



# Global Governance und die Multinationale Unternehmung

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Präsentation im Seminar  
Theorien der Multinationalen Unternehmung  
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## Und noch eine Umfrage: Stimmen Sie ab...

Das Bild zeigt Beispiele von Invalidität durch Arbeitsunfälle in einem asiatischen Zulieferbetrieb. Wer ist primär verantwortlich aus Ihrer Sicht?  
(Ihre Meinung ist gefragt; es geht also nicht um richtig oder falsch)



- A Arbeiter selbst
- B Unternehmen X  
(Einkäufer in der Bundesrepublik)
- C Unternehmen Y  
(Zulieferer aus Asien)
- D Staat





FOXCONN





## Wer ist verantwortlich für die negativen Auswirkungen globalen Wirtschaftens?

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- Der Staat?
- Die UNO?
- Die ILO?
- NGOs?
- Konsumenten?
- Sie und ich?
- Unternehmen?



## Support free trade!

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- “Still, the best and most direct way to raise wages and labor standards is to enhance the productivity of the workers through economic development. Trade and investment are important components of that development, and therefore efforts to limit international trade or to shut down the sweatshops are counterproductive.”

Irwin, D. A. *Free Trade under Fire*



## Economic development first!

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- “the way to help poor people abroad is to open our markets to them not to force them to adopt...human rights standards.”

Krauss, M. *How Nations Grow Rich*

- economic development has to come first, then democratization or social and environmental standards

Barro, R. J. “The Interplay Between Economic and Political Development” In *Determinants of Economic Growth*

- “a lousy job is better than no job at all”

Martinez-Mont, L. “Sweatshops are Better Than no Shops” In *Wall Street Journal*



## Focus on profits only!

- “the social responsibility of business is to increase its profits.”
- corporate social responsibility is a “fundamentally subversive doctrine”  
Friedman, M. *Capitalism and Freedom* 1962
- “...social welfare is maximized when all firms in an economy maximize total firm value.” Jensen (2002: 239):  
Jensen, M. C. “Value Maximization, Stakeholder Theory, and the Corporate Objective Function.” *Business Ethics Quarterly* 2002
- stakeholders other than shareholders “have protection (or can seek remedies) through contracts and the legal system.”  
Sundaram, A. K., & Inkpen, A. C. “The corporate objective revisited.” *Organization Science* 2004
- Es ist in erster Linie Aufgabe des Staates, Probleme von öffentlichem Interesse zu lösen bzw die negativen Auswirkungen globalen Wirtschaftens zu kompensieren (e.g. externe Effekte, Sozial- und Umweltstandards)



## Klassische Sichtweise nationalstaatlichen Regierens

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- Staatliche Institutionen
  - » gewähren und schützen individuelle Rechte (private Rechte, soziale Rechte, politische Beteiligungsrechte),
  - » produzieren öffentliche Güter, und
  - » regulieren das wirtschaftliche System so, dass das Gemeinwohl geschützt und gemehrt wird
- Trennung von öffentlicher (staatliche Politik) und privater Sphäre (private Wirtschaft):
  - » Staat definiert die Spielregeln und setzt diese durch, Wirtschaft verfolgt Gewinninteressen innerhalb dieser Regeln
  - » keine zusätzliche politische oder soziale Verantwortung für die Unternehmen

see Scherer & Palazzo: Globalization and CSR, in: Oxford Handbook of CSR, Oxford 2008



## Was ist Globalisierung?

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- Globalisierung ist der Prozess der zunehmenden weltweiten Vernetzung von sozialen und ökonomischen Austauschprozessen (Beck 1998; Giddens 1990; Scherer & Palazzo 2008).
- Ursachen und Wirkungen
  - » Politische Entscheidungen (GATT/WTO, Fall der Mauer, Pro-Markt Politik in der VR China)
  - » Technologische Entwicklungen (e.g., Kommunikation, Transport)
  - » Soziokulturelle Entwicklungen (Individualisierung von Lebensstilen, Migration, Globale Medien)
  - » Oekonomische Entwicklungen (FDI und grenzüberschreitender Handel; Intrafirm-trade; Global Sourcing, Global Markets)
  - » Entstehung Transnationaler Risiken (Globale Krankheiten, Umweltrisiken, Soziale Probleme, Terrorismus etc.)



