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## Summary

The principle of voluntarism dominates Corporate Social Responsibility (CSR) literature. However, this principle does not correspond with the empirical evidence of the role of governments in the CSR field. Moreover, studies discuss various regulatory mechanisms to stimulate CSR as used by government, businesses, and society. Since the debates on CSR governance are dispersed across various articles and lack systematic analysis, this paper adopts a structured literature review to study the variety of regulatory mechanisms that influence CSR. In order to explore these regulatory mechanisms, we have made an in-depth analysis of 186 practice-based articles published in the period from 2002 to 2011. These articles were selected from five journals in the CSR field. Based on these 186 empirical articles, (1) we detected 32 different regulatory mechanisms for stimulating CSR and promoting sustainable development; and (2) we offer a discussion of various examples of these mechanisms and an analysis of the effectiveness of their implementation. Based on this discussion,

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### 1. Introduction

orporate Social Responsibility (CSR) ✓ literature is dominated by the principle of voluntarism (Dahlsrud, 2006). According to this principle, responsible business activities begin where the law ends (Carroll, 1979; McWilliams et al., 2006; Carroll and Shabana, 2010). However, various scholars argue that the principle of voluntarism is not a correct representation of the CSR reality (Richard, 2002; Tonge, Greer and Lawton, 2003; Eweje, 2005; Flanagan and Whiteman, 2007; Voliotis, 2011; Lückerath-Rovers and De Bos, 2011) as it does not reflect the involvement of regional and national governments in this topic (Matten and Moon 2008; Gond et al. 2011, Skippari and Pajunen, 2010, Albareda et al., 2007, 2008; Fox, Ward and Howard, 2002; Gond et al., 2011; Midttun, 2008). To the contrary, governments have plaid material role to stimulate CSR, and a good example for this are organizations such as CSR Europe and ABIS were created upon the initiative of the European Commission (EC). In addition, government intervention is actually necessary when business organizations are unable to resolve social and environmental problems

we argue in favour of a plethora of various regulatory mechanisms in support of CSR.

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#### Articles

(Dentchev, Haezendonck and van Balen, 2017; Bozhikin, Gechev and Dentchev, 2017, Bozhikin, 2016). Therefore we will argue in this paper that CSR initiatives are not only voluntary acts, but also the result of a variety of governmental and non-governmental regulatory mechanisms. We are building our argumentation on the growing number of scholarly studies discussing the role of governments in CSR (e.g. Dentchev, van Balen and Haezendonck, 2015; Brammer, Jackson and Matten, 2012; Lenssen, Dentchev and Roger, 2014; Williamson, Lynch-Wood and Ramsay, 2006; Gainet, 2010).

Albareda (2010) does not only present several tools used by businesses to improve their CSR. She also adds a discussion of a variety of regulatory mechanisms applied by governments to stimulate CSR and thereby stresses the need for cooperation between businesses, governmental and non-governmental actors to improve their social and environmental responsibility. In addition, Aaronson (2005) discusses the tools used by the United States government to ensure that American multinational companies act responsibly abroad. Idemudia (2010) focuses further on the role of state government and the tools applied in the field of CSR. Different state policies for CSR are also studied by Albareda et al (2008) and Albareda, Lozano and Ysa (2007). Aguilera et al. (2007) discuss various mechanisms used by different actors (employees, stakeholders, governments and NGOs) to influence social change. Gond, Kand and Moon (2011) elaborate on this argumentation and expand the variety of CSR-government relations. They present 5 configurations of CSR governance: (1) self-governance, (2) CSR facilitated by government, (3) a CSR partnership with government, (4) CSR mandated by government and (5) CSR as a form of government initiative. In addition to these governance configurations, Rasche, Bakker and Moon (2013) distinguish between organizing complete CSR (within one firm) and organizing partial CSR (outside and among firms). Overall, there is no shortage of authors discussing the various governance mechanisms used by different actors to stimulate CSR. However, what is plainly missing in our field is a comprehensive overview of the governance mechanisms for CSR. Hence, we aim to fulfill this knowledge gap by conducting a systematic literature review.

Our research builds on Steurer's (2013) framework of CSR regulation by analysing 186 empirical papers selected from five journals in the CSR field. This will lead to a catalogue of 32 different governance mechanisms for stimulating CSR, whose effectiveness to influence social and environmental change we elaborate on. The remainder of this paper is organized in four sections. First, we discuss several types of regulations in CSR field as proposed by Steurer (2013). Secondly, we elaborate on the methodological choices we have followed in our study. Thirdly, we present different regulatory mechanisms for improving CSR and promoting sustainable development and discuss the effect generated by their implementation. Finally, we conclude this paper with conclusions and recommendations.

## 2. Steurer's typology of CSR regulation

One of the most detailed studies about how businesses (and modern society) are regulated in their CSR activities was written by Steurer (2013). He notes that the regulation can be considered as a broader term that includes all regulative mechanisms of social control (Levi-Faur 2010; Jordana and Levi-Faur 2004) implemented not only by government, but also by various business institutions and civil society. Based on this logic, Steurer

(2013) describes nine actor-based types of CSR regulation and co-regulation: (1) hard regulation and (2) soft regulation implemented by governments; (3) industry self-regulation and (4) firm self-regulation; (5) civil regulation; (6) public co-regulation (involves governments and businesses) and (7) public co-management (civil society and government actors are involved in joint management of common pool resources); (8) private co-regulation (joint regulation applied by both civil society and businesses); and (9) tripartite co-regulation (businesses, civil society and government).

Governments can apply hard and soft regulation of CSR. The main difference between soft and hard regulation is the optional character of soft regulation, which means that non-compliance does not lead to sanctions (Joseph, 2002; Steurer, 2011). Hard regulation by contrast is both compulsory and sanctionable. Moreover, CSR regulations implemented by governments have a formal character, whereas CSR regulations for businesses and civil society actors are rather informal (Idemudia, 2010, Steurer 2011).

The industry and individual companies also implement so-called business self-regulation (Albareda, 2010). Industry self-regulation is applied by a group of large companies from a particular industry or by an industry association, and is often based on the voluntary principal of CSR implementation by the affected companies (Steurer, 2013, Steurer, 2010). However, companies that are non-compliant with industry self-regulation can be excluded from some initiatives as a sanction (Christmann and Taylor 2006; Prakash and

Potoski 2007). Yet, firm self-regulation is often implemented by individual companies as a response to government, industry and civil pressure to adopt CSR initiatives (Maxwell et al. 2000, 583; Abbott and Snidal 2008; Gadenne, Kennedy and McKeiver, 2009).

