



Globalisierung und Multinationale Unternehmen

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

Vorlesung 16: Die neue politische Rolle der Multinationalen Unternehmung



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Übersicht

1. Die Neuausrichtung des CSR-Konzepts in einer globalen Wirtschaft
 - 1.1. Governance Modelle im Vergleich
 - 1.2. Der Wandel des Rechts- bzw. des Regulierungsverständnisses
 - 1.3. Ein neues Verständnis von Verantwortung
 - 1.4. Die Relevanz unterschiedlicher Legitimitätsquellen
Exkurs zum Legitimitätsbegriff
 - 1.5. Demokratiemodelle im Vergleich
Exkurs zu Demokratiemodelle und Politikverständnis
2. Offene Fragen und Lernziele

Die Neuausrichtung des CSR-Konzepts in einer globalen Wirtschaft: Zentrale Fragestellungen (Scherer/Palazzo 2011)

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The New Political Role of Business in a Globalized World: A Review of a New Perspective on CSR and its Implications for the Firm, Governance, and Democracy

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ABSTRACT Scholars in management and economics widely share the assumption that business firms focus on profits only, while it is the task of the state system to provide public goods. In this view business firms are conceived of as economic actors, and governments and their state agencies are considered the only political actors. We suggest that, under the conditions of globalization, the strict division of labour between private business and nation-state governance does not hold any more. Many business firms have started to assume social and political responsibilities that go beyond legal requirements and fill the regulatory vacuum in global governance. Our review of the literature shows that there are a growing number of publications from various disciplines that propose a politicized concept of corporate social responsibility. We consider the implications of this new perspective for theorizing about the business firm, governance, and democracy.

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Table I. Characteristics of the instrumental and the new political approach to CSR

	<i>Instrumental CSR</i>	<i>Political CSR</i>
Governance model		
• Main political actor	State	State, civil society, and corporations
• Locus of governance	National governance	Global and multilevel governance
• Mode of governance	Hierarchy	Hierarchy
• Role of economic rationality	Dominance of economic rationality	Domestication of economic rationality
• Separation of political and economic spheres	High	Low
Role of law		
• Mode of regulation	Governmental regulation	Self-regulation
• Dominant rules	Formal rules and 'hard law'	Informal rules and 'soft law'
• Level of obligation	High (enforcement)	Low (voluntary action)
• Precision of rules	High	Low
• Delegation to third parties	Seldom	Often
Responsibility		
• Direction	Retrospective (guilt)	Prospective (solution)
• Reason for critique	Direct action	Social connectedness (complicity)
• Sphere of influence	Narrow/local	Broad/global
Legitimacy		
• Pragmatic legitimacy	High (legitimacy of capitalist institutions via contribution to public good)	Medium-low (capitalist institutions under pressure, market failure and state failure)
• Cognitive legitimacy	High (coherent set of morals that are taken for granted)	Medium-low (individualism, pluralism of morals)
• Moral legitimacy	Low	High-low (depending on level of discursive engagement)
• Mode of corporate engagement	Reactive (response to pressure)	Proactive (engagement in democratic politics)
Democracy		
• Model of democracy	Liberal democracy	Deliberative democracy
• Concept of politics	Power politics	Discursive politics
• Democratic control and legitimacy of corporations	Derived from political system, corporations are de-politicized	Corporate activities subject to democratic control
• Mode of corporate governance	Shareholder oriented	Democratic corporate governance



Die Neuausrichtung des CSR-Konzepts in einer globalen Wirtschaft: Zentrale Fragestellungen

1. Governance Modell

- Wer ist der zentrale politische Akteur? Auf welcher Ebene findet ‚Governance‘ statt, d.h. die Festlegung verbindlicher Regeln?
- Global Governance verstanden als „process of defining and implementing global rules and providing global public goods“ (p. 900)

2. Rolle des Rechts und der Regulierung

- Auf welche Art und Weise findet Regulierung statt? Welches sind die zentralen Regeln? (Privatrecht vs öffentliches Recht, Soft law vs Hard law)

3. Verantwortung

- Was ist ein angemessenes Konzept der Verantwortung? (liability, accountability, connectedness, retrospektiv vs prospektiv, Schuldige vs Lösungen)

4. Legitimität

- Wie kann die Legitimität politischer und wirtschaftlicher Akteure gewährleistet werden? (Input, Prozess, Output, pragmatic/cognitive/moral)

