



Globalisierung und Multinationale Unternehmen

Teil III: Theoretische Reflexionen zu Corporate Social Responsibility (CSR)

Vorlesung 14: Global Governance und Politiknetzwerke: Legitimationsprobleme in Politik und Wirtschaft

Universität Zürich, FS 2016; 11. April 2016

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Überblick

1. Politiknetzwerke
 - 1.1. Merkmale
 - 1.2. Vor- und Nachteile
2. Zivilgesellschaftliche Selbstregulierung
3. Legitimacy of Private Governance
 - 3.1. Input-/Output-/Throughput Legitimacy (K. D. Wolf)
 - 3.2. An Alternative Conception of Legitimacy (Palazzo & Scherer)
4. Legitimacy and the Postnational Constellation



Politiknetzwerke

Definition:

- Politiknetzwerke sind nicht-hierarchische, nicht-staatliche, situativ angepasste Ordnungen zur Lösung komplexer politischer, ökonomischer, sozialer, ökologischer und technischer Probleme.
- Sie dienen als Mechanismus zur Ressourcen-Mobilisierung in Situationen, in denen die Fähigkeit zur Entscheidungsfindung, Planerstellung und Implementierung auf eine Vielzahl privater und öffentlicher Akteure verteilt ist (vgl. Schneider/Kenis 1991, S. 41)

Im Rahmen der Globalisierung:

- Beteiligung globaler und lokaler sowie öffentlicher und privater Akteure (z.B. PPP: Private-Public-Partnerships)
- Nebeneinander/Verknüpfung übergreifender politischer, ökonomischer, sozialer und ökologischer Themenfelder
- Global vernetzte Einflussnahme durch Protest, Boykott, Diskurs, Zusammenarbeit, Beteiligung etc.
- Es sind keine linearen, verfassungsmässig vorgesehenen Verfahren der Entscheidungsfindung auf internationaler Ebene notwendig



Politiknetzwerke

Vorteile:

- + Problemlösung dort, wo keine institutionalisierten Verfahren bestehen oder diese unvollkommen sind (vgl. Steuerungsgrenzen des Rechts)
- + Beteiligung der Betroffenen und Anspruchsgruppen
- + Entscheidungsfindung lokal, problembezogen, ad hoc

Nachteile:

- Fehlende demokratische Legitimierung
- Fehlende Transparenz der Entscheidungsfindung
- Selektivität der Problemauswahl und der beteiligten Akteure
- Unklare Zuordnung der Verantwortlichkeit (vgl. Schneider 2000, S. 337)



Offene Fragen

- Lässt sich durch Supranationale Institutionen, Nichtregierungsorganisationen und Politiknetzwerke der politische und der wirtschaftliche (gesellschaftliche) Raum in einer globalisierten Welt wieder zur Deckung bringen?
- In welchen Bereichen ist eine negative, wo eine positive Regulierung notwendig?
- Wie lassen sich demokratisch legitimierte, transparente, offene Problembehandlungs- und Entscheidungsverfahren gewährleisten?
- Wer übernimmt angesichts der Vermischung unterschiedlichster (öffentlicher und privater) Akteure die Verantwortung für die Problemauswahl, die Regelsetzung und -durchsetzung?
- Legitimationsproblem!
[Legitimacy refers to whether “collective decisions can be morally justified to those who are bound by them” ([Thompson, 2008: 502](#))]



Zivilgesellschaftliche Selbstregulierung

Entstaatlichungsoption als mögliche Antwort auf die Legitimitätsprobleme des internationalen Regierens?

These

Effektivität politischer Steuerung wird durch das Zusammenlegen von öffentlichen und privaten Problemlösungsressourcen erhöht; gleichzeitig Verbesserung der gesellschaftlichen Partizipationsmöglichkeiten

