

# Varieties of Deliberation: Framing Plurality in Political CSR

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This article argues that the concept of deliberation is construed too narrowly in political corporate social responsibility (CSR) and that a concept of deliberation for political CSR should err toward useful speech acts rather than reciprocity and charity. It draws from the political philosophy, labor relations, and business ethics literatures to outline a framework for an extended notion of deliberative engagement. The characters of deliberative behavior and deliberative environment are held to generate four modes of engagement: strategic deliberation, unitarist deliberation, pluralist deliberation, and deliberative activism. The article concludes by arguing that political CSR will be better positioned to realize its potential by moving away from primarily consensus-centered objectives to a more responsive range of deliberative goals and practice.

**Key Words:** deliberative democracy, stakeholder engagement, political CSR, private governance, dissensus

**B**uilding on deliberative democracy, political corporate social responsibility (CSR) attempts to bring stakeholder viewpoints to bear on private governance challenges through equal access and opportunity for influence and through commitment to information seeking, reason giving, reflexivity, and consensus, particularly where governmental authorities are unable or unwilling to do so (Matten & Crane, 2005; Scherer & Palazzo, 2007; Scherer & Voegtlin, 2020). In this theory, workers, communities, and other stakeholders would not be viewed solely in monist economic terms but as autonomous actors with moral agency in the matters that affect them. Emphasizing that “outcomes are democratically legitimate if and only if they could be the object of a free and reasoned agreement among equals” (Cohen, 1997: 71), this deliberative notion of political CSR has gained purchase as a means of bolstering flagging nation-state regulation (Gilbert, Rasche, & Waddock, 2011; Mena & Palazzo, 2012).

Notwithstanding, both deliberative democracy and political CSR scholars concede that the deliberative approach is useful only in particular circumstances. Deliberative democracy has been criticized for its idealism regarding the prospects of consensus, its failure to adequately account for structural inequalities that impact the deliberative process, and potentially reproducing inequities that further marginalize less powerful participants (Shapiro & Bloch-Elkon, 2008; Young, 2001). This criticism occasioned the “systems turn” in deliberative democratic theory, which more fully acknowledges and accounts for plurality (e.g., Gunn, 2017; Kuyper, 2016). Proponents of *deliberative systems* stipulate that “no single deliberative

forum, however ideally constituted, could possess deliberative capacity sufficient to legitimate all of the decisions” (Mansbridge et al., as cited in Dawkins 2021: 6), particularly in a world of multilevel governance (Elster, 1995; Stevenson & Dryzek, 2014). Deliberative systems are “talk-based approaches that address political conflict and problem solving through arguing, demonstrating, expressing, and persuading, ... and a systemic approach means that the system should be judged as a whole in addition to the parts being judged independently” (Mansbridge et al., 2012: 4–5). While political CSR derives its normative premises regarding will formation from theories of deliberative democracy, it focuses on business-derived issues and their implications.

Given its basis in deliberative democracy, political CSR is subject to similar criticisms regarding its scope and utility. Critics assert that it is vulnerable to cooptation (Lee & Romano, 2013; Moog, Spicer, & Böhm, 2015), elides issues of power and politics (Dawkins, 2015; Levy, Reinecke, & Manning, 2016), and is generally ill suited for business (Hussain & Moriarty, 2018; Sabadoz & Singer, 2017). Scherer and Palazzo (2007) allow that all economic coordination problems cannot be solved through processes of argumentation, mutual understanding, and agreement, while Frynas and Stephens (2015) conclude that no single theoretical perspective can offer satisfactory prescriptions for political CSR. The primary challenges are pluralism, multiple objectives, and diffuse power, where reconciliation by fiat is not an option (Brès, Raufflet, & Boghossian, 2018). Accordingly, recent scholarship in political CSR tends to describe deliberation in terms of multiple, possibly competing, values and interests (e.g., Schormair & Gilbert, 2021).

As will be demonstrated, the trajectory of political CSR scholarship evinces a growing recognition that its pragmatic legitimacy is largely tied to the manner of deliberation that corporations and stakeholders employ. While the basic moral premise of deliberation—the unforced agreement of the parties carries moral force—remains sound, scholars’ efforts to accommodate greater pluralism are hindered by a concept of deliberation that is too narrow and idealized. The purpose of this article is to provide a broader rendering of deliberation that enables a more agile and pluralistic notion of political CSR—a notion that accounts for differences in the deliberative behavior of involved actors and the deliberative environment for engagement, without which it is difficult to envision a dialogue that is both suitably ethical *and* pragmatic. Thus I will critically assess what exactly is meant by deliberation and its appropriate boundaries, provide a critical analysis of deliberation in the context of political CSR, and systematically outline different modes of deliberative engagement. The next section provides a brief overview of deliberative democracy, which informs deliberative political CSR, and particularly the deliberative systems approach that has taken center stage. Section 3 provides a brief overview of recent political CSR research. Section 4 argues that deliberation is more wide ranging and pliable than its use in political CSR implies. Key dimensions of deliberation are described in section 5. Section 6 outlines modes of deliberative engagement and illustrates with brief prototypes, and section 7 provides discussion and concluding remarks.

## 1. A PRIMER ON DELIBERATIVE POLITICAL CSR

Scherer and Palazzo's (2007) seminal work on political CSR begins by asserting the inadequacy of monological applications of moral principles amid diverse and biased actors and alternatively models a firm that is democratically embedded in processes of public will formation. They draw key normative principles from Habermas's account of deliberative democracy, respecting "the unforced power of the better argument" and the moral weight of consensus derived from the involved parties. Updates to their original work (i.e., Patzer, Voegtlin, & Scherer, 2018; Scherer, Rasche, Palazzo, & Spicer, 2016) allow that an ideal discourse requiring purely rational arguments and consensus is not always needed, only that the actors are willing to engage in a relatively free and uncoerced manner. This deliberative approach to political CSR extends beyond the instrumental view of corporate politics and oversight and has stimulated vigorous debate regarding the mode and manner of stakeholder engagement.

Critics have posed a number of objections to this notion of deliberative political CSR. Agonist critiques question the premise of consensus and the consequences of failing that objective. Dawkins (2015, 2021) posits that because conflict is inevitable in the competitive business arena, mechanisms that enable a fair fight and safeguard against discourse failure are required for legitimate deliberation. Whereas Patzer et al. (2018: 345) stress a "continuum toward the ideal," Brand, Blok, and Verweij (2020) and Fougère and Solitander (2020) counter that on occasion, striving for an ideal discourse is inappropriate because conflictual and strategic relations between companies and stakeholders are necessary and unduly impeded by a consensual orientation. Similarly, Levy et al. (2016) frame political CSR as a process rife with power, leverage, and challenge, within which viable combinations of economic interest, normative-cultural values, and governance structures are aligned and stabilized. Edward and Willmott (2011) and Moog et al. (2015) seize upon the Forest Sustainability Council (FSC), a deliberative political CSR prototype, to argue that pursuing consensus can place stakeholders at risk of domination by powerful commercial concerns. Finally, Sabadoz and Singer (2017) posit that the market mechanism makes no allowance for moral consensus and suggest that different contexts might require different deliberative standards.

Other scholars offer what can be characterized as friendly amendments to political CSR that focus largely on engaging stakeholders while respecting the plurality of values and perspectives. This research attempts to mollify critics by proposing varied accommodations of value differences and altering the normative requirements of deliberative stakeholder engagement. For example, Schormair and Gilbert (2021) fashion a discursive stakeholder process that ranges from dissensus (agreement to disagree) to congruence (value compromise) to consensus (shared values). Likewise, Arenas, Albareda, and Goodman (2020) conceptualize engagement as both contestatory and deliberative, noting that various types of contestation are concurrently necessary and problematic and calling for improved processes for employing contestation more constructively.

