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Public Relations between Companies and NGOs: An Analysis of Their Impact in the Development of Public Policies in the CSR Framework.

CIRIEC-Espana, Revista de Economia Publica, Social y Cooperativa

December 2008

This study arose as a consequence of the observation of a double phenomenon. On the one hand, the growing demand for an ethical behaviour by companies has brought upon the development of what is known as corporate social responsibility (CSR). On the other hand, social movements have experimented spectacular growth, in size as well as capacity and scope, increasingly shaping themselves as leading agents in the theoretical and practical development of CSR. The main objective of this work is to analyse the characteristics of the political relationship between companies and NGOs in Spain. Specifically, using grounded theory as a methodological framework, the dynamics established in the public sphere between both agents are studied, specifically analysing the influence of these dynamics in the development of public policies in the Spanish context.

KEY WORDS: Corporate Social Responsibility, NGO, public policies, government, grounded theory. Jel codes: L500, L530, M100, M140.

Society increasingly demands that companies behave ethically. This occurs as a social reaction to the successive corporate scandals, before the questions raised by the crisis of the welfare state or, in the background of that demand, by the increasing take of awareness of the social and environmental unsustainability of the current model of production and consumption.

In the corporate context, this situation raises the demand for responsibility and self-regulation as a necessary condition for the legitimization and acceptance of the actions of some organizations with a growing social and environmental impact, and, ultimately, with a power (especially the exercised by the large transnational corporations) of which society is increasingly aware.

Requirement that has materialized in the concept of corporate social responsibility (CSR): the companies have to assume their responsibility to shareholders and customers, but also to employees, suppliers, the physical environment, competitors and, ultimately, before society in general.

Also as a consequence of such tendencies, organized social movements have gone acquiring a special role in the change of the current economic and business paradigm.

Not in vain, there has been a strong expansion in the size, scope and capacity of organizations

social, accentuated by the phenomenon of globalization (Kaldor, 2005).

As a result of both phenomena, companies are forced to interact and establish relations with the parties that do not operate in the markets, in order to achieve legitimacy (Holtbrügge and Berg, 2004, LaFrance and Lehmann, 2005, Yaziji, 2004, Yongqiang, 2005). How have they As several studies have revealed (Burchell and Cook, 2006, Phillips, 2005), NGOs are configured as a key participant in dialogue processes and as one of the key communication channels in the field of CSR. However, the importance of NGOs as agents varies in each cultural context; thus, NGOs are more important in the United States than in France (Holtbrügge and Berg, 2004).

Within the framework of CSR, most of the previous works examine the relationship between NGO and business in the private sphere, that is, the bilateral relationship maintained by an NGO and a company, in order to modify or reinforce the internal policies of the same. Most of the jobs

They note that between the two agents there are relations of a cooperative type today, as opposed to the traditional one

conflicting relationship that united them in the past. It has happened to see companies as part of the problem to consider them part of the solution (Arts, 2002; Heap, 2000; Millar et al, 2004; Sustainability, 2005; Tully, 2004).

1. Introduction

Less attention has been given to the relationship between the two agents in the public sphere. Both agents are cooperating in the public sphere in the development of public policies, both internationally (for example, the development of standards such as GRI) and at the national level (for example, participation of NGOs in the National Contact Points). In Spain, it has not been analyzed before the relationship between both agents in the public sphere.

This article presents a study on the relationship between NGO and business within the framework of CSR.

The study began two months after the government published its intention to create a group of work to study the possibilities of approving a standard for the promotion of CSR, that is, when the debate on CSR began to move more forcefully to the public sphere. Article presents a theory that explains the dynamics between both agents to finish analyzing the influence that this dynamic has had on the preparation of public policies in the Spanish case.

The social nature of our object of study and the situation in which this work is carried out advises to opt for the methodology known as Grounded Theory (theory with basis) as fundamental method of investigation. It is a qualitative methodology, appropriate to analyze

social processes, and especially recommended when the research tries to reveal what underlies a certain phenomenon of which little is known, or when it is intended to add new points of view on a phenomenon that has already been studied (Strauss and Corbin, 1990: 19). This is precisely the context in which this work is located, given that in Spain there has not been any similar study on the dynamics of the relationship between companies and NGOs within the framework of CSR.

Grounded Theory does not establish any previous hypothesis, but is left to the reality that

"Emerge", without imposing a concrete theoretical framework. It allows, thus, to analyze complex processes, in

that there are a large number of variables because it does not reduce the number and type of variables a priori

That intervene. The objective is, precisely, to know all these variables, as well as their dimensions, and discover-describe

r the relationships between them.