Civil society can steer businesses toward CSR directly (by direct pressure on a particular company or group of companies) or indirectly (by lobbying governments to implement CSR-related policies). Direct civil society regulation is mentioned as being the more dominant one (Yaziji and Doh 2009; Lambell et al. 2008; Vogel 2010; Scherer and Palazzo 2011). Moreover, civil society regulations of CSR become more prominent when governmental regulation of CSR in a particular field is either not adequate or still absent (Zadek, 2004; Kurzer and Cooper, 2007; Porter and Ronit, 2006). After all, the three actors mentioned above (government, businesses and society) can also join forces in the socalled tripartite co-regulation. According to Steurer (2013, p.397), "co-regulation is an umbrella term for co-operative forms of steering in which actors from different societal domains aim to achieve common objectives or supply public services jointly." Steurer (2013) also listed different mechanisms that can enforce each of the above-mentioned CSR regulations (cf. table 1).

Steurer's (2013) work provides a comprehensive picture of possible CSR regulation and therefore we build on this work to present a detailed analysis of CSR governance mechanisms.

Discovering a Wilderness of Regulatory Mechanisms for Corporate Social Responsibility: Literature Review

Table 1: Steurer's typology of regulation

1. Hard regulatory instruments - Laws, Decrees and Directives - Taxes - Fees - Cap-and-trade schemes  2. Soft regulatory instruments: - Endorsing statements	3. Industry self-regulatory instruments - Agreements - Standards - Codes of conduct - Audit/certification schemes -Initiatives  4. Company self-regulatory instruments	5. Civil regulatory instruments - Informal pressuring - Formal standard-setting -Civil lobbying - Initiatives and negotiating terms - Campaigns 6. Private co-regulatory instruments - Certification schemes - Private-private partnerships	
		7. Public co-regulatory instruments - Negotiated agreements - Certification schemes 8. Public co-management	
-Soft laws without sanctions -Subsidies -Labels -Public voluntary programs	-Reporting on CSR -Business partners impose restrains on a firm	instruments - Public-private partnerships	
GOVERNMENT AND BUSINESS AND CIVIL SOCIETY  9. Tripartite co-regulatory instruments - Standards - Certification schemes - Partnerships			

Source: Drawn by authors based on Steurer's (2013) work

## 3. Method

To conduct this study, we have selected articles published in the five leading academic journals in the field of our research (Paul, 2004; Serenko and Bontis, 2009), viz. Business and Society (BAS), Business Ethics Quarterly (BEQ), Business Ethics: A European Review (BEER), Journal of Business Ethics (JBE) and Business Strategy and the Environment (BSE). We have explored these journals based on nine words proposed at two international conferences: policy, politic, public, regulation, government, law, legislation, partnership, and rule. These keywords provide an appropriate base to study the regulatory mechanisms of CSR-related issues. Utilizing this list of keywords, we have searched for articles from the above-mentioned five academic journals in the EBSCO database for a 30year period, from 1982 to 2011. The keywords were flagged (both in the singular and plural) in the title and abstract of the papers. This resulted in 1,976 articles found. After an evaluation of abstracts by 2 researchers, 703 proved relevant, viz. 67 articles in the 10-year period from 1982 to 1991, 219 from 1992 to 2001 and 417 from 2002 to 2011. In order to explore the most relevant regulatory mechanisms, we will focus on the articles published in the latter 10-year period, from 2002 to 2011. We have selected only the empirical articles from this period as we wish to explore the effectiveness of CSR governance. This reduces our sample to 186 practice-based articles: JBE (120 out of 186, or 64.51%), BAS (23 out of 186, or 12.37%), BSE (19 out of 186, or 10.21%); BEER (19 out of 186, or 10.21%), and BEQ (5 out of 186, or 2.7%). The large number of articles from JBE in our sample can be explained by the publication policy of this journal (in 2011, JBE published 35 issues vs. only 4 published by BAS). We present an overview of the sample of articles in Table 2, arranged in alphabetic order.

#### Aiticles

Table 2: Analysed Articles in Alphabetic Order
Abreu, 2009; Dawkins, 2005;

Di Lorenzo, 2007;

Dickson and Eckman, 2008;

Ackerman et al., 2009; Adam and Rachman-Moore, 2004 Albareda et al., 2008; Altherr et al., 2007; Andersen, 2003; Arnold and Hartman, 2005: Arvidsson, 2010; Bajo et al., 2009; Barboza and Trejos, 2009; Barkemeyer, 2009; Baughn et al., 2010; Beard, 2003: Bedicks, 2005; Beets, 2005; Beggs and Dean, 2007; Bender and Moir, 2006; Benson et al., 2011; Berg and Fryer-Edwards, 2008: Bled, 2010: Blumentritt, 2003: Blumentritt and Rehbein. Borg and Stranahan, 2005; Bowie and Jamal, 2006; Broussine and Miller, 2005; Buchan, 2005; Cai and Wheale, 2009: Calkins, 2009; Campbell and Minguez-Vera, 2008; Canary and Jennings, 2008; Cantó-Milà and Lozano, 2009: Carlson et al., 2011; Chen et al.,2009; Chen et al., 2008; Chih et al., 2010; Cho et al., 2006; Chun. 2009: Chung and Trivedi. 2003: Clarke and Fuller, 2010; Collins, 2009; Collins et al., 2009: Cooley, 2003; Cordano et al., 2004; Criado-Jiménez et al., 2008: Dahan and Gittens, 2010; Dawkins, 2002;

