Vogel, 2008, 2010; Büthe, 2010a; Büthe, 2010b; Scott et al., 2011*;* Cafaggi, 2012; Green, 2013; Wahl and Bull, 2014), I define transnational private regulations (TPRs) as privately created, voluntary norms, rules or standards that are adopted by others for the provision of global public goods. In Chapter 2, I will provide a more comprehensive discussion on the features of TPRs and how they are different from other relevant concepts.

TPRs first received considerable attention in the business realm. Private regulations aimed at improving and governing the social, environmental and governance impact of businesses now exist for almost every sector, including forestry, apparel, coffee, cocoa, fisheries, home goods, chemicals, minerals, and financial services (Vogel, 2010; Scherer and Palazzo, 2011). The UN Global Compact, positioned as the world's largest voluntary corporate sustainability initiative, has attracted more than 12,000 signatories in more than 60 countries, representing nearly every sector and size. The Global Reporting Initiative, which is a typical TPR that sets international sustainability reporting standards, has attracted 74% of the world's largest 250 corporations as voluntary adopters. In fact, incorporating voluntary reporting initiatives as an integral part of business operations has

become a permanent feature for many companies. A recent global survey conducted by KPMG on corporate sustainability reporting (KPMG, 2017) shows that among the world's largest 250 corporations, more than 90% of report on their sustainability practices, 73% deem social issues such as human rights as a core element in business operations, and 75% include various forms of "non-financial" information in their annual financial reports. Furthermore, more than 300,000 certificates have been issued to organizations that are compliant with ISO 14001 (ISO, 2019), the corporate environmental management certification system created by the International Organization for Standardization (ISO). As of 2017, the number of Fair-Trade certified producers or organizations is estimated to be more than 1600, representing more than 1.5 million farmers and 193,000 workers.

The Open Government Movement

In addition to corporate sustainability, global governance is also a domain characterized by an increasing number of TPRs, concerning topics such as anti-corruption, democratic processes, and civic empowerment. The open government movement is among the most notable fields in which TPRs have proliferated in the past decade, and this is the realm in which this dissertation focuses. Research by the Open Government Partnership (OGP) reveals that that enhanced transparency in relevant government policies is strongly correlated with better socio-economic outcomes; nearly 75,000 jobs were estimated to have been created due to the re-use of open data in 2016, and open data was associated with generating €52 billion for the European Union in 2018 (OGP, 2019).

There remains a large degree of heterogeneity in the definition of open government since this is still an evolving field of research. But most authors agree that the essence of open

government comprises three pillars – transparency, participation, and collaboration (Ball, 2009; Obama, 2009; Chun et al., 2010; Fishenden and Thompson, 2012; Harrison et al., 2012; Evan and Campos, 2013; Wirtz and Birkmeyer, 2015). Transparency focuses on the opening up of governmental data, information and processes; participation refers to processes by which public concerns and ideas are incorporated into government's decisions; and collaboration is a two-way exchange opportunity where the co-creation of policy solutions between government entities and other stakeholders take place, and citizens take more of a leadership role in setting the agenda and shaping the dialogue.

While the first wave of open government mechanisms focused on information sharing (i.e., transparency), subsequent attempts shifted to opening up the policy deliberation process by increasing citizen participation, building trust, and forging partnerships between government and non-state actors (i.e. participation and collaboration). To some extent, the broader evolution of the open government movement mimics the transition from New Public Management (NPM) to New Public Service (NPS) in public administration research. NPM is rooted in an efficiency-driven, utilitarian approach, using business-like decentralization and customer service as its basis, while NPS is derived from the idea of democratic participation, inclusive policy deliberations and civic empowerment. Evan and Campos (2013) maintain that although the utilitarian data-driven focus of open government can increase citizen understanding of governmental processes, a more comprehensive understanding of the approaches and effects of genuine collaborative governance is still lacking.

Transparency is believed to lift the veil of secrecy and has achieved a quasi-religious significance given its normative value, as some regard it as a right for citizens to access

information about the government (Hood, 2006). Three characteristics define the contours of the modern-day concept of government transparency (Oliver, 2004; Meijer, 2013). First, it is an institutional relation, which can be understood in terms of power, rules, interactions, etc. This is similar to what Heald (2006) describes as "inward transparency", where government is the object and is being monitored by a variety of other stakeholders. In addition, it is an information exchange, as there has to be something available to be observed and monitored. Lastly, it is about transparency of the workings and performance of government, both in terms of the what (i.e. inputs, outputs and outcomes), and the how (i.e. policy making and implementation process) (Heald, 2006).

Government transparency is often believed to make government more efficient, deter corruption, and contribute to better democratic governance (Hood and Heald, 2006). An open and transparent government system has low levels of control over information flows. Transparency is usually the entry point of corruption deterrence, and lack of transparency can increase the costs of monitoring compliance in contractual relationships and give rise to the principal-agent dilemma. At the same time, governments sometimes do not have enough capacity to store, analyze, and disclose official statistics in an easily accessible manner (Brautigam, 1992), which increases the cost of information provision and disincentivizes disclosure. In addition, trust building or restoration in government is also cited as one of the major benefits of government transparency, particularly in the e-government literature which examines the effects of technology-enabled government transformation (Van de Walle & Bouckaert, 2003; Welch et al., 2005; Tolbert and Mossberger, 2006; Bannister and Connoly, 2011). Tolbert and Mossberger (2006) show

that better attitudes towards government is linked to positive experiences with the use of governments' websites, resulting in an improvement of the interactions between citizens and government and perceptions of government's responsiveness, which can eventually lead to a strengthening of process-based trust in governments. Lastly, caution is needed to avoid an overly enthusiastic view towards government transparency, as it can also lead to misinterpretation, inadvertent release of confidential data, or societal risks when data ends up in the wrong hands (Bannister and Connolly, 2011).

The NPS- style collaborative approach in public administration is another model of government reform that is associated with greater government accountability, accessibility, and responsiveness (Dryzek, 1990). In economic theory, participation refers to the equity dimension of economic activities. It ensures an equal distribution of economic resources in both wealth and assets, and a market of institutions by which citizens can influence their leaders and governments' decision-making processes. In political science, participation is a typical instrument in collaborative governance, where the civil society as a whole and individual citizen are directly engaged in the making, implementation and monitoring of governments' service delivery processes. Participation is key to the success of community-based development activities, as it represents the idea of empowering non-state actors in the making and implementation of societal rules.

Still, a conceptual interdependence exists between transparency, participation, and collaboration in the fiscal domain (Harrison and Sayogo, 2014). Heald (2012) highlights that disclosed government information should be directed toward knowledgeable audiences, be effectively consumed, and be open to public audits. This suggests that

transparency is often a pre-condition of participation, collaboration and accountability, although the links between these constructions can be weak and incomplete, due to idiosyncratic factors (Khagram et al., 2013). Similarly, Meijer and colleagues (2012) recommend an openness framework that marries transparency (i.e., open access to government information) with participation (open access to decision making) and call for more attention to the interactive effects of the two elements.

The Case: The Open Contracting Partnership

Against the background of the open government movement, fiscal transparency and accountability, especially in public procurement, has attracted much attention in the global policy community. Purchasing public goods, services and capital assets is considered one of the most fundamental functions of the government in public finance literatures. Governments around the world spend US$9.5 trillion on public contracts every single year, which represents roughly 15 -30 percent of GDP for many countries (Center for Government Development, 2014). Research by the Open Contracting Partnership (OCP, 2019) shows that the market size has expanded to $12.5 trillion. The value of public contracts will continue to increase, due to rapid urbanization and an enormous need in new and improved infrastructure in low- and middle-income countries (Bhattacharya et al, 2012). Unfortunately, high profile and complex procurement opportunities are susceptible to wastage, inefficiency, and corruption. The UN (UNODC, 2013) estimates that on average, 10 to 25 percent of public finances may end up in the pockets of the corrupt. Moreover, public contracting information in many countries is still unavailable for public scrutiny. This jeopardizes public integrity and trust and creates an uneven playing field for all suppliers competing for government contracts.

In this research, I studied the emergence of the Open Contracting Partnership (OCP), an organization that aims at setting global norms and principles in public procurement transparency and participation, making disclosure and data standards, and engaging all stakeholders to implement open contracting reforms. Using within-case descriptive and causal inference, I examined how and why the norms and rules of open contracting emerged onto the transnational policy agenda and how OCP evolved into a transnational private regulator. The OCP has taken hold in more than 50 countries and cities around the world and is being recognized by global bodies such as the G20 Public Procurement Guidelines and the Principles of Open Data for Anti-Corruption (OCP, 2020).

The OCP is a typical transnational private regulator that "initiates voluntary, private, non-state industry or cross-industry codes" (Vogel, 2010, p. 68). OCP puts forward two specific TPRs to realize its transnational regulatory ambition. The OC global principles is *a normative TPR*, which is set of normative ideals, guidelines and best practices for disclosure and participation in public procurement. They are a coherent articulation of norms and conventions that help make the contracting process more transparent, fair, competitive, and accountable. The Open Contracting Data Standard (OCDS) is a *technical TPR*, which is an embodiment of OC principles with a focus on open data. It is a global standard on the publication of structured information on all stages of a contracting process, with a goal to enable users to publish shareable, reusable, machine readable data related to public contracts in a structured format. The effort for norm building (i.e., OC principles) and the promotion of a technical policy option (i.e. OCDS) go hand in hand in helping OCP achieving its regulatory goals at the transnational level.

Research Interest and Questions

This dissertation represents a small step towards dismantling the artificially defined lines that separate academic disciplines to encourage cross-pollination in theory-oriented research. In public administration, normative arguments have been made that people can coordinate without anybody coordinating them, and that decision-making structures that are non-centrally coordinated may be more efficient than those that are centrally coordinated by way of mutual adjustment made by decision making actors (Lindblom, 1965). Studies on public management networks, characterized by formal, deliberate and efficiency-oriented collaboration in policy making and implementation between government and non-state actors were public administration scholars' early attempts in understanding non-state actors' role in regulations. Later, NPS further promoted the concept of collaborative governance by advocating for the steering, serving and facilitating roles of public officials, while acknowledging the increasingly important role of private actors in policy making and implementation (Denhardt and Denhardt, 2011).

Almost 20 years ago, Agranoff and McGuire (2001) asserted that the types of issues that society addresses were increasingly "wicked" (2001). For most problems that have emerged in the first part of the 20th century, a bureaucratic organization was ideal because problems were easily defined, goals were clear, and objectives were measurable. For wicked problems, agreements are forged jointly, which steers courses of action that are consistent with the multiplicity of societal interests. The "messy problems" require "messy solutions" that only collaborative networks can provide (Rhodes 1997). The multi-organizational arrangements allow problems that cannot be achieved, or achieved

easily, by single organizations to be solved (Agranoff and McGuire, 2001). Collaborative governance can also become a negotiating platform that facilitates the transfer and use of specialized knowledge and other resources, which enables involved actors to profit from the diversity and expertise of their constituencies (Benner, Reinicke and Witte, 2004).

TPRs entered into academic debate at the tail end of the NPS movement, when the messy problems started to cross borders and transcend the traditional boundaries of national regulatory agencies and institutions (Lipschutz 1992; Wapner, 1995; Keck and Sikkink, 1999; Hall and Biersteker, 2002; Vogel, 2008; Wahl and Bull, 2014). To follow the naming convention of NPM and NPS, perhaps the TPR movement can be labeled as transnational public service. Traditionally, "public policy has been a 'prisoner' of the word 'state'" (Stone, 2008, p. 19). The global private regulators operate in transnational policy communities (Stone and Moloney, 2019), work within a network of global governance actors, and deal with unique global policy challenges that cross borders (Cafaggi, 2012; Kaul and Mendoza, 2003; Kaul, 2019), such as communicable diseases (e.g., the Covid-19 pandemic), climate change or oceanic pollution. As a result, the traditional assumption that nation-state is the central policymaking unit is once again being challenged.

In this research, I sought to answer why and how the norms and rules of a particular transnational private regulator – the OCP – emerged and became institutionalized into the global policy agenda. To contextualize the answers, I unpacked the causal mechanism of multiple policy streams to examine policy problems, policy solutions, and politics in a TPR setting separately, and together as a whole. For each policy stream, two perspectives were explored: one that followed the policy entrepreneurs, who were instrumental in each

of the policy streams, as emphasized in the original model by Kingdon (1984); and another that focused on members of the transnational policy community, who would acknowledge, recognize, and adopt TPR in the global public sphere. At the aggregate level, using the Bayesian principle of confidence updating, the overall strength of the causal mechanism was determined by the components that passed the weakest empirical tests.

Significance and Potential Contributions of the Dissertation

Existing studies of TPRs suffer from conceptual ambiguities and do not have an integrated analytical framework that bounds the empirical examination of various policy processes. I explain below how I helped address these challenges through my research. This research can make three sets of contributions, concerning the conceptual, analytical, and methodological realms respectively. I i) brought conceptual clarity and set an analytical boundary, ii) creatively adapted an existing public policy making framework in private policy making at the transnational level, and iii) empirically employed the within-case causal process tracing technique to test the framework which allowed examination of various processes of TPRs in a holistic manner.

Disentangling conceptual ambiguity in TPRs

TPR scholars lament that studies in the field are often confined to isolated theoretic perspectives rooted in individual disciplines (Cashore et al., 2004; Pattberg, 2005), and research into the transnational policy community is still underdeveloped (Stone, 2008). The lack of a more comprehensive characterization of the concept of TPRs reflect the inter-disciplinary nature of the phenomenon. On one hand, a diverse community of researchers have joined the circle of regulatory and global governance researchers,

approaching the topic with different theoretical and analytical objectives (Black, 2002; Levi-Faur, 2011; Stone and Moloney, 2019). On the other hand, the increasing complexity and fragmentation of the field has also led to conceptual ambiguities. In this research, I marked an analytical boundary for the examination of TPRs by clearly defining the parameters of different conceptualizations, clarifying terminology, and drawing distinctions from related topical areas. As I will elaborated in Chapter 2, TPRs have three main characteristics – private, voluntary and global – which separate them from related concepts.

Developing an integrated analytical framework

So far, there has been a dearth of research that commits to "re-engineering" existing public policy theories for global governance studies (Stone and Moloney, 2019, p. 9), and I addressed this knowledge gap by adapting a well-established public policy making framework– the multiple policy streams model (MS) – to transnational private policy making. As I will discuss later, TPRs have been studied in various disciplines, each of which follows a different theoretical foundation, but unfortunately, the potential ways to integrate disparate theories are rarely explored (Coen and Pegram 2018; Haufler, 2018). What the public policy research community needs is not another new set of frameworks, but an understanding of the conditions under which a certain framework may be helpful in explaining the underlying social phenomenon. In this research, I was able to highlight the prospects and limitations that the multiple streams (MS) model has, when applied in new settings, and specify the aspects in which an adapted MS framework would work in a transnational private policy making setting.

Conducting within-case causal process tracing

Lastly, I brought new empirical insights through this research. I illustrated the benefits of adapting the MS framework, the methodological advantages of process tracing case studies, and how such a methodological choice can help researchers balance two sets of seemingly irreconcilable paradoxes. I will show in Chapter 3 (research design), Chapter 4 (results) and Chapter 5 (discussions) the ways to disintegrate a class of factors, while maintaining their holism at the same time. By constructing a causal mechanism using the MS framework, I broke down the policy elements into different working propositions which allowed in-depth analyses of each component, and at the same time, studied the relationship of the components of the causal mechanism as a whole. In addition, I revealed that it was possible to follow both an inductive and a deductive reasoning process in one research (Mahoney, 2012). On one hand, this research can be seen as a deductive investigation, as I tested an existing policy making framework in a new setting. Most existing process tracing studies were about theory building or explaining single outcomes (Ulriksen and Dadalauri, 2014), so I brought new evidence on the theory-testing power of process tracing case studies. On the other hand, the relationships of the policy elements were not yet well theorized, so the method also contained inductive elements examining how likely the propositions would work in a new setting, so as to define the parameters in which the framework works. Furthermore, an inductive logic was followed when I employed the constant comparison principle to boost credibility and confirmability of my research results. As a recommended technique in process tracing (Bennett and Checkel, 2015), the frequent overlap of theories, data collection and data analysis enabled me to evaluate my propositions in an adaptive manner (Yin, 2009).

Summary

In this chapter, I presented the broad background in which this dissertation was anchored, my research motivation and main questions, as well as the potential contributions I could make to the literature. Four more chapters follow. Chapter 2 includes the literature review and elaborates on the construction of the analytical framework; chapter 3 focuses on research design and methodology, including discussions on the tactics I used to improve the trustworthiness of this research; chapter 4 discusses the results from empirical tests of the working propositions and the inferences I drew based on the analysis of argument roadmaps of each proposition; and in chapter 5, I delve deeper into the successes and failures of adapting an existing public policy making theory to the transnational level, including presenting an integrated narrative on the crucial factors that enable a new transnational policy instrument to climb onto the policy agenda, and explanations on the discrepancies between the working propositions and empirical findings. Finally, I'll conclude by offering suggestions on ways to enhance the analytical framework and proposing future directions of research.

Chapter 2: Literature Review and Conceptual Framework

Introduction

This chapter lays the theoretical foundation for the dissertation. I developed an integrated perspective to understand better the relationships between different perspectives in the emergence of transnational private rules, and how various forces as a whole may affect global policy making. I began with an exercise to situate the concept in the broader regulatory policy and global governance literature by identifying theoretical linkages between relevant issues and setting an analytical boundary for what constitutes TPRs. I then turned to a summary of common notions and existing approaches, targeting prominent texts and core concepts of transnational governance, authority, and private policy making in the disciplines of political science, international relations (including global governance), and public administration and policy (including global policy studies and transnational administration). Finally, I described how to modify and adapt existing models and frameworks of national public policy making to examine private policy making across borders and offered research propositions for empirical testing.

Defining and Situating TPRs

TPRs emerged as an umbrella concept that encompasses a wide array of privately created norms, rules and standards that operate across borders (Abbott & Snidal, 2000). These private initiatives are embodied in different institutional forms, such as global certifications in the environmental or social domains (Cashore et al., 2004; Bartley, 2003, 2007**;** Chan and Pattberg, 2008; Büthe, 2010a), civil regulations that govern firms' societal impact (Vogel, 2008, 2010), or global voluntary information and reporting standards. Most previous definitions of TPRs tend to narrowly focus on one or two

dimensions of the phenomenon. With a simple emphasis on who initiates the rules (i.e. private actors), Büthes (2010a) defines private regulations as "rule-making by non-governmental actors" (p. 1). Others emphasize the role of global firms, setting NGOs aside. Vogel (2010) describes "global civil regulation" as voluntary, private, non-state industry and cross-industry codes that specify the responsibilities of global firms to address a variety of social and environmental conditions (p. 68). Considering to a greater degree the transnational dimension of the concept and recognizing other non-state actors, TPRs can be characterized as rules made by transnational private bodies who possess regulatory functions for the global economy (Abbott and Snidal, 2009; Büthes, 2010). As more in-depth studies start to emerge, scholars pay more attention to TPRs' voluntary adoption and private authority. Green (2013) describes TPRs as "situations in which non-state actors make rules or set standards that other actors in world politics adopt" (p. 6). Additionally, the "public" impact of these private rules has been accentuated. TPRs are considered "an instrument to produce, regulate access to, and protect global public goods" in transnational policy communities (Cafaggi, 2012, p. 699).

Borrowing ideas from concepts advanced by other authors (Bartley 2007; Vogel, 2008, 2010; Büthe, 2010a; Scott et al., 2011; Cafaggi, 2012; Green, 2013; Wahl and Bull, 2014), I define TPRs as privately created, voluntary norms, rules or standards that are adopted by others for the provision of global public goods. Here, global public goods represent a sub-set of public goods that ignore borders, such as global common pools including oceans or man-made constructs such as multilateral trade regimes, integrated financial markets, or norms like basic human rights (Kaul, 2019). TPRs are part of a wider net of transnational regulatory tools and are situated in the intersection of three

related concepts, namely private regulations, voluntary regulations and global regulations. The definition is depicted in Figure 1, and the main features of the concept are explained below.

TPRs are ***private*** (or non-state), as the creators are firms, non-governmental organizations (NGOs), think tanks, and foundations (Stone, 2008; Cafaggi, 2012; Scott et al., 2011); they do not rely on the nation-state and sometimes bypass governments altogether in their policy making efforts. TPRs are ***voluntary***, in that private actors do not possess coercive powers like the state to enforce rules and often operate in governance networks comprised by global actors in the transnational policy communities (Keck and Sikkink, 1999), in which governance tasks are shared among all stakeholders (Gaus, 2019). Moreover, TPRs are ***transnational***, not international (Scott et al., 2011; Cafaggi, 2012; Stone and Moloney, 2019). Transnational signifies that the policy activities cross borders and include all actors that operate at the global level, be it state or non-state.

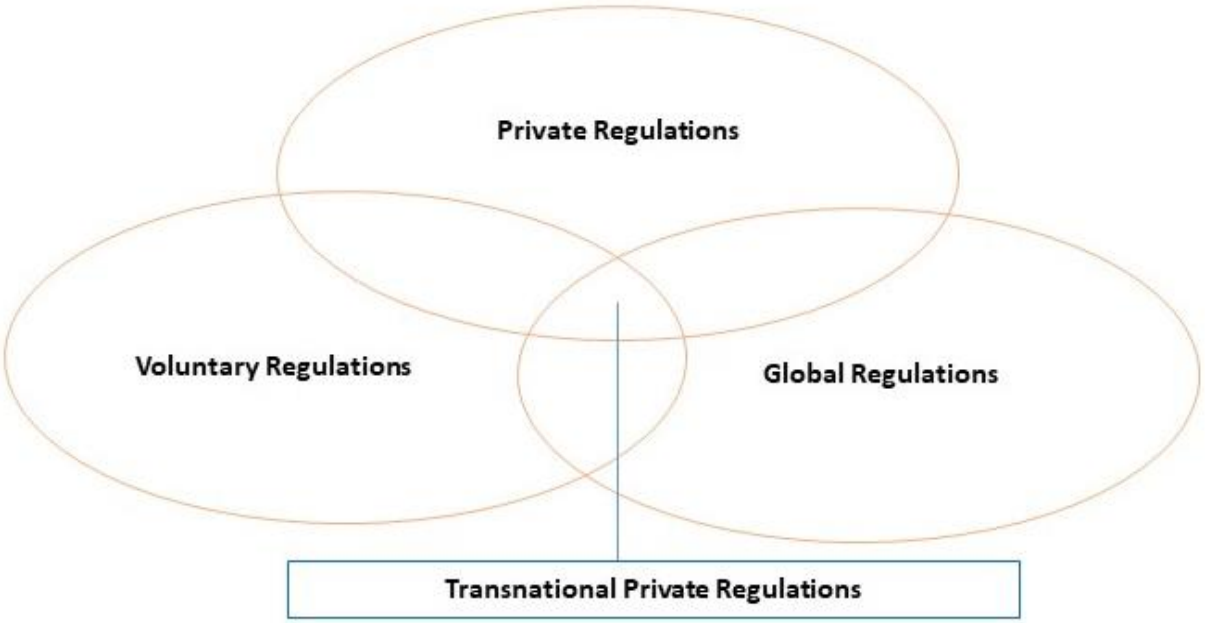

Figure 1: Situating Transnational Private Regulations

The Private Regulators

First and foremost, TPRs are created by non-state actors, which puts the spotlight on rule-making processes that are independent of the government. Abbott and Snidal (2009) present a framework of the "governance triangle" to depict rules and standards directly initiated by the three domains of society – the state, businesses and civil society. With an emphasis on the agenda-setting stage of regulations, their typology suggests that in private regulation, initiators can be businesses, non-governmental organizations (NGOs), or a collaborative that consists of two or more actors in a hybrid form (Young, 2006; Abbott and Snidal, 2009; Büthe and Mattli, 2011; Steurer, 2013). This is a convenient way of categorizing regulations, but it may be misleading to label a multi-party standard-setting partnership comprised of governments, businesses and NGO representatives as a purely *private* regulatory initiative due to the involvement of government actors and the

fact that its governance capacity and legitimacy may be derived from or delegated by the state (Scott et al., 2011).

In a similar vein, some scholars classify regulations as first party, second party or third party, which denotes the number of actors involved in regulatory actions, differentiating participants by their regulatory function (Hall and Biersteker, 2002; Hatanaka et al., 2005; van Waarden, 2011). First party private regulation essentially comprises voluntary business self-regulation. In such cases, self-governance power derives from firm hierarchies based on the logic of institutional economics and driven by corporate self-interests and reputational concerns (Potoski and Prakash, 2005), not necessarily publicly oriented goals. Second party private regulation occurs when one party imposes rules upon another party, which implies a principal-agent relationship between the regulator and the regulated. For example, multinational corporations may impose their own corporate code of conduct on their suppliers, in order to avoid social scandals and control reputational risks. Lastly, third-party private regulations, which may include most relevant examples of TPRs, signify the involvement of independent, third-party players, who are labeled as standard setters, information brokers, or regulatory intermediaries (Abbott et al., 2017a, 2017b; Brès,et al., 2019). These private actors are called upon due to their operational capacity, specialized expertise, perceived independence or legitimacy to accredit, audit or certify public or private actions (Bartley, 2007; Abbott et al., 2017a).

Nevertheless, it is important to note that non-state "third parties" may occupy a variety of roles in the regulatory process and, thus, can be further distinguished from each other. In particular, more attention could be paid to private actors as regulators or intermediaries. A well-known type of third-party regulation is a certification scheme, in which private

actors define rules, set standards and promote compliance with respect to the environmental and social impacts of companies (Bartley, 2007). Private regulatory intermediaries, however, are primarily facilitators, judges, monitors or enforcers (Abbott et al., 2017b), whose regulatory function by default is delegated or empowered by the regulator, be it public or private actors. Using the regulator-intermediary-rule-taker model, Abbott and colleagues (2017a; 2017b) note that discussions of regulatory intermediaries tend to focus primarily on down-stream regulatory implementation, monitoring and enforcement, which means that the intermediaries' come into play after a regulation has already been adopted (p. 5).

To illustrate the regulator vs. intermediary distinction, it is useful to consider the development of a global non-state certification standard, the Forest Steward Council (FSC), which has been widely studied by scholars of private regulations (Pattberg, 2005; Taylor, 2005; Bell and Hindmoor, 2012). FSC promotes sustainable forestry management through a certification system that operates as a standard, which embodies a set of principles and criteria. Actual verification of compliance with the FSC certification standard, however, is usually conducted by independent, third-party auditors, who are not associated with the FSC. This deliberate separation of the roles between the standard setter and the auditor is believed to maintain the integrity of the FSC system. In this regard, the norm-making and standard-setting role that FSC plays qualifies them to be a private regulator, while the certifying bodies for the FSC, such as Advanced Certification Solutions or Bureau Veritas Certification, are considered regulatory intermediaries.

The Voluntary Regulators

The voluntary, non-binding characteristic of TPRs mirrors voluntary approaches to regulation as well. Sometimes conceptualized as club goods (Potoski and Prakash, 2005; 2009), voluntary programs employ standards that aim to change behaviors of the members in the club. At the national level, voluntary regulations developed by governmental agencies are not a new phenomenon, particularly in the environmental sector. For example, the US Environmental Protection Agency (EPA) initiated the 33/50 Program in the 1990s, which was a voluntary pollution prevention plan aimed at reducing toxic chemicals. These voluntary programs provide incentives, rather than mandates, to mitigate pollution (Blackman, 2008). Ayres and Braithwaite (1992) argue for "responsive regulation," which provides governmental regulatory agents with an "enforcement pyramid" that offers a range of tools to encourage or compel compliance, ranging from light persuasion to punitive measures. Albeit still state-centric, their work acknowledges the involvement of non-state actors in regulatory efforts (Grabosky, 2012; Drahos, 2017) as well as the potential of hybrid governance regimes and the power of collaborative dialogues (Scott et al., 2011).

At the global level, non-state actors play a more central role in initiating and organizing governance arrangements on their own and not just to self-regulate as is the case with individual corporate codes of conduct or production guidelines (Auld et al., 2008). Rather, they also set global standards in multi-stakeholder arrangements that others voluntarily follow, such as global private certification schemes. For instance, FSC was created by non-state actors, comprised of businesses, environmentalists and community leaders. Its goal is to develop a "voluntary, market-based approach that would improve

forest practices worldwide" (FSC, 2019). Not surprisingly, it is precisely because of the fact that the adoption of TPRs is voluntary that scholars advocate for carefully considering why and how they are adopted (Bartley, 2007; 2010), how private actors attain regulatory authority, and how targets of the privately created rules comply (Büthe, 2010b).

Notably, conceptions of soft law in international governance (Abbott & Snidal, 2000; Kirton & Trebilock, 2004) and voluntary regulatory programs are sometimes conflated in academic discussions (Scott et al., 2011) so clear explanations are needed to clarify meanings and connotations of differing terminologies. Two distinctions are worth noting. The first is that in the classical sense, international laws, whether hard or soft, are entered into by states, whereas voluntary programs do not necessarily need to be government sponsored and cover a broader range of regulatory instruments. The second distinction is that soft laws need to include provisions about obligations of adoption, whereas voluntary programs by definition lack such a feature. Hard law, positioned as a contrast to soft law, refers to "legally binding obligations that are precise and that delegate authority for interpreting and implementing the law" (Abbott & Snidal, 2000, p. 421). Here, the three dimensions of obligation, precision, and delegation set the parameters for hard law. Soft laws still exemplify the three dimensions, but there could be a "softening" in one dimension or among the dimensions in combination (Abbott & Snidal, 2000). For example, when governments join an international agreement, they could opt for clauses that have imprecise commitments (i.e., softer on precision and delegation), or add escape clauses (i.e. softer on obligation). The 1995 Beijing Declaration and Platform for Action to advance gender equality can be considered a typical example of international soft law

– it fulfils the precision requirement by spelling out the terms but avoids legally binding commitments and limits delegation. Given its softer form, it was adopted by almost all governments around the world.

The Regulators of the Global Public Goods

TPRs transcend the traditional boundaries of national regulatory agencies and institutions (Lipschutz 1992; Wapner, 1995; Keck and Sikkink, 1999; Hall and Biersteker, 2002; Vogel, 2008; Wahl and Bull, 2014). The global private regulators operate in transnational policy communities (Stone and Moloney, 2019), work within a network of global governance actors, and deal with unique global policy challenges related to the provision of global public goods (Cafaggi, 2012; Kaul and Mendoza, 2003; Kaul, 2019). Forms of global governance that do not rely on the presence of governments or inter-governmental organizations are not a recent development. In such circumstances, actors outside of the state begin to project institutionalized forms of power and authority (Hall and Biersteker, 2002) to organize the transnational collective life, often in a domain called global civil society, which exists beyond the individual and across the state (Young, 1997; Jaeger, 2007).

The tasks of design, implementation and evaluation of global and regional policies are increasingly being shouldered by a variety of global governance actors in the transnational policy communities (Stone and Moloney, 2019). These include: i) "internationalized public sector officials" who are national government officials that operate in transnational executive networks (Slaughter, 2004), ii) the "international civil servants" employed by international organizations such as United Nations and the World Bank (Weiss, 1998), as well as iii) the "transnational policy professionals", which

broadly correspond to the transnational private regulators that this paper discuss, including NGO executives, think tank pundits, foundation officers, business leaders, scientific experts, and consultants (Stone, 2008).

Although I emphasize the ***privateness*** of TPRs above, there is also an element of ***publicness*** in their roles that should not be overlooked (Kaul et al., 2003). Public interest theory forms the theoretical foundation for the study of regulation, which the theory of regulatory capture subsequently challenged (Stigler, 1971). Although the original motivation of the public interest principle was to protect public against private interests (Christensen, 2011), and so positions private actors as rivals of public ideals, the embedded assumption that regulation aims to preserve the collective public interest is still relevant in contemporary regulatory debates. And scholars and practitioners are still trying to find new ways to design regulatory institutions that can resist capture and advance social objectives (Carrigan and Coglianese, 2015).

More broadly, some consider TPRs as "instrument[s] to produce, regulate access to, and protect global public goods," and argue that TPRs can be regarded as global public goods themselves (Cafaggi, 2012, p. 699). In traditional economic theory developed in the national context, public goods have non-rivalry and non-excludability properties in their consumption and, as a result, are not provided in sufficient quantities by the market, which offers a rationale for states to intervene (Samuelson, 1954; Kaul and Mendoza, 2003). This form of market failure by definition limits private actors' roles in the provision of public goods. However, when extending the reach of the goods' "publicness" to the global level (i.e. global public goods), scholars recognize that the link between public goods and public actors is no longer exclusive.

There has been increasing provision of global public goods by private actors, including firms, trade associations and NGOs (Cafaggi, 2012). One of the main reasons behind such a shift is that transnational policy making deals with unique global policy challenges, which constitutes a "new policy space" (Kaul, 2019, p. 265-266). Stone (2008) places these global policy problems into three categories: i) trans-boundary problems that involve the cross-border movement of tangible or intangible assets such as money, drugs, or pollution (Raab and Milward, 2003), ii) "common pool problems" such as ozone depletion and climate change, or iii) "simultaneous problems" that nations experience such as health, education, and urbanization (Deacon, 2007). These global collective action issues, especially the first two types, are beyond the "jurisdiction" of nation-states, and the current global governance system lacks a function for coordinated global issue management that lays the groundwork for the involvement of global private governance actors (Kaul, 2019). Private regulations that focus on mitigating negative effects of climate change (i.e. the common pool problem) which ignore national borders (i.e. trans-boundary problems) have proliferated in recent years (Raynolds et al., 2014). For example, the lack of global environmental sustainability in the oceans propelled the creation of the Marine Stewardship Council which sets the standard for sustainable fishing. Insufficient actions by national governments and international governmental organizations to fight climate change engendered the Greenhouse Gas Protocol (GHG Protocol) (Green, 2013), which is a voluntary accounting standard to calculate GHG emissions developed by the World Resources Institute and the World Business Council for Sustainable Development, both of which are non-governmental organizations.

In sum, three distinct features characterize TPRs. First, private actors are no longer involved in policy making in only a peripheral capacity. Instead, they are increasingly setting norms, establishing rules and encouraging behavior changes, independent of (or in addition to) government efforts. Second, the adoption of private policy instruments is entirely voluntary, and the formalization and institutionalization of such mechanisms does not follow conventional government channels. Lastly, the public interest foundation justifying regulations is retained when regulation is provided privately, particularly at the global stage, where the laws and regulations of the nation-states do not reach and the need to address certain collective action problems for the public good is intensified.

How do TPRs Emerge?

While many studies have analyzed how TPRs emerge, most of them adhere to disparate theoretical underpinnings. In the following section, I will first describe notions of private authority, legitimacy, and entrepreneurship, which are common threads that span the existing research. Then, I will turn my attention to three main perspectives that dominate the discussions of how non-state actors affect the agenda-setting process of global policy issues, which are rooted in rational choice, governance, and institutional understandings.

Key Dimensions of TPRs

Private Authority

Private authority offers a conceptual foundation for the legitimacy and credibility of the private rule-making process (Cutler et al., 1999; Cashore et al., 2004; Bartley, 2007; Vogel, 2008; Abbott and Snidal, 2009; Büthe, 2010a; Green, 2013) and has been studied by scholars in various disciplines, including international relations, political science, and sociology (Cutler et al., 1999; Cashore, 2002; Cashore, et al., 2004; Bartley, 2010; Büthe

and Mattili, 2011; Green, 2013; Haufler, 2018). Cutler and colleagues (1999), whose seminal work laid the foundation for the study of private authority, maintain that "authority exists when an individual or organization has decision making power over a particular issue area and is regarded as exercising that power legitimately" (p. 5). Private authority becomes part of the social fabric when norms, rules and shared experiences – which engender trust and legitimacy – are institutionalized (Cutler et al., 1999; Pattberg, 2005). Hall and Biersteker (2002) contend that international NGOs demonstrate private authority by serving as agenda-setters, technical experts, and the moral compass for emancipatory and normatively progressive social initiatives.

Although the concept of private authority puts private governance mechanisms on a functionally equal footing with public forms of rules and signifies a change of loci of authority (Pattberg, 2005, p. 592), it also poses fundamentally different theoretical questions. The Weberian conception of public regulation asserts that the state can issue binding rules through the use of legitimate force. In contrast, privately created rules require proactive efforts to entice a steady flow of followers and adopters that grant authority to the private rule-makers without coercion (Green, 2010). Therefore, a more pertinent question to ask in the private realm of regulations is why and how the rule is *followed*, not how it is *enforced* (Scott, et al., 2011), and what factors contribute to the emergence and adoption of the rules.

Moreover, it is necessary to make a distinction between private authority *delegated* by the state and the type of authority that is *created* by private actors. The former conforms to the principal-agent relationship between the state and private actors while the latter underscores the entrepreneurial nature of transnational private governance and raises a

different set of issues to study. Delegated authority emphasizes the explicit transfer of authority from the state to the private agent according to certain agreed-upon terms (Green, 2013). In contrast, entrepreneurial private authority describes a process in which authority is legitimized when the governed adopt the rules created by the governors (Green, 2013). A defining feature of private regulations is that their legitimacy, governance and implementation capacity are not derived from governments (Vogel, 2010), and they typically operate "beside or around the state rather than through it" (p. 68). Ruggie (2002) characterizes the phenomenon as a "truly global social domain" – a space that allows for direct participation of values and interests from NGOs and transnational corporations (p. 11).

Scholars identify three types of private authority: market authority, moral authority and knowledge authority (Whitley, 1999; Hall and Biersteker; 2002; Avant, Finnemore and Sell, 2010; Büthe, 2010a; Green, 2013; Broome and Seabrooke, 2015). With market authority, a transfer of governance to private actors occurs when the states are convinced that such a delegation would lead to efficiency gains (Büthe, 2004; Hall and Biersteker, 2002). This is predominantly embodied by transnational firms or inter-firm associations that strive to become the governors of the market. Moral authority is mainly held by NGOs who serve in socially oriented functions and "formulate transnational policy decisions, regime rules, principles, and decision-making procedures" (Hall and Biersteker, 2002, p. 13). Trust is an important element to earning private authority in this category because the adopters need to come to the realization that the private actors are operating in the public interest. Lastly, knowledge authority, which some call "cognitive authority" (Broome and Seabrooke, 2015) or "certified authority" (Whitley, 1999),

speaks to private policy makers' technical expertise, knowledge, and capacity. Avant and colleagues (2010) maintain that capacity-based authority and expert knowledge are a necessary but not sufficient condition for private actors to become global governors (p. 11).

The Legitimacy Debate

The concept of legitimacy is central to explaining the origins of private authority (Fuchs and Kalfagianni, 2010). Max Weber argues that an entity can only be an authority when it has the credibility and legitimacy to command (Dogan, 1985). A fundamental criterion of authority is "a certain minimum of voluntary submission" (voluntary imperative control). The orthodox Westphalian framing limits international political space to the states and suggests that only states possess international legal personality that have duties and rights (Ruggie, 2004). Unlike the Westphalian public rulers who by default are perceived legitimate (without having to resort to the threat of coercion), the private, voluntary nature of TPRs compel private rule-makers to proactively and consistently earn, maintain and protect their legitimacy through a variety of strategies. Therefore, without adaptation or expansion, traditional *public* policy literatures – which are by design state-centric – cannot fully describe or explain the phenomenon of privately created rules (Cashore et al., 2004).

Obtaining legitimacy is a necessary condition for private rule makers to attract adopters and introduce incentives that motivate compliance and spur changes of behaviors (Cashore, 2002). Black (2008) observes that political scientists and legal scholars often characterize the construct of legitimacy in polycentric governance systems in a normative sense, asking whether an entity has the perceived right to govern those it seeks to govern.

Sociologists' debates are more empirical, equating legitimacy with social credibility and acceptability (Suchman, 1995) and examining the extent to which the concept of legitimacy aligns with socially constructed systems of values and beliefs (Scott et al., 2001). Legitimacy may be pragmatically, morally or cognitively based (Suchman, 1995; Cashore et al., 2004), or can be categorized into input legitimacy (rule legitimacy) and output legitimacy (rule effectiveness) (Mena and Palazzo, 2012; Carodenuto, 2019) and measured by criteria such as inclusion, transparency, consensual orientation, procedural fairness, efficacy and enforcement (Mena & Palazzo, 2012).

Additionally, legitimacy of privately created rules can also be obtained by association in linking up with organizations or initiatives that are perceived to be legitimate, like the government or state laws or regulations (Black, 2008). This introduces the issue of the interaction between public and private governance. Vogel (2008) raises the question of whether private regulations serve as an alternative, a precursor, or a transitionary vehicle for public regulation. For instance, concepts of B Corp certification and Benefit Corporation are sometimes confused, because the developments of the two are very much intertwined, and they pursue similar social objectives. B Corp certification, initiated by the non-profit B Lab, is a TPR – a voluntary standard and certification scheme that assesses companies' social and environmental performance; whereas the benefit corporation is a law that requires companies' director to consider other public interests (e.g. social or environmental), in addition to profits. In the US, a benefit corporation is a type of legal, for-profit corporate status, currently being authorized by more than 30 states and the District of Columbia (Social Enterprise Law Tracker, 2019) Since the beginning of the development of the B Corp certification scheme, the founders have been

advocating for benefit corporation legislation, including maintaining a benefit corporation website (Benefit Corporation, 2019). Cao et al. (2017) call for more research to explore the rationales and implications of adopting a new legislative form (e.g., a benefit corporation) relative to a less institutionalized approach (e.g., B-Corp certification), especially with respect to legitimacy and performance effects.

Private Policy Entrepreneurship

Scholars studying TPRs routinely make the distinction between rules influenced or implemented by private actors and those that are created by private players. Conventionally, private actors are theorized to play a diverse set of roles in policy making. Positioned as the "balance wheel" of the U.S. political system (Truman, 1965), private actors are labeled as interest groups that influence policy making, disperse power, inflict social pressure, serve as catalysts for better corporate performance (Clarkson, 1995), and operate as watch dogs to channel public sentiments and ideas (Dahl, 1961; Baumgartner and Jones, 2005; Dhal, 2005).