## Die postnationale Konstellation

- Regulierungsvermögen staatlicher Institutionen geht zurück
- zunehmende Heterogenität von Normen, Werten und Lebensstilen
  - » Unterschiedliche Anspruchsgruppen („Stakeholders“)
  - » Unternehmen als Adressaten von Legitimitätsansprüchen
- Private und Zivilgesellschaftliche Akteure als Produzenten Öffentlicher Güter
- Entwicklung neuer Formen der Regulation auf globaler Ebene („Global Governance“):
  - » NGOs, Transnationale Organisationen und private Firmen beteiligen sich an der Global Governance; e.g. Schutz von Menschenrechten, Durchsetzung von Sozial- und Umweltstandards
  - » Paradigmenwechsel in der globalen Regulierung: weg von staatlicher Regulierung hin zu neuen multilateralen, nicht territorial gebundenen Regulierungsformen mit Beteiligung privater und zivilgesellschaftlicher Akteure

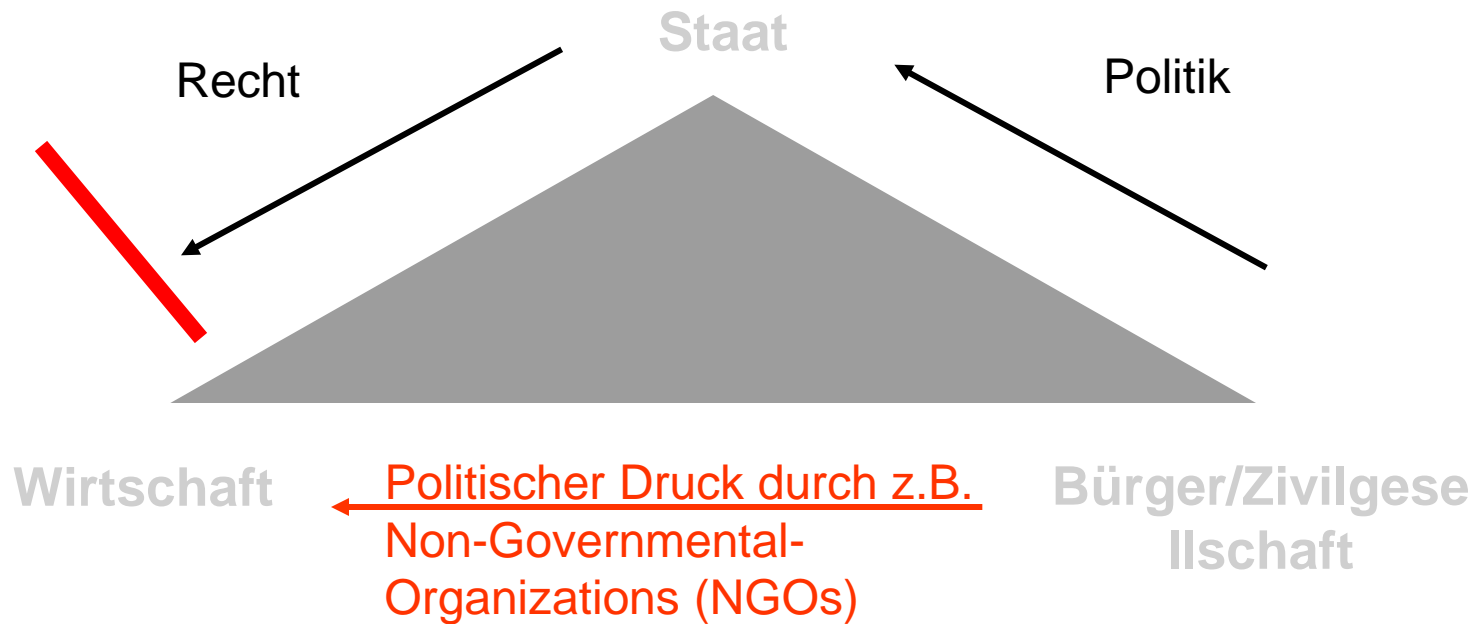
## Die postnationale Konstellation

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- Regulierungsvermögen staatlicher Institutionen geht zurück
  - » Externalitäten und Unterversorgung mit globalen öffentlichen Gütern
  - » Auslagerung von Wertschöpfungsaktivitäten in „weak or failed states“ (Abwesenheit rechtsstaatlicher Institutionen bzw demokratischer Kontrolle)
  - » Inkongruenz zwischen der territorial gebundenen Durchsetzungsmacht von Staaten und der scheinbar grenzenlosen Ausbreitung der Wirtschaftlichen Aktivitäten
- schwache Regulierungspotentiale auf supranationaler Ebene
  - » kein Gewaltmonopol/Enforcement power Multinationaler Institutionen
  - » Strategic Bargaining in multilateralen Verhandlungen