Source: Drawn by authors

Doh, 2002; Dubbink and Van Der Putten, 2008; Eberlein and Matten, 2009; Egels-Zandén and Hyllman, 2006: Egels-Zandén, 2009; Enticott and Walker, 2008; Entwistle et al., 2006; Everett et al., 2008; Eweje, 2005; Eweje, 2006; Fang et al., 2010; Firth et al., 2005; Fisher and Downes, 2008; Flanagan and Whiteman, 2007; Fowler et al., 2007: Freeman and Hasnaoui, 2011: Frenkel and Lurie, 2003: Fukukawa et al., 2007; Gadenne et al., 2009; Gainet, 2010; Gendron, 2003; Glachant et al., 2002; Goode and Cruise, 2006: Graafland, 2004; Greer and Tonge, 2006; Griffin and Dunn, 2004; Grosvold et al., 2007 Groves et al., 2011; Gupta et al., 2004; Habisch et al., 2011; Haigh and Guthrie, 2009; Haigh and Guthrie, 2010; Halter et al., 2009; Herron and Gilbertson, 2004: Holder-Webb et al., 2008; Hong, 2002; Hou and Moore, 2010; Houghton et al., 2009: Huang and Snell, 2003; Huang and Su, 2009; Hudson, 2007: Jia et al., 2009; Jing and Graham, 2008;

Johan and Najar, 2010; Jovanovic and Wood, 2007: Kaplan and Schultz, 2007; Kennedy, 2007; Khuntia and Suar. 2004: Kneiding and Tracey, 2009; Kolk and Pinkse, 2007; Konrad et al., 2006: Laudal, 2010; Le Ber and Branzei, 2010; Lecker, 2009: Lennerfors, 2009; Lennerfors, 2007; Lewis, 2008: Lindgreen, 2004; Lorenzo et al., 2010; Lückerath-Rovers and de Bos, 2011; Lund-Thomsen, 2009; Malloy and Agarwal, 2010; Mathis, 2007; Mayer, 2007; McCraw et al., 2009: McGee et al., 2008: McGee, 2008; Meznar, 2005; Mitchell et al., 2009; Mullin, 2002; Murillo and Lozano, 2009; Muthuri and Gilbert, 2011; Norén and von Malmborg, 2004: Nyquist, 2003; Omurgonulsen and Oktem, 2009: Park et al., 2005; Park-Poaps and Rees, 2010; Paul and Mukhopadhyay, 2010: Peeples et al., 2009; Pelletier and Bligh, 2006; Pelletier and Bligh, 2008; Pol and de Bakker, 2010; Preuss, 2007; Quaak et al., 2007; Reast et al., 2010: Reed, 2009; Rein and Stott, 2009; Richards et al., 2004: Richardson, 2008;

Rivera-Lirio and Muñoz-Torres, 2010; Robertson et al., 2008; Rodford, 2009; Rodríguez, 2009; Rogers et al., 2005; Rose, 2007; Rothenberg, 2004; Runhaar et al., 2008; Sardžoska and Tang, 2009; Schuler et al., 2002; Schwartz, 2006; Seppala, 2009; Siddiqui, 2010; Skippari and Pajunen, 2010; Smith and Crotty, 2008; Smith-Hillmann, V.: 2007; Sogaard and Madsen, 2007; Starik and Heuer, 2002; Suar and Khuntia, 2010; Taylor and Curtis, 2010: Tencati et al.,2004; Tian et al., 2009; Tonge et al., 2003: Vaiman et al., 2011; Valentine et al., 2006; van Zolingen and Honders, 2010: Voliotis, 2011; Vuontisiärvi. 2006: Wagner, 2009; Wagner, 2010; Wander and Malone, 2007; Wang, 2005; Warren, 2009; Wieland, 2005; Wilhelm, 2002; Williamson et al., 2006; Wilson et al., 2010; Wilson, et al., 2011; Winstanley et al., 2002; Winter et al., 2004; Woll, 2007: Woodward and Day, 2006; Worthington et al., 2008; Wu. 2009: Yang et al., 2009; Zamoon and Curley, 2008; Zapata, 2009: Zolingen and Honders, 2010

Discovering a Wilderness of Regulatory Mechanisms for Corporate Social Responsibility: Literature Review

We have read all 186 of these papers, aiming at a comprehensive overview of regulatory mechanisms used in the CSR field. The coding procedure followed the logic for regulatory mechanisms introduced in the studies by Aaronson (2005), Aguilera et al (2007), Albareda (2010) and Steurer (2013). In other words, we consider a regulatory mechanism as a formal (within an official legal framework) or informal (without a legal framework) tool used by different actors from various domains (government, social and business) for stimulating CSR. After the

identification of the regulatory mechanism, we have looked for evidence suggesting the effect of the implementation of this mechanism (a positive, negative or neutral effect). Such an effect should be clearly pointed out in the article.

## 4. Results

Based on the above-mentioned sample of 186 empirical articles, we present different regulatory mechanisms stimulating CSR, while we also classify their effectiveness based on Steurer's (2013) typology (cf. table 3).

Table 3: Summary of Results

Νº	Type of regulations	Regulatory mechanisms	Example	Effect
1	Hard regulations implemented by government	Act and legislative action	The Australian Financial Services Reform Act (Haig and Guthrien, 2009) SOX Act in USA (Entwistle, Feltham and Mbagwu, 2006) Producer responsibility legislation in UK (Wilson, Williams and Kemp, 2010) Borg and Stranahan, 2005	The Australian Financial Services Reform Act had negative effect on the firms self-reporting. The SOX Act was found both necessary and effective. Low levels of compliance with producer responsibility legislation by UK SME. Therefore, the implementation of this legislation was not effective. The lottery tax has positive effect for society.
		Penalties	Smith-Hillmann, 2007	Penalties act as a deterrent to unethical behaviour in UK toy industry, i.e. positive effect.
		Mandatory Stan- dards	Social, Ethical and Environmental Report- ing Standard implemented in Spain in 2002 (Criado-Jiménez et al., 2008)	SEER Standard increased the volume and quality of Social, Ethical and Environmental Reporting. How- ever, there were a significant numbers of firms that non-compliance with SEER standard.
		Affirmative action programme	<ul> <li>Affirmative programme in Norway on gender equality in BoD (Grosvold, 2007)</li> </ul>	The programmes considerably accelerated the growth in female board representation, i.e. a positive effect.
		Environmental policy	Biofuels policy and programme in Brazil ( Zapata, 2009)     Chemicals policy (Richards, Glegg and Cullinane, 2004)	Biofuels policy and programme stimulated production and consumption of biofuels, i.e. a positive effect.     UK chemicals policy contributed to decreasing of pol- lution from UK chemical industry. However, the policy was under some criticisms.
2	Soft regulations implemented by government	Green Subsidies	• Zapata, 2009	<ul> <li>Green subsidies stimulated production and consumption of biofuels in Brazil and therefore contributed to sustainable development (Positive effect in short term).</li> </ul>
		National and Local Procurement	Preuss, 2007     Executive Order of US federal government (Starik and Heuer, p.226, 2002)	Preuss (2007) concluded that the effect of local government procurement in England in terms of achievement sustainable development was patchy.     Through this order, the US federal government aimed to increase the use of environmentally friendly products and decreased the consumption of paper by US government agencies. However, the compliance with this policy has been insufficient.
		Environmental programmes	• The US Environmental Protection Agency Green Lights programme (Starik and Heuer, , 2002 p.225)	The programme prevented 46.9 billion pounds of CO2 from being released into the atmosphere and have saved more than \$2.2 billion from energy efficiency.

