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**Working Paper**

## (Re)discovering the social responsibility of business in Germany

WZB Discussion Paper, No. SP III 2007-101

**Provided in Cooperation with:**

WZB Berlin Social Science Center

*Suggested Citation:* Berthoin Antal, Ariane; Oppen, Maria; Sobczak, André (2007) : (Re)discovering the social responsibility of business in Germany, WZB Discussion Paper, No. SP III 2007-101, Wissenschaftszentrum Berlin für Sozialforschung (WZB), Berlin

This Version is available at:

<https://hdl.handle.net/10419/47947>

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**(Re)discovering the social responsibility  
of business in Germany**

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SP III 2007-101

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**ZITIERWEISE / CITATION:**

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**(Re)discovering the social responsibility of business in Germany**

Discussion Paper SP III 2007-101

Wissenschaftszentrum Berlin für Sozialforschung (2007)

**Schwerpunkt:**

Organisationen und  
Wissen

**Research Area:**

Organizations and  
Knowledge

**Abteilung:**

Innovation und  
Organisation

**Research Unit:**

Innovation and  
Organization

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## **Abstract**

The concept of CSR is a relatively recent addition to the agenda in Germany, although the country has a long history of practicing corporate social responsibility. The expectations of society had remained stable for many years, encapsulated in laws, societal norms, and industrial relations agreements. But over the past decade, German companies, often triggered by their multinational activities, have had to engage with diverse stakeholders to redefine the nature of their social responsibilities. This contribution reviews and illustrates the development of corporate social responsibility in Germany and analyses how the actors in business and society can build on traditional strengths to find new institutional arrangements for sharing tasks and responsibilities in the interests of achieving a better balance between societal, economic, and environmental needs.

## **Zusammenfassung**

Die gesellschaftliche Verantwortung von Unternehmen war in Deutschland lange Zeit kein öffentliches Thema; gleichwohl haben gesellschaftliche Normen, gesetzliche Regelungen und sozialpartnerschaftliche Konfliktregulierung auf eben diese Verantwortung Bezug genommen. In den letzten Jahren haben Unternehmen, auch in Deutschland, begonnen, in Auseinandersetzung mit verschiedenen gesellschaftlichen Gruppen ihre gesellschaftliche Verantwortung – oft angestoßen durch ihre multinationale Geschäftstätigkeit – neu zu interpretieren. Dieser Artikel zeigt Möglichkeiten auf, wie in Deutschland, auf den eigenen Traditionen sozialer Verantwortlichkeit aufbauend, institutionelle Arrangements im Hinblick auf sich wandelnde Aufgaben- und Verantwortungsverteilungen gefunden werden können, um eine bessere Balance von sozialen, ökonomischen und umweltbezogenen Bedürfnissen zu erzielen.



## **(Re)discovering the social responsibility of business in Germany<sup>1</sup>**

*The world-famous German manufacturer of pencils, paints and other products for artists, Faber Castell AG, has a long history of corporate social responsibility. As early as the 19<sup>th</sup> century the company had the reputation of being a good employer. It invested in the welfare of its employees by providing health benefits, kindergarten, school, and housing. The current CEO believes it is only right for the company's to extend its responsibility to meet the challenges of globalization. More than twenty years ago it established a sustainable forestry program and since 1999 the Forest Stewardship Council certifies that Faber Castell's production processes are environmentally sound, socially fair and sustainable. It has developed a new ecological water-based finishing product for its pencils. In 2000 the company signed an international framework agreement with the German metal workers' union (Industriegewerkschaft Metall) and the International Federation of Building and Wood Workers (IFBWW) covering all its employees world-wide and guaranteeing them the employment and working conditions recommended by the ILO. The implementation of this agreement is guaranteed by a management system for quality, environment and social affairs as well as by a regular independent monitoring with trade union participation. It intends to extend the Social Charter commitment to its global supply chain. In 2003 Faber Castell became a signatory to the United Nations Global Compact in order to document its support for socially and ecologically responsible manufacturing on a global scale. One of its projects to this end is in cooperation with the German Development Agency (GTZ) and the German metal workers' trade union: together they are working in India to raise awareness for global responsibility among government bodies, non-governmental organizations, unions and companies. They intend to build on what they learn from this project to expand it to other developing countries in which Faber Castell has supplier networks.<sup>2</sup>*

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<sup>1</sup> This paper which has been accepted for presentation at the 2007 Academy of Management Conference (August 3-8 in Philadelphia) builds on ideas first presented in Berthoin Antal, Dierkes and Oppen (2007, pp. 267-290).

<sup>2</sup> See <http://www.faber-castell.de>, especially the pages on "The company of today" and Asslaender 2005.

The case of Faber Castell AG is an example of how some German companies have recently started to redefine their understanding of their role and responsibilities in the societies in which they operate by engaging with diverse stakeholders. The term “corporate social responsibility” (CSR) is receiving increasing attention in Germany, particularly after the European Union launched initiatives in this area. The social responsibility of business was not subject to explicit discussion for many years because the relations between business and its employees and business and society were covered by legal requirements, societal norms, and tripartite conflict resolution procedures. For many years Germany was considered a role model in assuring good product quality, working conditions, workers’ involvement, public services, and environmental protection. These high standards have served Germany and its economic development well for many years, both domestically and on international markets. In essence, “doing well by doing good” was required of German companies by the multiple institutional mechanisms that embedded business in society.

