

Accountability and Legitimacy of Networked Governance. Public-Private Partnerships for Sustainable Development

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Abstract

The role of transnational partnerships in contemporary global environmental discourse raises larger questions of the legitimacy, effectiveness and accountability of networked governance structures. This paper advances a conceptual framework for evaluating the legitimacy of partnership networks. Furthermore, it examines, in particular, the multi-stakeholder partnerships for sustainable development announced at the World Summit on Sustainable Development in Johannesburg 2002. Partnership networks have been branded as a new form of global governance with the potential to bridge multilateral norms and local action by drawing on a diverse number of actors in civil society, government and business. Does the rise of global partnerships imply a re-location and diffusion of authority from government to public-private "implementation networks"? Recent evaluations of the Johannesburg partnerships suggest that they can gain from a clearer linkage to existing institutions and multilateral agreements, measurable targets and timetables, more effective leadership, improved accountability mechanisms, more systematic review, reporting and monitoring mechanisms.

Introduction

The multi-stakeholder partnership initiative announced at the 2002 World Summit on Sustainable Development (WSSD) in Johannesburg can be conceived of as “post-sovereign”, “networked” and “hybrid” governance”, concepts that increasingly are receiving attention in international relations. Partnership networks have been branded as a new form of global governance with the potential to bridge multilateral norms and local action by drawing on a diverse number of actors in civil society, government and business. Does the rise of global partnerships imply a re-location and diffusion of authority from government to public-private “implementation networks”? In the field of sustainable development the emergence of governance structures based on private authority, private regimes and a mix of public and private actors is particularly pronounced. Partnerships have been framed as innovative forms of governance that can effectively address the three “deficits” of global environmental politics: the governance deficit, implementation deficit and participation deficit.¹ Proponents argue that voluntary multi-sectoral networks, spanning the public-private domain, captures the essence of “governance from below”, counter the participation gap and effectively address the implementation gap in global environmental politics. However, the positive assessment of the Johannesburg partnerships has not gone unchallenged. Critics point to problems of representation and accountability of partnerships as they consolidate the privatization of governance and reinforce dominant neoliberal modes of globalization. Commentators have cautioned against seeing multi-stakeholder partnerships as a panacea for global governance.² Whatever perspective adopted, the partnerships have emerged partly as a response to the limits of multilateralism, where intergovernmental diplomacy alone cannot grapple with the pressing problems and complex dimensions of sustainable development. The rise of partnerships prompts the question whether there is transformation and shift of global governance from sovereign to private authority.³ This article argues that we need to rethink notions of accountability and legitimacy and make them congruent with the contemporary global governance structures consisting of overlapping and competing authorities – sovereign, private as well as “hybrid”.

The role of transnational partnerships in contemporary global environmental discourse raises larger questions of the legitimacy, effectiveness and accountability of networked

¹ Peter Haas, “Addressing the Global Governance Deficit,” *Global Environmental Politics* 4, no. 4 (2004): 1-15.

² Felix Dodds et al., “Post Johannesburg. The Future of the UN Commission on Sustainable Development”, *Paper No. 9* (London: Stakeholder Forum for Our Common Future, 2002), p. 2; Maria Ivanova, “Partnership, International Organizations, and Global Environmental Governance” in Benner, Thorsten, Charlotte Streck and Jan Martin Witte, eds., *Progress or Peril? Networks and Partnerships in Global Environmental Governance. The Post-Johannesburg Agenda* (Berlin and Washington D.C.: Global Public Policy Institute, 2003)

³ Rodney Bruce Hall and Thomas J. Biersteker, eds., *The Emergence of Private Authority in Global Governance* (Cambridge: Cambridge University Press, 2002)

governance structures. This article advances a conceptual framework for evaluating the legitimacy of partnership networks. Furthermore, it examines, in particular, the multi-stakeholder partnerships for sustainable development. Legitimacy can be conceived of as the quality of the particular social and political order; the belief held by actors that the particular rule, institution or order ought to be obeyed. A two-fold interpretation of legitimacy is adopted, i.e. *input* and *output* legitimacy.⁴ Input legitimacy concerns whether the process conform to procedural demands, such as representation of relevant stakeholders, transparency and accountability. Output legitimacy revolves around effectiveness or “problem solving capacity” of the governance system. In the context of partnerships for sustainable development, legitimacy is captured in the following two questions: Do private-public partnerships “perform” and “deliver” the promised results-based environmental governance? Are partnerships open to public scrutiny and representative and inclusive of different stakeholders interests?

The first section spells out the key assumptions and arguments. The second section conceptualizes partnerships as multi-sectoral networks and presents a framework for evaluating legitimacy, accountability and effectiveness of networked governance. In the third section, the context and rationale for the contested multi-stakeholder partnership initiative at the Johannesburg summit is outlined. The fourth section takes stock of the input legitimacy of the partnerships along two dimensions: representation and accountability. In the fifth section output legitimacy is examined in terms of institutional effectiveness: are partnerships linked to global norms, what are their degree of institutionalization and level of reporting and monitoring mechanisms. The concluding section highlights some theoretical implications of the WSSD partnerships, such as the transformation of authority relations and the scope for transnational democratic legitimacy.

Key Propositions and Arguments

The sustainable development partnerships are squarely placed at the nexus between multilateral and private governance. They thereby capture “hybrid” governance, which are in focus rather than “pure” forms of private governance such as civil society forum, rules of conduct, self-regulation and voluntary standards.⁵ The effectiveness, and more recently, the legitimacy of intergovernmental treaty making, international regimes and organizations are well-established research fields in international relations. The influence, legitimacy and accountability of civil society in global governance have also received scholarly attention.⁶ However, the legitimacy of networked governance is a nascent research agenda, partly because networks escape traditional models of hierarchical accountability. The understanding of legitimacy and accountability advanced in this article can be applied to other public-private partnerships, such as the Clean Development

⁴ Fritz Scharpf, “European Governance”, *Jean Monnet Working Paper* 07/71 (Florence: European University Institute, 2001)

⁵ Johannes Stripple, *Climate Change After the International. Rethinking Security, Territory and Authority*, PhD thesis (Lund, Department of Political Science, Lund University, 2005)

⁶ Margaret Keck and Kathryn Sikkink, *Activist Beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998); Jan Aart Scholte, “Civil Society and Democracy in Global Governance”, *Global Governance*, 8, no. 3 (2002): 281-304.

Mechanism (CDM) under the Kyoto Protocol, the World Commission on Dams (WCD) and the UN Global Compact.⁷ However, the Johannesburg partnerships are particularly interesting to study since they tap into intergovernmental processes of sustainable development. Other multi-sectoral networks and stakeholder processes, such as the World Commission of Dams and OECD panels on biotechnology, have a more separate existence or are institutions in their own right.