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2.- Methodology

In this way, the main characteristics of this methodology would be the following:

- The rejection of all forms of prior theorization and the need to enter into direct contact with the phenomenon under study to analyze it. This involves setting aside preconceived ideas throughout the process of collecting and analyzing data and adopting a skeptical attitude towards Any explanation for the data you are collecting. Therefore, a chapter is not offered revision of the literature, but it is introduced in the results, since it serves to validate the categories of concepts that are "emerging" (Glasser, 1978, Locke, 2001, Punch, 1997; Strauss and Corbin, 1990).
- The theoretical sampling process. Since it is a question of typifying behavior and not people (Glasser, 1978), the representativeness of emerging concepts is sought during the analysis (Pandit, 1996, Strauss and Corbin, 1990), choosing the cases that allow learn about the central problems of research and develop the categories of concepts to the maximum (Locke, 2001). The choice of the sample elements is taken with based on a series of criteria, preconceived at the beginning, that are created can provide data of interest. As the analysis and collection of new data progresses, these criteria go

Changing.

In this work, we tried to combine the principle of similarity with that of difference (Locke, 2001) for the election of the informants: the similarity of companies and NGOs was sought from the existence of some kind of relationship with the other agent (not necessarily cooperation) within the framework of CSR. The difference principle was met by interviewing entities of different sizes, operating in different sectors / dealing with different causes, with different legal form (in the case of companies) and with different affiliation and international orientation (in the case of NGOs). In this case, data was collected from ten NGOs and seven Spanish companies through semi-structured interviews, including extracts identified with the legend shown in Table 1 to guarantee anonymity 1.

The field work was carried out between the months of January and March 2005.

However, it should be clarified that the scope of the sampling conditions the representativeness of the formulated theory, since the results will only be extrapolated to the circumstances or situations analyzed and not others (Strauss and Corbin, 1990). In summary, the theory is valid for the context analyzed, and should be falsified if space is maintained in all circumstances temporary

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1.- In order to preserve anonymity, references to other organizations or any reference to persons or persons have been eliminated from citations.

organizations

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Table 1. Legends for the identification of

statements from participants

Business

- 1 Large multinational company in the financial sector, listed.
- 2 Large company in the service sector, employee cooperative, unlisted.
- 3 Large multinational company, in the construction sector, listed on national stock markets.
- 4 Large company in the fashion manufacturing and distribution sector, not listed.

5 Large multinational company in the energy sector, listed on national stock markets.

6 Large multinational energy company, listed.

7 Large multinational company in the telecommunications sector, listed.

NGO

A large NGO, environmental environment, member of an international network, works throughout the National territory.

B Big NGO, development area, works nationally and internationally. Religious affiliation Medium NGO, development scope, works in international field. Created by entrepreneurs and academics.

D small NGO, small NGO network of environmental scope.

And small NGO, development area, very specialized in microcredits and CSR.

F medium NGO, development area, works nationally and internationally. Religious affiliation G large NGO, development area, member of an international network, works in territory international and national.

H small NGO, human rights field

I Spanish watchdog organization, formed by unions, consumer organizations and users, development NGOs, environment and human rights NGOs, as well as academics. J small NGO, development area, works in national territory.

Source: self made.

 Analysis. The analysis process requires coding the content of the interviews in concepts, their grouping into categories through the constant comparative method and the analysis of relationships and

between categories to reach a central category on which

develops the theory In this study, each interview was immediately transcribed and analyzed before doing the next one, coding line by line. These codes (or concepts) were grouped into categories (axial coding), establishing propositions following the Coding paradigm established by Strauss (1987): conditions, context, strategies of action / interaction and consequences.

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• Reliability and validity. To determine the reliability of the results, Strauss and Corbin (1990:

253) propose several criteria. One of them is the consistency between coders. Each researcher codified his interviews separately and applied the coding paradigm, being the initial 95% match. The divergences were solved by analyzing the interviews again and justifying, based on the statements of the participants, the nuances that each researcher had established.

In addition, a copy of the results section was delivered to three independent experts, with extensive experience in this field, and who had not participated in the previous phases.

These experts evaluated the report and showed a 99% match with the theory presented, noting formal improvements, but not content.

From the analysis of the data collected, we observed that the relationship between companies and NGOs in the

The public domain is characterized by a double dynamic of approach and distance. This is the category central that generates the theory presented in this work.

It should be noted that the term "approach" (or relation) is used to describe these dimensions between companies and NGOs understood as the situation that occurs when each agent passes to the agenda of the other, that is, it becomes an interest group or stakeholder for the other. Now, this approach can take the generic form of cooperation or conflict (Phillips, 2005; et al, 2004). On the contrary, the term "distancing" is used to describe the opposite situation: an agent presses to remove the other from the agenda, does not consider it as a stakeholder or tries prevent others from doing it. To understand the core category, it is necessary to describe the context under which

that the investigation has taken place.

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3.- Results

Table 1. Graphical summary of the theory

Source: self made.

3.1.- Context

The dynamics of approach-distancing is generated by two types of forces that originate

in the international and national context, respectively:

a) Centripetal forces

Are those conditions of the environment that bring both agents closer, which, frequently,

It takes the form of collaboration agreements. These forces are more intense

and for more time outside of Spain.