Nō	Type of regulations	Regulatory mechanisms	Example	Effect
3 Indi	Industry self- regulations	CSR Standards and CSR potential	• Laudal, 2010	Firms in sectors with a high CSR potential have a big- ger responsibility for CSR than firms in sectors with a low CSR potential.
		Industry initiative	'Responsible Care' initiative (Richards, Glegg and Cullinane, 2004)	This initiative contributed to environmental improve- ments, but insufficiently. Hence, chemical policy and legislations were implemented by UK government.
4	Firms self- regulations /	Political spending and lobbying	Tonge, Greer and Lawton, 2003	Political spending and lobbying by the American company Enron had negative impact on its CSR.
	or regulation implemented by	Stakeholder rela- tions management	Konrad and et al, 2006	Stakeholder relations management indeed promotes sustainable development.
, , ,	public owned companies, private owned companies or mix owned companies /	Code of conduct/ code of ethics	Graafland , 2004     Lückerath-Rovers and De Bos, 2011	The code of conduct sets out the principles for good conduct and attitude. However, code should contain not only rules, but also values that motivate a change in attitude. Governments and sector organizations are also important for creating of good conduct and at- titude as well.
		Annual report/ Disclosures/ Environmental disclosure	Criado-Jime´nez et al., 2008; Entwistle, Feltham and Mbagwu, 2006; Quaak, Aalbers and Goedee, 2007; Haig and Guthrien, 2009;     Holder-Webb, L., et al., 2008	Environmental disclosure contributes to influence social and environmental change. However, many companies have continued reporting only positive in- formation related to their environmental performance and hiding negative information. Therefore, govern- ment intervention is necessary
		Whistleblowing procedures	• Lewis, 2008	Whistleblowing is an important mechanism that it is used for fight against corruption. Whistleblowing procedures help for improving CSR as well. However, whistleblowers are not adequately protected by both companies and UK government.
		Environmental management system /EMS/	Norén and Malmborg, 2004     Wagner, 2007	EMS helps for the reduction of the carbon footprint of companies. It also makes company management more efficient. However, not all companies imple- mented it.
		Micro Credit programs and donation	Micro Credit programme and group lend- ing in Chiapas, México (Barboza and Trejos, 2009)	The poverty reduction was achieved in Mexico through group lending. However, these programs would not achieve their goal (poverty reduction) with- out socially responsible lenders and donors whose have provided funding.
5	Civil regulation	Strike/ Protest	• Eweje, 2006	The protests and information campaigns done by host communities in the Niger Delta region improved envi- ronmental and social responsibility of multinational oil enterprises operating there.
		Campaigns	• Eweje, 2006	Information campaigns reduced environmental pollutions in the Niger Delta and led to incorporation of environmental impact assessments into corporate strategy of MNEs operating there.
		Public code of conduct	Graafland, 2004, p. 138	Public code of conduct contributes for improve codes of conduct implemented by Dutch firms.
		NGO pressure	Skippari and Pajunen, 2010	Protection of local people and environment in Uru- guay.

Νo	Type of regulations	Regulatory mechanisms	Example	Effect
6	Private co- regulation	Union–NGO Rela- tionships	• Egels-Zandén and Hyllman, 2006	Co-ordination relationships between NGOs and unions result in a widening of the definition of corpo- rate responsibility for workers' rights in Sweden.
		Society-NGO Partnerships	• Collins, 2009	Society-NGO Partnership protected environment and water from pollution in El Salvador in Central America. Protection of social health.
7	Public co- management	Government- society partnership	• Abreu, 2009 • Eweje, 2006	• Government-society partnership increased environmental responsibility of firms.
8	Public co- regulation	Public–private partnerships	• Lund-Thomsen, 2009	• Public–private partnership improved environmental protection but caused social problems in Pakistan.
9	Tripartite co- regulation	Partnerships	Flanagan and Whiteman, 2007	Price reduction of HIV medications in Brazil (Positive effect)
10	Supranational regulation	Declarations	The Universal Declaration of Human Rights adopted by the United Nations General As- sembly in 1948 (Frenkel and Lurie, 2003)	The force of this Declaration is in its inspiration as opposed to its enforcement, since it doesn't set legal obligations. In addition, some of the rights laid down in the Declaration were not properly applied in employee-employer relationship in Israel.
		Conventions	OECD anti-bribery convention (Baughn et al, 2010)	<ul> <li>OECD anti-bribery convention contributes to decrease the willingness of multinational companies to provide bribe abroad.</li> </ul>
		Global initiatives	UN Global Compact (Barkemeyer, 2009)     UN CSR Initiatives (Seppala, 2009)	UN CSR initiatives are not so strong regulatory mechanisms for addressing some of the most pressing developmental challenges ( Human rights and labour rights)
		EUstate-aid policies	State-aid policies for the European industry (Rivera-Lirio and Muñoz-Torres, 2010)	<ul> <li>State-aid policies did not lead to significant improve- ment of social and environmental responsibility of companies operating in European manufacturing industry.</li> </ul>
		EU Directives and Acts	The EU end of life vehicles directive (Smith and Crotty, 2008) The European Act on Public Procurement (Lennerfors, p. 382, 2007)	The directive has not driven product innovation beyond the short-term period.  European Act on Public Procurement might be recognized "not only as fighting corruption, but also to some extent fighting quality and professionalism."