Secondly issues of power, representation and voice are critical in the analysis of these new modes of networked governance. Partnerships can be conceived of as implementation networks with the potential to bridge global multilateral norms and local action in areas such as sustainable development and climate change.⁸ In line with earlier empirical assessments of the WSSD partnership initiative⁹, I argue that legitimacy issues, such as public scrutiny, transparency, clear guidelines for monitoring effectiveness, are critical to the future success of the transnational partnership movement. There are grounds for cautioned optimism as the multi-stakeholder partnerships, if properly designed with mechanisms to enhance accountability and monitoring performance, can potentially shape a more pluralistic governance order.

Thirdly, it is problematic to use criteria stemming from ideal-type national democracy to evaluate the legitimacy and accountability of global governance structures lacking a supranational authority. Ideal-type models of democratic accountability and legitimacy are not even fully realized in liberal democracies. The cosmopolitan quest¹⁰ to transfer models of domestic democracy to the global level is utopian due to the lack of coherent electorate, a global parliament and a clear principal in the international sphere. Instead of exporting domestic models of democratic legitimacy and accountability to the global level the concept of accountability should be redefined to fit the elusive character of networked and hybrid governance structures. Partnership networks prompt us to move beyond the conceptual trap of state-centric notions democracy. Purposely, I use the notion of legitimacy rather than democracy as an entry point to analyze multi-sectoral networks. Broadly, partnerships and multi-stakeholder processes can be conceived as

⁷ For an analysis of CDM partnerships, see Karin Bäckstrand and Eva Lövbrand (in press) "Planting Trees to Mitigate Climate Change. Contested Discourses of Ecological Modernization, Green Governmentality and Civic Environmentalism", *Global Environmental Politics* 6, no.1 (2006); Charlotte Streck, "New Partnerships in Global Environmental Policy: The Clean Development Mechanism" *Journal of Environment and Development*, 13, no. 3 (2004): 295-322.

⁸ Charlotte Streck, "New Partnerships in Global Environmental Policy: The Clean Development Mechanism", p. 298.

⁹ Liliana B. Andonova and Marc A. Levy, "Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships" in Olav Schram Stocke and Øystein B. Thomessen, eds., *Yearbook of International Cooperation on Environment and Development 2003/04* (London: Earthscan, 2003); Maria Ivanova, "Partnership, International Organizations, and Global Environmental Governance"

¹⁰ David Held, *Democracy and the Global Order. From the Modern State to Cosmopolitan Governance* (Stanford: Stanford University Press, 1995); David Held, "Democratic Accountability and Political Effectiveness from a Cosmopolitan Perspective," *Government and Opposition* 39, no. 2 (2004): 364-91.

viable forms of deliberative democracy suitable for the global level, which is defined by a lack of supranational authority.

Legitimacy of Networked Governance

In this section a framework for thinking about output and input legitimacy in the context of networked governance is advanced. Scholarly work that develops alternative notions of accountability and legitimacy is interesting in this context.¹¹ What does accountability mean in the context of global governance structures based on competing and overlapping authorities – state authority, private authority, moral authority? First partnerships are conceptualized as multi-sectoral networks. Then a notion of legitimacy suitable for global governance is outlined. Finally, input and output legitimacy of networked governance are operationalized. Rather than devoting efforts to how build new institutions, such as world federation or global parliament, we could ask how the existing institutional frameworks, networks and governance orders – exemplified with transnational partnerships – can be made more legitimate, transparent and accountable.

Partnerships as Multi-sectoral Networks

Multi-sectoral networks represent a new species of governance emerging alongside traditional multilateral agreements. These can be defined as “voluntary cooperative arrangements between actors from the public, business and civil society that display minimal degree of institutionalization, have common non-hierarchical decision-making structures and address public policy issues”.¹² The WSSD partnerships can be conceived of as institutionalized forms of global public policy networks or multisectoral networks, bringing together public and private actors. These networks capture the essence of post-sovereign governance entailing collaboration between market actors, governments, international organizations and NGOs on a range of issues from sustainable development, climate change, water, AIDS, Malaria prevention and biodiversity protection.¹³ Public-policy networks are voluntary, non-legislative and often geared towards implementation and joint-problem-solving. They represent soft and non-hierarchical steering, and consequently, the logic of arguing and persuasion as rule making.¹⁴ Proponents of multi-sectoral networks argue that these promise more result-based governance due to their decentralized flexible structure and diverse expertise. Networks potentially close the

¹¹See for example Thorsten Benner, Wolfgang H. Reinicke and Jan Martin Witte, “Multisectoral Networks in Global Governance: Towards a Pluralistic System of Accountability”, *Government and Opposition* 29, no. 2 (2004): 191-208; Robert O. Keohane and Joseph S. Nye, “Democracy, Accountability and Global Governance”, manuscript (Cambridge MA: Kennedy School of Government, 2001); Thomas Risse, “Global Governance and Communicative Action”, *Government and Opposition*, 39, no. 2 (2004a): 288-1 and “Transnational Governance and Legitimacy”, *Paper presented at the Fifth Pan-European Conference on International Relations, 9-11 of September 2004* (Hague, Netherlands, 2004b).

¹² Julia Steets, “Developing a Framework Concepts and Research Priorities for Partnership Accountability”, Global Public Policy Institute (GPPI) Research Paper Series No. 1 (2004), accessible at <http://www.globalpublicpolicy.net>, p. 25.

¹³ Thorsten Benner, Wolfgang H. Reinicke and Jan Martin Witte, “Multisectoral Networks in Global Governance: Towards a Pluralistic System of Accountability”, p. 191-192.

¹⁴ Thomas Risse, “Global Governance and Communicative Action”.

implementation gap by connecting local practice and global rules in a flexible and decentralized manner. Partnership networks can also decrease the governance gap by complementing multilateral treaty making with voluntary problem solving and self-regulation. Finally, partnership networks reduce the “participation gap” in global governance by including a diverse set of stakeholders and intergovernmental actors. However, critics argue that multi-sectoral networks fail to live up to traditional accountability structures and monitoring mechanisms. In this view, how can networks between international organizations, transnational companies and non-governmental actors be accountable if the actors themselves are unaccountable? Instead, partnership networks lead to the privatization of global governance, give rise to corporate power, weaken and fragment the multilateral order and reinforce a neoliberal world order.

Normatively, global governance can be conceived as the process of creating a legitimate political order in the absence of supranational authority or world government. Legitimacy refers to the overall quality of the social order – the institutions, norms and rules rather than the actors.¹⁵ The legitimacy stems both from a procedural logic (that rules are predictable and determined by legitimate actors) and a consequential logic (that rules and institutions lead to collective problem-solving). Input legitimacy refers to first dimension - the participatory quality of the decision-making process (transparency, representation and accountability). The second dimension - output legitimacy - relates to the problem-solving capacities of the institution or rule, i.e. if governance is effective.¹⁶ While this twofold conception of legitimacy has been used to for analyzing supranational governance in the EU, it can arguably be applied to global governance structures without supranational rule and authority. In this perspective, high output legitimacy in terms of effective collective problem solving can compensate for low input legitimacy. Vice versa, lack of effective regulatory capacity prompts the need for greater input legitimacy in terms of transparent and accountable decision-making processes.

