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Corporate social responsibility as a tool of 'post-political governance'?

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Corporate social responsibility and discourses of conflict of interest in the alcohol and gambling industries: a case of post-political governance?[1]

Abstract

The corporate pursuit of social goals – known as Corporate Social Responsibility or 'CSR' – has been subject to critique on a number of grounds. However, a hitherto underexplored potential consequence of CSR has been suggested in a recent paper by Garsten & Jacobsson ('Post-Political Regulation: soft power and post-political visions in global governance' (2013), *Critical Sociology* 39:421-437). They suggest that CSR is part of an international trend towards 'post-political' governance discourses, where an emphasis on different actors' common goals obscures conflicts of interest, subverting the open political conflict necessary for a well-functioning democracy. This paper examines whether such post-political discourses – including an outright denial of conflict of interest – can be found for CSR in the alcohol and gambling industries, where conflicts of interest are likely to be particularly acute given the addictive nature of the goods/services in question. Based on documentary analysis and interviews with those working in these industries in Italy, the Netherlands, the UK, and at EU-level, we find a post-political discourse wherever CSR is well-institutionalised. In these discourses, alcohol/gambling industry staff deny potential conflicts of interest on the basis that any small benefits from sales to a small number of addicts are seen to be outweighed by the reputational damage that addicts cause. Crucially, however, this coexists with another, less post-political discourse, where addictions CSR professionals emphasise 'common ground' as a basis for CSR, while accepting some instances of possible conflict of interest. Here interviewees make considerable efforts to differentiate good (sustainable) from bad (short-term) self-interest in order

to stress the genuineness of their own actions. We conclude the paper by considering whether CSR

embedded within a 'common ground' discourse still hides conflicts of interests and subverts

democratic debate, or overcomes the problems identified by Garsten & Jacobsson.

Introduction

The corporate pursuit of social goals – known as Corporate Social Responsibility or 'CSR' – has been subject to critique on a number of grounds, ranging from the ineffectiveness of CSR initiatives *per se* to the role of CSR in providing corporate access to policymakers (see below). However, a hitherto underexplored potential consequence of CSR has been suggested in a recent paper by Garsten & Jacobsson (2013), who suggest that there is an international trend towards 'post-political' governance discourses – that is, a discourse where 'political' battles between corporate versus wider societal interests are replaced by 'post-political' consensus-based discourses where these actors work together towards a common goal. They argue that CSR is a crucial aspect of such post-political governance, demonstrating (at least rhetorically) that corporate actors are part of the solution to – rather than the cause of – a wide variety of social problems.

CSR may therefore be undesirable on the grounds that it reduces the available space for divergent views to be articulated within democratic processes – yet Garsten & Jacobsson themselves accept the need for further empirical work to examine this in practice. This paper undertakes such a task, taking alcohol and gambling as critical case studies. While there are potential conflicts of interests to some degree for many corporate actors' social actions, these are particularly acute for addictive goods/services where it becomes hard to sustain the assumption that individualised consumer choice maximises social welfare. Researchers and advocates have therefore repeatedly drawn attention to the conflict of interest of alcohol companies in reducing addiction-related harm, given (it is argued) that they profit from these social problems (see below).

Yet despite such claims, these industries commonly undertake activities that they claim help to reduce addiction-related harm. For example, the EU has set up institutionalised CSR activities in the

form of an Alcohol and Health Forum across all EU member states (de Bruijn 2008). In the UK (one

of the countries where CSR is well-developed), the present Government has initiated a

'Responsibility Deal' with the private sector that incorporates alcohol, complementing a Responsible

Gambling Strategy Board funded by the British Government to oversee privately-funded CSR

activities. In this paper, we consider whether the discourses in which these CSR activities are

embedded can be considered as 'post-political' in Garsten & Jacobsson's sense – as we now explain.

Post-political governance

Rather than getting bogged down in 'definitional bickering' about CSR (Ward and Smith 2006:28), we

here define CSR as business actions beyond core profit-making activities that are claimed to benefit

society (and specifically here, to reduce addiction-related harm). While there is an extensive

literature on CSR spanning several decades (Taneja, et al. 2011), much of this takes place in the field

of business studies/business ethics, focusing primarily on the *incentives* to behave responsibly

(Orlitzky, et al. 2003) or the *obligations* to behave responsibly (Freeman, et al. 2004). Alongside this,

however, there is a more critical, sociologically-minded literature that casts doubts on how far CSR

can contribute to various conceptions of the public good. Such doubts partly concern 'techniques of

neutralization', where CSR allows corporate actors to justify ethically problematic actions to

themselves (Costas and Kärreman 2013); but primarily this happens by enhancing corporate political

activity, whether by increasing access to policymakers (Fooks, et al. 2013), helping 'manufacture

doubt' around scientific evidence (Michaels and Monforton 2005), or more broadly by recasting

social problems in ways that help legitimise the power of corporations (Banerjee 2008).

