

COLLABORATIVE GOVERNANCE: THE NEW MULTILATERALISM FOR THE 21ST CENTURY

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EXECUTIVE SUMMARY:

Accountability is the DNA of civilized societies, and so of meaningful development. As the context for development is reshaped by unfolding geopolitical, social and environmental factors, our inheritance of bygone accountability innovations are proving inadequate. Reinventing accountability fit for our needs has become the imperative for sustainable development, and perhaps for survival. Collaborative experiments between public bodies, business and civil and labour organizations can mature into *the* new development actor, overcoming many of the inertias and inadequacies of our traditional institutions. But this actor's contribution will depend on our establishing robust forms of collaborative governance to ensure that they can be held to account by impacted citizens and, more ambitiously, can become an integral part of a new multilateralism fit for this century.

WELCOME TO THE 21ST CENTURY

An era of globalisation, international development and multilateralism as practiced for over half a century is over, for both better and worse. As we bid it a fond farewell, we might reflect for a moment on four emergent challenges we face in reinventing our global community to effectively address the imperative of sustainable development.

- ❖ *Fractured Multilateralism*: a fracturing, perhaps fatally, of an inherited 20th century multilateralism and associated institutional arrangements. Visible is the decline in effectiveness of the United Nations, including its once-powerful cousins, the World Bank Group and the IMF, in sustaining a reasonable universal consent over what constitutes acceptable state behaviour and how best to steward the global commons.

Confronting it is a new geopolitics underpinning a resurgent economic nationalism and mercantilism and associated with emerging economic and political powerhouses.

- ❖ *Globalization Losers*: increasing income inequalities within developed as well as developing countries stemming from our inherited approach to market liberalisation and global economic integration. The demise of the current Doha Round exemplifies the need for a ‘development’ deal and the likelihood that one will either not be done or else will achieve far less than needed. The despair of a growing rump of relative ‘losers’ in wealthy nations is driving a new, largely democratic, politics fed by xenophobia and racism mixed with a fearful realism about the threats to livelihoods and economy.
- ❖ *Development’s Last Round*: recent increases in public resource commitments for development, along with new and enlarged philanthropic ventures, provide an extraordinary ‘development bonus’ from the immense wealth creation process of the last half century. But this is likely to be the ‘last development round’ in anything like the form we have hitherto experienced, that is, driven by an international community dominated by the West’s narrative of a universalist, liberal project.
- ❖ *Environmental Resurgence*: the re-emergence of ‘environment’ as a critical development issue, in macro terms in the form of climate change and energy security, and consequentially in terms of affordable access to the basics: water, food and safe shelter. These factors are reshaping our understanding of development drivers, with new imperatives for investment in technology, and people and institutional capacities (adapted from Litovsky and McGillivray, 2007).

Taken together, we can surmise that the ways in which the world is run is up for grabs, and that tomorrow’s dominant leaders, values and institutions is unlikely to resemble what has gone before.

DEFINING THE NEW ACTOR

In this context, **new and transitioning actors** take on increased importance, indeed are the most likely drivers of the paths we will ultimately take through our current historical moment. Three specific transitions seem particularly relevant to the matter of international development:

- ❖ *Engaged Business*. In every sense becoming a key development actor. Most obviously the key to economic prosperity through investment, product innovation and production, but increasingly central in the delivery of public services and infrastructure, and the broader evolution of public governance, both nationally and internationally (World Economic Forum, 2008).
- ❖ *Activist States*. The re-activism of the state, globally but very particularly in the USA and key emerging economies, notably China and Russia, whether because of their significance militarily and economically, their energy resources, ethnic and religious leadership or physical and geopolitical location.
- ❖ *Bi-polar Civil Society*. Evolving in two distinct directions. One track is maturing into structural governance roles, engaging with business and the state, often influential over considerable resources. Another track is both more radical and reactionary, rooted in despair, anger, and disillusionment with the dominant governing players.