Input legitimacy

Input legitimacy in multi-sectoral networks relates procedural demands such as balanced representation of different stakeholder groups, forum for collaboration and deliberation between government, market and civil society actors, transparency, access, information sharing and accountability and reporting mechanisms. I will focus on two aspects of input legitimacy 1) balanced representation of various stakeholders in networks 2) accountability and transparency mechanisms for monitoring effectiveness of partnership networks.

Representativeness concerns to what extent partnerships includes various stakeholders interests. To assess the representativeness of stakeholder participation in global multi-sectoral networks the following question could be asked: To what extent is an appropriately wide range of stakeholder groups participating formally in the network, as lead or ordinary partners? Throughout the 1990s, stakeholder participation has been the buzzword of multilateralism, and particular pronounced in global environmental diplomacy. Since the 1992 United Conference on Environment and Development

¹⁵ Thomas Risse “Transnational Governance and Legitimacy”, p. 7.

¹⁶ Fritz Scharpf, “European Governance”.

UNCED), “multistakeholdership” has been launched to make multilateralism more inclusive and responsive to marginalized groups (exemplified by women and indigenous people), and as a remedy to the “participation gap” and disenfranchisement in global environmental governance.¹⁷ Multilateral financial institutions, which have come under fierce criticism for suffering from a democratic deficit, have responded by establishing consultative arrangements with civil society.¹⁸ The assumption underpinning the “governance from below” paradigm is pretty straightforward: more participation by affected groups will generate more effective collective problem solving. In the terms adopted in this paper: input legitimacy will increase output legitimacy through deliberative mechanisms for enhancing stakeholder consultation. Consequently, in the context of global problem solving the call for representation and participation has primarily an instrumental value. This has been most pronounced in gender/sustainable development agenda, where paradoxically, women are both seen as victims of environmental destruction as well as the key to solving the environmental crisis.

Accountability refers to the relationships between actors (principal-agent, citizen-decision-maker etc.). For example, in democratic systems, through mechanisms of representation, rulers are accountable to citizens. Citizens can participate in elections and vote decision-makers out of office if they do not live up to expectations. Decision-makers have to justify and explain their action vis-a-vis citizens. However, hierarchical and electoral accountability to enhance legitimacy are difficult in a global system of rule without an electorate, mechanisms of representation and a parliament. In networks legitimacy has to be enhanced through indirect accountability mechanisms. Networks “are diffuse, complex weakly institutionalised collaborative systems that are neither directly accountable to an electoral base nor they exhibit clear principal agent relationship”.¹⁹

In this context it is helpful to distinguish between internal and external accountability.²⁰ Internal accountability means that democratically elected governments are accountable to their citizens, companies to their shareholders, non-governmental organizations to their members and international organizations to their member states. Formal control mechanisms such as electoral and hierarchical accountability are employed. However, these mechanisms of formal accountability are not suitable for multi-stakeholding and partnerships where there is a lack of clear principal, electorate and coherent constituency.

¹⁷ Lorraine Elliot, *The Global Politics of the Environment* (London: Palgrave, 2004); Dana Fisher and Jessica F. Green, “Understanding Disenfranchisement: Civil Society and Developing Countries” *Influence and Participation in Global Governance for Sustainable Development*, *Global Environmental Politics*, 4, no. 3 (2004): 65-84.

¹⁸ Michael Mason, “Representing Transnational Interests: New Opportunities for Non-Governmental Access to the World Trade Organization”, *Environmental Politics*, 13, no. 3 (2004): 566-89.

¹⁹ Thorsten Benner, Charlotte Streck and Jan Martin Witte, eds., *Progress or Peril? Networks and Partnerships in Global Environmental Governance. The Post-Johannesburg Agenda* (Berlin and Washington D.C: Global Public Policy Institute, 2003), p. 3.

²⁰ Robert O. Keohane and Joseph S. Nye, “Democracy, Accountability and Global Governance”; Thomas Risse, “Transnational Governance and Legitimacy”.

External accountability means that decision-makers have to justify their action vis-à-vis stakeholders that are affected by their decisions. The World Bank's consultation with civil society and the stakeholder dialogues in World Commission on Dams are two examples of efforts to institutionalize external accountability.²¹

A top-down accountability mechanism is less suitable for partnerships since this runs counter to the decentralized and flexible nature of the partnership endeavor. Research on accountability of partnership networks suggests that horizontal accountability mechanisms are more applicable.²² Partnerships in this vein would be accountable to a broad range of affected stakeholders, such as NGOs, the media, governments, donors and multilateral organizations. Accordingly, partnerships need pluralistic accountability structures, such as 1) professional peer accountability; 2) reputational accountability; 3) market accountability; 4) financial/fiscal accountability.²³

Output Legitimacy

In the context of multi-sectoral networks, output legitimacy can be formulated as effectiveness of partnership agreements. Effectiveness relates to the problem solving capacity: does the partnership attain its own goals and targets? Effectiveness in the field of sustainable development has two dimensions. First, to which extent does the agreement lead to desired environmental and developmental outcomes (quantitative goals of poverty eradication, access to freshwater biodiversity protection etc)? The second dimension is to what degree the partnership network has an adequate and effective institutional design and framework to reach desired outcomes. The latter - the "institutional effectiveness" - leadership, clear goal formulation, policy coherence - is the main focus in this article. The "outcome effectiveness" is hard to judge since the implementation of the sustainable development goals is long-term process. In addition, which will be outlined in the sections below, many of the goals are not formulated as measurable targets and timetables, which makes the implementation record difficult to evaluate.

The question of effectiveness of international environmental agreements is a research agenda in itself that is beyond the scope of this paper to review.²⁴ How can theoretical

²¹ Klaus Dingworth, "The Democratic Legitimacy of Public-Private Rule Making. What Can We Learn from the World Commission on Dams?", *Global Governance* 11, no. 1 (2005):65-83.

²² Julia Steets, "Developing a Framework Concepts and Research Priorities for Partnership Accountability".

²³ Jan Martin Witte, Charlotte Streck and Thorsten Benner, "The Road from Johannesburg: What Future for Partnerships in Global Environmental Governance?" in Thorsten Benner, Charlotte Streck and Jan Martin Witte, eds., *Progress or Peril? Networks and Partnerships in Global Environmental Governance. The Post-Johannesburg Agenda* (Berlin & Washington D.C: Global Public Policy Institute, 2003), p. 75.