However, two interrelated processes are undermining the country’s ability to maintain and develop high standards. Global competition is eroding standards and contributed to problems in Germany such as high unemployment, declining social security, and urban decay. At the same time, the center of gravity for determining standards is shifting away from the nation state towards negotiations between countries and, increasingly, with various representatives of civil society. During the past decade, although some companies like Faber Castell have engaged in international processes, Germany has not taken a leading role in shaping the way problems are addressed and desirable outcomes are defined in these fora. If it does not become an active participant in these processes it risks being forced to adapt to frameworks and standards developed by others to regulate its business-society relations.

In addition to the shifts in the global context that Germany must grapple with to prepare its future, the nature of problems is changing too. A growing number of society’s challenges, in Germany and elsewhere, are like “wicked issues” (Clarke / Stewart 1997). They appear intractable because they often have multiple

root causes and they cross sectoral or national boundaries. Dealing with them effectively therefore requires drawing together a range of resources and competences from multiple actors. There is growing recognition that the distribution of roles and responsibilities between actors in society must change because the state alone can no longer be relied on to meet the needs of society. In Germany the public sector has neither sufficient funds nor expertise to deal with the complex issues threatening the economic, social, and environmental health of the country. As a result, the business community is increasingly being expected to step in to help, blurring the lines that have traditionally been drawn between the public and the private sector.

In Europe the European Commission specifically identified CSR as one of the means to meeting the economic, social and technological challenges of society. The European Council, too, recognized that new, multi-stakeholder approaches to problem-solving are needed, requiring learning and the creation of knowledge. It called on policymakers, business, and representatives of civil society to bring their expertise and their perspectives to the table and to develop instruments together at the European, national and local levels. Learning to renew the meaning of social responsibility in a globalizing world and putting CSR into practice is of course only a single strand in an overall process of social and economic renewal, a process that depends on the ability of the diverse actors to work together to address different and often conflicting goals and values.

This article addresses a key challenge Germany faces in shaping its future, namely how to take on board fresh impulses for negotiating the ways and means of generating a healthy balance between social, economic, and environmental needs. The learning agenda to achieve this end encompasses building on Germany's own past experience with the distribution of social responsibility and with the processes of conflict resolution inherent in the German corporatist tradition. It offers opportunities to renew these traditions and to adapt them to the global context. Furthermore, it entails capitalizing on its second mover advantage by learning from the successes and mistakes made in other countries in recent years.



The article is organized in two sections. The first analyzes the reception of the CSR concept in Germany. It starts with providing some background about the German context, which is characterized by a high level of social regulation requiring companies to take on responsibilities beyond their direct economic ones. This tradition of social responsibility could be expected to have favored the reception of the CSR concept in Germany, but it made it in fact more difficult because its added value was less evident than in national contexts where social regulation was weaker. The section then describes the fragmented way CSR has nevertheless entered German companies over the last thirty years. It shows that although there is an increasing number of interesting initiatives, they usually focus on particular issues without being integrated in a general approach and without changing the way management makes decisions. The second section then outlines perspectives for the future by exploring potential routes the key actors in Germany could take to move beyond their current approach of muddling through. It suggests that the term “CSR” may be a limiting factor in achieving change and therefore introduces the more inclusive term of global responsibility that establishes a clearer framework for the learning agenda. It proposes that the German actors engage in intentional experimentation to develop a more interactive and integrated approach to balancing their diverse interests and responsibilities. Two examples illustrate initiatives Germany can build on, and from which other countries could learn too. In the concluding section, some of the conditions are identified that are required for effective learning processes in German organizations seeking to put global responsibility into practice.

### ***1. The fragmented development of CSR in Germany***

So many different kinds of groups from varied cultural contexts now talk about CSR that the expectations associated with it are broad and diverse. They can encompass everything from the way companies produce goods and services, make investment decisions and manage their workforce and their (global) supply chain, to their observation of ethical principles in different countries, through to the way they engage in their local communities and influence public policy. While

there are many definitions of CSR, the World Business Council for Sustainable Development (WBCSD) provides a broad one covering most aspects: "Corporate social responsibility is the commitment of business to contribute to sustainable economic development, working with employees, their families, the local community and society at large to improve their quality of life" (WBCSD 2002: 2). The WBCSD emphasizes that the understanding of CSR is subject to change and therefore entails a journey that "is by no means over" (WBCSD 2002: 2). The most frequently used definition in Europe is the one published by the European Commission in its Green Paper in 2001: "CSR is a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis." (European Commission 2001: 8). The emphasis on the voluntary nature of CSR is probably what makes this definition particularly attractive to business.

The emergence of CSR as a world-wide phenomenon is part of a wider public debate on the change in the relationships between business, government and civil society. It highlights the interdependencies between these spheres and sees the analytical distinction that has dominated much of Western thought "as an artificial divorce of what otherwise inseparably belongs together" (Spilotis 2006: 55). It seems to be symptomatic of a search for new organizational forms and institutional frames related to changing roles and responsibilities. The implications for business are twofold. On the one hand, CSR entails expanding the scope of action of business in society because companies are being expected to participate in solving complex problems that government can no longer manage alone. On the other hand, CSR is also a means of reining business in and bringing its activities under public scrutiny. Government agencies and representatives of civil society are demanding that companies expand their reporting beyond financial information to cover the social and environmental impacts of business activities. Furthermore, business is under pressure not only to inform but also to involve stakeholders in strategic decisions that affect society, even leading to the revision of corporate governance mechanisms. The emergence of the internet as a medium for rapid communication around the world has enabled stakeholders to share the data they have about the negative impacts of a

multinational corporation's performance, so that business cannot control the distribution and interpretation of information concerning its activities.