Developments across each of these actors are critically important, driven by new sources of economic strength, resurgent cultures and civilisations, technology shifts and largely tactical responses by all three to their changing circumstances. However, the *most significant new actor on the development scene is, paradoxically, none and all of these. It is their complex combination into blended forms of collaborative organization that is already becoming, and will increasingly be the really extraordinary new actor.* This emerging organisational form needs to be understood as an actor in its own right rather merely than as an ad hoc combining of existing actors. This development will challenge us to abandon long-cherished distinctions in the purposes and *modus operandi* of commercial, private non-profit and public institutions, as we grapple with the practical realities of institutions that combine all three in creating a distinct, 'fourth estate'.

Whether collaborative organisation as the new actor is good or bad news is not so much a principled issue as, unsurprisingly, a matter of the 'small print'. Above all, it depends on whether this new actor can be effectively held to account by those impacted by its decisions and actions, the single most important litmus test of all institutions. Governance is of course a contested issue for any institution, but raises particular challenges for collaborative organisation. Since this form of organization profoundly reconfigures the basis on which public goods and private gains are related in their creation and exploitation, these new actors will catalyze a reassessment and reinvention of our practice of governance and accountability.

Today's governance and accountability of collaborative organisation is poorly understood, and often viewed in exemplary or even unique terms rather than common practice forming the basis for agreed standards. AccountAbility, with partners, has undertaken some early work on a codified set of principles for good collaborative governance akin to the now well-developed body of work on corporate governance (Zadek and Radovich, 2006), but much remains to be done. The importance of collaborative governance will become all the more important if, as predicted here, collaborative organisation itself become key elements in the make-up of tomorrow's, broader societal governance, for example, through its influence on, and stewardship of standards. In this case, the governance of collaborative organisation will become a key element of the DNA of our broader societal approach to governance, the essence of a new multilateralism for the 21st century.

OUR ACCOUNTABILITY MOMENT

Accountability is today's fashionable topic. It is splashed across our media, debated in bars, and is the topic of learned conferences and papers. It is the '*preferred currency*' in globally spotlight topics as diverse as the failed response to Hurricane Katrina, the endemic profiteering from the war in Iraq and the ghastly spectacle of Mugabe's Zimbabwe. But beyond such high-notes in our global media, a simple web search reveals that accountability figures in practically every topic of interest to the reasonable citizen, from the provision of basic public services like garbage collection to our changing roles and responsibilities as parents, from the terms on which we can consume with a conscience to our sense of civic responsibility to those who are old and disabled.

Shaping effective accountability is a pre-requisite to acceptable and sustainable forms of development. And today, accountability is therefore rightly acknowledged as the *lingua franca* of ‘international development’. It dominates the centre-stage in most robust diagnoses of the problem, and is key to most thoughtful insights into desperately-needed solutions. Corruption is the most obvious form of un-accountability. It is not just that it is the illegal privatisation of resources allocated to investment for the public good. Corruption rips the very heart out of societies’ institutions, destroying citizens’ trust and indeed their very imagination of the good society. Sadly, the Western-dominated development era, now almost over, has catalyzed and embedded modern forms of ‘development theft’ linked to a perversion of development assistance and globalizing markets. But what is to come at present offers little source of hope, as increasing commodity prices combined with new forms of patronage and associated access to capital provide a basis for political and business regimes to maintain their destructive and hugely profitable habits.

The most pervasive causes and consequences of inadequate accountability are, however, perfectly legal. Our greatest failures are enacted *within* the law because our institutions are no longer fit for purpose, responding to outdated and often toxic forms of accountability.

- There is a deepening unease amongst traditional *public development agencies*, with doubts being cast over their own accountability and effectiveness.
- This is mirrored by painfully slow progress in attempts to strengthen *national public institutions*, despite decades of extensive investment.
- *Business’* traditionally unqualified ‘homage to finance’ is under siege as its development impacts become more visible and contested, including new *investment actors*, notably derivatives traders but also private equity, which demonstrate a disinterest in long-term business success let alone broader development outcomes.
- *Civil society organizations*, traditionally the quintessential ‘accountability agents’, find themselves under the spotlight of legitimacy and in many instances are found lacking in their own accountability.