Habermas, J. Die postnationale Konstellation (modifiziert)

## Die postnationale Konstellation



**Das Vermögen der Bürger, über den Staat mittels Politik und Recht Einfluss auf die Wirtschaft auszuüben, sinkt.**

**Daher direkte Einflussnahme auf die Wirtschaft (z.B. durch NGOs).**

**= "globalization from below" (Giddens), "subpolitics" (Beck),  
"paragovernmental activities" (Dryzek)**



## Traditionales Paradigma der Unternehmensverantwortung (CSR)

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- Anpassung des Verhaltens der Unternehmen an „broader community values“ (Swanson, 1999), „societal expectations ... at a given point in time“ (Carroll, 1979), oder den „basic rules of that society“ (Friedman 1970)
  - » Jedoch: zunehmender Pluralismus an Normen, Werten und Lebensstilen in der globalen Gesellschaft; Anpassung führt zu Inkongruenz mit gesellschaftlichen Erwartungen
  
- Instrumentelle Sichtweise auf CSR (Jones, 1995): „CSR as an investment“ (McWilliams & Siegel, 2001), Suche nach dem „business case of CSR“
  - » Jedoch: das Regulierungsvermögen des staatlichen Systems nimmt ab; die alleinige Fokussierung auf Gewinne führt zu Legitimationsproblemen insbesondere dann, wenn Unternehmen ausserhalb der Reichweite rechtsstaatlicher und demokratischer Institutionen agieren



## Traditionales Paradigma der Unternehmensverantwortung (CSR)

- Instrumentelle Sichtweise der Politik: politische Strategien der Unternehmen „as a means to influence the political system in favour of the firm“ („political strategies“, Hillman, Keim & Schuler, 2003)
  - » Jedoch: Lobbying vergrössert die Legitimationsdefizite
  
- Arbeitsteilung zwischen der
  - » öffentlichen Sphäre (Regelgenerierung und Durchsetzung durch staatliche Institutionen) und
  - » der privaten Sphäre (Gewinnerzielung innerhalb dieser Regeln).
  
  - » Jedoch: Unternehmen betreten die öffentliche Sphäre als politische Akteure:
    - produzieren öffentliche Güter (Menschenrechte, Sozial- und Umweltstandards, Korruption, Friedenssicherung etc.)
    - beeinflussen das politische System und betreiben Lobbying für ihre Interessen („political strategies“)