The dual nature of CSR as a means of restricting as well as expanding the role of business in society has elicited two kinds of responses from companies: defensive engagement in CSR to keep critics at bay and to prevent external regulation; and proactive involvement to shape the agenda and benefit from new market opportunities and improved management processes. Most major companies have recognized that they cannot afford *not* to show some level of interest in CSR. As the *Economist* recently pointed out, "It would be a challenge to find a recent annual report of any big international company that justifies the firm's existence merely in terms of profit, rather than 'service to the community'" (Crook 2005: 3). Some companies may start defensively, then discover that taking CSR seriously enables them to learn new ways of responding to consumer interests, leading to improved, processes, products or services (Siebenhuener et al. 2006). Consultants and academics in business schools have been stimulating such learning in companies by developing management tools for assessing risks and monitoring CSR performance (e.g., Triple Bottom Line). Business organizations and NGOs, sometimes working together in international groups, have also developed standards and reporting tools (e.g., Global Reporting Initiative), and they have shared experiences with implementing CSR activities via learning platforms (e.g., the United Nations Global Compact).

These global trends in the development of CSR and the numerous debates in business, policymaking and civil society have not passed Germany by unnoticed. They increasingly influence the expectations placed on the role and responsibilities of business in society. In order to explore the future options Germany has, it is first necessary to look at how CSR developed in the country's socio-economic culture. Germany's future scope of maneuver is also shaped by the way it participates in the discourse and development of practices at the international level. We will start with a presentation of the way social responsibility was conceived before the CSR concept entered Germany, before analyzing how

this concept then entered in two different phases and giving an outlook on the German situation.

***a) The social responsibility of business in Germany before “CSR”***

The relations between business and society are defined in different ways according to the historical, socio-economic and legal context and the powers of the relevant actors. Each society has to find its own definition of the responsibilities the different actors and in particular companies should take (Wartick / Wood 1998). It must also choose between different forms of social regulation that contribute to the desired result. As early as 1983 Mintzberg identified a range of possible ways a society could obtain the kind of behavior it desired from businesses, and he arranged them in the form of a “conceptual horseshoe” (1983: 529) to position the two extremes at the end of the continuum closer to each other than to the moderate positions in the middle. One end of the horseshoe represents a complete control by the state via nationalization of companies, while the other represents a complete control by the shareholders. Between these two extremes there are various other potential ways of influencing corporate behavior to fulfill the desired responsibilities, ranging from state regulation through laws to fiscal incentives over empowering stakeholders or relying on their pressure. To understand the context into which the concept of CSR entered in Germany, it is helpful to see which parts of the conceptual horseshoe have been chosen to shape business behavior in society.

The idea that business bears social responsibilities is a long-standing feature of German culture, as the example of Faber Castell shows. Indeed, the notion that companies have responsibilities in society reaches back throughout the process of industrialization in Europe. Utopian philosophers and social critics shaped this thinking, as did philanthropists and proponents of the enlightened self-interest of business (Segal 2003: 119-136). In the absence of state welfare provisions, companies played a central role in assuring the well-being of their employees and families, as well as the local community. From the outset, a mix of motives spurred employers to invest in society: religious and ethical beliefs, a concern for

employee loyalty, as well as the fear of revolts and radicalism. When states introduced and expanded social benefits, the distribution of roles and responsibilities for social needs shifted between the public and the private sector. European countries established different arrangements in keeping with their political culture, but in general business was seen as contributing financially via taxes and/or contributions to social security systems, while the public authorities were expected to deliver social benefits and services.

The German model of a coordinated or “social market” economy that developed after World War II also encompassed responsibilities of corporations in society. This model was based on a mix of social regulation, relying on a strong intervention by the State, a shared responsibility of the public and the private sector in providing vocational training (*duale Ausbildung*), and a deep involvement of the representatives of labor in the management decisions within the companies. These options refer to the items of regulation and democratization in Mintzberg’s conceptual horseshoe. It is symptomatic of the predominantly non-adversarial nature of the relationship that the actors are referred to as social partners (*Sozialpartner*), and a key feature of Germany’s co-determination (*Mitbestimmung*) on the corporate level as well as on the shop floor is the commitment to resolving conflicts in a peaceful manner (*vertrauensvolle Zusammenarbeit*). In this context, for a long time there was little need nor space for other forms of social regulation in the Mintzberg’s conceptual horseshoe, such as the ones based on voluntary commitments by the owners or on stakeholder pressure that characterize the CSR concept in Anglo-Saxon cultures. Numerous aspects of the CSR discourse that are considered discretionary in the United States or UK are mandated by law in Germany, and many fall under the auspices of co-determination.

The substance of German traditions and practices relating to those responsibilities also differ from the Anglo-Saxon concept of CSR. The term “social” in English refers primarily to the external community in which the company operates; by contrast, in German (and French) it refers to the community of employees. This is probably one of the reasons that German business tends to prefer the term

“Corporate Citizenship” or “Civic Engagement” to describe its voluntary activities in society, rather than referring to external commitments as “social” responsibility.<sup>3</sup> The way responsibility has been understood and practiced in Germany differs from the Anglo-Saxon approach also because of the strong corporatist tradition of negotiating standards and conditions, often between associations representing employers and trade unions, or in tripartite mode including the state (Habisch / Wegner 2005).

This does not mean, however, that global trends in the development of CSR and the perspectives of proponents and critics in business, policymaking and civil society have passed Germany by unnoticed. The traditional model of social regulation is being challenged and new issues are emerging with the intensification of global competition. One of the significant changes in the socio-economic landscape in Germany is the weakening of the unions as a result of a drop in membership and the general perception that they are blocking rather than contributing to modernization processes; an additional weakening factor is that the scope of application of the collective agreements has been reduced as ever more employers withdrew from the employers’ association that negotiated the agreements. A further significant change in the German landscape has been the reduction of corporate taxes and employer contributions to social security systems, shifting costs asymmetrically to employees and citizens. The cumulative impact of these various developments has been to increase the gap between rich and poor, between those members of the population who have jobs and those who do not, between winners and losers in society. The dissatisfaction with these trends is putting the search for a new balance between economic and societal needs as described by Mintzberg’s conceptual horseshoe onto the agenda once more.