By contrast, a main characteristic of independently created private rules is the active creation of policies, which calls for more attention to the role of private policy entrepreneurs, who act as advocates for policy change (Kingdon, 1984; Minstrom, 2000; Minstrom and Norman, 2009) and agenda setters who may affect the likelihood of policy change based on contextual factors (Minstrom and Vergari, 1996). Policy entrepreneurs can employ various types of private authority to solicit voluntary support and demonstrate social, scientific, and technical knowledge to shape the policy agenda and implementation (Stone and Ladi, 2015). NGOs that advance socially oriented goals are perceived to have moral authority for example, which is regarded as a legitimating force

for the initiatives with which they are involved. Potential followers employ different strategies to evaluate whether to follow suit.

Emergence Patterns of TPRs

In order to develop an integrated framework to more comprehensively study TPRs, one should first decipher their theoretical bases. There are three dominant perspectives used by scholars to illustrate the patterns of how TPRs emerge. The first is an efficiency-driven rationalistic perspective that stems from transaction cost theories. Most research that examines TPRs organized by multinational firms tend to adopt such a point of view because companies are perceived to be profit-driven and affected by factors related to competitiveness, reputations and market shares. The second perspective is related to a governance understanding, which centers on the polycentric, global rule-making process and political contestation. The last set of studies approaches TPRs from an institutional perspective that embraces institutional choices and structures.

The Rational Choice Perspective

One major impetus for the emergence of private regulations is a decrease in the efficiency of global governance, which is propelled by economic globalization and the competition for better corporate performance across borders. Entrusting private actors with authority is regarded as an efficient approach to reduce transaction costs and mitigate opportunism (Das and Rahman, 2002; Cutler et al., 1999). Private regulatory authority gains traction when its creators are able to demonstrate how their private initiative would help adopters capture first-mover advantage, enhance their reputations (Büthe, 2010a), or overcome collective action problems (Knight, 1992; Wahl and Bull, 2014). Pattberg (2005) offers two categories of economic explanations for private governance: macro-level conditions,

which relate to the systemic transformations in the structure of the international system and the changing nature of how knowledge is developed and disseminated; and micro level conditions, which concern organizational problems including factors that affect a company's economic bottom line or its broader societal impact.

At the macro level, economic globalization and associated global trade movements and capital mobility present a challenge for global actors that conduct businesses across borders (Berger and Dore, 1996; Haulfer, 2010, 2018 Auld & Gulbrandsen 2013). For example, the extent of industry concentration and the distribution of power within the industry both in the home country and abroad (Haufler, 2010; 2018), as well as the availability of associational systems for the mobilization of support (Cashore et al., 2004), are cited as important macro-level factors. Prakash and Potoski (2006) demonstrate that trade linkages among countries are a statistically significant factor predicting the adoption of the international environmental standard developed by the International Standard Association (ISO).

At the micro-level, the large spread of naming and shaming campaigns organized by NGOs threaten companies' economic bottom lines. Multinational corporations are therefore forced to be more proactive in disclosing corporate information regarding their environmental and social footprint abroad in order to maintain their market positions (Spar and Yoffie 2000). As a result, NGOs are effectively involved in global rulemaking to meet unsatisfied demand as governments focus on the desires of their median voters, as specified by public good theory (Weisbrod, 1986, 1997; Hansmann, 1987). Weisbrod (1986) argues that since voter preferences are not homogeneous, some constituents may be dissatisfied with the services that governments provide and thus seek alternatives

which manifest themselves as unsatisfied excess demand. Non-profit initiatives are thus supported by financial donations of citizens who want more production of the public good that satisfy their preferences. A similar strand of public good theory relates to the fact that since NGOs are not profit-maximizing, they are more trusted by consumers to provide public good (Hansmann, 1987).

Additionally, rationalistic arguments are used prominently in "information politics" (Gupta, 2010; Haufler 2018) to explain privately created voluntary information standards that report, disclose or certify corporate practices along the global value chain. From a neoclassical economic perspective, these private institutions are market-based instruments to promote efficient outcomes for both consumers and producers (Matutes and Regibeau, 1996). They can also help multinational companies secure market advantages, such as deterring new entrants (Cutler et al., 1999), enhancing their reputations, mitigating peer pressure, and ultimately improving core business competitiveness (Bartley, 2007; Gupta, 2010). For example, some standards aim to provide minimum quality and safety assurance to overcome the lemon's problem (Akerlof, 1970) spurred by asymmetric information and to reduce search costs related to product quality uncertainty (Jones and Hudson, 1996). In a recent empirical study of adoption of salmon aquaculture certification, Vormedal and Gulbrandsen (2018) find that firms subscribe to private certifications that audit corporate practices in the culturing of salmon in underwater farms based on strategic business interests, especially connected to industry reputation and corporate competitiveness.

The Governance Perspective

The term governance has become an overarching concept that frames different types of steering, serving, and regulating efforts by state and non-state actors (Steurer, 2013). Traditional forms of organizational boundaries include hierarchical arrangement, division of labor, and specialized job responsibilities. These boundaries designate who has legitimate access to certain decision-making arenas and enable those in power to exert control and hold subordinates accountable. However, the rise of private provision of public rules blurs the boundaries between the state and society (Savoie, 2004). Theories related to collaborative governance, regulatory void, and political contestation have been used to describe the normative, instrumental, and political dimensions of TPRs.

Collaborative Governance

Scholars of public policy and public administration normatively argue that people can coordinate without anybody coordinating them. In fact, decision-making structures that are not coordinated can be more efficient than those that are centrally coordinated when mutual adjustments are made by decision-making actors (Lindblom, 1965). Further, this scholarship argues that society should engage in a collaborative form of steering, in which "different societal domains aim to achieve common objectives or supply public services jointly" (Steurer, 2013, p. 397)

Case study research has illustrated that broad-based inclusion and collaborative governance including all stakeholders is an important element to solving decentralized problems because authorities and policy-making and problem-solving capacities fall across sectors, technical backgrounds, and social interests (de Souza Briggs, 2008; Denhardt and Denhardt, 2011). For example, in contrast to industry self-regulation,

whose goal is mainly to allow industries to control and govern themselves, transnational multi-stakeholder partnerships often seek to address broader societal concerns and establish standards that can be independently certified by third parties to achieve greater authority and credibility. For example, the Global Reporting Initiative (GRI) is an independent organization created and governed by non-state actors and has as its ultimate objective to help organizations understand their impacts on the main dimensions of sustainability, including climate change, human rights, and corruption.

Regulatory Void

Agenda-setting theory argues that external social pressures and public controversies open windows for new policy initiatives (Baumgartner and Jones 1999). As applied to private regulations, the scholarship maintains that public outcries engender legitimacy gaps, which give rise to alternative regulatory mechanisms that can be clearly seen in policy spaces such as labor and forestry standards globally (Bartley, 2010). At the global stage, the decline of the governance capacity of the nation-state, especially the perceived inadequacy, inability or unwillingness of the state to govern cross-border problems (Riain, 2000; Selsky and Parker, 2005) creates a regulatory void and provides spaces for private actors to invent new forms of authority (Wapner, 1997; Cutler et al., 1999; Knill and Lehmkuhl, 2002).

The persistence of a governance gap is also believed to be the result of both the complexity of the public goods problems in global social and environmental realms such as climate change (Cutler et al, 1999) as well as the scale and nature of transnational problems (Haufler, 2018). Private regulations can help alleviate capacity constraints or governance deficiencies connected to the ability of the public sector to deliver public

goods and services. Strange (1996) argues that when a vacuum exists that is not adequately filled by inter-governmental institutions or by an official hegemonic power exercising leadership in the common interest, private forms of transnational governance arrangements can emerge. Stated differently, when there is an institutional void (Hajer, 2003), or when the preferences of associated stakeholders are heterogeneous, private policy entrepreneurs will take it upon themselves to create private rules (Bartley, 2007; Green, 2013). Additionally, the structural imbalance in the size and power of states in global markets also leaves a regulatory gap to be filled by non-state actors in an effort to compensate for the declining capacities of national governments and to provide public goods in the "market of virtue" (Vogel, 2007; Vogel 2010). Vogel (2007) depicts a new norm of corporate social responsibility practices of companies, in which there is a business case to be made for corporate efforts targeted at broader social and environmental objectives.

In the environmental regulatory arena, Lipschutz and Fogel (2002) observe a significant shift toward privatization of regulatory activities in the transnational policy space, a reshuffling of the division of labor in regulatory affairs, and significant changes in the regulatory instruments employed. They demonstrate that NGOs and international public-private coalitions have taken upon themselves normative and functional responsibilities to regulate negative environmental and social externalities not addressed by international laws. Green (2013) notes that the creation and widespread adoption of GHG Protocol stems from international governmental organizations' inability to provide regulatory alternatives, the absence of a focal institution, and heterogeneous preferences of nation-states. She also suggests that when other organizations start developing variants of a

private regulatory standard, as in the case of the GHG protocol, one can assume that the adoption of such private rules is widespread and institutionalized (Green, 2013).

Political Contestation

Lastly, politics may also play a role in the development of private regulations. When the boundaries of authority and accountability are fluid or blurred, "no one appears fully in charge" (Mintrom and Luetjens, 2019, p. 115). Political contestation may give rise to private institutional schemes because of conflicts associated with power struggles among states, markets and NGOs (Bartley, 2007), or political bargains between groups seeking redistributive arrangements and those that work to block them (Abbott and Snidal, 2000***).*** Institution building can be viewed as a process to forge coalitions and an outcome of social and political contention (Campbell 2006; Thelen, 2004). For example, Bartley (2007) demonstrates that private forest certifications emerge as a solution to institutionally embedded conflicts over the legitimacy of different institutional choices (e.g., intergovernmental solutions vs. international private regulations) to govern timber trade across borders.

The Institutional Perspective

Given the discursive, complex way that transnational private governance arrangements emerge, researchers should also incorporate an institutional perspective, which helps illustrate the broader context in which policy changes take place (Pattberg, 2005). Vallancourt (2009) argues that while co-production of public policy occurs at the organizational level, co-construction of public policy is best studied at the institutional level. Literature following the institutional perspective is not extensive, but it highlights the importance of a holistic mindset to study TPRs, on which I elaborate more in the next

section. It advocates studying macro- and micro-level conditions at different institutional levels, and the interactions between them. The change agents that advocate for new TPRs are empowered and confined by the institutional environment around them.

Similar to the idea of a social construction of public policies (Schneider and Ingram, 1997), institutional theorists define institutions as "social constructions produced by discourses" (Munir and Philips, 2005, p. 1669), or "socially constructed, routinely reproduced rule systems" (Jepperson, 1991, p. 149). Institutional forces can transform into formal establishments or informal knowledge, which possess values and norms that define institutional culture. In a study of the assimilation of the Open Government Partnership (OGP) principles in Norway, Wilson (2019) shows a sequential policy adoption process, in which changes in institutional culture (i.e. informal institutionalization of the norms and aspirations associated with OGP), such as the idea of consensual policy making and the need to improve government efficiency, present a blocking effect of the formal adoption of the digital dialogue policy in the country. Additionally, scholars in this tradition also examine the trajectories of policy changes in the context of institutional entrepreneurship, including on the structural power of wider institutions to initiate policy change (Pattberg, 2005) or on the power of the change agents that transform institutional dynamics into organizational movements (McAdam and Scott, 2005).

Discussion

Calling for an Integrated Perspective

As illustrated above, most existing studies of transnational private governance mechanisms suffer from employing isolated theoretical frameworks confined to

individual academic disciplines. The rational choice, governance, and institutional perspectives, each on its own, would not fully explain how non-state actors set a new policy agenda at the global stage. In other words, each perspective is individually insufficient to comprehensively describe the phenomenon of transnational private making, let alone contributing to deeper theory development. Ostrom (2007) maintains that developing an integrated analytical framework can help organize diagnostic inquiries and provide a general class of variables derived from disparate theoretical traditions. In the context of TPRs, there is a need to construct an integrated analytical framework that allows the examination of the relationships of various forces in the broader global policy space (Pattberg, 2005; Bartley, 2007; Abbott and Snidal, 2009) and to understand how these factors, taken together, affect global policy making.

Empirical evidence is increasingly demonstrating the existence of more than one dimension in the emergence and adoption of transnational private rule making, be it economic, governance or institutional (Cashore et al., 2004; Pattberg, 2005; Bernstein and Cashore, 2007; Fuchs and Kalfagianni, 2010; Berliner and Prakash, 2013). In a study of the diffusion of global voluntary environmental standards, Berliner and Prakash (2013) reveal that both market considerations (e.g., information asymmetries) and a regulatory void have propelled the adoption of the ISO 14001 certification. They demonstrate that firms face the challenge of signaling their commitment of superior environmental practices to their customers and differentiate themselves from the businesses that sell "lemons," especially when they operate in countries with poor regulatory governance (i.e. regulatory void). Fuchs and Kalfagianni (2010) show that the emergence and diffusion of privately created global food governance programs are a function of the interaction

between the structural power of retail food corporations in the market place and their perceived legitimacy and authority as political actors.

Bernstein and Cashore (2004; 2007) reveal how various economic, governance and institutional elements operate together in the private norm-adoption process. When considering various public and private policy choices, stakeholders can conduct efficiency-driven strategic calculations as they evaluate the economic benefits while considering compliance costs, price premiums, and market access in joining a private initiative. At the same time, the "logic of appropriateness" may come into play as well, as participants look for a match between the private initiative's fundamental objectives (e.g., fighting global forest deterioration) and the moral beliefs of the supporters (Cashore et al., 2004, p. 24). In parallel, political legitimacy is created when actors no longer solely focus on the legitimacy of the initiative itself but rather the processes, interactions and systems in which the private norm is adopted that point to the effects of governance and institutional factors.

Teegen and colleagues (2004) suggest that the examination of private regulations led by international NGOs would benefit from a convergence of theoretical perspectives associated with international business institutions and organizational studies. Transnational NGOs can be seen as an institutional force that co-evolves with the social conditions under which firms operate. Co-evolutionary theory provides a perspective through which scholars can better understand the dynamics and interactions between organizations and their environment. Context matters and concentrating on the broader environment and how the changing fabric of society impacts non-state actors can provide a unique perspective in global governance research (Whitley, 1999).

From Public Policy Making to Global Policy Making

How can we develop a more comprehensive framework to study TPRs? Existing models and frameworks in public policy making offer a promising source of inspiration for this undertaking. The artificial divide in academic disciplines is being blurred, as evidenced through recent public policy and public administration research. There has been an internationalization of the fields, which engender the ideas of "global public policy" and "transnational administration" (Stone and Moloney, 2019, p. 4). The notion of global policy studies (Stone and Ladi, 2015; Stone and Moloney, 2019) captures the broader dynamics associated with the changing loci of power, authority, and decision-making processes that operate above and beyond the state. While traditional public administration and public policy studies are based on the concept of sovereignty, transnational administration removes this constraint and instead emphasizes management, regulation, financing, implementation, and monitoring of global policies by both public and private actors in the transnational policy communities (Stone and Ladi, 2015).

A new wave of public administration scholars recommend that we adapt and "stretch" conventional public policy process elements to apply them at the global and regional levels (Stone, 2008, p. 19) and look for opportunities for cross-pollination across disciplines. Specifically, Stone and Moloney (2019) lament that existing theories are under-utilized in global governance scholarship and suggest that researchers revisit and experiment with adaptations of conventional theories. In the recently published Oxford Handbook of Global Policy and Transnational Administration (Stone and Moloney, 2019), a number of scholars stretched, to varying degrees, familiar theories in public policy and public administration to the global level, in the areas such as international

policy entrepreneurships (Minstrom and Luetjens, 2019), transnational regulatory networks (Gaus, 2019), global agenda-setting (Chaqués-Bonafont, 2019), and international civil servant management (Moloney, 2019).

Adapting Agenda-Setting Frameworks to the Global Context

Inspired by the recent growing body of research that endeavors to "re-engineer" existing theories and develop new frameworks to expand our understanding of global governance (Stone and Moloney, 2019, p. 9), I decided to use established agenda-setting theory in public policy and public administration to examine the emergence patterns of TPRs. Several prominent theories of policy-making processes exist from which ideas can be borrowed. The formulation of a social construction of knowledge, power relations and institutions in policy design (Schneider and Ingram, 1997) can provide a foundation for an integrated conceptual platform that models the interplay of different factors. Similarly, the multiple-streams (MS) model developed by John Kingdon (1984; 1995) – which theorizes how policy problems, policies and politics align with the help of policy entrepreneurs during a policy window – offers a way to design an analytical boundary and provide a forum to further study the role of policy entrepreneurs. In addition, by demonstrating how a set of public and private institutions that share a common belief system facilitate policy change at a subsystem level, the advocacy coalition framework (ACF) (Sabatier, 1988; Sabatier and Jenkins-Smith, 1993) supplies appropriate propositions on policy networks and the function of change makers.

A small group of TPR scholars have drawn upon established public policy making models. Elliott and Schlaepfer (2001) demonstrated the relevance of ACF by examining the private policy subsystem in the development of forestry certification schemes in

Sweden. The authors found that NGOs and private sector businesses became dominant actors in the management of forest products rather than the government due to their relative ability to form coalitions and learn to champion policy changes. Zahariadis (2008; 2014) utilized the MS model to study policy making at the European Union, explaining how a policy gap created by a centralized authority could provide momentum for policy entrepreneurs to promote their own policy agenda. Di Ruggiero et al. (2015) applied the MS model to decipher the policy-making process of the International Labor Organization's Decent Work agenda. Following conventional agenda-setting literature, Chaqués-Bonafont (2019) adapted existing theories to the context of global networks. She argued that the agenda-setting capacity of TPRs depended on their ability to generate indicators and information, appropriately frame relevant issues, and detect and take advantage of the shifts in social and political preferences.

Constructing a Global Private Policy Making Framework

To address the issues raised above, I married the "demand" to develop an integrated framework of transnational private policy making with the "supply" of existing public policy making frameworks. To do so, I applied Kingdon's MS model on agenda setting, which was originally designed for public policy making at the national level, to the transnational setting. The MS model is one of the most widely accepted and well-respected analytical frameworks for studying the policy making process. It integrates several policy elements – including institutions, choices and policy entrepreneurs (John 2003) – which are all relevant concepts in private policy making. Recent meta-analyses presented wide-ranging applications of the MS model and suggested that it could be adapted to myriad policy settings (Cairney and Jones, 2015; Jones, et al., 2016; Rawat

and Morris, 2016). MS also offers flexible concepts which makes it applicable to non-U.S. policy making jurisdictions (Cairney and Jones, 2016). In fact, the MS framework has been applied at various governance levels (Jones et al., 2016) but less so in the global policy arena (Rawat and Morris, 2016, p. 615).

My conceptualization is different from previous applications of the MS model in the transnational context in two ways. First, most existing MS adaptation at the global level is used to study the policy process of inter-governmental organizations (Zahariadis, 2008; 2014; Di Ruggiero et al., 2015), rather than TPRs, which put non-state actors in the central position. Second, despite the increasing popularity of the application of the MS framework, there is a lack of systematic examination. When applying the framework in a different setting, not much attention has been paid to the specifications of its adaptation (Herweg et al., 2015). Most studies either put forward a description without much theoretical elaboration, or cherry pick a few components of the framework for application (Herweg et al., 2015; Jones et al., 2016;). My adaptation was designed in a way that can be used for empirical inquiry, with re-constructed indicators that can be operationalized into working propositions. In particular, the MS causal mechanism that I developed (to be explained in the next section) enabled me to study the factors separately and collectively. The way that Chaqués-Bonafont's (2019) structured her paper about the agenda-setting capacity of global networks was consistent with Kingdon's three policy streams – key components such as information generation, issue framing and preferences are prominent indicators in Kingdon's model. Nonetheless, she didn't explicitly acknowledge how Kingdon's model influenced her discussions, nor did she elaborate on the interactions among them. The lack of a framework mindset in current research surrounding TPRs

hindered the scholars' abilities to understand the complex relationships among different policy forces. In my framework, I offered a clear explanation of how the original concepts designed by Kingdon can be applied in the TPR context, presented working propositions, and developed a causal mechanism that allowed a more holistic empirical inquiry into TPRs.

The Causal Mechanism of the Multiple Policy Streams

Kingdon's (1984) model, as displayed in Figure 2, is an extension of the original garbage can model (Cohen et al., 1972) and highlights the crucial role of policy entrepreneurs in bringing together politics, problems and policy solutions during an opportune policy window. Kingdon (1984) posits that each of the streams enters and leaves the policy making process largely on its own, and policy windows open and close quickly such that a policy entrepreneur must be ready to promote the policy at the right time. This means that the policy factors require a window of opportunity for agents (i.e. policy entrepreneurs) to surface, frame, and formulate the multiple streams into a coherent policy package. In addition, policy entrepreneurs play a critical role in providing the necessary dose of agency, resources, access, and strategies to couple the various streams during a policy window (Jones et al., 2016).

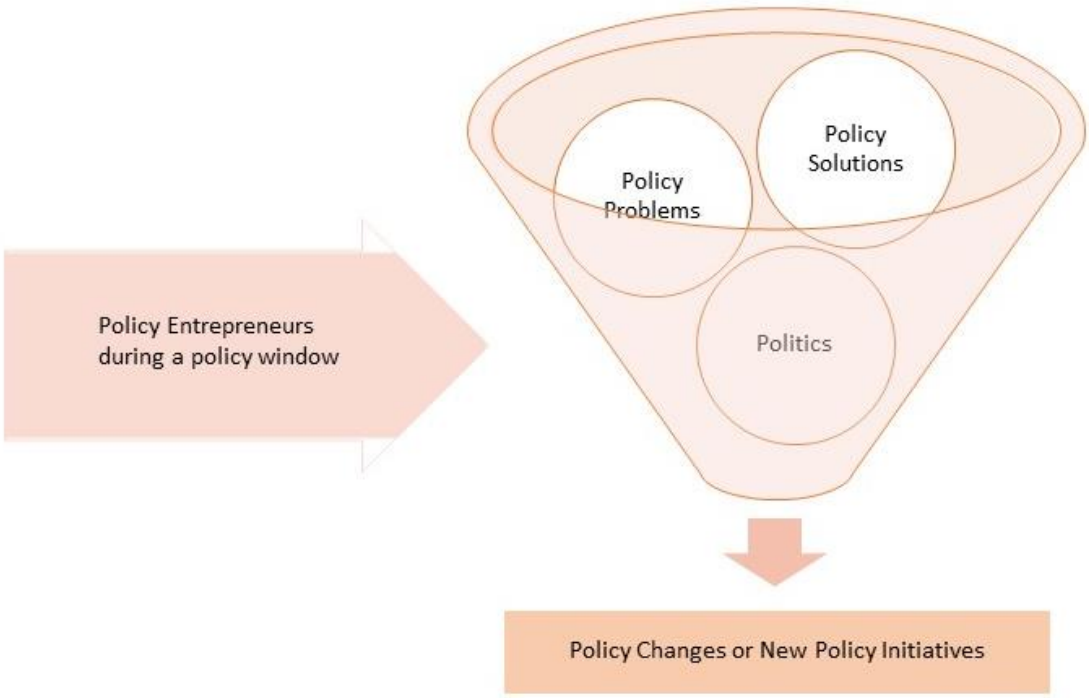

Figure 2: The original multiple streams model in public policy making

When developing a framework for empirical research, one also needs to consider methodological choices. Most existing research on the agenda-setting capacity of TPRs involved case studies that did not have a coherent theoretical framework (Chaqués-Bonafont, 2019). And most case studies use conventional methods such as narrative analysis, which does not reveal the causal mechanism that enables the emergence of TPRs, especially in single-case studies. In recent years, process tracing has surfaced as a suitable data analysis technique to make within-case inferences in a single case (George and Bennett, 2005; Collier, 2011; Bennett and Checkel, 2015; Kay and Baker, 2015; Beach and Pedersen, 2019). As I will explain more in Chapter 3, process tracing is particularly useful to "identify novel political and social phenomena and systematically describe them" (Collier, 2011, p. 824). It also accommodates "theoretical pluralism" that

is common in policy studies (Kay and Baker, 2015), by providing an analytical foundation for researchers to "disaggregate policy processes into constituent elements, rather than seek[ing] a general theory" (Kay and Baker, 2015, p. 3). Given that TPRs are still a relatively new phenomenon and efforts to understand them are weakened by disparate, isolated theoretical perspectives confined in individual disciplines, single-case process tracing can be a useful method to study TPRs.

Based on the theoretical underpinnings and the core concepts discussed above, I constructed a causal mechanism of multiple policy streams for a process tracing case study. I have argued that the various perspectives – economic impetus, governance factors and institutional structures – together enable or trigger the emergence and institutionalization of TPRs. Bringing these elements into a causal mechanism can provide a structured way to conduct empirical tracing.

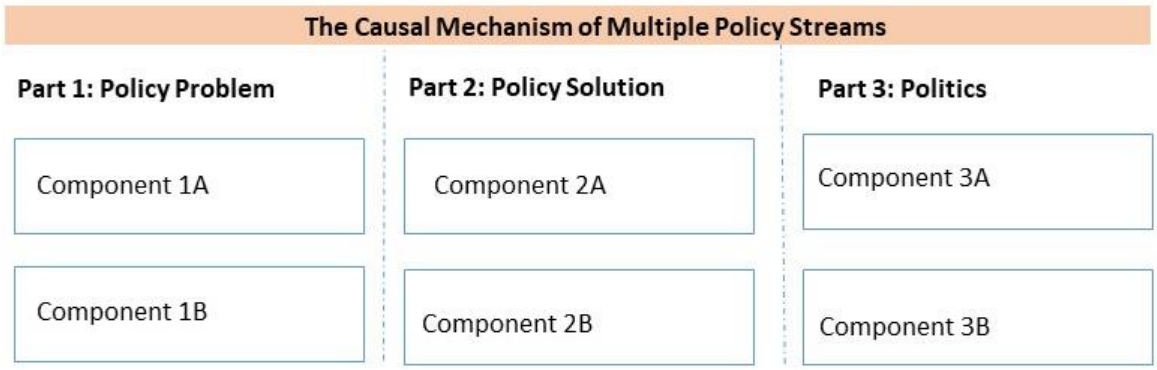

Figure 3: The causal mechanism of multiple policy streams

As Figure 3 illustrates, the causal mechanism can be unpacked into three core parts, matching the three policy streams. The MS causal mechanism can examine whether each component operates ass speculated, and whether the mechanism as a whole works as predicted. For each part, scholarship can pursue two angles. One is from the perspective

of policy entrepreneurs who are instrumental in each of the policy streams, as emphasized in previous literature, and as is shown the original model (Kingdon, 1984). Certain attributes distinguish policy entrepreneurs from other policy stakeholders (Kingdon, 1984; Minstrom and Norman, 2009), which, as explained below, are critical elements in each part of the causal mechanism. These include the display of social perceptiveness to discover policy challenges and opportunities (Balla, 2001; True and Minstrom, 2001) as well as the ability to properly frame problems and define issues (Baumgartner and Jones, 1993; Schneider and Ingram, 1993) and forge coalitions and mobilize support (Roberts and King, 1991).

The other perspective focuses on members of the transnational policy community, who would acknowledge, recognize, and adopt TPRs in the global public sphere. As explained earlier, a major source of differentiation between conventional public regulations and TPRs is whether the regulatory policy is voluntarily adopted. Members of the transnational policy community are the potential adopters of a particular TPR being prioritized and promoted by policy entrepreneurs. These participants may include private, transnational policy professionals, such as those who are employed in international NGOs, think tanks, global firms and consultants, the international civil servants that work in international organizations, and international public officials that primarily operate in transnational policy networks, and the (Stone, 2008).

In process tracing, each component of the causal mechanism usually has two main elements: an *entity*, which includes factors such as an actor, organization or structure, and *activities*, which comprises the manifestations of the causal powers of the entities and the actions that would leave empirical fingerprints for us to trace (Beach and Pedersen,

2019). Jones and colleagues (2016) describe a series of indicators that have been operationalized in empirical studies, several of which are relevant for the discussion of TPRs. As outlined in table 1 and discussed in the following pages, I will explain how the original concepts and indicators are adapted to develop working propositions associated with the main components of the causal mechanism.

Table 1: Adapting original concepts in the MS model to transnational private policy making

	Original Constructs for Public Policy Making	Working Propositions for the Causal Mechanism of Adapted Multiple Streams for TPRs
Component 1: The Problem Stream	Focusing events and capacity load	**Proposition 1A**: The global policy community recognizes the broader macro-economic and political conditions, including the existence of a regulatory void.
	Information framing and generation	**Proposition 1B**: Policy entrepreneurs frame the policy issue in a way that appeals to a wide set of global governance actors in the transnational policy community.
Component 2: The Policy Solution Stream	Value acceptability and technical feasibility of the policy solutions	**Proposition 2A**: The global policy community recognizes the private authority and legitimacy of the TPR.
		Proposition 2B: Policy entrepreneurs evaluate the feasibility of policy choices and prioritize a particular solution (i.e., the particular TPR).
Component 3: The Politics Stream	Public opinions and national mood	**Proposition 3A**: The global policy community faces a normative imperative to respond to a particular policy issue.
		Proposition 3B: Policy entrepreneurs balance a wide array of preferences across various institutional forces.
The Relationship among the Policy Streams	A garbage can model without identifiable directions	**Proposition 4:** The three components, collectively in a complex relationship trigger the creation of OCP.

Part 1: The Problem Stream

A fraction of policy problems catches policy makers' attention. The policy problem stream is about the process of information framing and generation, in which policy entrepreneurs "develop indicators about the scale and consequences of an issue" in the hope that it would climb onto the global policy agenda (Chaqués-Bonafont, 2019; p. 456). Two concepts in the original problem stream are relevant. One is the focus on the broader economic, political, and institutional context of the policy setting. Policy issues get noticed sometimes as a result of a "focusing event" or "capacity load" deficiency (Jones et al., 2016). Focusing events are important triggers for a policy problem to get noticed, so as to find a match with a policy solution. Capacity load originally refers to the capacity of the government institutions to deal with a particular policy problem.

In transnational private policy making, focusing events, including major economic events, scandals, or public outcries, are often cited as an important reason for a TPR's emergence. For instance, the incidences of devastating fires and collapsing buildings in garment factories in Bangladesh spurred widespread public outcries and demonstrations, which precipitated the creation and strengthening of human rights standards that safeguard labor conditions (Prentice and de Neve, 2017; Alamgir and Banerjee, 2019). Following the governance perspective, deficiency of government capacity (i.e., capacity load) generates a regulatory void. Green (2013) shows that the creation of a TPR dealing with climate change, the GHG Protocol, was the result of the insufficient provision of a regulatory solution by international governmental organizations, absence of a focal institution, and heterogeneous preferences of the nation-states. This leads to the following proposition on policy problems considering the global policy community:

Part 1 (Policy problem)
Proposition 1A: The global policy community recognizes the broader macro-economic and political conditions, including the existence of a regulatory void.

A second relevant idea is information framing, which is a process by which policy agents conceptualize, reorient, and articulate a particular issue, so as to persuade potential issue adopters (Baumgartner and Jones, 1993; Schneider and Ingram, 1993; Chong and Druckman, 2007). Narratives matter, as Robert Shiller (2019) illustrates in the context of his study of the housing bubble in early 2000s. He shows that narratives can impel action and trigger dramatic economic events (Shiller, 2019). In the TPR setting, incorporating the concept of information framing does not require much effort. For example, considering corruption, Chaqués-Bonafont (2019) explains that the issue did not become a global policy concern until after international NGOs, like Transparency International, coalesced a transnational effort to provide facts, raise public awareness, and generate credible information. In an effort to introduce global conservation narratives in Vietnam, Mukhtarov et al. (2017) illustrate that policy entrepreneurs use meaning-based strategies to link and frame narratives across international and national settings in the quest of legitimacy and political support. The only difference between issue framing at the national level relative to the global level is that the target audience varies. In his original model, Kingdon focuses on politicians and officials at the national level, whereas in the TPR arena, global policy entrepreneurs appeal to members of the transnational policy community. Information related to policy problems must be presented in a way that captivates the attention of a wide set of global governance actors across countries (Keck

and Sikkink, 1999). I operationalize the proposition on information framing by policy entrepreneurs as follows:

Part 1 (Policy problem)
Proposition 1B: Policy entrepreneurs frame the policy issue in a way that appeals to a wide set of global governance actors in the transnational policy community.

Part 2: The Policy Solution Stream

Policy solutions exist independent of policy challenges. Kingdon (1984) follows a Darwinist, natural selection philosophy in the construction of the concept of policy solutions, in that he posits that many ideas float in the "policy primeval soup," but only a handful survive and prosper (p. 123). It is the policy entrepreneurs that get policy ideas considered, modified, and coupled with policy challenges. Two original constructs in the policy solution stream – value acceptability and technical feasibility– stand out as relevant elements for transnational policy making. Value acceptability refers to whether policy solutions conform to existing social or cultural values, while technical feasibility points to the extent to which it is practical to implement a particular solution.

In the TPR realm, one of the most fundamental criteria for acceptability is perceived authority and legitimacy. Further, the adoption of TPRs can be value based and process oriented. Here, "values" can be translated into various types of private authority emerging in the policy-making process, including market authority, moral authority and knowledge authority (Whitley, 1999; Hall and Biersteker; 2002; Avant, Finnemore and Sell, 2010; Büthe, 2010a; Green, 2013; Broome and Seabrooke, 2015). For example, scholars have demonstrated the importance of matching the values that a TPR exemplifies and the

values of potential adopters. Cashore and colleagues (2004) reveal that the authority of a TPR in forest governance is granted by the adopters when there is a moral match between the private initiative's fundamental objectives (e.g., fighting global forest deterioration) and the moral beliefs of the supporters. Therefore, the first component related to the perceived authority and legitimacy of a TPR by the global policy community can be described as follows:

Part 2 (Policy Solution)
Proposition 2A: The global policy community recognizes the private authority and legitimacy of the TPR.

In addition, recognizing that a continuum of policy instruments promulgated by a variety of actors is available for policy entrepreneurs to employ represents a useful point of departure to study how they make choices given the various regulatory instruments available. In transnational private policy making, the concept translates by considering the range and feasibility of the regulatory choices that private policy entrepreneurs have. One could ask: what are the available policy choices that were at the disposal of private policy entrepreneurs including public, private and hybrid options? What strategies and calculations did they use to decide on one over another? Additionally, policy entrepreneurs need to choose an organizational form – be it a social enterprise, an NGO, a foundation, or a public-private coalition – to serve as the basic form to execute their regulatory goals. Naturally, questions can also be asked about the suitability and feasibility of various institutional and organizational forums in which policy solutions would be executed. How do various policy streams interact with one another such that a

certain organizational form emerges? More broadly, what is the interplay between "structures and the agency of actors operating within or across policy streams" (Minstrom and Norman (2009, p. 656) in a private policy making process? In the context of evaluating the feasibility of regulatory choices and forums, a proposition can be structured as follows:

Part 2 (Policy Solution)
Proposition 2B: Policy entrepreneurs evaluate the feasibility of various policy choices and prioritize a particular TPR solution.

Part 3: The Politics Stream

The politics stream relates to the navigation of various institutional forces and power dynamics. The original concept is derived from Kingdon's (1984) examples of federal policy programs in the U.S. It includes measures of national political mood, which is about the general public opinion towards a specific policy issue, and the balance of interests, which points to the power struggles among various political and interest groups. Clearly, to apply to TPRs, these two constructs need to be adapted to encompass political priorities and dynamics at the transnational level. More specifically, I translate the "political" mood into a normative imperative for fundamental policy shifts, and I modify the indicator on the balance of interests into political contestation across various institutional forces at the transnational level.

Global agenda-setting relies heavily on the extent of shifts in normative and political preferences (Chaqués-Bonafont, 2019). The open government agenda that has spread across countries in recent years provides a good example of how an issue-specific

paradigm to promote government transparency, accountability and participation can capture the attention of policy makers. Open government is touted as a new philosophy (OGP, 2020); it advocates that government should be transparent and collaborative by default. It is also seen as a response to government corruption and a solution to improving quality of government services (Kassen, 2014). Riding on the wave of the "good governance" platform developed by international governmental institutions like the World Bank, the number of open government initiatives – spearheaded by governments and non-governmental entities alike – has proliferated. The normative shift in the new governance agenda opens a window of opportunity for policy agents to present new issues and solutions.

By the same token, appealing to the aforementioned example of the fires in garment factories in Bangladesh, focusing events give rise to a moral imperative (i.e. the "political mood") to establish a set of human rights standards that can be applied consistently across borders. As a result of irreconcilable differences among nation-states attempting to standardize and integrate human rights policies, Amnesty International, a global NGO dedicated to fighting injustice and promoting human rights, emerged as standard setter that transcended national politics and published the Human Rights Principles for Companies. These principles form a declaration of global norms that adopters can use to guide the processes of respecting, protecting, and promoting human rights in business operations, especially those that are multi-national in nature.

Considering the normative pressure faced by the global policy community and policy entrepreneurs' struggle to balance political interests, the two components of the politics stream can be operationalized below into the following propositions:

Part 3 (Politics)
Proposition 3A: The global policy community in open government faces a normative imperative to respond to a particular policy issue.
Proposition 3B: Policy entrepreneurs balance a wide array of preferences across various institutional forces.

The Relationship among Policy Streams

Lastly, the original MS framework points to a garbage-can type of relationship among the three elements. It is suggested that there are no defined directions and patterns of the relationship and that they behave like an organized anarchy to trigger the creation of a new policy initiative. Recent empirical works discussed previously also start to reveal that multiple factors at different dimensions and levels work together to create TPRs. But we have yet to see concrete theoretical constructs that specify these relationships, and more explorations are needed. Therefore, I stipulate that the three policy components, collectively in a complex relationship trigger the creation of OCP. Admittedly, this proposition is vague and all-encompassing, as there are not enough ex-ante knowledge, theories, and studies to support the development of a more specific proposition. This part of the inquiry is much more inductive and exploratory, as I define, modify, and construct the patterns and relationships of the policy elements to further strengthen and improve upon existing theories of TPRs.

The relationship among policy streams
Proposition 4: The three components, collectively in a complex relationship trigger the creation of OCP

Summary

TPR embodies a myriad of concepts, purposes and theoretical perspectives that are not easily reconciled by scholars studying these issues. For this reason, it is important to clarify each definition and discern the inherent meanings of each conceptualization, so as to better understand private rulemaking under different circumstances (Black, 2002; Levi-Faur, 2011). By situating the TPR concept in related fields, I was able to set a clear analytical boundary for empirical work.

In addition, there is value in studying the relevant policy forces that trigger the emergence of TPRs both separately and holistically, and as I will explain in more detail in the next chapter, turning the MS model into a causal mechanism helped me achieve this goal. In particular, doing so yielded two sets of insights. First, the existing literature has emphasized the distinct roles that problems, solutions, and politics play in the formation of TPRs. Process tracing allowed me to assess whether empirical manifestations of my working propositions can be found in each policy component: i) the problems stream largely corresponds to theories connecting the ways in which economic conditions, regulatory voids, and institutional structures affect whether TPRs are created; ii) the policy solutions stream principally deals with the idea of private authority and legitimacy, which is a theoretical root for TPRs; and iii) the politics stream aligns well with discussions of political contestation.

Furthermore, I discussed how the MS causal mechanism was particularly powerful to weave together different perspectives together, as it allowed me to examine the effects of policy entrepreneurs at the individual policy component's level, and at the aggregate

level. Previous authors have repeatedly highlighted the importance of studying the distinctive role of private policy entrepreneurs because they no longer just have input into a rule-making process that the government steers, as traditional interest group theories stipulate. The entrepreneurial spirit may manifest itself in many ways, be it framing the policy problems, evaluating and prioritizing different policy choices, or balancing heterogeneous sets of political preferences or institutional forces. And at the same time, the actions of the policy entrepreneurs also interact with those of the broader global policy community. No other analytical framework beyond the MS approach permits a sufficient examination of the interactions of such complex relationships. Therefore, by adapting the MS framework into a causal mechanism for private policy making, I was able to determine whether one can find the empirical traces of these disparate theoretical claims separately and collectively.

In the next chapter, I'll turn to the philosophical roots of this research and the methodology and methods I used and discuss the limitations and mitigation strategies.

Chapter 3: Methodology and Research Design

Introduction

This chapter will present my epistemological and methodological considerations associated with this research. I will first explain the philosophical foundation that underpins my methodological choice, and my efforts to build trustworthiness in research procedures. Then, I will discuss my research goals and the rationale behind using a case study methodology as my primary design framework. I will also describe my data collection methods and data sources, which include conducting analysis on three sets of document and archival records, including World Bank Internal documents, OCP-produced documents, and public media coverage, totaling over 1,100 pieces altogether; as well as carrying out in-depth interviews with an almost exhaustive list of policy entrepreneurs who were the founding members of OCP in 2011, and experts in the global policy community of open government and open data. Additionally, I will discuss the process tracing data analysis technique, and its central place in linking theories (Chapter 2) and data collection and analysis (Chapter 3, 4 and 5). Lastly, I will describe potential limitations of this research and discuss mitigation measures.

Philosophical Foundation

Qualitative inquiries are inherently interpretive, sensitive to context, and influenced by the particularities of the social interactions that establish and shape meaning (Schram, 2006). This dissertation was anchored largely in two epistemological paradigms – constructivist and critical realist – to better understand transnational private regulation process in a qualitative manner. The constructivist worldview was a suitable philosophical foundation for this research because I was interested in understanding the

meaning of a particular social interaction to better describe transnational private policy processes that were developed through human relations, whose experiences and ideas were constructed through interplays among policy actors and processes. The broad backdrop of this research – regulatory pluralism at the global level – also called for a philosophical foundation that recognized contextual factors and multiple realities. Lincoln and Guba (1985;1989) suggested that in a naturalist, constructivist world, realities are multiple and value laden, the investigator and the phenomenon are interactive and inseparable, and only time- and context-bound working hypotheses are possible. I followed their advice and developed working propositions in the context of a specific TPR's emergence over a 10-year period.