Within this, there are studies that apply a critical lens to CSR specifically within the addictions field –

particularly on tobacco, to a lesser extent for alcohol, but rarely on gambling. Documents made

public following litigation against the tobacco industry in the US have revealed how both the tobacco

(Fooks, et al. 2011) and alcohol (Bond, et al. 2009:7) industries deliberately use CSR as a way of reducing the chances of future socially-motivated legislation that would restrict commercial freedoms and impinge on profitability, by both providing access to policymakers and helping reframe the issues themselves. (These aims are also revealed in interviews with corporate actors; see Hawkins and Holden 2013; Yoon and Lam 2013 and below). And beyond this, there are many claims that alcohol/tobacco CSR activities are ineffective or even counterproductive (e.g. Wakefield, et al. 2006)(SEE ALSO AUTHOR IN PRESS section 5.3.1).

Our focus here, however, is a recent and specific claim of Garsten & Jacobsson that we are moving towards more 'post political' forms of regulation (Garsten and Jacobsson 2013; developing ideas in Jacobsson 2004). They take the term 'post-political' from Chantal Mouffe's argument that open ideological conflict is being increasingly hidden by mainstream political parties in Europe, contributing to the rise of the far-right. Adapting this to explore issues of regulation and governance, Garsten & Jacobsson argue that *'regulatory attempts are increasingly premised on perceptions of basically harmonious social relationships'* (2013:422). Instead of traditional forms of regulation where the interests of corporate actors were opposed to those of society (as expressed in legislation) and negotiated through the democratic process, post-political governance is the partnership of corporate and non-corporate actors to develop 'win-win' policies.

Irrespective of the concrete CSR actions underlying them, we contend that CSR discourses are relevant because *'discourses do not simply represent reality, as experienced by a particular social group or institutions, but they are also dynamic, serving to construct version of reality'* (Cohen and Musson 2000 :33). The particular problem with post-political governance is that – as in Mouffe's critique of post-political politics – it subverts the open political conflict that is necessary for a well-functioning democracy; as Garsten & Jacobsson put it, *'CSR is the deliberate inclusion of perceived public interest into corporate decision-making, thus reducing the available space for articulation of*

diverging interests' (2013:429, emphasis added). This creates a climate in which binding and effective legislation is ultimately less likely.

While CSR activities can superficially seem desirable or at worst innocuous, this account highlights a potentially damaging consequence of CSR for democratic debate – yet Jacobsson & Garsten present limited empirical material and invite further study, a call to which we respond in this paper.

Addictions CSR

Within the wider framework of CSR in controversial sectors (see Yani-de-Soriano, et al. 2012), we take the case of addictions CSR to be a critical case for Garsten & Jacobsson's account due to the high level of potential conflict of interest involved (although it was necessary to exclude tobacco from the study, for reasons given below). Individuals use potentially addictive goods/services to gain pleasure or relieve pain, which triggers the brain's reward system for useful behaviours (Koob and Le Moal 2006). However, a subset of consumers find that regular use leads to withdrawal symptoms, leading to a craving to continue harmful use of the good/service – making it difficult to sustain the assumption that social welfare is maximised if decision-making is left to individuals .

The addictive industries gain a large part of their profits from such undesirable consumption. It has been suggested that 30-50% of gambling spending is accounted for by problem gamblers (e.g. Yani-de-Soriano, et al. 2012), and that this is figure is even higher for certain types of gambling. For alcohol, 'undesirable' is not only defined as 'addicted', but also reflects health and social harms among *non*-addicts. A large proportion of total alcohol sales are accounted for by 'unhealthy drinks' beyond official recommended levels of acceptable risk. For example, using figures for Great Britain (AUTHOR 2009), it is estimated that alcohol consumption among 18-64 year olds would fall by 55 per cent if all binge-drinking days were replaced by drink-free days. It is for these reasons that many experts see a conflict of interest between corporate interests and public health interests.