Gegenthese

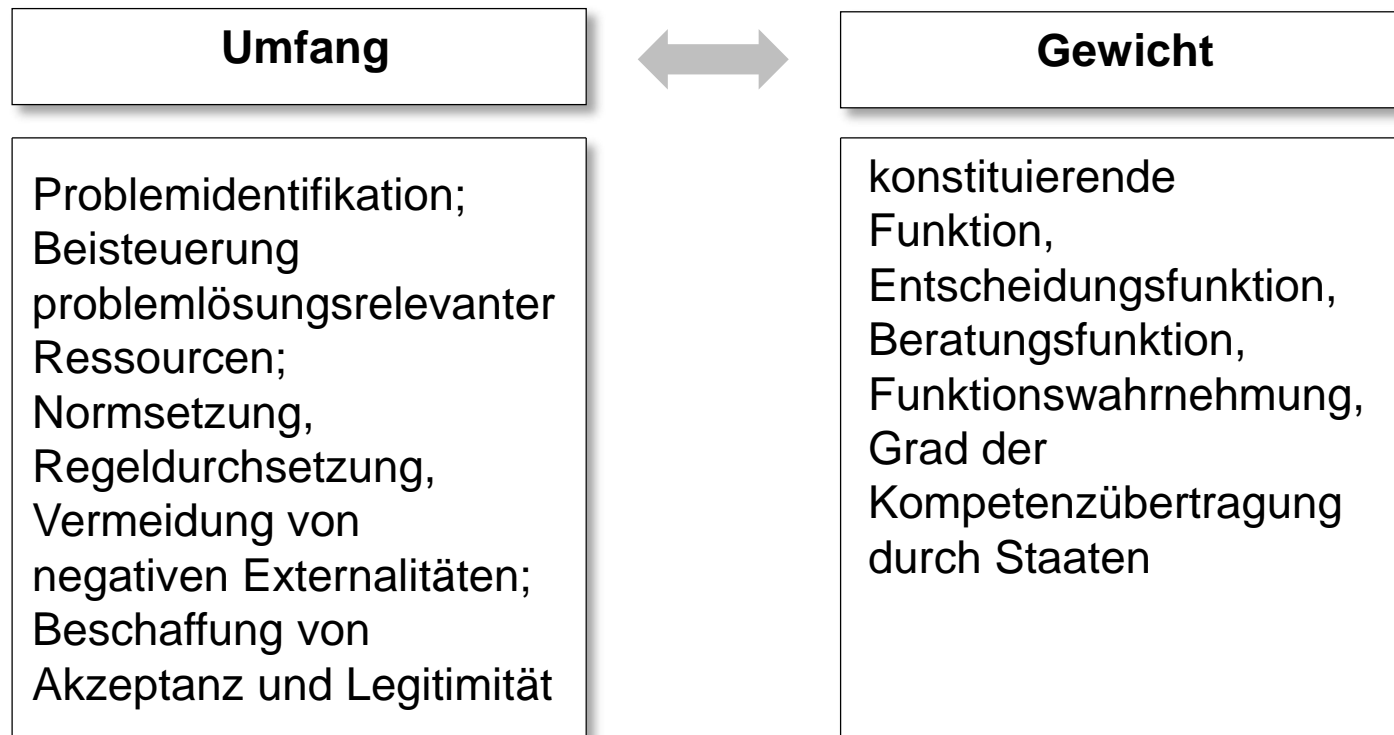
„Private-public partnerships“ erfüllen die normativen Anforderungen an die Effektivität politischer Steuerung nur unzureichend; Rückgriff auf Staatlichkeit bleibt unverzichtbar

Untersuchungsgegenstand: Zusammenhang zwischen Entstaatlichung und Legitimität des Regierens

Zivilgesellschaftliche Selbstregulierung

Bestimmung des Entstaatlichungsgrades:

Umfang und Gewicht zivilgesellschaftlicher Funktionsübernahme





Zivilgesellschaftliche Selbstregulierung

Normative Anforderungen an die Legitimität entstaatlichten Regierens

Kriterienkatalog:

- ✓ Output-Legitimität (Steuerungsanforderungen): Verbindliche Regelsetzung, Überwachung der Regeleinhaltung, Vermeidung von negativen Externalitäten, Gemeinwohlorientierung der politischen Steuerung
- ✓ Input-Legitimität (Autorisierung und Autorität): formale, explizite und gesetzlich verankerte Autorisierung, inhaltliche Autorität: Berufung auf Normen und Rechte, auf anerkanntes Gemeinwohl, auf Sachkompetenz
- ✓ Prozedurale Legitimität: Transparenz, deliberative Qualität, Verantwortlichkeit und Zurechenbarkeit

Möglichkeit der empirischen Überprüfung: Verhaltenskodizes über sozialverträgliche Produktionsmethoden



Output-legitimacy: Does it work?

Kriterium Wirksamkeit: Inwieweit sind private Akteure in der Lage, staatsgleiche Funktionen zu übernehmen? Dazu gehören insbesondere (Wolf 2005: 209):

- ✓ „make binding decisions, enforce rules, and monitor compliance;
- ✓ guarantee the general welfare orientation of governance;
- ✓ avoid negative externalities;
- ✓ establish and protect the constitutional framework in which (private) governance activities take place („meta governance“).