Generally, these criticisms and amendments focus on altering some aspect of political CSR. However, the divide remains between reformers who persist in their tendency to treat discord as a problem to be managed and critics who see an inherent value in dissensus. In short, Schormair and Gilbert (2021) and Arenas et al. (2020) focus on the nature and execution of the deliberative process. More critically, Dawkins (2015, 2021), Brand, Blok, and Verweij (2020), and Fougère and Solitander (2020) argue that in certain circumstances, dissensus is necessary for a fair deliberation, and Levy et al. (2016) demonstrate what a conflictual process might entail. Rather than different means in pursuit of a similar objective, consensus whenever possible, the implication of this literature is that the *objectives* of political CSR are also at issue. If one accepts that consensus is not the sole objective, then questions follow: what are the other objectives, and when are they most appropriate? Hence this article moves beyond revisions of deliberation or contestation on a continuum toward consensual discourse and frames political CSR more broadly toward modes of engagement and deliberative objectives that emerge from the involved actors' behaviors and issue environments.

## 2. THE CONTOURS OF DELIBERATIVE DEMOCRACY

As mentioned earlier, the political CSR theory of Scherer and Palazzo (2007) derives its concept of deliberation from democratic principles of rationality, liberty, and equality, and thus it is useful to outline the contours of deliberative democracy. Currently two deliberative traditions resonate in business ethics and CSR: the classic tradition, which proposes reasoned deliberation without self-interest as the ideal for democratic decision-making (Habermas, 1984b), and the contemporary deliberative systems approach, which accepts both self-interest and reasonable aggregation and promotes deliberation toward consensus without extolling consensus as the sole source of legitimacy (Mansbridge, 2006).

Jürgen Habermas's (1984a) earlier and more restrictive account prizes reasoned deliberation absent self-interest. For example, under Habermas's "ideal speech situation," participants are primarily oriented not toward their own objectives but toward pursuing objectives that can be simultaneously coordinated with those of others through shared understanding. He concedes that, "even under favorable conditions, no complex society could ever correspond to the model of purely communicative social relations" (Habermas, 1996: 323). The ideal speech condition is a regulative counterfactual toward which deliberants can aspire, but even aspiring to its terms requires a level of trust and vulnerability that the prudent actor is unlikely to possess. As Foucault (1970) argues, power relations permeate discourse, suggest which arguments are legitimate, and furtively frame the discussion. Consequently, a practical question emerges as to how closely a particular exchange must approximate the deliberative ideal to which it aspires.

Bächtiger, Dryzek, Mansbridge, and Warren (2018) describe a "second generation" of research that is more attuned to the ramifications of power and pluralism in the contemporary business world. This deliberative systems approach recognizes power,

embodies expanded ideals of democratic inclusion and plurality (Mansbridge et al., 2012), and is guided by three key principles. The first principle is reciprocity, wherein all deliberants “appeal to reasons that are recognizably moral in form and mutually acceptable in content” (Gutmann & Thompson, 1996: 57). Reciprocity also calls for respect amid disagreement and entails a reasonable expectation that authentic and forthcoming participation will be returned in kind. Under the charity principle, all deliberants can assume that their problems will be recognized, their transparency will not be exploited, and their suggestions will only be discarded by disqualifying evidence. The principle of exhaustion simply requires a reasonable attempt to employ deliberative methods before turning to nondeliberative ones. Collectively, these principles imply loyalty to the premise of deliberation and an incremental approach to deviations such that the scope of alternative actions grows as conditions for authentic deliberation decline (Fung, 2005).

Critically, the question of how closely deliberants might approach an ideal discourse is what distinguishes the deliberative systems approach from classic accounts of deliberation. For deliberative systems proponents, substantive consensus is less important than agreement on flexible rules and procedures that protect differences. Rather than evaluating singular speech acts for their deliberative worth, deliberative systems emphasizes weighing the value of speech acts within the broad sweep of the deliberative process. In taking stock of deliberative democracy research, Curato, Dryzek, Ercan, Hendriks, and Niemeyer (2017) indicate that deliberation involves multiple sorts of communication; is pragmatic; is not naive about power (but rather reflects a nuanced approach); and is plural, not consensual. By accommodating decision-making forums, such as bargaining and majority vote, that are justified *at some point* in a deliberative process (Thompson, 2008: 515), deliberative systems places the type and manner of deliberation at center stage.

### 3. THE SCOPE OF DELIBERATION

Like many communication concepts, deliberation poses a broad range of accounts, from narrow—it should *always and only* be the exercise of reason on matters of the common good (Habermas, 1984a)—to broad, wherein it encompasses all activities that serve a communicative purpose (Warren, 2007). At its core, the debate on the concept of deliberation in deliberative democracy centers on Habermas’s (1996) distinction between *communicative action*, aimed at achieving understanding, and *strategic action*, which includes self-interest and pursuing divergent material interests. How closely deliberation must adhere to a standard of communicative action harkens to ideal and nonideal theory debates regarding the extent to which feasibility should constrain normative political theorizing (Valentini, 2012). Proponents of deliberative systems tend toward a broad, nonideal theory view of deliberation that addresses political interaction in terms of actors’ routine behavior rather than their aspirational ideals. Communicative action implies a narrower depiction of deliberation and tends toward ideal theory views of our ultimate social objectives under optimal circumstances. There are several good reasons to adopt a more expansive concept of deliberation.

First, communicative action and strategic action overlap both conceptually and operationally such that it is very difficult to separate the two. Even communication scholars strain to make clear distinctions between negotiation (i.e., strategic action) and deliberation (i.e., communicative action). For instance, Jory (2016) makes the case that bargaining is characterized by *offers* made on behalf of one party to another, whereas deliberation comprises *proposals* made on behalf of all deliberants. In this case, offers align with strategic communication, and proposals typify communicative action. However, because the differences hinge on the nebulous factor of the intent of individual statements, it is very difficult to distinguish between strategic offers and deliberative proposals. Political CSR is moving away from a restrictive notion of deliberation in operational terms (e.g., Scherer et al., 2016) but has not fully embraced deliberative systems and is at pains to determine how deliberation should look (or not look) in practice. For example, Scherer and Palazzo (2007: 1110) refer to a level of equal “participation and deliberation” but do not distinguish between the two terms. Similarly, Gilbert et al. (2011: 34, 37) pose a taxonomy of corporate oversight mechanisms wherein they refer to “deliberative criteria,” “the deliberative nature” of corporate responsibility, and the “deliberative understanding of legitimacy” but do not specify what these phrases mean in practice or what separates deliberative and nondeliberative mechanisms.

Second, self-interest among equal parties exercising free will makes for legitimate discourse (Cohen, 1997) such that collective bargaining (e.g., labor unions, works councils) often constitutes a deliberative exercise. Labor relations scholars have long recognized *both* communicative action and strategic action as legitimate ways to reconcile actors’ disparate interests and effectively combined the two approaches. Walton and McKersie’s (1965) venerable work describes the distributive and integrative types of bargaining that foreshadow strategic and communicative action. Distributive issues evince strategy and the zero-sum division of a particular good among competing actors. The prototypical example is workers demanding wage hikes while managers strive to increase profits by easing labor costs. Integrative bargaining focuses on unearthing the interests beneath surface demands—aims embodied in various alternatives, rather than the alternatives themselves—to pursue mutual gain. Consider the practice of gainsharing, whereby profits from production that exceed a recognized base rate are divided between labor and management, which satisfies the convergent (separate but aligned) interests of both parties. While relegating intent, and the related concepts of charity and reciprocity, gainsharing entails both strategic and communicative action. This treatment of deliberation recognizes self-interest and strategic communication as inescapable aspects of business practice. Otherwise, business deal making and the negotiations that regularly produce collective bargaining agreements are ethically fraught.