Despite this underlying similarity, the 'addictive industries' have rarely been studied together – or in the case of gambling CSR, barely studied at all.[2] As a recent editorial in the Lancet puts it, *'although there is now consensus that the tobacco industry's conflict of interest with public health is irreconcilable, whether the competing interests of the alcohol, food, and drink industries are similarly irreconcilable is debated…These conflicts are largely unstudied'* (Moodie, et al. 2013:670). This partly reflects the differences between them, not just in their level of addictiveness but also in their impacts on non-addicted consumers. For example, while low-level alcohol use is relatively low-risk, alcohol was recently estimated by the World Health Organization to be in the top 10 of 67 risk factors for disability in Western Europe and North America (Lim and al 2012 :Figure 5), and moreover is a contributing factor to a wide range of social problems (Klingemann and Gmel 2001).

It is these differences – overlaid on an underlying similarity of addiction – that makes the simultaneous study of alcohol and gambling CSR particularly valuable. Furthermore, by considering varied cultural contexts within high-income Western European countries, we can examine whether post-political discourses are equally visible in diverse settings across diverse addictions. While we do not test the 'impact' of these discourses on policy, we take as our premise Garsten & Jacobsson's argument that the existence of post-political discourses is likely to be damaging to democratic accountability. This study therefore responds to Garsten & Jacobsson's call for more concrete studies of the implementation of CSR in particular areas, as well as the need for greater research on the role of corporate actors in alcohol policy (Hawkins, et al. 2012), gambling policy (where the paucity of literature is striking), and for more work in 'addiction industry studies' more generally (Adams 2013).

Research design

We use a multiple case study approach, where we study each of alcohol and gambling in three settings (the EU for both alcohol and gambling; alcohol in the Netherlands; and gambling in the UK and Italy).[3] These countries were chosen to both capture differences in the extent of CSR discourses *per se*; and also to capture variation in cultural contexts of alcohol/ gambling. The comparative study in 2012/13 is combined with data from an extensive and previously unpublished 2007 case study analysis by one author, focusing on alcohol CSR in the UK. In total, this provides six case studies, allowing comparisons both across countries and across addictions.

Within each case we used two sources of data: public documents/websites, and telephone/face-to-face interviews. Documents capture the public image that actors choose to present, and are easy to obtain even with limited cooperation, while interviews with industry insiders are necessary in order to probe for richer answers on conflict of interest. The sample is focused on chief executives and communications/CSR managers within large companies (for alcohol, primarily producers but with some major retailers) and their trade/CSR bodies. (We also spoke to key non-industry actors (NGOs, civil servants), although these are not the focus here). We do not suggest that the same discourses would be found among smaller, non-publicly-listed companies, nor that the precise interests of each actor and each organisation are identical (Holden, et al. 2012). Nevertheless, the *broader* CSR discourses do not systematically vary across actors within this group of large corporations and corporate bodies.

Data collection was undertaken by the present authors and international partners (NAMES REMOVED FOR ANONYMITY) and subject to ethical approval by (UNIVERSITY); the topic guide is available as Web Appendix A. In total, our corpus includes 67 interviews, of which 44 were among

corporate actors, and alongside 14 document reports (each based on multiple sources). The corpus

was then thematically coded within NVivo 10, using a mixture of theoretically-derived codes derived

from Garsten & Jacobsson on the representation of conflict of interest, and inductively-derived

codes that emerged from the data. This was supplemented by memo-ing of full

transcripts/documents, to avoid the fracturing tendency inherent in purely thematic analyses and

examine the discourse of each person/document as a whole. A subset of 10 interviews were

independently coded by both authors at the outset, to ensure clarity and consistency in coding and

interpretation.