Globally, we have created a generation of international institutions intended to foster inter-dependence and mutuality. But instead, we see horse-trading between nations, the worst forms of economic nationalism and rotten domestic politics. Witness the weakened WTO in its efforts to mediate a successful ‘development round’. How much more difficult will it be to enjoin xenophobic, mercantilist-minded governments to address the problems of climate change, water scarcities, energy security and the needs of tens of millions of migrants? Awarding the Nobel peace prize to Al Gore rightly celebrates someone who has contributed to creating a global debate about climate change, but is equally a condemnation of most of our political representatives, and business and spiritual leaders, who have chosen to remain inactive or, worst still, hostile to addressing this profound challenge.

Accountability centrally concerns the manner in which power is exercised. Societies cannot function without effectively defining the rights and responsibilities of those who legitimately impact others. At its core, accountability concerns the manner in which societies seek to ‘civilize power’, establishing an accommodation, albeit often temporarily, between the needs of power and the claims of justice (Sabapathy et al, 2006). We recognize in this the tenets of democracy, arguably global civilization’s greatest-ever accountability innovation. And it is through this lens we can see the magnitude of the threat. One recent survey of

political attitudes in Latin America reported that barely half of respondents agreed that ‘democracy was the best system of government’, with affirmative scores as high as 35 percent, in the one country case in answering the question ‘are there circumstances when an authoritarian government can be preferable to a democratic one’.

Arguably, there has never been a period in modern history where the credibility of every category of our most familiar institutions has been simultaneously challenged because of visible and significant accountability failures. As Anwar Ibrahim, AccountAbility’s President and formerly Deputy Prime Minister of Malaysia, concludes: “*there is no obvious island of integrity from which to point the finger. Governments, businesses and civil society in every part of the globe face profound challenges in meeting their obligations*” (Burgis and Zadek, 2006)

ACCOUNTABILITY AS DEVELOPMENT

Re-inventing accountability is *the* development challenge for the 21st century. But whilst there is an abundance of information and debate about the consequences of failures in accountability, there is far less about what might be the ‘right’ accountability needed to create healthy societies over the coming century. To say ‘more participation’ is not helpful or even necessarily right in an era where populist outcomes can be ghastly. To demand ‘more transparency’ is understandable, yet many of the most outrageous instances of unaccountability are played out in full view of the global community. Enforced compliance against unacceptable behaviour must be right, of course. Yet we all know that mitigating the downside will not be enough to overcome poverty or prevent climate change.

To envision good health, it is not enough to understand illness or even how best to mitigate it. We need to have a vision of accountability, not just a sense of its absence.

One way of understanding the healthy side of accountability, moving beyond what people should *not* do, is as a mirror image of Amartya Sen’s elegantly framed insight that development concerns peoples’ freedom to be active agents of their own destiny. A great impediment to this freedom, and so also to development, is the exercise of power in ways that are unaccountable to those impacted. Freedom and accountability are not in this sense equivalent. Yet if freedom without accountability is unattainable, development is then fundamentally a matter of accountability.

It is in this sense that we can talk meaningfully about ‘development as accountability’ (Litovsky and McGillivray, 2007).

Meaningful accountability must deliver the conditions that unlock people’s potential and our ability to invent, to steward and to sustain ourselves indefinitely into the future. It must nurture the ‘right’ relationships between people, establishing the basis on which the dangers and opportunities of our inter-dependencies can best be managed. From this perspective, accountable development does not just mean more layers of compliance-based systems to ensure that money is accounted for, or to feed philanthropists’ craving for instant, and perfectly measured, results. Accountability is not just a toolbox of metrics and mechanisms, a bolt-on to existing development projects, designed to reduce corruption and inefficiency at the margin. Indeed, this one-way, bottom-to-top orientation is too often part of the problem: accumulating power, dispersing responsibility, dampening innovation and disempowering collaboration.