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3 The concurrent re-emergence of interest in civic engagement in the community in Germany in the late 1990s (Enquêtekommission 2002) probably helped fuel the corporate citizenship approach. This may also explain why the understanding and practice of Corporate Citizenship in Germany currently corresponds more to what Doane (2005) criticizes as a self-serving managerial ideology rather than as an umbrella concept encompassing all kinds of CSR activities (e.g., Waddock 2004).

### ***b) Two phases of “muddling through” CSR in Germany***

The concept of CSR entered the German discourse in two phases: In the first phase during the 1970s, German academics who had worked in the USA brought the idea back and launched experiments with companies like Deutsche Shell and STEAG (Dierkes 1974, 1984). A foundation for business and society (Stiftung “Gesellschaft und Unternehmen”) sought to activate companies and the media to take up and develop CSR. The developments in Germany attracted international attention because the approach taken by pioneer companies was quite comprehensive in its coverage of responsibilities (Task Force on Corporate Social Performance 1979). Compared with other European countries, German companies were early in paying attention to the impact of business activities on the natural environment (Preston / Rey / Dierkes 1978). The participating German companies recognized the importance of developing new forms of reporting on their activities and the impacts of these activities. A working group on corporate social reporting was established and companies tried out various models using quantitative and qualitative data to track changes over time. The most advanced model was “Goal Accounting and Reporting” that highlighted the need to establish goals, ideally in dialogue with key stakeholder groups inside and outside the corporation, and then to measure results accordingly. However, interest in experimentation ebbed after the mid-1980s, when the small group of pioneer companies did not expand any further. Instead, the agenda shifted to a new Anglo-Saxon import that focused corporate attention on the interests of a single stakeholder, namely, “shareholder value”.

Some thirty years later the topic of CSR returned, but the momentum for this second phase came primarily from international initiatives. The European Commission’s Green Paper on Corporate Social Responsibility in 2001 and the Multi-Stakeholder Forum sparked interest in German companies, academia and other organizations (for a detailed review see Loew / Ankele / Braun / Clausen 2004). The publications and initiatives launched by other international organizations such as the United Nations and the OECD also contributed to the renewal of interest in CSR in Germany. Some German companies, like Faber

Castell, and business organizations as well as unions and NGOs started to engage in these international activities like the United Nations Global Compact<sup>4</sup> to develop a shared understanding and practice of CSR. German multinational companies were in fact among the first to start concluding international framework agreements in the 1990s, but they gradually ceded this opportunity to shape the agenda. The more recent and innovative agreements have been initiated by multinationals from other countries, especially France (Sobczak 2006). Overall, German actors did not take the lead in shaping the international developments; and there is little evidence of a coordinated feedback of their international experiences into the German debate.

The contribution of German scholars to the development of the CSR discourse has been fragmented as well. In the 1970s and early 1980s only a handful of scholars conducted research in this area. Far greater numbers of academics entered the field in the late 1990s and after the turn of the century, in universities and in special research institutions. However, unlike their counterparts in the Anglo-Saxon context, most scholars entering the field in Germany in this period had little or no awareness of the work that had been conducted in earlier decades.<sup>5</sup> They mistakenly saw the country as a blank spot on the CSR landscape (Habisch / Wegner 2005: 11). The formation of an epistemic community with a cumulative, shared body of knowledge in this multidisciplinary field has been slow in the absence of three kinds of professional institutions that have been significant in other European countries. Germany does not have business schools or think tanks that focus on such issues. Nor has there been a core professional forum like the Social Issues in Management Division in the Academy of Management. The result of this gap between the first and the second influx of CSR in Germany is inefficient learning. Academia has contributed little to

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4 More than 30 German corporations from diverse industries have signed the Global Compact, including Allianz AG, BASF AG, DaimlerChrysler AG, Deutsche Bank AG, Deutsche Lufthansa AG, Faber Castell AG, Infineon AG, and Otto GmbH & Co KG.

5 Exceptions are the Institut für ökologische Wirtschaftsforschung (IÖW), established in 1985 to explore the connection between ecological sustainability and economics and expanded its focus to CSR, and the Social Science Research Center Berlin (WZB), which started addressing issues relating to the roles and responsibilities of business in society in 1975.



learning from the earlier experiences with CSR. In comparison with the first phase, then, CSR has become more broadly embedded in German business and academia than during the first phase, but the activities are fragmented and lacking in overall strategic orientation.

Despite the lack of strategic leadership, a wide range of CSR-related activities and initiatives multiplied in Germany over the past decades, indicating a growing interest in and pressure on the social responsibility of business. The roots of these activities lie in different areas of societal concern and activism identified in Mintzberg's conceptual horseshoe under the label of stakeholder pressure. First and foremost, the environmental movement became a social and political force in Germany in the 1970s, earlier and more effectively than in other European countries, including the establishment of the Green Party. These developments not only led to the introduction of environmental legislation, they also spawned a wide range of collaborative and conflictual exchanges between civil society, policy makers and the private sector. For example, the UN-sponsored initiative for sustainable development "Agenda 21" spawned projects in over 2,600 communities in Germany. The country was the recognized leader in environmental policy in Europe and a pioneer in the formulation of standards for sustainable management and consumption. German companies initially took the lead in developing corporate environmental reporting and eco-accounting, but in recent years companies in other countries have become more innovative and German models have changed very little (Berthoin Antal / Sobczak 2005).