Results

Post-political discourses in addictions CSR

From this empirical material, it is clear that a 'post-political discourse' in Garsten and Jacobsson's

mould can be discerned – at least for some interviewees. Documentary analysis only partially

unpacks this as public statements are primarily of how corporations *commit* to transparent, moral

behaviour and *accept* the existence of addiction-related harm:

> *'We are keen to draw attention to the problems that can arise when an*
>
> *individual's gambling goes out of control'* (London Club international website,
>
> www.lciclubs.com)

Accepting harm in this way implicitly also suggests that the organisation has some reason to behave

responsibly, but stays silent on issues around conflict of interest. The denial of conflict of interest,

however, becomes clear when industry actors respond to questions or challenges about their

interests. This can take place in written exchanges, such as the group of alcohol producers who

responded to criticism in the pages of the prominent journal *Addiction* to say that they '*see no contradiction*' between '*commercial interests and the public health goal*' (Leverton, et al. 2000:1430; see also Orley and Logan 2005), and is also repeatedly expressed in the interviews, never more strongly than the following account:

> '*(Angrily) It really really angers me that people should always assume there's a conflict of interest with the industry saying that it is concerned about public health…I simply don't see why people can't accept that business sees very clearly that it is not in its interests to be associated with any of the downsides of its products. Why should it?*' (Alcohol UK20)

In other instances, the same point is made calmly but firmly:

> '*We must always avoid a blame game where companies are blamed, or companies try and blame individuals and customers and say 'well it's not our fault, you know, we're just a business, we don't have any responsibility', or the NGOs blame the businesses for not having enough funding. It has to be a collective responsibility to help people*' (Gambling UK5)

But how can these discourses dismiss the existence of conflict of interest, given that there would seem to be a profit from sales to addicts? The explanation is that the discourse firstly marginalises conflict of interest around sales to addicted/undesirable consumers, and then presents countervailing bottom-line motives as outweighing any profits gained from this undesirable use, as we now explore.

Motives to be irresponsible

In the post-political interviews, the existence of addiction and other harms is never denied – yet alcohol and gambling industry CSR professionals consistently confine this problem to very small numbers of people. For instance, UK gambling interviewees admit that 'people have an instinctive nervousness' about gambling (Gambling UK6), but repeatedly quote the result of the official Gambling Prevalence Survey that pathological gamblers are 'a small minority' that do not even amount to 1 per cent of the population. Similarly, alcohol industry CSR professionals felt that problem drinkers were not a major part of their market. As one put it, summarising a widely-held view, *'the number of high risk drinkers as a percentage of the total UK population is very small'.*

How can this be reconciled with the figures presented above, on the extent to which the alcohol/gambling industries gain a large part of their sales from undesirable consumption? To probe this further, alcohol interviewees were asked to comment on published figures illustrating this point. The response was universally to reject the implied conflict of interest. Some would accept that there might be conflict of interest in parts of the alcohol industry, but put forward a post-political view of their own role; *'we don't make any money from binge drinking, it doesn't do anything for our premium spirits portfolio'* (Alcohol UK41). Yet it was more common to restrict 'the problem' to small numbers of people with very severe harms (see also Hawkins and Holden 2013); those with less extreme consumption were not part of the definition of the problem (official definitions were 'slightly farcical'). Similar views can also be seen in the gambling interviews:

> *'So whether it's gambling, whether it's drink, whether it is drug taking, whether it's gym, whether it's exercising, to whatever, there's always going to be a small number of people.[…] I mean it does happen, but there isn't a lot out there… It's containable, and that's why we're here'* (Gambling UK2)

As a result of defining 'problematic drinking' so narrowly, the common view was that *'I would have thought just instinctively that it seems to me that drinks industries are not going to lose huge amounts of profit by encouraging the problematic drinkers not to drink so much.'* Conflict of interest is further reduced by highlighting 'the other side of the coin', the pleasure that the good/service provides for the vast majority of consumers.

> *'When it comes to something like alcohol, there are two sides to the coin, that drinking in moderation is enjoyable for consumers who choose to drink, and if you drink irresponsibly you can harm yourself and you can harm others'* (Alcohol EU5)

So alcohol industry staff *'think they make nice products that people enjoy and they don't see anything wrong with that'*, while a gambling company's mission *'is to bring entertainment and happiness to the lives of our customers through thrilling gaming experiences'*. While not the focus here, it is nevertheless important to note other aspects of the post-political discourse that go beyond – yet are simultaneously intertwined with – conflict of interest. In the face of the good/service bringing widespread happiness together with demarcated harm, the responsibility for ensuring that a given consumer had a normal and pleasurable experience is placed squarely on the consumer themselves (see Hawkins and Holden 2013 among others). As one respondent put it, *'I know that [gambling] can cause addiction, I know that it can cause damage, but they are personal choices in the first place'* (Pan-addiction EU1).