The recognition of multiple realities that constructivists espouse also means that causal factors can occur through multiple pathways. This means that all elements are continuously shaping and being shaped by one another, which makes it almost impossible to detect a linear, universal law (Lincoln and Guba, 1985; Lincoln and Guba, 1989; Crotty, 1998; Schwandt, 2000). This corresponds well with the MS model, which does not denote a defined path for policy emergence and formalization. Moreover, I focused on meanings of a certain phenomenon and sought out processes and common experiences by which meanings were created, sustained or modified within a specific context.

A critical realist outlook was useful for this research because it helped me strike a balance between contextualization and generalization (Bhaskar, 1998; Tsang, 2012). It matched well with the methodological foundation for process tracing, my primary data analysis technique, so as to make possible within-case causal inferences (George and Bennett, 2005). Critical realists believe that our knowledge of the world is often socially

conditioned and subject to reinterpretation (Della Porta and Keating, 2008). I assumed that realities were constructed by the behavior of actors and based on a spatial and temporal succession within a bounded context – the case (Blatter and Haverland, 2014; George and Bennett, 2005). Even though there existed the reductionist tendency associated with the process tracing data analysis technique to identify causal mechanisms (Hedström and Swedberg, 1998), the ultimate aim for this research was not to detect a regularity that could be applied across all contexts (i.e. a principle of positivists). I followed Beach and Pederson's (2019) approach, which emphasizes that we can "infer the existence of ultimately unobservable processes through their empirical fingerprints" (p. 52). The empirical fingerprints were the traces of evidence that I evaluated so as to determine whether the assumed causal mechanism existed. Moreover, theorizing in a critical realist tradition means developing "localized (i.e., contextualized) explanations" (Welch et al., 2011, p. 754). The process tracing framework enabled me to uncover the intermediate steps that triggered the generation and adoption of norms and policies in open contracting within a single case, thus contributing to transnational private regulation theory development.

Lastly, theoretical development is an iterative, progressive process, which is a conviction shared by both constructivists and critical realists. Qualitative inquiries require a mindset of emergent design (Glaser and Strauss, 1967; Stake, 1978; Lincoln and Guba, 1985; Eisenhardt, 1989; Stake, 1995), which means that "succeeding methodological steps are based upon the results of steps already taken" (Lincoln and Guba, 1985, p. 102) and that there will be continuous interactions between theories, data collection and data analysis. The process tracing data analysis method that I adopted for this research is based on the

Bayesian principle of confidence updating, by which the objective of the research can be achieved. I identified empirical fingerprints through the body of evidence I collected, and critically assessed each piece of evidence using four empirical tests (with more explanations to follow). In fact, future endeavors can leverage the workings of the elements in the causal mechanism revealed in this project in the search for empirical regularities later, either in cross-case studies in a multiple-case setting or using statistical instruments to generalize findings more broadly.

Research Design: Towards Theory-Building in TPRs

This dissertation is primarily a theory-building exercise to better understand the relationships of policy elements in TPR's emergence. I intended to strengthen and improve upon existing theories related to TPRs in two analytical processes: i) one that followed a deductive approach by testing the MS framework in a new setting with adapted working propositions, and ii) the other that was more inductive, which centered on the relationship and interactions among the three policy elements that were not yet sufficiently theorized by existing literature on TPRs. Specifically, I deductively tested the 6 working propositions related to the individual policy streams presented in Table 1 (Propositions 1A, 1B, 2A, 2B, 3A and 3B), then sought to understand the relationships among the three policy elements in an inductive manner by exploring Proposition 4. For both processes, the perspectives from policy entrepreneurs at the agent level and policy communities at the institutional level were examined, separately and collectively. The two processes as a whole helped specify contextual conditions of how TPRs emerge and generated theoretical building blocks on the interactions of the policy elements in

triggering the creation TPRs. Table 2 below summarizes the different reasoning logics, objectives, and analytical emphasis of the two analytical processes.

The deductive process centered on testing the working propositions of the three policy components using the MS causal mechanism, which were derived from existing theoretical and empirical literatures. The primary focus of data analysis was to use process tracing to seek out and evaluate the empirical fingerprints of the propositions. This was a localized exploration that aimed at providing rich narratives and descriptions surrounding OCP's emergence. My contribution (i.e., what is new) in this process was manifested in the integrative analysis of the agent-level and institutional level factors for each policy element, which was underexplored. I also borrowed the theoretical framework from other domains to generate theoretical insights in TPRs, testing its transferability from one context (public policy making) to another (private policy making) in the specific setting of OCP's emergence.

At the same time, the inductive process to provide building blocks of theory generation took place when I tried to have a better understanding of the relationships and interactions between these policy elements. This essentially was a step of interpretive sense-making (Tsang, 2012). Before data collection, I only had a rough sense of what the relationships might be: the interactions of the policy elements, collectively, trigger the creation of OCP, in a complex manner without defined directions of influence patterns (Proposition 4). The current TPR literature didn't have any existing theories that could help predict the relationship patterns. The MS model indicates organized anarchy without a specific operationalization of the concept; and no TPR scholars had ever theorized or tested it, so new knowledge could be built only through an exploratory design. This

"hunch" of complex relationships, as Rapley (2014) would put it, was only the start of the investigation, and I used an inductive logic to make further discoveries. I paid particular attention to the sequencing of empirical traces to uncover a pattern.

Although there was a conscious effort to recognize the two-pronged process, the data collection and analysis for both processes were carried out simultaneously for both. Process tracing emphasizes on the constant comparison principle, which was initially developed by Glaser and Strauss (1967) for Grounded Theory but had since been embraced by qualitative researchers as a principle that can be applied to all pertinent naturalist inquiries to boost quality, rigor and integrity of qualitative research (Eisenhardt, 1989; Carter and Little, 2007). I followed Carter and Little (2007)'s advice and made sure that sampling, data collection and analysis were "conceptualized in a continuous, iterative cycle" (p. 12). Practically, when I was collecting data, through interviews for example, I didn't create different categories of questions for the two analytical processes. When I asked the participants to explain the factors that had led them to choose OCP as a regulatory solution for example, I looked for traces of endorsement of OCP's authority and legitimacy and the evaluation of other regulatory venues, which helped test of the policy solution component of the MS mechanism; and simultaneously, to better understand the relationship among the policy elements, I sought out patterns, conditions and common themes in their decision making process that spoke to the interactions between the solutions stream and other factors in politics and problems. Analyses of these answers took place immediately after data collection process started, and I triangulated these with other sources of data.

Table 2: Summary of Research Design: case study methodology to make within-case inferences for theory building around TPR emergence

Objectives	Reasoning Logic	Working Propositions	Data Collection Methods & within-Case Sampling	Data Analysis Technique
• Understanding the three individual policy elements • Testing and tracing if the conditions derived from the working propositions work (or not) • Specifying the context in which the propositions work	A deductive process to test theories in a new setting	Test and specify contextual conditions for Propositions 1A, 1B, 2A, 2B, 3A and 3B	**Data Collection Methods** • Analysis of documents and archival records • Semi-structured interviews **Within-Case Sampling during Data Collection:** • Purposive sampling • Emergent, iterative design in which data collection, subsequent samplings, and data analysis take place at the same time	Process tracing with a focus on seeking out empirical manifestations of the propositions
• Following an integrated perspective that focuses on the relationships among the policy elements • Exploring patterns of the relationships among the policy elements for eventual theory building	An inductive process to identify theoretical constructs and work towards theory building	Explore Proposition 4		Process tracing with a focus on spelling out the sequence of events, which surfaces patterns of the relationship

The Case Study Research Methodology

I chose qualitative, case study methodology to guide my research. A case study is conducted in a system or several bounded systems (i.e., cases), through detailed, in-depth data collection methods (Creswell, 2013). Case study designs are situational analyses where a particular event, process, or setting is studied for the viewpoints of all stakeholders (Billups, 2019). In this research, the particular process I studied was OCP's emergence, and examined the viewpoints of two sets of stakeholders that played a critical role in its emergence: i) the OCP founding members who were policy entrepreneurs that advanced OCP first as an idea, then a policy initiative within an international organization, and finally a TPR; and ii) the global policy community members that were concerned with issues related to public procurement transparency and participation, or were voluntary adopters of the norms and rules created and promoted by OCP entrepreneurs. The system of examination was also bounded by time. I studied OCP's emergence from March 2011 to May 2021. I considered the starting point of OCP's emergence as when the first team lead was recruited to join the World Bank Institute (WBI), the knowledge arm of the World Bank at the time, to develop the program; the person's start date was March 11, 2011, according World Bank records. And I chose the end point as May 2021, when the interviews were concluded.

Case study is deemed an appropriate research strategy when the research goal is to examine a contemporary phenomenon in its real-life context in which the boundary between phenomenon and context is blurred (Yin, 1981; 1994); when the research poses "how" and "why" questions (Yin, 1994); and when the inquiry centers on processes and how processes interact among people and organizations (Lang and Heiss, 1994). My

research objectives align well with the methodological strengths of a case study design, including: i) a focus on the discovery and description of interactions of multi-level policy development processes, and ii) an intention to support theory-building efforts in the future.

First, the case study design allowed for the discovery of process features, contextual factors and the interaction of policy components at various levels. The basic rationale for a case study builds from the fact that there are processes and interactions in a bounded system, which cannot be studied effectively except as they interact and function within the entity itself (Lang and Heiss, 1994), or when the case and its context are merged in such a manner that it is difficult to identify distinct boundaries between the two (Gillham, 2001). Case studies are also uniquely suited for exploring the interaction of personal behavior and collective institutions, and for discovering and explaining the interplay of agency and structure. In this research, I placed a spotlight on how policy entrepreneurs framed, translated, and packaged policy components to form and grow a new TPR, while navigating different economic, political and institutional forces. Such an interaction between individual policy actors and higher-level constructs such as institutional and organizational factors helped reveal how and why a transnational private policy initiative became a reality. The boundary between OCP and the broader policy environment in which it was anchored was very much blurred. In fact, as I'll later discuss in the results section, it was the intertwined relationship that fueled OCP's development; and it was the collective force between agent-level actions and factors at the institutional level that defined OCP's emergence trajectory.

Second, I strived to contribute to theory building in transnational private policy making. Case study research is the most suitable methodology when the researcher aims to either contribute to theory development at an early stage of theoretical development (Eisenhardt, 1989) or build upon an already researched domain for analytic generalization (Yin, 2009). To a large extent, this dissertation fit both criteria. The study of private policy process at the transnational level was still a relatively new area of research focus, and much has yet to be systematically examined. So, the case study approach helped explore possible parameters of the field that served as building blocks for theory generation in the future. Particularly, relationships between policy elements in a TPR setting was not yet sufficiently theorized, so the analysis was exploratory. Still, the analytical framework I developed for this research was an adaptation of a well-established public policy making model – the multiple streams framework. Thus, it was also an attempt to stretch the theoretical boundary of an existing theory and test the "transferability" of the theory from public policy making to private policy making in a bounded context.

Stake (1995) argues that in case studies, researchers should develop intimate, rich narrative of the cases that are grounded in their context. Policy making inherently is a non-linear process, with many stakeholders interacting with one another in an unpredictable manner at different levels. It would be difficult to use a quantitative approach to pinpoint exact causal effects when theories to predict directions are scarce, as contextual factors are embedded in a network without an explicit causal direction, especially when the direction of the relationship follows no explicit patterns. So, the case study methodology offered me a certain level of openness and flexibility about what was

being observed, collected and analyzed (Wiersma and Jurs, 2009), and provided a holistic perspective in the design and implementation of the research project.

Purposive Sampling: Why OCP as the Case

I followed the principles of purposive sampling in selecting OCP as a single, significant case (Glaser and Strauss, 1967; Guba and Lincoln, 1981; Lincoln and Guba, 1985; Miles and Huberman, 1994; Mack et al., 2005; Maxwell, 2012; Patton, 2015). I focused on the depth of information generated by the case, rather than breadth (Teddlie and Yu, 2007), and deliberately sought "biased" information and perspectives from the stakeholders involved in the phenomenon (Patton, 2015). In qualitative research, the main source of information through which the sampling decision was made was "a focus on specific people, situations or sites, because they offer "biased" or information rich perspective (Rapley, 2014, p. 50). The specific situation of OCP's emergence, the insights from people who were part of or familiar with its development, as well as other sources of documented records offered a wealth of information that was relevant for the study of TPRs.

Particularly, OCP was purposively selected as the case because it was typical and revelatory (Yin, 1994; Creswell 2002; Maxwell, 2012; Maxwell and Chmiel, 2014; Rapley, 2014; Patton, 2015). First, OCP was a typical case, because it demonstrated "an exemplar of the phenomenon of interest" (Patton, 2015, p. 273). Here, it's worth noting that the logic behind representativeness in qualitative inquiries is diametrically different from that in quantitative research. Probability sampling technique that seeks "representativeness" assumes that the chance of all cases are equal, and that they are distributed randomly. However, this logic can be quite problematic in the examination of

many social phenomena because “in society, almost nothing is at random” (Gobo, 2004, p. 441); and the population parameters of these situations can be infinitely massive and can’t be realistically reduced to just an estimation of variance of a few variables (Gobo, 2004; Rapley, 2014). In this case, the choice was made based on conceptual questions, not by a concern of representativeness in the sense of generalizability to a broader population (Miles and Huberman, 1994), which was not the purpose of this study., OCP represented well the non-state efforts that took on the functions of setting global norms and establishing standards in the open government and open data field. Since OCP was initially developed, the norms and rules created by OCP have steadily garnered influence, and were embraced by the global policy community, which means that OCP could also present rich information on the voluntary adoption of a TPR. Since my objective was not to understand the extent to which the findings from this research was distributed in the population (i.e., the statistical logic), I chose OCP because it was theoretically meaningful (Glaser and Strauss, 1967); its emergence story helped test and develop the theoretical principles of TPRs for which further explorations were needed (Mason, 1996).

Second, the case was “revelatory” (Yin, 1994, p. 48) and “critical” (Patton, 2015, p. 275), because it offered an opportunity for me to access a wide range of information that had not been explored previously (Teddlie and Yu, 2007). Cases like this was rare and “information rich” (Patton, 2015), and provided valuable information and a rich space to test, modify and generate theoretical principles (Rapley, 2014; Maxwell and Chmiel, 2014) that were central to a better understanding of TPRs. Empirical examination of theories in private authority and private regulations have been mostly concentrated on social and environmental realms, and there have not been many empirical studies focused

on governance related TPRs. OCP was not the first of its kind, but it was among the first few in the open government movement. Moreover, as I will detail later in the data collection section, the documents I analyzed from a diverse array of sources provided unique and rich information that had not been systematically studied before. In addition, my unique access to key informants allowed me to provide rich descriptions of the case. I interviewed most of the founding members of OCP, the team that developed the idea of a policy initiative and stewarded it to become a TPR, as well as organizational elites in the global policy community.

Furthermore, research into OCP's establishment timeline indicated a complex, three-stage trajectory of their development into a TPR. In-depth analysis of its evolution provided rare insights into how a policy idea climbed onto the policy agenda, morphed into a "government" initiative at the international level, and eventually grew into a TPR. Such a unique journey, including various organizational transformations, made OCP a rare case to study and made the discoveries particularly revelatory. As I will detail in Chapter 4, OCP's development was divided into three parts: i) open contracting (OC) as an idea (2011-2013), ii) OC as a World Bank policy initiative (2013-2015), and iii) OC as a TPR (2015-present) in the form of OCP.

Data Collection Methods: Multi-Source Triangulation

I used various sources and methods for data collection and analysis – a process labeled as triangulation – to reduce the risk that the conclusions reflect the biases attached to a particular source or method, and ultimately, to reinforce confirmability and improve trustworthiness of research results (Lincoln and Guba, 1985; Eisenhardt, 1989; Yin, 1994; Maxwell, 2012; Creswell, 2013). The triangulation approach was naturally

consistent with the constructivist paradigm from which this research built, a paradigm that acknowledged the existence of multiple realities as they were constructed by different factors and actors. To ensure that different perspectives were incorporated in the interpretation of the phenomenon, I employed two data collection methods: i) analysis of documents and archival records, and ii) semi-structured, in-person interviews.

Analysis of Documentation and Archival Records

The first set of data I collected and examined were documents and archival data. Documentation and archival records at operational and institutional levels were assessed to gain insight into the conditions under which stakeholders interacted. I systematically analyzed three sets of documents, which amounted to 984 pieces in total: i) World Bank records, ii) OCP-produced documents, and iii) public media coverage of OCP related matters. I followed Patton (2015) and Billups (2019) to develop a document rubric with self-created categories. Table 3 presents a summary of the types of information that were retrieved, sample size, and time frame for the documents that I examined. I retrieved all the records in September 2020; and the documents covered a time period from March 11, 2011 (more explanation on the start date later) to September 2020.

World Bank Documents

World Bank documents were important empirical records that documented OCP's emergence. The idea of an open contracting initiative was first incubated and developed in the World Bank. Between 2011 to 2013, OC was formulated as merely a concept that was being socialized among international governmental and non-governmental organizations. In fact, the phrase "open contracting partnership" did not formally appear in public media records until June 15, 2013, when the World Bank officially announced

the launch of OCP, according to searches done on Nexis Uni. And before OCP was spun out of the World Bank in 2015, OCP was a World Bank policy initiative, financed by both World Bank internal resources (i.e., Bank Budget), and external funds (i.e., funds from bilateral donors and private foundations). The emergence story would be incomplete without an in-depth understanding of what happened before it organizationally became a TPR. In other words, the pre-emergence empirical records were critical sources of the policy elements that were at play that had propelled it into a TPR, especially for information on the actions taken by OCP policy entrepreneurs. Even after its spin-off in 2015, OCP continued its engagement with the World Bank, which had then become an OC implementer. Records of the continued operational linkages between OCP and the World Bank during the OCP-as-a-TPR stage was also helpful to surface information on the relationships between policy elements as OCP recruited voluntary adopters on its own.

I searched World Bank records through World Bank's operational knowledge repository called WBDocs. To comply with the World Bank's information security rules, I only retrieved and analyzed documents that had a security classification of "public". This action was endorsed and recommended by communications with officials in the publishing and legal departments of the World Bank[1]. The World Bank periodically assesses and makes available documents for public access. The interval of such assessments may span several years, so, there may have been documents that I was

[1] The two World Bank officials were: Ms. Patricia Katayama, Senior Publishing Officer, and Ms. Rowena Gorospe, Senior Counsel. I also stated in my communications that this research was a personal project, which had nothing to do with my function and responsibilities at the World Bank. I also conducted this research using personal time and resources. These stated conditions were consistent with what I disclosed in the IRB process at GWU.

unable to analyze, due to the fact that they had a label of "eligible for disclosure" but were not yet made officially public. To validate that the pieces of relevant, critical evidence used to confirm or reject the working propositions were indeed public documents, I searched each piece on Google, and confirmed that they could be accessed from the public domain.

I used several inclusion and exclusion criteria to facilitate the search. First, I made a deliberate attempt to search for records on "Open Contracting", not "Open Contracting Partnership", because at the ideation stage, Open Contracting was referred to in different ways, such as Open Contracting Collaborative, Open Contracting Process, or Open Contracting Initiative. To capture all available internal records, I dropped "Partnership" from the search. I then applied two sets of exclusion criteria. The first criterion was a time-bound, setting the start date as March 11, 2011 when the Task Team Lead (TTL) to lead the ideation of OCP was hired into the World Bank, who was the first OCP policy entrepreneur. The second exclusion was made to document types related to the World Bank's own internal procurement processes, such as tender notices, which were irrelevant to the study of OCP as a policy initiative. The final number came down to 320 pieces: 32 memorandum, correspondence and letters that have been saved as official project records, or those that documented a decision, a review or progress of a project; and 288 reports, including Board reports, project reports, grant reports, proposals, assessments, and workshop or event summaries.

I kept detailed notes in a Word document, which contained not only relevant excerpts and quotes, but also my reflections of these pieces' relevance and connection with the working propositions. In other words, rough categorizations of the analysis were made,

corresponding to the 7 propositions. For certain important pieces of information, I also posed questions to myself, writing memos and early predictions. For example, I discovered that OCP had attempted to develop a positioning paper in 2013 to delineate the rationale for such an initiative, its value propositions, and its core offerings, but some documents pointed to the inadequacy of its framing efforts. I included a note to myself to be sure to triangulate with other sources of data on the quality of OCP's positioning efforts, which was a key indicator for Proposition 1B.

OCP Documents

The second set of documents was developed by OCP, most of which were produced between late 2014 to early 2020, corresponding to the third stage of OCP's emergence – OCP as a nascent TPR. Most of the documents were publicly available through OCP's website. These included: i) OCP annual reports from 2015 to 2019; ii) OCP quarterly rapid reflections, which were minutes and summaries of internal meeting sessions where OCP staff checked in on progress against targets; iii) grant agreements which were legal documents for financial contributions to OCP (through the Fund for the City of New York); iv) OCP-authored reports and impact stories, which documented OCP's actions or strategies in one topical area (e.g. health, extractives industries, and infrastructures, etc.) or country, summarizes a conference, presents a case study or elaborates on survey results on perceptions of OCP; and v) advisory board documents. A total of 66 documents were retrieved and analyzed. I conducted the OCP document analysis in parallel with the examination of World Bank internal records. The OCP document analysis was completed in January 2021.

In addition to the usual suspects like the annual reports, advisory board documents, and OCP-authored reports, I included two novel types - grant agreements and internal strategy session notes - which warrant some explanations. Although grant agreements contained mainly legal texts, they provided valuable information on the direction that the organization was headed towards, which was revealed by the scope of activities covered by the grant, be they on advocacy efforts related to OC norm uptake, OCDS implementation support, or unrestricted activities to finance OCP's core operations. In fact, quite a few grant agreements directly cited OCP's ambition to change norms and set standards and included measurement indicators on its intention to attract voluntary adoption as well. The legal contracts between OCP and its financial supporters were a useful source of evidence to illustrate the OCP's regulatory focus and strategy. Internal strategy reflections offered a rare view on the decision-making process of OCP entrepreneurs on its progress, changes, and priorities. The OCP made these documents publicly available, and they were particularly beneficial to search for and analyze sequential evidence and decipher the dynamics between the changes in OCP's solution offerings and elements from the other two streams.

Public Media Coverage

Lastly, I examined records of public media coverage using the Nexis Uni database, which picked up empirical traces of OCP's public perception, including recognition, endorsement, or public debates (or lack thereof) in all three stages of its development. Public news media documents were increasingly being recognized as a useful source of empirical records to study motivations, especially in research related to public and non-profit management (Worth et al., 2020). My initial search criteria included three sets of

OC-related terms, including Open Contracting Partnership, Open Contracting Global Principles, and Open Contracting Data Standards, which returned 548 documents. Nonetheless, a quick analysis showed that the records only dated back to June 15, 2013, when OCP was formally launched at the World Bank. To extend the media coverage analysis to OCP's ideation, I searched for Open Contracting spanning from March 11, 2020 to June 14, 2013, which yielded 30 more records, bringing the total number of documents from media coverage to 578. I completed combing through public media records in February 2021.

The media pieces were useful to reveal evidence related to the global policy community. For Proposition 2A for example, 64 pieces of evidence, with varied affirmative power, were discovered to have left traces about the global policy community's endorsement of the private authority and legitimacy of OCP. These records were then used to corroborate with OCP's own records as well as documents from the Open Government Partnership (OGP) on data related to the adoption of OC commitments, OCDS, or of those that published data using OCDS format without formal announcements. There was some discrepancy in the number of adoption that public media pieces, OCP and OGP have captured, but triangulation of various sources of data, including with account evidence surfaced from interviews later on, enhanced the confirmability of the results of this research.

Table 3: Document Rubric

Categorization	Type	Content	Number of Pieces	Time Frame	Source
World Bank Documents	Correspondence	Email correspondence, memorandum, and letters	32	March 11, 2011- Sep 1, 2020	World Bank operational portal (WBDocs)
	Official records and reports	Reports of projects, assessments, workshops, events, implementation status and results	288	March 11, 2011- Sep 1, 2020	
OCP	OCP Annual Reports	Five annual reports from 2015-2019, plus a strategy document for 2019-2023	5	2015-2019	https://www.open-contracting.org/about/governance/
	OCP Quarterly Rapid Reflections	Minutes and summaries of internal meeting sessions where they check in on progress against targets. Individual details may not be complete or finalized.	17	May 2016-Sep 2020	https://www.open-contracting.org/why-open-contracting/learning/
	OCP-Authored Reports	Reports that document OCP's actions or strategies in one topical area (e.g. health, extractives industries, etc.) or country; summarizes a conference; presents a	14	2016-2020	https://www.open-contracting.org/resources/#report

		case study; elaborates on survey results on perceptions of OCP			
	Grant Agreements	Legal agreements for financial contributions to OCP	19	April 2014-Feb 2020 (based on grant agreement start date)	https://www.open-contracting.org/about/financing/
	Advisory Board Documents	Advisory Board documents that summarize decisions, attendance, and next steps	11	Nov 2014-Oct 2019	https://www.open-contracting.org/about/financing/
Public Media Coverage	News pieces	Newspaper articles, newswires and press releases, web-based publications, blogs, and magazines and journals.	578	March 11, 2011- Sep 1, 2020	Nexis Uni database Using several search criteria with a time bound
Total number of document pieces: 964					

Semi-structured Interviews

Interviews were a suitable data collection method for this research, as I aimed at developing detailed descriptions, integrating multiple perspectives, describing processes and holistic understandings, and detecting variables and framing hypotheses for future research (Weiss, 1994; Patton, 2015). Between March and May 2021, a total of 19 interviews were conducted with 20 participants. 18 were individual interviews, and one interview was conducted with two interviewees who work in the same organization but occupy different functions. These interviews allowed me to "enter into the other person's perspective" (Patton, 2015, p. 426), and obtain interpretive perspectives in terms of how one sees connections and relationships between events and phenomenon (Mack et al., 2005).

Planning and Preparations

Institutional Review Board (IRB)

Because this study involved interactions with human subjects through interviews, I went through the review process with the Institutional Review Board (IRB) of the George Washington University Office of Human Research (OHR). Because the possible risks to the interviewees were considered minimal, I applied for an exemption determination. I submitted the initial request in September 2020, and after two rounds of revision of the proposal package based on questions posed by IRB staff, I was granted the exemption on February 26, 2021. I was able to proceed with the research without further oversight by the OHR.

Informed Consent

An informed consent sheet was developed as part of the IRB process (Appendix I), which explained the purpose and background of the research, interview structure, and conditions of their participation. I emphasized voluntariness and anonymity of the interviews and acknowledged that there might be a risk of loss of confidentiality, and every effort would be made to keep their information confidential, although could not be guaranteed. I also disclosed that I had worked at the World Bank between March 2014 and June 2016, had attended meetings related to OCP during that time, and I'm currently a staff member at the World Bank working on matters unrelated to OCP. This research was a personal project and had nothing to do with my employment at the World Bank. At the suggestion of the IRB committee, I also added that the participants' employment status would not be affected in any way should they choose not to take part or to withdraw at any time. When emailing the participants, I attached the informed consent sheet, and indicated that to ensure confidentiality, their signature would not be required. At the beginning of each interview, I reminded the participants of the informed consent sheet, and their continued participation in the interview signified their endorsement of the conditions of the interview. I also asked for their endorsement before the audio recording.

Interview Protocols

Two interview protocols were developed for the two groups of interviewees: one for OCP policy entrepreneurs (Appendix II), and the other for global policy community members (Appendix III). I included 7 broad interview questions for OCP founders and 5 broad questions for global policy community members. Qualitative interviews often sacrifice standard questions to reach greater depth with interviewees (Weiss, 1994), but the

interviews I conducted provided an "insider" perspective that was critical for a successful case study (Creswell, 2013), which would not be made available otherwise. I conducted semi-structured interviews, for which I had generated an outline of topics that would be covered but remained flexible to change the wording or sequence of the questions so as to customize the interactions and follow new leads as they emerged (Billups, 2019). I adopted the technique proposed by Weiss (1994), which was to aim for "fixed-question-open-responses" (p. 12). The topics – the multiple streams policy elements- remained the same for all interviews, but questions were modified for the two groups, following the working propositions. More discussions on the actual data collection through interviews will be provided in the section on interview questions.

Recruitment Emails

I also developed two sets of recruitment emails (Appendix IV), one for OCP policy entrepreneurs, and the other for global policy community members. The emails were part of the package that I had submitted to the IRB for the exemption approval. I tailored the content of the emails while also maintaining a sense of formality. For the outreach emails to OCP entrepreneurs, more customizations were made because I knew each of them and had had good professional relationships with them. The personalized content was brief, and it was mostly a sentence or two about our past work together to re-introduce myself to the participants at the beginning of the email. The emails also contained information about the format, length, and expectation of the interviews, as well as the emphasis on voluntariness and anonymity of the interview process. I also included the broad sets of questions in the emails, so that participants could have a general sense of the topics and prepare if they wished to.

Interview Format

In-depth interviews are usually conducted face-to-face to elicit a vivid picture of the participants' perspectives (Mack et al., 2005). However, given the restrictions of movement imposed by the Covid-19 pandemic, I conducted all of my interviews virtually. Virtual interviews would have been the modality I needed to choose for some participants to begin with, because some do not live in the United States. Online interviews have become much more common in recent years and are believed to allow for many of the same benefits as in-person ones (Billups, 2019). In this project, I used the software Webex to conduct the interviews and made audio recordings. The recordings served the purposes of reducing the likelihood of missing or misinterpreting the information the participants had shared and allowed me to revisit the conversation when there were terms that I was unfamiliar with at the time of the interview. Recording also ensured that I had smooth, fluid, and open conversations with the interviewees, and that I concentrated on what the participant said, as opposed to focusing on taking notes.

Confidentiality and Data Security

I made every effort to maintain the participants' confidentiality and anonymity. I wouldn't identify any interviewees by name in any reports of this research. The only identifier I used was whether they belonged to one of the two groups: i) if they were founding members of OCP, or ii) if they belonged to the broader policy community of open contracting and open government. Such a categorization was determined based on the theories discussed previously: proactive promotion from policy entrepreneurs and voluntary adoption by the policy community members of the initiative were two fundamental concepts in TPRs and were two main angles through which my data analysis

was made. Data security was also of critical importance. All of my data was saved on my personal laptop which was inaccessible by anyone else.

Informants Selection and Recruitment

Similar to sampling the case, I used purposive sampling in selecting interview candidates. This involved intentionally choosing specific people to surface information that cannot otherwise be obtained through other channels (Maxwell, 2012). Participants were selected based on the goals of my study. Conceptually, the sampled people were a conduit for me to "get at characteristics of settings, events, and processes" (Miles and Huberman, 1994, p. 33), which constituted the "casing" process (Ragin, 1992). The participants were selected because they had expert knowledge of or were unique witnesses to the emergence of OCP (Weiss, 1994).

I followed a range of recruiting strategies recommended by qualitative scholars to increase the response rate (MacDougall and Fudge, 2001; Mack et al., 2005; Delaney, 2007; Glesne, 2016). I will elaborate on these tactics in the next few sections but will first summarize them here. First, I engaged gatekeepers to gain access to the policy community. Second, I customized recruitment letters, and followed up within a reasonable time frame when I didn't hear back. I waited generally about one week after the initial email was sent. A third email was sent 2 weeks after the first approach. In the follow-up emails, I also emphasized that I was reaching out to them at the suggestion of one of the gatekeepers, who have close working relationships with them. Third, specifically for challenges associated with gaining access to organizational elites, I modified my recruitment strategies in follow-up emails to reach a better response rate.

OCP Entrepreneurs

For OCP entrepreneurs, I selected the group of people that created the concept of OCP during the pre-emergence stages before 2015. I reached out to 7 entrepreneurs and heard back from and spoke to 6 of them. Table 4 below presents the summary information of the 6 entrepreneurs I interviewed. This can been seen as almost an exhaustive list of OCP founders. For all the participants, they were involved in OC's creation during the ideation (2011-2013) stage and when OCP was a World Bank policy initiative (2013-2015). Their roles ranged from strategy, operations, data standard development, to communications and outreach. The majority of these people still maintain linkages to OC related work now – they either currently work in OCP, work on OC-related matters in the World Bank or finance OC-related activities in a donor agency. Several of these participants were witnesses of the entire evolution of OCP across all three stages of development.

No.	Function at OCP at the time of its creation	Current function
1	Program leader	Working on OC related matters in an international organization
2	Program leader	Financing OCP and OC related matters in a donor agency
3	Strategy and operations	OCP staff
4	Country operations	OCP staff
5	Communications and outreach	Financing OCP and OC related matters in a donor agency
6	Country operations	Working on OC related matters in an international organization
Total: 6		

Table 4: Summary of Interview Participants - OCP Entrepreneurs

I knew and have established professional relationships with these informants and didn't need intermediaries to facilitate access. The recruitment process went smoothly. 6 out of 7 participants responded within a day or two to my requests, and interviews were set up quickly. Notably, two OCP entrepreneurs became donors of OCP later, so they played dual roles, and testimonies fed into the evidence base for propositions related to both OCP entrepreneurs, and the global policy community. It was unfortunate that one of the people I reached out to didn't respond to my request. He was an important member of the team and had retired from the work force a few years ago. I tried reaching out to him through different channels 4 times, including 3 times through emails and 1 time through Facebook messenger. Despite the efforts, I never heard back from him. I had planned to talk to another OCP founder, who is also a current OCP staff member, but I was informed by one of the gatekeepers that the person was on maternity leave and shouldn't be bothered, so she was not included in my interview plan. Lastly, I had also intended to interview more OCP current staff members who may have additional, albeit partial understanding of OCP's development (post-2015; or even shorter duration), but the gatekeeper thought that it wouldn't be necessary (more discussions about the gatekeepers below).

Global Policy Community Members

I reached out to a total of 21 people and ended up conducting 13 meetings, interviewing 14 people. 12 interviews were with individual members, and one interview was with two people from the same organization who occupied different operational roles. I had categorized potential participants into two groups. The first group consisted of individuals who were influential members or those that work in leading organizations in

the open government and open data community, while the second group included people that work for organizations that were voluntary adopters of OC principles and/or OCDS. I received interview acceptance from the majority of both groups. This means that the composition of final interview participants and that of the people that didn't respond to the requests was similar; and that the eventual cohort of interviewees considerably represented the original pool of candidates that I had intended to speak to. Admittedly, had more individuals agreed to participate in the interviews, the data would have been richer, but I suspect that it wouldn't have had large influence on the analysis and the final interpretation of the findings.

Interviews with the Global Policy Community (GPC) members were particularly fundamental to supply evidence for evaluation and gain perspectives for Proposition 1A, Proposition 2A, and Proposition 3A, which were about the dynamics in the broader policy environment, factors affecting OCP's adoption, and policy debates and institutional forces that were at play. The corroboration of the testimonies from the GPC and OCP founders was also important for the inferences to be made on Proposition 4. In addition, the data collected from these participants were used to triangulate with document analysis, particularly from public media coverage, to boost confirmability of this research.

Table 5 presents the information about the interviewees of the GPC. As mentioned, I categorized the participants into two groups. The first group consisted of 10 individuals, who were influential members in the open government and open data community, who had intimate knowledge about the development of the policy field and OCP's growth. 80% of the participants were recommended by a gatekeeper, and 20% were reached out

directly by me. I didn't put organizational labels in the summary table to maintain anonymity of the participants. At the aggregate level, I could reveal that prominent international organizations and initiatives that were and are active at the transnational level on government transparency and participation issues were represented in the participants' pool. These included the World Bank, Open Government Partnership, International Budget Partnership, and the Construction Sector Transparency Initiative. Another cohort of participants were from international organizations that voluntarily adopted OC principles and/or OCDS. These organizations largely operate at country and regional levels but are active in the agenda-setting movement for open contracting. All of the participants were suggested by the gatekeepers.

Participant number	Role of the GPC member	Involvement with OCP	Recruitment method
1.	Influential GPC member in an international organization	Involved at the ideational stage	Recommended and introduced by a gatekeeper
2.	Influential GPC member in an international organization	Involved at the ideational stage	Recommended and introduced by a gatekeeper
3	Influential GPC member in an international organization	Involved in OCP's development after it became independent	Recommended and introduced by a gatekeeper
4	Influential GPC member in an international organization	Involved in OCP's development after it became independent	Recommended and introduced by a gatekeeper
5	Influential GPC member in an international organization	Involved in OCP's development after it became independent	Recommended and introduced by a gatekeeper
6	Influential GPC member in an international organization	Involved at the ideation stage, and Engaged throughout OCP's development	Recommended and introduced by a gatekeeper
7	Influential GPC member in an international organization	Involved at the ideational stage	Recommended and introduced by a gatekeeper

8	Influential GPC member in an international organization	Involved at the ideational stage	Recommended and introduced by a gatekeeper
9	Influential GPC member in an international organization	Engaged throughout OCP's development	Reached out directly by me
10	Influential GPC member in an international organization	Involved at the ideation stage, and engaged throughout OCP's development	Recommended by a gatekeeper, and reached out directly by me
11	Adopter of OC principles and OCDS	Engaged throughout OCP's development	Recommended and introduced by a gatekeeper
12	Adopter of OC principles and OCDS	Engaged throughout OCP's development	Recommended and introduced by a gatekeeper
13	Adopter of OC principles and OCDS	Engaged throughout OCP's development	Recommended and introduced by a gatekeeper
14	Adopter of OC principles and OCDS	Engaged throughout OCP's development	Recommended and introduced by a gatekeeper
Total: 14			

Table 5: Summary of Interview Participants - Global Policy Community Members

Gate Keepers for the Global Policy Community

To gain entry to the global policy community, I relied on and obtained endorsement from three gatekeepers to facilitate introductions and access to informants in the GPC in the first round (De Laine, 2000; MacDougall and Fudge, 2001; Mack et al., 2005; Glesne, 2016). The first gate keeper was the "founding mother" of OCP, who was hired in March 2011 into the World Bank to develop the idea, and continued to work at the World Bank, implementing OC-related initiatives until 2019. She recommended contacts and facilitated introductions for informants that worked in international organizations that promoted similar transparency initiatives in the open government space. The second gatekeeper was a key witness of the entire three-stage trajectory of OCP's development

and is currently occupying a managerial post at OCP. This person suggested contacts with organizations that were involved in OCP's ideation and those that were adoptees. The third gatekeeper was a core member of the OCP team before its spin-off, and currently works in a similar field. The person recommended important figures who had been working on public procurement reforms for many years and had implemented or had many interactions with OCP.

I heavily relied on the three gatekeepers to suggest interviewees because they were experts and experienced professionals in the field. They recommended individuals that were able to supply information for my research questions. My professional background is not on public procurement reforms. Even though I was familiar with the "usual suspects" in public procurement reforms as I worked in a related field, I thought that the gatekeepers were better suited to choose the relevant participants. In my interactions with the gatekeepers, I explained my main criteria to select the interviewees, who then made recommendations accordingly. The first criterion was extensive involvement in the conceptualization and set-up of OCP; the second was that the person should be an influential figure in the field that has comprehensive knowledge on the development and growth of the policy community; the third criterion was that they may be an adoptee of OC principles and/or OCDS and had (or currently have) partnerships with OCP. I informed the gatekeepers that I'd be fine with participants whose background would satisfy at least one of the criteria. One of the gatekeepers expanded my criteria and added a fourth one, which was that the participants may have evaluated OCP's implementation and adoption specifically and had expressed critical thoughts about OCP. The rationale was that this may help mitigate some of the selection biases, since the other two

gatekeepers either currently work at OCP or work on OC-related tasks in another organization – they may be more inclined to select those that would praise OCP's development. I agreed with the third gate keeper and added the criterion. Two of the gatekeepers wrote to the participants to introduce me and the research project. I prepared the introductory emails for the gatekeepers, so as to reduce their burden, and ensure that my research objectives were adequately conveyed. The third gatekeeper suggested names but didn't make the introductions. I reached out to the recommended participants directly and mentioned the gatekeeper's name in my outreach emails.

Admittedly, gatekeepers can have the power to either grant or withhold access (de Laine, 2000). Here, one of the gatekeepers blocked my access to some members in the GPC. Since the gatekeeper occupies a managerial position for an organization that I'd like to gain access to, a denial of access effectively stopped me from contacting anyone else from the gatekeeper's organization. As a result, I lost access to about 2-4 potential participants. There may be three possible reasons behind such a decision, which were related to the perception of intrusion, disruption, and representation. Literatures on gatekeepers speculate that if the gatekeeper in question perceives that the research focus may affect the areas of interest that they protect or manage, they may withhold access (Clark, 2010). In this case, since the research topics resided in the same policy space in which the gatekeepers' organization was anchored (using a plural reference so as not to reveal the gatekeeper's gender/identity), they may perceive an element of risk if information about their organization was disclosed. Moreover, the gatekeeper may have made a cost and benefit analysis of burdening their staff with interviews and decided that there was a disruption cost associated with participating in my interviews. Lastly, the

gatekeeper may have thought that they would be able to sufficiently represent the organization without me talking to more staff; and the gatekeeper may have made a personal judgement that those staff were not relevant to my research. Overall, the effects of the gatekeeper's hindrance was minor, but it prevented me from gaining more perspectives and additional evidence.

Interviewing Organizational Elites

The majority of the participants were organizational elites, and many of them were senior executives or officials bearing the title of executive directors. I ran into a low response challenge early on. After an initial round of outreach emails, only 2 responded within the first week. After discussions with my Dissertation Committee Chair, I started reading more about tactics on elite interviewing and changed my outreach tactics accordingly and was able to significantly increase the response rate. Two strategies proved useful.

First, Delaney (2007) suggested that even though most organizational elites are extremely busy, they often are intellectually curious, and are interested in contributing to "academic research". This insight prompted me to change the title of my emails in the subsequent round. I changed my title from "interview request on transnational private regulations" to "interview request for academic research on transnational private regulations". The addition of the two words "academic research" yielded good results. Second, I spent time studying their background, career trajectory and contribution to the policy field. In my follow-up recruitment emails, I further customized the content. I highlighted how their particular set of experiences or skills were important for me to obtain a fuller understanding of the research questions. In other words, I made sure to convey the message that I wanted to interview him (or her), rather than anyone that works in his (or

her) organization. Overall, over 60% of the interview participants were the ones that responded to my second follow-up emails with the changed email titles and modified emails.