Third, because it requires assessing the intent of deliberative statements, eliminating self-interest—even as a regulative goal—is impracticable and susceptible to manipulation. Patzer et al. (2018: 340) describe a gray area between open strategic action, which includes achieving goals through coercion or reward, and hidden strategic action, where individuals employ conscious or unconscious deception that subverts the conditions for communicative action and count on well-intended



leaders to guide participants to understanding. Rationale choice arguments posit that actors strive to maximize utility regardless of whether they employ power in bargaining (strategic action) or arrange beneficial exchanges of resources (communicative action) (Warntjen, 2010), and because deliberation often carries no consequence, there are few means of discouraging duplicity (i.e., cheap talk; Farrell & Gibbons, 1989). Notwithstanding, knowing that the deliberative process will have real consequences can attract participants who are prepared to maximize their own benefit with predetermined positions regarding possible outcomes and make communicative action even more difficult to achieve (e.g., Fung, 2007; Mansbridge, 2007; Parkinson, 2006). The weaker party to the interaction bears the risk of collective action problems and deception and has reason for skepticism regarding leaders' intentions or abilities. Moreover, the risk of disingenuous actors fuels the notion that outcomes are generally distributive (i.e., fixed-pie bias) and reduces trust among participants.

Fourth, acting strategically provides epistemic benefits for decision-making. For example, passion and identity make consensus less likely but, nonetheless, often accompany honest discourse concerning important issues. Political CSR rightly draws from the ideals of deliberative democracy to obtain aspirational goals for a just deliberation, but the scope and urgency of social and environmental challenges also require a nonideal perspective. Dennis Thompson (2008: 504) argues that actual arguments are what matter, not motives, except insofar as motives are predictors of future arguments. Even if one believes that expressions of self-interest are inadequate justifications for decisions, they can help deliberants to clarify their interests and align them with those of others or identify the zero-sum aspects of an issue (Cohen & Rogers, 2003; Mansbridge, 2006). It follows that deliberative systems scholars have argued for a broad concept of deliberation (e.g., Mansbridge et al., 2012).

At this point, one might ask where the greatest harm lies, in admitting too much discourse or too little. Studies in behavioral psychology challenge the notion of rational and dispassionate behavior in group interactions altogether (Cohen, 2011; Mercier & Sperber, 2011), and research on deliberative process reveals difficulties with coalitions, hold-outs, strategic voting, and cognitive and social factors, all of which bode against consensus (Susskind & Cruikshank, 2006). Even the awareness among deliberants of an emerging consensus can discourage dissent, and the goal of adopting a fully settled decision can obscure unresolved disparities (Banerjee, 2008; Honig, 1993). Likewise, apparently clear acts of coercion and threat are revealed by context and are, often implicit, artifacts of power. For example, some actors will reasonably perceive coercion in the specter of inaction that prolongs an unfavorable status quo (i.e., stonewalling). Whereas communicative action focuses heavily on the motivations of participants—which are fungible and unknowable—the involved parties are better served by a concept of deliberation that preferences actions taken than by one that preferences a counterfactual. In view of its conceptual and operational ambiguity, the ubiquity and impact of power, and the epistemic benefits of self-interest, a concept of deliberation for political CSR should err toward pluralism, even though it pushes the margins of a legitimate discourse.

Having advocated a broad notion of legitimate deliberation, boundary conditions are necessary such that it is not stretched beyond measure. Stipulating that threat and coercion should not be the primary reasons for taking a particular decision, deliberative behavior would be regarded in wide terms and assessed against a regulative standard. This stipulation addresses valid concerns regarding concept stretching, under which almost every speech act qualifies as deliberative (Steiner, 2008). The article will revisit concept stretching later, but suffice for the moment that speech acts are legitimate to the extent that they are consistent with a communicative purpose (see Thompson, 2008; Warren, 2007). As opposed to the intent of individual statements or speech acts, communicative purpose also includes actions that precede or accompany the discourse and have bearing on how statements are perceived.

#### 4. THE IMPORTANCE OF BEHAVIOR AND ENVIRONMENT

Now the article turns attention from the concept of deliberation to how it should be applied. In its simplest form, communication entails *behavior* (i.e., speech acts) directed to the exchange of meaning and the *environment* that frames the exchange (Eadie & Goret, 2013). The dimensions of behavior and environment are essential because of three theoretical assumptions. First, an individual's disposition toward an activity influences the manner in which the individual pursues that activity (Jussim, 1986; Metcalf & Urwick, 2004). Second, power and structural advantage will reduce the possibility of arm's-length discourse because actors are disposed to employ them (see Axelrod & Hamilton, 1981). Third, making normative challenges explicit helps the actors to address or neutralize them, or simply to frame their actions with those challenges in mind (Wiesmann, Boeije, van Doorne-Huiskes, & Den Dulk, 2008). The practice of deliberation, in its various forms, in deliberative democracy and political CSR literatures, is consistent with the dimensions of behavior and environment. Meta-theoretically, the concepts of deliberative environment and deliberative behavior are construed from an interpretivist lens such that there is a recognition of multiple paradigms and a pluriverse perspective. Hence no particular actor can claim objective certainty in assessing these dimensions, and the ontological assumption is that there are multiple constructed realities.

Deliberation is behavior, a profile of normatively defensible actions and choices on the part of citizens that weight preferences, values, and interests regarding matters of concern (e.g., Dryzek, 2002; Gutmann & Thompson, 1996; Rehg & Bohman, 1996). A favorable behavioral context for deliberation begins with the characteristics of the participants, which will vary based on factors such as their unique worldviews and views of other actors (Ehrnström-Fuentes, 2016; Soundararajan, Brown, & Wicks, 2019). The multistakeholder initiatives (MSIs) prevalent in political CSR cannot be democratic by themselves but require interactions between a variety of actors—both within the initiative and outside—who must have a voice to achieve legitimately democratic governance (Fougère & Solitander, 2020). Therefore the characteristics and viewpoints of actors enhance the prospects for deliberation to the extent that they can 1) agree on terms of procedural fairness, 2) consider and respond to one another's offers, 3) offer valid reasons for rejecting the proposals,



and 4) convince others of their credibility and goodwill (Dawkins, 2014; Jory, 2016; Patzer et al., 2018; Schormair & Gilbert, 2021).

There are also macro-level economic, political, and social factors that influence the favorability of the environment for deliberation (Quack, 2010; Soundararajan et al., 2019). Hall and Soskice (2001) make this point—different institutional frameworks encourage home-country firms to develop particular capabilities—in their widely influential “varieties of capitalism” argument. Consequently, new attempts at private governance are likely to complement various institutional contingencies (Detomasi, 2015; Mäkinen & Kourula, 2012). Bair and Palpacuer (2012) also observe that the institutional environment and its bearing on the relationships among social groups shape the form of activism in different countries. For example, prominent European MSIs, such as the Fair Wear Foundation and Ethical Trading Initiative, claim among their members corporations, unions, and nongovernmental organizations (NGOs), but in similar US initiatives, such as the Workers’ Rights Council, corporations are absent and labor unions are scarce (Bair & Palpacuer, 2012). The institutional environment for corporate–stakeholder engagement is favorable if actors perceive that it facilitates equitable relationships among groups and provides a regulatory and labor relations climate that protects stakeholders’ and workers’ rights (Durand & Wrigley, 2009; Kang & Moon, 2012).