Source: Drawn by authors based on the information gathered

## 4.1. Regulatory mechanisms implemented by government

In our sample of articles, there are eight regulative CSR mechanisms implemented legislative governmental action, standards, mandatory taxes, penalties (fees), affirmative action programmes (or environmental programmes), environmental policy, green subsidies, and local government procurement. They were divided into two groups, i.e. hard and soft regulatory mechanisms according to Steurer's (2013) framework.

## Hard regulatory mechanisms

Corporate disclosure of CSR activities is often mentioned in our sample of articles as a hard regulatory mechanism. One of the reasons for this is explained by the various failures to disclose voluntarily during the last decades. Enron, for example, failed to disclose its wrongdoing in a misrepresentation in its financial statements, which led to the bankruptcy of

the company, with huge economic losses to society (Tonge, Greer and Lawton, 2003; Lückerath-Rovers and De Bos, 2011). Many disclosure regulations followed in the United States and elsewhere. Overall, our sample reveals examples of government intervention in corporate disclosure, some with a positive effect towards stimulating CSR (Criado-Jiménez et al., 2008; Entwistle, Feltham and Mbagwu, 2006; Quaak, Aalbers and Goedee, 2007) and others with a negative effect (Haig and Guthrien, 2009; Lewis, 2008; Greer and Tongen, 2006).

Criado-Jiménez et al., (2008) analysed the Spanish Social, Ethical and Environmental Reporting (SEER) standard. This mandatory standard obliges organizations to make environmental disclosures in their financial statements, and the authors noted an increase in both the volume and quality of SEER disclosures. Yet, they also mentioned that there is potential for improvement by increasing the compliance with this standard. In addition, many companies reported only positively on CSR and did not report any negative information. The studies of Entwistle, Feltham and Mbagwu (2006) and Quaak, Aalbers and Goedee, (2007) also provide evidence for the positive effect of disclosure-related regulatory measures. Entwistle, Feltham and Mbagwu (2006) studied the SOX Act<sup>3</sup> (Sarbanes–Oxley Act) of 2002 in the USA. They found that this Act substantially reduced misleading disclosure practices by US companies included in the S&P 5004 (Standard & Poor's 500). They also pointed out that the SOX Act decreased the careless behaviour of managers, and in some cases stopped their misleading reporting practices. Hence, the Act was described as necessary and effective.

Moreover, Holder-Webb et al. (2008) even assert that mandatory disclosures lead to better results than voluntary ones.

Yet, there are also authors who argue the opposite, i.e. that particular government regulations have a negative impact on corporate disclosure (Haig and Guthrien 2009; Lewis, 2008; Greer and Tongen, 2006). According to Haig and Guthrien (2009), the Australian Financial Services Reform Act had a negative effect on the company's self-reporting due to the regulatory laissezfaire approach.<sup>5</sup> Lewis (2008) assesses the operation of the UK's Public Interest Disclosure Act 1998 (PIDA 1998) during its first 10 years and considers its implications for the whistleblowing process<sup>6</sup>. He pointed out that whistle blowers are not adequately protected by this Act. In other words, the effectiveness of this Act is diminished due to corporate opposition to regulation and a regulatory laissez-faire approach of legislation.

Other examples for hard government intervention are related to a multitude of CSR topics: gender diversity on the board (Grosvold, 2007), oligopolistic price setting (Smith-Hillmann, 2007), producer responsibility for electronic devices waste and its packaging (Wilson, Williams and Kemp, 2010), environmental legislation (Wilson, Williams and Kemp, 2011), and green lights and energy efficiency (Starik and Heuer, 2002).

Grosvold (2007) explored gender diversity in the boardroom in the United Kingdom and Norway. While the Norwegian government has adopted legislative initiatives to set a minimum quota of 40% women on the board of directors, the British only stimulated a voluntary adoption of

<sup>&</sup>lt;sup>3</sup> Also known as the "Public Company Accounting Reform and Investor Protection Act" that set new requirements for all public company boards, management and public accounting companies in the USA.

<sup>&</sup>lt;sup>4</sup> It is an American stock market index based on the market capitalizations of 500 large companies.

<sup>&</sup>lt;sup>5</sup> While governments can provide a direction for CSR improvement, it is up to the businesses to realize them. This is, however, not always the case, leaving the regulatory intervention as meaningless.

<sup>&</sup>lt;sup>6</sup> Collins Dictionary: "Whistle-blowing is the act of telling the authorities or the public that the organization you are working for is doing something immoral or illegal".

increasing the number of female members on these boards. Grosvold (2007) found that affirmative action programmes in Norway significantly increased female representation in the boardroom in contrast to the United Kingdom. Hence, this is an example of a hard regulatory mechanism with positive impact. Smith-Hillmann (2007) discussed how collusion between retailers and suppliers in the UK toy industry led to higher average prices. As a result, customers had to pay a premium price, and thus regulatory bodies were seen as a means to protect the public interest. Wilson, Williams and Kemp (2010) studied how UK small and medium-sized enterprises (SMEs) comply with legislation on waste of electronic devices and their packaging. They saw non-compliance with these legislations being quite common due to the following reasons: (1) many SMEs were not aware of environmental requirements, (2) insufficient supervision by enforcement bodies, and (3) fines for non-compliance were not high enough. Moreover, Wilson, Williams and Kemp (2011) pointed out that the compliance with and therefore the effectiveness of environmental legislation could be heightened by increasing the frequency of the audits and inspections of small and medium-sized enterprises by government authorities. Starik and Heuer (2002) studied the implementation of several environmental policies (i.e. green lights energy efficiency policy, weatherization policy) formulated by the US government. The green lights energy efficiency program, for example, purported to have decreased the amount of carbon dioxide released into the atmosphere. After all, environmental policies implemented by national governments are also important mechanisms for stimulating CSR, while examples of these regulation mechanisms are legislation, taxes, subsidies, and sanctions (Zapata, 2009; Richards, Glegg and Cullinane, 2004).