‘Development as accountability’ requires that we re-imagine and reinvent the social contract, and in particular the deal between those with and those without power. Nothing less will do, since without reciprocity, essentially an embedded mutual accountability, no number of noble principles or independent auditors will enable development to progress. ‘Empowering the poor and marginalized’ is the right demand from enlightened members of the development community. But it is too often romanticised by a liberal elite, rather than penetrated as a matter of accountability. The bottom line is that empowerment means nothing unless it means more effective accountability of those with power. Yesterday’s ‘development community’ has not and might not ever be able to deliver on this. Development agencies and practitioners are themselves largely without significant power, and often compromised by their relationships with those who count. New actors will only make a difference if their entrance enables the matter of accountability to be more effectively addressed. Resources can be mobilized, but without radical innovations that drive forward the accountability agenda, we must be prepared to be disappointed, to the cost of many without voice in this debate. As the UK Government’s own Commission on Africa concluded, “*Without progress in governance, all other reforms will have limited impact*”, so true although perhaps with a wider application than the Commission intended in the light, for example, of the growing revelations associated with UK Government’s complicity in the trading practices of BAE Systems.

COLLABORATIVE GOVERNANCE

Multi-stakeholder or public-private partnerships, essentially collaborative initiatives between state and non-state, commercial and non-profit actors have been born out of their participants’ pragmatism. Said simply, these initiatives have been founded on participants’ views of potential synergies in capacities in leveraging improved outcomes for all concerned. This is quite unlike the grand ideological visions of earlier generations of institutional utopias such of nationalization and privatization. But this lack of any over-arching narrative to date should not fool us into missing the fact that lurking beneath the surface of this ad hoc collection of activities is the most exciting new ventures along new accountability pathways for development. Indeed, new forms of collaborative governance are likely to provide most radical shake-up of our understanding and practice of accountability in modern times.

Collaborative initiatives have become the preferred institutional form through which diverse forms of development initiatives are designed and implemented. Global development partnerships and collaboratively-governed standards initiatives are the institutional pathway of choice for a new generation of initiatives dealing with everything from global health to the marginalization of so-called ‘blood diamonds’ to the role of telecommunications in empowering peasant farmers in global markets. Classical public-private partnerships are increasingly seen as the only way in which public services and infrastructure are going to be provided in both developing countries with weak public sectors and mature economies with an eye on reducing or deferring costs to the public purse. For business, new forms of collaboration are becoming key in realizing business opportunities, addressing public goals and, critically, in exploiting the growing interconnect between the two, whether it concerns Coca Cola’s need to secure access to business-critical water, or GE’s efforts to improve its competitiveness by lobbying for increased carbon prices in the US. At the macro level, similarly, reaching agreement on key trade issues, and shaping a global response to climate change will depend on the collective and often

collaborative efforts of business and civil society as much as the assertion of public authority at national and global levels.

The number, scope and impacts of such collaborations have dramatically increased in recent years. In fact, such initiatives, collectively, are graduating from an initial ‘experimental zone’ for leveraging more resources and cross-sector synergies *to becoming the single most important new actor* in development (Zadek, 2006). Collaborative initiatives are, in short, *the* institutional innovation of the period, the ‘new actor’ as such, that can drive creative and disruptive innovation across all other actors (e.g. the nature of business or government bodies) and configurations (e.g. the shape of cross-border relationships and rule-making processes).

Exhibit 1: Primary Categories of Collaborative Initiatives

- ❖ *Commercial*: public services and infrastructure (e.g. water management, transport infrastructure) delivered by business in pursuit of profit, drawing in diverse partners to enable effective delivery, contractual obligations and business interests to be realised.
- ❖ *Resourcing*: delivering resources to address public goals (e.g. combating HIV/Aids, road safety), involving mobilization of public and private resources; assessment, awarding and evaluation, issue-focused advocacy, and capacity development.
- ❖ *Rule-Setting*: evolution of rules governing behaviour of targeted adopters (e.g. business and human rights, anti-corruption codes), involving their development, advocacy and stewardship.

COLLABORATIVE STANDARDS INITIATIVES AS A CASE IN POINT

The role and effectiveness of rule-setting or ‘collaborative standards initiatives’ (CSIs), exemplifies the opportunities and challenges of collaborative initiatives as a powerful force on the development stage. CSIs, deliberately or by virtue of their actions and importance, establish standards for private and often also public agents. Over the last decade, many dozens of such initiatives have become globally significant, from the Equator Principles (project finance) to the Forest Stewardship Council (sustainable forest products), through to the Global Reporting Initiative (sustainability reporting) and Social Accountability International’s SA8000 (labour standards). At the next tier, hundreds more are emerging at national and regional levels (e.g. sector-level black economic empowerment standards in South Africa based on collaborative agreements), and sector initiatives from gambling (e.g. the World Lottery Association’s newly agreed ‘Responsible Gambling’ initiative) to access to pharmaceuticals.