The role of the responsible corporate actor is therefore to help people in this process of self-management – crystallised in the idea of self-exclusion agreements in the gambling industry (*'the gambler who wants to exclude himself already has the means to do so'*), but also visible in the more typical information-based campaigns – where failure (addiction) is a failure of the self rather than of

the addictive good/service (see also Yoon and Lam 2013). In this sense, conflict of interest becomes irrelevant within this discourse in the face of the sovereignty of the consumer.

Motives to be responsible

This construction of the 'problem' minimises the socially undesirable aspects of these goods/services – yet it does not deny them. To reach a fully post-political discourse that can represent corporate actors as having the same goals as non-corporate actors, there needs to be an additional motivation for the addictive industries to behave responsibly, and this was repeatedly expressed in the form of 'reputation'. As an alcohol industry interviewee put it, *'No company can survive in the long term if their reputation becomes more linked with the downside of alcohol misuse than with the upside of alcohol enjoyment'.*

While talk of 'reputation' is widespread, its deeper meaning upon probing seems to point in two directions. Firstly, brands associated with harms are seen to be less desirable to consumers; for instance, customers *'will leave [casinos] and they won't say they've had a good time'* (Gambling UK4). Refined and controlled customer experiences could lead to better brand reputations and higher prices (*'drinking less but better'* as Alcohol UK22 put it). Secondly, though, there was the wider, long-term reputation of the whole industry, the need for tacit societal consent for the continued and unrestricted operation of the industry. This is often referred to as a 'licence to operate', such as the following typical view:

> *'So for the gambling industry in the 21st century, having a social licence to operate as well a physical licence is quite important, and that really goes down to the perceived ethics of the industry by the public'* (Gambling UK1, <u>non-industry</u>)

Another respondent explained this by saying, *'The value that we will be able to extract from any society is a direct reflection of the value that we offer to society'* (Gambling UK6)*.*

When we probed this further, worries about 'reputation' and a 'licence to operate' are often an indirect way of expressing a fear of restrictive legislation (see also Baggott 2006:5):

> *'"[There are] long-term concerns about the industry's image and reputation, the way the industry is portrayed in the media, the way it's perceived by customers and so on. Though to a certain extent, they probably all feed into legislation anyway, in that basically, if the media is going on saying 'this is a disgrace and something needs to be done about it' then that translates in the end into government action. So the ultimate fear or the ultimate driver [of CSR] is probably going to be legislation'* [Alcohol UK3]

It is worth noting here that documentary analyses on alcohol and tobacco have likewise found CSR to be motivated by the threat of regulation (Fooks, et al. 2013; Bond, et al. 2009:7) – but have presented this as if it is a hidden motive, only revealed in usually private internal documents. Here, on the contrary, we find the overwhelming majority of our industry respondents revealed this to interviewers. It should also be noted that legislation is portrayed as undesirable, crude and ineffective (see e.g. Hawkins and Holden 2013), which – along with the emphasis on personal responsibility and happiness (above) – allows anti-legislative feeling to coexist with a discourse of meeting social goals. In the words of one *non*-industry respondent:

> *'The downsides [of alcohol] are viewed as unfortunate incidents [side effects] – which need to be tackled, but are usually approached gently, with gloves; it mustn't be done against public opinion; it mustn't go against economic interests'*
> (Alcohol NL8, <u>Non-industry</u>)

Summarising this discourse, we can see that potential conflict of interest is denied because – it is claimed – any small benefits from sales to problem consumers (confined to a small number of addicts) are far outweighed by the reputational damage that is caused by the visibility of problem consumers. Hence the claim that *'the gambling industry in general […] has absolutely no interest in making money out of very few who may have gambling problems'* (Gambling EU3)*.* Rather than making money out of their customers' misery, these industries present themselves as having the happiness of their customers at their heart, and therefore having the same aims as other actors to help consumers navigate the risk of potential addiction. If this was the only evident discourse, then there would be little more to be said: Garsten & Jacobsson's argument of post-political governance discourses would be borne out in the potentially difficult case of alcohol/gambling CSR.