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FORCES

CENTRÍPETAS

Macro international environment

CSR on the political agenda

Market incentives for CSR

Growing social pressure for a

greater responsibility

APPROACHCOOPERATION

Especially private sphere

With nature NGOs

welfare and also NGO

politics

FORCES

CENTRIFUGES

Spanish micro-environment

Exlusion of political NGOs

of decision-making at the level

public

ALEJAMIENTOCONFLICTO

Especially public sphere

With nature NGOs

politics

Political forces

They relate to the perception, especially by NGOs, of the progressive abandonment of functions

by the State, fruit, perhaps, of the inability to resolve problems at the national level

of an international nature, and that has led to the NGOs having changed their traditional objective.

For me, CSR is the response to a resounding loss of rights, of a loss

of the role of the State, of the legislation that existed to protect those rights ... Certain

issues that you see that the state is losing strength in front of organizations of type

This gap has been covered by social organizations (I).

In recent months there has been a transfer of responsibilities that belong to the government. The

The insistence of the working groups leads one to think that there is a lack of functions (4).

In addition, both international government agencies and national and local governments

they are driving CSR2. These initiatives have had a national translation, insofar as they

its effectiveness depends on its correct implementation at the local level. The following table summarizes the application

and introduction in Spain of these international initiatives. All these Spanish initiatives suppose

the creation of dialogue forums that necessarily bring

an NGO and companies, since both

agents participate in them.

Table 2. International initiatives and their implementation in

Spain

International initiative Implementation in Spain

United Nations Global Compact Creation of the local network World Square Pact Table; creation of ASEPAM

Guiding Principles of the OECD Creation of the National Contact Point in the Ministry of Economy, Secretariat

trade

Creation of the working groups in the Ministry of Labor and Social Affairs,

European Union Directorate General for the Social Economy, Autonomous Work and the Fund

European Social

Creation of a Parliamentary Subcommittee in the Congress of Deputies.

Source: self made.

Economic forces

The first economic force cited explicitly or implicitly by the organizations interviewed is the participation of the Spanish company in "globalization": that is, the entry into markets international, both capital and product or work. The Spanish economy has been

marked during the last decade by the internationalization of Spanish companies, especially 173

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mind in Latin America. After Spain joined the European Union, the approach strategy of the large companies gradually changed from the defense of their position in the domestic market, relatively mature, towards an aggressive international expansion, especially oriented to Latin America (Chislett, 2002, Arahuetes and Casilda, 2004).

Thus, NGOs emphasize that they approach the Spanish company because it starts to have a impact on the communities with which they worked. And is that another direct consequence of the strategy

internationalization of Spanish companies is that they face the need to respond to new challenges that arise from the peculiarities presented by the subsidiaries created in Southern countries.

In some companies these problems are raised much more intensely than in others.

For example, the case of the textile sector, because it is labor-intensive, concentrated in developing countries, generating employment, in most of the countries in the process of development is usually the third or fourth income generating sector and, logically, that has a very big impact. And the relationship with external workshops and suppliers has its importance (G)

This internationalization has led, in many cases, to a greater participation in the capital markets, quoting on European and US stock markets. Therefore, the company is affected by other economic forces that have originated outside of Spain and that recently they have begun to operate in our country. These are the translation to the market of social movements that demand reform in the economic system and that demand greater responsibility to companies.

Such demands are observed in the three markets where the company operates: in capital, in the one of product and in the labor one. The capital market demands greater responsibility through the ethical investment products and ethical indices. In the product market the appearance is observed of the segment of responsible consumers. In the labor market, workers ask

explanations to the company for its performance in third countries (see Valor, 2005). These three forces lead to the approach for several reasons:

- Demand for social dialogue to be quoted in ethical indexes (for example in the index FTSE4Good). This force seems very powerful as the NGOs insist that there has been an approach with, mostly, listed companies (Because they are in the IBEX-35 and everyone is doing it, G)

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- 2.- For a review of the role of the State in the promotion of CSR, see De la Cuesta y Valor, 2004. www.ciriec-revistaeconomia.es
- Demand for information on "good" brands by customers. To comply with this demand must begin a process of verification, first, and communication, then, of Who are these brands? There is therefore a strong potential for NGOs, which can reach to become "prescribers" of products (NGOs are experts in these issues.

NGO technicians and those of the own brand work together to develop the packaging or a product. We are aware that we are not prescribers on these issues. Let's go from the hand of NGOs, 2). Some of the social standards and labels already created (for example, SA8000, AA1000 or GRI) also require dialogue with stakeholders; among them, with NGOs (Bendell, 2000).

- Demands of the workers lead to approach NGOs because the company lacks the capacity technique and the legitimacy to solve the problem (The 30,000 workers they demand us these topics, 2).

The influence of these three markets is repeatedly signaled by the participants and the importance of economic factors has been revealed by several surveys of companies

In our country. Thus, PriceWaterhouseCoopers (2003) found that the factors that influence companies to adopt CSR policies are the improvement of reputation (91%), obtaining of competitive advantages (81%), consumer pressure (67%), shareholder demands (63%) and employees (63%).