Exhibit 2: Examples of Collaborative Standards Initiatives (CSI)

- Ethical Trading Initiative (multi-sector) www.ethicaltrade.org
- Equator Principles (Financial services) www.equator-principles.com
- Extractive Industry Transparency Initiative www.eitransparency.org
- Fair Labor Association (Textiles) www.fairlabor.org
- Forest Stewardship Council www.fsc.org
- Global Reporting Initiative (all sectors) www.globalreporting.org
- International Council on Minerals and Mines www.icmm.com
- Commodity Roundtables (Agriculture) www.bacp.net/
- Kimberley Initiative (conflict diamonds) www.kimberleyprocess.com/
- Medicines Transparency Alliance www.dfidhealthrc.org/MeTA/
- Construction sector Transparency Initiative www.dfid.gov.uk
- Marine Stewardship Council (Fisheries) www.msc.org/
- PACI (Anti-corruption) www.weforum.org/en/initiatives/paci/index.htm
- MFA Forum (Textiles) www.mfa-forum.net
- Responsible Care Initiative (Chemicals) www.responsiblecare.org
- Social Accountability International (multi-sector) www.sa-intl.org

Source: Litovsky, Rochlin, Zadek and Levy, 2008

Collaborative standards initiatives are, in short, emerging as a powerful engine for building cross-border standards of behaviour by business, but also increasingly of governments themselves. The **development opportunities** are considerable, and include (Litovsky et al, 2008):

- The creation of mechanisms to ensure the compliance of private and public institutions with agreed environmental, economic and social norms.
- The ability to reshape markets to value environmental and social performance.
- The ability to fill public governance gaps, as well as enhancing the development of effective, accountable, and legitimate public governance.
- The opportunity to give voice to stakeholders and communities in the development of markets that impact their lives.

The **challenges and risks** are, however, also imposing and could if unchecked actually damage pro-poor development. They include:

- The governance, accountability, and transparency of CSIs and the participation of developing countries in their decision-making procedures.
- The connection between CSIs and national governance, including the potential for CSIs to weaken national regulatory systems, and the opportunity and related challenges for states to align national regulation and statutes to support the effectiveness of CSIs.

- The free-rider problem and the evolution of a governance model for CSIs that avoids free-riding and strengthens inclusion.
- The compliance and enforcement mechanisms of CSIs, as well as how roles, responsibilities, authorities and resources are distributed between global and national players for monitoring and sanction mechanisms.
- The technical barriers to trade that some CSIs may impose on poor countries, thereby hindering their competitiveness and increasing the dependency of small producers on foreign aid.
- The challenge of managing CSIs as they mature and the multi-stakeholder processes core to their governance design grows more complex and, often, inert.
- The lack of a “capital market” to support the investment in CSIs and the associated failure of most CSIs to develop a viable revenue model.

GOVERNING COLLABORATIVE GOVERNANCE

Collaborative organization is a new reality in development, offering huge opportunities for technical synergies, resource mobilization and innovative design and implementation approaches. It is and might increasingly deliver more effective operational design and associated outcomes. Equally, it could provide a new lens and practice for establishing the broader rules of the game, acting as a replacement or transition bridge for gaps in effective national and inter-governmental deal-making, regulation and enforcement.

Collaborative organization as the new development actor does, however, poses important public policy questions that go well beyond simple matters like securing operational efficiencies. Fundamentally, the policy issue revolves around matters of governance and accountability, which we can understand to reside at three distinct levels in ensuring that the approaches taken to collaborative governance ensures the:

- Efficient and effective blending in practice of participant’s capacities in securing the desired outcomes.
- Accountability of the collaborative organisation to those it impacts rather than the current, often ‘fudged’ norms of confused accountabilities.
- Legitimacy and effectiveness of collaborative organisation in underpinning new forms of governance of markets and communities.