Beachte:

- On the global level: no world governance with legitimate monopoly to use force;
- Alternative mechanisms of enforcement: persuade with normative or utilitarian arguments, exert moral pressure, mobilize public opinion, mobilize market forces against firms and governments (Wolf 2005: 209).



Input-legitimacy (being entitled vs. being an authority)

Formal entitlement (“being in authority”)

- regulatory competence acquired through formal delegation by de iure authorized body

Procedure of authorization:

- explicit authorization by law (permanent, limited)
- implicit authorization (state does not object)
- ex post recognition by authorizing body/by those governed
- self authorization

Substantial authority (being acknowledged as „an authority“ on the basis of expertise or moral credibility)

- claim based on a priori rights and norms
- claim based on generally accepted notions of the common good/self defined notions of the common good
- claim based on accepted professional expertise (knowledge is relevant for problem solving)



Throughput-legitimacy: Procedural requirements

Transparency-activities in public vs. behind closed doors

- Deliberative quality: arguing/bargaining/exerting pressure
- Responsiveness and reliability private actors can be placed under obligation to act/can act voluntarily
- Responsibility and accountability: actors may/may not be identified and held responsible
- Congruence: demand is met/not met

An alternative approach to legitimacy: The societal acceptance of corporate behavior

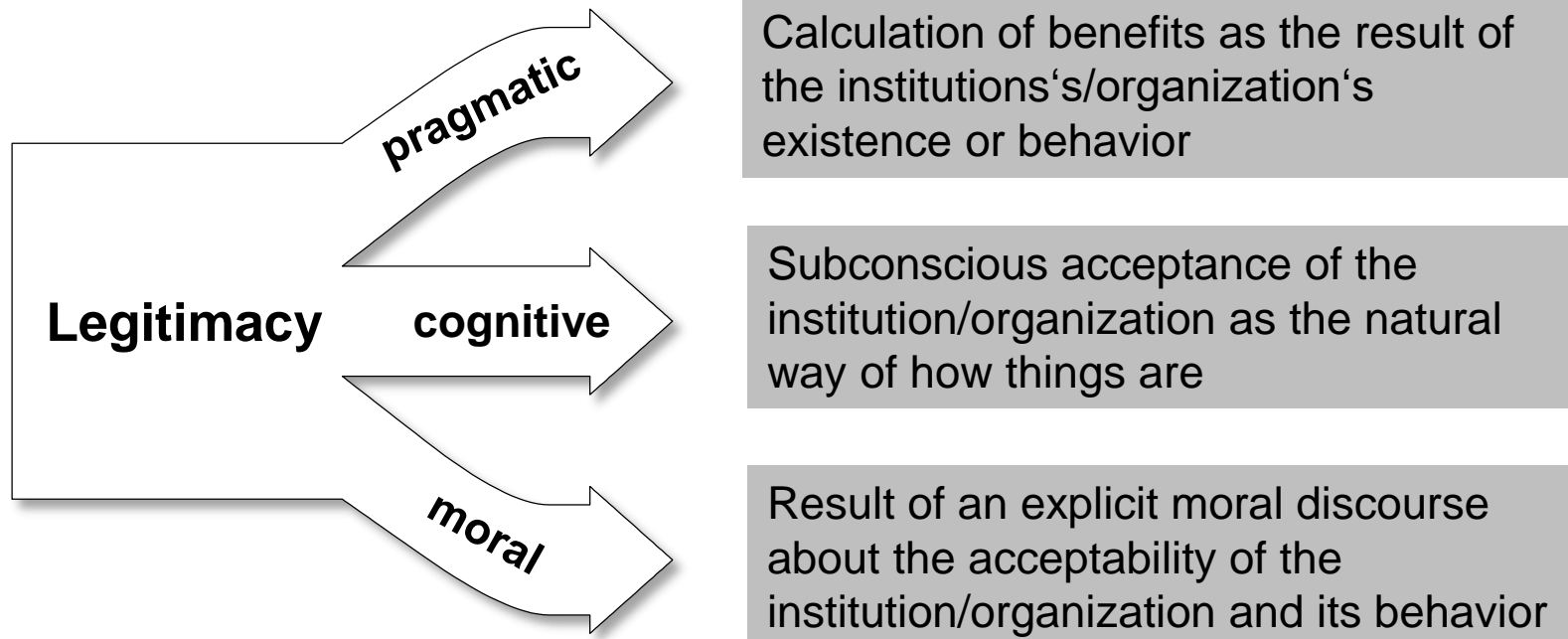
Definition of Legitimacy

- can be understood as the conformation with social norms, values and expectations;
- is subjectively perceived and is ascribed to actions or institutions by processes of social construction;
- is vital for organizations as it is the precondition for the continuous flow of resources and the sustained support of the organization's constituents.