5. Demokratie



Governance Modelle im Vergleich (Scherer/Palazzo 2011)

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• Separation of political and economic spheres	High	Low
• Entstehung eines neuen Regelungssystems jenseits nationalstaatlichen Regierens: „Governance by/with/without government“		
• Vgl. Studien in der Politikwissenschaft/Internationalen Beziehungen: Risse (2002), Ruggie (2004), Cashore, Knudsen, Moon, van der Ven (2021); <i>Regulation & Governance</i> special issue zu: Private Authority and Public Policy Interactions in Global Context (2021)		



Der Wandel des Rechts: Von „hard law“ zu „soft law“ (Scherer/Palazzo 2011)

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- Zunehmende Selbstregulierung und Ko-regulierung (Vogel 2008; Waddock 2008); hard law versus soft law (Mörth 2004; Sheldon 2000)
- Abbott/Snidal 2000, S. 422: „The realm of ‘soft law’ begins once legal arrangements are weakened along one or more of the dimensions of obligation, precision, and delegation. This softening can occur in varying degrees along each dimension and in different combinations across dimensions.“
- Beispiele: *Equator Principles*, *UN Global Compact*



Beispiel für „governance *without* government“



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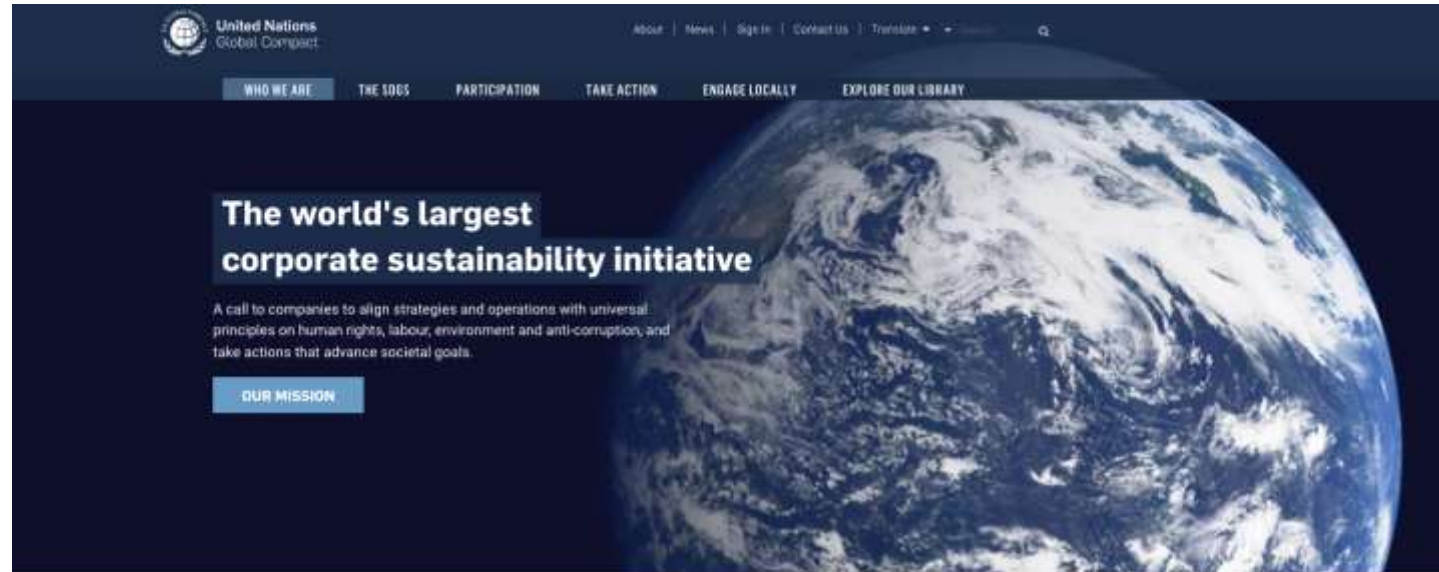
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Beispiel für „governance *with* government“





Exkurs: United Nations Global Compact (UNGC)