²⁴ On effectiveness and implementation of international environmental agreements see David Victor, Kal Raustilia and Eugene B. Skolnikoff, eds., *The Implementation and Effectiveness of International Environmental Treaties. Theory and Practice* (Cambridge, MA: MIT Press, 1998); Edith Weiss Brown and Harold K. Jakobson, *Engaging Countries. Strengthening Compliance with International Environmental Accords* (Cambridge, MA: MIT Press 2000) and Oran Young,

and practical insights on the effectiveness of multilateral environmental treaties be extended to non-negotiated public-private partnership? Implementation, compliance and effectiveness can be differentiated.²⁵ *Implementation* refers to measures by parties to incorporate international agreements into domestic law. Applying this state-centric notion of implementation to voluntary multi-stakeholder networks without legislative powers, this would be the effort of the partnership network to implement its own targets, timetables and goals. *Compliance* moves beyond implementation and relates to whether parties adhere to the intergovernmental norms and rules as well as substantive and procedural obligations. In essence, do the parties comply with the spirit of the agreement? *Effectiveness* concerns the “environmental outcome” of the agreement, i.e. whether the objectives are attained and if the networked agreement is effective in addressing the problem it intended to solve. Does the agreement have problem-solving capacity and contribute to improvements in the state of the environment? The impact of the partnership agreement on the environment is a methodologically complex issue that many political scientists escape. Parties can comply with obligations in a multilateral agreement, for example in the Montreal Protocol on ozone layer. However, this does not necessarily make the treaty effective in terms of reducing the problem of depletion of stratospheric ozone layer. Compliance is thus a necessary but not sufficient precondition for effectiveness of a treaty.

Partnerships for Sustainable Development: The WSSD Context and Beyond

More than 220 partnerships for sustainable development (amounting to \$235 million) were announced in conjunction with the Johannesburg summit in 2002. As of today 311 partnerships in the fields of water, energy, health, biodiversity are registered in the Partnership Database, which has an own website since February 2004.²⁶ This section briefly explains the nature, political context and rationale of the partnership initiative before and after the summit.

The much publicized partnership initiative can be conceived as the flagship of the Johannesburg summit, although it was both highly controversial and remains deeply contested. What is the nature of these multistakeholder partnerships, which were collectively branded as a “Type II agreements”? In the preparatory process for the summit the distinction between Type I and Type II agreements or outcomes emerged. Type I outcomes refer to negotiated agreements between states, such as declarations, action plans and treaties. The Johannesburg Declaration and Johannesburg Plan of Implementation (JPOI) represent intergovernmental negotiated agreements on sustainable

ed., *The Effectiveness of International Environmental Regimes. Causal Connection and Behavioral Mechanisms* (Cambridge, MA: MIT Press 1999).

²⁵ Edith Weiss Brown and Harold K. Jakobson, *Engaging Countries. Strengthening Compliance with International Environmental Accords*.

²⁶ The partnership initiative can be found at

<http://www.un.org/esa/sustdev/partnerships/partnerships.htm> and the partnership database at <http://webapps01.un.org/dsd/partnerships/public/browse.do>, accessed November 29, 2005.

development²⁷. In contrast, Type II agreements such as the partnerships are multi-stakeholder initiatives linked to the implementation of commitments in Agenda 21 and the JPOI. The WSSD partnerships are voluntary, self-enforced and non-negotiated agreements between different constellations of governments, international organizations, NGOs and industry partners. While Type I agreements refers to formally negotiated outcomes between member states, Type II agreement do not require consensus and were not negotiated within the summit process but rather represented “coalitions of willing” among non-state and state actors. The cornerstone is that the responsibility for implementing the complex and cross-sectoral issues in the sustainable development agenda cannot be limited to governments but has to be diffused into wider sectors of society.

This brings us to the overall political context for partnership. The partnership rhetoric is arguably situated in a broader post-cold war context.²⁸ Since the 1990s, sustainable development is squarely placed in a discourse of “liberal environmentalism”.²⁹ The 1992 Rio accords consolidated dominant norms of liberal environmentalism, in which environmental protection and sustainable development are viewed as compatible with capitalist markets and liberal trading order. Furthermore, in the post-UNCED agenda liberal democracy and “good governance” are regarded as the most viable political institutional frameworks for tackling sustainable development challenges. The regulatory approach for partnerships encapsulates norms of liberal environmentalism or ecological modernization. In this policy paradigm, flexible, decentralized, voluntary market-oriented approaches to environmental problem solving have gained terrain as an important complement to top-down state-centric decision-making. However, the partnership rhetoric is not limited to neoliberal regulatory models. The normative implication is a broadened societal responsibility for the sustainable development agenda, captured by notions of corporate social responsibility.³⁰ In this perspective, the responsibility of implementing multilateral commitments to sustainable development does not rest exclusively among governments, but should also include business and civil society in a larger collaborative endeavor.

What was then the rationale for launching Type II partnerships at the Johannesburg summit? A critical analysis of the WSSD partnerships argues that there was an official

²⁷ United Nations, “United Nations Plan of Implementation of the World Summit on Sustainable Development”, in Report of the World Summit on Sustainable Development. Johannesburg, South Africa, 26 August - 4 September A/CONF.199/20 (New York: 2002).

²⁸ Weiss Brown, Edith and Harold K. Jakobson, *Engaging Countries. Strengthening Compliance with International Environmental Accords*.

²⁹ Steven Bernstein, *The Compromise of Liberal Environmentalism* (Cambridge: Cambridge University Press, 2001).

³⁰ Magdalena, Bexell, *Exploring Responsibility. Public and Private in Humans Rights Protection*, Doctoral thesis (Lund: Lund University, Department of Political Science, 2005) and Jennifer Clapp, “Global Environmental Governance for Corporate Social Responsibility”, *Global Environmental Politics* 5, no. 3 (2005): 23-34.

strategic agenda and an unofficial tactical maneuvering.³¹ The official rationale was that the multistakeholder partnerships were suitable due to the strong implementation focus of the summit. The Johannesburg summit was a review of the implementation of the sustainable development agenda since UNCED 1992. The UNEP Executive Director described the WSSD as a summit for “implementation, accountability and partnership”. Hence, the rationale of the partnerships was to translate multilateral commitments on sustainable development into concrete action. The overarching idea was that the “implementation gap” in sustainable development could be reduced by “results-based” and “outcome-oriented” partnerships. In the pre-summit guidelines from the WSSD Bureau partnerships were to “reinforce the implementation of the outcomes of the intergovernmental negotiations of the WSSD and to help the further implementation of Agenda 21 and the Millennium Development Goals”.³² However, partnerships should complement globally agreed Type I agreements and not substitute for governmental action. Moreover, partnerships should be participatory, they should entail new initiatives with added value, have clear objectives and contain specific targets and deadlines. The backdrop of the Johannesburg partnerships was the growing recognition of the limits of traditional state-centric multilateralism in implementing Agenda 21.