"Your legitimacy as a philanthropist is at stake."

Legitimacy: Three sources of legitimacy

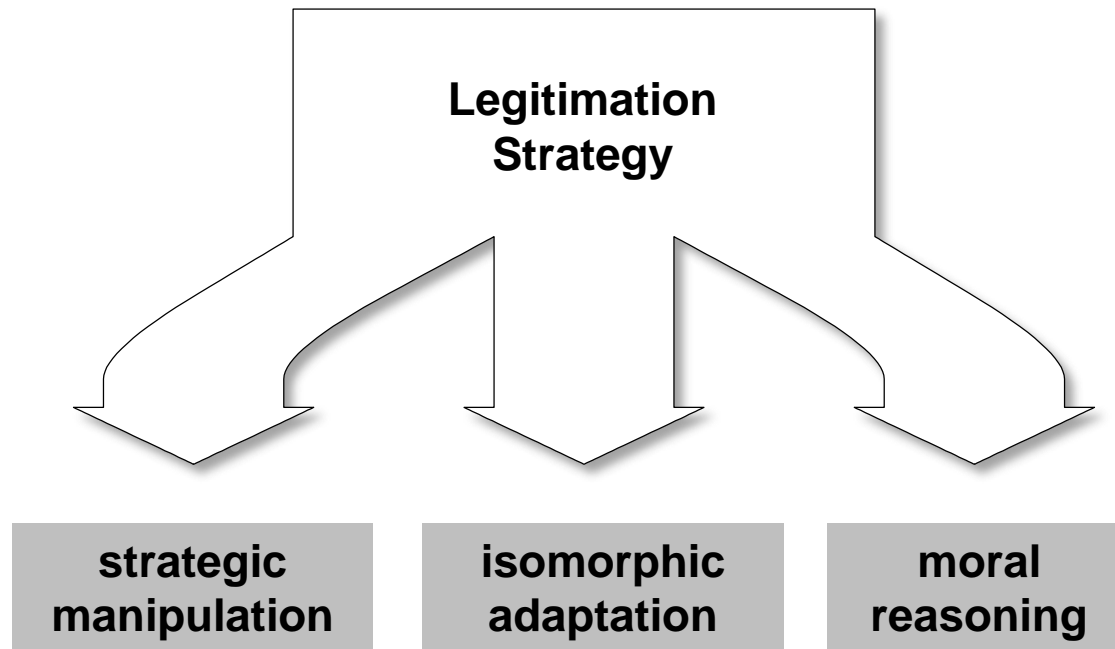




Legitimacy as a key concept in the debate on CSR

- Central motivation of an organization's engagement in CSR is the attempt to address perceived legitimacy gaps
- Efforts to convince the relevant publics of the corporation's right to exist and the acceptability of its course of action are intensified when
 - attention for corporate misconduct is growing and
 - legitimacy gaps are widening
- Corporate legitimacy efforts are a reaction to the erosion of routines and homogeneous norms