At the data collection stage, scholars caution that it is likely that some organizational elites may view an interview request as an invitation to talk to them as a spokesperson for their organization rather than as a person occupying a specific position in a social class (Delaney, 2007). The "spokesperson" inclination may prevent the person from revealing controversial information or reflecting on alternatives or conflicts. Most people tend to describe the final outcome, even though the process in which the result was achieved may have been quite contentious. To mitigate these risks, I used conversational cues to dig deeper, in addition to the probe questions I had included in the interview protocol. For example, I asked a participant to recall how a decision was made, and gently brought out the possibilities of conflicting arguments and alternative solutions. These conversational cues were inserted usually after a participant had recounted the "official" version of the story, and I used a yes or no question to probe if there were omitted realities. Surprisingly, most were able to add the challenges or conflicting positions that some participants faced before a decision was made. Also, most organizational elites with "spokesperson" proclivities are often trained in circumventing the "noises" around a particular outcome, but these were exactly the type of information that I was hoping to unearth. So, when the answers seemed too straightforward or "official", I asked more probe questions, and encouraged the participants to provide more details.

Interview Questions

The interviews ran between 30-60 minutes. The total length of all interviews combined was 695 minutes, with 235 minutes coming from interviews with OCP founding members and 460 minutes from GPC members. For each interview, I developed two sets of questions. The main questions were broad questions that largely corresponded to the three policy components; they were included in the interview protocols that were shared with the participants. I also prepared probe questions, which were not shared with the participants beforehand, but were used when clarifications or expansions were needed during the interviews. The purpose of using probes was to produce richer responses. I prepared sequence probes that established chronology and order, clarification probes asking for more explanations to minimize the risk of misinterpretation, and expansion probes that requested more details. Appendix V and VI includes both types of questions and I used them as conversation guides. I focused on seeking behavioral, attitudinal, and knowledge-based information (Patton, 2015). In other words, the types of data that were collected corresponded to i) behaviors, which were about what a person had done or is doing, ii) knowledge, which established the facts, and iii) opinions or values, which referred to what a person thought (Rubin and Rubin, 2011).

The general sequence of the interview process followed several steps (Seidman, 2006; Rubin and Rubin, 2011; and Bullips, 2019). For all interviews, I started with background and processual information, with explanations on the purpose of the study and the rationale for selecting the interviewees. After general parameters regarding the research were addressed, I then moved to an initial, "tour" question, which was intended to provide context for more detailed questions later (Rubin and Rubin, 2011). I asked the

person's involvement in OCP and the role he or she had played. It established the general boundary of the interview, which was about this particular person's knowledge and experience surrounding OCP's creation. The next step, which constituted the bulk of the questions, included 4-5 open-ended; main questions were supported by probing questions to elicit more details and nuance (Seidman, 2006; Rubin and Rubin 2011). During this part, the focus was to translate my research puzzle into questions that were easier and more accessible with minimal academic jargon for the interviewees to answer from their own experience. I intended to first discover the participants' own experience and knowledge, and left the questions related to one's own opinions or assessments to the very last, so that they wouldn't feel obliged to stick to the stated opinions throughout the interview (Rubin and Rubin, 2011). I also avoided directly using the word *why* in the main questions, even though the main research question centered around why a TPR emerged. This was because people generally do not know how to answer questions of why; instead, it's easier for them to talk about their own experiences (Rubin and Rubin, 2011).

Considering the policy problems with the GPC, I asked about broad reform efforts surrounding open contracting issues and posed an open-end question on the policy challenges that they were facing. The answer to this question either opened up various threads that I later followed up on or led me to directly jump to questions related to the other policy elements. When the latter took place, I followed the flow of the conversations, and came back to address more specific questions like focusing events later. With OCP founding members, I focused on their framing efforts, which spoke to the promotional efforts and proactive recruitment process of voluntary adopters. At times,

I used a sequence probe to ask the participant to explain step by step OCP's creation process in the early days, or a clarification probe if the promotional efforts were not elaborated on in details.

Regarding policy solutions with GPC members, the emphasis was on why OCP was positioned as the appropriate policy instrument, and I wanted to learn more about the availability, evaluation, and comparison of the different policy choices at the time, and the decision-making process of choosing OCP. I often zoomed in on what exactly made OCP stand out with a clarification probe and used an expansion probe to gather more details about how the organizational form of OCP may have impacted their decision. With OCP entrepreneurs, I was interested in learning about the main considerations they had had when pondering over a policy choice, and the factors that led them to form OCP. Because the spin-off was a key event, I dedicate another question to this and asked for details on what had led to such a decision. When comparisons were made with other policy solutions, a probe was made to surface more information on the evaluation process, including possible conflicting positions. Most participants tended to jump directly to the conclusion or outcome of a particular decision, so I used expansion probes to solicit details of the elements that led to a decision or resulted in an outcome.

As for the politics stream, I aimed at learning about the prominent factors that shaped the policy objectives of the GPC and the ways that OCP founders navigated the various forces in the policy environment. I wanted to uncover the institutional preferences on the types of policy instruments that OC should choose and document the entrepreneurs' struggles and tactics to navigate the conflicts as well. For the GPC members, representatives from adoptee agencies described at length their own policy environment,

which was particular in their own context. But as data analysis continued, patterns on the way OCP endorsers or adopters perceived and navigated the policy environments emerged. In addition, I should highlight that the emphasis on anonymity in my outreach emails proved to be beneficial. As several GPC members commented that they were aware of the condition of the interviews and were willing to reveal more "behind-the-scenes" information, express "unpopular "opinions that they thought were not necessarily widely shared by other GPC members, or disclose conflicts that had surfaced in the decision-making process but were ignored in the end because a consensus was reached in the end.

Lastly on the relationships among the policy elements, I didn't explicitly ask questions about the relationships, as they may seem leading. Rather, I actively looked for clues, traces, and pivot points where linkages were discovered. For example, when I was discussing the problems stream, one respondent said that the biggest focusing event or momentum that had triggered the creation of OCP was the political environment in the US – the Open Government declaration made by President Obama and his intention to make it a global norm. This clearly demonstrated a direction from the problems stream to the solution stream. At the same time, it was also about the institutional and political preferences and how they may have impacted the broader policy environment and policy solutions. So later on, I also shifted the conversation to focus on the politics stream and asked probing questions to understand the patterns of interactions of policy streams.

Being Reflexive

During the interviews, I tried to strike a balance between maintaining rapport and neutrality (Patton, 2015). On one hand, I needed to establish rapport and show

authenticity, so that smooth, fluid, and open conversations could be had. My existing knowledge about the matter and my prior relationships with some of the interviewees inevitably came into play. At times, I inserted short comments after the participants addressed a particular question, just to acknowledge that I had experienced or witnessed similar events or to concur the overall sentiments that were expressed. I saw those as encouragements for the participants to keep sharing with me their opinions and insights. One the other hand, I also wanted to maintain neutrality and be non-judgmental, which pushed me to take more of an outsider stance, especially when I disagreed with the participants based on my (limited) prior knowledge. I used clarification probes profusely in circumstances like this. Admittedly, it was difficult to completely separate my own preconceptions with the data I collected. But I tried my best to not let my own assumptions foreshadow empirical discoveries. To address the tension, I also practiced bracketing, with a goal to increase the trustworthiness of the research. Essentially, bracketing was about putting aside my own experiences of the phenomenon and suspending my presuppositions, assumptions, and unacknowledged preconceptions (Gearing, 2004; Tufford and Newman, 2012). This was a useful exercise especially when what was revealed by the participants diverged from what I knew or had expected. I wrote down my "suspicions" in the initial notes of the interviews and continued including them in the memos and thoughts I kept during the data analysis stage.

Data Analysis: Process Tracing

Data analysis techniques for case studies are one of the least developed and most challenging, relative to data collection methods (Yin, 2009). The process consists of moving from reading and documenting data, to describing, interpreting and classifying

the data into sensible themes based on the theoretical framework (Creswell, 2013). In this research, I used process tracing as my primary data analysis method. My goal was to make within-case inferences about the presence (or lack thereof) of the contextual conditions that enabled the emergence and adoption of open contracting norms and rules in the global policy community of open government and open data.

I chose process tracing because it was regarded as particularly suitable for within-case (i.e. single case) case study designs (George and Bennett, 2005; Brady and Collier, 2010; Collier, 2011; Kay and Baker, 2015; Beach and Pedersen, 2019). Although the main elements associated with process tracing have only been developed over the past few years (Beach and Pedersen, 2019), its underlying principles are similar to other theory-driven, evidence-tracing, qualitative techniques developed previously (Collier, 2011), such as "pattern matching" (Yin, 2009), or "systematic process analysis" (Hall, 2003). I followed established steps of process tracing (George and Bennett, 2005; Collier, 2011; Bennett and Checkel, 2015; Beach and Pedersen, 2019), where I performed analyses of collected evidence using empirical tests on "processes, sequences and conjunctures of events within a case" (Bennett and Checkel, 2015, p. 7), for the purpose of having a better understanding of the MS causal mechanism.

There were several methodological advantages of using process tracing as the primary data analysis technique. First, process tracing helped me "identify novel political and social phenomena and systematically describe them" (Collier, 2011, p. 824). Given that TPRs have not been studied extensively and much conceptual ambiguity still surrounds the concept, process tracing helped me follow an iterative, emergent design to surface insights. Furthermore, case studies place a high premium on contextual factors. Unlike

quantitative methods which control for contextual factors, process tracing explicitly seek out the factors and processes that transmit causal forces. So, it allowed me to "disaggregate policy processes into constituent elements, rather than seeking a general theory of the policy process" (Kay and Baker, 2015, p. 3). This kind of process disintegration matched well with my research objective, since I used the MS conceptual framework to provide the analytical space to examine a class of factors that triggered the formation of a particular TPR. Moreover, process tracing was regarded as a proper tool for theory-driven research (Mahoney, 2010), and methodologically, it gave me sufficient space to find ways to enhance the MS framework, and accommodate "theoretical pluralism" (Kay and Baker, 2015), which are often found in policy study frameworks. Lastly, within-case process tracing using a single case was also believed to provide a strong complement to other methods in public policy analysis such as small-N comparative case studies using qualitative comparative analysis (Beach, 2016) because the causal elements identified in the within-case analysis can later be corroborated at the cross-case level in multi-case case studies which can form the basis for causal effects. This helped me build the foundation for better transferability of this research.

I adhered to the constant comparison principle for an iterative data analysis process. As soon as data collection started, I started writing memos, marked out questions, developed early predictions. As evidence started to accumulate, I performed multiple rounds of triangulation. After one round of evidence collection and analysis, I would return to the questions I had posed to myself during the previous round, and attempt to address those questions or write more reflections. This was a useful exercise to help improve the credibility of the research, because early analysis and writing could reveal unexpected

ideas which could then be used to modify data collection for continuous analyses. For example, early on, I detected evidence that deviated from my working proposition of Proposition 2B, which was about OCP's evaluation of policy choices and its promotional efforts. It was surprising and baffling to me, especially since the evidence that supported the alternative explanation kept accumulating. I wrote summaries of the evidence and bracketed my own thoughts and reflections as data analysis continued. I also made sure that the question on the relationship between OCP and its "rivals" and partners was explicitly asked in the subsequent rounds of interviews. The question was not included in my original questionnaire, as questions were kept intentionally broad. But the early findings opened up an avenue of inquiry that I didn't think of before, and it proved to be particularly beneficial, and greatly helped my theory building objective as well.

The Evidence Evaluation Framework

I followed the advice of Kay and Baker (2015) to develop main steps to trace diagnostic evidence related to the causal mechanism. To operationalize it, I adopted the evidence evaluation framework developed by Beach and Pedersen (2019, p. 155), schematized in Figure 4. In essence, it reflected a process to develop a logic that compared the empirically collected data with theoretically predicted propositions. At the theoretical level, I constructed a causal mechanism and developed working propositions for each component of the mechanism. At the empirical level, I discovered whether the hypothesized relationships were present in the empirical record. I specified the observable manifestations in the empirical record (i.e. the predicted evidence) that I expected to discover as I traced the presence or absence of the components in the causal mechanism.

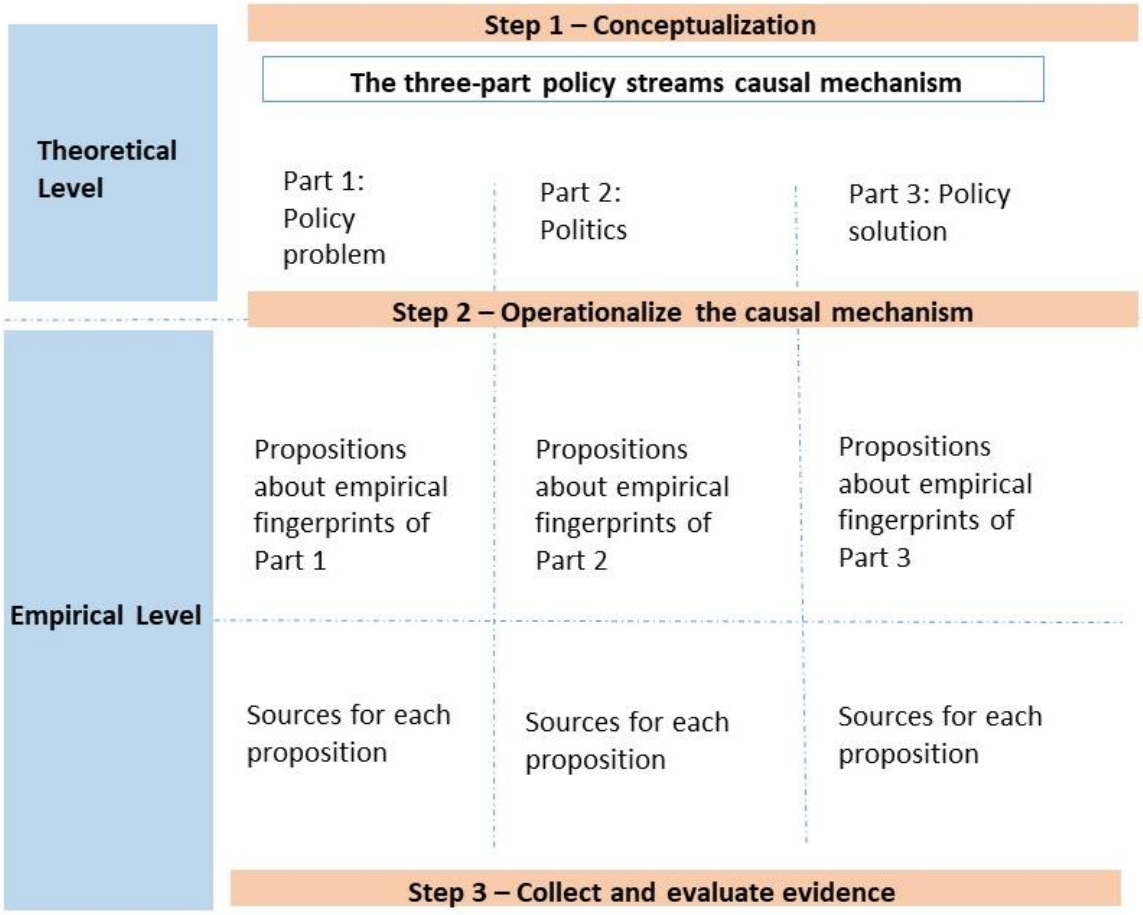

Figure 4: The evidence evaluation framework for causal process tracing

Step 1: Conceptualizing the Causal Mechanism

Elements in a causal mechanism are interacting components that generate a causal force between some specified beginning and end points; they transfer "energy, information, or matter to other entities" (George and Bennett, 2005, p. 137); and they are "the pathway or process by which an effect is produced, or a purpose is accomplished" (Gerring, 2008, p. 178). In this research, the process started from an initial condition in which the OCP didn't exist. The eventual outcome was the emergence and adoption of the open contracting norms and rules in the international policy space. The causal mechanism was the "black box" in between (Beach and Pedersen, 2019).

I adopted Beach and Pedersen's definition of causal mechanisms from a systems perspective, which were described as systems of interlocking parts that transmitted causal forces (2019). Causal mechanisms are not causes; rather, they are the causal processes that only operate within certain conditions (i.e. the context) in which the mechanisms function (Beach and Pedersen, 2019) and enable the mechanisms to be "activated" (George and Bennett, 2005).

For within-case process tracing in a single case, inferences are not derived from the discovery of regularity or variation; rather, they are made based on the match between "empirical mechanistic evidence" (Beach and Pedersen, 2019, p. 57) and theoretically developed propositions.

Earlier scholars of process tracing treated causal mechanisms as intervening variables that independently exist (King, Keohane and Verba, the "KKV", 1997), which implicitly assumed that there was variation connected with the changing magnitudes of a cause and an outcome across settings. I didn't embrace such an approach, because such an understanding "unproductively" based the logic of causal inference from case studies on a linear, quantitative mentality, in which large N was essential (Mahoney, 2010; Goertz and Mahoney, 2012; Goertz, 2017; Beach and Pedersen, 2019). Again, I didn't intend to seek out cross-case regularities, so decomposing causal mechanisms into intervening variables would betray my research purpose.

I followed Beach and Pedersen's (2019) concept of causal mechanism, which emphasized the "productive" and "generative" nature of causal mechanisms (Goertz 2017; Beach and Pedersen, 2019). I unpacked the MS causal mechanism theoretically into three integral parts. The parts of the causal mechanism were intertwined in a system and each part's

effect only manifested itself fully in conjunction with the effects of other parts. This approach was very useful to explore holistically the explanatory capacity of the MS framework.

As described previously, each part of the mechanism had two parts: an **entity**, which was an actor, organization or structure, and **activities**, which were the manifestations of the causal powers of the entities, and the actions that left empirical fingerprints for me to trace. Entities were typically formulated as nouns while activities used verbs that described how the causal power was transferred in the process. The adapted MS causal mechanism was derived from existing literature and conceptualized into the analytical framework described in Chapter 2.

Step 2: Operationalizing the Causal Mechanism: Developing Working Propositions and Alternative Explanations

Stage 2 of the evaluation framework was about translating theoretical expectations into case-specific propositions (Beach and Pedersen, 2019). The propositions were discussed in detail in Chapter 2. Process tracing scholars also recommended that evidence be assessed in light of the likelihood of discovering evidence if alternative explanations were true (George and Bennett, 2005; Bennett and Elman, 2006), so I also developed alternative explanations for each proposition. The alternative explanations in process tracing were mainly used as an exclusionary tool for the empirical tests, particularly for the Hoop Test (more elaboration below). A summary of the 7 propositions and their alternative explanations was presented in Table 6.

The scholarship around process tracing is still evolving, and the process to develop alternative explanations is still not well articulated or clearly illustrated. Recent research

pointed out the limitations of developing the "rival space" in process tracing, as alternative explanations often times are not mutually exclusive from the main propositions (Rohlfing, 2012; Zaks, 2017; 2021), which may muddle the results of the empirical tests. Despite the challenges, I still developed alternative explanations for each proposition, because I believed that there were more benefits than disadvantages to include them. First, specifying and evaluating alternative explanations helped mitigate confirmation bias and prevented me from focusing on univariate explanations (George and Bennett, 2005). Second, the approach of deliberately seeking and testing alternative explanations also helped increase the integrity of my data analysis (Patton, 2015), and enabled me to make stronger internal causal inferences (Maxwell and Chmiel, 2014). I documented my struggles with the alternative explanations in Chapter 4 and offered more reflections in Chapter 5.

In developing and assessing the alternative explanations, I actively looked for "negative" or "disconfirming" evidence (Patton, 2015, p. 653), by examining possible explanations of other policy process theories which may predict the opposite of what I have hypothesized or deviate from it. Based on existing literature, the "negative" evidence of the MS framework would be another prominent public policy theory that also emphasizes the role of policy brokers and the interactive forces in a policy community – the Advocacy Coalition Framework (ACF) (Sabatier and Jenkins-Smith, 1988, 1993). The ACF primarily looks at micro-level interactions among policy elites, using policy subsystem as the main unit of analysis; it assumes stability of the policy community but specifies that factors outside of the policy subsystem, such as external perturbations, may engender policy changes through policy learning.

Using the ACF assumption, Proposition 1A is mostly a moot point, as the policy entrepreneurs in the policy subsystem do not pay particular attention to macro-level conditions. External social economic changes are considered exogenous variables to the main unit of analysis. Sabatier (1998) in his revision of the ACF framework hypothesized that these macro changes were a necessary, but not sufficient cause of change in policy core beliefs of a government program. This conceptualization significantly deviates from the MS framework, which stipulates that macro-level factors such as the existence of institutional voids are inseparable from the actions of the policy entrepreneurs, and that they are interlocking parts of one chain of events. Therefore, for the alternative explanation of Proposition 1A, I specified that the GPC members didn't pay sufficient attention to the external factors. A policy subsystem structure would also indicate that the rationale of the policy problem is understood among policy community members, as the framing of the problem would define the parameters of the subsystem. This led me to specify the alternative explanation of Proposition 1B as having clear storylines of why there existed a policy problem related to public contracting.

In the policy solutions stream, the collective force of the coalition or the policy community is prominent for the alternative explanations. The ACF suggests that the power of a particular policy solution recommended by the policy brokers lies within the subsystem itself. In other words, the connection with other institutions, brokers and initiatives lends strength to the policy solution being promoted. So, the alternative explanation of Proposition 2A and Proposition 2B would be that OCP derived its authority and legitimacy from being among the initiatives that promoted similar goals

related to open government, and that OCP was among a set of open government related policy instruments that the policy entrepreneurs promoted.

As for the politics stream, the assumption of the stable policy environment and hegemony of core policy beliefs of the ACF framework contrasts with the state of political contestation in the MS framework. The ACF is predicated on the relative stability and maturity of a particular policy subsystem, with tacit assumptions that there are well-established interest groups, open democratic policy making venues, and relatively well-functioning administrative agencies (Weible et al., 2009). Following the ACF logic, the alternative explanations of Proposition 3A and Proposition 3B would be that the policy environment was devoid of conflicts in beliefs or preferences in solutions regarding open government, and that OCP entrepreneurs didn't face struggles in fighting various institutional preferences.

Lastly, Proposition 4 follows Kingdon's garbage can hypothesis, where policy elements do not follow a defined influence pattern to trigger new policy initiatives. The ACF inherently is not about predicting patterns of policy changes, but it implicitly assumes that policy changes could take place through learning within the policy subsystem, when exogenous factors such as external perturbations, changes in secondary policy beliefs on policy tactics and instruments, or entrance of new or competing coalitions. These essentially point to the mechanisms in the three separate streams, which runs contrary to the MS assumption that it is a collective force of the coupling of these policy streams that would propel policy changes. So, the alternative explanation of Proposition 4 could presume that there is an identifiable pattern with a clear sequence. For example, it could follow a feedback loop type of relationship, where the process may start with policy

problem, moves to politics, then reaches policy solutions, the effects of which, in turn, return to and have an impact on policy problem. Again, since Proposition 4 was purely exploratory, the specification of the proposition and the alternative explanation was intentionally left vague and broad, in order not to confine the empirical inquiry.

	Working Propositions	**Alternative Plausible Explanations**
Part 1 Policy Problem	Proposition 1A: The global policy community recognizes the broader macro-economic and political conditions, including the existence of institutional void.	Broader macro-conditions, including an institutional void, either do not exist, or the global policy community does not pay sufficient attention to them.
	Proposition 1B: Policy entrepreneurs frame the policy issue in a way that appeals to a wide set of global governance actors in the transnational policy community.	There existed clear storylines and rationale of why there is a policy problem related to public contracting.

	Working Propositions	**Alternative Plausible Explanations**
Part 2: Policy Solution	Proposition 2A: The global policy community directly recognizes the private authority and legitimacy of OCP.	OCP gains authority and legitimacy through indirect recognition of the global policy community, by being part of the open government movement.
	Proposition 2B: Policy entrepreneurs evaluate policy choices and prioritize a particular solution (i.e., OCP).	Policy entrepreneurs do not intentionally prioritize OCP as the better policy instrument; OCP was among a set of open-government related instruments that policy entrepreneurs promote.

	Working Proposition	**Alternative Plausible Explanations**
Part 3: Politics	Proposition 3A: There is divergent perception of the policy issues that should be addressed by the global policy community in	The policy environment is stable, with no conflicts in beliefs or preferences.

	open government and public procurement reforms.	
	Proposition 3B: Policy entrepreneurs balance a wide array of preferences across various institutional forces.	There didn't exist much conflict in preferences across various institutional forces.

	Working Proposition	**Alternative Plausible Explanation**
The Relationship	Proposition 4: The three components, collectively in a complex relationship trigger the creation of OCP	There is no collective force of the policy elements, or that it follows a predictable pattern.

Table 6: Summary of Working Propositions and Alternative Plausible Explanations

Step 3: Collecting and Evaluating Diagnostic Evidence

After the working propositions and alternative explanations of each component in the MS causal mechanism were constructed, I reached stage 3, which was to collect and evaluate the diagnostic evidence using structured tests. The types of diagnostic evidence that I uncovered were social in nature and relationship based (Rapley, 2014). These included events, meetings or documents, which were **trace evidence** that provided proof of the existence of a relationship. For example, an official memo, a meeting agenda, or minutes of the meeting would prove that the meeting indeed happened. Additionally, there were also **account evidence** derived from interview data, or quotes and statements from document analysis. Moreover, **sequence evidence** involved the temporal or spatial chronology of activities presumed by the causal mechanism, which was important to identify for this research. The actions of the main actors, including their behaviors, intentions and motivations, as well as the interactions between them (Rapley, 2014)

constituted major sequence evidence. The trace and account evidence also generated the base for sequence evidence, as they helped weave together a temporal story of the events. It's worth noting that the nature of the evidence collected for process tracing is different from that of cross-case co-variance analyses. I looked for the quality of the observations, not quantity or sample size (Gerring, 2006). Bennett (2010) explains that it is possible that one critical piece of evidence can affirm the proposition and reject others, while a considerable number of other pieces of evidence may not have confirmatory power at all. For the documents and archival data, I evaluated, there were more than 1000 pieces, but not all of them provided useful diagnostic evidence for the purpose of this research. To operationalize the filtering and evaluation process, I used three empirical tests – the Straw-in-the-Wind Test, the Hoop Test, and the Smoking Gun Test (see Figure 5 below), and performed assessment as the aggregate level as well. I employed the tests to make informed speculations about the theoretical certainty and uniqueness of the working propositions, which was based on the logic of necessary and sufficient conditions for accepting an inference (Van Evera, 1997; Bennett, 2010; Collier, 2011; Goertz and Mahoney, 2012; Beach and Pedersen, 2019). Theoretical certainty relates to the disconfirming power of the evidence (i.e. necessary condition), while theoretical uniqueness indicates the confirmatory power of the evidence (i.e. sufficient condition) and identifies the expected probability of finding the evidence if the mechanism does not exist. I will illustrate how pieces of evidence would be studied through the four tests in the next section.

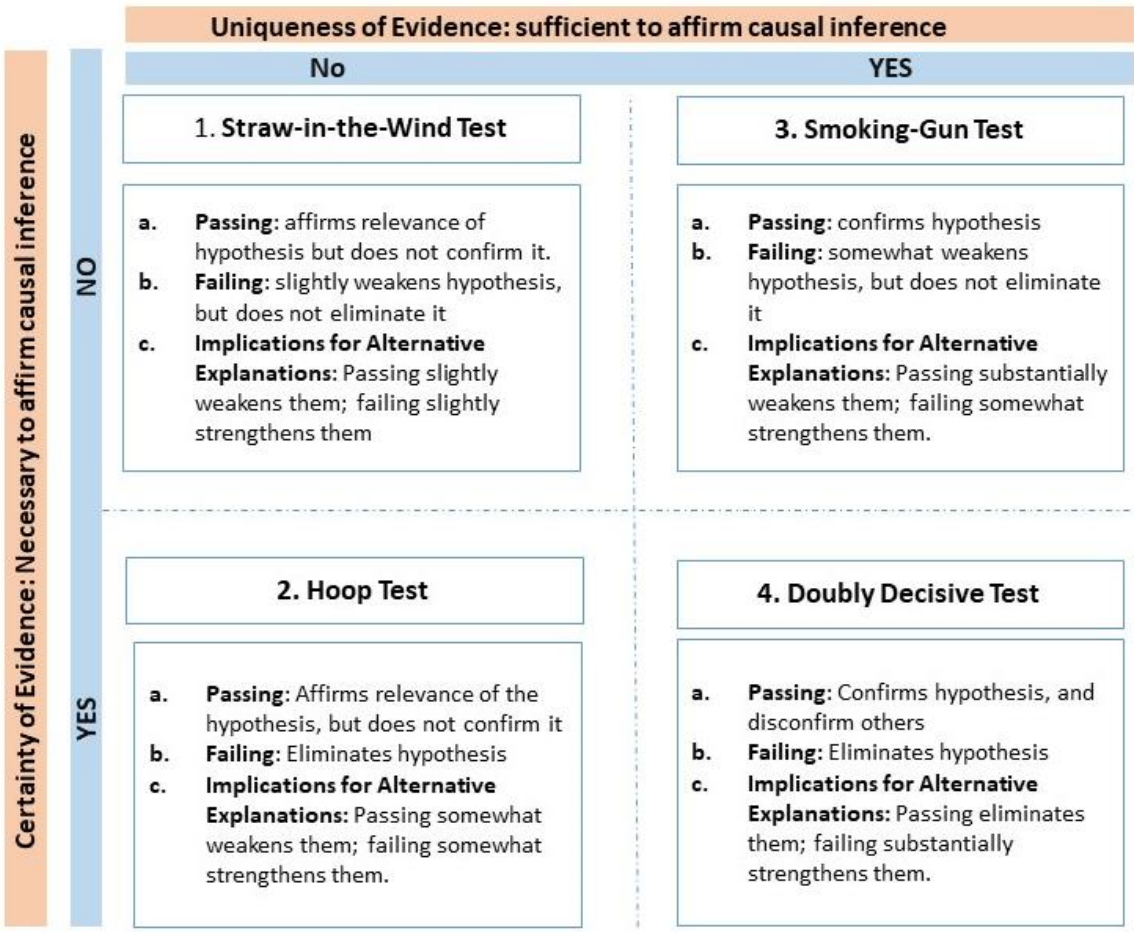

Figure 5: Empirical diagnostic tests

(Based on and adapted from Van Evera, 1997, p. 31-32; Bennett, 2010, p. 210-211; Collier, 2011, p. 825; Goertz and Mahoney, 2012, p. 93-96; Beach and Pedersen, 2019, p. 190-204. Some of the language presented in the figure is identical to the sources mentioned in the last sentence.)

The Straw-in-the-Wind Test

A Straw-in-the-Wind Test provides neither a necessary nor a sufficient condition for accepting or rejecting a proposition. Although it is the weakest test among the four, it usually helps provide an initial assessment and sets a benchmark of a given proposition. For example, I discovered trace evidences that showed that OCP had organized workshops participated by a wide range of highly regarded policy experts in the open

government space. I determined that this piece of evidence passed a Straw-in-the Wind Test for Proposition 2A, which was about the GPC's recognition of OCP's private authority and legitimacy. The existence of an OCP meeting attended by experts increased the plausibility that the GPC had paid attention to what OCP was promoting, but it didn't convey endorsement. Evidently, my conclusion didn't go further without minutes of the meeting to understand what the experts had said at the meeting, nor could I infer further without corroborating this piece of evidence with others. At the same time, it also slightly weakened the alternative explanation, but couldn't completely disapprove it.

The Hoop Test

The Hoop Test is a critical test to falsify a proposition (Goertz and Mahoney, 2012). A given proposition must be able to "jump through the hoop" to remain under consideration. Passing a Hoop Test proves the relevance of the proposition but does not confirm it (i.e. necessary but not sufficient). I used the Hoop Test primarily as a filtering exercise and an exclusionary tool to decide whether to keep all "suspects" under consideration (Van Evera, 1997). Specifically, it was useful to adjudicate among competing explanations (Zaks, 2017). In practice, I actively aimed at uncovering evidence that would support the alternative explanations and sought opportunities to dismiss the main propositions. For instance, in the context of Proposition 2B, which aimed at deciphering the selection and prioritization efforts of OCP when they contemplate policy solutions, I found that there was much trace evidence that pointed to OCP's actions in bundling and grouping OCP with other initiatives in the same policy space. This evidence lent support to the alternative explanation; I failed to dismiss it and kept it in consideration together with the main proposition.

The Smoking Gun Test

The Smoking Gun Test deals with the sufficient but not necessary criterion for accepting a proposition. It conjures up the image that when a suspect is caught holding a smoking gun, he is presumed to be guilty. Passing a Smoking Gun Test confirms and lends decisive support to the proposition but failing it does not preclude it (i.e. does not exonerate the suspect). If a certain comment or dialogue (i.e. the smoke) exists, one can reasonably conclude that the evidence leads to the confirmation of a proposition and that it substantially weakens any rival explanations. Still, scholars caution that sometimes one piece of evidence can only confirm the existence of shell casings of a smoking gun, not the smoking gun itself, which demonstrates the importance of triangulating various sources of evidence for a convincing smoking gun explanation (Goertz and Mahoney, 2012).

This advice prompted me to further delineate the "strengths" of the test of certain propositions (Goertz, 2006; Mahoney, 2012). For Proposition 2A for example, I launched two Smoking Gun Tests – i) an easy Smoking Gun Test, which included direct public declarations of the adoption of OC principles and/or OCDS, and ii) a difficult Smoking Gun Test, which constituted examining evidence of third-party advocacy on behalf of OCP, including account or trace evidence of reputable global policy organizations mobilizing for the adoption of OC principles and OCDS. The rationale was that if one could illustrate how OCP was different from others and how it was more suitable in addressing certain policy objectives, it would indicate a deeper understanding of OCP's value propositions, goals and intended impact; it also meant that the GPC members had purposely evaluated OCP against other initiatives in its relative strengths. Thus, further

analyses on the nature of the endorsement painted a more complex picture of the GPC's perception of the OCP, and the more demanding Smoking Gun Test lent a much stronger support to the proposition.

The Doubly Decisive Test

It's worth mentioning that sometimes process tracing researchers would include a Doubly Decisive Test, which confirms the hypothesis and eliminates all others. If a camera catches the faces of the robbers of the bank, it provides a necessary and sufficient criterion to confirm an inference. Bennett (2010) states that it is rather rare, if not impossible, to pass such a test in social science inquiries. Therefore, I didn't administer the Doubly Decisive Test in my propositions, as I didn't believe that I was able to uncover evidence that would decisively confirm my propositions and dismiss all alternative explanations.

The Aggregated Assessment

After assessments were made on the propositions of the three policy streams, I reached a stage to evaluate the MS mechanism as a whole. The entire mechanism was only as strong as the weakest link. This means that If there was a component that was supported only by passing a Straw-in-the-Wind test, this would be the highest level of confidence I could assign to the whole MS mechanism. As I'll detail in the next chapter, I rejected Proposition 4, not only because I couldn't conclusively dismiss the alternative explanations for several propositions in the individual streams, but also that I discerned an organizing patter, albeit weak, in the relationship among the three streams.

Mitigating Validity Threats and Improving Trustworthiness

In this research, I tried to gain contextual knowledge in a specific setting. Thus, the central validity concern with this case study revolved around the extent to which my interpretation was truthful and whether the accounts collected from individuals were grounded in the local context (Maxwell, 2012; Creswell, 2013). Carter and Little (2007) maintain that the quality and rigor of qualitative research depends on the extent of internal consistency between three elements – the epistemology, methodology and method. So, I tried to be more reflexive in the design, implementation and reporting of this research. The constructivist and critical realist perspectives shaped my choice of using case study as the overall methodology, which influenced and was influenced by the research questions, and implementation methods.

Consistent with the constructivist's point of view, validity is a relative concept in qualitative inquiries. I understand that there can exist multiple, equally valid accounts, constantly being observed and interpreted by different perspectives (Maxwell, 2012). And instead of relying on the positivist criteria of validity constructs, I used the commonly adopted yardsticks, and the "quintessential framework" for qualitative inquiries (Billups, 2019, p. 27) proposed by Lincoln and Guba (1984) to guide my research and establish trustworthiness: confirmability, credibility, dependability, and transferability.

i) **Confirmability** ensures that the research findings reflect the characteristics of the data itself, not researchers' own biases. Some equate this with construct validity

for statistical research, as the main goal is to identify accurate operational measures for the concepts or topics to be studied (Yin, 2009).

ii) **Credibility** refers to researchers' confidence in the truthfulness of the findings and interpretations of the multiple realities being studied. It is essentially focused on the logic linking data to research propositions and the interpretation of results.

iii) **Dependability** focuses both on the stability and the replicability of results and revealing the factors driving design-induced change. Achieving dependability means ensuring that an auditor or a future researcher could in principle repeat the same procedures documented in the case study and reach the same results.

iv) **Transferability** is regarded as the parallel of external validity (i.e., generalizability) in the positivist's paradigm, although the concept itself is fundamentally different from the type of generalization pursued in quantitative research, because qualitative research aims at theoretical generalization.

While I have already explained the specific strategies used to establish trustworthiness at each stage of the research in the previous sections, I will summarize these efforts and explain more in details in the next section. Table 7 below lists the tactics I used to mitigate validity threats.

Component of Trustworthiness	Tactic
Confirmability	• Use of theory to develop the conceptual framework • Triangulation • Interview protocol • Document rubric
Credibility	• Purposive sampling • Process tracing technique for data analysis • Emergent design (e.g. constant comparison principle) • Bracketing and memoing for transparent reflexivity
Dependability	• Interview protocol

	• Argument maps for evidence evaluation
Transferability	• Use of theory and prior knowledge for theoretical generalization • Process tracing technique for data analysis

Table 7: Measures to Build Trustworthiness

To boost confirmability, I relied on previous theories to construct a conceptual framework and identify relevant operational measures to be used for data collection and analysis (Eisenhardt, 1989). In the data collection stage, I obtained data from multiple sources using different methods to corroborate evidence (i.e., triangulation). Interview protocols were developed (Appendix II and Appendix III), which detailed the procedures and questions used in the interviews; and a document rubric (Table 3) was generated to record the source and purpose of the documents and archival data I accessed.

To ensure credibility, I followed guidelines of purposive sampling. The tentative constructs developed in Chapter 2 were used to inform purposive sampling, for both selecting the case and subsequent sampling processes for data collection, since in case studies, cases are often chosen for theoretical, not statistical reasons (Carter and Little, 2007; Maxwell, 2012; Patton, 2015). In addition, I used the process tracing technique for data analysis, which was believed to be particularly suitable for identifying causal mechanisms within a single case. The best practices of process tracing were used, particularly as it pertained to adhering to a pluralism acknowledgement, from theoretical, contextual and methodological perspectives (Bennett and Checkel, 2015). Theoretically, I grounded the research in philosophical paradigms consistent with the mechanism-based understanding of political reality. Contextually, a pluralistic approach was used to construct and assess working propositions for the MS causal mechanism so as to pay special attention to the discursive context of policy making. And methodologically,

because of the acknowledgement of possible alternative causal pathways, I conducted data analysis in an iterative manner, and collected evidence and assessed possible alternative explanations to increase or decrease my confidence in the working propositions. The approach of deliberately seeking and testing alternative explanations helped increase the integrity of data analysis (Patton, 2015) and enhanced the strength of the inference of the causal mechanism (Maxwell and Chmiel, 2014). Commonly accepted tests to evaluate diagnostic evidence for causal inference were used (George and Bennett, 2005; Collier, 2011; Van Evera, 1997), and I used argument roadmaps to document the evidence and the analytical process for all propositions, which will be explained in detail in the next Chapter.

In addition, qualitative case studies are an iterative, emergent, and adaptive process (Eisenhardt, 1989; Carter and Little, 2007; Yin, 2009; Rapley, 2014; Billups, 2019), which is a principle I followed throughout research implementation. Essentially, this was similar to an adaptive research design (Yin, 2009), with "frequent overlap of data analysis and data collection" (Eisenhardt, 1989, p. 538). I pursued an integration of theories, data collection, coding, and analysis, to strengthen the close connection between the empirical reality and the development of valid theories and to surface emergent concepts or relationships (Eisenhardt, 1989). Particularly for case studies that use process tracing to analyze data, the constant comparison principle was helpful to evaluate working propositions and reject alternative explanations in case multiple explanations emerged as new evidence became available (Bennett and Checkel 2015). To become more reflexive throughout the research process, I used the technique of bracketing to acknowledge and document my presumptions (Tufford and Newman, 2012), particularly

during the interview stage. Additionally, I also practiced memoing. For each new round of data analysis, I would go back to my notes and questions written in the previous round and develop new reflections and understandings that would feed into the subsequent round of analysis.

With respect to dependability, a main criterion to evaluate the integrity and auditability of data is whether there exists a detailed, logical protocol for the data collection and analysis processes (Lincoln and Guba, 1985; Lee, 1999; Yin, 2003). Tactics used in this research included developing an interview protocol that I followed, as well as establishing argument roadmaps for a "chain of evidence" (Yin, 2003) that laid the foundation for possible replication or reconstruction by future researchers.