Favorable power dynamics in the institutional environment exist to the extent that stakeholders can engage on relatively equal terms with transnational corporations (TNCs). Power dynamics take many shapes (Clegg, 1989; Dean, 2012) but, in their most tangible form, entail the capacity to exert influence and resist unwanted influence in return (Dahl, 1961). For example, Boeing and its subsidiaries manufacture aerospace components in most American states (Boeing, 2020), and this makes it less likely that legislators, who want jobs for their constituents, will impose unfavorable regulation on the aerospace industry. Coercion is a form of power that entails reward or punishment and, as alluded to earlier, can be a matter of perception. It may be that some actors are unaware or reluctant to state that they are a party to coercion, but proponents of deliberative systems are willing to accept that coercive actions may sometimes expedite an equitable deliberation (Fung, 2005; Mansbridge et al., 2012). The ideal of removing displays of raw power in deliberative democracy cannot be fully achieved (Bächtiger et al., 2018), but it is important to recognize that power dynamics present barriers to the airing of contested discourses (Curato, Hammond, & Min, 2019; Sunstein, 2017).

Just as communication entails content and context, empirical studies of discourse quality have determined that both personal factors and institutional context significantly impact deliberative practice, and without carefully considering how the deliberative environment interacts with the behavior of deliberants, it is very difficult to offer a compelling argument for a particular mode of deliberation (Bächtiger & Hangartner, 2010; Landa & Meirowitz, 2009). It follows that both the deliberative democracy and political CSR literatures recognize willingness to deliberate (i.e., behavior) and background inequality (i.e., environment) as the key components of acceptable deliberative practices (e.g., Levy et al., 2016; Rosenberg, 2007; Soundararajan et al., 2019). Consequently, deliberation should

be assessed, not solely as a set of aspirations and restrictions on behavior, but also as a set of adaptations to the environment that houses the interaction, and different modes of deliberation emerge from these two dimensions.

5. MODES OF DELIBERATION

Although strategic action is purposed to win the day and communicative action is aimed at understanding, both as an avenue to problem solving and as an intrinsic good, there are circumstances when either might advance the ability of participants to engage in inclusive, authentic, and consequential exchange. For example, Fung (2005) argues for deliberation before activism, whereas others argue that provisions for activism enable a more substantive deliberation (e.g., Dawkins, 2015; Young, 2001). Subscribing to the notion that no single deliberative approach is suitable for all governing problems amid pluralism, it is reasonable to align various modes of deliberation with the circumstances for which they are best suited. Framing plurality is important because stakeholders have a moral expectation of agency such that they are justified in representing their own interests relative to corporate activity. At the same time, corporations acquire an ethical responsibility to those who are impacted by their actions.

Figure 1 reveals four basic modes of deliberation based on the favorability of the structural environment and deliberative behavior: 1) unitarist deliberation, 2) pluralist deliberation, 3) strategic deliberation, and 4) deliberative activism. The dotted lines indicate that the quadrants in the figure are neither static nor mutually exclusive. Underscoring that corporations should adopt the role of

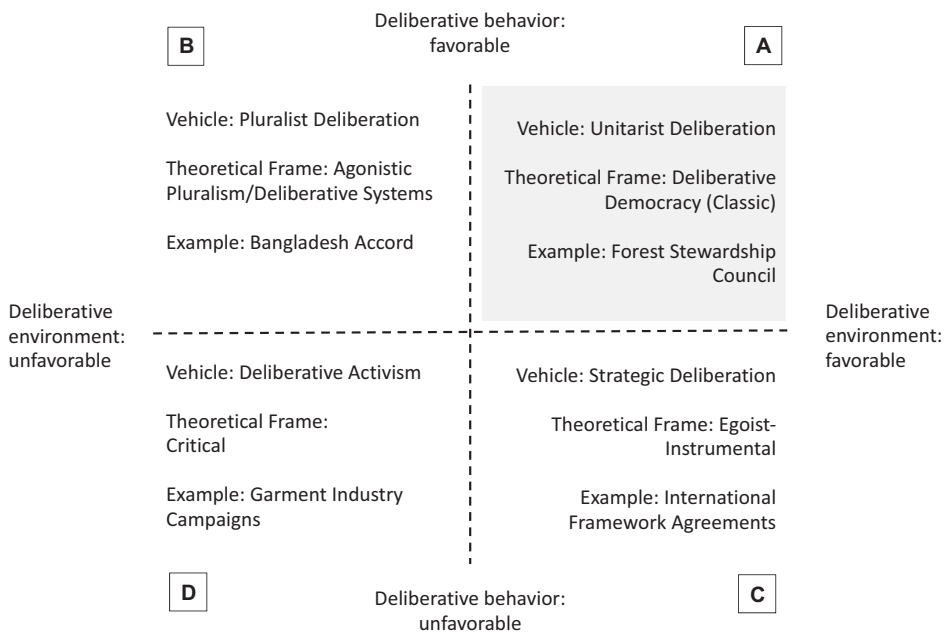


Figure 1: Framework—Modes of Deliberative Engagement

functionaries in political CSR rather than authorities (i.e., Hussain & Moriarty, 2018), these mechanisms are not presented as tools with which corporate leaders can leverage stakeholder engagement but as prospective prototypes. The basic premise is that the objective of stakeholder engagement tends to be a function of the fit between the deliberative nature and capacity of deliberants and the extant power structures and relations. These modes of engagement are not proposed merely to map out the current state of play but rather as exemplars that support a normative case for different means and objectives in political CSR. Unitarist deliberation is shaded because it represents the default, Scherer and Palazzo's (2007) model of deliberative political CSR.

### *Unitarist Deliberation*

The unitarist mode of deliberation places consensus on a continuum toward the ideal, emphasizes a strong procedural component, rational discourse and deliberative intent, and underscores the distinction between communicative action and strategic action. Importantly, the participants are willing to embrace these characteristics. Under full participation, the involved actors are more likely to perceive the process as fair (Burch, 2010; Lind & Tyler, 1998) and to comply with its outcomes (Innes, 1999). Without some assurance of a favorable deliberative disposition, unitarist deliberation can expose less powerful actors to cooptation and stonewalling. Whereas unenforceable agreements are generally viewed skeptically, the labor relations and negotiations literatures provide evidence that if actors have successfully collaborated in the past, they can build mutual trust sufficient to risk a measure of vulnerability going forward (Bacon, 2003; Bacon & Blyton, 2007; Cutcher-Gershenfeld, 1994). Thus a favorable history of engagement or deliberative behavior enhances the likelihood of success. If the affected participants are included and demonstrate a modicum of charity and reciprocity, then they can engage in earnest and impartial deliberation to reconcile their disparate interests (Gilbert et al., 2011; O'Rourke, 2006).