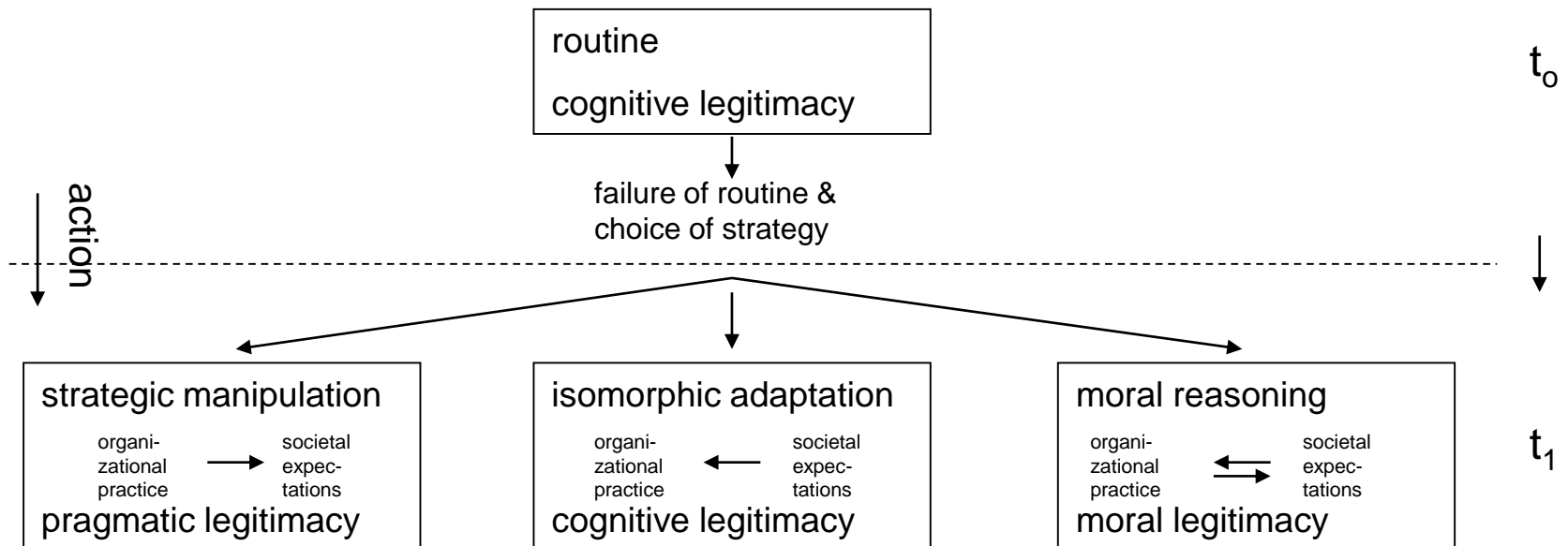
Three legitimization strategies



Strategies of Organizational Legitimacy

In case of failure of routine corporations have three legitimization strategies at their disposal

time



Strategies of Organizational Legitimacy





How do corporations reproduce legitimacy?

1. pragmatic approach

Corporations try to convince key stakeholders of the usefulness of their output, procedures, structures, and leadership behavior

Method:

- (1) corporations deliver direct or indirect benefits to constituents or
- (2) they strategically manipulate perceptions (e.g., symbolic management, instrumental PR)

Underlying assumption: *the corporation controls its environment*

- Corporations attempt to *appear* consistent with normative demands from their societal context “while leaving the essential machinery of the organization intact” (Ashforth and Gibbs 1990: 181)

Proposition: *Corporations will choose **manipulation strategies** if organizational change is costly and the environment can be manipulated quite easily*



How do corporations reproduce legitimacy?

2. cognitive approach

Corporations adopt to societal expectations. These expectations are manifest in the established social rules in a given historical-cultural-local context

Method:

- when external demands change, corporations change their structures, processes, behavior

Underlying assumption: *the environment controls the firm* (Suchman, 1995).

- Corporations cannot manipulate the norms and expectations of their societal context

Proposition: *Corporations choose **isomorphic adaptation strategy** if societal expectations are coherent, organizational changes to meet societal expectations can be made at low cost, and manipulation strategies are assumed to fail*



How do corporations reproduce legitimacy?

3. moral approach

Corporations engage in a process of communicative exchange where the legitimacy demands are examined

Method:

- corporate dialogue with stakeholder groups,
- engagement in public politics,
- the acceptability of social demands and corporate behavior is examined by means of discourse