The more skeptical interpretation was that partnerships represented a rescue mission for the predicted failure of the Johannesburg summit.³³ Many commentators on the outcome of the WSSD have reservations about the promise of Type II agreements to put the lofty and broad visions of Agenda 21 into practice.³⁴ Partnerships were launched to energize the last months of preparations to save the Earth summit that had low priority in the post 9/11 era as resources were devoted to combat global terrorism. However, the choice of partnerships to vitalize the Johannesburg summit in the late 2001 was not followed up by clear and substantive guidelines on the relationship between Type I negotiated agreements and Type II partnerships. The function, goals and monitoring mechanisms of partnerships were therefore vague, underspecified and uncertain. The partnership outcomes were launched to strengthen the implementation process, yet there was a growing disconnect between the WSSD negotiation process and the Type II partnership initiative. This generated confusion in both the WSSD summit and follow-ups after the conference. As will be argued in the following sections, this can be attributed to lack of leadership from the WSSD secretariat and the Commission on Sustainable Development.

³¹ Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”.

³² Find reference

³³ Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”.

³⁴ Tom Bigg, “The World Summit on Sustainable Development: Was it Worthwhile?” (International Institute for Environment and Development (2003) Paper available online at... and Marc Pallemarts “Is Multilateralism the Future? Sustainable Development or Globalisation as “A Comprehensive Vision of the Future of Humanity””, *Environment, Development and Sustainability*, 5 (2003):275-295.

There is a deep disagreement about the merits and dangers of WSSD partnerships. Proponents point to the potential benefits of partnerships that pool assets, expertise and creativity of the diverse sectors. Furthermore, multi-stakeholder partnership can connect local practices and global norms through their flexible and decentralized character. The business sectors and parts of the NGO community embraced the partnership idea, as did many industrialized countries subscribing to its liberal environmental tenets. However, skeptics continue to challenge the partnerships for paving the way to privatization of governance and the UN. While the NGO community was divided (some prominent NGOs are lead parties of partnerships), some of the fiercest critique comes from civil society. Partnerships in their perspective are viewed as corporate environmentalism. The partnerships represented an opportunity for transnational business to “greenwash”, i.e. to put a green profile on their activities without much of substance and real commitment for environmental improvements. Moreover, partnerships signify the abdication of governments’ responsibility to implement multilateral commitments on sustainable development. The “retreat of the state” was looming in the summit and follow-up and could lead to fragmentation creating a “[m]ultilateralism a la carte in a global ‘multi-stakeholder bazaar’”.³⁵ Developing countries were skeptical of partnerships, albeit some were beneficiaries (for example of those partnerships aimed at eradicating poverty, improving health and sanitation). Many developing countries feared that the partnerships would be an excuse for industrialized countries to scale down additional resources and international development assistance for financing sustainable development. Hence, the demand for “new and additional” resources surfaced in the contested debate about the merits and dangers of partnerships.

The Johannesburg partnership can be seen as a subset of multi-stakeholder processes. Multi-stakeholder processes have been launched to operationalize the principles of inclusion and to increase legitimacy in terms of “broad ownership” of decisions in international collaborative problem solving.³⁶ These are processes of interaction between state and non-state actors with different purposes and functions, such as information sharing, dialogue, consensus building, joint problems-solving, decision-making, implementation and monitoring.³⁷ The multi-stakeholder dialogues, which have been arranged by the UN Commission for Sustainable Development (CSD) before, at and after the Johannesburg summit enabled interaction between the nine formal major groups³⁸ and government delegates. Both dialogues and partnerships bring together civil society,

³⁵ Marc Pallemarts “Is Multilateralism the Future? Sustainable Development or Globalisation as ‘A Comprehensive Vision of the Future of Humanity’”, p. 286.

³⁶ Ferenz, Michele, “Multistakeholder dialogues: Learning from the UNCSD Experience,” Background Paper No. 4 for the Third Preparatory Session, March 24-April 15, 2002 (Commission on Sustainable Development, Department of Economic and Social Affairs, United Nations, 2002).

³⁷ Susskind, Lawrence E. et al., “Multistakeholder Dialogue at the Global Scale”, *International Negotiation*, 8 (2003): 235-66.

³⁸ The UN major groups are stakeholders identified in the Agenda 21: business, farmers, indigenous people, local government, non-governmental organizations, the science and technology community, trade unions, women and youth. The list of major groups and their networks can be found on then website <http://www.un.org/esa/sustdev/mgroups/mgroups.htm>.

government and business. They have similarities in terms of their hybrid character that enables an interaction between government and private actors. Both represent “interactive governance” that build on multi-stakeholder collaboration through dialogue, consensus building and even joint problem solving. Moreover, partnerships and stakeholder dialogues are multi-stakeholder endeavors, but they have different purposes and degree of formality. CSD sponsored stakeholder dialogues on sustainable development themes primarily have the overarching function to inform intergovernmental decision-making while the purpose of the WSSD multi-stakeholder partnerships is to support the implementation of Agenda 21 and JPOI. In addition, stakeholder processes have a more formal structure as well as clear and open criteria for selecting and representing stakeholder interests. Partnerships, on the other hand, have a more spontaneous and decentralized character as they represent a “coalition of willing” stakeholders.

Voice, Accountability and Transparency of the WSSD Partnerships

Can the WSSD partnerships speed up the implementation of sustainable development as well as increase stakeholder participation and legitimacy? In other, words are the partnerships for sustainable development effective and are they accountable? Do they include a wide base of stakeholder interests corresponding to the nine formal UN major groups? These issues will be discussed in the sections below.

Representation

What is the level of representativeness in the partnership initiative? Which stakeholder groups are included or are leaders of partnerships? Recent critical assessments³⁹ argue that resourceful and powerful actors dominate the WSSD partnerships. Few partnerships are multi-stakeholder endeavor in terms of involving disenfranchised groups. Only six percent of the partnerships (i.e. less than 20) include stakeholders from all major categories, developed and developing countries, intergovernmental organizations and the nine major groups.⁴⁰ The broad picture is that the partnerships are North-driven, sponsored by primarily by international organizations and a handful industrialized countries. There is both a lack of grassroot and local participation from the South as well as private sector involvement. The private sector leads only two percent, and is involved

³⁹ This section is based on evaluations of partnerships Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”; Thomas N. Hale and Denise L. Mauzerall, “Thinking Globally and Acting Locally: Can the Johannesburg Partnerships Coordinate Action on Sustainable Development?”, *Journal of Environment and Development*, 13, no. 3 (2004) :220-239; Maria Ivanova, “Partnership, International Organizations, and Global Environmental Governance”; Thorsten Benner, Charlotte Streck and Jan Martin Witte, eds., *Progress or Peril? Networks and Partnerships in Global Environmental Governance. The Post-Johannesburg Agenda* and official United Nations reports and updates on the Johannesburg partnership initiative such as United Nations, Partnerships for Sustainable Development. Report of the Secretary General, E/CN.17/2004/16 (New York: Department of Economic and Social Affairs, 2004b) and United Nations, Partnerships for Sustainable Development – Update. Background Paper No. 1. DESA/DSD/2005/1. Commission on Sustainable Development, Thirteenth Session, 11-22 April 2005 (New York: Department of Economic and Social Affairs, 2005).