Zunächst: Unterschrift zur Unterstützung der 10 Prinzipien genügt zum Beitritt

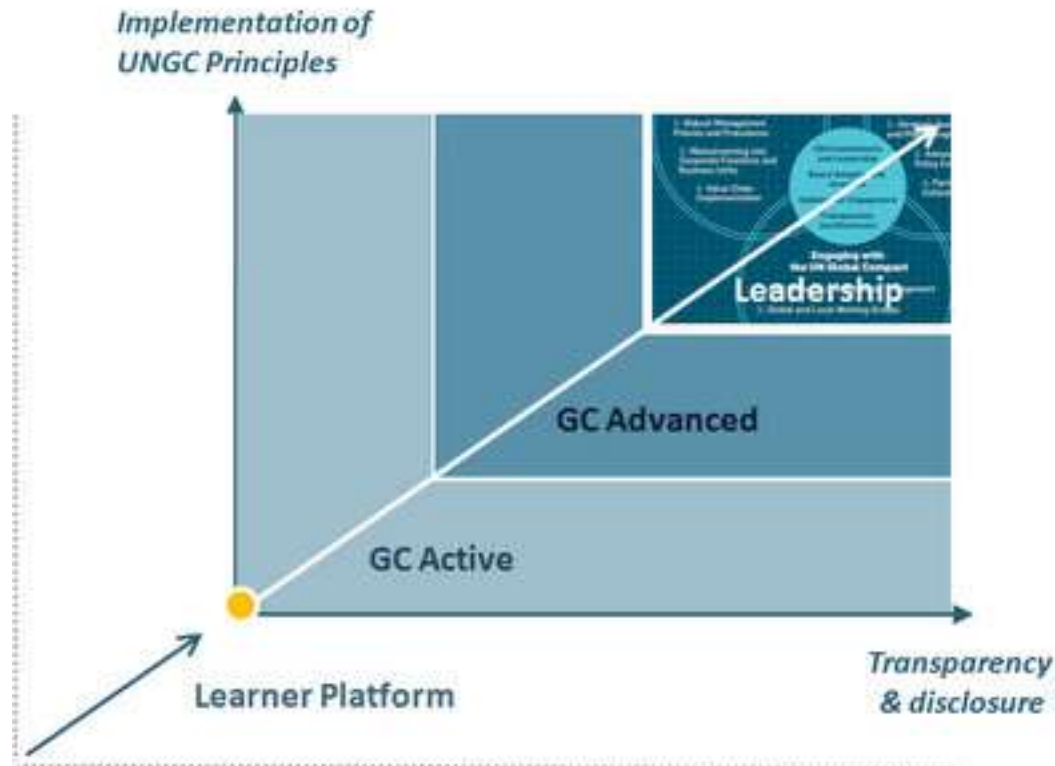
Kritik:

- Williams (2004): Ohne traditionelle „Accountability“ Struktur oder Monitoring Mechanismus ist die Legitimität des GC fraglich: „... *another code without accountability, a public relations document without substance*“

Schrittweise Erweiterungen:

- Einführung von „COPs“ (Communication on progress)
 - primär gerichtet an die Stakeholder
 - Rasche (2009): Guter Weg, um „Accountability“ herzustellen, da Inhalt meist in prominenten Dokumenten und somit abgesegnet
- Ausschluss von „nicht-kommunizierenden“ Unternehmen nach 12 Monaten
- Differenzierung der UNGC Implementierung → „Differentiation programme“
- **NEU ab 2023:** „Enhanced CoP“: standardisierter Fragebogen zum Reporting (statt narrativem Format), strengere Richtlinien (Ausschluss von „nicht-kommunizierenden“ Unternehmen nach 6 (statt 12) Monaten)

Lernprozesse der UNGC Implementierung



„Non-communicating“ (Verpasste Deadline für COPs)
„Expelled“ (Mehr als 6 Monate keine Kommunikation)



21 Kriterien der UNGC „Advanced“ Implementierung

<i>Implementing the Ten Principles into Strategies & Operations</i>	
Criterion 1:	The COP describes mainstreaming into corporate functions and business units
Criterion 2:	The COP describes value chain implementation
<i>Robust Human Rights Management Policies & Procedures</i>	
Criterion 3:	The COP describes robust commitments, strategies or policies in the area of human rights
Criterion 4:	The COP describes effective management systems to integrate the human rights principles
Criterion 5:	The COP describes effective monitoring and evaluation mechanisms of human rights integration
<i>Criteria 6-14: Labor, Environment, Anti-Corruption (analogue Criteria 3-5: Robust Human Rights Management Policies & Procedures)</i>	
<i>Taking Action in Support of Broader UN Goals and Issues (Criteria 15-18)</i>	
Criterion 15:	The COP describes core business contributions to UN goals and issues
<i>Corporate Sustainability Governance and Leadership</i>	
Criterion 19:	The COP describes CEO commitment and leadership
Criterion 20:	The COP describes Board adoption and oversight
Criterion 21:	The COP describes stakeholder engagement