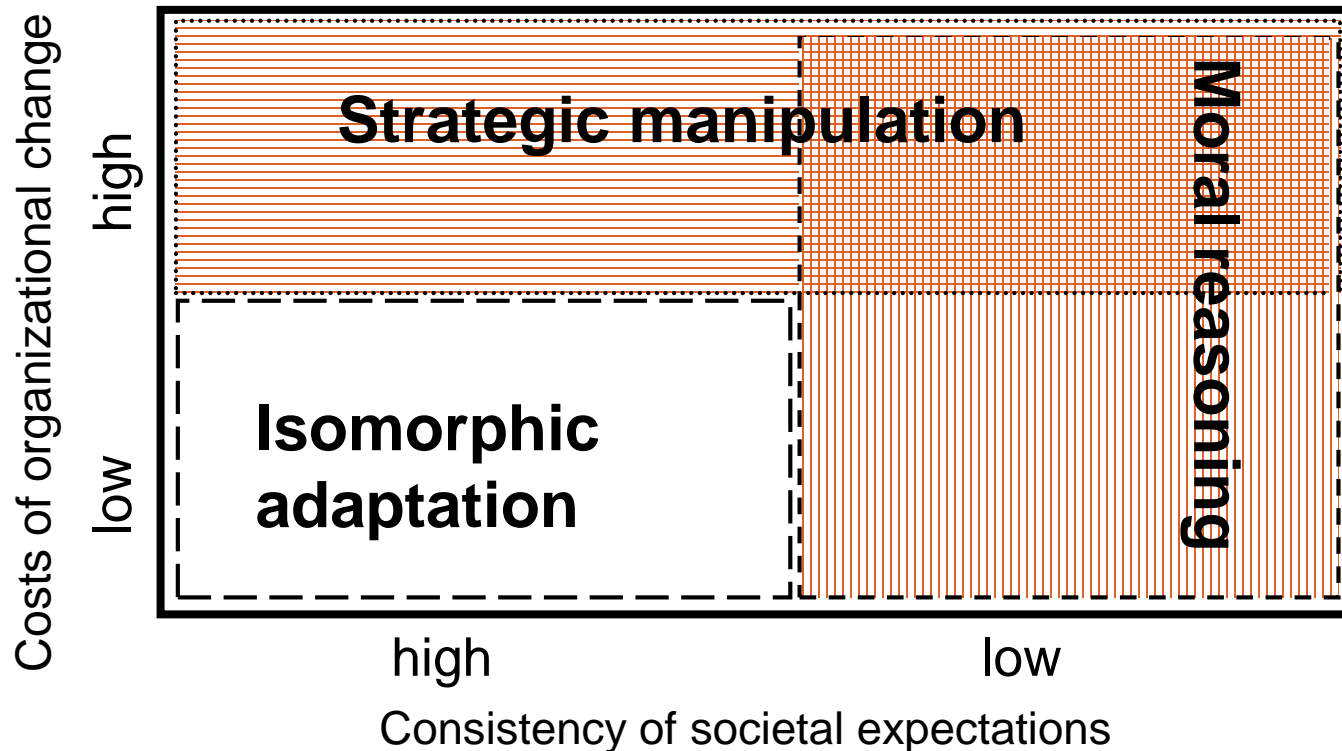
Underlying assumption:

- In a heterogeneous normative context, complying with the normative standards of society has less to do with the habitualization of existing social norms or the engineering of a corporate image but more with participating in public discourse

Proposition: *corporations will engage in **moral argumentation strategies** if societal expectations are heterogeneous and no clear standards are available*