## Soft regulatory mechanisms

Soft regulations are by definition not compulsory (Joseph, 2002; Steurer, 2011). Three soft regulatory mechanisms are noteworthy: local government procurement (Preuss, 2007), green subsidies (Zapata, 2009) and environmental programmes (Starik and Heuer, 2002). Preuss (2007) noted that a significant part of the GDP (Gross Domestic Product) of developing countries (between 8% and 25%) is spent by local government. Hence, local government procurement is an important instrument to address the challenges of social responsibility. In another note, Starik and Heuer (2002, p.226) discussed the importance of government subsidies for achieving social responsibility in the United States, referring to the Executive Order of the US federal government. With this order, the US federal government aimed to increase the use of environmentally friendly products such as recycled paper and decrease the overall consumption of paper by US government agencies. Since the compliance with this policy has been insufficient, the policy is not considered effective. On the other hand, Zapata (2009) studied Brazil's experience with biofuels, i.e. a fuel that is produced through contemporary biological processes, i.e. anaerobic and/or agricultural digestion. Apparently, the Brazilian government has implemented a series of economic incentive instruments (i.e. tax reduction, creation of a specific financial mechanism for biodiesel producers) to stimulate production and consumption of biofuels, which has resulted in a significant growth.

# 4.2. Regulatory mechanisms implemented by industry and companies

Industrial organizations and individual companies can also implement regulatory mechanisms for CSR, known as business self-regulatory mechanisms. Based on

our sample of articles, we have found two regulatory mechanisms implemented by industry (CSR standards and potential; industry initiative) and seven implemented by companies (political spending and lobbying; stakeholder relations management; code of conduct/ethics; disclosures; whistle-blowing procedures; environmental management system; micro-credit programs and group lending). These are discussed below.

## Industry self-regulatory mechanisms

Industry self-regulatory mechanisms are often voluntary. We have identified only two self-regulatory mechanisms in our sample: standards (Laudal, 2010) and industry initiatives (Richards, Glegg and Cullinane, 2004) in support of CSR. Laudal (2010) explored the CSR potential of the international rag trade, focusing on the CSR potential of garment retail in developed countries. He argues that international CSR standards in clothing companies in developed countries is higher, as most of these standards are not legally enforceable in developing countries.

Richards, Glegg and Cullinane (2004) studied the policy mechanisms to decrease pollution by the UK chemicals industry. They have noted that the chemical industry contributes to environmental improvements via the 'Responsible Care' initiative, which proves quite useful for improving of health, environmental performance and security.

## Firm self-regulatory mechanisms

Firm self-regulatory mechanisms are often applied by individual companies as a response to government, industry and civil pressure for CSR improvement (Maxwell et al. 2000; Abbott and Snidal 2008; Gadenne, Kennedy and McKeiver, 2009). Furthermore, company ownership (public, private or mixed) also has an impact on the level of CSR (Chun, 2009; Hou and Moore, 2010). We have identified the following firm self-regulatory mechanisms: codes of

conduct (Lückerath-Rovers and De Bos, 2011; Graafland, 2004); whistle-blowing procedures (Lewis, 2008); environmental management system (Norén and Malmborg, 2004); micro-credit programs and donations (Barboza and Trejos, 2009); political spending and lobbying (Tonge and et al, 2003; Woll, 2007); and stakeholder relations management (Konrad and et al, 2006). Selected examples for the effect of their use are provided below.

Lückerath-Rovers and De Bos (2011) studied the code of conduct for nonexecutive and supervisory directors. It sets out the principles for good conduct and attitude. In addition, the two scholars noted that a code of conduct may contribute to the further professionalization of directors of companies. Graafland (2004) discussed the usefulness of codes of conduct in the Dutch construction company Heijmans. He noted that, in general, the CEO (Chief Executive Officer) considered such codes of conduct as useless. However, after public pressure was brought to bear on the Dutch firm following unethical behaviour (fixing prices through cartels), the codes of conduct became adopted and did prove their worth. In this context, both stakeholder pressure and government regulation stimulated selfregulatory mechanisms. Yet, Konrad et al (2006) argue that although stakeholder management supports CSR, it is no alternative to government regulation. The need for government regulation with respect to firm self-regulation is also discussed in the case of whistle-blowing. Lewis (2008) noted that whistle blowers are not adequately protected, neither by companies nor by the UK government.

Norén and Malmborg (2004) researched the applicability of standardized environmental management systems (EMSs) in local authorities and municipallyowned companies. They conducted qualitative interviews with public officers in

two municipalities in Sweden. Based on this study, they argued that standardized EMSs improved the environmental management in municipally-owned companies as EMS facilitated the reduction of the carbon footprint of the publicly-owned companies. Elsewhere, Barboza and Trejos (2009) studied micro-credit programs, group lending and donation as important instruments for poverty reduction in Mexico. The two scientists studied 2,151 participations who have benefited from good credit conditions provided by the micro-credit programs<sup>7</sup> in Chiapas, México.

Political spending and lobbying are another type of self-regulatory mechanisms by which some companies strive to escape from social responsibility (Tonge et al, 2003; Woll, 2007). In this context, Zhilong, Taïeb and Wei (2009) argue that companies implement two basic patterns of political strategy: accommodating or defying strategies with respect to government policies. The authors uncovered that accommodating strategies are implemented more frequently where the relationship with the government is well established and formalized. Defying strategies, on the other hand, are used more commonly when companies are larger and have more social and institutional capital. Zhilong, Taïeb and Wei (2009) noted that the larger and more established firms could more easily challenge existing legislation and pressurize governments into modifying it. Other authors also focus on the political strategy adopted by companies (Taïeb and Wei, 2009; Abreu, 2009; Meznar and Johnson, 2005; Blumentritt, 2003).

## 4.3. Civil society regulatory mechanisms

Our review identified the following four civil society regulatory mechanisms

on CSR: strike or protest (Eweje, 2006); campaigns (Eweje, 2006); non-governmental organization (NGO) pressure (Skippari and Pajunen, 2010).

Eweje (2006) focused on the social and environmental impact of multinational oil enterprises operating in the Niger Delta region of Nigeria. Local communities in the Niger Delta have taken action to reduce environmental pollution and to improve the social responsibility of multinationals operating in the region. Environmentalist NGOs have also put pressure on these companies with an international campaign accusing of environmental degradation in their host communities. Moreover, the government of Nigeria has also taken action, arguing for social and environmental responsibility of multinationals. As result of all this stakeholder pressure, multinational oil enterprises put more effort into improving their CSR initiatives, and reducing their negative footprint. In addition, Egels-Zandén (2009) argues further that one of the basic reasons for international framework agreements to become adopted by corporations is trade union pressure. So, trade union movements contribute to the improvement of social responsibility of transnational corporations.