⁴⁰ Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”, p. 23-24.

in only 20 percent of partnerships.⁴¹ It is noteworthy that the business sector is quite marginal in the partnership enterprise given the recurrent argument that partnerships pave the way for the privatization of environmental governance. The lead partners are primarily international organizations (26 percent), western-based international NGOs (35 percent) and governments from OECD countries (33 percent). International organizations lead almost a third of the partnerships, which indicates that partnerships are an opportunity for multilateral institutions to reinvent their mission and reassert their programs. In partnerships lead by governments six states (Australia, France, Indonesia, US, Italy and Japan) are represented in 70 percent of the partnerships.⁴² Local actors, low-income countries, small NGOs and grassroots are less represented. For example, only six percent of the partnerships are lead by low and middle-income countries.

This supports the argument that partnerships are “supply-driven” rather than “demand-driven”, i.e. that the actors with the most advanced capacity are engaged rather than those with the largest functional needs.⁴³ Partnerships mirror rather than transform existing relations of power between North and South, governmental and private authority and global professionals and local grassroots, which are not surprising given their voluntary and self-governing nature. Partnership networks represent “coalition of willing”: they can, but do not have to be collaborative endeavors between stakeholders from government, business and civil society. They have a more narrow group of stakeholder representation than formalized multi-stakeholder processes under the UN auspices as discussed earlier.

Accountability and Transparency

The WSSD partnerships have repeatedly been criticized for lack of accountability and transparency. Critics argue that the promising rhetoric of partnership is not matched with progress and results on the ground. In this perspective, partnership networks need to be accountable to the various stakeholders affected, for example NGOs, indigenous people, business, governments and multilateral financial institutions. The need for systematic monitoring progress of partnerships has been emphasized at the annual meetings of the Commission on Sustainable Development.⁴⁴ As discussed in the previous sections, WSSD partnerships are amenable to horizontal accountability (market, reputational and peer accountability). This fits the flexible and decentralized features of partnerships

⁴¹ Thomas N. Hale and Denise L. Mauzerall, “Thinking Globally and Acting Locally: Can the Johannesburg Partnerships Coordinate Action on Sustainable Development?”, p. 230-231

⁴² Ibid. p. 231

⁴³ Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”.

⁴⁴ United Nations, Commission on Sustainable Development. Report on the Eleventh Session (27 January 2003 and 28 April -9 May 2003) E/CN.17/2003/6 (New York: Economic and Social Council, 2003); United Nations, Commission on Sustainable Development. Report on the Twelfth Session (9 May 2005 and 14-30 April 2005). E/CN.17/2004/21 (New York: Economic and Social Council, 2004a) and United Nations, Partnerships for Sustainable Development. Report of the Secretary General, E/CN.17/2004/16 (New York: Department of Economic and Social Affairs, 2004b).

rather than top-down forms of accountability (such as a centralized agency overseeing and sanctioning partnerships).

The absence of any single principle in multi-sectoral networks raises the question: to whom should partnerships be accountable? One answer could be the multiple stakeholders which represent diverse constituencies. In order to match these many principals, have proposed a pluralistic system of accountability for partnerships.⁴⁵ Reputational accountability, i.e. naming and shaming can be effective since public credibility and images are critical for many actors in partnerships. Market or financial accountability can be important instrumentz for consumers and donors to reward and punish lead actors in the partnership. However, it is too early to judge if these accountability mechanisms have been put into practice in the WSSD partnership initiative. No instance of a partnership that has been removed from the registry for insufficient accountability to stakeholders is known to the author. Instead transparency-based accountability mechanisms have been emphasized in the partnership initiative. Transparency and accountability are closely linked as accountability hinges on access to information on the performance and progress of partnerships. Three indicators can capture the transparency of the Johannesburg partnership initiative: a web site, a reporting system and a monitoring mechanism.⁴⁶ Website for public information sharing, reporting system to share information about the progress of the partnership and a monitoring mechanism to define standards (indicators, measures) of goal attainment of partnerships are all key components of transparency. What is the transparency scorecard for the WSSD partnership networks? Analysis in spring 2003 indicates that less than a third of the partnerships has the threefold aspect of transparency, i.e. website, reporting and monitoring mechanism. Less than fifty percent of the partnerships have a mechanism for monitoring effectiveness and progress of partnerships.⁴⁷

The relatively weak transparency mechanism of partnerships stems from unclear guidelines and lack of mandatory reporting requirements of the Johannesburg partnerships. Pre-summit guidelines for the procedural basis of the partnerships were unspecified and vague. First in the follow up of the summit, at eleventh meeting of the Commission on Sustainable Development (CSD 11), reporting guidelines were established (for example biennial report and exchange of information to stakeholders). However, while reporting was encouraged it is still voluntary⁴⁸. “Partnerships fairs” with showcases of Johannesburg partnerships have been a new practice at the annual CSD sessions as a way for information sharing. As of today a systematic mechanism for monitoring effectiveness of partnerships is lacking. Of the 311 registered partnerships,

⁴⁵ Jan Martin Witte, Charlotte Streck and Thorsten Benner, “The Road from Johannesburg: What Future for Partnerships in Global Environmental Governance?” in Thorsten Benner, Charlotte Streck and Jan Martin Witte, eds., *Progress or Peril? Networks and Partnerships in Global Environmental Governance. The Post-Johannesburg Agenda*, p. 75.

⁴⁶ Thomas N. Hale and Denise L. Mauzerall, “Thinking Globally and Acting Locally: Can the Johannesburg Partnerships Coordinate Action on Sustainable Development?”, p. 227.

⁴⁷ *Ibid.*, p. 228.

⁴⁸ Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”, p. 22.

only 59 (i.e. 20 percent) have submitted updates on progress⁴⁹. These progress reports concern organizational activities, coordination activities and implementation activities. However, only one percent of the partnerships reported that they met their stated goal.

To conclude, the partnerships reflect rather transform relations of power in global environmental governance. Partnerships represent “coalition of willing” partners rather than actors with the greatest need for resources and the lowest capacity building for sustainable development. While some partnerships have a true multi-stakeholder character with wide representation of governments and major stakeholder groups these are an exception rather than a rule. Most partnerships are lead by Northern governments, international organizations, and predominantly Washington-based NGOs. No systematic mechanism to track progress of implementation record of partnerships is yet in place.

The Effectiveness of the WSSD Partnerships

This section takes stock of the output legitimacy in terms of effectiveness of the WSSD partnerships. Do the Johannesburg partnerships deliver results-based environmental governance? Do they encourage problem-focused, result-oriented forms of environmental policy making? Do partnerships fulfill the obligations in multilateral agreements such as the JPOI and the Agenda 21? Do they close the “implementation gap” in sustainable development? In order to answer these questions about the effectiveness and implementation track of partnerships, clear goals for what to implement is required. The sustainable development agenda, however, is defined by diffuse goals, conflicting agendas and norms, competing ideologies and trade-offs. This is inevitable given the contested and politicized nature of the evasive concept of sustainable development.