Legitimation Strategies

Einflussfaktoren auf die Strategiewahl organisationaler Legitimität



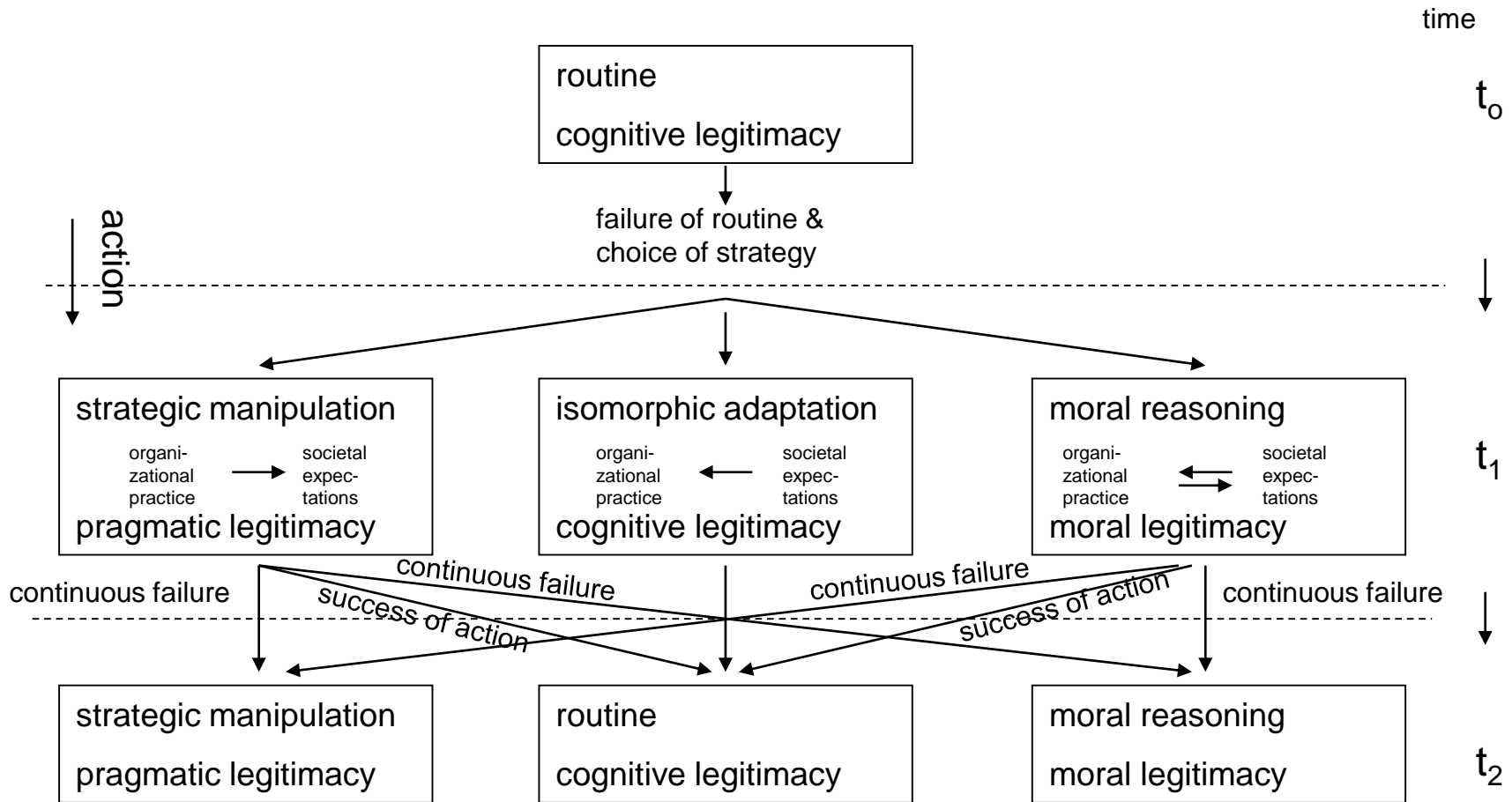


Open questions

- How can corporations handle the contradictions between these legitimization strategies?
- How can they manipulate, adapt, and engage in moral discourse at the same time?
- What organizational provisions can be established to easily switch between different legitimization strategies?



Strategies of Organizational Legitimacy





Thesis

Current transition from stable industrial society to a globalized postindustrial society:

- Cognitive legitimacy is eroding
- Pragmatic legitimacy provokes growing resistance
- Moral legitimacy has become the core source of societal acceptance (Palazzo and Scherer 2006)



A turn towards moral legitimacy implicates:

- a turn from the economic, utility-driven, and output-oriented view on CSR to
- a political, communication-driven, and input-oriented concept of organizational responsibility.



The new Post-national Constellation (Habermas) and growing complexity of legitimacy demands (1/2)

Globalization is the process of growing transnational interdependence of economic and social activities

Regulation capacity of nation state agencies is in decline

- global public goods problems
- loss of congruency between political sphere and economic sphere
- “failed states“, absence of rule of law, corrupt governments, weak law and enforcement
- as a result business firms operate in heterogeneous legal environments with unclear legal standards



The new Post-national Constellation (Habermas) and growing complexity of legitimacy demands (1/2)

Cultural homogeneity within social communities is eroding due to processes of migration and individualization

- increasing heterogeneity/pluralism of norms, values and life-styles (Beck-Gernsheim and Beck 2002)
- as a result business firms operate in heterogeneous cultural environments

Business firms are facing a growing complexity of legitimacy demands and societal expectations in their corporate environments