Social and technological factors

It is a force that brings to both agents the greatest social demand for a business activity

more consistent with the principles of sustainable development. And, in relation to it, the growing number of groups and individuals with interest and influence in corporate activities, together with a greater demand for information and capacity to access it and to disseminate it (Murphy and Bendell, 1999). In addition, the ease and speed with which information about behaviors is disseminated has intensified the reputational risk of organizations.

These demands have been led by the creation of social movements whose objective

It is the company and they have in common a perception of it as a center (locus) of power. All NGOs agree that the company has been accumulating power, becoming today a powerful agent in the international scene. The difference is that some NGOs evaluate this power growing in a negative way and others in a positive or neutral way.

It is negatively evaluated by NGOs that see the company as a worried economic agent exclusively for obtaining benefits. That is, not only is it perceived that it has been accumulating more power but, moreover, it is believed that he is not using it for the benefit of the community, but for their own benefit (Bendell, 2004, Korten, 1996, Hertz, 2001). These NGOs understand that the paradigm

current economic situation is unsustainable, both environmentally and socially, and that its main 175

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tagonistas are the companies. It tends to be considered, then, that the company is, to a large extent, responsible

of some of the global problems, or, at least, that could potentially influence positively in the development of those issues and is not doing so.

The environmental consequences are caused by an economic system of production, transportation, distribution and consumption that is highly unsustainable. Therefore, if the key players of that economic model that, since the 80s, has been called globalization economic, are the companies, we must denounce those actors (D).

You can not have a Marxist or nineteenth-century vision of what the company brings to society. It is productive fabric, it is good that a company goes well. But that goes well at cost not of the usual ones but respecting a floor of social responsibility (F).

They also understand that the company has not internalized the true meaning of CSR in different dimensions:

- The scope, since they do not apply CSR criteria in all decision levels in an integrated manner, but tend to focus on the CSR dimension that provides the most profitability in terms of image: the social action of the company, identifying frequently both concepts (Their managers, when you talk to them, they call it RSC but in the end they still have a very assistance mentality, to the old use, and do not enter into their chain of value, I).
- The end, when they consider that CSR is the discourse that tries to reproduce the system, the "patch" to recover the social legitimacy lost by the company, or a business opportunity contemplated from public relations. Under this perspective, it is understood that CSR would contribute to perpetuating the current system, which is why these NGOs categorically reject the collaboration of civil society organizations with companies for development of your CSR.

It was first because of the scandals and to try to legitimize socially the practices that they arose 5 years ago ... All this affects the credibility of the system and of the companies. As a formula to silence those voices, [appears] the RSC (J)

The companies see an important plot to increase their profits and their number of consumers, and give yourself a more environmental, more social corporate image by investing money in these areas. (...) These are all makeup processes, green washing, where we do not see any improvement in the reality of these companies (D).

- The depth of commitment: Our definitions do not match. He has not come to believe that CSR is a management system. They create CSR departments but they themselves they openly declare that

that can not be proposed because it would cut this or that department, although they believe that it is a necessary action to develop (G).

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Consequently, these NGOs have as objectives (Bendell, 2004: 21) either eliminate, reduce or redefining the power of the company (which implies rethinking the function and organizational form of it), either resist, redirect or limit that power (which implies seeking a form of counterpower).

At the other extreme are organizations that evaluate positively (or, at least, not negative form) the preponderant role that the company plays today, insofar as it is understood which is an opportunity to reach certain groups or to promote certain policies, or even a reference for improving the management processes of social organizations.

The company is a fundamental agent in Spanish society and has tremendous strength to reach a lot of collectives. Our fundamental pretense is to work with the company to work with these groups (B).

We understand the relationship with the business world as a fundamental part of the change on the environmental issue (A).

The company is considered a potential ally for the fulfillment of the objectives of the organization, so these NGOs are less suspicious of companies. They believe that the The company is moving in the right direction and they recognize that there is a will to improve social results regardless of economic results.

The company in generic is not responsible or guilty. There are many other causes. There's a lot companies that are not guilty. And, even if it were, that is not an impediment for you you collaborate with her (TO).

Companies that have a public image, that invest a lot in advertising, that have shareholders, individual customers that may be affected. Those, either by conviction or simply by market-convenience (which also seems good to me), those are advancing and some have endowed with a tool that is the CSR (B).

Unlike the previous ones, the objectives of these NGOs are to redirect or reinforce the power of the company (Bendell, 2004: 21), fostering the positive impacts of the company or minimizing the negative

b) Centrifugal forces

These are the factors that explain the distance between companies and NGOs and that, fundamentally, occur in the national dimension. Basically, they are summarized in the denial by the companies of the political role of NGOs. To develop this idea, we need to address the issue of the diversity of NGOs from the point of view of their ideology and their founding mission.

NGOs differ in their role of self-attribution, being able to distinguish two predominant roles, if Well not excluding: political and welfare. The two types of organizations have in common that

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they undertake collective action to change social realities, that is, all NGOs set objectives politicians. However, they differ in their founding mission, allowing to distinguish two types of NGOs: assistance and policies.