(2010)arques Gainet that companies may pay more explicit attention to social and environmental issues, as opposed to their smaller counterparts, since these larger companies are more exposed to heavy societal pressure. Moreover, Abreu (2009) noted that key factors for increasing the environmental responsibility of firms are associated with the pressure of society and the overall perception of environmental risk. Skippari and Pajunen (2010) have also contributed to the debate on civil society pressure. They suggested that in the FDI (foreign direct investment) context the relationships between multinational enterprises (MNEs), NGOs, and host

<sup>&</sup>lt;sup>7</sup> They have achieved what the government authorities and traditional financial institutions have not been able to, i.e. poverty reduction through lending to the poor as well as significant loan recuperation.

governments are closely interlinked. This argument was illustrated with the case of Botnia, a multinational that wanted to invest in Uruguay. Both the company and the Uruguay's government had an economic interest in an investment project in a pulp mill. However, they did not take into account the environmental interests of society, which were represented by NGOs. Conflict between environmental, socio-economic, business and political interests led to the failure of this investment project. This case illustrates the potential conflicts of interest between government, NGOs and companies.

## 4.4. Co-regulatory mechanisms

Relationships between business. government and civil society result in cooperation and in the implementation of various co-regulatory mechanisms. Based on our sample of articles, we detected (1) two private co-regulatory mechanisms, i.e. union-NGO relationship (Egels-Zandén and Hyllman, 2006) and society-NGO partnership (Collins, 2009), (2) two public co-regulatory mechanisms, i.e. government-society partnership (Abreu, 2009; Eweje, 2006) and public-private partnership (Lund-Thomsen, 2009) and (3) one tripartite co-regulatory mechanism (Flanagan and Whiteman, 2007; Lund-Thomsen, p. 67, 2009), which are further discussed below.

## Private co-regulatory mechanisms

Collins (2009) studied the failure of a Canadian multinational to invest in a gold mining development in El Salvador in Central America. The company contacted the US government in order to obtain a license for this activity. Both the US government and the Canadian multinational had economic interests in the realization of the investment, but the license was not granted due to public and NGO pressure. By cooperating, local communities and NGOs have stopped the investment project by focusing on the

environmental and social threats resulting from its implementation, such as surface area damage, acid drainage, cyanide harming the environment and spreading throughout the region by rainfall, pollution of the water.

Egels-Zandén and Hyllman (2006) studied the effects of union-NGO relationships on corporate responsibility. For this reason, they explored the Swedish garment retailers' responsibility for workers' rights at their suppliers' factories. They stated that trade unions and NGOs are key factors in regulating and widening the definition of workers' rights on an international stage. They found that union-NGO relationships as a whole had a positive effect on transnational company responsibilities for workers' rights. Cooperation is discovered to be more beneficial for both unions and NGOs as opposed to any other form of conflictual relationships.

## Public co-regulatory mechanisms

Lund-Thomsen (2009) tried to assess the impact of public-private partnerships in developing countries. For this purpose, he focused on the case of the Kasur tanneries pollution control project in Pakistan. The aim of this project was to reduce environmental pollution and improve workers' security in the tannery industry by the construction of a treatment plant, the establishment of a solid-waste collection and disposal system, and training for tannery workers related to occupational health and safety. The project was funded by the United Nations Industrial Development Organization, the government of Pakistan and the Kasur Tanneries Association. This resulted in improved environmental protection by firms operating in the tannery industry in Pakistan. However, the project overlooked important economic concerns: many tannery companies lost out to the competition over the years and were threatened with bankruptcy. This situation put

many tannery workers at risk of losing their jobs and being reduced to poverty. Therefore, Lund-Thomsen (2009) concluded that in the public-private partnerships, win-win and win-lose outcomes may exist simultaneously. In addition, government-society partnerships also increase the environmental responsibility of firms (Abreu, 2009; Eweje, 2006).

## Tripartite co-regulatory mechanisms

Flanagan and Whiteman (2007)analysed the HIV/AIDS epidemic in Brazil regarding the access to cheaper HIVmedication. A public HIV-disaster had been spreading around the country and a drastic price reduction of AIDS-medication was needed. However, global pharmaceutical companies refused to lower the price of the drugs combating HIV/AIDS. Therefore, the Brazilian government took action: it negotiated with global companies, the US and the World Bank to achieve lower drug prices. As a result, together with the Brazilian pharmaceutical companies, public and international organizations, the Brazilian government has managed to achieve a price reduction for HIV-medication.

In another example, Lund-Thomsen (2009, p. 67) pointed out that a public-private partnership between the United Nations Children's Fund, the International Labor Organization, NGOs, multinational companies, and Pakistani manufacturers in the soccer ball industry stopped the recruitment and exploitation of child labour in the industry. However, this partnership also had some negative consequences such as a reduction of income for some women.

The tripartite co-regulation in the typology of Steurer (2013) could accommodate governance mechanisms of some supranational organisations. Yet, his typology did not devote an explicit category to supranational regulation, which our sample of articles made clear is needed. Hence, we will present such a category separately below.

# 4.5. Regulatory mechanisms implemented by supranational organisations

The most often-used supranational regulatory mechanisms that we found in our sample of articles are the following: declarations (Frenkel and Lurie, 2003), conventions (Baughn et al, 2010), global initiatives (Barkemeyer, 2009; Seppala, 2009), EU Directives and Acts (Smith and Crotty, 2008; Lennerfors, 2007), and EU state-aid policies (Rivera-Lirio and Muñoz-Torres, 2010). Supranational regulatory mechanisms can be divided into "soft" (declarations; conventions; global initiatives) and "hard" regulatory mechanisms (EU directives).

Frenkel and Lurie (2003) focused on the Universal Declaration of Human Rights, and pointed to its inspirational value versus its limited enforceability, since it does not have legal status. Moreover, the two scholars studied how the standards for a tolerant global society set by this Declaration were applied in the Israeli industry. They concluded that some of the rights laid down in the Declaration (equal pay and privacy) were not properly applied in employee-employer relationships in Israel. In support of their argument, Barkemeyer (2009) emphasized that the UN Global Compact does not provide strong regulatory mechanisms for addressing some of the most pressing developmental (anti-corruption challenges measures, labour rights). This point is well voiced by Seppala (2009, p.401): "the extension of the international regime of human rights to companies has not changed the essentially state-centric nature of the regime."