Beyond the post-political

However, alongside this post-political discourse we see another discourse, which *accepted potential conflict of interest* while also incorporating elements of the post-political discourse. Here agreement becomes contingent rather than universally assumed, a matter of finding areas of common ground across actors with different interests, as this except from early alcohol CSR discussions in the UK demonstrates:

> *'…most people know that public health and private profits are difficult to reconcile. What they are not sure about…is in what circumstances the health community and the alcoholic drinks industry can work together to reduce alcohol related harm'* (Rae 1993)

This need to find 'common ground' was repeated across many of our interviews:

> *"'If you fundamentally have a shared goal from the beginning, no matter how narrow that is, even if it's small, and you say 'let's focus on that', and you start with what you can do towards that and you build the trust, that's how partnerships should work'* (Alcohol EU17)

> *'I think there's still a lot more we can do jointly, […] It's still very patchy, and I think it's one of those things with regulators, governments and academics, we just have to sort of learn together'* (Gambling UK3)

This discourse is heterogeneous in the sense that different actors saw this common ground as more or less extensive; some believed that '*there's a lot more common ground than uncommon ground really*' (Alcohol UK3), while others conversely argued that *'the overlap [in interests] is small'* (Alcohol UK20)*.* Yet the more important point is that this discourse consistently sees the common ground as not total, so that the convergence of interests is incomplete.

This differs from the purely post-political discourse, but this does not stem from the underlying foundations that we have already explored. Instead, the difference comes from small gaps in the power of each of these arguments in which the possibility of divergent interests could be articulated. Hence some alcohol respondents recognised that there are some health issues where it could be argued that it was necessary for many people to drink less (rather than just an extreme group of addicted drinkers), and this is something where the alcohol industry would find a common interest more challenging.

Alongside this, there is a recognition – often implicit, occasionally explicit – that there were limits to the motives to be responsible. The 'reputation' of brands may be damaged by responsible behaviour if this goes against consumer preferences; one interviewee claimed that when *'one pub chain banned happy hours and their sales went down. Customers, they want that kind of thing,*

there's huge demand out there' (Alcohol UK17). And crucially, 'reputation' is not a simple reflection of activities that genuinely help social welfare. The public and policymakers may not be able (or willing) to recognize the myriad of efforts done in line with CSR in a given territory, and may be swayed by easy headlines in the media:

> *'It's just insane incentives on the companies, you really get rewarded more for something you probably couldn't evaluate and show an effect [like putting messages on labels]… We tried to add some substance to [the labelling], but had we not done that people wouldn't have cared, they would have still given us credit… I think the incentives are kind of screwed up'* [Alcohol EU9]

One alcohol industry respondent is unusually explicit about the implications of this:

> *'If I was being perfectly honest, I suppose that the industry might be more likely to act to address a perceived problem, if you know what I mean, than to address a real problem, if addressing that real problem did not actually tackle perception'* [Alcohol UK3]

This raises the possibility that CSR is presented as a matter of managing external perceptions without a genuine commitment to social outcomes – sometimes described in the wider literature as 'symbolic' rather than 'substantive' CSR (Christmann and Taylor 2006). Yet it is difficult for CSR professionals in an interview to describe their own work as symbolic. People understandably prefer not to take courses of action that they themselves see as ethically problematic, and therefore find ways of 'neutralising' such difficulties in order to sustain their view of themselves as an ethical person (Heath 2008). Moreover, a symbolic CSR discourse is likely to alienate non-industry actors, and the power of the CSR discourse might be lost (as shown in Yoon, et al. 2006). As one alcohol non-industry actor says, '*if I were to engage with anybody who fell into the cynical [profit-oriented]*

category, I would walk away because I don't see the point' (Alcohol UK19, <u>non-industry</u>). Or in

another's words:

> *It's much easier […] to have a meeting with someone they think they're going to*
>
> *agree on at least part of things, than one meeting that's going to be very hostile*
>
> *and difficult. So that again goes to why [this company] wants to be seen as a*
>
> *responsible business, because it opens doors, it just makes conversations easier,*
>
> *with not just politicians, but our own customers, the media, regulators.* (Gambling
>
> UK5)

To resolve this tension, it is striking the efforts that many respondents make to distinguish

themselves from symbolic CSR – often explicitly contrasting their own approach to a more cynical

one:

> *'I think all the big players…are genuinely trying to do the right thing. I don't think*
>
> *its PR. I think it's real.'* (Alcohol UK6)