Assistance NGOs

They are perceived as a solver of social problems and focus, mainly, on facilitating the development of the peoples of the South or of disadvantaged groups in the North, trying to fill the emptiness that the market does not fill and that the government does not know, can not or does not want to solve (Teegan

et al, 2004). They try to influence the policies (public or private) that are impeding the development of the groups they serve, seeking to contribute to the Common Good. These NGOs work to carry out reforms in the system. Their strategies, therefore, relate to raising funds and awareness-raising for the development of assistance projects.

The company needs the NGO, and needs it above all and fundamentally to channel his social action. Because if not, it does not legitimize its social action. In that sense, the NGO is a interlocutor. But it is not to tell me what I have to do. Because NGOs are experts in cooperation in the fourth world, in medical assistance ... But we are not experts in rights labor, environment, that we can advise (B).

NGO political

They are perceived as an agent of social transformation, configuring themselves as a third force of power, in counterbalance to political power (held by the State) and economic power (held by the company). These NGOs believe that the State has stopped fulfilling certain tasks and objectives before

to him assigned. To a certain extent, they understand that the State has yielded to the pressures and demands of

the company. In fact, the aforementioned responsibility of the company

in global problems it

would be aggravated by its ability to exert pressure and influence the development of public policies, what makes States and international organizations jointly responsible and accomplices of maintaining an unsustainable economic model (Hertz, 2001; see also Goldsmith and Mander, 2001). These NGOs work to change the system entirely.

We have seen how policies are increasingly deregulated and how today there is no control over capital flows, over direct investments. In fact, all policies in the EU increasingly favor, there is no restriction, there is no control by the political power to make real control over economic power (...). Remember that there more than 10,000 people, lobbyists in Brussels, facing equal 1000 or 2000 people who are from the social field (D).

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In this way, its two final targets are governments and companies. The company is considered as a center of power and, therefore, is incorporated into the public objectives of the organization.

The instrumental target is the citizen: they also try to create a critical mass around the vision they promote, looking for partners that subscribe and extend the program of objectives that they defend.

The political NGOs act, then, at all levels of the context trying to modify the structures of market, political structures and social structures (Schneidewind and Petersen, 1998).

They are thus closer to the activist vision of civil society (Kaldor, 2005) by which citizens try to influence the conditions in which they live, both directly, through self-organization, as exerting political pressure.

The ultimate force that leads companies and NGOs away, that is, that there are no exchanges (are of cooperation or conflict) between the two, is, as we develop next, in the denial by companies of this political role of NGOs, citing lack of legitimacy, although it strongly accepts its welfare role.

For all this, while in the private sphere the approach and cooperation between companies and welfare NGOs is the usual situation, the relationship based on estrangement or conflict it is observed only with political NGOs and in the public sphere. And it is in this area where you can the paradigm shift occurs, through regulation, which is the essential demand of NGOs policies (Ramos et al, 2004).

3.2.- Dynamics of the relationship

In the public debate the elaboration of policies is discussed and the forces of power are confronted, in such a way that it is not oriented so much to the identification of problems and solutions as to that each agent defends his own image, the stereotype he represents before other agents.

Effectively, they understand that "they owe" to their main interest groups (shareholders and customers)

in the case of companies, partners and beneficiaries in the case of NGOs) and that these will not accept an approach of postures. This dynamic, however, is not observed so clearly in the private sphere, in bilateral relations, where there seems to be more space for dialogue and cooperation between companies and NGOs.

In open forums, where each one has to maintain a position, preconceived both by one side as for the other (E).

The main battle horse of the public debate is the inspection of compliance and regulation:

NGOs enter the debate looking for a series of commitments that the company does not want to accept.

At the same time, the NGO is not able to see the effort involved in fulfilling these commitments.

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I believe that we should see each other more as collaborators and that we should forget a little bit that if you have to make laws, and you have to check (3).

First, a change of attitude is necessary. The first step is to sit at the dialogue table.

Be reasonable. Do not be radical Create a series of concrete commitments in a time determined with a specific content. If when we talk about commitments, the other part he does not want to talk about it, there is no dialogue (I).

This rejection of the verification is related to the paradigm change that the NGOs pursue and that could be summarized in the English expression accountability: give instruments to civil society to that "punish" or "reward" the social / environmental results of the company; let society be who grants the license to operate the company (Valor, 2005).

It's a shame, when you go to the AENOR committees or things so you see the side of the NGOs saying "norm, norm, norm". They seem to what only they want us to regulate us,

that they verify us. It is as if they do not believe anything that companies are doing. Instead of seeing us more as collaborators for them, as collaborators in addition very important in the development of what they want to promote. That is, do not enter enter with distrust and say "bah, only do it for image", but, not, maybe not only we do it for image (3).

In short, the ultimate force that leads companies and NGOs to move away is in denial

by companies of the political role of NGOs, citing lack of foundational legitimacy

of the ONG3. Welfare NGOs, on the other hand, are blessed and contacts are made with

they.