# Ansätze zur Unternehmensverantwortung (CSR) (Scherer & Palazzo, 2007: 1113)

TABLE 1  
Comparison of Positivist and Postpositivist CSR Schools of Thought

Characteristics	Positivist CSR	Nonpositivist CSR	Postmodern CSR	Habermas <sub>1</sub> CSR	Habermas <sub>2</sub> CSR
Foundation	Empirical	Philosophical (monological)	Culture and history bound (discursive)	Philosophical (discursive)	Democratic (discursive)
Ideology	Economic/instrumental	Foundational	Relativistic	Utopian	Pragmatic
Main concepts	Social performance	Character/virtue, duty, social contract, hypernorms, integrity	Discourse (power)	Discourse (ideal speech situation)	Discourse (public deliberation)
Mode of coordination in society	Private contracts and legal compliance	Social contracts and conformity with moral rules	Discourse and power	Discourse and consensus	Political discourse, market, and administrative routine
Role of corporation	Economic actor, opportunistic corporation	Economically and socially responsible actor	"Bad guy" versus corporate chameleon	"Bad guy," has to change to utopian altruist	Political and economic actor
Role of market	Taken for granted	Critical support	Focus of critique	Undersetimated	Politically embedded
Role of power	Dominant	Disciplined by moral rules and/or personal integrity	Focus of critique, but considered unavoidable	Disciplined by ideal discourse	Disciplined by democratic institutions
Role of legitimacy	Marginalised	Conformity with existing moral norms	Positive legitimacy not possible	Philosophical legitimacy	Democratic legitimacy
Relation to economic rationality	Dominance of economic rationality	Critical support	Critical	Critical, antagonistic	Domestication of economic rationality
Message to managers	Comply with law and respond (only) to powerful stakeholders	Comply with ethical norms and develop personal integrity	Stop manipulation and exploitation, adapt to local culture	Engage in ideal discourse	Engage in political discourse
Main philosophers	Hempel, Nagel, Popper	Aristotle, Gauthier, Hobbes, Kant, Rawls (~1980s)	Derrida, Foucault, Lyotard	Habermas (1980s-1990s)	Habermas (1990s-today), Dewey, Rawls (1990s-today), Rorty
Management theories	CEP, "business case" CSR, instrumental stakeholder theory	Business ethics, normative stakeholder theory, social contract theory	Postmodern/postcolonial organization theory, critical management studies	Critical strategy research, critical management studies	Political CSR, corporate citizenship
Management authors	Carroll, Jones, Wood	Bowie, Donaldson, Dunfee, Freeman, Phillips, Solomon	Banerjee, Boje, Calde, Smircich	Alvesson, Deetz, Grimes, Steffy, Willmott	Not yet developed, limited to descriptive analysis (Matten & Crane)



## Ansätze zur Unternehmensverantwortung (CSR)

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- Positivist CSR
  - » instrumentalistisch, Suche nach Naturgesetzen
- Post-positivist CSR
  - » normativ-ethische Ansätze (social contract theory, Kantianism, virtue ethics)
  - » Suche nach a-historischen/a-kulturellen universellen Massstäben
- Postmoderne Ansätze
  - » Betonung des Pluralismus lokaler Moralvorstellungen
  - » Aufgabe des Begründungsanspruchs
- Diskursive Ansätze
  - » Habermas<sub>1</sub>
    - ideale Sprechsituation, dyadische Beziehungen
  - » Habermas<sub>2</sub>
    - deliberative Demokratietheorie, politische Institutionen



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

## JOURNAL OF MANAGEMENT STUDIES

*Journal of Management Studies* 48:4 June 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

**Andreas Georg Scherer and Guido Palazzo**

*University of Zürich; University of Lausanne*

**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.

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

	<i>Instrumental CSR</i>	<i>Political CSR</i>
<b>Governance model</b>		
• Main political actor	State	State, civil society, and corporations
• Locus of governance	National governance	Global and multilevel governance
• Mode of governance	Hierarchy	Heterarchy
• Role of economic rationality	Dominance of economic rationality	Domestication of economic rationality
• Separation of political and economic spheres	High	Low
<b>Role of law</b>		
• 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
<b>Responsibility</b>		
• Direction	Retrospective (guilt)	Prospective (solution)
• Reason for critique	Direct action	Social connectedness (complicity)
• Sphere of influence	Narrow/local	Broad/global
<b>Legitimacy</b>		
• 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)
<b>Democracy</b>		
• 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



## Offene Fragen an ein neues Paradigma der Unternehmensverantwortung (CSR)

- Governance Modell
  - » Wer sind die zentralen politischen Akteure und wo ist der Ort der Regulierung? Auf welcher Ebene findet Governance statt?
- Rolle des Rechts
  - » Wer setzt wie welche Regeln (durch) (hard law vs soft law)?
- Verantwortung
  - » Was ist ein angemessenes Verständnis von Verantwortung?
- Legitimität
  - » Wie kann die Legitimität politischer und ökonomischer Akteure gesichert werden?
- Demokratie
  - » Wie wird demokratische Kontrolle im globalen Massstab möglich?

## Governance Modelle im Vergleich (Scherer/Palazzo 2011)

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- Entstehung eines neuen Regelungssystems jenseits nationalstaatlichen Regierens: „Governance with/without government“
- Vgl. Studien in der Politikwissenschaft/Internationalen Beziehungen: Risse (2002), Ruggie (2004)

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

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• Delegation to third parties	Seldom	Often

- Zunehmende Selbstregulierung und Ko-regulierung (Vogel 2008; Waddock 2008); Hard 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”