Lastly, considering transferability, scholars maintain that generalization should not be emphasized in all research (Stake, 1978; Lincoln and Guba, 1985), and that it is almost impossible to obtain generalizability in qualitative research in the traditional sense given that its objective is to provide localized explorations. However, in case study research, one could seek to obtain analytical generalization (Ragin and Becker, 1992; Firestone, 1993; Yin, 2009) which aims at expanding, modifying or generalizing theories from a particular set of results, as opposed to "statistical generalization", which entails generalizing to a population with an enumeration of frequencies (Yin, 2009, p. 15, p.38). Following Yin's advice (2009), I used previously developed theories "as a template within which to compare the empirical results of the case study" (Yin, 2009, p. 38). The analytical framework that I derived from previous research on TPRs served as a first step toward building transferability. In fact, the same theoretical domain of transnational private policy making summarized in Chapter 2 represented the area to which the results

of this research could later be generalized by other researchers using, for example, single-case case studies, cross-case comparisons or statistical analyses for large N samples. In addition, another form of analytic generalization was that one can identify the scope of a theory, indicating the circumstances under which that theory applies (Firestone, 1993). Since the MS framework has been shown to have the power to be applied in a wide array of conditions, this research contributed to the evidence base for the MS theory, specifying new conditions under which MS theory could be applied and pointing out possible prospects of expansions and limitations.

The concept of transferability shifts the responsibility of knowledge transfer from the researcher to the reader or user of the research (Lincoln and Guba, 1985; Maxwell and Chmiel, 2014; Billups, 2019). My intent was to generate findings that other researchers can interpret for similar settings (Billups, 2019). I didn't seek generalizability that would hold in all contexts and in all times; rather, the deliberate specifications of the context would enable future researchers to make a judgement on the degree of "fit" between the context I described and the context their research would be anchored in, to evaluate the degree of transferability between my analysis and their work (Lincoln and Guba, 1984;Yin, 2009; Rapley, 2014).

Limitations

Finally, although deliberate efforts were made to improve trustworthiness throughout all stages of this research project, there were still several limitations. These included the treatment of my prior knowledge and assumptions, the methodological constraints of process tracing case studies, and the perennial question of transferability in qualitative studies, especially for my choice of examining a single significant case.

The researcher-participant relationship

First, during data collection and analysis of the interviews, it was challenging to maintain a balance between acknowledging my prior knowledge as part of the research, and sufficiently leaving the space of describing the case to the interview participants. There can be a continuum of the researcher-participant relationships (Adler and Adler, 1987; Patton, 2015), ranging from "going native" with complete immersion, to peripheral membership of marginal involvement. The space that I occupied was somewhere in the middle of the spectrum – I tried not to completely throw away my prior relationship and knowledge, while leaving the main task of recounting the case to the participants. I agree with Creswell (2013) that qualitative researchers are an instrument that not only are the primary agent for data collection, but also one that bridges the gap between the instrument and the data. My epistemological beliefs and the case study methodology influenced the way I collected data and how I constructed the researcher-participant relationship. The constructivist mindset prompted me to take an active role in jointly creating a better understanding of how OCP emerged and be thoroughly reflexive. It means that I was being myself, and I acknowledged my prior knowledge about TPRs and OCP (Carter and Little, 2007). I also believed that this research should follow the emergent design principle, according to which prior knowledge would be an integral part of the research product (Rapley, 2014).

At the same time, I also strived to subordinate my opinions and assumptions in favor of the participants, and purposely sought "participant constructed meaning" (Billups, 2019, p. 8). Some scholars have argued for a shorter distance between researchers and participants, so that the researcher can "become part of the data to be used in attempting

to understand the phenomenon" (Patton, 2015, p. 333). But the critical realist in me believed that our knowledge of the world was subject to interpretation and reinterpretation; and that realities were constructed by specific actors within a bounded context. Since the participants that I interviewed were some of the most active actors in the issue that I was interested in, and that they were much closer to the "reality" of the phenomenon than I was, I wanted to conduct the research based on their interpretation of the case. Practically, the balance was not easy to accomplish. As soon as data collection started, my own knowledge was instantly co-mingled with those of the participants. Traces of my presuppositions may have insinuated into the analysis, despite the efforts of being reflexive and practicing bracketing and memoing to separate them.

Process tracing

Second, as mentioned earlier, there are limitations in the process tracing technique. The construction and application of the empirical tests to evaluate the evidence was rather heuristic and relied heavily on context. So, the process was invariably subjective, since the decision to consider one piece of evidence for one of the tests depended largely on my prior knowledge, assumptions, and the specific orchestration of the propositions (Collier, 2011). Furthermore, the scholarship around process tracing is also evolving, especially around a better development of the rival space, where alternative explanations can be more thoroughly constructed and assessed (Zaks, 2017). As I'll discuss more in the next two chapters, I found out that two of my propositions were not mutually exclusive with their alternative explanations, which tinted my ability to confidently draw causal inferences for not only these two propositions, but also the entire causal mechanism. Nonetheless, the discrepancies prompted me to launch a deeper investigation into the

scalability issue of the MS framework to the transnational setting, and to ponder over possible theoretical avenues to enhance the framework. I will also present thick descriptions of my analytical process by elaborating on the argument roadmap for each proposition in the next chapter.

Transferability

Third, most critiques of the case study methodology center on its weak ability to generalize. Qualitative inquiry is fundamentally interpretive (Schram, 2006). Given that this research was situated within the interpretivist and critical realist lenses, I acknowledged the existence of other possible interpretations of the realities others may observe and perceive, and I didn't attempt to produce a representative picture of the world. Interpretation is diametrically different from controlling, predicting, or establishing objective linear linkages; it is about demonstrating its value through effective reasoning and persuasion (Peshkin, 2000). This means the trustworthiness of this research relies mostly on the extent of effectiveness of my reasoning, the way I presented the research, analyzed, and reported my assessment of the evidence, and the amount of insights I gleaned from one single significant case.

As explained above, I considered OCP to be a rare and information rich case, both in terms of its own trajectory, also from the perspective of practical data access. The 10-year transformation OCP has enjoyed was unique in its own way. And my privilege in being able to access internal World Bank records and interviewing almost all founding members of the initiative, particularly to study the very early stages of its development also added to the richness of the case. Nonetheless, I fully acknowledge the limitations posed by choosing to conduct a case study on one single case. I aimed at describing the

context as thoroughly as I could, in order to lay a solid foundation for future researchers to evaluate the transferability of the results from this research to another, but analysis conducted with one case could invariably be limiting.

Summary

In this chapter, I presented my methodological design of the research. I explained how my epistemological beliefs shaped my methodological choices and discussed why and how I used a case study design to achieve my research goals. In addition, details were provided on the data collection and analysis process. Lastly, I summarized how I embedded principles of building trustworthiness throughout the research design and implementation process and discussed the limitations of the research despite efforts of mitigating validity threats. The content of next chapter will be focused on the analytical results. I will discuss my discoveries and analyses of the empirical inquiries of the 7 propositions, and the inferences I drew.

Chapter 4: Results and Inferences

Introduction

This chapter is dedicated to discussing the results and findings of the research, with two main sections. The first section involves a temporal recount of the sequence of major events centered around OCP's emergence over a course of 10 years and the initiative's main features. Then, using argument roadmaps as the compass, I'll discuss the results of the empirical tests, and the inferences I drew from the diagnostic evidence.

Tracing OCP's Emergence: Ideation, Growth, and Independence

OCP's development was divided into three parts: i) open contracting (OC) as an idea (2011-2012), ii) OC as a World Bank policy initiative (2012-2014), and iii) OC as a TPR (2014-present) in the form of OCP.

Ideation: OCP as an idea (2011-2012)

I counted the start of the ideation stage when the team lead was recruited to join WBI to develop a program related to public procurement transparency and participation in March 2011, which was considered the prototype of OCP. According to a World Bank documents (the World Bank, 2013a), at the time, OCP was referred to as an "OC collaborative movement", whose objective was to tackle the problems of opacity within, and poor oversight of, government contracting. The idea of OCP was incubated in the World Bank Institute (WBI) and constituted an amalgamation of activities, including advocacy on public procurement transparency and accountability, initial discussions on a possible data standard, framing efforts of this movement, and convenings of workshops and conferences to further fine tune the idea. The collaborative was solidified into a

concrete program in late 2011 with seed financing from the German government aid agency Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) with approximately US$400,000, for events and research as well as staff time (the World Bank, 2013a). A series of deliberate, preparatory steps were taken to further conceptualize and give shape to the initiative before the official launch. A round of listening tour was carried out. One interview participant revealed that confidential conversations with 40-50 people had taken place, which formed the basic understanding of what the initiative would be about. In May 2012, an invitation-only design meeting took place with 40-50 participants over a course of three days in Virginia, USA. All participants were handpicked and came from a diverse sectoral and organizational background, and all expenses were paid for, including travel and accommodation, by the WBI (the World Bank, 2012).

The impetus of the meeting was to ask the participants whether the partnership should exist, what it should cover, and how it should be governed. Specific objectives of the meeting included (OCP, 2012; the World Bank, 2012): i) connecting diverse and innovative thinkers and practitioners working on OC; ii) understanding and identifying the key drivers and principles of the OC agenda; iii) mapping challenges and opportunities associated with advancing the OC agenda, and iv) refining the design of the OCP with a view to maximizing reach and impact. The meeting was constructed as a co-creation process, where all participants would have a voice. The WBI intentionally positioned itself as solely a coordination organization, which was part of a bigger coalition of the broader movement. After the design meeting, several “work streams”

were generated, which included global norm building, the need for a data standard, communications, and learning.

Growth: OCP as a World Bank policy initiative (2012-2014)

In June 2012, a launch event for OCP took place in Johannesburg, South Africa. OCP brought together more than 200 experts and practitioners from governments, civil society organizations (CSO), businesses, and development agencies. According to the concept note for the event, the ultimate goal of the meeting was to "jointly develop an action and research agenda for OCP, focused on opportunities for reform and improved practice at global and country levels" (OCP, 2012b, p.2). Participants were asked to map existing initiatives, identify knowledge gaps, create a shared agenda on concrete next steps for collective action, and lay the basis for OCP's medium- and long-term objectives. It was agreed that the World Bank would hold the secretariat of the initiative for 12-18 months. A Steering Committee – which later morphed into an Advisory Board – was established as well.

According to a press release issued by the World Bank on June 15, 2013 (the World Bank, 2013c), the World Bank's then Managing Director announced the launch of OCP as its own policy initiative to ensure effective disclosure and participation in public contracting, as well as its intention to develop a global data standard on open contracting, the prototype of OCDS. Using my definition on TPRs, the initiative was still at a pre-emergence stage. OCP was not a transnational private regulator at this time, because it didn't satisfy the privateness dimension of the definition, as it was organized and sponsored by the World Bank, a multilateral organization governed by the Board of Governors who are representatives of national governments.

Independence: OCP as a Nascent TPR (2014-present)

Account evidence from interviews suggested that OCP's independence was a deliberate design choice. In November 2014, about 17 months after the launch event, things were put in motion. The inaugural Steering Committee of OCP, which convened in November 2014, decided that OCP should be established as an independent organization with an initial set-up of a fiscal sponsorship to minimize administrative and operational burdens. The Executive Director of OCP was also hired at the time and was tasked to develop a strategic plan for OCP's programs and activities for the coming three years.

Several OC team members moved to the independent organization, while some remained within the World Bank. The initial idea was that the remaining open contracting team within the World Bank would work in conjunction with the independent organization. The World Bank was then treated as one of the partners of OCP, the new and independent entity. Although there were efforts of clearer division of labor, the parallel existence created some degree of confusion and frustration on both sides. During the transition period, the World Bank also went through a massive restructuring process, which effectively dissolved WBI. The aim of the re-shuffling was to shift the focus to World Bank's core operations (e.g., lending services); and the parts that were constructed to push for more experimental and forward-looking programs on knowledge and capacity building – which were covered mostly under WBI, including the original OC team – were rendered almost irrelevant overnight. The sudden change of the institutional landscape created a lot of uncertainty for the future of the remaining team of open contracting within the World Bank. One founding member mentioned that it was a period "where we were working under the water", and that they were barely able to continue, "holding a

very thin thread". The independent OC team tried to infuse OCDS into the World Bank's own procurement systems from the outside. But they "made very big efforts, but failed dramatically", one OCP founder lamented.

Changing Norms in a "New Policy Space"

OCP has been trying to occupy a "new policy space" (Kaul, 2019, p. 265-266) in transnational policy making. As discussed earlier, global policy problems can be categorized into several groups: i) trans-boundary problems, ii) common pool problems, and iii) simultaneous problems (Raab and Milward, 2003; Deacon, 2007; Stone, 2008). Most previous empirical literature talked about the prevalence of TPRs that aimed at solving trans-boundary problems and the common pool problems. The policy puzzle that OCP aims at tackling relates to the third category, which is a "simultaneous problem" that many nations experience; more specifically, it is a reaction to rampant corruption and lack of transparency and accountability in the functioning and operations of the public procurement market.

The OCP was not the first to enter the policy space, but the majority of the GPC members confirmed that the OCP redefined and expanded the space to some extent. The OCP invented a new lexicon – "open contracting" – which carries a specific meaning, embodies normative policy ideals for more transparent and participatory public procurement processes, and occupies a niche policy space within the broader open government movement. As I'll detail more in the discussion of Proposition 1B, all three words in OCP's organizational brand has deliberate framing efforts behind them. The GPC members that I interviewed almost unanimously confirmed that "open contracting"

is now an accepted term in public policy circles about procurement transparency and accountability.

The norm-making intention of the OCP was evident from the very beginning. It aimed to become a global champion of "global principles to shift current contracting norms" (the World Bank, 2012, p. 9). The grant agreements that OCP signed with donors in the early days of its formation were filled with OCP's norm-changing ambitions. In the first contribution agreement that OCP signed with Omidyar in August 2015, it stipulated that the expected impact of the OCP would be measured by the following three indicators: "i) how many open contracting policy commitments are made; ii) how many entities adopt the open contracting data standard, and iii) how norms and dialogue around open contracting change" (OCP, 2015a, p. 10). OCP made it an explicit goal to attract voluntary adopters of OC principles and OCDS and made a written promise to its financial supporters about it. The agreement with Omidyar also specified that the OCP's short term goal was to seek recognition of the OC principles in international fora, governments and businesses and the adoption of OCDS, which were almost mirror images of my Proposition 2A. Similarly, the grant agreement with the Open Society Foundation signed in December 2016 spoke to the same goal, which was to "establish a new norm of disclosure and broad participation in public contracting" (OCP, 2016c, p.1).

The Private Regulator

OCP's spin-off signified its emergence as a transnational private regulator. The privateness criterion was satisfied by the fact that it became an entity independent of the World Bank. This particular event made OCP a unique and rich case to study. A variety of rationales were behind such a transformation, which showed OCP entrepreneurs'

desire to obtain private authority and legitimacy. I will provide more details about it in the discussion of Proposition 2B.

Upon the independence, OCP set up a fiscal sponsorship with the Fund for the City of New York (FCNY), a nonprofit corporation organized under the laws of New York. According to grant agreements signed between donors and OCP, the contributions were made to OCP's fiscal sponsor FCNY. Established by the Ford Foundation in 1968, the FCNY is organized and operated for charitable, education and or scientific purposes within the meaning of Section 501(c)(3) of the US International Revenue Code (IRS). Even though OCP has not obtained its own legal non-profit status, its organizational purpose and fiscal sponsor are decidedly non-state in nature. Thus, it fits the definition of a TPR upon its spin-off from the World Bank in 2014.

OCP is currently sponsored by FCNY's Incubator/ Partner Project Program (The Fund for the City of New York, 2020), which provides back-office support on essential administrative and management functions for start-up organizations, including financial management and human resources functions. So far, FCNY is supporting 62 non-profit initiatives under the Partner Project Program. The type of fiscal sponsorship that OCP is currently engaged in is believed to be important to nurture the growth for nascent non-profit initiatives that don't have enough resources to establish themselves legally as a 501(c) organization, and it is good for early-stage organizational efforts that need a launching pad for what may eventually become new non-profit organizations (Andersson and Neely, 2017).

With its gradual growth in both staffing and budget, OCP's Advisory Board in 2019 asked that OCP start exploring its transition from fiscal sponsorship to a stand-alone non-

profit form, an independent 501(c) organization (OCP, 2019a). According to official minutes of the Advisory Board Meeting in October 2019 (OCP, 2019a), the Advisory Board recommended that OCP commission a law firm to conduct a feasibility study on the legal implications of leaving the fiscal sponsorship and becoming an independent 501(c)(3) organization. The Advisory Board also suggested that OCP reach out to other organizations who recently had gone through a similar process to solicit advice.

To some extent, one may surmise that OCP during this stage is a neophyte TPR, with its main activities dedicated to promoting and growing a TPR, which has garnered much adoption and support, but without administrative independence. Once it removes its affiliation with FCNY, it would assume a 501(c)(3) status on its own and become a non-profit organization and morph into a stereotypical, full-fledged TPR. Such a characterization makes the case even more unique, as it shows that it takes roughly ten years and several institutional forms for one idea to grow into a complete TPR, and in-depth analysis into how policy elements interact with one another in the prolonged agenda-setting process before a full-fledged TPR is born would yield unique insights.

The Evolution of the Scope of Work

OCP's value propositions and scope of work evolved over time. At the beginning, the focus was on citizen participation and third-party monitoring in procurement projects. At OCP's birth in WBI, account and trace evidence showed that there were some existing programs related to open government and procurement monitoring in countries in Africa and Asia in specific sectors, including extractives industries, infrastructure, health, and education (the World Bank, 2013d). The feedback from local, in-country stakeholders

was that contract monitoring was a space where there were the most challenges but had the least support from local and international actors.

As OCP departed the World Bank, more structured thinking went into the design of OCP's positioning. The focus began to shift to transparency, and gradually to open data. Notably, the OCP founders remarked that OCDS was not something that they had thought about before. It was because the initial cohort of stakeholders coming from the technology and data backgrounds were very adamant that the OCP team started exploring the potential of developing a data standard. The Web Foundation put the technical specifications of the OCDS together, while the OC entrepreneurs played an oversight role in the development process. To follow the true spirit of openness, the team used open-sourced GitHub at every single step, so that anyone who was interested in the development of OCDS could provide comments and contribute. Later on, more emphasis was placed on data use and analytics, which more prominently brought out OCP's benefits on efficiency and equity, a feature that greatly appealed to private sector stakeholders.

Regulatory Tools: Normative vs. Technical

At the empirical stage of this research, I realized that the OCP possesses two specific TPRs to realize its transnational regulatory ambition. The OC global principles, ***the normative TPR***, are a set of normative ideals, guidelines and best practices for disclosure and participation in public procurement. They are a coherent articulation of norms and conventions that help make the contracting process more transparent, fair, competitive, and accountable. However, there was a general sense among both OCP entrepreneurs and GPC members that the principles were too general. Despite the global appeal of the

principles, it was difficult to operationalize them into concrete activities without further interpretation or localization in specific contexts. This gap, in turn, was filled by OCDS, ***the technical TPR***, which is an embodiment of OC principles with a focus on open data. OCDS describes the specific rules that need to be followed to publish procurement data, and provides detailed instructions on how to collect, manage, and public contracting data in a structured format. The OCP itself is more than an organization. They (OCP) have built a brand that was above and beyond the actual organization"; and "it was a network and a movement", several GPC members stated in the interviews.

The inclination for norm building (i.e., OC principles) and the promotion of a technical policy option (i.e., OCDS) went hand in hand in helping OCP achieving its goals. This was a situation where one plus one was greater than two. The combination of the two regulatory tools provided a more powerful foundation for OCP to propel policy changes. First, it would link up upstream and downstream discussions in procurement reforms. The OC principles were a useful reference for upstream policy design, which often involved changes in legal provisions that defined how government information should be published. The OC principles provided a useful framework for effective laws that endorsed transparency and participation in government services. However, the implementation of the laws sometimes were futile efforts. One GPC member disclosed that in Nigeria for example, procurement records downloaded through requests of Freedom of Information Act and Public Procurement Act were useless and completely unactionable – users couldn't perform searchers and the data across different government entities were not connected.

This was where the OCDS, the technical TPR, would add value – it enabled a smoother downstream policy implementation. Several OCP entrepreneurs indicated that the OCDS was a means to an end (i.e., implementation of OC principles and ideals), and most the GPC members confirmed that OCDS was an easy entry point for implementation of complex reforms. For some, OCDS could encourage adoption of OC principles in a relatively apolitical way. When all the principles were operationalized into an easy-to-use data portal with functions of searching and analytics, the types of reforms that should be implemented became more apparent. Additionally, OCDS also connected transparency with accountability; it served as a diagnostic tool to measure procurement impacts, which can then engender dialogues for more radical reforms. Armed with data on the mapping, gaps, discrepancies, and doubtful information displayed by a unified data portal enabled by OCDS, reformers can more confidently demand changes of the public contracting process in front of government authorities. Most OCDS data portals also enabled data visualization, which was more effective than text-based documents to persuade policy makers for changes.

Summary of Results

Table 8 summarized the results of the empirical tests. For the 3 propositions on the policy streams, I was able to confirm four of them, but had doubts on two of them, including i) Proposition 2B, where coalition building was integral to OCP's growth, and ii) Proposition 3A, which had traces of evidence that indicated a relative stable policy community in which OCP was anchored. For the 7th proposition on the relationship of the policy streams, although the relationships and forces involved were complex, there was some pattern that could be identified. Therefore, I also couldn't confirm Proposition 4. I

will discuss in detail my assessment process for each proposition and the inferences I drew from the discoveries in the following section.

Propositions	Assessment Result	Inferences
Proposition 1A	Confirmed	- Inference 1A.1: Focusing events as triggers for a new policy solution - Inference 1A.2: Transnational regulatory voids propel policy innovation
Proposition 1B	Confirmed	- Inference 1B.1: Framing as a core tool for a new TPR
Proposition 2A	Confirmed	- Inference 2A.1: Endorsement of a TPR through the recognition of private authority and legitimacy
Proposition 2B	Rejected	- Inference 2B.1: Entrepreneurial TPRs may not undergo comprehensive evaluations of institutional options - Inference 2B.2: Private legitimacy as a key concern for the trade-off between being "public" and being "private" - Inference 2B.3: Coalition building as a core strategy to attract voluntary adoption
Proposition 3A	Rejected	- Inference 3A.1: The stability of the "political" mood vs. debates on policy tactics
Proposition 3B	Confirmed	- Inference 3B.1: Balancing diverse interests and preferences as a core feature for a new TPR
Proposition 4	Rejected	- Inference 4.1: Complex relationships between policy problems and policy solutions - Inference 4.2: Can changes in policy problems and solutions leave politics unaffected?

Table 8: Summary of Results

Drawing Causal Inferences

Overview

In the following section, I will present the results of my empirical investigation. For each proposition, I'll discuss the argument roadmap, which contains the proposition, alternative explanation, and expected fingerprints for the tests. I will first introduce a

synopsis of the evidence I found from the different sources of data I collected and offer my conclusion on whether I confirmed or rejected the proposition. Then, I will elaborate on the inferences I drew for each proposition and preview additional theoretical and methodological insights I'll offer in Chapter 5.

Causal Element 1: Policy Problems

	Working Propositions	**Alternative Plausible Explanations**
Part 1 Policy Problem	Proposition 1A: The global policy community recognizes the broader macro-economic and political conditions, including the existence of institutional void.	Broader macro-conditions, including an institutional void, either do not exist, or the global policy community does not pay sufficient attention to them.
	Proposition 1B: Policy entrepreneurs frame the policy issue in a way that appeals to a wide set of global governance actors in the transnational policy community.	There existed clear storylines and rationale of why there is a policy problem related to public contracting.

Proposition 1A

Summary of Argument Roadmap

Proposition 1A: The global policy community recognizes the broader macro-economic and political conditions, including the existence of institutional void.
Alternative Explanation of 1A: Broader macro-conditions, including institutional void, either do not exist, or the global policy community does not pay sufficient attention to them.
Expected Fingerprints: **Passing a Smoking Gun Test**: account or trace evidence of events or incidences, such as major economic events, scandals, or public outcries, that can lead to demand for a TPR focused on transparency and participation in public procurement; and account or trace evidence that points to deficiency of government capacity in dealing with the problems identified by the global community, which generates a regulatory void
Passing a Hoop Test: announcements or reports of workshops, conferences or trainings related to open contracting or broader topics related to public procurement transparency and participation.
Passing a Straw in the Wind Test: articles and documents that mention problems related to public procurement, particularly around transparency and participation.

Table 9: Summary of Argument Roadmap for Proposition 1A

Table 9 summarizes the argument roadmap for Proposition 1A, which was broadly about understanding the demand for a new TPR. I looked into the GPC's recognition of the policy problems associated with the political and economic conditions and the existence of a regulatory void that may call for a new regulatory solution from a non-state actor. Two sets of empirical fingerprints were expected: i) focusing events, such as major economic events, scandals, or public outcries, that can lead to demand for TPRs focused on transparency and participation in public procurement, and ii) capacity load, which includes evidence of the realization of the deficiency of the capacity of state actors in dealing with the problems identified by the global community, which generates a regulatory void. Evidence that would pass a Straw in the Wind Test involves the evidence that mentions the problems related to public procurement, particularly around transparency and participation. The existence of these records wouldn't necessarily prove that the GPC members paid much attention to OC related challenges, but they would affirm the relevance of the proposition. To pass a Hoop Test, there should be sufficient evidence related to the existence of workshops, conferences or trainings organized for topics related to the policy problems that open contracting was trying to address in government transparency and accountability. These topics would include anti-corruption, value for money of public funds, public accountability, citizen participation, and fair competition for the procurement marketplace, etc. To pass a Smoking Gun Test, the evidence needed to be distinctly contextualized in the work around open contracting. In particular, the evidence should establish a connection between the GPC's actions – the

recognition of the economic and political conditions and/or the perception of a regulatory void – and the demand for open contracting.

I found convincing evidence that passed the Hoop Test – the GPC was keenly aware of the ebbs and flows of the various waves associated with the policy problems about public contracting, and more broadly around transparency and accountability of public authorities. In addition, crucial evidence surfaced that passed a Smoking Gun Test for the idea that focusing events had paved the way for a new TPR to emerge on open contracting, and that there were perceived regulatory voids. In particular, three types of regulatory voids were discerned by the GPC. At the aggregate level, I concluded that there was overwhelming evidence to confirm Proposition 1A.

Inference 1A.1: Focusing events as triggers for a new policy solution

I found critical evidence that passed a Smoking Gun Test for the notion that focusing events were directly linked with the demand for OCP. Political and economic focusing events in several countries were triggers of more advocacy of open contracting. The push for access for information has been around for decades, but it was only around the late 2000s and early 2010s that global efforts started to converge in open government. At the beginning, the declarations from high-level political figures fueled public excitement. President Obama's address at the UN General Assembly meeting in 2011 (Obama, 2011) marked the debut of the global race on open government. In an attempt to curb corruption, Brazil was among the first few countries to pioneer real time disclosure of politicians' expenses. In Indonesia, the government's effort to recover from the tsunami required them to be much more transparent about public expenditures so as to attract international donors in the relief efforts. For the UK, a call for more openness in the

government system and hosting the 2016 Anti-Corruption event kick started its journey to become a front runner in the open government movement.

In some countries, the increasing awareness of the need for OC centered on a rationalistic argument on the efficiency gains related to transparency practices on public contracting. In Australia and Mongolia, discussions around open contracting surrounded the boom of the mining industry. In Australia, the driver was a concern over costs, labor issues, and overall competition in contracting processes (Magnay, 2013). In Mongolia, the fear of "resource curse" – the paradoxical phenomenon of abundant endowment of natural resources and low levels of economic development – pushed the public to consider OC, because despite the rapid development of the mining sector in the country, few benefited from it ("The Resource Curse", 2013). Similarly, in Russia, the government's large-scale privatization plans raised concerns about public accountability and contract transparency, which increased public demand for more OC ("Cutting Russia", 2012).

For others, scandals around corruption were the main trigger. In Ghana, corruption scandals related to public spending, especially around "judgement debts" paid by the Ghanaian government to companies and individuals, propelled journalists, and civil society to call for the adoption of OC practices ("Judgement Debt Looms", 2020). Judgement debts usually occur during transitions of government, when new governments abrogate contracts awarded by its predecessor, citing alleged fraudulent or corrupt practices in contract negotiation processes. When contracts are revoked, companies sue the current government in court, who may be then mandated to settle the debts with an exorbitant amount of interests. For example, the payment of an initial contract award of €27 million in 2002 to a company called Construction Pioneers ended up being €163

million 7 years later in 2009, which means that the government had to pay an interest at almost €13,000 a day ("White Paper Report", 2015; Cornelius, 2019). Undoubtedly, suspicions of fraud and corruption arose amidst high-profile cases like this. An independent commission led by a judge was formed in 2012 to investigate judgement debts, especially to ascertain the causes of inordinate payments from public funds and the associated financial losses from arbitrations and settlements. A government white paper report was issued in 2015 with the investigation results, recommendations, and the government's response, which called for contract transparency ("White Paper Report", 2015). The Ghana Integrity Initiative and the African Parliamentarians Network against Corruption also called on the African Union as a whole to adopt OC principles ("Civil Society Experts", 2017).

Public media records also showed that other big headlines, such as the Panama Papers, Clinton emails, and the Covid-19 pandemic, engendered more demand of OC practices. In 2016, numerous secrete offshore accounts were unveiled from records leaked from a law firm based in Panama, and many were linked to public figures including national political leaders and close family members. A call for a global beneficial ownership registry as well as the adoption of OCDS was made in the UK ("Panama Papers", 2016). A key-word search into the publicly released emails from Hilary Clinton, then US Secretary of State, uncovered that a surprising proportion of emails related to the US Agency for International Development (USAID) were about the need for more contracting transparency ("Clinton Pushed", 2015) and the Center for Global Development (CGD, 2014), a global think tank based in DC, used the occasion to advocate for contracting reforms in USAID, with a direct call of adoption of OCDS.

In 2020, the Covid-19 pandemic dealt a devastating blow to the world, and how the governments spent public funds on emergency purchases drew much attention. It was revealed by a media alliance ("Mexico Buys", 2020) that in Latin America, the price at which governments paid to purchase respirators for intensive care units in hospitals was highly uneven, which raised the risk of irregularities; and the lack of transparency on the list of acquisitions, some of which were made without open bidding, further eroded public trust. The World Economic Forum (WEF), a global non-governmental policy organization, openly advocated for the adoption of OC principles and OCDS in countries' fight against the pandemic in Latin America ("Why Data", 2020). As I'll discuss later in the context of Proposition 2A, the endorsement and promotion of OCDS by the WEF can also been regarded as a major piece of evidence for the private authority and legitimacy of OCP upon which the GPC had bestowed.

Inference 1A.2: Transnational regulatory voids propel policy innovation

Three types of regulatory voids were recognized by the GPC: i) a divergence of preferences from nation-states on how to regulate public procurement reforms, ii) the challenges associated with dealing with "simultaneous problems" that cross borders, and iii) a lack of a hegemonic power to fulfill a coordination function at the transnational level. First, scholars (Strange, 1996; Hajer, 2003; Bartley, 2007; Green, 2013) predicted that heterogeneous preferences of nation-states may lead to private regulatory alternatives at the transnational level, and I observed this tendance in the context of how to implement public procurement reforms. Countries at various development stages saw OC norms differently. One GPC member observed that in certain African countries, it was a taboo to even talk about public contracts in the early 2010s, and as of 2015, there was not a single

African country that had signed onto the OGP action plans. For other countries, OC principles represented the lowest standard, and a normative ideal that all countries, regardless of their development stage, should all adopt. In addition, some institutions maintained that transparency may not always be good, and that it should be balanced with the need of privacy and confidentiality to ensure safety and fairness. This body of evidence that pointed to diversified preferences in this regard would pass a Smoking Gun Test.

Second, corruption, unfair competition, and lack of citizen engagement in public procurement were "simultaneous problems" that crossed borders. Existing literature indicated that when there was perceived decline or inadequacy of governance capacity of nation-states to govern these issues, a transnational private initiative can help fill the governance void and put forward a new form of authority (Wapner, 1997; Cutler et al., 1999; Riain, 2000; Knill and Lehmkuhl, 2002; Selsky and Parker, 2005). In the original MS framework, the capacity of governmental actors to deal with the policy problems was regarded a main indicator for the policy problems stream. In the context of TPRs, scholars equated low capacity load as regulatory voids. As discussed in Chapter 2, such a conceptualization provided an important theoretical forum for researchers to better understand why TPRs emerged.

In the case of OCP, there was varied understanding of the level capacity load in governmental actors at country and transnational levels. At the country level, the concept of capacity load slightly changed its parameters in the discussion of policy problems in public procurement. Deficiency in government capacity traditionally spoke to lack of capacity in the design, implementation and management of a certain policy problem, and

the existence of *inaction or inadequate action* could be the expected to be the observable manifestations. In the context of this case, it was the *wrong actions* (i.e., corruption and inefficient use of public funds) that embodied government's deficiency. Additionally, deficiency in capacity load didn't concentrate on governmental entities; there also appeared to be low capacity among non-state actors who were potential proponents of OC principles and OCDS. These included mostly CSOs at national levels. Several CSO members in the GPC that I interviewed expressed that high-level political commitments needed to be matched with proper installed capacity in non-state actors in order to help monitor and implement the reforms.

At the transnational level, some GPC members that I interviewed lamented that at the beginning, there was insufficient evidence that could point to the need of more transparency data publication. One GPC member bluntly commented that "everyone said it was important; but there was no demand." The perceived supply-orientation of OCDS was shared among a few policy community members, at least when they were reflecting on the early years of OCDS' implementation. It seemed that OCP was using OCDS to advocate for more data publication, but it was not clear why they were asking for it and what they'd use the data for. However, for OCP founders, it was obvious that there was low capacity for transnational organizations occupying the same open government policy space to develop and implement data publication standards dedicated to the full cycle of public procurement. This body of mixed traces and adapted understanding of capacity load passed a Hoop Test, but not a Smoking Gun Test. That is, they confirmed the existence of discussions about governmental actors' capacity load, but the evidence was

not strong enough to support the idea that there was clearly a regulatory void originated from capacity deficiencies, especially from the perspective of the GPC.

The third void discerned by GPC members pertained to the lack of a focal institution (Green, 2013) in public procurement reforms, or a hegemonic power exerting leadership by inter-governmental bodies (Strange, 1996). I didn't discover any evidence that pointed to organizing or mobilizing efforts around procurement transparency and accountability by inter-governmental entities, other than the Word Bank, OCP's birthplace. As for transnational non-state efforts, in the early 2010s when OCP was being developed, there were several prominent sectorally focused standards and guidelines, such as the Extractive Industries Transparency Initiative and the Construction Sector Transparency Initiative, which didn't zero in on procurement transparency and participation, but acknowledged contracting as an important component in their work. The Open Government Partnership, which took off at around the same time as OCP was being developed, was another potential coordination mechanism at the transnational level, but it was dedicated to transparency for the whole of government.

Thus, the coordination void on public procurement transparency and participation was directly recognized by the GPC. Their initial preference for OCP's role was that the OCP would become a coordinator linking dispersed efforts together – some of which were already underway – encouraging interactions, synchronizing approaches, and making them work more effectively. However, it was admitted that what OCP ended up becoming had slight deviations from the harmonization void that some GPC members had expected. When the OC initiative was still being incubated in WBI, it substantially responded to the coordination demand, primarily employing OC principles as the

normative regulatory tool. But as soon as it was spun off, one GPC member surmised that the OCP went off track – OCP created its own standard (i.e., OCDS) in the end and devised separate work programs.

My assessment of the presumed "mismatch" of the void perceived by the GPC and OCP's offering was that it was a dispute on the chosen policy instruments, not on the existence of the void. In essence, both the GPC and OCP agreed that there was a lack of a transnational mechanism that would harmonize procurement transparency standards, but they differed on tactics. To further validate this evaluation, I looked further into sequencing evidence and triangulated interview data with document analysis. It was apparent that none of the initiatives that existed previously integrated data elements into their guidelines. The OCP put the spotlight on data and used a technical regulatory tool, a data standard, as the harmonization device, to fill the coordination void. I would conjecture that if OCDS was never materialized, and that OCP had purely relied on OC principles as the regulatory instrument, the perceived mismatch of demand and supply may have been much more pronounced. The combination of a normative regulatory tool, OC principles, and a technical mechanism, OCDS, brought added value to OCP's work.

Overall, at the aggregate level, I found critical pieces of evidence that spoke to how focusing events and regulatory voids laid the foundation for a TPR to emerge, despite different perceptions and preferences on how the void on a lack of a focal institution should be filled, which was not the focus of this proposition. To conclude, I confirmed Proposition 1A.

Proposition 1B

Summary of Argument Roadmap

Proposition 1B targeted at OCP founders' proactive efforts to properly position a policy issue and articulate its value propositions. Table 10 below summarized the empirical observations I had expected to find. When filtering the evidence through the Straw in the Wind Test and the Hoop Test, it was easy to dismiss the alternative explanation. I discovered a great deal of meetings and consultations dedicated to OCP's framing. Interviews with OCP founders also revealed the details of the strategy meetings on framing and problem definition which generated affirmatory power for the proposition. It was apparent that the storyline for OCP as a TPR was not always clear cut, and there were stumbling blocks throughout its journey, where the framing was off course and left confusing impressions within the GPC. But OCP entrepreneurs were always keenly aware of the policy trends and were aggressive in its framing and communications efforts. Interview data also highlighted that almost all GPC members validated and praised OCP's positioning attempts and maintained that OCP's framing, and story-telling abilities were one of their strongest assets. Overall, the aggregate assessment passed a Smoking Gun Test for Proposition 1B. I confidently concluded that framing, branding, and targeted advocacy efforts were a core component in establishing and promoting OCP as a new TPR.

Proposition 1B: Policy entrepreneurs frame the policy issue in a way that appeals to a wide set of global governance actors in the transnational policy community.
Alternative Explanation of 2B: There existed clear storylines and rationale of why there is a policy problem related to public contracting.
Expected Fingerprints: **Passing a Smoking Gun Test**: evidence of the details of the deliberations and discussions on how to frame and position OCP

Passing a Hoop Test: evidence of actual meeting agendas and reports that demonstrate that discussions about framing took place
Passing a Straw in the Wind Test: evidence of deliberations about OC framing taking place

Table 10: Summary of Argument Roadmap for Proposition 1B

Inference 1B.1: Framing as a core tool for a new TPR

Since OCP was an entrepreneurial TPR, a policy solution that was not in existence before, branding and framing were a central strategy throughout its growth trajectory. OCP's framing efforts largely followed three tracks: citizen engagements, open data, and learning.

It was apparent that it took an entrepreneurial spirit and proactive efforts to construct the storyline for OCP. In the early days leading up to the design meeting, the team started "creating outlines of the brand, so as to let people color within them", one OCP founder explained. All three words in OCP's name were heavily debated and carefully chosen to convey different features of OCP's goals. Discussions were had on whether "open" was the appropriate word to describe OCP's goal towards procurement transparency. Because in the procurement world, an "open" contract conventionally means a contract has not been awarded. Nonetheless, because of the broader open government movement that was gaining significant political and social momentum, the team believed that using the word open would closely tie the initiative with the positive open government sentiments. The second word "contracting" denotes a sense that OCP aims to cover the value chain of the entire contracting process, from bidding, evaluation, implementation, to monitoring. The team didn't opt for the word procurement because it sounded too conventional and wouldn't help with the reform-oriented messages that OCP hoped to communicate. Lastly

on the third word “partnership”, other alternatives like collaborative, lab, or fund were debated. The final decision to go with the word partnership highlighted the desire that this initiative required partners, and that it would owned by a cohort of like-minded reformers.

At the beginning, the majority of the framing efforts were channeled into demonstrating the benefits of bringing CSOs to play a bigger role in monitoring the implementation of public contracts. It was about “creating a better ecosystem of stakeholders to engage around improving procurement systems”, one OCP founder commented. In the Philippines for example, a new citizen-centric regulation was created, which allowed civil society monitors to sit on bid evaluation committees for bid openings in informal capacities. OCP tried to push for normative changes on good governance. The value proposition for OCP used at the time was that it would help fight corruption, establish integrity in public bureaucracies, and hold governments to account for the services they deliver. These matched well with the characteristics of moral authority that scholars had discussed (Hall and Biersteker, 2002). As I’ll discuss in the next section, there was overwhelming support for the recognition of OCP’s moral authority, which also laid the foundation for the perception of its private legitimacy.

Nevertheless, OCP’s framing at the beginning was a bit ambiguous. World Bank and OCP documents revealed that OCP founders developed a positioning paper in 2013, outlining the benefits of open contracting (The World Bank, 2013b). But some GPC members were confused about the initial framing. For example, it was pointed out that the concepts of e-procurement and open contracting were not sufficiently distinguished; how open contracting would fit into the broader public financial management reforms

was not clearly delineated; and the connection between more disclosure of procurement data and government accountability was ill-defined. In addition, the generic use of the word "citizens" in its narratives was also deemed problematic, since it was believed that most ordinary citizens were passive users of information, rather than active seekers of accountability. Interestingly, this particular concern on a lack of differentiation of what constitutes "citizens" was brought up again a few years later after OCP had already become a TPR. OCP declared in its Annual Report (2017b) that it would further distinguish its offering to different types of civil society members, as some were pure advocacy groups, some worked as implementation partners with governments, and some focused media and academic activities.