Labor market concerns, too, stimulated the demand for corporate responses. Observing the rise in mass unemployment and the concomitant dearth of entry-level training opportunities for highschool graduates, and the failure of traditional corporatist attempts by unions and employer associations to find solutions, public policy makers called directly on the private sector to protect employment and to create new jobs and apprenticeships. A wide range of cooperative ventures and partnerships were created to generate work and training opportunities. Examples include the "*Initiative für Beschäftigung*" (Initiative for Employment) that was launched by leading figures in business and unions, for example, and the

Germany-wide model project *“Unternehmen: Partner der Jugend”* (Companies: Partners of Youth). Such initiatives stimulated the generation of new solutions and innovative offers by subsidizing coordinators who helped put in place cooperative ventures between local organizations for youth and social work and the private sector, usually small and medium-sized companies. At the local and regional level numerous employment agreements and action plans were developed and implemented in organizations composed of public and private sector actors, often with financial support from the European Union.

The *“Initiative Neue Qualität der Arbeit”* (Initiative New Quality of Work) is an expression of a third trigger for redefining the role of business in society in Germany. This joint project by the Federal Government, state governments, employers and unions is a vehicle for finding new responses to the significant changes underway in work and society. The aging of the labor force, technological developments and the pressure of globalizing markets on labor standards require innovative solutions beyond the established negotiation procedures between employer organizations and unions, and beyond existing regulatory means of protecting health and safety at work.

A further factor that influenced the redefinition of roles and responsibilities in business and society in recent decades in Germany has been the movement towards the concept of *“aktivierender Staat”*<sup>6</sup>, whereby the government maintains its responsibility for dealing with core societal issues but activates other actors to participate in providing the necessary services (Oppen 2005; Oppen/ Sack / Wegener 2005). This partnership approach between the public and the private sector and civil society organizations underpins numerous regional and municipal development programs. The most prominent such program is the initiative *“Soziale Stadt”* (Social City), under the joint auspices of federal and state-level authorities. This initiative includes a platform for establishing *“Entwicklung und Chancen”* (Development and Opportunity) youth projects in

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6 Similar trends in other European countries use different terms: in the UK this concept is referred to as “joined-up government”, and the European Union refers to “good governance”.

disadvantaged city districts. The intention is to break and reverse the negative spiral of unemployment, poverty, social exclusion and violence. The idea is to build social capital and strengthen the development potential in these places by engaging in cooperative ventures that draw on the combined resources and competences of all local actors, including the private sector.

Last but not least, there has been an increase in the number of individual companies—medium sized companies as well as large multinationals—engaging in social projects together with local authorities and social organizations under the banner of “Corporate Citizenship”. This voluntary add-on to business activities is seen as a way that business can give back to society. Companies have “invested” socially by providing material and personnel resources as well as know-how for dealing with problems in the areas of education and training, health and housing, for example. Such “corporate citizenship” projects may well help society while also improving the reputation of the companies involved, but, unlike the CSR engagement of Faber Castell, most of them are not integrated into the corporate strategy and they do not affect the way the company produces and delivers its goods and services. Corporate citizenship in Germany is currently based on the implicit understanding that business should invest in the community when it is doing well and can afford the resources, and that “extra-curricular” activities can be dropped when business is not doing so well. The commitment therefore usually takes the form of projects with a short to medium-term time frame. A further drawback from the point of view of societal policy is that such projects are not developed systematically to meet the most pressing social needs. Instead, issues are selected in accordance with the message the company wishes to send to the market. While giving back to society may be an integral part of the corporate identity or culture, it tends to be managed separately from the corporate strategy, so it is not necessarily an indicator of a new, socially and environmentally sustainable way of managing companies (Oppen 2005).

Recent years have seen the multiplication in Germany of symposia and competitions to promote corporate citizenship and to improve the quality of activities by diffusing “best practices.” For example, in 2002 employer confederations and the

business weekly “*Wirtschaftswoche*” launched the prize for “Freedom and Responsibility” (*Freiheit und Verantwortung*) under the auspices of the Federal President. It is impossible to provide a complete and reliable overview over the multiplicity of CSR-related activities currently in place in Germany. There are only collections of case studies to refer to and non-representative surveys. A recent Europe-wide survey concluded that, compared with their European counterparts, German companies have a lot to learn (Kröher 2005: 80). They rank low on integrating their social engagement into business decision making and on the transparency of their reporting. Another review conducted in Germany in 2005 revealed that still only a third of the major German companies produce any kind of CSR report (Loew / Clausen / Westermann 2005). A careful examination of the quality of reports reveals that areas that have been traditional strengths of German companies, such as product safety, employee benefits, and environmental standards, are generally reported on thoroughly and clearly. However, topics that are newer for the German understanding of social responsibilities, such as tax compliance, subsidies, transnational supply chain management, anti-corruption measures and stakeholder consultation receive little or no coverage (Loew et al. 2005).

### ***c) The outlook for CSR in Germany***

Given this track record of diverse, fragmented and uncoordinated initiatives and inefficient learning over the past decades, the future development of business society relations in Germany is likely to be a process of muddling through, unless a conscious choice is made for a different approach. To date no platform has been established in Germany, parallel to the Multi-Stakeholder Forum, at the European level, at which members of diverse organizations could develop a shared sense of what needs to be done and how best to tackle the issues. Nor does there appear to be an integrating driving force in Germany, such as that generated by the government in Sweden or the Netherlands, or by the Copenhagen Centre, a Danish think tank, to mobilize and bundle together the diverse actors, discourses and activities.