Hence, the “outcome” effectiveness and problem-solving capacity of WSSD partnerships is difficult to evaluate. Moreover, a review of effectiveness is too early: the existing 311 partnerships became operational first after the summit and in average have a time span of more than four years.⁵⁰ Consequently, institutional rather than environmental effectiveness will be considered in this section. Two preconditions for effectiveness will be highlighted: 1) the institutionalization of partnerships, i.e. their linkage to goals and targets in multilateral agreements, such as the JPOI; 2) additionality, i.e. to what the degree partnerships generate of new multi-sectoral funding for sustainable development activities.

Linkage between Partnerships and Multilateral Agreements

The purpose of the WSSD partnerships was to reinforce the implementation of agreed targets, goals and commitments found in the JPOI and Agenda 21. The connection between partnerships and multilateral targets and goals is a precondition for assessing the effectiveness of partnerships. As discussed in previous sections, the problem to assess effectiveness stems from the unclear relationship between Type I agreements and Type II partnerships that emerged from the WSSD preparatory meetings. Furthermore, summit guidelines lacked clarity about the mandate of partnerships. Partnerships should link to Agenda 21, they should have “added value” and “relevance” for WSSD and they should

⁴⁹ United Nations, Commission on Sustainable Development. Report on the Twelfth Session.

⁵⁰ Ibid.

have “monitoring mechanisms” but these factors remained underspecified and diffuse.⁵¹ As a result, the Johannesburg partnerships and the WSSD agreements evolved rather separate rather than being the integrated and mutually supported outcomes, which was intended from the beginning.

When reviewing the profile of partnerships they clearly converge with themes in Agenda 21. As illustrated in Figure 1 below, partnerships for sustainable development cover fields such as poverty eradication, biodiversity, gender equality, education, health and sustainable development etc. However, the Agenda 21 is a very broad action plan without concrete timetables and targets. The WSSD linked partnerships to Agenda 21 rather to the more concrete Millennium Development Goals. The vague Agenda 21 commitments make it difficult to subject partnerships to implementation review. The JPOI contains targets and timetables, but most of these were reiterated from the Millennium Development Goals (MDGs) agreed at the Millennium Summit in 2000. The lack of concrete and quantitative targets, timetables and goals was precisely the reason why the WSSD was subject to massive criticism and even ruled out as failure. Many of the 30 targets in JPOI were repetition of existing goals in the Millennium declaration and other agreements.⁵² This included, for example, halving the proportion of those living in extreme poverty and people without safe drinking water by the year 2015.

Apart from the weak institutionalization, another barrier for assessing effectiveness of the Type II partnerships is that the majority of partnerships fail to provide concrete (and quantifiable) environmental and developmental targets. Around half of the partnerships address substantial issues of environmental management (such as climate change, desertification, energy, forests, freshwater etc.) but the other half fall within “means of implementation”, i.e. capacity building, education and information for decision making. These partnerships concern procedural aspects such as information and knowledge sharing but provide no concrete environmental targets, which makes review of partnership performance difficult.

New and Additional Funding

Do the partnerships provide new and fresh funding for sustainable development activities? Mobilizing new resources is critical in the implementation of Agenda 21 and to meet objectives of poverty eradication, sanitation and health protection in the JPOI and in the Millennium Development Goals. After the Johannesburg summit the funding for partnerships was almost USD 250 millions. As of June 2004 the partnership funding had four-folded to USD 1.02 billion.⁵³ However, close analysis suggests that funding of multi-sectoral partnerships are “repackaged” funds. Large intergovernmental programs have been redirected to, and reclassified as Type II partnerships. More than 80 percent of

⁵¹ Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”, p. 22.

⁵² Tom Bigg, “The World Summit on Sustainable Development: Was it Worthwhile?”.

⁵³ Thomas N. Hale and Denise L. Mauzerall, “Thinking Globally and Acting Locally: Can the Johannesburg Partnerships Coordinate Action on Sustainable Development?”, p. 235; United Nations, Partnerships for Sustainable Development. Report of the Secretary General, E/CN.17/2004/16.

the funding comes from multilateral institutions, mostly from current programs in the UNEP, the UNDP and the World Bank. Consequently, funding from new sources is limited and a strikingly small portion (less than one percent) stems from the private sector. This indicates that the partnerships initiative have not yet paved the way for new and multi-sectoral funding for sustainable development initiatives. This transformation of existing intergovernmental initiatives on sustainable development to Type II partnerships suggests that international organizations are trying to reinvent their mission and reassert their agendas and ongoing intergovernmental programs. The business has remained cautious of the Johannesburg partnerships, partly because of the fear of over-regulation and the establishment of centralized administrative arrangements to regulate and monitor partnerships.⁵⁴ A reflection of this was that the World Business for Sustainable Development announced 95 partnerships prior to the Johannesburg summit and in a separate registry.