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3.- We distinguish the foundational legitimacy, that is, the legitimacy of the mission and objectives of the NGOs, of the operational legitimacy, related

with the way in which NGOs fulfill this mission. Some arguments related to legitimacy, mentioned in the speech

of rejection of the political role are: 1) lack of moral authority to demand from the company behaviors that do not always carry out themselves,

mixing the lack of authority with the one of "accountability" (How do they arrogate the right to demand what they do not fulfill?, 3); 2) lack of capacity

management, professionalism and specialized partners (I think you also have to learn many things from the sector

business: the main issue they have to learn is the results orientation, C); 3) perception of a hidden agenda, since they perceive

that manipulate the use of the media for political purposes (Certain cases are heard where there is a clear intention behind

of, I do not know if blackmail, or at least to take advantage, 2); 4) partial vision of the business reality, related to the specialization

of NGOs (when you talk to XXX, they are only interested in disability, they do not care what you are doing in the environment.

we have found social agents who, in a global way, are interlocutors for CSR issues, 7); 5) heterogeneity of positions

among NGOs that generate a diversity of voices (of proposals, demands, programs, projects) seen by many authors

as a weakness of NGOs in their relationship with the company (Murphy and Bendell, 1999; Sustainability, 2005) (There must be more coordination

between NGOs. We are very scattered. Those of development on the one hand, those of social action on the other ... We lack a common line of action as protagonists,

AND).

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NGOs have an important legitimacy from the point of view that they are acting in a

very concrete field for which they are born and that is part of their objectives. But they have a monopoly of objectives. Normally, an NGO is born to fight against poverty (1).

NGOs should have a function limited to their own function: to be where they do not reach States and what companies can not do. They can not expect companies to give in to its political pressures (...). The NGOs do not paint anything. They have no work to do.

If the NGOs get into union affairs or there is an invasion of functions on the one hand or there is neglect of functions on the side of the unions (4).

Although publicly recognizes the value of the role of reporting corporate behavior unethical, the company questions the need for a counterbalance of power, given that the possibilities of the company's actions are already limited by the institutional framework. This is the The company does not believe that there is an abandonment of functions by the State (except in its assistance role);

on the contrary, they understand that the State (it would be extendable to the unions) is still a counterbalance

effective power to the company. For this reason, contacts with NGOs that maintain a clear political role or that are openly positioned as a counterweight to the power of the company. Is that that is almost think that as the company is bad in itself, because we are going to see if really They are as good as they say. Hey, I have some judges for that. For that I have some employees and some employee reporting channels that I may be doing wrong things. For that I have a means that can denounce (...). I believe that the company it does not need any counterweight of additional power to those it has, which is legislation that comply, some judges and a democratic rule of law. Especially because the NGOs also they end up being companies and who is counterbalancing their good or bad doing? (...) But also is that they are not who. Because if you tell me, do unions have to be a counterweight? Of course, it must be the employees. I think we have other stakeholders with a lot more right to exercise that counterweight (3).

3.3.- Influence in the preparation of public policies
Despite the fact that in other areas, the participation of
non-governmental actors in the preparation
of public policies is not new, the truth is that in Spain in the field of CSR has been
avoided this participation. The dynamic of withdrawal in the public sphere, or of conflict when
There is a forced approach, it has been clearly shown in the creation of the bodies in charge

to elaborate public policies.

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In 2002, a non-law initiative proposed by the Popular Party was approved in Parliament. to create a committee of experts. In 2004, being in the government the Socialist Party, they were created two groups: one in the legislative power (Sub-parliamentary Commission of CSR moderated by the deputy Ramón Jáuregui) and another in the executive power. The structure of this last group resulted in large debates

Whereas civil society organizations (that is, social economy organizations; consumer organizations and users, and human rights, environmental and human rights NGOs Social Action) called for the formation of a quadripartite group4, business associations, unions and the government rejected the demands of these groups to participate in the political debate on CSR. Thus, two groups were created, depending on the General Directorate of Social Economy, Labor Autonomous and European Social Fund (Ministry of Labor and Social Security) 5.

- The first group, an advisory group, called the Forum of Experts, brought to gether the organizations of civil society, trade unions, academic centers, and so-called BINGOs, organizations without for profit, formed by companies (Club of Excellence in Sustainability and Forum of Corporate reputation).
- The second group, the Social Dialogue Table, formed only by representatives of the
 government, companies and unions (CEOE, CEPYME, CC.OO and UGT), was responsible for
 take decisions. These two groups did not work in parallel: the Social Dialogue Table
 I await the final report of the Forum to hold its first meeting.

The main argument put forward by companies to avoid the participation of NGOs in the definition of public policies in CSR is the denial of its political role. As we found in the interviews, the argument of the "lack of legitimacy" to hold a political role is used to prevent that NGOs, in general, participate in working groups that aim to develop public politics.

The decision to create a double forum, distancing NGOs from the "executive" group was strongly criticized by

the NGOs (see also Vázquez, 2005).