Although unfavorable environmental factors, such as power relations and regulatory preferences, may not be entirely abated prior to unitarist deliberation, the prevailing assumption (i.e., reciprocity and charity) is that they are restrained in the course of decision-making such that all proposals get a fair hearing. Deliberants must be willing to accept the risk of power asymmetry or believe that the interaction is structured in a way that mitigates its impact. For example, the Bangladesh Alliance for Worker Safety<sup>1</sup> formed worker safety committees to improve garment workers' safety, which serves as a positive indicator for deliberative behavior. At the same time, the TNCs and brands rejected any means of legal recourse for failing to make

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<sup>1</sup> The Bangladesh Alliance for Worker Safety is not to be confused with the Bangladesh Accord on Fire and Building Safety, which has received a good deal more attention. The Bangladesh Alliance was also developed to address the shortcomings in worker safety after the Rana Plaza collapse and was in some ways a competing initiative to the Bangladesh Accord. It was an arguably unitarist deliberative initiative that did not include a legal enforcement mechanism, as did the Accord. The two initiatives differ significantly (see Donaghey & Reinecke, 2018).

good on the agreement, which raised questions regarding power asymmetries. However, the public nature of the agreement and the reporting requirements were thought to offset the power asymmetries and preserve credibility. The foremost premises of unitarist deliberation are interdependence and the belief that a broad unity of interests is achievable. This supposition, a staple of human resource management dogma, is that the right set of policies and practices can align the varied interests of disparate actors (Bacon, 2003; Lewin, 2002). Unitarist deliberation is warranted when the objective of participants is not necessarily to eliminate structural inequities and power asymmetries but to domesticate them with goodwill.

Scherer and Palazzo's (2007) prototype of unitarist deliberation is the FSC,<sup>2</sup> a MSI formed in 1993 to create a global system for certifying sustainable timber and forest products and curbing deforestation. The FSC is structured to represent different constituencies, including corporations, NGOs, and civil society organizations, and has been praised for its inclusiveness and for balancing the voting power of its diverse members (Lipschutz & Fogel, 2002; Pattberg, 2005). For example, in the FSC's tripartite General Assembly, the social and environmental groups combined have greater voting power than the economic group (i.e., corporations). As mentioned previously, critics have emphasized structural and political impediments, but there is also empirical evidence for favorable environmental and social impacts (e.g., Börner et al., 2016; Miteva, Loucks, & Pattanayak, 2015). As demonstrated in the FSC, the manner in which unitarist deliberation addresses potentially troubling power dynamics and their impacts on deliberative behavior is key to its success. Unitarist deliberation is warranted if the involved actors can provide broad prerogative for participation among members, and structural asymmetries are made explicit and managed or mitigated.

### *Pluralist Deliberation*

Pluralist views of political CSR (e.g., Arenas et al., 2020; Brand et al., 2020; Dawkins, 2021) are based largely on the notion that the corporate–stakeholder relation exists amid power and structural inequities and the resulting potential for conflict. Pluralists, agonists and difference democrats, reject the idea of a public sphere where power is voluntarily mitigated to the degree that reciprocal deliberation and rational consensus can reasonably be achieved. Agonistic pluralism describes an ineradicable antagonism between those with differing values that results in displays of power (Mouffe, 1999). Hence understanding and better arguments can, perhaps, blunt the effects of veiled power, but they will seldom eliminate it, and multiple centers of power coupled with dissensual dialogue are essential to substantive stakeholder engagement.

Because pluralist deliberation poses a nonideal and *cheap talk* view of deliberative behavior, proponents seek to temper the notion of communicative action with a recognition that the corporate–stakeholder relation poses conflict. Actors will not engage solely in strategic or communicative behavior, but they will adopt fixed

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<sup>2</sup> Forest Stewardship Council, Global Strategy and Governance Structure, <https://fsc.org/en/governance-strategy>.

positions and explicit or implicit coercion (a distributive posture) on some matters, while exploring options and reciprocity on others (an integrative posture). This circumstance suggests negotiations about negotiations, or *meta-agreements*, in terms of preconditions or partial agreements (e.g., Dawkins, 2021), and the actors attempt to operate deliberatively while remaining clear-eyed about the risks of unenforceable agreements (Callery & Perkins, 2020; Sethi & Schepers, 2014). As will be elaborated in strategic bargaining, there is nothing necessarily illegitimate about a fair fight (Dawkins, 2015), as it is the essence of capitalism. Because of this bracing realism (or perhaps despite it), pluralists can be favorably disposed toward deliberation *under the right conditions*.

As shown in Figure 1, pluralist deliberation can reflect either a deliberative systems or agonistic perspective. Importantly, the difference between the two approaches is that proponents of deliberative systems *tolerate* conflict and self-interest as suboptimal realities, whereas adherents of agonistic pluralism *welcome* conflict as a useful treatment for power relations and an essential aspect of inclusion and access (see Mouffe, 2013). Both approaches, however, recognize the unfavorable impact of structural inequity and power asymmetries.<sup>3</sup> This pluralist mode of engagement places political CSR at the intersection of deliberative political theory and labor relations. The deliberants who are most transparent in terms of communicative action bear the greatest collective action risk relative to other actors. Consequently, pluralist deliberation is most fitting when the objective is to allow for an integrative posture while guarding against failures of will or execution.

The Bangladesh Accord (hereinafter the Accord)<sup>4</sup> was a fitting instance of pluralist deliberation because it reinforced the deliberative ideals of charity and reciprocity with arbitration as a necessary failsafe. The Accord was governed by a tripartite steering committee composed of labor union and company representatives, NGO observers, and a neutral chair chosen by the International Labour Organization (ILO), and this committee had executive oversight authority under the agreement. The Accord also established a lower-level *advisory board* that included brands and retailers, suppliers, government agencies, local trade unions, and NGOs to review and comment on quarterly reports. The strongest measure of pluralist deliberation in the Accord is the arbitration provision. A dispute between a union and a retailer would first be decided by the steering committee, which would attempt consensus, but failing resolution, the dispute could be appealed to binding arbitration. Although the arbitration procedure in the agreement operated as intended—a dispute between the labor union federations and two retailers regarding factory repairs was settled by

<sup>3</sup> A detailed account of the differences between deliberative democracy and agonism (i.e., radical democracy) is beyond the scope of this article. Agonists view conflict as an important and necessary condition of social organization if differences are to be articulated and confronted. As demonstrated by the concept of extinction, deliberative democrats adopt a more measured approach.

<sup>4</sup> After the initial Bangladesh Accord (signed in 2013) expired in 2018, the vast majority of the original signatory companies signed a renewal agreement called the Transition Accord, which extended the provisions of the initial Accord until May 31, 2020. At that time, the work was handed over to the Readymade Sustainability Council (RSC), governed by the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), and brands and workers' representatives (see Paton, 2020).

the parties prior to a ruling by the International Court for Arbitration—the narcotic effect of arbitration can build dependency on the dispute settlement process and make deliberants less likely to reach an agreement on their own. Nevertheless, pluralist deliberation is warranted when the objective is to deliberate with the assurance of equitable dispute resolution if those efforts fail.

### *Strategic Deliberation*

Strategic deliberation emanates from an egoist frame of reference and rational self-interest in economic markets. The neoclassical free market paradigm presents firms as private economic entities delivering value to shareholders with no imperative for providing public goods (Jensen, 2002; Sundaram & Inkpen, 2004). Economic transactions are facilitated by state-protected property rights, and coordination problems are addressed through the market mechanism or economic policy. The various actors are pleased to address differences through competition or engage in voluntary transactions based on their individual, or perhaps joint, interests. Strategic deliberation also reflects the instrumental business motivation for CSR (e.g., McWilliams, Siegel, & Wright, 2006) such that Whelan (2012) argues that observers should presume that the political activities of TNCs are informed by instrumental reasoning. The actors view the deliberative environment as favorable because the terms of engagement are clearly known to participants, and outcomes are accepted on that basis.