The weak engagement of the German government in the international and domestic CSR discourse is particularly striking in comparison with other European countries like France, the UK and Sweden, where the topic has taken on strategic significance (Bertelsmann Stiftung 2006). Neither at the national nor at the local level are public policy makers in Germany taking a leading role. Although Germany subscribed formally to the OECD Guidelines for Multinational Corporations, the government has done much less than other countries to ensure that the guidelines are publicly promoted and put into practice. Nor has the government established comprehensive and transparent complaint procedures (OECD Watch 2005). Policymakers are leaving the learning process to the sharing of examples of good practices and to dialogues between local actors from business and NGOs rather than seeing themselves as strategically contributing to shaping the agenda and practices. Policy makers in Germany generally share the business view that CSR should be voluntary. Therefore, instead of using regulatory options to stimulate performance, as has happened in France, the German government is relying on measures such as voluntary labeling of products, arguing that companies are thereby encouraged to “market their engagement for society” (Bundesregierung 2002: 3, our translation). Nor has public administration shown an inclination to stimulate CSR by serving as a role model itself in the market. Unlike their counterparts in Britain, the Netherlands and France, and contrary to EU guidelines, public authorities have not yet integrated principles of corporate social responsibility into their purchasing decisions for products and services, nor into their investment decisions.

The lack of coordination and strategic orientation inherent in muddling through has costs for the overall system. The diverse range of activities that companies and their partners engage in, often with a great deal of energy and commitment, undoubtedly lead to certain local improvements. However, the uncoordinated activities may in sum contradict rather than support and complement each other. The overall outcome is left to chance; there is no systematic attempt to collect empirical evidence to identify and assess the effects of CSR on society. Individual organizations or partners may learn in the process of trying out their ideas, but the various actors learn too little from the multiplicity of experiments underway,

leading to costly mistakes or the unnecessary reinventing of the wheel in different locations. The system as a whole does not stimulate organizational learning, nor benefit from the learning that happens to occur in different places, in Germany as well as abroad.

If Germany continues to pursue a “muddling through” approach to CSR, it will be a passive recipient rather than a shaper of international trends. Germany will then have to adapt to standards and practices that have been developed to suit conditions and mindsets in other countries whose representatives have been active in the various fora. This is a relatively probable scenario because there are no strong indicators to suggest that Germany will break out of the muddling through mode in the coming years.

## ***2. Beyond muddling through***

In order for Germany to regain the ability to agree on procedures and standards it believes are good for the future of the country, a proactive approach is needed that brings the diverse actors together to explicate different goals and competing values, formulate priorities, decide on actions, and agree on processes of monitoring and evaluation. Although there are definitely experiences to build on from the past years, the wide-scale interorganizational learning that is needed will require intentional experimentation with multiple actors at the local, regional and national level, as well as an active engagement in negotiations with non-governmental actors and other countries. The German Council for Sustainable Development has explicitly recognized the need for such active experimentation, as well as the fact that significant improvements cannot be achieved by any single actor, nor any one approach (Rat für Nachhaltige Entwicklung 2006: 16).

In order to move out of muddling through mode, the various actors in Germany need to change their approach. First, rather than continuing to try to integrate the CSR principles, they may (together with actors in other countries) actively contribute in the development of a broader concept that takes into account changing

expectations and experiences: global responsibility. Second, they should engage in organizational and inter-organizational learning by exploring the potential of intentional experimentation in this field.

### ***a) Beyond CSR***

Unfortunately, the very concept of CSR impedes the development of new ideas and practices. Some writers therefore prefer to speak of CSR as a forum for advocating conflicting interests, a site of “contestation for the right to determine social objectives and the funding of these objectives” (Michael 2003: 123), as system dynamics rather than a distinct phenomenon (Zadek 2004: 27). We agree with the emphasis on interactivity and suggest that the term CSR should be replaced by a more inclusive one: global responsibility (Berthoin Antal / Sobczak 2004). The traditional way of thinking about the roles and responsibilities of actors in CSR is too limited. The focus on business, the “C” in CSR, is too narrow, because it positions corporations at the center as the source of problems and solutions. It essentially relegates all other non-business actors to the grandstands. A broader view is required that positions all types of organizations as actors whose behaviour has social, economic, and environmental impacts for which they are accountable to their particular set of stakeholders. The analytical framework must therefore be redefined to enable the constellation of actors to be examined from several perspectives, revealing their multiple roles and their interdependencies in a more balanced way. Depending on the chosen angle of examination, at any point in time, in any given situation, a company, an NGO, a consumer association, or a public service provider, for example, may be examined as the focal organization surrounded by its relevant stakeholders.

Another limitation to overcome in order to develop a more balanced approach is that the “S” in CSR gives primacy to one aspect, namely the social/societal impact. The economic and environmental performance of organizations is also equally significant for their future existence and for the health of society. The challenge for all kinds of organizations is to keep seeking ways of achieving the best possible result in all dimensions. This holds for organizations in their

behaviour as “focal organizations” as well as in their interactions as stakeholders of other organizations.

The concept of “CSR” must therefore be replaced by one that reflects that the system consists of multiple actors who bear responsibility for the impacts of their activities. A more appropriate concept is “Global Responsibility” (Berthoin Antal / Sobczak 2004), because the word “global” encompasses different types of actors rather than focusing on companies; it includes responsibilities for aspects of performance beyond the social; and it recognizes the boundary-crossing nature of many activities and issues threatening the overall health of societies. Whether an organization is in the public or the private sector, engaging in Global Responsibility entails learning together with its stakeholders to enhance the long term vitality of the organization while conducting all its activities in such a way as to strengthen their relations with their social, economic, and natural environment and to reduce the negative impacts.