Content validity: Analysis

	“Civil” stage (CC-Tool) (Zadek, 2004; Baumann-Pauly & Scherer 2013) “We need to make sure everybody does it”	„Advanced“ criteria (UNGC)
Commitment		
Strategic integration/ Lead. supp.	CC significant value in company’s mission Respecting stakeholders’ demands CC used to justify company decisions.	Criterion 19/20: C-suite and Board level discussions
CC- Coordination	CC strategy in line with overall comp. strategy Recommendations forwarded to Executive Committee; decisions on a periodic basis. CC-department coordinates implement. process Top management directly & regularly involved	Criterion 1/2: Implementing the Principles into Strategies & Operations
Structural & Procedural		
Alignment of policies and procedures	All CC translated into policies & procedures Basis for all business processes & supply chain Regularly reviewed and revised Feedback from int. & ext. stakeholders	Criterion 3 (6/9/12) Criterion 4 (7/10/13): Effective <i>management systems</i> to integrate the () principles Crit. 2: implementation of GC in the <i>value chain</i>
Alignment of incentive structures	Fully aligned with CC commitment Important factor for assessing ind. performance Decisions over promotion and bonus depend on respect for CC principles.	
Provision of training on CC requirements	Provided to all employees Courses adapted to the company’s context Specific groups targeted for follow-up courses. Company shares training material Development of training material for innov. topics.	Criterion 4 (7/10/13): Effective <i>management systems</i> to integrate the () principles



Creation of a complaints procedure	Confidential complaints channel is provided Easy access guaranteed Procedure is communicated Cases are analyzed to further improve system Reporting is a duty	Criterion 4 (7/10/13): Effective <i>management systems</i> to integrate the () principles
Evaluation of CC implement.	Impact assessment methods of CC initiatives are developed in multi-stakeholder forums. Methods are revised regularly Results are discussed publicly	Criterion 5 (8/11/14): Effective <i>monitoring and evaluation mechanisms</i> of (issue) integration
Reporting on CC	CC-data is fully integrated in the annual report. CC-data is produced based on regular KPIs GRI guidelines are followed. Regular reporting on good practices/lessons learnt Transparency of targets, means & measurements.	
Interactive		
Quality of stakeholder relationships	Regular engagement with stakeholders Seismograph for society's changing awareness of particular issues. Civil society's expertise = valuable asset to problem-solve.	Criterion 21: The COP describes stakeholder engagement
Level of participation in collaborative CC-initiatives	Membership in CC- initiatives Including verification organizations Share CC good practices & lessons learnt Proactive engagement and efforts to integrate companies that are not yet members.	Criterion 15: The COP describes core business contributions to UN goals and issues



Ein neues Verständnis von Verantwortung (Scherer/Palazzo 2011)

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- Social Connection Model of Responsibility: „All agents who contribute by their actions to the structural processes that produce injustice have responsibilities to work to remedy these injustices“ (Young 2008, S. 137) → Erweiterung des Verantwortungsbegriffs
- Vgl.: UN Global Compact Prinzip 2: Businesses make sure that they are not complicit in human rights abuses. Beispiel: PetroChina in Sudan,
http://www.huffingtonpost.com/susan-morgan/petrochina-the-un-and-blo_b_155794.html



Exkurs: Die drei Legitimitätsquellen (Suchman 1995)

Legitimität

„A generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions“ (Suchman 1995, S. 574).

- **Pragmatische Legitimität:**
calculation of benefits as the result of the entity's (individual, organization, institution, etc.) existence or behavior
- **Kognitive Legitimität:**
subconscious acceptance of the entity (individual, organization, institution, etc.) and its behavior as the natural way of how things are
- **Moralische Legitimität:**
result of an explicit moral discourse about the acceptability of the entity (individual, organization, institution, etc.) and its behavior



Relevanz unterschiedlicher Legitimitätsquellen

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- Moralische Legitimierung auf Grundlage diskursiver Aushandlungsprozesse gewinnt zunehmend an Bedeutung. Vgl. Palazzo/Scherer 2006; Scherer et al. 2013
- Beispiel: Puma und die «Stakeholder Dialog Meetings»:

<https://annual-report.puma.com/2021/en/sustainability/sustainability-strategy.html>

Ein neues Politikverständnis

Die alte Sichtweise (lobbyism & power politics):

- Fokus liegt auf „politische Strategien“; „to shape government policy in ways favorable to the firm“ (Hillman et al. 2004, S. 838)
- Dieser Literaturzweig basiert auf der Sichtweise dass „managers choose to engage in political activity to enhance the value of the firm“ (Hillman et al. 2004, S. 839).