In terms of deliberative behavior, the strategic motive lessens the need for charity and reciprocity. For example, Meirowitz (2006) argues that honesty is a reasonable expectation when addressing shared values problems, but under terms of value pluralism, the expectation of honesty is reduced. The objective of good faith in strategic deliberation, which arguably satisfies charity and reciprocity, is consistent with strategic deliberation. Good faith includes dialogue and transparency but also regards broadly consistent behavior that justifies reliance or redeems a prior relationship (Dawkins, 2014). Regardless of whether they are strategic or communicative, deliberative actions can reflect communicative purpose if they are not deceptive and are corroborated by past actions. There are circumstances under which, rather than requiring trust as a condition of deliberation, it may be preferable to use deliberation to build trust. There is still a need for some measure of charity and reciprocity, but the primary goal is to give deliberants confidence in the bargaining process and in the prospect of cooperating under conditions of risk.

MSIs that reflect the principles of political CSR operating in environments characterized by structural stability and credible regulatory apparatus demonstrate a just course of action with strategic deliberation. Collective representation is justifiable to offset corporations' power and access to resources and to secure substantive agency and voice for workers. At minimum, workers' freedom of association must be reasonably protected by the state. The premise of Galbraith's (1952) concept of countervailing power is that the likelihood of a fair agreement is improved when the actors' capacities for coercion are relatively equal. Strategic deliberation can coordinate the interests of workers and corporations because collective bargaining provides the countervailing power necessary for an arm's-length



negotiation. Under these terms, integrative and mutual gains bargaining becomes possible, and the resulting agreements typify Cohen's (1997: 73) requisite of "free and reasoned agreement among equals." If these conditions are met, why is a strategically derived agreement any less legitimate than an agreement derived through consensus? Consequently, when equitable distributions are at stake, both individual identity and self-interest are ethical, and the deliberative ideal should include argument, compromise, and principled negotiation (e.g., Barber, 2003; Fung, 2003).

International framework agreements (IFAs),<sup>5</sup> voluntary pacts between TNCs and global union federations that respect the ILO core labor standards and establish oversight mechanisms (Papadakis, 2011; Williams, Davies, & Chinguno, 2015), compose an argument for strategic deliberation. For example, PSA Peugeot Citroën signed an IFA in 2006 that includes multilevel monitoring by labor unions and human resource managers and the European Council of Social Responsibility (Welz, 2011). In a separate case, under terms of an IFA with Hochtief, a large German firm, the International Federation of Building and Wood Workers resolved a complaint against Turner Construction, a US subsidiary (Davies, Hammer, Williams, Raman, Ruppert, & Volynets, 2011). As of 2012, there were more than eighty IFAs (Frege & Kelly, 2013; Gallin, 2008), and other types of strategic deliberation initiatives as well. The strategic deliberation embodied in IFAs is a normatively robust form of political CSR because it requires relatively power-equivalent actors to be true to the letter and spirit of their agreements, and honoring contractual agreements meets a normative standard.

### *Deliberative Activism*

Because no stakeholder group can be expected to unilaterally forgo coercion, widespread inequality and failures of reciprocity warrant nondeliberative methods. The critical view of the corporate–stakeholder relation is generally rooted in a broader societal clash between institutions and marginalized groups for power and control. If mechanisms that are purposed to produce consensus only produce conformity instead, then stakeholders are subject to failures of imagination or execution. Consequently, stakeholders sometimes use nondiscursive methods that include cost laying (i.e., shaming, sit-ins, boycotts) in response to corporate intransigence, and this need not undermine their legitimacy as partners in deliberation (Baur & Palazzo, 2011; Harvey, Hodder, & Brammer, 2017). According to Fung's (2005) account, deliberative activism is an expanded notion of acceptable actions for deliberative democrats that become appropriate due to failures of reciprocity and equality or incorrigible hostility. For example, Global Witness withdrew from the Kimberley Process, which it helped to establish, stating that continued involvement was tantamount to complicity in the illicit diamond trade.<sup>6</sup> Does this render Global Witness

<sup>5</sup> For a list of IFAs compiled by Global Unions, see <https://www.business-humanrights.org/en/freedom-of-association-0/issue/positive-company-initiatives/international-framework-agreements>.

<sup>6</sup> Global Witness argues that despite the reforms taken by the Kimberley Process participants, the guidelines adopted by the diamond industry still fall far short of international standards for responsible behavior—including that respect for human rights and other guidelines by companies is "voluntary" (Global Witness, 2018).

incapable of deliberation going forward? The notion that deliberation precludes activism ignores the specter of complicity and assumes that the status quo is neutral ground, whereas stakeholders can reasonably view it as active injury to their interests. Having pursued dialogue with Dakota Access Pipeline and facing contamination of their drinking water and destruction of sacred ancestral sites, the Sioux tribe and environmental groups turned to disruptive protests (Tabuchi & Plumer, 2020).<sup>7</sup>

In the event that the power and structural dynamics for deliberation and deliberative behavior are unfavorable, stakeholders can only countervail corporate power to the extent that they will take impactful action or convince corporate leaders that they will do so. Following Galbraith's notion of countervailing power, Habermas (1996) recognizes that power must be *disciplined*, and this is accomplished by its equal distribution among the involved parties. How, then, is power to be equally distributed? When stronger actors are not disposed to authentic deliberation, they can choose to make demands, and the weaker parties are left to capitulate. Historically, activists have been required to navigate the tension between morality and forceful political action. For example, Samuel Gompers, the first president of the American Federation of Labor, articulated the moral premise for labor activism:

Labor needs to be strong through. . . the justice of its cause, and the reasonableness of its methods. It relies on moral suasion because of its conviction that its demands are generally equitable, and picketing is as necessary to the employment of moral influence as the boycott is necessary to the proper use of the moral power wielded by labor and its sympathizers (US Congress, 57th Sess., 1902).

Only when the US National Labor Relations Act was passed in 1935 to encourage labor union membership was worker power increased to the extent that engagement with corporations could move from deliberative activism to strategic deliberation.<sup>8</sup> Hence conflict can be an enabling—rather than disabling—force, and placing it squarely in the purview of engagement reinforces stakeholder agency. In the sense that diplomacy is “war by other means,” it is fitting that stakeholders frame deliberation with actions that recognize the extant power dynamics. Stakeholders need not necessarily prevail when contesting an issue; the mere act of contestation alters the way others view the issue landscape going forward.

Consider the Maquila Solidarity Network (MSN), a Toronto-based labor rights organization that intersperses confrontational campaigns against corporations with collaboration—the oppose and propose method (Bair & Palpacuer, 2012). MSN states on its web page that it will “engage with and, when necessary, campaign against” TNCs to advance the interests of workers.<sup>9</sup> Notably, the relationship

<sup>7</sup> In July 2020, the US District Court for the District of Columbia vacated an easement that allowed Dakota Access, and Energy Transfer Corp., to build a segment of the pipeline beneath Lake Oahe in North and South Dakota. Energy Transfer Corp. has appealed the decision.

<sup>8</sup> See McIntyre and Hillard (2008) on the capital–labor accord.

<sup>9</sup> Maquila Solidarity Network, “About Us,” <https://www.maquilasolidarity.org/en/aboutus>.

between MSN and retailers has evolved over time such that MSN accepted a seat on the Fair Labor Association board but still maintains a credible independence. In 2017, MSN joined with the Clean Clothes Campaign to successfully pressure the Fair Labor Association to oppose Nike's plan to revise its contractual relationships with universities regarding labor standards for producers of licensed apparel.<sup>10</sup> Substantive corporate oversight requires a position that neither explains away struggle to appease managers nor refuses struggle in pursuit of (misconstrued) ethical purity, but presents struggle in a language that gains purchase with allies and adversaries (i.e., Parker & Parker, 2017). Deliberative activism maintains critical roots but avoids a "nothing works" antagonism toward political CSR (e.g., Alamgir & Banerjee, 2019). Once again, the limiting principle is that, while activism need not be subordinated to rational argument, it must, in the end, pose some purpose or potential for discourse. However, the principle of exhaustion requires an attempted deliberation before moving to other methods, while deliberative activism does not. Either the circumstance or the actors may indicate against charity and reciprocity. Under these conditions, stakeholders' legitimate objective is to create an environment where more collaborative modes of deliberation (i.e., unitarist, pluralist, or strategic) might reasonably take root.