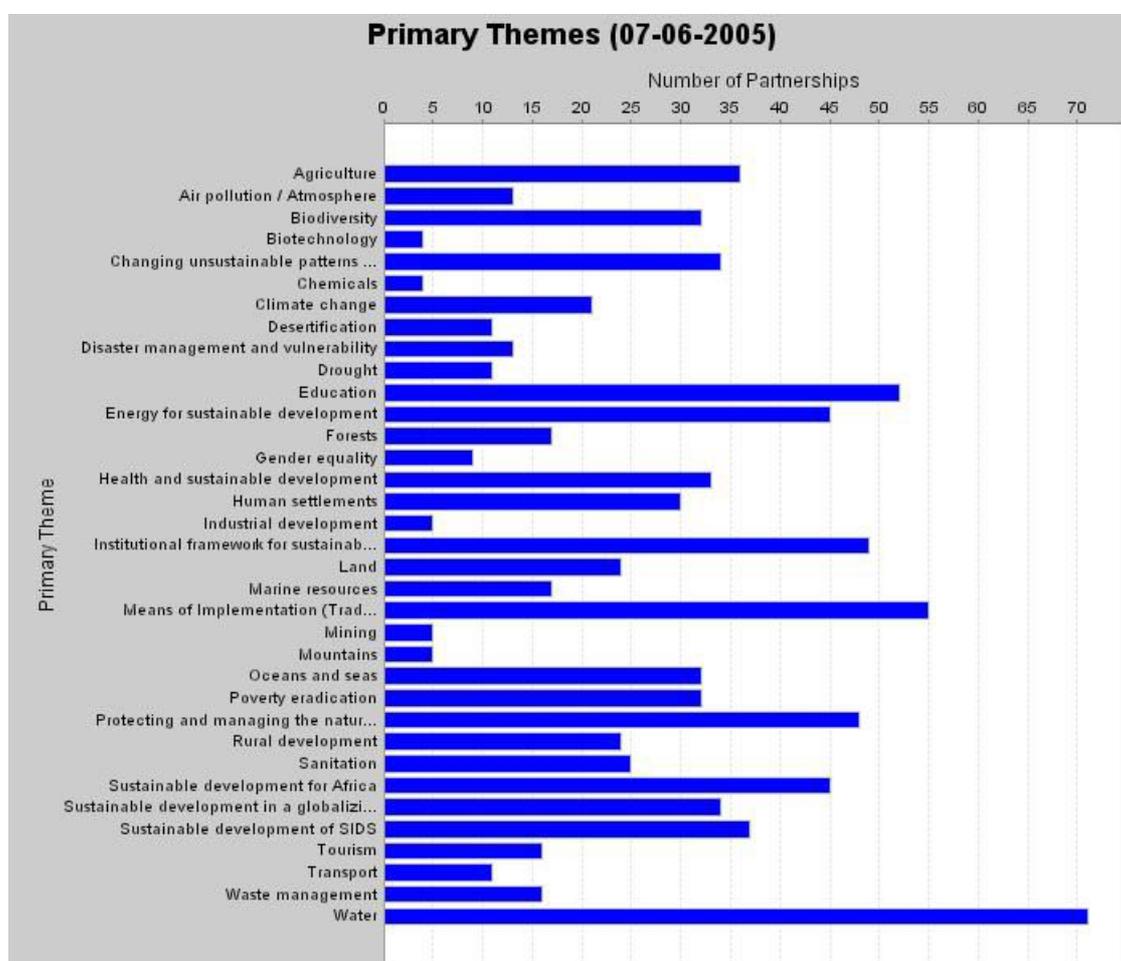


Figure 1: Primary themes of WSSD partnerships (Source: United Nations, Partnerships for Sustainable Development, accessed at website: <http://webapps01.un.org/dsd/partnerships/public/statisticsResults.do>, November 29, 2005)

⁵⁴ Thorsten Benner, Charlotte Streck and Jan Martin Witte, eds., *Progress or Peril? Networks and Partnerships in Global Environmental Governance*, p. 7.

To sum up, the Johannesburg partnerships largely escape implementation review, partly because they, at their inception, were decoupled from global agreements on environment and development, such as the JPOI and Millennium Development Goals. A better definition of the substantial objectives of partnerships is needed as well as clearer linkage to targets and norms set by the intergovernmental agenda.⁵⁵ Less than half of the partnerships cover substantial goals of environmental protection or poverty alleviation while the rest focused on procedural questions such as “Means of Implementation”. This makes an implementation review even more difficult.

Conclusion

The final scorecard on the input and output legitimacy of the Johannesburg partnerships is that there is considerable room for improvement. The effectiveness and accountability of these networked forms of governance need to be enhanced. Recent evaluations of the partnerships suggest that they can gain from a clearer linkage to existing institutions and multilateral agreements, measurable targets and timetables, more effective leadership, improved accountability mechanisms, more systematic review, reporting and monitoring. However, the baby should not be thrown out with the bathwater. Partnerships are innovative forms of governance that can pool together diverse expertise and resources from civil society, government and business sectors. With their decentralized, flexible and informal features, partnerships can potentially link local practice with global environmental and developmental norms across different sectors. In essence, partnerships can potentially operationalize lofty principles of sustainable development and match them with realities on the ground. Plural forms of accountability are needed to match the plural and amorphous features of global multi-sectoral partnerships.

The recurrent argument that partnerships consolidate the privatization of global governance can be challenged in the light of the empirical evidence of the current profile of the partnerships for sustainable development. Clearly, international organizations use the “partnership wave” to re-invent their mission. The private sector is still marginal in both leading and funding multi-sectoral partnerships. The business sector remains largely unconvinced and has instead pursued separate partnership networks outside the UN framework. Instead, multilateral organizations are the most common lead partners, together with a handful of governments in the industrialized world. This suggests that the WSSD partnership is an arena for reasserting governmental authority rather than re-locating authority to private actors.⁵⁶

The Johannesburg partnership initiative is a reminder of that questions of voice, power and contestation are at the heart of global environmental governance. The partnerships for sustainable development do not only reinforce and mirror dominant norms of liberal environmentalism and privilege powerful actors in global environmental governance,

⁵⁵Liliana B. Andonova and Marc A. Levy, “Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships”, p. 30.

⁵⁶ Benedicte Bull, Morten Bøås et al, “Private Sector Influence in the Multilateral System: A Changing Structure of World Governance?” *Global Governance* 10, no. 4 (2004): 481-298.

they to some extent reinforce governmental authority. The jury is still out on the question posed in beginning of the paper, namely if partnerships pave the way for relocation of authority from governmental authority to private (or hybrid) authority. Partnerships may also further strengthening multilateralism, where international organizations emerge as a forum for initiating, negotiating and brokering partnerships. Type II outcomes have been interpreted as the abdication of governments with regard to financing and implementing multilateral commitments to sustainable development. For example, US resisted multilateral commitments at the Johannesburg summit but channeled its engagement to the partnership arena in terms of being one of the largest sponsors of the public-private partnerships.

An argument in this paper is that transnational public-private networks and hierarchical institutions require different yardsticks for democratic accountability. The legitimacy of partnerships taps into debates about the legitimacy crisis and democratic deficit of international institutions and global governance, which have gained prominence in international relations. The scope for transnational democracy underpins these issues.⁵⁷ However, one of the models of democratic governance beyond the state - the cosmopolitan quest to transfer national democratic institutions and mechanisms to a world polity (with a global parliament, world federation etc.) - is utopian, unrealistic and further consolidates state-centric notions of democratic legitimacy. Stakeholding practices and group-based deliberation in networks are more compatible with deliberative accounts of transnational democracy. This starts from the premise that democracy is more about deliberation, reasoned argument and public reflection among affected stakeholders than voting and aggregation.⁵⁸ Legitimacy in this context is generated through an open and public process of deliberation among a variety of societal actors; government delegates, business and NGOs. The key is to encourage vital transnational public spheres rather than large-scale institutional reform or a democratic constitution of the world order.⁵⁹ Proponents of deliberative democracy argue that deliberation and reasoned argument can increase both input and output legitimacy of governance.⁶⁰ This represents a pragmatic route to democratize the global order in which public-private partnership networks will remain an important governance structure.

⁵⁷ Anthony McGrew, "From global governance to good governance: theories and prospects of democratizing the global polity" in Morten Ougaard, et al., eds., *Towards a Global Polity* (London and New York: Routledge 2002).

⁵⁸ James Meadowcroft, "Deliberative Democracy" in Robert F. Durant, et al., eds., *Environmental Governance Reconsidered* (Cambridge, MA: MIT Press 2004) and Smith, Graham, *Deliberative Democracy and the Environment* (London & New York: Rutledge, 2003).

⁵⁹ Patricia Nanz and Jens Steffek, "Global Governance, Participation and the Public Sphere", *Government and Opposition*, 39, no. 2 (2004): 314-34.

⁶⁰ Thomas Risse, "Transnational Governance and Legitimacy".