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4.- See, for example, the statements of the CSR Observatory at http://sintekeu.com/observatoriorsc/index.php?option=com_content&

task = view & id = 49 & Itemid = 80

5.- The synthesis documents of these two subgroups are available at http://www.mtas.es/es/empleo/economiasoc/

RespoSocEmpresas / Foro-Expertos.htm and http://www.mtas.es/es/empleo/economia-soc/RespoSocEmpresas/DialogoRSE.htm

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The creation of the dual forum does not facilitate, no. To the unions, we suppose a certain competence.

And he has let himself be sent (G).

The Administration could play a fundamental role, but it is very conditioned by

the criteria of CEOE and unions (J).

Now there are two parallel forums. This makes it difficult. It does not make any sense that there are two forums. The

ideal would be that we were in a single forum where all parties are represented.

Basically what the government has done is put a patch there, because unions and CEOE

have said that it was something that had to be dealt with within the social dialogue table (I)

The government perhaps these decisions not to make a quadripartite forum gives the reason to the employers

and the unions. That they believe that NGOs are getting into lands that do not correspond to them (AND).

Following the recommendations of the Subcommittee of CSR of the Congress of Deputies and Forum of Experts, and as proposed in the socialist motion passed by the Senate on May 30 In 2007, the so-called CSR State Council, an advisory, advisory body, was created in February 2008 and of a quadripartite and equal nature. Decision making is in the hands of the government. East type of quadripartite bodies is the most frequent in the member countries of the European Union (Lozano et al., 2005).

However, in Spain the last "leg" of the Council does not group only society organizations civil society, but to organizations and people of special relevance in the field of CSR. In the composition

At the end of the Council, BINGOs that are not, strictly speaking, NGOs will also participate. Total, There are six organizations that can be considered as NGOs (National Council of Consumers and Users, Environment Advisory Council, National Council of the Disc apacity, State Council

NGO of Acción Social, Observatorio de RSC - brings together several human rights NGOs, development, environment, trade unions and consumer and user organizations - and the Observatory of CSR - promoted by UGT -) and seven organizations promoted and / or sustained solely with Business funds (Company and Society Foundation, Corporate Reputation Forum, Association Spanish of the United Nations Global Compact, Forética, the Club of Excellence in Sustainability, Carolina Foundation and the Spanish Business Confederation of the Social Economy).

When the creation of the State CSR Council was proposed, some businessmen argued also that the Council could not be quadripartite and parity, since "when dealing with the CSR of policies that, voluntarily, the companies adopt, these should have a greater weight than the rest of the operators "6. In the end, this greater weight has been given to include these organizations driven by companies in the fourth "leg" of the Council. This has been criticized by social organizations7.

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6.- Five Days, 4.12.2007.

7.- http://sintek-

eu.com/observatoriorsc/images/documentos/publicaciones/opinion/Sobre_la_conformacion_del_Consejo _de_RSC.pdf

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What seems to underlie this argument is the fear of the mentioned paradigm shift that is being targeted NGOs and new social movements called "anti-company" are driving a new economic and social model, where the ultimate goal of the company is not only the generation of benefits and, above all, a new paradigm that reduces the power of the company (Bendell, 2004). CSR, as it is proposed by companies, does not fit into this model.

Other examples of the company-NGO relationship in the public sphere show that the conflict has its origin in the fear of a paradigm shift. For example, in 2005, Amnesty International abandoned

The Working Group and the Technical Standards Committee 165 "Ethics" (AEN / CTN 165 ETHICS) of AENOR for the preparation of the CSR Recommendations Guide, "for related disagreements with the replacement of the Standard by a document of lower rank, a 'Guide', as well as by some irregularities and the attitude of obstruction on the part of CEOE "8.

In 2006, and at European level, the NGOs, grouped in the so-called Social Platform, expressed publicly rejecting the CSR policy developed by the General Directorate of Business and Industry of the European Commission. In particular, they opposed the exclusively voluntary approach of CSR adopted by the Commission, which ignored the discussions held in the Forum

Multistakeholders9. The NGOs reported that the European Alliance 10, developed by the Commission, did not

It includes none of the recommendations made by the NGOs during the Forums 11. This opposition
It resulted in a shift away from civil society organizations from the forums
to the elaboration of public policies. As underscored by NGOs, neither trade unions nor organizations of
civil society have been able to intervene in the debate in recent years, since the process has been
and it is being directed only by the Commission and business associations 12.

The European Parliament has strongly criticized the Commission for having arrived at this situation; In the last resolution of the Parliament 13, the need to reintegrate organizations was noted of civil society in the consultation and decision-making processes. Specific, Richard Howitt, rapporteur of the aforementioned Resolution, has stated that The Commission wants Europe to be a pole of excellence in CSR; however, he has achieved that five years of debate and consultations end up in a black hole. The Commission says that public authorities must create an environment that facilitates CSR; however, he has decided

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8.- Europa Press, 07-18-2005.

we have already read it again and again 14.