<http://www.equator-principles.com>

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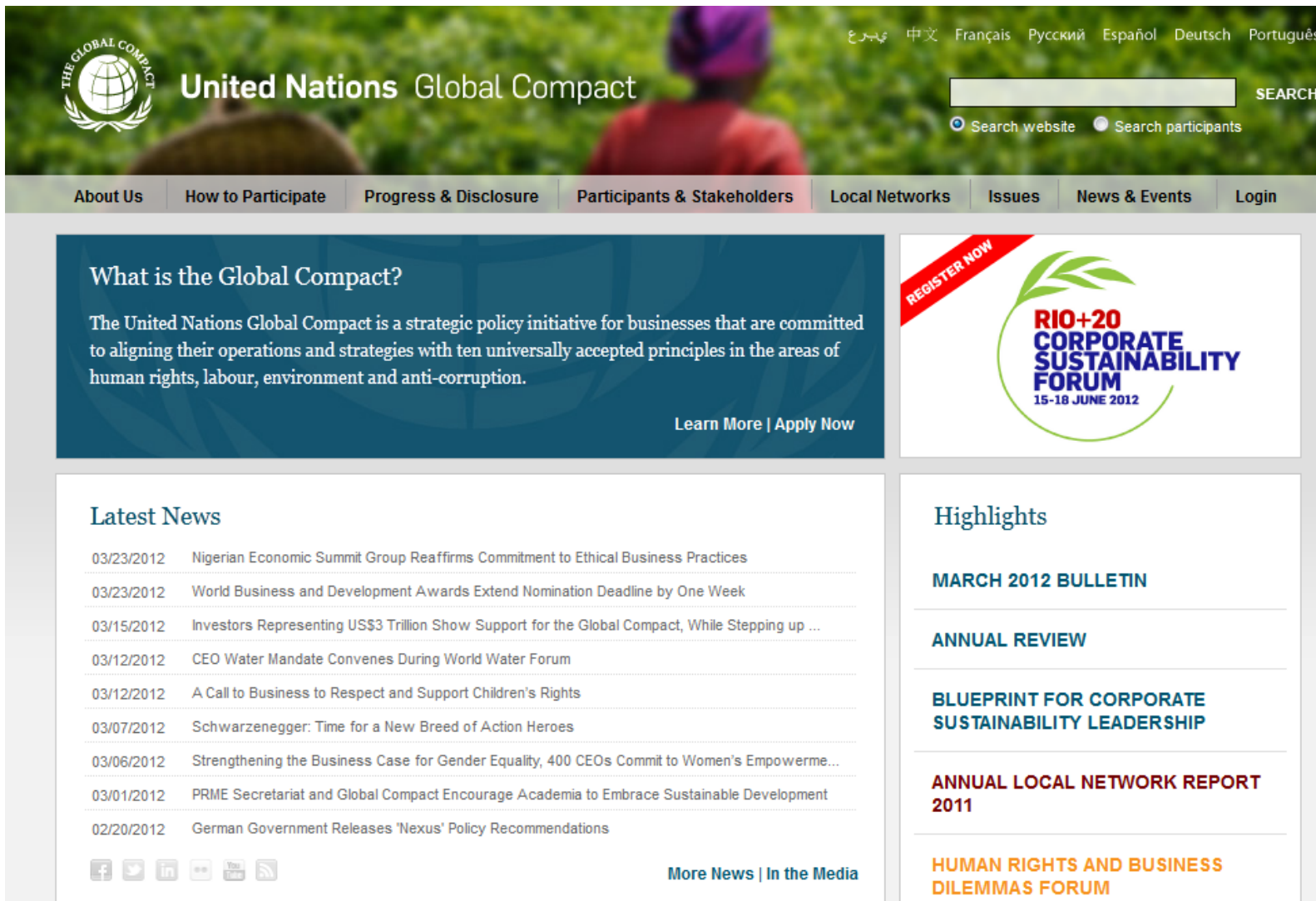
ABOUT ADOPTION



BEST PRACTICE & RESOURCES

# Beispiel für “governance *with* government”

<http://www.unglobalcompact.org/>



The screenshot shows the homepage of the United Nations Global Compact website. At the top, there is a navigation bar with the logo on the left, the text "United Nations Global Compact", and a search bar on the right. Below the navigation bar is a horizontal menu with categories: "About Us", "How to Participate", "Progress & Disclosure", "Participants & Stakeholders", "Local Networks", "Issues", "News & Events", and "Login".