When the challenge of preparing for the future is tackled from the perspective of Global Responsibility, the need for open dialogue to understand issues and work out solutions together from different perspectives takes center stage. Simply finger-pointing at companies from a safe distance is no longer an option, nor is demanding that government regulate a problem away, nor is exerting pressure for shareholder value to increase at the expense of all other interests. Deriving the greatest possible benefit from negotiating the means and ends of global responsibility will require changes in approaches and role definitions of NGOs, trade unions and other social organizations as well. They cannot just demand more responsibility from others without taking on more themselves, for example in their relationships with their diverse constituencies and society at large. By experimenting with ways of putting global responsibility into practice in their own operational contexts, such actors will be more legitimized to monitor the progress made by others, to understand the difficulties entailed in pursuing multiple goals, and to identify opportunities for improvement. Thus, engaging with Global Responsibility helps move the discourse about business and society out of the purely managerial realm by recognizing the political nature of the issues and



processes involved. This perspective is oriented towards re-embedding all organizational actors into the social sphere and building relationships. The shift towards defining and achieving potentially competing goals in a compatible and balanced manner between different actors implies undertaking not simply organizational learning, but interorganizational learning in a coordinated manner.

### ***b) Intentional experimentation***

Putting Global Responsibility into practice requires intentional experimentation by all actors. Intentional experimentation is qualitatively different from the fragmented muddling through characteristic of Germany in recent years. It is not enough, for example, for isolated public-private partnerships to surface here and there at will; rather, a concerted effort in society to learn from such activities across the spectrum of societal issues and with the participation of many different kinds of organizations is needed. Learning how to negotiate ambitious, achievable objectives for global responsibility for themselves in collaboration with other actors will be a key asset for organizations seeking to enhance Germany's social, economic, and environmental quality levels in a globalizing context, as the following examples illustrate.

A first example of this kind of collaboration is the negotiation of international framework agreements on global responsibility between multinational companies and global union federations. These agreements differ from unilateral codes of conduct in their content insofar as they normally refer to the ILO core conventions and include provisions on their respect within the plants of the company's suppliers as well as the implementation. But even more importantly, these agreements document the common interest for the idea of global responsibility and the signatories' willingness to consider it as a field of cooperation rather than of confrontation. German social partners can build here on the tradition of the peaceful resolution clauses in social dialogue that require them to resort to conflict and strike as the last solution. International framework agreements also have the potential to create a joint process between the management and the workers' representatives and thus to develop their common ownership of the agreement

and their shared responsibility for the company's impact on its natural and social environment.

The first two such agreements were initiated by French organizations in the late 1990s, but then after the turn of the century German companies and their European Works' Councils and unions took the lead in negotiating such agreements, with 14 of the 49 existing agreements signed by multinationals headquartered in Germany. The metalworkers' union IG Metall was particularly active in this field. Other unions followed suit, as the Faber Castell example shows. The past two years, however, have witnessed fewer agreements signed in Germany, and the most innovative ones have been negotiated with French companies. The German social partners may want to reconsider and instead of stopping exploring this new form of social dialogue they could analyse what they could learn from recent developments in other countries.

A first key issue related to international framework agreements is the choice of the parties involved in the negotiation. As compared to other countries, negotiations in Germany often involve the company's European Works Council (EWC) with representatives from workers in all countries of the European Union. This is linked to the important role conferred to the German Works Council and constitutes an advantage over other countries where the negotiations are usually led by a global union federation, which does not always have a close link to the local situations in the subsidiaries. However, some critical voices consider that the EWC should not conclude such agreements because its members are not always union representatives who usually have the monopoly of negotiations and they do not represent the workers outside the European Union. From this perspective, two recent experiences in French companies could inspire the German actors, because they have decided to involve national unions from all the countries where they have major subsidiaries. This led to a very large number of participants in the negotiation, but it made it possible to take into account the priorities and the particular contexts of each country, thereby strengthening the collective ownership of the agreement. One of the companies, Electricité de France (EDF), also decided to involve managers from the different subsidiaries so as to ensure that the

provisions would be compatible with the national contexts. German companies and unions could try to learn from these experiences to develop new agreements in the future.

Even more important is the challenge of diffusing and implementing the agreement. This phase is particularly important, as the signatory parties alone are not able to implement the agreement and to integrate global responsibility principles in the day-to-day activities and have to rely on the involvement of all relevant actors at the local level. It is a difficult challenge because the framework agreements usually define general principles that apply worldwide and that have no clear added value if they are not detailed and translated by concrete actions at the local level. Most agreements provide for annual meetings where the parties discuss about the actions put in place and the problems that arose, but this is clearly insufficient. Here again, the German actors may learn from recent examples in France. The EDF agreement introduces the principle of subsidiarity, according to which the international framework agreement opens a phase of decentralised local negotiations in the shadow of the international agreement. The advantage is to develop the collective ownership of the text and the principles it contains. Such examples show that the German actors could benefit from continuing to explore new ways of developing their global responsibility while analysing what happens in other parts of the world. They could thereby make progress and learn to adapt their own practices wherever useful.

A second example of how best to build on co-regulation and self-regulation, and pressure for strengthening Germany's ability to set standards is in the area of reporting on performance for global responsibility. Much time and expertise has been invested for more than a century to develop financial reporting methods, and improvements continue to be sought, particularly after the spectacular financial scandals of recent years. Compared with this long history, experiments with methods for reporting on other aspects of organizational performance started only relatively recently, some three decades ago. Nevertheless, quite a bit of progress has been made, including methods to combine the different aspects of global responsibility, for example into the so-called Triple Bottom Line (Elkington 1998).