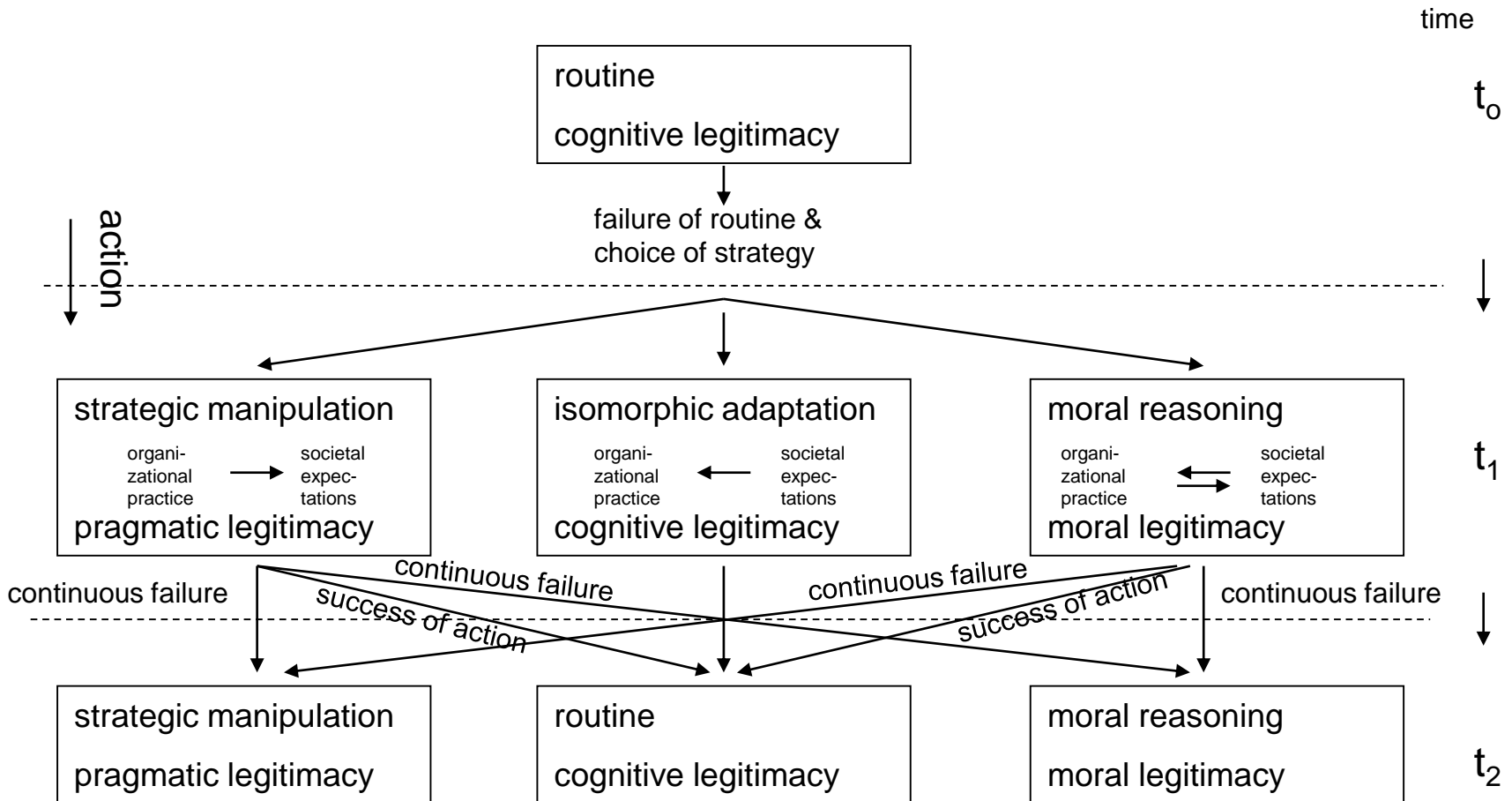
vgl. Palazzo and Scherer 2006, Scherer and Palazzo 2008, Scherer and Palazzo 2010



Consequences of the Post-national Constellation

- In the post-national constellation manipulation strategies and adaptation strategies are likely to face their limits
- Societal expectations are becoming more heterogeneous and complex
- Moral argumentation strategy becomes more important
 - However: moral argumentation strategies cannot completely substitute routine, manipulation, and adaptation
- Business firms have to establish the organizational capacity to activate each of the three strategies as conditions require
- They follow different legitimization strategies at the same time or switch between one strategy to another
 - Examples: Nike (manipulation, adaptation, and moral argumentation), McDonalds (adaptation and manipulation)

Strategies of Organizational Legitimacy





Lernziele

Nach dieser Vorlesung sollten Sie ...

- ... die Grundlagen der zivilgesellschaftlichen Selbstregulierung erläutern können.
- ... die wesentlichen Unterschiede zwischen Input-, Output- und Troughput-Legitimacy erklären können.
- ... die drei Legitimierungsstrategien und ihre Anwendungsbereiche im Kontext der post-nationalen Konstellation kritisch diskutieren können.



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