From a development perspective, shortfalls at one or more of these levels might reduce or even reverse their positive impact on poverty alleviation by, for example:

- Reducing aid effectiveness (i.e. poor orientation and inefficiencies).
- Raising the costs and reducing the appropriateness of, and access to public services and infrastructure (e.g. wrong services, driving poor investment decisions, high pricing).
- Distorting the design and implementation of social and environmental standards (e.g. creating impediments to, rather than enabling trade).

These negative pathways are practical and immediate options that need to be avoided before their pursuit and practice become embedded norms. For example, one report by the

World Economic Forum and the United Nations Financing for Development Initiative presented at the UN General Assembly in September 2005 concluded, with encouragement through inputs from AccountAbility, that: “*Effective partnership is problematic, not least because of ambiguity in the concepts of good governance: accountability, transparency, legitimacy, disclosure, participation, decision-making, grievance management and performance reporting*”. Similarly, a review of a major global health partnership criticized it for lack of effectiveness and cost-efficiency, citing accountability failures as the primary cause. More broadly, reviews of collaborative approaches to providing public services have repeatedly concluded that partnerships’ lack of public accountability explain a great deal of why they have failed in most instances to provide the goods.

AccountAbility is now entering the fourth phase of its work on this matter. At the end of 2005, it launched a ‘beta’ version of the world’s first ‘collaborative governance’ framework, comprising principles, criteria and guidelines developed over two years engagement from the experience of dozens of collaborative initiatives on the ground (Zadek and Radovich, 2006). More recently, AccountAbility has joined forces with partners in Brazil, India and South Africa to advance national and regional debate on collaborative governance. In addition, we have recently completed the current phase of a peer-to-peer learning network involving ten global collaborative initiatives exploring their governance experience, on the back of which a second version of the framework is due to be published in early 2008, targeted particularly at the growing numbers of public and private investors in these new forms of collaborative organization.

Ensuring the effective governance of new forms of collaboration involves high stakes when their potential scope of application is fully appreciated. The bulk of the UK’s health system now relies on partnerships between private and public actors, and many developing countries are being encouraged by international development agencies to follow a similar pathway for many public services as well as the provision of public infrastructure. In a decade or less, many developing countries will have embedded such partnerships at the heart of their approach to the provision of public goods. Without the right deals and associated approaches to governance, such arrangements might prove highly problematic involving decades and enormous costs to unravel as has been the case with previously advocated approaches such as nationalization.

Collaborative standards initiatives’ very survival depends on their own governance. Most have been developed by coalitions of Western companies, governments and civil society organizations, and these origins are reflected in their current governance approach and incumbent players. Yet their success depends on the engagement of new economic and political actors, for example, from China, Russia and India. Initiatives such as the Equator Principles and the Extractive Industry Transparency Initiative, for example, will only be able to effectively corral the market if they open themselves to being governed in part by these new actors.

Lastly, there are competing views of what constitutes good collaborative governance. Collaborative governance re-combines economic and political power, threatening their ‘best practice’ separation across what we would consider to be relatively well-governed states. Such re-combinations can deliver on development in innovative ways, but could just as easily become a deeply rooted problem as we move beyond the exciting avant-garde in mainstreaming such approaches. Indeed, we can point to this very problem in the emergence of old-style collaborative governance at the very heart of today’s geopolitical shifts. This is

true whether we look at Chinese and Russian governments joined at the hip with their emerging business powerhouses, or the resurgent activism of Atlantic states working to preserve their power and influence by seeking to serve the interests of their all-too mobile, multinational business communities and their all-too un-mobile electorates.

CONCLUDING REMARKS

Collaborative organization is the new development actor, bringing with it the potential for overcoming many of the inertias and inadequacies of our traditional institutions. Over time, collaborative organization is likely to challenge the very existence of its component parts, thereby opening the way to the most dramatic institutional transformation of modern times. But the contribution of this emerging actor will depend, fundamentally, on how effective are the new forms of governance developed to ensure that it is effectively held to account. The realm of collaborative governance will be the laboratory and, in all probability, the battleground, that determines the legitimacy and impact of this new actor, and so its contribution to development. This will be true at the micro, but also increasingly at the macro level. It is in this latter sphere that collaborative governance is likely to emerge as contending DNA of our approach to multilateralism in the 21st century.

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