The main content area is divided into two columns. The left column features a blue background with the heading "What is the Global Compact?" and a paragraph: "The United Nations Global Compact is a strategic policy initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour, environment and anti-corruption." Below this is a "Learn More | Apply Now" link.

The right column features a white background with a red banner that says "REGISTER NOW" and a logo for the "RIO+20 CORPORATE SUSTAINABILITY FORUM" dated "15-18 JUNE 2012".

Below these sections are two more columns. The left column is titled "Latest News" and lists several news items with dates and titles, such as "03/23/2012 Nigerian Economic Summit Group Reaffirms Commitment to Ethical Business Practices". At the bottom of this column are social media icons and a "More News | In the Media" link.

The right column is titled "Highlights" and lists several key documents and reports, including "MARCH 2012 BULLETIN", "ANNUAL REVIEW", "BLUEPRINT FOR CORPORATE SUSTAINABILITY LEADERSHIP", "ANNUAL LOCAL NETWORK REPORT 2011", and "HUMAN RIGHTS AND BUSINESS DILEMMAS FORUM".



## Ein neues Verständnis von Verantwortung (Scherer/Palazzo 2011)

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

	<i>Instrumental CSR</i>	<i>Political CSR</i>
Responsibility		
• Direction	Retrospective (guilt)	Prospective (solution)
• Reason for critique	Direct action	Social connectedness (complicity)
• Sphere of influence	Narrow/local	Broad/global

- 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](http://www.huffingtonpost.com/susan-morgan/petrochina-the-un-and-blo_b_155794.html)

## Exkurs: Die drei Legitimitätsquellen (Suchman 1995)

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### **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 an actor's/organization's/institution's existence or behavior

### **Kognitive Legitimität**

»subconscious acceptance of an action (actor/organization/institution) as the natural way of how things are

### **Moralische Legitimität**

»result of an explicit moral discourse about the acceptability of an action (actor/organization/institution)

## Die Relevanz unterschiedlicher Legitimitätsquellen (Scherer/Palazzo 2011; Suchman 1995)

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• Mode of corporate engagement	Reactive (response to pressure)	Proactive (engagement in democratic politics)

- Moralische Legitimierung auf Grundlage diskursiver Aushandlungsprozesse gewinnt zunehmend an Bedeutung. Vgl. Palazzo/Scherer 2006; Scherer et al. 2011

- Beispiel: Puma und die Banzer Gespräche:

<http://www.ppr.com/en/magazine/issue/46/pumas-%E2%80%9Ctalks-banz%E2%80%9D-%E2%80%93discussions-better-world>



## Ein neues Politikverständnis

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Die alte Sichtweise (lobbyism & power politics):

»Fokus liegt auf “political strategies”; “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).



## Demokratiemodelle im Vergleich (Scherer/Palazzo 2011)

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

## Offene Fragen

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- Was ist der Umfang von CSR? Wo sind die Grenzen?
- Welche internen Strukturen und Prozesse werden benötigt? (e.g. incentive structures; human resource management etc.)
- Was ist die Rolle verantwortlicher Führung? (Micro-level of analysis)
- Was ist die Rolle von Social Entrepreneurship? (Social Innovation)
- Was sind die Konsequenzen für die Unternehmenskommunikation? (extern: triple bottom line accounting; intern?)
- Was sind die Konsequenzen für „political strategies“? (legitimacy of lobbying etc.)
- Was sind die Konsequenzen für Corporate Governance? (Link zwischen Global Governance and Corporate Governance)
- Was sind die Konsequenzen für die demokratische Kontrolle? (Global Democracy vs Corporate Democracy)



## Forschungsfragen/Lernziele

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- Forschungsfragen
  - » Wo liegen die Grenzen von Verantwortung? Beispiel iPhone und afrikanische Bürgerkriege/Selbstmorde in asiatischen Produktionsstätten. Siehe z.B.  
<http://www.youtube.com/watch?v=T8M6XCwlj7s>
  - » Wo beginnt die Verantwortung der Konsumenten? Sollen wir auf den Kauf von Smartphones verzichten?
  - » Wer kontrolliert die Selbstregulierung globaler Industrien?
- Lernziele
  - » Diskussion der „Instrumental View of CSR“ vs. „Political View of CSR“ entlang der fünf Dimensionen (Governance, Law, Responsibility, Legitimacy, Democracy)



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