German companies took a lead in the early years, but then essentially left the initiative to others. In order to stimulate a much greater number of organizations in different spheres of society to take up their global responsibilities, Germany could now choose to take advantage of what has been developed to date by establishing a mandatory reporting requirement, specifically for “interactive goal accounting and reporting” (Berthoin Antal / Dierkes / Marz / MacMillan 2002). The distinctive aspect of this method is that it starts at the beginning of the goal-setting process and stimulates stakeholder interaction from the outset. Introducing such a requirement would entail providing a framework rather than prescribing detailed reporting rules that would lock the reporting method in to the current state of the art. Instead, the requirement should focus the attention of organizations on processes for formulating ambitious, realistic objectives for global responsibility in conjunction with their particular constellation of stakeholders and identifying useful indicators for monitoring performance. The actors negotiating appropriate criteria could of course benefit from recent developments such as the GRI, ISO, and the Global Compact. Thanks to the interactive approach, the political aspect of the process would be evident to the participants, so that they would avoid the trap of drawing on these elements as a purely technical-instrumental exercise.

Putting Global Responsibility into practice in Germany would mean that organizations in the public and private sectors, as well as in civil society would need to develop the skills for managing the process in their multiple roles—as focal organizations and as stakeholders of other organizations. This would entail embedding global responsibility into organizations’ strategies, rather than treating it as an add-on activity. To the extent that organizations would build up experience figuring out how best to formulate objectives with their own stakeholders and how to report on performance, they would be less likely to hold unreasonable expectations of others. Equally importantly, the actors involved would know that smokescreens put up to try to get away with low objectives and poor performance would be easily detected by stakeholders.

Intentional experimentation would also have implications for how the German state fulfils its regulatory functions. Instead of conceiving its main activity as

defining binding decisions and detailed standards that lock practices in at a fixed level, the state would need to learn how to stimulate continuous learning among all actors concerned (Siebenhuener et al. 2006). One way would be to build in milestones for reviewing the learning from experiences so that adjustments can be made, beyond the well-established evaluation practices that focus on the efficiency of project and program management.

Whereas the benefits for corporations are widely recorded (Margolis / Walsh 2003; Orlitzky et al. 2003) an assessment is missing of the societal impacts of the combination of activities undertaken to improve Global Responsibility. Second, it means developing the institutional capacity to reflect on what can be learned from experiences with the profusion of separate CSR-related standards that has grown, mostly through self-regulation in different economic sectors, over the past years. In other words, in this domain it is less a matter of stimulating experimentation but rather of reaping the benefits from the “natural laboratory” that has emerged in an unplanned and uncoordinated manner. No “one-size-fits-all” approach to regulation and standard setting is possible or desirable, but the current conditions are not suited to enabling well-informed decisions. The jungle of standards makes it extremely difficult for stakeholders to understand, monitor, and compare performance criteria. By working with other organizations (e.g., industry associations, unions, environmental groups), German public authorities would be able to exploit the diversity of learning experiences and bring greater coherence and clarity in this area.

For German public authorities intentional experimentation to achieve Global Responsibility would mean moving beyond encouraging the private sector to undertake activities and then facilitating the exchange of best practices. It would entail them trying out new ways of acting on the market. As employers and purchasers of goods and services, public authorities have the opportunity—and the responsibility—to develop decision-making processes that take social, economic, and environmental considerations into account in a balanced way. For example, although the government has called on corporations to include social and environmental considerations into their business decisions, its own decisions

(e.g., human resources and contracting out) are being subjected increasingly to crude cost calculations and the principle of competition. This would also mean correcting the development course the public sector is engaging in under the banner of “New Public Management.” Instead of imitating narrow business management skills, it needs to develop a much broader approach. Seen positively, the public sector could build in new ways on its traditional strengths of ensuring inclusion and fairness.

## ***Conclusion***

Undertaking intentional experimentation for Global Responsibility would help Germany break out of its muddling through mode as well as out of its relative abstinence from shaping the international discourse on the role of business in society, and more specifically on principles and practices of CSR. As has been shown in the field of technological innovation, there is a potential advantage to the second mover status, because the mistakes and dead-ends of the leaders do not have to be repeated. The second mover can leapfrog over some hurdles and achieve the desired ends faster and with lower costs. This learning principle applies to social innovations as well. Germany could benefit from analyzing and drawing out the results of interorganizational learning at the local, regional, and national level. With time it could thereby regain influence in negotiations with other governments and with non-governmental organizations. It could bring in fresh ideas and speak authoritatively about the advantages and disadvantages of different approaches. Its experiences would once again serve as role models in the international arena. A step in this direction would be for the German government to expand on the tradition of social partnership and ensure that representatives of civil society are formally integrated in multistakeholder processes, rather than legitimizing decisions made solely with powerful business interests. Another way of building on German tradition in a progressive manner would be to stimulate the development of critical expertise to ensure that various stakeholders have access to the necessary information to participate knowledgeably in setting standards and monitoring performance. This approach was a significant factor in

the effectiveness of environmental NGOs in Germany, because very early they recognized the importance of having their own sources of expertise (such as the Institut für ökologische Wirtschaftsforschung and the Öko-Institut).

The overall outcome for Germany of intentional experimentation for Global Responsibility cannot be defined in detail in advance. It will emerge from the conscious choices made and the coordinated dialogue between diverse actors, from the conclusions these actors draw out of experimental experiences, and from the corrective action they take to reflect their learning along the way. The likelihood that mistakes will be made in the process, that certain activities will fail, that new problems will arise, is high. Such outcomes are the stuff of learning, but German society has tended to be comparatively intolerant of them, penalizing or stigmatizing those who make errors. In order to support and benefit from organizational learning towards Global Responsibility, it is therefore essential that a system-wide shift be stimulated that encourages experimentation and encouragement of learning from failures as well as successes.

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