## 6. DISCUSSION

This article contributes to the political CSR literature by making a distinct case for the validity of varied objectives and corresponding modes of deliberation. As shown in the bottom row of [Table 1](#), which contrasts the modes of deliberation reviewed earlier with Scherer and Palazzo's (2007) unitarist approach, political CSR entails a range of legitimate objectives that should be pursued in various settings. All modes of deliberation share the normative core of deliberative political CSR, the goal of unforced and good-faith deliberation regarding the interests of the involved parties. In view of the maelstrom of coordination problems business faces in global commerce, the call is not to eliminate normative principles of reciprocity, charity, and exhaustion or unitarist modes of political CSR but to augment them such that they are more viable. As noted earlier, other scholars have called for some revised notion of political CSR; however, they have called for different revisions and done so for different reasons. Generally, they have argued for an expanded notion of some aspect (manner of discourse, types of contestation) of political CSR that explicitly or implicitly leaves consensus at the center. This article extends the literature by proposing an alternative that emphasizes not only different modes of political CSR but different objectives as well. Moreover, it organizes and classifies those arguments around a critical examination of deliberation as it is employed in political CSR altogether.

The framework outlined here also connects and extends a second generation of deliberative political CSR scholarship. Strategic deliberation aligns with Schormair

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<sup>10</sup> Joint letter, Maquila Solidary Network, Clean Clothes Campaign, and International Labor Rights Forum, <https://www.maquilasolidarity.org/sites/default/files/attachment/Joint%20letter.pdf>.

**Table 1: Democratic Oversight of TNCs**

Modes and characteristics	A: Unitarist deliberation	B: Pluralist deliberation	C: Strategic deliberation	D: Deliberative activism
Theoretical orientation	Deliberative democracy	Agomistic pluralism	Egoist free market	Critical theory
Root of governance problems	Poor structure of governance mechanisms	Power asymmetries between stakeholders and corporations	Market failures	Sociopolitical inequities
View of power	Asymmetry can be muted by deliberative orientation	Inherent and inescapable	Distributed through market transactions, competition	Hidden, implicit, and must be exposed in the societal context
View of conflict	A pathology of poor plan or execution	Integral and irremovable; can be domesticated	Avoidable through countervailing	The means to other means
Deliberative disposition	Idealist, find an acceptable level of mutually amid interests	Skeptical, establish means for contestation and countervailing checks on power	Self-interest, seeking a reasonably regulated market context	Adversarial, create suitable conditions for deliberation
View of reciprocity	Essential, assume that it can occur	Build it through countervailing power	Unnecessary, market dynamics will suffice	Absent, build through contentious performance
View of charity	Assumed until proven otherwise	Diminished in lieu of countervailing power	Dismissed in lieu of "good faith"	Conditions unsuitable
Risks	Cooptation	Prolonged stalemate	Exclusion, lack of access	Unstructured conflict that justifies unilateralism
Deliberative objective	Systems that permit common interests to be identified and pursued	Balanced power, a "fair fight" through checks and balances between actors	Competition, markets suitably aligned to promote benevolent self-interest	Challenge political economy on behalf of less powerful

and Gilbert's (2021) case to achieve more representative discourse by agreeing to disagree, by compromise, and by ordered processes of deliberation. Agonistic deliberation accommodates the meta-agreements called for by Dawkins (2021) and Arenas et al. (2020) and that serve as backstops to discourse failure. Deliberative activism explicitly acknowledges the role of appropriate conflict as a realistic safeguard against shallow pretenses of deliberation (i.e., Brand et al., 2020). These are substantial recent contributions to political CSR, each of which is most useful in a particular context. It can be said of the contextual approach that the contingencies identified or anticipated are subject to change. Would not a fixed approach be subject to the same critique? Menkel-Meadow (2001) states it well: a fixed mode of analysis is fine, if the problem is subject to that mode of analysis, but the realists among us recognize that the conditions under which deliberation occurs are variable, and thus theories, principles, and strategies must vary as well. In addition to unitarist and pluralist views of deliberation in political CSR, which are widely recognized, this framework elevates strategic deliberation and deliberative activism as forms of political CSR. Bargaining and activism, including disengagement, are legitimate means of public will formation in some circumstances. It bears emphasis that strategic deliberation is well placed on the basis of equity and agency, and deliberative activism is warranted on the basis of suboptimal conditions.

### *Concept Stretching*

The primary challenge to the broad rendering of deliberation employed here is that construing deliberation too broadly can dilute its meaning. Given that *one cannot not communicate* (Watzlawick, Beavin, & Jackson, 1967), it is difficult to determine precisely where deliberation begins or ends. Deliberative systems scholars view deliberation as a range of actions and assess the *entire* interaction, whereas deliberative political CSR is encumbered by the notion that *every* communicative act can be questioned with respect to its sincerity (Schneider & Scherer, 2019: 86). The limiting principle of *communicative purpose*—in the context of deliberation or negotiation—poses no clear lines of demarcation, but in the manner of good faith, it is a set of actions that the actors can justify to themselves and explain, if not justify, to others (see Dawkins, 2014; Schormair & Gilbert, 2021). As demonstrated in the examples of deliberative activism, deliberative purpose includes actions that contribute to further deliberation, actions that result from moral urgency, and actions designed to obtain a hearing. Conversely, a nondeliberative posture is manifested by a general failure to seek common action or common value and is indicated by inattention or disregard. Other indicators include extortion, physical intimidation or violence, failure to exchange proposals, refusing requests for essential information, deception, making unilateral changes during the course of engagement, and excluding stakeholders with legitimate interests.

As opposed to a concern regarding concept stretching, it is important that a narrow rendering of deliberation does not exclude cost-levying actions taken on morally urgent issues or in response to nondeliberative conditions. Activists and change agents should not be encumbered with a perfect ideal amid a flawed reality, as this condition tends to a hegemonic status quo. Moreover, deliberative systems scholars

make the point that, on occasion, two wrongs can indeed make a right (Mansbridge et al., 2012). Adapting Rawls's (1999) difference principle, an ideal deliberation would exclude cost levying and coercion, but in borderline cases, the benefit of the doubt should go to the least powerful actors. Therefore the criteria for deliberative purpose are better construed to include the activism of marginalized stakeholders than to exclude it. Deliberative systems proponents argue that construing deliberation more broadly makes deliberative democracy more accessible, egalitarian, and morally realistic (Boswell, Hendriks, & Ercan, 2016; Goodin, 2018; Mansbridge et al., 2012), and the limiting principle of deliberative purpose is consistent with that reasoning.

### *Implications for Research*

Research on political CSR will benefit from further specifying the modes of deliberation and considering perspectives from the labor relations, dispute resolution, and legitimation politics literatures. Although the character of engagement between TNCs and stakeholders is difficult to assess in aggregate terms, this article has framed deliberative political CSR on the basis of deliberative behavior and deliberative environment. Conceivably empirical analysis can support or challenge this framework. Likewise, it is reasonable to consider if or when deliberation shifts from one mode to another. For example, there are likely cases where deliberation is strategic but evolves toward a more integrative posture as trust grows, or circumstances where deliberants belatedly discover that there is not enough trust for unitarist deliberation. It may also be that the degree of input and outcome legitimacy will vary with modes of deliberative engagement. These possibilities are fitting questions for empirical studies, and elucidating these types of issues will contribute to a clearer understanding of the nature of conflict and cooperation in political CSR.