Upon its spin-off, OCP entrepreneurs started to concentrate on the benefits of open data in the broader framing of OCP's value added, and that it committed to "tailor the arguments more" (OCP, 2015c, p.14). At the first few meetings for the OCP Advisory Board, attendees spent considerable time discussing the overall framing of OCP. For example, in November 2014, the Advisory Board had a deep dive session on outreach and communications, in which the positioning of OCP was discussed thoroughly. It was preferred that OCP should be "technically sound without sounding technical" (OCP, 2015c, p. 2). More emphasis was placed on data use and analytics, which more prominently brought out OCP's benefits on efficiency and equity. They also decided on riding the wave of the promotion of evidence-based decision making and highlighted that OCDS data could help deliver value for money (i.e., efficiency) for governments, and create a level-playing field for business participants in the public procurement market through fairer competition (i.e., equity). The framing around efficiency and equity was

also fitting for its advocacy objective around anti-corruption. At the 4th Advisory Board meeting, the focus was squarely on linking OCP with the anti-corruption movement, which would culminate at the UK Anti-Corruption Summit in London (OCP, 2016). The Executive Director of OCP articulated OCDS's merits in fighting corruption in a press release at the launch of OCDS (Hayman, 2014): "*it is time to end secret deals between companies and governments to make sure public resources are spent openly, effectively and efficiently. Having accessible, comparable data covering the key items of information in a deal is key to achieving this objective."*

Several GPC members that I spoke to observed that at the beginning of OCDS's journey, more data publication didn't lead to intended reforms, and there was a sense of "fluffiness" in the bold claims that OCP had put forward: some data portals of procurement contracts following OCDS were rarely used; and that huge amounts of public savings can be reaped from procurement reforms by implementing OCDS could also be a tenuous assertion. Some GPC members lamented that OCP should have focused more on showing "X will lead to Y, and why." (OCP, 2017a). OCP acknowledged in its 2017 Annual Report that some implementers of OCDS embraced transparency for its own sake, as opposed to being motivated by efficiency indicators; and that most governments seemed to be driven by outputs rather than outcomes (OCP, 2017b). In addition, the criticism on the lack of evidence supporting OCP's claims motivated OCP founders to incorporate more performance and result indicators into its story telling, and present more nuanced framing for different stakeholders. It committed to encouraging rapid piloting and prototyping to deliver early wins to show early results. The Board was also concerned about the sentiment that OCP was just a transparency

organization without care of impacts. A Board discussion was dedicated to the framing around "openness" (OCP, 2018). Previously, OCP's value proposition was marketed around "open by default", which encouraged maximum transparency in public procurement. To alleviate the bias towards transparency, the Board proposed alternative organizing concepts such as "open by design" or "open as soon as possible" (OCP, 2018, p. 5).

Lastly, a persistent strand of OCP's framing strategy was on the importance of learning, which corresponded to a desire to establish knowledge authority. To some extent, this objective essentially carried out WBI's mission, which put a premium on knowledge exchange, sharing, and learning. Nowadays, OCP zeros in on learning around OCDS, and provides guidance on how to publish, implement, and use procurement data. These learning materials are then transformed into insights that can be leveraged by the broader community for their reform and advocacy efforts.

To sum up, the existence of the detailed deliberations on branding and communications passed the Straw in the Wind Test; and the available meeting agendas, minutes, and GPC's accounts of the content of the meetings passed the Hoop Test and dismissed the alternative explanation. More importantly, the struggles, extensive efforts, and adjustments in strategies of framing provided more convincing evidence to pass the Smoking Test. Therefore, I confirmed Proposition 1B.

Causal Element 2: Policy Solutions

	Working Proposition	**Alternative Plausible Explanations**
Part 2: Policy Solution	Proposition 2A: The global policy community directly recognizes the private authority and legitimacy of OCP.	OCP gains authority and legitimacy through indirect recognition of the global policy community, by being part of the open government movement.

	Proposition 2A: Policy entrepreneurs evaluate policy choices and prioritize a particular solution (i.e., OCP).	Policy entrepreneurs do not intentionally prioritize OCP as the better policy instrument; OCP was among a set of open-government related instruments that policy entrepreneurs promote.

Proposition 2A

Summary of Argument Roadmap

Proposition 2A was about the external validation of OCP's private authority and legitimacy as a transnational private regulator. An aggregate evaluation of pieces of evidence from different sources led me to conclude that the GPC largely recognized OCP's private authority and legitimacy. Table 11 summarized the argument roadmap with the empirical traces I had expected to find. To pass a Straw in the Wind Test, there should be traces of events dedicated to discussions about open contracting, and related data standards in public procurement in the broader policy community. I found that there were numerous relevant events, such as trainings, workshops, seminars, and conferences, which were organized or attended by GPC members. This increased the plausibility of the proposition but didn't confirm it. Then, I filtered evidence by administering a Hoop Test, with two types of anticipated evidence. One type dealt with mentions of OC, OCP or OCDS, either individually, or collectively with other similar initiatives; the second set was related to media citations of OCP's products which spoke to OCP's knowledge authority. I also used the Hoop Test as an exclusionary tool to consider all "suspects" – I actively looked for evidence for the alternative explanation and sought opportunities to dismiss the main proposition. Two sets of the Smoking Gun Tests were launched for Proposition 2A. Evidence that passed an Easy Smoking Gun Test included direct public declarations of the adoption of OC principles and/or OCDS. A more difficult Smoking

Gun Test constituted evidence of third-party advocacy on behalf of OCP – account or trace evidence of reputable global policy organizations mobilizing for the adoption of OC principles and/or OCDS. When policy community members were able to articulate a TPR's comparative advantage and explain OCP/OCDS's strengths and value added, there was an added layer of solid support of the proposition. I found convincing evidence that passed both the easy and demanding Smoking Gun Tests.

However, I also struggled with the disconfirmation process for the alternative explanation. As the empirical tests progressed, I realized that the proposition and its alternative explanation were not mutually exclusive. The two assumptions both made a similar prediction, which was that OCP cultivated its authority by gaining public endorsements and recognitions. But the difference between them lied in how the mechanism operated - whether through a single endorsement or mention of OCP itself (i.e., the working proposition), or through a recognition or mention embedded in a bundle of initiatives (i.e., the alternative explanation), which would indirectly lend authority to OCP.

To reconcile the congruency between the main proposition and alternative explanation, I further studied the time stamps of critical evidence (i.e., sequence evidence) in order to bring nuance to the assessment. Two realizations pushed me to eventually affirm the proposition. First, the sequence evidence pointed to a gradual accumulation of more explicit endorsement of OCP and the recognition of OCP's potential impact by the GPC over time. Evidence on bundled recognition that passed the Hoop Test mostly surfaced in the first half or middle part of the 2010s, while dedicated endorsements of the OCP that supported the proposition came up in the later years of 2010s. For instance, in 2015, an

international organization, the Asia Pacific Economic Conference (APEC), held dedicated sessions on open data and mentioned several transparency-related initiatives as potential candidates to advance the global agenda of open governance, including OCP ("At APEC Meetings", 2015). In the same vein, in an official testimony about tools of anti-corruption at a hearing held by the Senate Foreign Relations Subcommittee on Africa, OCP was cited, among other similar initiatives on transparency ("The Senate", 2016). Both were critical pieces of evidence that passed the Hoop Test and supported the alternative explanation. In 2020, the World Economic Forum, an international organization, singled out OCP as a solution on open governance in the context of fighting a global pandemic, which passed a demanding Smoking Gun Test. And more evidence surfaced that followed the same pattern. So, there was a clear picture in which OCP gradually gained nods and endorsement from the GPC. I realized that though the outcome predicted by the alternative explanation may have temporally come before the one supported by the main proposition, both the proposition and the alternative explanation led to similar outcomes that would confirm the proposition.

The second insight was that even though in process tracing, quality of the evidence trumps quantity, the number of singled-out endorsements was overwhelming, and that they far outweighed those that were coupled. Declarations of the adoption of OC principles and OCDS were numerous at the country level and at transnational forums. This was also supported by a triangulation of both document analysis (especially public media records) and interview data. Lastly, it should also be pointed out that integrating OCP into the broader open government and open data movement was one of OCP's core strategies, which I'll discuss more in the context of Proposition 2B.

In the end, my aggregate assessment led me to a confirmation of Proposition 2A.

Proposition 2A: The global policy community directly recognizes the private authority and legitimacy of OCP.
Alternative Explanation of 2A: OCP gains authority and legitimacy through indirect recognition of the global policy community, by being part of the open government movement.
Expected Empirical Fingerprints: **Passing a difficult Smoking Gun Test**: evidence of reputable global policy organizations or individuals advocate for the adoption of OCP and/OCDS
Passing an easy Smoking Gun Test: i) evidence of public endorsement or declaration of the adoption of OCP and/or OCDS, and ii) evidence of official reports of project progress related to OCP/OCDS
Passing a Hoop Test: i) mentions of OCP (individually or collectively with others), and ii) media citations of OCP's reports and analysis
Passing a Straw in the Wind Test: announcements or reports of workshops, conferences or trainings related to open contracting and data standards in public procurement.

Table 11: Summary of Argument Roadmap for Proposition 2A

Inference 2A.1: Endorsement of a TPR through the recognition of private authority and legitimacy

Direct public declarations

I found a great deal of trace and account evidence that included public declarations of the adoption of OC principles and/or OCDS, which passed an easy Smoking Gun Test. A very strong piece of evidence surfaced from interviews with the GPC members. There was consensus that "open contracting" was now an understood and accepted term in the public policy circle. The phrase was entirely OCP's invention and didn't exist before its establishment. Some even said that when it came to policy options in public procurement transparency and accountability, promoting open contracting became a norm. Direct endorsements in public settings by high-ranking public officials of government entities from about 20 countries lent considerable confirmatory power to the proposition. For

example, in an official White House press release for the 2016 Us-Mexico high-level economic dialogue, it explicitly endorsed and promoted OCDS ("Joint Statement US-Mexico", 2016):

"Both governments will promote the Open Contracting Data Standard (OCDS), which aims to foster access to information and public participation in the procurement process. We will continue to work on improving openness and accountability in extractive industries."

Some countries used high-profile events such as the Anti-Corruption Summit in London in 2016 to announce the adoption. The Nigerian President made a public pledge and said (Nwosu, 2016):

"The Federal Government will apply the Open Contracting Data Standard to major projects in the oil, transportation, power, health, education and other sectors."

As the host of the Anti-Corruption Summit, the UK announced that it would ("Government Contracts", 2016):

"Become the first G7 country to commit to the Open Contracting Data Standard (OCDS) for contracts administered by a central purchasing authority, the Crown Commercial Service. This means that the whole process of awarding public sector contracts - from the bidding right through to the building - will be visible to the public for the first time by October 2016. This will be piloted by High-Speed Rail 2."

Within the OGP framework, open contracting was one of the commitments that countries could declare in their OGP National Action Plans. More than 70 OGP member countries have made at least one OC commitment, and 37 of those are currently implementing OC

reforms (as of May 2019) (OGP, 2019). OGP's official fact sheet demonstrated that the uptake of OC principles within the OGP community had been rapidly increasing since 2015 (OGP, 2019) (Figure 6). Since 2011, 189 OC commitments have been included in OGP Action Plans[2], 145 of which have been evaluated by the OGP's Independent Reporting Mechanism (IRM), which periodically assesses and validates the implementation of member countries' action plans. The commitments varied in their content, ranging from information disclosure to implementing open data portals to adopting OCDS as a standard for contracting data.

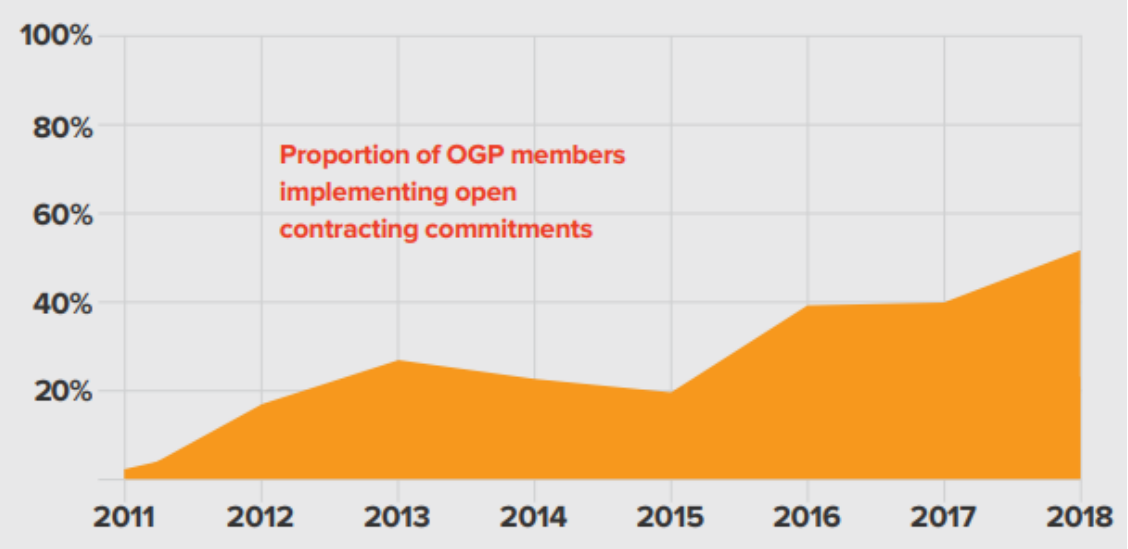

Figure 6: Proportion of OGP members implementing OC commitments

(Source: OGP, 2019)

To monitor the adoption of OCDS, OCP has its own documentation site where it tracks which country has committed publishing data using OCDS or is in the process of publishing open contracting data. Endorsement of OCDS came in different forms. Table 12 is a corroboration table that compares three sources of data: i) adoption declared by

[2] OGP national plans usually follow a three-year cycle, which means there could be repeating commitments in the same area.

OCP staff, ii) what I found in media records, public documents, and World Bank sources, and iii) commitments made through the OGP National Action Plans, for which I searched OGP's online databases and examined government's commitment documents. As Table 12 shows, 35 country governments have committed to or have started implementing open data reforms on public procurement in one way or another.

	Country	OCP's documentation on the use of OCDS	Media Records, Public Announcements, and WB records	OC Commitments in OGP National Plans[3]
1	Afghanistan	Y	Y	Y
2	Argentina	Y	Y	Y
3	Australia	Y	Y	Y
4	Ghana	Y	Y	Y
5	Honduras	Y	Y	Y
6	Indonesia	Y	Y	Y
7	Mexico	Y	Y	Y
8	Moldova	Y	Y	Y
9	Mongolia	Y	Y	Y
10	Nigeria	Y	Y	Y
11	Paraguay	Y	Y	Y
12	Ukraine	Y	Y	Y
13	United Kingdom	Y	Y	Y
14	US	Y	Y	Y
15	Colombia	Y	Y	Y
16	France	Y	Y	Y
17	Romania	Y	Y	Y
17	Italy	Y	Y	Y
19	Canada	Y	Y	Y
20	Costa Rica	Y	Y	Y
21	Georgia	Y	Y	Y
22	Nepal	Y	Y	

[3] I counted yes when there was a documented National Action Plan on Open Government with a pledge to strengthen transparency in public procurement or an explicit commitment to adopt OC principles or OCDS for at least a three-year cycle. Commitments were documented using various sources, which included OGP's commitment tracker (https://www.opengovpartnership.org/policy-area/open-contracting/#data) and OCP's documentation (https://www.open-contracting.org/worldwide/#). Where the two sources didn't correspond with each other, I perused the countries' commitment documents to verify.

23	Uganda	Y	Y	
24	Dominican Republic	Y		Y
25	Ecuador	Y		Y
26	Kenya	Y		Y
27	Portugal	Y		Y
28	Uruguay	Y		Y
29	Chile	Y		Y
30	Armenia	Y		
31	Austria	Y		
32	Bolivia	Y		
33	Zambia	Y		
34	Nicaragua	Y		
35	Bulgaria		Y	

Table 12: Who Adopted OCDS? A Corroboration Table

These declarations of adoption echoed the core values and moral ideals that OCP projected, which was a main indicator for the recognition of OCP's private authority and legitimacy. More specifically, most announcements cited the benefits of more transparency, accountability, and citizen participation that OC principles embodied, and/or OCDS's potential impact on curbing corruption and enhancing efficiency and equity in the management of public funds. In other words, the endorsement of OCP's moral authority was embedded in these public statements. In interviews, the GPC members corroborated this discovery. They almost unanimously confirmed the inherent moral values of OCP's cause and recognized that the OC principles made it particularly easy for reform-oriented politicians to announce their ambition to fight corruption. OCP also progressively beefed up its epistemic function, which the GPC took note – this served as evidence for the support of OCP's knowledge authority. This was further validated by media records where media organizations cited materials or figures provided by the OCP. OCP views knowledge and learning as a principal mandate and developed a wide range of resources for the adoptees and advocates to use for mobilization, advocacy

and OCDS implementation. Notably, OCP's "technical" expertise and the learning materials on the OCDS were highly valued by the GPC, especially by those that were involved in localizing OCDS' implementation at country levels.

Being recommended by the GPC

In addition, I found critical pieces of evidence of third-party recommendations that further boosted OCP's authority and legitimacy, which passed a difficult Smoking Gun Test. Most importantly, the mobilizing efforts of other organizations on behalf of OCP lent more power to OCP's rule legitimacy. For example, I found that a reputable global player in public policy – the World Economic Forum (WEF) – had singled out OCDS as an appropriate policy solution to open up government contracting data in an accessible format that would facilitated data reuse and analysis. In WEF's press release, OCDS was not just a passing mention; rather, it detailed OCP's benefits and achievements, in the context of public contracts for Covid-related products and services ("Why Data", 2020). Similarly, the Center for Global Development, an international development think tank, advocated for the adoption of OCDS by USIAD in its procurement contracts. The article highlighted the benefits of OCDS, particularly its ability to allow civil society members to monitor delivery of contracted services ("Clinton Pushed", 2015). The Global Financial Integrity, another Washington DC-based think tank, tried to mobilize support for the adoption of OCDS to combat illicit financial flows and corruption, citing OCDS' values in putting a data framework around public procurement data to save public funds that may be misused ("Civil Society Experts", 2017). In the context the G20's commitment on transparency and sustainable growth, one country official said the

following which essentially recited OCP's value propositions as a proud advocate (*"*Are Government", 2018):

"*Actively engaging in the Open Contracting Partnership is part of moving forward, focusing on integrity and compliance. Public contracting and lucrative infrastructure projects, in particular is one of the sectors where nepotism is most evident. These vested interests make it hard to sustain political change that can effectively challenge the status quo, but change is essential so that social reforms can have an impact on citizens."*

The Nigerian chapter of Oxfam, the well-known international NGO focused on social causes, recommended that the Nigerian Federal Government adopt OCDS, and praised its usefulness to allow citizens to monitor public contracts and projects at every stage ("Oxfam Commends", 2017).

In addition, as mentioned above, open contracting and transparency in public procurement has been included as one of the commitment areas under the anti-corruption rubric of OGP's main policy areas. With the publication of the 2019 OGP Annual Report, one can claim that OC principles gained official recognition by the OGP. OGP declared that OC was "on its way to become a global norm", and the most common policy areas in OGP commitments; and OCDS was regarded as the global standard for a commitment on open contracting and transparency in public procurement (OGP, 2019a, p.6).

Furthermore, OCP commissioned an independent third party, Keystone Accountability, to administer a survey to gauge partners' perceptions and opinions of OCP's performance in 2017. This report and raw data, which were published on OCP's website, also served as an important source of information to assess the proposition. 85 survey responses were

collected, and 13 interviews were conducted, with a total response rate of 10%. Surveys and interviews were administered with allies of OCP, who had been nominated by OCP staff. Here, allies referred to "the universe of people who are influenced by or who influence the work of the OCP" (OCP, 2017a, p. 7), which coincided with the realm of the GPC in this research. Most likely, there were overlaps of members that responded to the Keystone survey and those that were interviewed by me.

The performance survey revealed two insights that helped me evaluate Proposition 2A. First, one of the main questions included in the survey related to how likely the allies would recommend OCP to others who worked in the same field. I interpreted this question as a source of evidence for a demanding Smoking Gun Test, and as a decisive indicator on whether the GPC members recognized and endorsed OCP's private authority. As discussed earlier, giving out a recommendation was a more thoughtful, and "harder" act than a simple declaration of endorsement. If OCP was recommended by a GPC member, it meant a positive assessment of its value, feasibility, and overall impact, and that the GPC member felt that there it was worth being adopted by other like-minded people or organizations. The OCP received favorable feedback on this question, which lent strong support to my proposition.

In addition, the analysis also compared OCP against available benchmarks of similar international organizations on how well OCP carried out its role, as seen from its constituents' perspective, using a method called "Net Promoter Analysis" (NPA). The NPA used scores collected from surveys and interviews and divided the respondents into three categories: promoters, passives, and detractors. The NPA score was calculated by subtracting the percentage of detractors from that of promoters. To place OCP against

other similar organizations, the OCP's results were compared with benchmarks of NPAs of other international NGOs, which helped situate the OCP's scores by understanding what kind of performance ratings were possible. To reduce the chance of larger international NGOs skewing the benchmark, the majority of OCP's results were compared with a benchmark set by 8 social change networks that were of similar size. The OCP's overall NPA score was 20, against a benchmark of an average score of 20. When the respondents were asked whether OCP had substantial influence in its field, and whether they were confident in OCP's capacity to achieve its goals, the NPA scores remained high and sat well above the benchmark. It was interesting to note that while OCP was perceived to be having high influence and capacity to achieve its goals, the respondents didn't feel that they were empowered by OCP or that OCP had made much impact on the respondents' own work. Nonetheless, even with the lower scores of perceptions of impact, the overall evaluation of OCP's performance turned out to be favorable.

To sum up, the evidence that supported the recognition of OCP's private authority and legitimacy was very strong, and the passing of a more difficult Smoking Gun Test also lent more confirmatory power to the proposition. Therefore, I concluded that the proposition 2A was confirmed.

Proposition 2B

Summary of Argument Roadmap

Overall, due to my inability to dismiss the alternative explanation, proposition 2B was not confirmed. To provide rich descriptions and fully operationalize Proposition 2B, I unpacked it into two components, roughly corresponding to two periods before and after

OCP's spin-off from the World Bank. Table 13 presents a summary of the argument roadmap. For the period before OCP's independence, I expected to find evidence that would represent a thorough evaluation process of the institutional platforms that would carry out the initiative. I anticipated that the final choice of OCP as a transnational private regulator was not the only available option, and that there were deliberate discussions on a range of choices. The result was not very convincing. I found some evidence of dedicated discussions on OCP's development, which passed a Hoop Test, and a small number of traces of competing views, but they were not strong enough to pass a definitive Smoking Gun Test. However, even though the decision itself was straightforward, the road to "privateness" for OCP was marked with thorough discussions on the evaluation of pros and cons associated with the spin-off. I found that the pursuit of private legitimacy was the main concern for such a move. Here, a great deal of account and trace evidence lent strong support to pass a Smoking Gun Test. For the independence stage, records of promotional and advocacy efforts easily passed the Smoking Gun Test. I found that the evidence not only pointed to straightforward promotional efforts and framing activities (discussed under Proposition 1B), it also painted a rather challenging environment for the OC entrepreneurs that stayed working in the World Bank after the dismantling of WBI. Initially, there was not much enthusiasm to incorporate OC activities into operations, and staff were constantly promoting and pitching OC and OCDS with colleagues working on related topics such as e-procurement and anti-corruption in country operations. Rounds of briefings and discussions were organized to cultivate interests and identify relevant projects. Several OCP entrepreneurs commented on the lack of uptake in the interviews, and one of them maintained that for a while "they

could barely keep the head above water". These persistent promotional efforts to mainstream the work of OC in World Bank operations, despite insufficient interest (or demand), also provided solid evidence that supported the main proposition.

Nonetheless, I also found considerable support for the alternative explanation, which confounded the result. From the very beginning, coalition building was front and center in OCP's mission. And coalition building took various forms as OCP evolved, including inviting stakeholders to collectively co-design the solution, intentionally embedding OCP into the broader movement of open government and transparency and linking up with other initiatives that occupied similar policy spaces. All of these lent affirmative support to the alternative explanation and raised the question of the relevance of the theoretical elements of ACF in the MS framework. As I'll discuss more in detail in Chapter 5, the MS and ACF frameworks may not be mutually exclusive. In fact, certain elements are compatible and supplementary to one another in their explanatory power of policy entrepreneurship and how a TPR emerges.

In summary, 2B was rejected, primarily because of the lack of evaluation of alternative policy solutions, and the discovery of critical evidence that supported the alternative explanation, which I couldn't dismiss.

Proposition 2B: Policy entrepreneurs evaluate policy choices and prioritize a particular solution (i.e., OCP).
Alternative Explanation of 2B: Policy entrepreneurs do not intentionally prioritize OCP as the better policy instrument; OCP was among a set of open-government related instruments that policy entrepreneurs promote.
Passing a Smoking Gun Test: • Prior to independence: direct account evidence on different viewpoints and the evaluations of how to carry out the policy solution • After independence: account and trace evidence of details of proactive and persistent promotional efforts

Passing a Hoop Test: • Prior to independence: trace evidence on discussions related to OCP's development • After independence: account and trace evidence of individual or bundled promotional efforts (of policy ideas for the open government movement
Passing a Straw in the Wind Test • Prior to independence: trace evidence on the existence of meetings or discussions taking place about OCP's development • After independence: trace evidence on the existence of meetings or discussions taking place about OCP's promotional efforts

Table 13: Summary of Argument Roadmap for Proposition 2B

Inference 2B.1: Entrepreneurial TPRs may not undergo comprehensive evaluations of institutional options

Regarding the institutional platform to carry out the OC ideal, I didn't discover convincing evidence on the assessment of various choices, nor did I find any controversy regarding becoming a private initiative. There was consistent account evidence from the interviews that indicated that OCP's independence was purposeful and straightforward. The spin-off was "by default" and without doubt, one OC founder commented. Several OCP founders mentioned that there had always been a sense that OCP shouldn't and couldn't be hosted by the World Bank; they added that the norm-building agenda and the desire to become an independent source of persistent guidance were so important that they had always felt that it was best done outside of the World Bank.

There was a small amount of account evidence that pointed to some discussions on the organizational platform that would carry the work. Two OC founders maintained that they had considered finding a host organization that had already been working in a related space or organizing several partners to coordinate OCP, in addition to the spin-off option; and that they had also looked into the possibility of setting up OCP in a similar fashion like Extractives Industries Transparency Initiative (EITI) or the Construction

Sector Transparency Initiative (CoST). Nevertheless, I didn't find any trace evidence from document analysis to corroborate with this piece of account evidence. The inclination for becoming a transnational private regulator that offer TPR solutions from the very beginning was strong and relatively non-contentious. According to most founders, such a determination was derived from consultations and listening tours from outside stakeholders and was recommended by the Steering Committee at the time, which consisted of a similar cohort of stakeholders. To sum up, the process leading up to OCP's spin-off was relatively uncontroversial, and OCP entrepreneurs didn't carry out extensive debates about its organizational form.

Inference 2B.2: Private legitimacy as a key concern for the trade-off between being "public" and being "private"

I discovered that the pursuit of private legitimacy was the main impetus that pushed OCP entrepreneurs to move from being World Bank-y (i.e., "public") to becoming independent (i.e., private). With regard to OCP's independence and the road to becoming a true TPR, several pieces of trace evidence from public media pieces passed the Hoop Test. I also found an overwhelming amount of evidence that passed the Smoking Gun Test. That is, there were in-depth deliberations about the spin-off, particularly on the pros and cons associated with the decision. Going back to the notion of private authority, Vogel (2010) stated that a defining feature of private regulators was that their authority and legitimacy were not derived from governments, and that they typically operated "beside or around the state rather than through it" (p. 68). OCP's deliberate attempts to change its organizational platform that carried its TPR very much corresponded to what previous scholarship had specified. That is, there has been a distinct inclination for "privateness";

OCP intentionally left an international government body that incubated its existence and tried to stand on its own.

There existed a general sentiment that continuing staying in the World Bank may make OCP lose "credibility", a word several OCP founders used. First, there was incongruence between the envisioned scope of the OCP and the World Bank's overall mission and operational model. The OCP hoped to make open contracting a global norm, without an exclusive focus on developing countries, which were the targets of the World Bank. For example, the OCP wanted to launch advocacy efforts in Europe, the US, and among G7 countries. Being housed in the World Bank would not give them the best positioning. In addition, OCP strived to empower and build capacity for civil society, who were an important ally in contract monitoring, but not the main audience for the World Bank, whose clients were mostly government entities. There was an obvious mismatch between OCP's ambition to strike up alliances with CSOs and the limited space that the World Bank had in order to allow OCP to grow towards that direction. Moreover, there was fear about the risks associated with being housed in a multilateral development bank, which may be seen as too "heavy footed", one OCP founder commented. Several people also argued that the World Bank didn't always have the most positive image in every country; and it may make the initiative "be dead on arrival", one OCP entrepreneur contended.

Second, continuing as a World Bank initiative could have jeopardized the essence of a multi-stakeholder spirit, which was the foundation of OCP's value proposition. Since the very beginning, OCP entrepreneurs took care to convene a diverse set of stakeholders and positioned the World Bank as a coordinator, not the sole driver of the initiative. The process to co-create OCP's offerings, including several rounds of design meetings joined

by different organizations, further etched the collaborative ethos. Even though being a World Bank-organized initiative wouldn't prevent OCP from promoting its policy solutions, it could have made it difficult to preach what it teaches – the discursive, multi-stakeholder coalition building and partnership around norm making.

Third, the institutional environment that was carrying OCP – the World Bank Institute (WBI) – had peculiar characteristics that made OCP thrive during the ideation stage and triggered its spin-off in 2014. The WBI was the more experimental arm of the World Bank, and its work was markedly de-linked from the World Bank's core operations (e.g., lending activities). Programs in WBI emphasized more on innovation, knowledge generation and sharing, and capacity building, and it was an incubation hub of creative initiatives that didn't fall into the traditional menu of the World Bank's activities. Furthermore, as the parameters of OCP were still being drawn, the favorable institutional environment gave the initiative a solid and secure footing, and enabled OCP founders to be true policy entrepreneurs, who would conjure up and cultivate a new policy solution without the pressure to be mainstream. But all of a sudden in 2014, the WBI was dissolved, and most WBI staff were incorporated into conventional World Bank operational units. This means that the enabling environment for incubating innovative ideas like OCP was overhauled and that the team's ability to drive reform from within the World Bank was redefined. The creative momentum was halted by a large bureaucracy whose mandate was not in line with the policy intentions of OCP founders. The OC initiative had already started initial discussions on its independence in late 2013, so one could argue that they had preempted the bureaucratic change that might have crushed the

work altogether. Nonetheless, the disappearance of WBI may have accelerated OCP's departure.

Fourth, the financial and operational model of the World Bank could have constrained OCP's progress. As a new initiative, OCP craved for nimbleness and flexibility for its operations, which the World Bank couldn't provide. The bureaucratic process for recruitment made it cumbersome for OCP to hire new staff, which dampened its ability to scale up its work at a faster pace. Plus, the World Bank's operational model made it difficult to provide direct financial and technical support to CSOs, OCP's primary target audience at the time, since the World Bank's primary clients were governmental bodies. In recent years, there were structures like Recipient-Executed Trust Funds (RETF) in the World Bank, where donor financing pooled from bilateral aid agencies or private foundations could be channeled to third parties like CSOs, but the administrative processes associated with the establishment of an RETF were usually quite unwieldy, which ran contrary to OCP's desire to be flexible. Plus, RETFs by default used external resources such as donor contributions, not World Bank budgets, which added another layer of difficulty.

Lastly, there was an explicit acknowledgement of the trade-off between being public and being private. OCP founders were aware that by being independent, they would lose the World Bank's access, reach, and network. The World Bank has tremendous pull with governments, especially when it comes to securing high-level endorsements and commitments for OC principles and standards. Leaving the World Bank meant losing direct links with sovereign governments. The OCP founders were keenly aware of the downside of leaving the World Bank and held extensive debates about the tradeoffs.

I interpreted the deliberations on the choice to be independent as a desire to achieve private legitimacy. There are two sides to legitimacy of a TPR: input legitimacy (or rule legitimacy), which focuses on the credibility of the rules themselves; and output legitimacy (or rule effectiveness), which stresses the effectiveness of rule implementation (Mena and Palazzo, 2012; Carodenuto, 2019). The first two reasons of the spin-off were a direct pursuit of rule legitimacy, while the third and fourth points were linked to apprehensions about rule effectiveness. Practicing what you preach may be the most important ingredient in the art of persuasion, and OCP founders were fully aware of it. In order for a TPR to take on its unique role, it needs to reduce the unnecessary noises around it. The incompatibility between the World Bank's mandate and what OCP tried to achieve could have muddled the water and confused potential target adopters. The financial, operational, and organizational worries were more practically oriented, and they were considered obstacles to OCP's implementation effectiveness. In summary, becoming a true TPR was intricately linked with OCP's pursuit of private legitimacy.

Inference 2B.3: Coalition building as a core strategy to attract voluntary adoption

Coalition building was one of the core strategies OCP founders followed to promote voluntary adoption. I uncovered a convincing set of evidence that pointed to OCP's deliberate coalition building tactics within the broader transparency and participation movement. This means that the empirical fingerprints failed to decisively pass the Smoking Gun Test, and there was partial confirmation of the alternative explanation of Proposition 2B. The reason why I considered the evidence as partial confirmation was because the discovery of bundling techniques didn't necessarily clash with the essence of the proposition – riding the wave with other initiatives within and outside the broader

coalition of open government can be seen as a tactic to promote OCP itself. That is, there was no mutual exclusivity between the proposition and the alternative, and there existed common ground. I will provide more reflections on the methodological and theoretical implications of this inference in Chapter 5.

Co-designing as coalition building

Coalition building was embodied in two main strategies: i) co-creating the solution to build the initial cohort of supporters, and ii) embedding and integrating OC principles and OCDS into similar global norm-making and standard-making platforms.

OCP was categorically put in the coalition building camp during its early days in WBI, and the process to conceptualize OCP was marked by participatory and collaborative elements as well. The process to develop and fine tune OCP's core offerings was intended to be one that was inclusive as well as contentious. As discussed above, a series of consultative and design meetings took place, most of which were organized as multi-stakeholder forums. An outside organization, Reos Partners, was brought to steward and guide the process. According to OCP entrepreneurs, potential adopters and detractors were put into three groups, depicted in Figure 7 in concentric circles. In the inner circle, it lied those that had already been working in the same or related space. The outer layer consisted of detractors and those that would regard OCP as rivals. In between the two were those that might be interested in learning more about the initiative but were not yet activated or coordinated. The decision was to start targeting at the middle layer, because "part of the issue was lack of coordination, lack of collective action and lack of global coherence of strategies and approaches", one OCP founder said. The highly targeted engagement strategy enabled OCP to build its initial cohort of supporters.

OCP was framed as a collaborative governance initiative, with a goal to build a multi-stakeholder collation and strengthen partnerships at the global level. So, forging an alliance of like-minded stakeholders to advance shared power and influence has been a primary objective from the start. Even with adjustments of tactics and narratives, global advocacy and coalition building remained a core pillar of OCP's strategy.

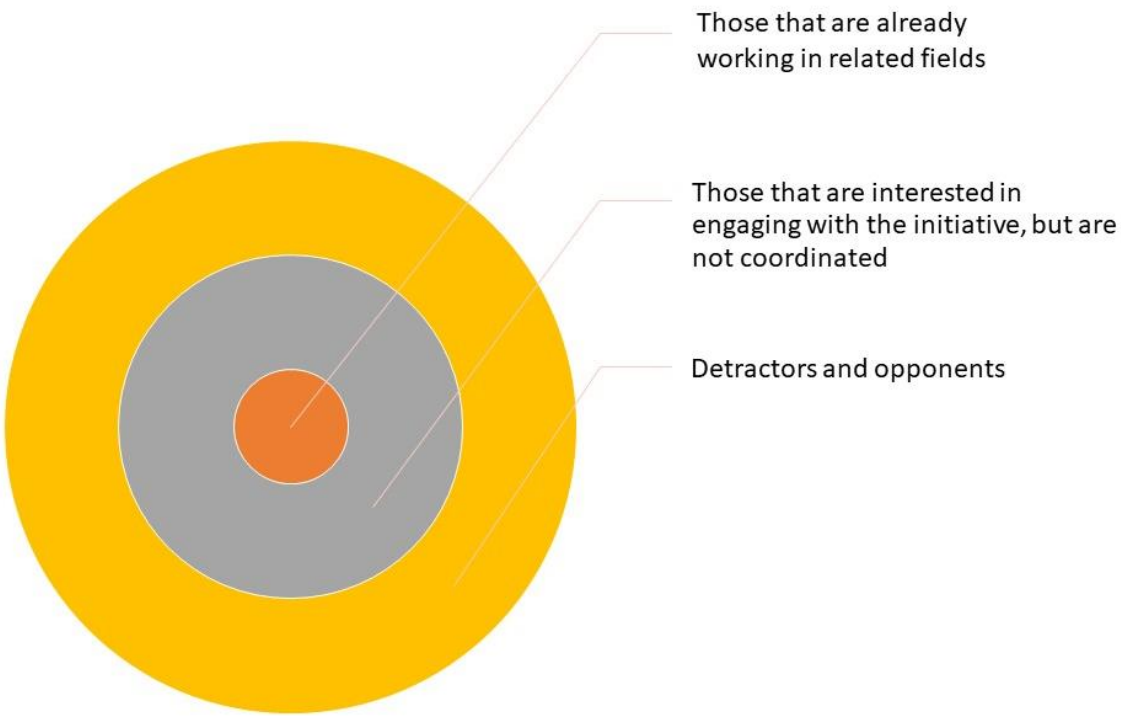

Figure 7 Categorizations of Coalition Participants and Potential Adopters

Embedding and mainstreaming as coalition building

In addition, one of OCP's strategy to build the policy field was to embed OC principles into other related, larger, and more established international movements, coalitions and initiatives on open government, contract transparency and industry-specific standards. In the latest strategy document, OCP declared:

"At the global level, we focus on normative standard-setting organizations, such as the G20 and OECD, and multilateral development banks, and on leveraging global reform initiatives like the Open Government Partnership (and help them make sure their support for open contracting is targeted effectively, involves different users and is well integrated into wider programming)" (OCP, 2019c, p. 21)

The OCP worked to leverage high-level political events to promote OC principles. For example, it tried to embed OC principles into core declarations at the Anti-Corruption Summit in London in May 2016. 43 countries signed a Global Declaration Against Corruption, and participating countries pledged commitments on a variety of policy issues, including those related to open contracting and public procurement. According to the official database published by Transparency International (Transparency International, 2016), 18 countries declared commitments of using OC principles or adopting OCDS. Other international bodies such as the OECD and the G20 also incorporated OC principles into their directives, including the OECD Principles for Enhancing Integrity in Public Procurement, and G20 Principles for Promoting Integrity in Public Procurement. OC principles was also integrated into the Paris Declaration on Open Government, issued during the OCP Summit in Paris in December 2016. Open public procurement was one of the collective actions that the member countries sought to follow (OGP, 2016). In 2019, a bill on disclosure of beneficial ownership of corporations, sponsored by New York representative Carolyn Maloney, passed in the House (US House of Representatives, 2019). Over 125 NGOs signed their names to back the bill, including OCP. All the usual suspects in the transparency and open government sphere

were part of the supporting circle, such as Global Witness, Natural Resources Governance Institute, Publish What You Pay, etc. (US House of Representatives, 2019).

A high degree of proactive coordination with other high-profile members within the open government coalition also took place. As mentioned earlier, one of the most prominent allies of OCP was the Open Government Partnership (OGP), an established multi-stakeholder collaborative that aspired to make governments more transparent, more accountable, and responsive to citizens, and improve the quality of governance and services they provide. Since its founding in 2011, 79 countries and a growing number of sub-national governments have adopted the OGP principles. The OGP adopters have made 3,800 commitments in more than 100 action plans (OGP, 2019a). In 2016, OCP and OGP entered into an engagement agreement which outlined concrete activities of its collaboration (OCP, 2016b). Working with and through partners was a key component in OCP's theory of change. The agreement outlined four areas of joint activities, which included i) enhanced coordination on advocacy efforts on OC pledges within OCP's National Action Plans, ii) joint implementation and capacity building activities for countries that have made are aspiring to make OC commitments, iii) joint research and learning, and iv) joint communications and outreach, with the message being "there can't be open government without open contracting and vice versa" (OCP, 2016b, p. 5).

The evidence on the deliberate coupling of OCP and OGP was very strong from account evidence of OCP founders and the GPC as well. The OCP entrepreneurs believed that they could best achieve their missions by integrating open contracting into the work of others, especially the broader open government movement. This belief was evident from the very beginning. One OCP founder commented that "because the open government

movement was kind of the defining global movement of the time on transparency and anticorruption, there was a sense that if we could tie this conversation on procurement to that, that might be a helpful way for other people to get excited about it (OCP)."

There were several special characteristics of OGP's work that appealed to OCP founders. First, OGP at the time had the support of prominent political figures, including presidents of the US, Mexico, and Brazil. OCP founders decided that OCP should leverage the momentum that others had helped to build around OGP, because they wanted to go where the energy, momentum and people were already headed. Second, one of the greatest values of OGP was that it generated political buy-in and high-level commitments on reforms. As discussed above, more than 50 OGP National Action Plans included commitments either on open contracting or procurement reforms. Third, OGP also followed a multi-stakeholder process in the deliberation of the action plans. OGP's collaborative forum brought actors together that normally didn't speak to each other – governments, CSOs, businesses, media – who also happened to be OCP's target audiences.

The OCP also built partnerships with other sector-specific global transparency initiatives that existed prior to its establishment, including the Extractives Industries Transparency Initiative (EITI), and the Construction Sector Transparency Initiative (CoST). EITI is a multi-stakeholder initiative that promotes a global standard on the open and accountable management of oil, gas, and mineral resources. The EITI advocates for information disclosure along the extractive industry value chain, which covers multiples entry points of engagements with extractives companies, governments and citizens. More specifically, it covers how revenues from extraction make their way through government, which

includes contracting and licensing deals, exploration, and production activities, how revenues are collected, distributed and how they would benefit the public. As of 2020, 55 countries are implementing the EITI standard (EITI, 2020). The point of engagement between OCP and EITI lied in the stage of contracting and issuance of permits and licenses in the extractive industries, which had been a space that was prone to corruption, mismanagement, and secret deals. The Natural Resource Governance Institute (NRGI), a reputable think tank occupying the same policy domain, issued a joint report together with OCP in 2018 (NRGI, 2018), outlining ways in which governments can implement the EITI, and develop OGP national action plans that focus on open contracting for oil, gas and mineral rights. Similarly, Transparency International (TI) issued a joint report with OCP on recommendations for how to incorporate OC and OCDS into government's OCP National Action Plans (Transparency International, 2018). OCP started its engagement with the Construction Sector Transparency Initiative (CoST) in 2012 when CoST was part of the original cohort of stakeholders that founded OCP as a platform of OC principles (the World Bank, 2013a). CoST is a similar effort that promotes information disclosure, but with a focus on public infrastructure. CoST also publicly recognized its partnership with OCP in promoting transparency and accountability and fighting against corruption. In 2016, the partnership culminated into a collaboration agreement, with a commitment to working on better monitoring, learning, and evaluation together (OCP, 2016a). OCP also worked with CoST to tailor a specific tool for the construction industry – the Open Contracting for Infrastructure Data Standard (OC4IDS) (CoST, 2020).