Die neue Sichtweise:

- Unter „politisch“ versteht man einen Prozess „in which people organize collectively to regulate or transform some aspects of their shared social conditions, along with the communicative activities in which they try to persuade one another to join such collective actions or decide what direction they wish to take“ (Young 2004, S. 377).
 - es geht um kollektive Entscheidungen und um öffentliche Belange (Produktion öffentlicher Güter/Bewältigung externer Effekte)
 - es geht um das Gemeinwohl



Demokratiemodelle im Vergleich (Scherer/Palazzo 2011)

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- Zentrale Frage: Wie können die regulatorischen Tätigkeiten von MNU in bestehende Demokratie-Konzepte integriert werden?
- Präferenzformation kann nicht über Aggregation von Wählerstimmen erfolgen
→ alternatives Demokratiemodell notwendig
- Vgl. Scherer/Palazzo 2007; Habermas 1996



Exkurs: Liberal conception of politics (public/social choice theory)

Was heisst „Power politics“ in der instrumental CSR?

- Instrumentelle Auffassung von Politik (Elster 1986, S. 103), d.h. Politik als Durchsetzung schon gegebener privater Interessen

Politische Institutionen (z.B. Staat) dienen

- der Aggregation von privaten Interessen
- der Bearbeitung von Marktversagen
- der Versorgung mit öffentlichen Gütern

Wie funktioniert der Aggregationsmechanismus?

- „the goal of politics is the optimal compromise between given, and irreducibly opposed, private interests“ (Elster 1986, S. 103)
- Politisches Verhalten wird verstanden wie privates Verhalten (am Eigeninteresse orientiert, auf den privaten Bereich konzentriert/keine externen Effekte)
- Aggregationsmechanismus Wahlen: Konzipiert wie Marktentscheidung



Exkurs: Kritik an der „liberal conception of political theory“

Kritik der gegebenen Präferenzen

- „it embodies a confusion between the kind of behavior that is appropriate in the market place and that which is appropriate in the forum. The notion of consumer sovereignty is acceptable because, and to the extent that, the consumer chooses between courses of action that differ only in the way they affect him. In political choice situations, however, the citizen is asked to express his preference over states that also differ in the way in which they affect other people.“ (Elster 1986, S. 111)
- „the task of politics is not only to eliminate inefficiency, but also to create justice“ (Elster 1986, S. 111)
- „politics must be an open and public activity, as distinct from the isolated and private expression of preferences that occurs in buying and selling.“ (Elster 1986, S. 111)
- „rather than aggregating or filtering preferences, the political system should be set up with a view to changing them by public debate and confrontation“ (Elster 1986, S. 112)



Offene Fragen (zur Bearbeitung im Selbststudium)

- Wo liegen die Grenzen von Verantwortung? Beispiel iPhone und afrikanische Bürgerkriege/Selbstmorde in asiatischen Produktionsstätten (Fox Industries). Siehe z.B.
<https://www.youtube.com/watch?v=kSvT02q4h40>
- Wo beginnt die Verantwortung der Konsumenten? Sollen wir auf den Kauf von Smartphones verzichten?
- Wer kontrolliert die Selbstregulierung globaler Industrien?
- Wie lässt sich demokratische Autorisierung und Kontrolle in der postnationalen Konstellation überhaupt denken?



Lernziele

Nach dieser Vorlesung sollten Sie ...

- ... die zentralen Fragestellungen bzw. fünf Dimensionen (Governance, Law, Responsibility, Legitimacy, Democracy) in Bezug auf die Neuausrichtung des CSR-Konzeptes in einer globalen Weltwirtschaft kennen und erläutern können.
- ... die Unterschiede zwischen der instrumentellen Auffassung von CSR und der politischen Auffassung von CSR kritisch diskutieren können.
- ... die verschiedenen Demokratiemodelle und Politikverständnisse vergleichen und kritisch diskutieren können.



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