Baughn (2010) analysed the tendency of companies to become involved in international bribery. He found that international bribery was at its lowest when a country had signed the OECD (The Organisation for Economic Co-operation and Development) anti-bribery

convention and did not tolerate bribery. Lennerfors (2007) also contributed to the debate on corruption by discussing the European Act on Public Procurement, with particular focus on the Swedish context. He concluded that the European Act on Public Procurement might be recognized "not only as fighting corruption, but also to some extent fighting quality and professionalism" (Lennerfors, 2007 p. 382).

Rivera-Lirio and Muñoz-Torres (2010) studied the effectiveness of the stateaid policies for the European industry and whether these policies contribute to sustainable development and better corporate social responsibility. They found that the European Union state-aid for the European manufacturing industry has not led to any significant improvement of social and environmental responsibility of companies, and therefore, contributed little to sustainable development. On the other hand, Smith and Crotty (2008) focused on environmental regulation as a driver for product and technology innovation. To find out whether environmental regulation can stimulate the application of green innovation, they studied the impact of the EU end-of-life vehicles directive on the UK automotive component manufacturers. The two scientists concluded that this directive has not driven product innovation beyond the short term.

## 5. Discussion and concluding remarks

Based on our sample of 186 practiceoriented articles, we found 32 different regulatory mechanisms in support of CSR (cf. table 4). The majority of these mechanisms are implemented by governments (9 out of 32), firms (7 out of 32), supranational organizations (5 out of 32) and civil society (4 out of 32). Furthermore, our 32 regulatory mechanism can be complemented by three other co-regulatory mechanisms, viz. certification schemes (Cummins, 2004; Greenpeace, 2009; Wright, 2012, 2004); negotiated agreements (Darnall and Sides, 2008; Bressers, de Bruijn and Lulofs, 2009), standards (Ward, 2012, 2011), and on the other hand by four more industry selfregulatory mechanisms, viz; agreements, standards (Rasche, Bakker and Moon, 2013), codes of conduct and audit/certification schemes (Steurer, 2013). These additional seven regulatory mechanisms were not found in our sample of articles, but they were part of the Steurer (2013) framework.

Table 4: 32 regulatory mechanisms for CSR

1.Supranational regulatory mechanisms: -Declarations; -Conventions; -Global initiatives;	3. Soft regulatory mechanisms: - Green Subsidies; - National and Local Government Procurement; -Environmental programmes;	6. Civil regulatory mechanisms: - Strike/ Protest - Campaigns - Public code of conduct - NGO pressure
-EU state-aid policies; -EU Directives and Acts.	4. Industry self-regulatory mechanisms: - Initiative; - CSR Standards and CSR potential;	7. Private co-regulatory mechanisms: - Union-NGO Relationships
2. Hard regulatory mechanisms: - Act and legislative action; - Taxes; - Mandatory Standards; - Programmes; - Penalties; - Environmental policy;	5. Company self-regulation mechanisms:  - Political spending and lobbying;  - Code of conduct/ code of ethics;  - Annual reports/Disclosures;  - Environmental management system;  - Micro Credit programs and donation;	- Society-NGO Partnerships  8. Public co-regulatory mechanisms and public co-management: - Public-private partnerships - Government-society partnership
	- Stakeholder relations management; -Whistleblowing procedures.	9. Tripartite co-regulatory mechanisms: - Partnership

<sup>--</sup> Regulatory mechanisms detected by us in our sample. -- Regulatory mechanisms detected by Steurer (2013) as well as us.

Source: Drawn by authors based on the information gathered

While building on Steurer's (2013) framework, we have contributed to the field with clear examples of 32 regulatory mechanisms for CSR governance and have discussed their effectiveness. Moreover, we have extended Steurer's (2013) framework with the supranational level of analysis (cf. also Midttun, 2008; Dentchev, van Balen and Haezendonck, 2015; Lenssen, Dentchev and Roger, 2014; Hoessle, 2014). These transnational organizations implement supranational regulation for promoting sustainable development and CSR. They can be included in a fourth societal domain entitled "supranational unit". Thus, a more complete picture of governance can be presented to show how businesses (and modern societies) are steering towards sustainable development and CSR.

To sum up, the regulatory mechanisms applied by companies and industry do not always lead to the desired social and (Lewis, environmental results 2008). Moreover, political spending and lobbying are two of the regulatory mechanisms that are usually employed by companies to achieve their economic interests instead of improving their social and environmental responsibility (Tonge, Greer and Lawton, 2003). The fundamental factor for a successful implementation of regulatory mechanisms used by supranational units is the strong engagement of national governments in the regulatory process (Seppala, 2009; Frenkel and Lurie, 2003; Barkemeyer, 2009). Furthermore, the implementation of government laws and legislations, aiming to improve social and environmental responsibility of the organizations, does not always culminate in desirable and satisfactory results (Haig and Guthrien, 2009; Wilson, Williams and Kemp, 2010; Haig and Guthrien, 2009; Greer and Tongen 2006; Grosvold, 2007; Wilson, Williams and Kemp, 2011; Preuss, 2007). The reasons for this vary from a lack of

monitoring of the compliance with legislation, regulatory laissez-faire approaches, over low levels of sanction for non-compliance with legislation, political spending and lobbying by companies, to even corruption.

Based on our review and analysis, we conclude that CSR regulatory mechanisms are not that effective by themselves. To enhance their effectiveness, all regulatory mechanisms for CSR should be considered together, as an orchestrated governance of economic, social and environmental issues. Thus, better social and environmental results could be achieved when CSR regulatory mechanisms are applied in a coordinated manner instead of separately or individually. Furthermore, to guarantee effective and sustainable governance, there is a strong need to devise of a holistic package of different regulatory mechanisms. This package can include (1) various regulatory different mechanisms from domains (government, businesses and/ or civil society) or (2) various regulatory mechanisms applied by one societal domain (e.g. government and its environmental fiscal policy combining various governmental regulatory mechanisms). However, further studies are needed in this field in order to detect the main general principles and find the appropriate combinations of regulatory mechanisms that may lead to their efficient usage and better results in the CSR field.

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