To sum up, the observable manifestations of bundling OCP's promotional efforts with those of other initiatives in the same policy community were very strong, which gave affirmatory power to the alternative explanation, and made it difficult to dismiss it. In addition, the single-mindedness in pursuing organizational independence and the lack of a comprehensive evaluation of all the choices also weakened the main proposition. Therefore, at the aggregate level, despite the existence of equally compelling evidence that supported the main proposition, I concluded that the proposition was not confirmed.

Causal Element 3: Politics

	Working Proposition	**Alternative Plausible Explanations**
Part 3: Politics	Proposition 3A: The global policy community in open government faces a normative imperative to respond to a particular policy issue.	The policy environment is stable, with no conflicts in beliefs or preferences.
	Proposition 3B: Policy entrepreneurs balance a wide array of preferences across various institutional forces.	There didn't exist much conflict in preferences across various institutional forces.

Proposition 3A

Summary of Argument Road Map

Overall, I rejected Proposition 3A, because of the strong evidence that supported the alternative explanation. The politics stream in Kingdon's (1984) original framework included a measure of national political mood towards a specific policy issue. Applying this concept for transnational policy issues, I turned "political" opinions at national level into a normative pressure towards a certain policy change imposed on the GPC. Essentially, Proposition 3A speculated that the policy environment was unstable, and that there were forces in and outside of the GPC to change the status quo. The alternative

explanation, which was derived from the ACF framework, stated that the policy environment was steady and there were no major disruptions regarding GPC's policy options.

As table 14 shows, to pass a Hoop Test, the evidence should reveal divergent opinions about the top policy issues that the GPC was expected to address. The general policy mood was expressed by the perception of the main policy issues by the GPC, although the prevailing mood may or may not trigger a fundamental policy shift. In addition, to use the Hoop Test as an exclusionary tool, I actively looked for evidence that supported the alternative explanation, which denoted uniformity in policy opinions and stability in the policy environment. When administering the Hoop Test, I had a difficult time dismissing the alternative explanation. There was as much critical evidence supporting the main proposition as there was espousing the stability of the policy environment within the GPC. So, I kept both the proposition and the alternative explanation in consideration as I filtered through the evidence for the Smoking Gun Test. I discovered that the two key policy topics or core policy beliefs in open government and public procurement – transparency and participation – had steadily stayed in the policy discourse in the GPC over the course of my examination period, without significant changes that destabilized their prominence. This means that there were no normative shifts for a new policy issue to be addressed. For my aggregate assessment, I rated Proposition 3A as unconfirmed, as there was contrasting evidence throughout and I couldn't confidently reject the alternative explanation.

Proposition 3A: The global policy community in open government faces a normative imperative to respond to a particular policy issue.

Alternative Explanation of 3A: The policy environment is relatively stable, with no conflicts in beliefs or preferences.
Passing a Smoking Gun Test: • Account or trace evidence that pointed to fundamental shifts in the policy ideals within the GPC
Passing a Hoop Test: • Account or trace evidence on divergent opinions about the top policy issues that the GPC should address (which may or may not propel a policy change)
Passing a Straw in the Wind Test • Account or trace evidence that suggested meetings or dialogues taking place discussing the GPC's main policy ideals

Table 14: Summary of Argument Roadmap for Proposition 3A

Inference 3A.1: The stability of the "political" mood vs. debates on policy tactics

Although I detected changes in the policy tools that GPC leveraged over the years to advance their policy objectives, the fundamental policy mood remained calm and steady, and there were no fundamental changes in the normative policy ideals. I found that there was a great deal of critical evidence that supported the alternative explanation.

As mentioned earlier, the early stages of open government reforms emphasized information disclosure and data publication (i.e., transparency) and inclusive, multi-stakeholder policy making (i.e., participation). Later on, the global community realized that transparency itself would not automatically lead to improved outcomes in government's service delivery. Disclosed information needed to be made easily actionable, usable, and accessible, in order to empower non-governmental actors to understand where the gaps were and add value. This realization by the GPC triggered shifts in strategies of many international initiatives, including the OCP, which directed efforts to go beyond data publication and were more focused on data use. In some countries, CSOs lobbied for a legislative foundation for more transparency in public finance data. When governments released financial records at the request of access to

information inquiries or legal acts related to public procurement transparency, the downloaded files were often incomprehensible; the format in which data was captured and published also made data analysis very difficult; and the budget data across different ministries would not be connected. The budget emanated from the Ministry of Economy or Finance would be broken down into appropriation budgets for line ministries, but there were no mechanisms to reconcile the lump sum generated from originating ministry and the small pieces at the receiving end. When gaps were identified, one couldn't systematically trace where the funds went missing or who was responsible.

The spotlight on data use and visualization was not a new direction. Rather, it came out of the persistent normative push on citizen participation and accountability, which had been in existence. In essence, publishing data in a user-friendly format would facilitate members in the civil space – NGOs, journalists, academia – to easily make use of the information they obtain, prepare logical arguments for their advocacy efforts, engage with public authorities with concrete evidence, and ultimately hold them to account. In other words, the idea of data use was not new; rather, it was derived from the same normative "mood", which was that meaningful participation in policy making by non-state actors would contribute to better governance and economic equity.

I would argue that the GPC members were merely using different tools to push for the same policy ideal – more civic participation in government affairs. Earlier, multi-stakeholder forums were one of the main tools for collaborative governance, which spoke to a wholesaling model of inclusive policy making. Nowadays, citizens or CSOs didn't need to solely rely on organized platforms; the establishment of the digital infrastructure can facilitate a retailing model of policy monitoring efforts at the individual level. For

example, in Moldova, CSOs can search and analyze procurement data on their own with a unified dashboard, enabled by the application of OCDS. They can do so without requesting information from public procurement authorities separately. Before the implementation of OCDS, contracting information was mostly only visible to public procurement bureaus.

Regardless of the policy tactics used in encouraging citizen participation, the policy goals remained the same. Some GPC members also commented that initiatives that existed prior to OCP's arrival had already attempted to formulate "data" frameworks for specific sectors, but their usage was limited as the new digital technologies on data analytics were not as advanced then. The data revolution may have disrupted the field in terms of policy tactics, but the main policy concern on the importance of collaborative governance persisted.

To sum up, looking at the core policy beliefs, and how transparency and participation were being understood and explained by GPC members, I concluded that the policy environment has been relatively stable. There was no pressing mood at the transnational level to cause fundamental shifts in the GPC's policy ideals, and the perceptible changes were merely on policy instruments and tactics. Given the strong support for the alternative explanation, I rejected proposition 3A.

Proposition 3B

Summary of Argument Road Map

Proposition 3B was about policy entrepreneurs balancing and navigating the different preferences of various institutional forces and stakeholder preferences at the transnational level. I found convincing evidence that supported the proposition which made me

confirm it. Table 15 presented a summary of the argument roadmap. First, I discovered evidence that passed the Straw in the Wind Test and the Hoop Test, which suggested that the governments, private sector entities and CSO members that were active at the transitional level had expressed varied interests and preferences about public procurement reforms. In this regard, the alternative explanation was easy to dismiss, as the divergence in preferences was easily detected from trace and account evidence. Then, I discovered that OCP had documented its struggles in navigating the diverse forces in public procurement reforms in its strategy documents and project reports. These challenges also prompted the OCP founders to tailor its arguments, solution offerings and implementation approaches – these actions were backed up by evidence that passed the Smoking Gun Test. In conclusion, I was able to confidently conclude that proposition 3A was confirmed.

Proposition 3A: Policy entrepreneurs balance a wide array of preferences across various institutional forces
Alternative Explanation of 3A: There didn't exist much conflict in preferences across various institutional forces.
Passing a Smoking Gun Test: • Account or trace evidence that pointed to struggles that OCP founders faced to navigate different institutional forces and preferences
Passing a Hoop Test: • Account or trace evidence that suggested a divergence in preferences on public procurement reforms
Passing a Straw in the Wind Test • Account or trace evidence that suggested meetings or discussions taking place about varied institutional forces at play

Table 15: Summary of Argument Roadmap for Proposition 3B

Inference 3B.1: Balancing diverse interests and preferences as a core feature for a new TPR

The original MS framework used balance of interest to explore power struggles among various policy actors at the national level. In this research, the "interest groups" were adapted to be the different institutional preferences of various stakeholder groups that work on public procurement reforms at the transnational level. TPR scholars presumed that there could be institutionally embedded conflicts of legitimacy of different policy choices to govern goods and services across borders (Bartley, 2007). At the transnational level, the three distinct groups of stakeholders are governmental actors, businesses, and civil society members that are active in transnational governance. Empirical traces suggested that it required different strategies to navigate the preferences of these stakeholders. The following quote from the OCP 2015 Annual Report (OCP, 2015c) summed up the cacophonous choir that they were facing (p. 14):

"We are serving a diverse audience with different motivations. Open contracting is being implemented by a range of diverse stakeholders, in different countries, and in a range of different contexts. Broadly, civil society cares most about integrity and service delivery, governments are primarily interested in saving money and building economic opportunity, business cares about fairness and a level playing field. Our programs must reach across these diverse audiences and balance comparability with the unique contexts."

Account evidence revealed the difficulty in promoting OC reforms in diverse country contexts. For example, OCP and the World bank tried to localize OC principles and implement OCDS in several countries in Asia, including Mongolia, the Philippines,

Indonesia, and Vietnam. Each country had its unique political and social characteristics and was at a different development stage, so the framing, strategy and implementation approaches for each country had to be highly tailored. For one country, it may be difficult to move beyond political slogans and get the country to commit to concrete reforms; another country was quite advanced in transparency and participation reforms in government services and the support was targeted more at a technical level to incorporate OCDS into the broader e-procurement system. One GPC member confessed that the teams encountered difficulties in different domains, especially when it came to pioneering the application of a new data standard, and establishing more sustained interactions with governments, businesses and CSOs, while navigating a diverse set of country preferences and conditions. As discussed previously in the context of regulatory voids (Proposition 1A), heterogeneous preferences of nation-states may lead to private regulatory alternatives at the transnational level, and there was convincing evidence that this was the case for the emergence of OCP.

In addition, even though CSOs have always been a target audience for OCP, their needs have gradually shifted from advocacy and mobilization to capacity building and implementation support, which prompted OCP to be more deliberate and selective in their solution offerings. The development of OCDS as an instrument to implement OC principles was a good example of their strategy adjustment in the face of changing preferences. There was the realization by the GPC that advocacy efforts by transnational efforts were limited, and lasting, sustainable practices needed more domestic accountability systems developed by national CSOs. To strengthen the policy solution, OCP put more emphasis on OCDS's ability to transform data disclosure into data use.

OCDS was positioned as a standard on data publication that can help reformers implement OC principles, which were much broader than just disclosure and data display.

Lastly, OCP founders admitted that working with private sector entities had always been demanding. In particular, OCP's strategy to construct an intertwined relationship with OGP may have hindered its ability to work more effectively with private sector stakeholders. As explained earlier, the OC idea was partially born out of consultations with civil society groups and some state entities, and early programs squarely focused on supporting contracting monitoring efforts by CSOs on the implementation of government contracts. In fact, a few early staff members of the OC team came from a civil society background. The bias towards CSOs' needs limited OCP's ability to expand beyond its advocacy and mobilizing activities. When evaluating the decision to ride the wave of OGP in hindsight, some OGP founders acknowledged that at the beginning, OCP's value proposition was very explicitly focused on government transparency, and not so much on efficiency, better competition, technology, or equity, all of which were important for firms that were in the public procurement market.

To sum up, it was clear that there existed a diverse array of institutional preferences on how to implement public procurement reforms in transparency and participation; different stakeholders had varied expectations and preferred policy tactics. Therefore, I confirmed proposition 3B.

The Causal Mechanism: Relationships among Policy Elements

Proposition 4

	Working Proposition	**Alternative Plausible Explanations**

The Relationship	Proposition 4: The three components, collectively in a complex relationship trigger the creation of OCP	There is no collective force of the policy elements, or that it follows a predictable pattern.

Summary of Argument Roadmap

Since Proposition 4 was exploratory in nature, I didn't specify observable fingerprints for each test. Rather, I spelled out the type of evidence that I would expect to find if the main proposition could be confirmed. As table 16 illustrates, I predicted that the evidence would show complex relationships among the three streams, and that there would be no identifiable direction of influence among them. However, I discovered that there was considerable evidence that pointed to the interactions between the policy solutions and policy problems streams, which indicated a certain degree of randomness in the relationship between the two streams, and the direction of the relationship was both ways. In addition, the politics stream also had many interactions with both the policy solutions and policy problems streams, but I found that the relationship was mostly one way. I paid particular attention to sequence evidence, which proved to be useful. More details are provided in the following section.

Proposition 3A: The three components, collectively in a complex relationship trigger the creation of OCP
Alternative Explanation of 3A: There is no collective force of the policy elements, or that it follows a predictable pattern like a feedback loop
Expected fingerprints: account, trace and sequence evidence that show no identifiable direction of influence among the policy streams

Table 16: Summary of Argument Roadmap for Proposition 4

Inference 4.1: Complex relationships between policy problems and policy solutions

I detected complex relationships between the problems and solutions stream: there existed a body of evidence that suggested intense interactions between the two streams,

while another body indicated largely parallel development. OCP entrepreneurs believed that they had evaluated, designed, framed, and promoted their policy solutions based on their understanding of the policy problems, the confidence of the GPC on their private authority, and the skillful brokering of heterogeneous preferences among different stakeholders in the policy community. From OCP founders' perspective, their TPR was created as a response to the perceived problems, which demonstrated a clear direction from the problems to the solutions stream. At OCP's birth in WBI, the OCP entrepreneurs received a good deal of feedback from local, in-country stakeholders that pointed to procurement as a space where there were the most challenges but had the least support from local and international actors. One OCP founder contended that "there was a sense that the issues pertaining inefficiency, corruption, lack of equity and public procurement were so pervasive and were so seemingly intractable that taking a piecemeal approach to resolving those issues would prove eventually insufficient".

The OCP policy entrepreneurs genuinely believed that their policy solutions – the OC principles and OCDS – were a reaction to the problems that the GPC had defined and recognized, and that they were partially propelled by the focusing events happened in the broader economic and political environment, and a perceived regulatory void in using data-centric solutions for transparency, participation, and accountability in government services. Notably, the OCP founders remarked that OCDS was not something that they had thought about before. They started developing OCDS when the participants that came from the technology and data backgrounds in the initial cohort of the stakeholders pushed really hard on the importance of it.

At the same time, there was also the impression from the GPC that solutions were chasing problems, mainly after the OCP had become independent. It was perceived that OCP was encouraging the adoption of OCDS without discernable causes for its usage, and that data was being published for the sake of being published. Here, I found "mid-course" interactions between the solutions and problems streams. OCP acknowledged that some implementers of OCDS were merely declaring empty commitments of information disclosure, without intentions to use the data to inform and effect policy changes (OCP, 2017b). The OCP team reacted to the criticism by first adapting its strategy in positioning OCDS as not just a data publication standard, but also a data analysis instrument where information can be analyzed and presented in way that would empower non-state actors to monitor and advocate for reforms. The OCP also subsequently enriched the suite of services surrounding the technical TPR, including providing more capacity building, training, and helpdesk technical support to OCDS adopters. This showed that policy problems and solutions had a reciprocal relationship. When definitions of the problems changed, the way solutions were presented in the policy discourse were adjusted, which continuously fed into the changing landscape of how the problems were framed. In addition, OCP's search for evidence to illustrate OCDS' benefits was called into question, which also indicated a direction from solutions to problems. Some felt that a direct link between the implementation of OCDS and huge savings from a country's procurement reform couldn't be reasonably established. This made it appear as though the "evidence" for the policy problem was invented or exaggerated to match the solution.

At the same time, there was also evidence that pointed to the independent operation of the two streams. In the context of the open government and open data policy community as a whole, there were traces of the two streams evolving in opposite direction of each other's development. Several GPC members lamented that there seemed to have two seemingly contrasting processes taking place in parallel: the growth and influence of open government related initiatives on one hand, and the backsliding in civic space on the other. In other words, the membership, influence, and policy offerings of the GPC expanded, while the policy problems persisted or even got worse. One GPC commented that "in some ways, things have moved very quickly, but in some ways, they are still the same; the challenges are still the same." The perception was that the policy community to which OCP belonged may have won the argument that transparency had tremendous value, but to a certain degree, many were just paying lip service; the enormous amount of high-level political commitments were not necessarily translated into implementation; the challenging landscape remained the same, or even got worse, such as the shrink of democratic space. In many countries, citizens still can't get a clear picture of how governments plan, spend, and contract. There was a perception that the entire openness agenda – open government, open data, and open contracting – may have been mostly running on good will. These "criticism" were not necessarily directed at OCP; rather, they were a characterization of the policy field as a whole. But these concerns served as evidence that the two streams may have been running independently.

In the context of OCP's journey, there were also perceptions of a mismatch between what OCP offered and how the problems were defined, which was another indication of the parallel development of the two streams. As explained earlier, the GPC recognized a

harmonization void, which could be resolved by a coordination mechanism, while the OCP founders responded to the harmonization void by creating a brand-new standard. Capacity load was also understood differently, as the GPC focused on governments' implementation capacity, while OCP prioritized civil society's monitoring ability (at least at the very beginning).

In summary, this empirical case painted a complicated picture of how the problems and solutions stream influence each other. Even though I couldn't confidently infer that the two streams were intricately intertwined, since there were incidences of parallel existence at the policy community level and mismatched expectations and realities in the context of OCP, I could infer that the problems and solutions stream were indeed related to each other in an unpredictable manner.

Inference 4.2: Can changes in policy problems and solutions leave politics unaffected?

Contrary to the discovery above about the complicated relationship between the policy solutions and problems streams, the politics stream had a one-directional relationship with the other two streams. I found that the effects of the diverse institutional forces and preferences about the policy ideals in open contracting permeated the solutions and problems streams, but there was almost no detectable feedback circling back to the politics stream, and the main elements in the politics stream remained relatively unaffected.

The GPC, including the OCP, collectively pursued an aggressive course of promotion to define the two policy ideals and put them on the policy agenda for serious reforms in late 2000s and early 2010s. The focusing events that triggered more demand for OCP mirrored the concerns expressed by GPC members, which shaped the narratives that OCP

entrepreneurs formulated to further elevate the policy concerns and laid the foundation for new solutions. The dominant policy ideals of the GPC pushed the policy field to leverage the broader political and social sentiments and selectively chose events, scandals, and high-profile forums to highlight the relevance of their policy objectives. Moreover, value acceptability and technical feasibility played a critical role in the GPC's evaluation of a new TPR. The GPC members' value judgement of OCP's policy solutions was translated into their assessment of its moral authority and knowledge authority. The dominant moral ideals in the GPC were related to public integrity and accountability, value for money, and fair and equitable competition. These principles determined OCP's solution offerings. Additionally, as discussed earlier, initially, the GPC's rhetoric fixated on opening the backbox of public contracting and anti-corruption, so the disclosure and integrity angles of the OC principles prevailed. Later on, making disclosure and data more actionable and the focus on results of accountability took center stage, so OCP devised OCDS to cater to this need, and expanded the services around OCDS, especially around data analytics. To fulfill the demand of expertise-oriented knowledge provision, the OCP also accentuated its knowledge-driven capacity and provided more services to adoptees on capacity building including through the set-up of the OCDS help desk. Most GPC members also agreed that the OCP had helped better position the GPC's causes, and helped strengthen the narrative from its own niche space in public procurement. So, this body of evidence also signified a clear direction from the politics stream to the problems stream.

While the direction from politics to the solutions and problems streams was noticeable, I was unable to discern a clear flow of influence the other way around. The definition of

the two main policy problems that the policy community cared about – transparency and participation – remained unshaken over the course of 10 years. In fact, the GPC members commented that the pursuit of access to information has been in the policy discourse for longer than my investigation period. The problem around lack of information disclosure of government services, particularly in public procurement, has been well-defined. The multi-stakeholder method of policy deliberation has been the cornerstone of the New Public Service movement, and many signature programs in OCP's birthplace (i.e., WBI) were centered on collaborative governance and citizen engagement. Even though the narratives surrounding the movement may have shifted, and preferred policy instruments altered, the overall "mood" surrounding the causes that the GPC promoted remained relatively the same. In other words, the changes in how the issues were framed and the menu of policy options to combat the problems didn't ostensibly affect the politics stream.

In addition, there was no observable evidence that revealed that OCP's particular framing and promotional efforts had changed the fundamental values, normative pursuits, or even institutional dynamics across the stakeholder groups within the GPC. The OCP may have helped expand the GPC membership and composition by bringing in more like-minded reformers, particularly from the CSO community, and to a lesser extent, governments, but the overall institutional environment within the GPC remained stable. This may be explained by how OCP developed the two TPRs that it offered. When developing the solution offerings, OCP went through the conceptualization process in a truly collaborative, multi-stakeholder manner, involving key stakeholders within the existing GPC, who also served as early champions. It was one of OCP's core strategies to anchor

itself firmly within the GPC, respond to GPC's needs, and chart the course together with other members. So, it was not surprising that there was no traces of OCP "rocking the boat".

To sum up, I didn't discover substantial interactions between the politics stream and the other two streams. Specifically, there was no overwhelming evidence that suggested that the policy norms and institutional preferences of the GPC were influenced by changes happened in policy solutions and policy problems. Overall, I rejected Proposition 4.

Summary

In this chapter, I presented rich descriptions of OCP's growth and development and discussed in detail the results and inferences from process tracing. I was able to confirm four out of the seven propositions and discovered that the relationship among the three policy streams were not entirely unidentifiable. In particular, the policy solutions and problems streams had extensive interactions with each other, while the politics stream was relatively unaffected by changes in them. In the next chapter, discussions will be devoted to the new insights that surfaced from the research, explanations of the discrepancies between the propositions and empirical observations, theoretical extensions for the MS framework, and future research directions.

Chapter 5: New Insights, Theory Building, and Future Research

Introduction

In this chapter, I will discuss the "successes" and "failures" of the adaption of the MS framework to private policy making at the transnational level and explain how these insights would affect theory building efforts in global policy studies. Table 17 below summarizes the two main objectives of this chapter's content – one focuses on looking back at the empirical inquiry, and the other looks forward and offers suggestions on where to go next. First, I'll present my assessment at the aggregate level, and talk about the main insights I gleaned from this research and discuss the extent to which I was able to launch a holistic analysis of OCP's emergence by combining various perspectives into one causal mechanism. Next, I'll turn to the discrepancies between my working propositions and empirical findings. I'll discuss the "stretchability" of the MS framework to a TPR setting, offer possible explanations behind empirical deviations, and present my analysis on the aspects in which the MS framework may be inadequate in fully explaining OCP's emergence. Furthermore, the inconsistencies also prompted me to explore possible updates and adjustments of the MS framework for studies of TPRs. In particular, two new insights that lent strong support to alternative explanations, which were derived from the advocacy coalition framework (ACF) will be discussed: persistent coalition building efforts and the largely stable policy environment. I'll investigate the compatibility of the AFC and MS frameworks, and the possibilities of incorporating ACF assumptions into the MS framework for TPR studies. To conclude, I'll provide suggestions on future research directions.

Table 17: “Successes”, “Failures”, and Working Towards Theory Building

Looking back: summary of the empirical inquiry	
“Successes”: what did I find?	**“Failures”: what didn’t work and why?**
<u>An integrated analysis of a TPR’s emergence:</u> - The debate of standardization vs. regulatory choices - Private authority and legitimacy as key concepts: i) moral authority, knowledge authority and market authority; ii) legitimacy by association; and iii) gaining independence for rule legitimacy - The institutional perspective: the multi-layered transnational policy environment	- Possibilities of incommensurability: i) the membership and functions of the policy community, and ii) entrepreneurial policy making - The mutually unexclusive relationship between the propositions and alternative explanations - Practical challenges in articulating a metaphor
Looking forward: what can be improved and where to go next?	
Towards theory building: enhancing the MS framework	**Future research directions**
Incorporating elements of the advocacy coalition framework into the MS framework for TPR studies with two relevant concepts: - Policy subsystems and coalition building - Policy core beliefs running across policy streams	- More empirical studies that stretch or scale existing public policy making frameworks for global policy studies, with explicit discussions on prospects and limitations - More research on the challenging concepts that may be difficult to stretch and adapt, particularly on the composition, motivation, and dynamics of the global policy communities at the transnational level - More research to enhance the MS framework for TPR studies - More research on what constitutes a standard at the transnational level

New Insights

Despite not being able to confirm the causal mechanism as a whole, I was able to use the MS framework to launch an integrated study that combined different conceptual perspectives, which was one of the primary objectives of this research. There was sufficient theoretical space in the adapted framework to subsume the three dominant perspectives in TPR's emergence – rational choice, governance and institutional – and I found observable manifestations of all three perspectives in the case of OCP. Furthermore, I found that these perspectives didn't operate in isolation within the causal mechanism; rather, their influences were intertwined. In this section, I'll detail my discoveries on the debate between standardization vs. regulatory choices, the importance of understanding TPRs with concepts of private authority and legitimacy, and the three levels of institutional policy environment that shaped OCP's development.

Standardization vs. Regulatory Choices

Frist, I discovered that the theoretical debate between regulatory pluralism and standardization emerged as a contentious point in OCP's emergence. The policy challenges that the GPC pursued were simultaneous problems that crossed borders and transcended sectors. On one hand, some GPC members felt that a global standard that could be applied regardless of national preferences was deemed beneficial, and a privately created alternative regulatory instrument at the global level in public procurement reforms would satisfy the diverse preferences of nation-states. On the other hand, others preferred a harmonizing process to bring consistency to existing standards, principles, and rules without the creation of a brand-new standard. In particular, the core issue of the contention was whether it was better to promote a single "gold standard" in

contracting data – which was how OCP positioned OCDS – or to establish a framework that would make all forms of standards interoperable, which in essence was a preference to allow the existence of various rules and regulations. The World Bank didn't adopt OCDS for its own procurement data, and some staff even vehemently worked against it, which indicated a certain level of resistance of the single standard approach. The concern of a single "gold standard" surfaced when GPC members were discussing procurement reforms at the country level. It was suggested that countries at different development stages shouldn't be asked to follow the same standard, and all that mattered was the format in which data would be published and if they could be integrated with other data systems when being analyzed. A useful analogy was drawn to illustrate this point by a GPC member: just like how certain countries use commas to denote thousands while others use periods, it would be irresponsible to force any countries to give up their denotation. To some, the preferred solution would be to establish systems that recognize and process the differences to allow cross-country comparisons of data.

From a neoclassical economic perspective, standards are market-based instruments to ensure efficiency for both consumers and producers, which are often explained in the context of transaction cost theories when it comes to why standards emerge. For example, some standards aim at providing minimum quality and safety assurance, which corrects information asymmetry (Akerlof, 1970), and reduces transactions costs and search costs related to the uncertainty of product quality (Jones and Hudson, 1996). Along the same vein, standards that are intended for ensuring compatibility would also help consumers avoid switching costs (Farrell and Shapiro, 1988), since it would be increasingly expensive to switch to another standard once they have invested in using a system. On the

producer's side, standards may have positive network effects (positive externality), which means that it is better to have a share of a large market, as opposed to a monopoly of a tiny one.

The phenomenon of OCP's emergence can be partially explained by the transaction reduction rationale, because to pursue greater efficiency gains, multi-stakeholder collaborations at the global level can be forged to lower transaction costs and mitigate opportunism by combining resources and capacities. But economics alone were not sufficient to understand why the GPC endorsed a private alternative. Coalitions that were made up primarily by governmental or inter-governmental organizations could also have helped inject doses of efficiency into the way public procurement data was managed. Here, the "logic of appropriateness" (Cashore et al., 2004, p. 24) came into play. The normative ideals that OCP promoted aligned well with those shared by the majority of the GPC members. In other words, assessments of rule legitimacy, which originated from a governance lens, was also a critical factor in the GPC's calculation equation.

On the other hand, those that supported pluralism in policy choices may be constrained by insufficient evaluation and implementation capacities of global standards. Particularly in developing countries, government capacities are considerably inconsistent and some even lack in the provision of basic services. One GPC member commented that for countries that were starting from scratch without data systems in place, OCDS may be a good solution. But for those that have already put systems in place using other data schemas and formats, some GPC members believed that an imposition of OCDS would be unwarranted.

The inclination of pluralistic policy choices aligned with the spirits of "responsive regulation", a school of thought developed by Ian Ayres and John Braithwaite (1992). The main argument of Ayres and Braithwaite was that regulators should choose from a menu of regulatory tools (i.e., the "regulatory pyramid"), ranging from less interventionist, self-correction types of persuasion and capacity building, to minor deterrence and warning, to more coercive and expensive tools such as direct punishment. In principle, the proposal to maintain a suite of regulatory choices for countries to choose from – based on countries' stages of economic development and maturity in leveraging digital technologies and data analytic tools – can be satisfied by constructing a regulatory pyramid by transnational actors who can provide advice on the appropriateness, efficacy, and sequencing of different choices. Practically, this may be a role that OCP could consider playing, should there be more resistance to its standardization approach.

Private Authority and Legitimacy as Core Concepts

This research confirmed that concepts of private authority and legitimacy were fundamental to the understanding of a TPR's emergence. My empirical endeavor indicated that they were a pre-requisite for a ripe policy window. I have not seen studies that had embedded the examination of private authority and legitimacy in a public policy making framework before. So, the integration of the concepts into my adapted MS framework can offer some new insights.

Moral Authority, Knowledge Authority and Market Authority

First, the relevant types of private authority in the case of OCP were moral authority and knowledge authority, and there was also a sequential relationship between the two, with moral authority coming in first and knowledge authority second. OCP obtained moral

authority by serving in socially oriented functions, and developed "transnational policy decisions, regime rules, principles, and decision-making procedures" (Hall and Biersteker, 2002, p. 13). Early endorsements of OCP often cited the normative push behind OC principles, which were about fighting corruption, creating value for money, leveling the playing field for private sector entities, and enabling citizens to monitor procurement outcomes. These value propositions belonged to a set of policy core beliefs and moral ideals that the adoptees subscribed to, which legitimized their support. Moreover, OCP's extensive framing and communications efforts were very useful for it to gain name recognition quickly. And a major tactic they used was to integrate the rationale of OCP into major high-level political commitments. Such strategy made OCP to become part of the moral ideal for reformers within a very short period of time.

As the political enthusiasm went through its ebbs and flows, OCP started to focus on enhancing its knowledge authority, which was offered in the form of guidance materials, learning and capacity building events and knowledge exchange activities. Even though OCP's efforts to promote structured learning and knowledge exchange and coalesce stakeholders for collective action through collaborative governance were their principal objectives at the beginning, only in recent years that the GPC started to mention OCP's knowledge capacity. This may be interpreted as a natural evolution of a TPR. As adoptions became more prevalent, users would move away from normative slogans and focus more on the TPR's impact on the community.

Additionally, even though I didn't detect traces of the pursuit of market authority, I suspected that as the engagements with private sector entities started to ramp up, the OCP may be vying for market authority in the public procurement marketplace. They may be

playing the role of an objective intermediary that sets the standard on the rule of the game for the market interface between public buyers and private contractors, levels the playing field, and ensures fair and efficient competition. In fact, both the GPC and OCP founders expressed a desire to engage more with private sector entities in public procurement reforms.

Legitimacy by Association

Second, private legitimacy can be more easily obtained by embedding the TPR's narratives, programs, and rationales into those of dominant members in the existing policy coalition. Black (2008) predicted that legitimacy of privately created rules could be gained by association in linking up with organizations or initiatives that were perceived to be legitimate, and her speculation was that the associated initiatives were more likely to be government or state laws or regulations. What I found in the case of OCP was that Black's claim can be stretched to the setting of transnational private policy making. The OCP spent a significant amount of time and resources on linking up and forging partnerships with other actors in the policy field that supported the open government and open data movement. The OCP positioned itself as an insider within the open government and open data policy community, which helped OCP minimize the risks of being perceived as a coalition disrupter. OCP touted OC principles and OCDS as tools for the GPC to further strengthen its policy offerings and expand the membership and influence. In addition, joining forces with the dominant force within the existing field supported OCP's pursuit of legitimacy, because the legitimacy of the core beliefs held by the open government community had already become ingrained in the normative

discourse and received public endorsement. In this case, legitimacy by association worked well for the new TPR.

Gaining Independence for Private Legitimacy

Third, OCP's predilection to become an independent TPR was clearly motivated by the desire for more "credibility", as OCP founders disclosed. The independence had positive influence on both OCP's input legitimacy (rule legitimacy) and output legitimacy (rule effectiveness) (Mena and Palazzo, 2012; Carodenuto, 2019). The inconsistency between the World Bank's mission and OCP's policy ideals could have jeopardized the OCP's moral authority and rule legitimacy, which may consequentially confuse or turn away potential adopters; and the practical challenges over OCP's financial, operational, and organizational survival by staying at the World Bank may have prevented OCP from gaining rule effectiveness. In particular, from the perspective of OCP's advocacy efforts, being an independent TPR boosted the OCP's input legitimacy since it was no longer associated with a government-sponsored international organization whose clients were OCP's targets for policy reforms. The GPC endorsed and praised OCP's mobilizing, advocacy, and coalition building capacity, especially their ability to embed OC principles and OCDS into high-level political commitments, which was often an important pre-condition for any local reforms. For example, some GPC member complimented OCP's mobilizing ability for reforms in Africa. In certain African countries, it was a taboo to talk about public contracts in the early 2010s, and as of 2015, there was not a single African country that had signed onto the OGP action plans. But things accelerated rapidly after the Anti-Corruption Summit that took place in May 2016 in London, where 18 countries declared commitments of using OC principles or adopting OCDS ("Full

Results", 2016), many of which were African countries that are now pioneering OCDS implementation. Interview data from constituents in Africa also confirmed that OCP became more effective in achieving its advocacy objective after the spin-off.

The Institutional Perspective: The Multi-layered Transnational Policy Environment

A few TPR scholars have advocated for an institutional perspective to study global rulemaking, but empirical endeavors have been scant (Pattberg, 2005; McAdam and Scott, 2005; Wilson, 2019). I launched an in-depth examination of the transnational policy environment to better understand the interactions among policy streams. With the MS framework, I studied the macro- and micro-level conditions at different institutional levels, the interactions between them, and how policy entrepreneurs were empowered and constrained by the institutional environment around them.

The original MS framework didn't have a dedicated theoretical construct on the policy environment; there may be an implicit assumption that there would be institutional factors functioning in the policy window, but there were no explicit constructs. In this case, when examining the whole causal chain, I discovered that the institutional environment constituted elements across the three policy streams and at various levels: i) the broader economic and political climate, ii) the global policy community in which the OCP was anchored, and iii) the organizational environment that cultivated the OCP's development and independence. These three layers of transnational policy environment worked separately, and collectively across streams.

Frist, the broader climate was largely infused with headlines, scandals and public outcries that conditioned the policy environment to be ready for a new solution. The normative ideals of the GPC affected how policy problems were defined and got noticed; and the

OCP entrepreneurs effectively translated the issues in a way that matched the normative, progressive policy ideals of government accountability that the GPC endorsed. At the same time, the multi-stakeholder approach that OCP used to develop the solution was crucial, because it helped control the policy narrative, and converge the discourse towards one that laid the foundation for OCP's creation.

Second, the GPC itself, out of which the OCP grew and in which its policy offerings were eventually anchored, had tremendous influence over OCP's development, and the GPC affected the policy entrepreneurs' behaviors in all three streams. Unlike the prediction from Kingdon's original MS framework where the different policy and political preferences of the GPC would unsettle the community, what I found in the case of OCP's emergence was quite the opposite – the policy field was largely stable as OCP gained its influence. The policy goals of transparency and participation in government services within the GPC remained dominant throughout. The OCP policy entrepreneurs also tried to expand the membership and influence of the GPC, rather than disrupting or competing with it. This was another salient feature of the particular policy field of OCP. Early on, I discovered that OCP spent a significant amount of time and resources on building alliances and partnerships with other actors in the policy field. It also made it its mission to continue cultivating and growing the community and was determined to eventually put itself out of business. Its plan was to build the coalition, empower others, then leave, as opposed to focusing on its own growth by becoming a dominant figure in the field. The resolve to "build the field, but not be the field" has been expressed explicitly in various OCP documents, including annual reports, strategies, and blogs, and was emphasized repeatedly by OCP founders.

I found that the determination to help grow the coalition helped accelerate OCP's growth. Since the policy narratives the OCP framed and put forward were already in full alignment with the normative ideals of the broader field, most GPC members regarded the newcomer a welcome addition, who would occupy a niche space within the broader coalition and enrich the GPC's values. Later on, the OCP's strategy to interlace its activities with those of the main cohort further consolidated its position within the community. OCP founders commented that in times of transition – when the organizational environment at the World Bank became tenuous – the GPC also helped preserve the initiative. One founder said that "when so many of us left, it (OCP) didn't just die, because so many other partners had helped protect the space for it".

Third, the enabling organizational environment in WBI was also an indispensable factor in OCP's creation and development. At the ideation stage, the mission of WBI at the time inspired policy entrepreneurship. The WBI aimed to incubate innovations, promote structured learning and knowledge exchange, and coalesce stakeholders for collective action through collaborative governance (WBI, 2012). One OCP founder added that WBI also had created incentives internally for teams across multiple verticals to work together. Teams that were not necessarily structured together organizationally based on existing bureaucracy of the World Bank were encouraged to collaborate, and there were pools of funds that could be leveraged which provided more impetus for innovation. A team called "Contract Management and Contract Transparency" was created, which consisted of people from different sectors and regions, and served different internal functions in the World Bank. This enabling organizational culture was paramount to OCP's incubation. Evidently, when the organizational environment of WBI was destabilized by the World

Bank-wide organizational reforms, practical concerns of the initiative's survival and development sped up the spin-off process.

Overall, the study of OCP's emergence highlighted the difference forces that were at play across the three streams, and these factors worked in tandem with and were influenced by one another. The MS causal mechanism was useful to examine how change agents leveraged institutional dynamics for policy changes, and how these factors also set the parameters for the actions of policy entrepreneurs.

The Challenges with Stretching Public Policy Frameworks

Admittedly, the empirical inquiry was met with some challenges. An important objective of this research was to contribute to the internationalization of theoretical and empirical explorations of policy studies by "re-engineering" and "stretching" existing public policy theories for the study of global governance phenomena (Stone and Ladi, 2015; Stone and Moloney, 2019). In this research, I tested the relevance and applicability of the MS framework at the transnational level (i.e., from national to transnational) and studied how non-state actors initiated new policy solutions (i.e., from public to private). In reality, some empirical observations describing the transnational private policy making process were inconsistent with the MS causal mechanism, and I found factors that were outside the framework. After all, not all elements can be neatly accommodated in one framework, and one needs to pay special attention to the process of scaling up and stretching the core components and be aware of the conditions under which some factors may work and some may not. I will discuss three possible reasons behind the discrepancies between empirical findings and the theoretical framework: i) the possibility of incommensurability in adapting some components of the MS framework to the transnational level, ii) the

mutually unexclusive relationship between the propositions and alternative explanations, and iii) practical challenges in adapting the MS framework.

Possibilities of Incommensurability

The Membership and Functions of the Policy Community

Certain concepts in the MS framework, which were developed to describe public policy making at the national level, may be "incommensurable" (Kuhn, 1962) with those in private policy making at the transnational level. First, the membership and functions of the GPC at the transnational level may be shaped by factors that were incomparable with those in the original construct of the MS framework at the national level. The "political" mood at the transnational level was motivated and sculpted by a different set of factors than they were at the national level. Traditional party politics, interest group influence, and the dynamics of the iron triangle no longer applied, and these factors didn't determine "political" preferences. The regulatory space at the transnational level was much more muddled, with multiple stakeholders (both regulators and regulatory targets), networked relationships, and more complex institutional forces. In particular, I discovered that the conceptualization of the membership of the global policy community and the functions they played were different. Kingdon (1984) posited that the composition of the policy community across streams was different: "each has a life of its own, independent of the other" (p. 116). Scholars in policy studies (Mukherjee and Howlett, 2015; Beland and Howlett, 2016; Simons & VOß 2018) recently presented a typology of organizational membership for the three streams: i) the epistemic communities dominate the problem stream to define and articulate problems, ii)

instrument constituencies describe and devise policy solutions, and iii) advocacy coalitions shape policy dynamics.

However, what I found in the case of OCP was that the policy community consisted of mainly the same cohort of members, playing epistemic, instrumental, and advocacy roles simultaneously. For the policy field in which OCP was anchored, it straddled between the open government and open data communities – open government covered the "what" and pursued transparency and participation goals to make government services more open, efficient, equitable, and accountable, while open data focused on the "how", facilitated implementation, and supplied the digital infrastructure and technological innovations. These two communities worked in disparate spaces but had considerable overlap. The middle field was occupied by a finite number of actors that formed the GPC in which OCP resided.

Table 18 below presents an analysis of strategies of five dominant members of the GPC, including OCP. It was clear that these organizations had regarded knowledge and learning, development and promotion of policy instruments, and global advocacy as core pillars of their strategies, though with varying degrees of intensity for each component. The most well-known feature of these organizations was their policy design function – they developed policy instruments in the form of global principles and norms, standards, and benchmarking indexes. The OCP devises OC principles and OCDS to advance procurement reforms. The OGP's policy solution is the Open Government Declaration, a set of normative commitments that can be translated into concrete action plans; CoST puts forward disclosure standards for the infrastructure sector, including the Open Contracting for Infrastructure Data Standard, which was co-developed with OCP; EITI

advocates for the EITI principles and EITI standard on good governance for oil, gas and mineral resources; in the same vein, the International Budget Partnership (IBP) uses a global benchmarking exercise called open budget survey, as well as the norm-making Global Initiative for Fiscal Transparency to push for budget transparency, accountability and participation.