9.- The synthesis documents of the Multistakeholders Forum are available at http://ec.europa.eu/enterprise/csr/multistakeholder.htm.

not make concrete proposals, but keeps repeating the same generalities that

See the joint letter that the NGOs addressed to the Commission and the Council in 2004 (http://www.foeeurope.org/corporates/NGO%20CSR%20open%20letter%20290604.pdf)

- 10.- http://ec.europa.eu/enterprise/csr/alliance.htm
- 11.- http://www.foeeurope.org/press/2006/joint_13_March_Verheugen.htm
- 12.- http://www.euractiv.com/en/socialeurope/open-dispute-commission-ngos-csr/article-153622
- 13.- http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2006-0471&language=EN&mode=XML
- 14.- http://www.euractiv.com/en/socialeurope/csr-corporate-social-responsibility/article-153515 www.ciriec-revistaeconomia

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Thus, the dynamics of distancing of NGOs in the public sphere has occurred both at European level as at the national level, in Spain, since in other countries governments, society organizations civil society and companies sit together in executive committees to deal with the promotion of CSR (see the work of Lozano and others, 2005). The creation of a quadripartite and joint state Council, against the opinion of some companies, has meant a break with this trend. Without However, it is important to remember that the Council will be an advisory body, not an executive one, so will be responsible for developing public policies.

The relationship between companies and NGOs in the public sphere is marked by distance and the confrontation. These behaviors are determined by a leading force: fear.

- On the side of the company, the fear of regulation or the imposition of verification or audit social law leads to distance or conflict in the public sphere.
- On the NGO side, the fear of co-optation leads to conflict in the public sphere: the discourse of the NGO is radicalized in public to demonstrate that they have not been assimilated into the discourse or neoliberal paradigm.

However, the conflict also appears together with cooperation as two dynamics that necessarily they must come together, since one reinforces the other.

Thus, in the public sphere conflict is generated because NGOs insist on the need for regulation and verification, since they consider that advances in CSR are not decisive or relevant.

The disparity in the way of conceiving CSR by both agents causes this call to regulation: NGOs try to introduce their definition of CSR in the legislative body, in a to ensure the change.

This conflict generates tension within the company, because there is fear of a change of paradigm, an institutionalization of the values promoted by social movements, through their incorporation in legislation. In similar terms, Lach (1996, cited by Murphy and Bendell, 1999: 32)

notes that the conflict appears when those who benefit from the status quo are threatened by those that seek change, or when the stakeholders involved differ in the definition of the problem.

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4.- Conclusions

But that fear serves as an incentive for private cooperation: in order to temper calls to regulation, companies try to develop collaboration schemes with NGOs in the field private Thus, the modality of verification of state regulation to self-regulation shifts: the company proposes NGOs to participate in private initiatives (eg committees) that they advise, supervise or give their expert opinion in the elaboration of codes of conduct. On the other hand, it is observed that companies question the foundational legitimacy of NGOs with in order to avoid their participation in the elaboration of public policies. However, this affects only to NGOs with a political mission, that is, to NGOs that try to become a counter-power in front of to the company, trying to stop the progressive influence in all spheres of social life that has the company.

At the same time, in the private sphere, the existence of activities or strategies is necessary based on conflict, so that those seeking cooperation can exist. This same idea has been presented by several authors. Thus, Jules Peck of WWF (United Kingdom) pointed out that "the game The good cop and the bad cop work really well. When we agree on a global goal WWF often knocks on the back door to work with companies behind the scenes, while other groups generate pressure by knocking on the front door "(Sustainability, 2005: 17). Also Fowler and Heap (2000) and the case studies collected in Bendell (2004) show that the double tactic of "palo" and "carrot" has proved successful in the area of the environment. Indeed, it is NGOs that generate the conflict and others with which it is decided to collaborate, so that companies are reluctant to establish dialogue with organizations that they use confrontational tactics, preferring to negotiate with those that resort to cooperative forms. However, in the Spanish context, the division of roles is not clearly established, so that the same organization can develop, at the same time, different roles.

Thus, the strategies that in the private sphere use confrontation fuel the fear of the company

(fear of reputational damage), which forces the willingness to collaborate. The potential is important of conflict because the managers try to keep the NGOs at a distance and only accept mantene r

contacts when not doing so can damage the reputation of the organization.

For this reason, it is affirmed that public shame is one of the possible forces that lead to change in the organization (Fineman, 1997).

It is also observed that the potential damage is not the same for all companies: it is greater for those that are quoted, those that work in sectors of large consumption and those that, in general, derive a value

important of your brand. Therefore, these companies are more inclined to establish dialogue channels with NGOs if they perceive that there is a risk of public exposure. Additionally, the culture of organization and the personal element (existence of managers open to negotiation) influence the willingness to establish dialogue with NGOs.

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Finally, the results obtained in this work suggest future lines of research

that allow evaluating the specific consequences of this estrangement-conflict dynamic. As we said, there is a trend towards collaboration in the private sphere to avoid regulation

in the public sphere that deserves more attention. It would be necessary, then, to carry out some type of study

longitudinal that allows to analyze separately these collaborative initiatives and their impact,

on the one hand, on the mission and strategy of the NGOs in relation to CSR and, on the other hand, on the processes

of business management and management.

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