There is good reason to employ the labor relations literature on workplace democracy to inform the scholarship on political CSR and stakeholder engagement. In Mena and Palazzo (2012) assessment of prominent MSIs, more than 20 percent included labor unions. In the case of workplace democracy, the corporation is not agreeing solely to a particular act of deliberative discourse but to an ongoing process that improves deliberation by making it more credible and durable. For example, Donaghey and Reinecke (2018) use the Bangladesh Alliance and the Bangladesh Accord to contrast political CSR with workplace democracy and labor activism, and Lewin (2002) contrasts labor relations and HRM conflict management styles. One of the key requisites of deliberation is the presence of equal actors, but little attention is devoted to the necessity of countervailing power or other means of *producing* equal actors. Political CSR mechanisms might also be informed by contemporary labor relations developments, such as transnational collective bargaining (e.g., Cooke, 2005; Gennard, 2009).

Relatedly, the deliberative aspect of political CSR can benefit from the multi-party dispute resolution and negotiation literature (e.g., De Schutter, Mattei, Pol, & Ferrando, 2018; Menkel-Meadow, 2012; Susskind, 2008). This scholarship can address important pragmatic questions about how enforcement or compliance is accomplished and how trust operates in multistakeholder situations. Lastly,



legitimation politics (i.e., Fransen, 2012; Reinecke & Ansari, 2014) may yield insights as to why some modes of deliberation are readily accepted in MSIs and corporate oversight, while others are not. Success in promoting stakeholders' interests sometimes requires hard-fought gains in other areas of business, including fair regulation and worker rights protections. For example, in negotiations to extend the Bangladesh Accord beyond 2018, many of the factory owners, who would be the subjects of oversight, also held seats in the Bangladesh Parliament and argued that externally imposed regulation breached national sovereignty (Anner, 2018).<sup>11</sup> Corporate political activity scholars have argued similarly that activities like lobbying use instrumental CSR as cover to advance corporate public policy goals (i.e., *politicized* CSR) (Ingenhoff & Marschlich, 2019; Lock & Seele, 2018) and that literature can be useful in illuminating issues of enforcement and compliance.

As demonstrated by deliberative systems in political philosophy, the deliberative prototype for political CSR need not preclude other modes of deliberation, particularly given the wide variety of social and environmental interests and challenges. Although each mode of deliberation may have its partisans, one is not presumed to be preferable to another. As Frynas and Stephens (2015: 502) state, "political CSR is a very broad movement and the emergence of a single, testable, unified multi-theory model of political CSR is unlikely and perhaps undesirable."

### *Implications for Practice*

Although it is not predictive, Figure 1 implies four basic affordances for stakeholders based on the factors of behavior and environment. First, unitarist deliberation is appropriate if there is reason to believe that power dynamics can be removed from the engagement and the actors trust one another to value the deliberative process. In this case, deliberants must have more than a theoretical appreciation for the impacts of power and conflict and the pragmatic implications of regulative ideals. Second, pluralist deliberation can be useful when the actors recognize self-interest but respect the deliberative process and can devise meta-agreements to mitigate power and structural inequities. Pluralist deliberation provides the opportunity to build good faith and proceed with a more consensual discourse when there is greater assurance of charity and reciprocity. Third, if power asymmetries are slight and the actors are disposed against the ideals of communicative action, then strategic deliberation can be a suitable means of engagement. In this case, the actors rely on power parity to discipline their deliberation. Fourth, deliberative activism is reasonably employed to protect self-interest if neither deliberative behavior nor deliberative environment is favorable. If activism poses a credible threat, then marginalized actors are better positioned to seek a substantive deliberation.

It appears that a narrow and idealized notion of deliberation has taken root, and this fuels cynicism regarding the plausibility of democratic oversight of corporations (e.g., Edward & Willmott, 2011; Jafee, 2012). Moreover, employers find it difficult

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<sup>11</sup> The Bangladesh government had developed the National Tripartite Plan of Action on fire safety and structural integrity in the ready-made garment industry.

to make good on unitarist bargains with stakeholders because of monist neoliberal politics and because the power of large TNCs complicates efforts toward mutuality (Dobbins & Dundon, 2017). A variety of deliberative approaches to political CSR and the increased involvement of NGOs, organized labor, and other external stakeholders in democratic corporate governance reinforces calls for diverse modes of action that enable credible and inclusive forms of private regulation. Because many coordination problems are mixed motive conflicts, some combination of strategic and communicative action is necessary.

Although they are a step in the right direction, hybrid models of deliberation that recommend strategic communication in the early stages of deliberation and consensus for the final decision (e.g., Bächtiger et al., 2010; Fung, 2003) also pose pragmatic difficulties. First, having witnessed what they perceive to be self-interest on the part of their peers, deliberants will not simply disregard those actions going forward, which calls into question the quality of communicative action and consensus. Second, just as deliberation can mature over time, it can also deteriorate such that what begins as communicative action *devolves* into strategic deliberation or reveals itself to have always been so. Hybrid models also presume that the unitarist form of deliberative argument is superior, but an arm's-length agreement by informed actors of similar power is ethically robust as well. As demonstrated with the varying approaches to deliberation, the sequence would emerge from the characteristics of actors and the external conditions. Lastly, authoritarian governments are a limitation on any notion of political CSR because the rule of law and the extent to which a corporation can provide public goods or prevent public bads is subject to the dictator.

## CONCLUSION

The framework emphasizes that different exigencies for political CSR entail, not only different techniques, but different *objectives*. Limiting (conceptual) access to political CSR by a broader range of stakeholders limits the usefulness of this model and denies the imprimatur of moral legitimacy to activists, labor unions, and other change agents for whom it is often warranted. This article goes beyond Scherer and Palazzo (2007) by arguing that there are multiple objectives of deliberation in political CSR—strategic negotiation among equals, or compromise, or compelling a just discourse, in addition to the prototype of rational consensus—and that these are not inferior objectives. It also provides a necessary critical analysis of deliberation itself and a basis for future research on different objectives for deliberation and different modes of substantive engagement. Moreover, the framework addresses criticisms that political CSR is subject to cooptation, elides issues of power and politics, and is generally ill suited for business by supporting actors' varied attempts to achieve equality as legitimate and necessary, and demonstrating this plurality in neighboring disciplines, such as labor relations and political philosophy.

The unitarist deliberative strain of political CSR argues convincingly for “making the concerns of different stakeholders and competing economic, social, and environmental objectives an integrative part of the *corporate* decision-making process”

(Patzner et al., 2018: 326), but while it embraces the wider societal context of corporate activity, it ultimately communicates a conception of problem solving that can privilege the shareholder over the stakeholder. There is no objection to business providing public goods in the absence of government will or capacity, to the primacy of democracy over philosophy, or to the role of a continuum toward consensus that help us to envision our objectives from afar, but unless we discount the particulars of person and circumstance, narrow conceptions of political CSR invite ill-fitting prescriptions. This article pushes the study of political CSR toward a more agile notion of deliberation while retaining its moral capacity to specify the conditions under which various objectives and modes of deliberation can be useful. In view of stakeholders' rights to self-determination and agency, a notion of political CSR that embraces a wider range of deliberative practice and varying modes of engagement has greater moral resonance.

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