The knowledge and advocacy functions were also equally salient for these five organizations. Conventionally, epistemic communities were comprised of actors that assumed the knowledge function in societies, including those coming from academia, think tanks, scientific and policy institutions (Hass, 1992). But in the case of the open government and open data community, these organizations took on the role of defining and communicating about the policy problems themselves. They articulated policy problems, developed manuals and guidance notes, conducted research, monitored, and documented progress, and organized activities on knowledge sharing and information exchange. By incorporating the knowledge function in-house, they were able to shape the narrative themselves and cultivate potential adopters of their policy instruments by distinguishing themselves with unique value propositions. As discussed earlier, OCP deliberately sought for knowledge authority which was part of their strategy to build and expand the policy field. These organizations also teamed up with one another at times to jointly issue statements, draft op-eds, and organize events.

In addition, advocacy coalitions were typically perceived to involve NGOs, political activists, and social groups that mobilized support and campaigned for a particular cause. But these organizations decided not to “outsource” the advocacy function; they proactively forged alliances and leveraged global and regional platforms to bring together

supporters to advance their policy solutions. For OCP, the most recognized function of theirs was global advocacy, and the GPC members almost unanimously endorsed their mobilization ability. Moreover, there was also considerable overlap in the tactics and materials in carrying out the three functions. For example, the impact stories and evidence generated for articulating policy challenges and highlighting reform results were also employed in advocacy efforts; events organized for knowledge sharing were used to "indoctrinate" new members for a common narrative; and training workshops operated as platforms to harmonize diverse preferences and opinions.

Active GPC Member	**Problem stream: knowledge and learning**	**Solution stream: policy instruments**	**Politics stream: advocacy**
Open Contracting Partnership (OCP)	**Strong:** knowledge and learning is a core pillar of OCP's strategy, and it actively seeks knowledge authority to enhance its legitimacy.	**Strong:** OC principles and OCDC	**Strong:** OCP places strong emphasis on global advocacy, to advance its norm-making and standard-setting goals.
Open Government Partnership (OGP)	**Strong**: Knowledge and learning occupies considerable space in OGP's strategy. OGP integrates accountability and learning into its core strategy. An Independent Reporting Mechanism (IRM) produces reports on every OGP Action plan which facilitates monitoring of reform progress and sharing of best practices. The knowledge generated by the IRM informs and supports the OGP's learning and knowledge exchange activities. The OGP also organizes peer	**Strong**: The OGP's policy instrument is the Open Government Declaration, which uses a multi-stakeholder co-creation process to generate open government action plans and commitments.	**Strong**: Global advocacy is one of the four core pillars of OGP's strategy. It uses its global advocacy efforts to support country actions. The OGP leverages global platforms such as OGP global Summit, UN General Assembly, and organizes global and regional events and campaigns to inspire reforms and raise awareness.

	learning and exchanges including through global and regional events, produces publications, webinars, case studies, and evidence on open government reforms.		
Construction Sector Transparency Initiative (CoST)	**Moderate**: CoST holds training events and public engagement sessions for media; provides resources for citizen monitors, including interactive analytical dashboards; and organizes community events to amplify citizen voices for social accountability	**Strong**: CoST puts forward disclosure standards for the infrastructure sector, including the CoST Infrastructure Data Standard and the Open Contracting for Infrastructure Data Standard.	**Moderate**: CoST embeds its efforts into the multi-stakeholder forums across governments, businesses, and civil society. They don't employ many traditional tactics such as campaigns.
Extractives Industries Transparency Initiative (EITI)	**Moderate**: The EITI measures and actively communicates its impact, including through a validation procedure. Similar to the OGP, the accountability function and learning activities are integrated. It also curates examples of open data disclosures in EITI implementing countries.	**Strong:** EITI has developed a set of EITI principles, and stewards the EITI standard, which is a global standard for good governance for oil, gas and mineral resources.	**Moderate**: The EITI maintains that they have already established the global norm for transparency in extractive industries, and it aims to further develops positioning on how EITI helps fight corruption, and how EITI data informs energy policy.
International Budget Partnership (IBP)	**Strong**: Learning is embedded across the organization focusing on research, integrated, real-time learning with regular reflections, and rigorous assessments to analyze and document evidence	**Strong**: The IBP runs an open budget survey by sending a questionnaire of 228 questions to researchers from CSOs in more than 100 countries. The IBP produces	**Strong**: Advancing norms and standards for open budgeting is considered a crucial part of IBP's advocacy efforts. Other issues that IBP mobilizes voices for include budget credibility, climate finance and

		scores on budget transparency, participation, and oversight. The Global Initiative for Fiscal Transparency establishes global norms for budget transparency, accountability, and participation	accountability, equity and justice.

Table 18: Examples of the GPC's Epistemic, Instrumental, and Advocacy Roles

Overall, the assumption that the membership of policy communities across the three streams were random and unrelated was dis-confirmed in my research. I discovered that there can be the same set of stakeholders playing the knowledge, policy development, and advocacy functions on their own. In other words, these organizations were aware of the forces that were at play across the policy streams and had made a conscious decision to bring these responsibilities in house. This result may be an example of the potential incommensurability of the national scope and the transnational context of the concept of "politics" (i.e., Proposition 3A). The stability of the GPC that I captured, which also ran contrary to the original construct, may also be explained by the relatively unchanged membership of the GPC across streams.

Entrepreneurial Policy Making

Similarly, I also encountered difficulties in reconciling the different articulations of policy solutions between the original model and my adapted version for Proposition 2B. The main concern of the original framework was largely on "familiar" ideas and proposals that were already present in the suite of policy tools, whereas the OCP was a completely unknown instrument that was developed from scratch. The case studies that

Kingdon used to illustrate the model were all government programs debated in US Congress. One can assume that the majority of the policy debates were concentrated on the design and introduction of new bills, which may consist of a known set of components. For example, the externality problems associated with carbon emissions from private cars are relatively well defined. There is a menu of possible regulatory solutions that different actors may prefer and promote, including subsidies to companies producing electric vehicles or to owners buying them or inflicting carbon tax. For the cause of climate change mitigation, an international NGO can choose to promote one solution which is consistent with its policy beliefs, or one that is preferred by its policy community. So, when there is an existing set of regulatory solutions that policy entrepreneurs can choose from, the MS framework is well suited to explain how one existing solution gets selected and promoted.

However, for solutions that are developed completely from scratch, the MS framework may be insufficient. The policy solutions that OCP developed didn't exist before and they were not idly sitting around waiting to be picked up by policy entrepreneurs. Rather, the OC principles and OCDS originated from and were informed and shaped by the other streams, at the same time when the conditions within the solution stream and in other streams changed. Simons and Voß (2014, 2018) shared a similar view and argued that policy instruments shouldn't be perceived simply as ready-made, passive and static tools that waited to be passed or rectified; rather, more research should be focused on the establishment of these instruments, and the dynamics of their innovation trajectory.

In addition, in Kingdon's description, technical feasibility of the policy solution was an ***ex-ante*** assessment, where the solution was evaluated on its potential, yet-to-be-realized

effectiveness and feasibility. However, my discoveries of the empirical traces demonstrated that the GPC appraised the ***ex-poste*** effectiveness of OCP and OCDS. This showed the limitation of the MS framework in predicting policy conditions for a TPR that took years to form. Agenda setting wouldn't happen overnight. But the original MS framework was silent on how to treat the nuances of the evaluation of policy solutions at various stages of a TPR's development as it climbed onto the policy agenda.

Furthermore, the socialization and familiarization process for an entrepreneurial policy instrument may be characterized by different motivations and factors than existing instruments. For instance, a core tactic that OCP used was coalition building, which was an evident deviation from the MS framework. But for a new initiative introducing a new policy option to an established policy community, the strategy to align itself closely with the community can be well expected. Additionally, this may also explain the lack of evaluation of various policy choices (Proposition 2B). I didn't found overwhelming evidence on the assessment of various choices, nor did I uncover debates or controversies on the decision to transition OCP from a public initiative to a private one. For a new solution that was developed by coalescing like-minded reformers in the same policy community, the choice menu, including the details of its design, framing and promotion, may be well defined from the beginning. So, the lack of evaluation and selection may also be justified in the context of entrepreneurial policy making.

To sum up, there may be incomparable elements in national public policy making and transnational private policy making, particularly when it came to the construct of the global policy community and the development process for a new policy solution.

The Mutually Unexclusive Relationship between Propositions and Alternative Explanations

The second reason for the discrepancy between working propositions and empirical findings may be the extent of conceptual connections between propositions and alternative explanations. As explained in Chapter 3, I chose the MS framework as my conceptual boundary. And the rival explanation of the MS framework was another prominent public policy theory that also emphasized the role of policy brokers – the Advocacy Coalition Framework (ACF) (Sabatier and Jenkins-Smith, 1988, 1993). The assessment of the alternative explanations was used primarily as an exclusion tool to administer the Hoop Test, so as to enhance research validity.

Empirically, I found that the propositions and the alternative explanations may not be mutually exclusive. This may be the case for Proposition 2B and 3A. It exposed a flaw in my operationalization of the proposition and revealed the limitation of the process tracing method for the construction of propositions and alternative explanations. It may also mean that there are ways to integrate elements from different theoretical frameworks, namely the MS and ACF frameworks, in a single study, which I'll discuss more in the next section.

Most scholarship around process tracing followed the approach of developing analytic narratives by administering empirical tests of the evidence, which informally followed a Bayesian logic (Van Evera, 1997; Collier, 2011; Bennett and Checkel 2015*;* Beach and Pedersen, 2019). This research fell into the same traditional camp. I constructed my empirical tests from principles established by process tracing scholars (Figure 5 in Chapter 3), mainly from Collier (2011). However, Zaks (2017) pointed out that Collier's

framework had its limitations, because it assumed mutual exclusivity as the only relationship between principal proposition and its rival explanation. The assessment framework was thus clean and easy to filter evidence with, but it didn't represent real research dilemmas in social science. Recent scholarships argued that there may be incidences where the main proposition and rival explanations were not mutually exclusive (Rohlfing, 2012; Zaks, 2017). Zaks (2017) went further and contended that mutual exclusivity was extremely rare, and may often be the exception, rather than the rule in social sciences. Zaks (2017) provided a useful typology of the various relationships between the main proposition and its alternative explanation that researchers may encounter. Two types of the relationship were pertinent to my study: one was a "coincident hypothesis", where the validation of one has no effects on that of the other. The second relationship involves a "congruent hypothesis", in which there may be elements of common ground between two theories; they predict similar outcomes, and that the evidence supporting one may also confirm the validity of the other (Zaks, 207).

Proposition 3A may have a "coincident" relationship with the alternative explanation. I found that the political environment was relatively stable throughout the period of my investigation, during which OCP was incubated and developed into a TPR. The normative mood remained unchanged, and the GPC focused on the core policy ideals both the GPC and the OCP founders pursued. However, policy changes can take place in either a stable or an unstable policy environment. Normative imperatives may cause a policy environment to be precarious, but if the policy objectives are sufficiently homogenous, they may not have any impacts on the existing regime. Therefore, the main proposition derived from the MS framework has a coincident relationship with the rival

explanation developed from the ACF framework. To eventually dispel the alternative explanation, one needs to launch another investigation, specifically dedicated to confirming or dismiss the alternative explanation. This would equal to designing another analytical framework and re-trace and analyze all the evidence. Unfortunately, I couldn't accomplish this in the context of the research, whose main purpose was to stretch and test the MS framework.

With Proposition 2B, I found that actions of coalition building, which was a core assumption of the ACF, can exist in the MS framework, which made the main proposition and the alternative explanation "congruent". As explained earlier, the discovery of bundling OCP with other similar initiatives didn't' necessarily clash with the essence of the proposition that policy entrepreneurs would use a variety of strategies to prioritize a particular policy solution. In fact, riding the wave with other initiatives within and outside the broader coalition of open government can be seen as a tactic to promote OCP itself. That is, there was no mutual exclusivity between Proposition 2B and its alternative explanation, and there existed sufficient common ground. In cases like this, it didn't mean that the two theories were identical; rather, the outcome predicted by one theory may sequentially come before another, or that the two theories may chronicle phenomena with different units of analysis.

For OCP, I suspected that coalition building may be an integral part of policy entrepreneurs' promotional strategy, because the policy ideals of the new solution and those of the dominant policy community were consistent. The MS framework described actions at the agency level, where policy entrepreneurs focused on promotional efforts of their favored solution. The ACF framework predicted outcomes at the institutional level,

which consisted of multiple layers of the policy environment at macro and organizational levels. This means that the two theories may anticipate similar outcomes with different causal mechanisms.

Practical Challenges in Articulating a Metaphor

Lastly, another challenge in testing the MS framework was that Kingdon followed a figurative metaphor without providing explicit hypotheses, which added difficulty in operationalizing and adapting the framework. The main thesis of the MS framework was that policy changes would happen when policy entrepreneurs coupled policy streams during a ripe policy window. This assumption gave off a sense of randomness in how policy changes took place, which was not useful to pinpoint the exact drivers of change. Some scholars have pointed out that Kingdon's original scope of work was narrowly defined, as it was focused on the singular motion of issues being put on the agenda, rather than examining how solutions were decided upon (Barzelay 2006; Howlett et al. 2014). Additionally, the MS framework supposed a zero-sum situation – there would be organized anarchy when changes happened, or they didn't happen at all. I must admit that this assumption was not conducive for me to zero in on the particular mechanisms that made a policy window ripe for coupling streams.

To conclude, I presented the limitations of stretching the MS framework and questioned the scalability of certain elements in the MS framework to examine entrepreneurial policy making at the transnational level. I obviously couldn't disconfirm the scalability of the MS framework to transnational private policy making in general with just one case, which was not my intention with this research. But I believe that there's much room to

enhance the MS framework to make it more "scalable" to the transnational context – I'll elaborate more on this in the next section on theory building.

Towards Theory Building

The challenges associated with stretching and scaling the MS framework and methodological limitations of the method to treat propositions and alternative explanations in process tracing may have weakened the analysis. However, the challenges also prompted me to explore ways to enhance the MS framework's explanatory capacity by integrating elements from the "rival" framework, the ACF. For Proposition 2B and 3A, both alternative explanations were fundamental premises of the Advocacy Coalition Framework (ACF) (Sabatier 1988; Sabatier & Jenkins Smith 1993). I looked deeper into the compatibility between the ACF and MS frameworks, and examined whether these two policy making models were mutually exclusive, and whether elements of the ACF process could reside within the MS framework. I'll provide more discussions in this section.

Several scholars have proposed a similar notion (Mintrom and Vergari, 1996; John, 20003; Herweg et al., 2015; Howlett et al., 2015; Herweg et al., 2018). Mintrom and Vergari (1996) looked into the possibilities of combining the ACF with understandings of policy entrepreneurs derived from the MS framework and found a high degree of compatibility in the case of an education reform process in Michigan. When discussing the operationalization of the MS framework in parliamentary systems, Herweg and colleagues (2015) suggested that politics stream was ripe for coupling with problems and solutions when the governing coalition embraced a proposal, and that a particular policy solution was likely to be adopted when it aligned with the party or coalition's main

ideology and core positions. The traces of coalition building and the importance of alignment of ideological and policy positions were found in my research as well. Howlett and colleagues (2015) pushed the boundary further and demonstrated how to integrate the MS framework with the heuristic policy stages framework. They used a fiscal policy example in the UK to illustrate that the MS framework could be stretched beyond the first policy stage (i.e., the agenda-setting stage) and be reconciled with the additional four stages of a policy cycle, namely policy formulation, decision making, policy implementation, and policy evaluation.

Cairney (2013) delineated three approaches in combining theories in policy making research. The first method is "synthesis", where ideas from multiple theories are used to produce a single theory, but challenges are abound when applying it in the practical world. There may be incompatibility in the ontological and epistemological beliefs, and inconsistent understanding of terminologies used in each theory. The second approach is "complementary", which uses different theoretical lenses to explain a single empirical outcome. The philosophical challenges associated with the synthesis approach appear to be less demanding in the complementary approach, but practical concerns arise, such as time, resources, and the level of empirical thoroughness given to each analytical framework. In most cases, researchers rely on one single research design and are only able to conduct a perfunctory analysis on the secondary or third theoretical lens. Lastly, a "comparative" or "contradictory approach" may be used, where one may be able to obtain some guarantee that the chosen theory is valid through a comparison of different theories, but they may be "incommensurable" scientific paradigms (Kuhn, 1962) which could render them incomparable (Cairney, 2013).

In the next section, I will adopt the "complementary" approach in Cairney's framework and use ACF perspectives to bring more nuanced and in-depth understanding into how a TPR emerges onto the policy agenda. The relevance of two premises of the ACF will be explored. One is the gluing effect of policy coalitions in the policy subsystem, and the other is the power of the agreement over policy core beliefs of actors, which are assumed to be resistant to change and will remain stable over a long period of time (Sabatier, 1998). It should be noted again that the original research design was based on the MS framework, and the main empirical endeavor was devoted to identifying observable manifestations stipulated by the adapted MS framework. The ACF was used to construct the alternative explanations, but they were designed to be an exclusionary tool for the principal propositions. Supplementary insights about how ACF concepts can be integrated into the MS framework were developed ex-poste, and they were not part of the initial empirical investigation. I will only be able to have a superficial attempt to incorporate elements of the ACF framework into the MS framework, in order to enrich my understudying of a particular policy phenomenon.

Policy Subsystems and Coalition Building

First, I found that actions of coalition building, which was a core assumption of the ACF, can exist in the MS framework. As explained earlier, the discovery of bundling OCP with other similar initiatives didn't necessarily clash with the essence of the proposition that policy entrepreneurs would use a variety of strategies to prioritize a particular policy solution. Forging partnerships with other initiatives within and outside the broader coalition of open government can be seen as a tactic to promote OCP itself. This made me realize that there may be theoretical space to integrate the coalition building concept

into the MS framework, particularly from the perspective of policy subsystems. At its core, the ACF framework tried to explain policy stability, maintenance, and gradual evolution within a sub-system. A policy sub-system was the unit of analysis and was believed to be quite stable unless there were interactions of competing coalitions, external perturbations, or changes in secondary beliefs resulted from learning within the subsystem (Sabatier, 1988; 1993; Sabatier and Jenkins-Smith, 1993; Schlager and Blomquist, 1996).

The concept of the policy sub-system or policy coalition could help explain the stable membership of the GPC. As discussed earlier, the GPC of the open government and open data community remained relatively unchanged and didn't relay on outside forces to define problems, supply solutions, or navigate institutional forces. They approached policy actions as a coherent, unified, and stable subsystem. At the same time, the policy entrepreneurs proactively tried to align their framing and value propositions of their proposed policy solutions with those of the GPC. The OCP founders regarded these actions as "building the field". In essence, they were about maintaining uniformity and consistency in the normative pursuits or policy objectives between a newcomer and the existing, dominant coalition. In the case of OCP, the principal stakeholders congregated around particular issues, policy objectives, and normative ideals, and formed a distinct, close-knit policy community.

Throughout OCP's development and growth, it has been consistently trying to integrate itself into the two dominant policy subsystems – open government and open data. It was evident that OCP actively sought to join the existing alliance of open government. A variety of deliberate partnership strategies were used to embed OCP's work into the

"establishment", particularly into OGP's work. The most notable effort was to promote OC commitments as an official policy action that OGP members can choose from. Later on, OCP also incorporated the value propositions from the open data community, which resulted into the birth of OCDS.

The integration of the policy coalition concept can bring a possible enhancement to the MS framework. There would be more theoretical space to describe what constitutes a ripe policy window. As OCP's collaboration with multiple existing initiatives grew, the policy window became increasingly ripe for coupling across policy streams. In other words, joining an existing dominant policy coalition boosted the chances of a policy solution to be noticed and propelled it onto the policy agenda. A potential working proposition would be that if the new policy solution is framed and promoted in a way that is consistent with that of the predominant policy subsystem in which the new solution is anchored, the policy streams are more likely to be coupled.

Policy Core Beliefs Running across Policy Streams

When politics are discussed at the national level, the concept is linked with notions in political science such as contestation, power dynamics, and navigation of conflicts. I had assumed that the policy community at the transnational level would be precarious, and the policy entrepreneurs would leverage the unstable policy environment with other factors such as regulatory voids and directions of the normative mood to initiate change. Previous literature on TPRs in the environmental realm had also demonstrated that conflicts over the legitimacy of different institutional choices may affect the governance of timber trade across borders (Bartley, 2007).

However, I found out that OCP was created in a relatively stable policy environment without many "political" conflicts. When adapting the MS framework, I had translated the "political" mood into a normative imperative for fundamental policy shifts which would shape the framing of policy problems and affect solution preferences. It was apparent that in transnational private policy making, the actors and their "political" preferences were shaped by a different set of factors. In the case of the OCP, the "political" mood was determined by the strength and stability of the policy preferences of the dominant coalition, rather than contestation. The members of the policy coalition that the OCP belonged to subscribed to the same policy commitments, which was that governments should be made more transparent, participatory, and accountable. The policy ideals that the GPC members faced can be interpreted as the policy core beliefs that they shared, which remained unshaken during my investigation period.

This discovery coincided with how the ACF framework explained the gluing effect of policy core beliefs. Sabatier (1993, 1998) constructed a hierarchical belief system. At the highest level, the ***deep core*** **beliefs** consist of basic ontological beliefs, which are resistant to change. The familiar left/right dichotomy of value systems represents typical differences in deep core beliefs. The next level are ***policy core*** **beliefs,** which are the coalition's normative preferences in a given policy domain. These involve value priorities, perceptions of the world affairs, and assumptions of the technical efficacy of the policy instruments. These are compatible indicators with key elements in Kingdon's policy solution streams, which include value acceptability and technical feasibility of policy solutions. For example, an environmental NGO is likely to put a premium on the environmental benefits of a policy proposal than economic ones based on its normative

commitment to environmental preservation. Likewise, the open government and open data community is more likely to favor disclosure laws and regulations than those that prevent public access to government information. Lastly, there are ***secondary beliefs***, which relate to the instrumental aspects of the policy proposal, such as specific regulatory or budgetary mechanisms. The secondary factors are less rigid, and are open to adjustments, and may be conducive to policy learning, which would eventually bring out policy changes.

The ACF framework denotes that the policy core beliefs are the underlying glue that brings the coalition members together. In the case of OCP's development, the policy core beliefs in the values of transparency and participation were a constant force in the policy primeval soup that the OCP was in. It was a key factor in the coming together of the three policy streams in the case of OCP, and that the strength, framing, and advocacy of the policy core belief determined the window of opportunity for the formation of the OCP as a TPR. The steadiness of the policy community was characterized by the hegemony of GPC's core policy ideals, which shaped the predominant definitions of the policy problems and the preferred policy solutions. The consistency of policy core beliefs between the policy entrepreneurs and those of the dominant coalitions was a crucial condition for the coupling of the policy streams.

Concretely, the policy core beliefs can be incorporated into the politics and policy solutions streams in the MS framework, and help explain the institutional factors that affect the coupling conditions running across the streams. In the politics stream, the policy core beliefs can help describe the actions of the actors, their interests, and the predominant "mood" toward a particular policy problem or solution. For the policy

entrepreneurs, their objective was to advocate for and increase the predominance of their core beliefs in the political discourse, including bringing different political preferences closer to their normative belief, and providing alternative policy instruments to strengthen and solidify the policy ideals – these were what OCP accomplished. They devised private regulatory solutions for the open government community; integrated a new policy tool around open data to help implement the policy core beliefs; and helped expand the coalition by recruiting new adopters that believed in the same normative ideals.

In the same vein, the policy core beliefs can also influence the functioning of the solution stream. In the assessment of the OCP's private authority, the GPC members put more emphasis on value acceptability than technical feasibility. The match of core values demonstrated by OCP and those of the open government coalition gave the OCP more impetus to grow. At the same time, the OCP entrepreneurs also realized the importance of compatibility of core beliefs and decided early on that they needed to ride the wave with and embed themselves firmly in the open government and open data movement and centered its framing efforts around the policy core beliefs as well.

To sum up, the ACF is particularly suitable to explain how a group of like-minded members sharing core policy beliefs can dominate the direction of a specific policy area over a decade more. The concepts of policy subsystems and policy core beliefs may enhance the MS framework to better explain how policy changes can take place in a relatively stable policy environment, especially for policy coalitions that are not characterized by "political" (i.e., normative) contestation.

Future Research

First, scholars on TPRs have suggested stretching conventional public policy processes and applying them to transnational level policy making. But there is still a dearth of literature that explicitly discusses the prospects and limitations of the adaptations of existing frameworks to different settings. Rather than blindly applying theories to the transnational level, one needs to be clear about the epistemological beliefs and underlying assumptions of the original frameworks. There appears to be missing steps in the current literature on theoretical adaptations, and more research can be devoted to studies of the scalability issue of existing theories and frameworks.

Ford (2012) described scalability in regulation as "a measure of whether and how well a regulatory strategy operates in environments characterized by greater levels of logistical complexity, workload, and scope" (p. 4); and provided insights on how to overcome challenges of scaling up regulatory frameworks originally designed for national contexts to the transnational level. She cited de Sousa Santos (1987), who presented an analogy of maps and the real world from which ideas could be borrowed. Because maps can't represent all minute details of the real world, when a map is "scaled up", more details are lost. So, in essence, scaling is about filtering through features and selecting relevant details to be represented. In addition, maps also contain built-in distortions of reality, as cartographers try to project a round object on a flat surface. This means depending on the period and historical or cultural context in which a map is designed, a certain degree of chosen compromises are made, and each map only embodies a particular locale and mindset. This argument can be extrapolated to the scaling up of regulatory studies to suggest that certain elements in models and frameworks are only suitable at particular

scales, and that they are affected by the stretcher's epistemological beliefs at the time, which would inevitably lead to compromises and omissions. Therefore, before reengineering any existing regulatory models to the more fragmented and complex transnational settings, one needs to be acutely aware of the core features that were included in the original framework, and the focal concern for which or the particular mindset in which the theoretical maps were made.

Second, future research can delve deeper into the seemingly irreconcilable concepts and those that may be difficult to stretch. For example, the adaptation of constructs in the politics stream may be of interest to scholars in international relations and global policy studies. This research raised questions on the assumed heterogeneity in the composition of the GPC's membership across streams. More empirical studies on TPRs can be done on the actors of GPCs in a particular issue area. Do they consist of the same members or different cohorts? What motivates and confines their behaviors, and shapes normative mood and institutional dynamics? Cross-case comparisons may also be launched to explore the policy environment that may be characterized differently (i.e., precarious vs. stable).

Third, another promising area of research is related to possible enhancements of the MS framework and whether and how pertinent theoretical elements can be incorporated into the MS framework to increase its explanatory capacity for the phenomenon of TPR's emergence. At the transnational level, private actors' ability to govern and regulate is often limited or hampered by lack of capacity, information, authority, and absence of state regulator's jurisdiction to impose sanctions (Abbott and Snidal, 2013). So, examinations into what empowers them, and the factors that may help them circumvent

the inherent challenges by being a private regulator could be useful. OCP was a good case about leveraging the power of core policy beliefs and joining existing coalitions to increase its own private authority and legitimacy. Much more empirical studies, including with cross-case comparative studies or large-N research, are needed to validate whether the concepts of coalition building and policy core beliefs from the ACF framework are indeed an enhancement of the MS framework at the transnational level more generally.

Fourth, for researchers that examine issues at the intersection of technology and public policy, they may be interested in exploring what constitutes a standard in the realm of TPR. I found that the word "standard" was a point of immense confusion – some argued that OCDS was not a standard at all. When technology and public policy were intertwined, the use of the word was often inconsistent. As explained by the US government's data standard center (US government, 2020), the word "standard", when used in a government and policy context, connotes an idea of compliance, a requirement, or minimum criteria that certain entities should meet. Whereas in the technology realm, the word "standard" carries a much narrower meaning; it primarily delineates how information (often data) is described, captured, exchanged, and transmitted across platforms.

A typical data standard in digital technology includes a range of components, including data types (e.g. Boolean or integer), vocabularies (machine readable terms of data elements), schemas (the "grammar" on which a data model is structured), formats (how data is encoded for storage and transmission), and application program interfaces (the reading and writing of data across a network). For example, OCDS uses the JSON schema; other common schemas include SQL, UML and XSD. When it comes to data

formats, JavaScript Object Notation (JSON), CVS (like in an Excel sheet format), and XML are common types. The OCDS is encoded in JSON format but can be converted into a simplified CVS format. JSON has an ISO designation which defines the syntax of valid JSON texts (ISO, 2020).

For a technologist, OCDS was not a new data standard, as certain components in OCDS was not OCP's creation. At the same time, a public policy specialist may view OCDS indeed as a standard, because it was comparable with safety standards in constructions that governments impose for instance. Some may also view it as a framework that harmonizes procurement vocabularies across the contracting process. In various OCP documentations and learning materials, I found different references of the OCDS: it is described as a data standard, a common framework, and a tool for analysis, monitoring, and engagements. In reality, the OCDS may serve all these purposes, but the use of the word "standard" evidently became a point of dispute. More data can be collected on other similar TPRs to have a better understanding of what would be typical components of a transnational private standard, and how the perception may affect the TPR's rule legitimacy and authority.

Lastly, future studies can further refine the process tracing technique. As shown by this research, the treatments of the "rival space" can be further improved. Process tracing technique follows a Bayesian logic. Although there has been successful application of Bayesian statistical models for large-N quantitative research, scholars maintain that for qualitative case study research, it remains a relatively unchartered territory to formally apply the Bayesian probability logic (Fairfield and Charman, 2017), especially when it comes to designing alternative explanations (Zaks, 2017, 2021).

Summary

This chapter discussed the lessons learned from adapting the MS framework to explain private policy making at the transnational level and discussed how the findings may support theory building for global policy studies. I also questioned the level of adaptability of two concepts in the MS framework to the transnational level, including the constructs of politics and entrepreneurial policy making. Lastly, I offered suggestions on how to enhance the MS framework by integrating elements from the ACF framework and provided recommendations on future research directions.

To conclude, I conducted an inter-disciplinary study on the emergence of new forms of regulatory instruments developed by transnational private actors. I provided more clarity on how to situate studies of TPR in the literature, adapted an analytical framework to study policy phenomena in a new setting, and contributed to the growing body of empirical case studies using within-case process tracing. I found that the emergence of OCP was characterized by inter-mingled forces of rationalistic, governance and institutional factors, and that certain conditions, such as coalition building and harmonization with the GPC, were critical elements in the "ripeness" of a policy window. Despite theoretical and methodological challenges associated with stretching the framework, I was able to use the insights to suggest possible theoretical extensions of the MS framework, in order to better understand transnational private policy making.

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Appendix I: Informed Consent

Informed Consent

Research Project on Private Policy Making Process of the Open Contracting Partnership (OCP)

Principal Investigator: Dr. Sanjay Pandey

Student Investigator: Biou (Kerina) Wang

Introduction

You are invited to participate in a research study under the direction of Dr. Sanjay Pandey, the Shapiro Professor of Public Policy and Public Administration at the Trachtenberg School of the George Washington University (GWU).

I have been studying the role of non-state actors in *making* rules and regulations, rather than *implementing or influencing them*. In this research, I'm interested in the emergence of transnational private regulations (TPRs), which I define as privately created, voluntary norms, rules or standards that are adopted by others for the provision of global public goods.

I consider the Open Contracting Partnership (OCP) as a typical TPR and would like to learn more about its emergence: the conditions, policy elements, and contextual factors that triggered the creation of OCP as an idea (2011-2013), as a World Bank initiative (2013-2015) and eventually as a transnational private regulation (2015-present).

I'm conducting this project for my PhD degree in Public Policy and Administration at the Trachtenberg School of the GWU. I should disclose that I'm currently a full-time staff

member of the World Bank, working in the Development Economics Vice Presidency (DEC). I have previously worked in the Governance Global Practice of the World Bank between March 2014 to June 2016, and attended meetings related to OCP during that time. This research is a personal project and has nothing to do with my employment at the World Bank. Your employment status will not be affected in any way should you choose not to take part or to withdraw at any time.

Interview Structure

I seek to maintain your confidentiality. I will NOT identify you by your name in any reports of this research using information obtained from this interview. Nothing you say during the interview will be shared with others.

I have several broad sets of questions, and throughout the interview, I may ask additional follow-up questions for clarification or expansion. The interview will last approximately 45 minutes.

The next section contains conditions about informed consent to participate in the interview. **If you do not agree with any of the conditions, you may opt out of the interview and do not need to read further.**

- Your participation in the research is voluntary. You may withdraw and discontinue your participation at any time. If you decide to withdraw from the study, no one will be told.
- Notes will be taken during the interview. An audio recording of the interview will also be made. The recording will serve the purposes of reducing the likelihood of missing or misinterpreting the information you shared, allowing me to revisit the

conversation should there be any terms that I am unfamiliar with at the time of the interview, and most importantly, ensuring that we have a smooth conversation during which I can concentrate on your answers, as opposed to focusing on taking notes. There is a possible risk of loss of confidentiality, and every effort will be made to keep your information confidential, however, this cannot be guaranteed.

- I will seek to maintain your confidentiality. I will NOT identify you by your name in any reports of this research using information obtained from this interview. The only identifier I will use for all interview participants is whether you belong to one of the two groups, for my analysis: i) you are one of the founding members of OCP, or ii) you belong to the broader policy community of open contracting and open government.
- Faculty or administrators from my school will neither be present at the interview nor have access to raw data.
- This research study has been reviewed and approved by the Institutional Review Board (IRB) of the GWU for studies involving human subjects. If you have any questions regarding the IRB process, please contact the GWU Office of Human Research at ohrirb@email.gwu.edu
- To ensure confidentiality your signature is not required.

Contact info from research team

- Contact Biou (Kerina) Wang at XXX
- Contact Dr. Sanjay Pandey at XXX

Appendix II: Interview Protocol – OCP Policy Entrepreneurs

Interview Protocol

Research Project on Private Policy Making Process of the Open Contracting Partnership (OCP)

Introductory Protocol

To facilitate the data analysis, I would like audio-record this interview, may I obtain your consent?

For your information, only Dr. Sanjay Pandey, my dissertation director at the Trachtenberg School of the George Washington University (GWU), and I will be privy to the audio-recordings, which will be eventually destroyed after they are analyzed.

Prior to the interview, you were sent an informed consent form. Thank you again for your agreeing to participate.

I have planned this interview to last about 45 minutes. In total, I have 7 broad sets of questions, and throughout the interview, I may ask additional follow-up questions for clarification or expansion. If time begins to run short, it may be necessary to interrupt you in order to push ahead in order to complete all questions.

Brief background

You have been selected to participate in the study because you are regarded as one of the founding members of the OCP. I'm interested in learning more about its emergence: the conditions, policy elements, and contextual factors that triggered the creation of OCP as an idea (2011-2013), as a World Bank initiative (2013-2015) and eventually as a transnational private regulation (2015-present).

Interview Questions

1. Could you first tell me a bit about your involvement in OCP's creation? What has been and is

currently your role?

2. What were the policy challenges or problems you were trying to address with the creation of OCP?

3. How did you and the team go about creating OCP in the early days?

4. What are the important factors that led you to form OCP? What about the development of the

Open Contracting Data Standard (OCDS)?

5. OCP was spun off out of the World Bank in late 2014/early 2015, what happened then? What led to this decision?

6. How would you describe the policy environment in the international community (among different stakeholders) surrounding public contracting issues around the time when OC was created?

7. Lastly, in your opinion, what contributed to the success of OCP as a transnational private regulation?

Interview Participation

The interview will take place on Webex through the following link. Video appearance is entirely optional.

Appendix III: Interview Protocol – Global Policy Community Members

Interview Protocol

Research Project on Private Policy Making Process of the Open Contracting Partnership (OCP)

Introductory Protocol

To facilitate the data analysis, I would like audio-record this interview, may I obtain your consent?

For your information, only Dr. Sanjay Pandey, my dissertation director at the Trachtenberg School of the George Washington University (GWU), and I will be privy to the audio-recordings, which will be eventually destroyed after they are analyzed.

Prior to the interview, you were sent an informed consent form. Thank you again for your agreeing to participate.

I have planned this interview to last about 45 minutes. In total, I have 5 broad sets of questions, and throughout the interview, I may ask additional follow-up questions for clarification or expansion. If time begins to run short, it may be necessary to interrupt you in order to push ahead in order to complete all questions.

Brief background

You are recommended by ___to participate in the study because of your extensive knowledge about OCP's development. I'm interested in learning more about its emergence: the conditions, policy elements, and contextual factors that triggered the

creation of OCP as an idea (2011-2013), as a World Bank initiative (2013-2015) and eventually as a transnational private regulation (2015-present).

Interview Questions

1. Could you first tell me a bit about how you got to know OCP? What has been and is currently your work, and how is it related to OCP?

2. What were the policy challenges that you were facing in public contracting in the early 2010s?

3. How did you go about choosing to endorse and/or adopt OC norms and Open Contracting Data Standard (OCDS)? What were your main considerations?

4. How would you describe the policy environment in the international community (among different stakeholders) surrounding public contracting issues around the time when OC was created?

5. Overall, in your opinion, what contributed to the success of OCP and OCDS?

Interview Participation

The interview will take place on Webex through the following link. Video appearance is entirely optional.

Join

Appendix IV: Interview Recruitment Emails

To OCP Policy Entrepreneurs

Dear___,

Hope this message finds you well.

As you may know, I'm currently conducting my dissertation research on transnational private
regulations (TPRs), in order to fulfill the doctoral requirement at the Trachtenberg School of Public Policy and Administration at the George Washington University (GWU). I will use the Open Contracting Partnership as a case study for my research.

I'm writing to see if you would be available and interested in participating in an interview. You are selected to participate in the study because you are one of the core founding members of the OCP when it was incubated in the World Bank Institute (if applies, add "and remains an instrumental member of the team after its spin-off").
If you decide to participate in the study, I'll coordinate with you to set up a time for a 45-minute
interview. I would like to audio record the interview, and then use to information to facilitate my data analysis.
Your participation in the study is completely voluntary. Please see attached a document that outlines the purpose of the research, interview structure, and conditions on the

informed consent. If agree to an interview with me and/or have any questions about the study, please email or contact me at XXX.

Thanks very much.

Best regards,

Kerina

To Global Policy Community members

Dear____,

My name is Biou (Kerina) Wang, a PhD candidate at the Trachtenberg School of Public Policy and Administration at the George Washington University (GWU). I'm currently conducting my dissertation research on transnational private regulations (TPRs) and will use the Open Contracting Partnership) as a case study.

I'm writing to you at the suggestion of Ms. ___ (name of one of the gatekeepers), to set up an interview. You are selected to participate in the study because of your background and knowledge on TPRs and your familiarity of the emergence of the OCP.

If you decide to participate in the study, I'll coordinate with you to set up a time for a 45-minute

interview. I would like to audio record the interview, and then use to information to facilitate my data analysis.

Your participation in the study is completely voluntary. Please see attached a document that outlines

the purpose of the research, interview structure, and conditions on the informed consent. If agree to an interview with me and/or have any questions about the study, please email or contact me at

XXX.

Thanks very much.

Best regards,

Kerina

Appendix V: Detailed Interview Questions: Main and Possible Probe Questions

For Interviews with OCP Entrepreneurs

Initial opening question

1. Could you first tell me a bit about your involvement in OCP's creation? What has been and is currently your role?

Policy Problems Stream

2. What were the policy challenges or problems you were trying to address with the creation of OCP?
    - **a.** Expansion probe: Could you tell me a bit more about that particular policy problem? How could OCP address that problem?
3. How did you and the team go about creating OCP in the early days?
    - **a.** Expansion or clarification probe: How did you frame the issue to attract attention and adoption? What exactly did you do to frame the issue?
    - **b.** Sequence probe: Could you tell me more about that step by step?

Policy Solutions Stream:

4. What are the important factors that led you to form OCP? What about the development of the Open Contracting Data Standard (OCDS)?
    a. Expansion probe: Could you tell me a bit more about that particular event you just mentioned? What happened?

5. OCP was spun off out of the World Bank in late 2014/early 2015, what happened then? What led to this decision?
    a. Clarification probe: (you mentioned that) there were other open government initiatives being developed during that time, how did you arrive at the decision to separately create OCP? What were the main factors?

Politics Stream

6. How would you describe the policy environment in the international community (among different stakeholders) surrounding public contracting issues around the time when OC was created?
    a. Expansion probe: How did you navigate these differences?

7. **Opinion question**: Overall in your opinion, what contributed to the success of OCP and OCDS?

Ending:

8. Is there anything I have not asked but you think I should know?

For interviews with Global Policy Community Members

Initial Opening Question

1. Could you first tell me a bit about how you got to know OCP? What has been and is currently your work, and how is it related to OCP?

Policy Problems Stream:

2. What were the policy challenges that you were facing in public contracting in the early 2010s?
    a. (You mentioned a particular event), could you elaborate more on that? How did that relate to OCP's efforts?

Policy Solutions Stream:

3. How did you go about choosing to endorse and/or adopt OCP and OCDS? What were your main considerations?
    a. Clarification probe: What made OCP stand out, among other policy solutions?
    b. Sequence probe: When did you decide to endorse/ adopt OCP? Could you tell me more about that step by step?
    c. Expansion probe: How did OCP's organizational form (e.g. a World Bank initiative or an independent initiative) affect your decision, if at all?

Politics Stream

4. How would you describe the policy environment in the international community (among different stakeholders) surrounding public contracting issues around the time when OC was created?
    a. Expansion probe: how did you go about sorting through the differences and/or conflicts?

5. **Opinion question**: Overall in your opinion, what contributed to the success of OCP and OCDS?

Ending:

6. Is there anything I have not asked but you think I should know?
7. Would you recommend that I talk to someone else within your network to get more information?