This genuineness is justified in one of two ways. One is to emphasise the genuine moral commitment

of CSR professionals to reducing harm, which came up repeatedly during the interviews, who nearly

all said that they 'are genuinely trying to do the right thing', 'want to make a difference to society',

or want to 'do good', as ultimately they are also 'parents and have kids'. The other justification is to

make a subtle distinction between *sustainable* bottom-line motivations and *short-term* bottom-line

motivations. For example, several respondents were uncomfortable with any suggestion that they

only acted responsibly because of their self-interest. Yet, after further probing, they were not

suggesting that businesses act responsibly in ways that harmed their profitability; rather, they

wanted to be very clear they were talking about 'good' self-interest. That is, they spoke about

genuine, sustainable self-interest, in contrast to symbolic, cynical, short-term self-interest (the *'fly-*

by-night organisations' who wanted to make a *'quick profit'* [Alcohol UK9]). Likewise, in the following quote it is striking how two different bottom-line motivations are explicitly contrasted:

> *'If you're in this just for a quick win in the media then you're in it for the wrong*
>
> *reason; you have to be in it because it makes business sense'* [Alcohol EU10]

At times, respondents were at pains to emphasise how they fell on the right side of a very fine line. For example, in the following quote there is only a subtle difference between 'doing something good to make up for something bad' and what they see as the *right* motive to be responsible:

> *'*[On why CSR takes place] *People disapprove of us, therefore we should do lots of*
>
> *good things to help change people's perceptions…I think in some organisations*
>
> *the CSR will be a fig leaf, you know, it's PR, if you like. I think with us, it's*
>
> *definitely a sense that this is actually just part of how we do things. So it's not*
>
> *about trying to do something good to make up for doing something bad, it's*
>
> *actually about saying, 'we fervently believe that our contribution to society is*
>
> *positive, and it has to be positive because if it's not then, then we haven't got a*
>
> *business'* [Gambling UK6]

Summarising the 'common ground' discourse, it is clear that this partly differs from Garsten & Jacobsson's notion of the post-political: shared interests are restricted to certain areas of common ground, while conflict of interest remains. Yet these discourses are none the less pulled in a post-political direction to the extent that conflict of interest is denied *as it applies to the activities that they undertake*, in order to stress the genuineness of what they themselves do. This is an understandable step, as there is no discursive space in which CSR activities can be seen to genuinely pursue social goals while simultaneously accepting that there is a substantial conflict of interest

involved. We return to the critical issue of the implications of the 'common ground' discourse for democratic debate in our conclusion below.

Differences between case studies

So far, we have spoken about addictions discourses without drawing attention to differences between countries and between addictions. We therefore here focus explicitly on these differences, and the extent to which our findings can be generalised to a wider theoretical account.

Differences between alcohol and gambling across countries

Both the common ground and post-political discourses are found across our case studies for both alcohol and gambling, despite certain distinctive features of discourses mentioned above (e.g. the extent to which harms occur in non-addicted consumers, and whether harms are purely social or health harms are also present). However, they are restricted to settings in which CSR is well-established, and for which there is a degree of trust between the research team and the corporate actors.

This does not fully apply to the gambling industry in Italy, where a CSR discourse appeared to be in flux at the time of the interviews in the context of the exponential expansion of the industry from a low base. CSR professionals were reluctant to make comments at a sensitive time when they have not yet formulated their own positions, when sharing responsibility is still being debated (Bertagni, et al. 2007), and where the media's focus is on individual instances of responsibility (e.g. praise for bar owners refusing to have slot machines) rather than corporate policies. This is not helped by the historic position of gambling in Italy as connected to illegal organisations, which makes these issues even more politically difficult and opaque, and resulted in several interviewees only participating on

condition of control over the transcripts, which they then edited heavily into a written statement.

The distinctiveness of the Italian case may well be short-lived; there have been rapid developments in gambling governance in Italy, especially with regard to the entrance into force of the Balduzzi decree in 2012 that *inter alia* recognises pathological gambling as a disease for the first time. Furthermore we may expect that the EU's emphasis on developing common governance standards via the Open Method of Coordination will further push national governance towards an institutionalisation of CSR.

There are also some differences in the Dutch alcohol case due to the fact that our research partner is a well-known critic of the alcohol industry; every single alcohol industry company/organisation refused to take part. Using the considerable amount of documentary data that was obtained instead, however, we can still see similar elements of a post-political discourse to alcohol in the UK and EU, to the extent that this is observable in documents. The variable ease with which we could conduct interviews draws attention to the inter-relationship between discourse and research-ability: those who reject the idea of CSR (or who do CSR symbolically) would be expected to be less likely to take part in research, particularly when the researchers are perceived to be unsympathetic to the industry. We discuss the implications of this in more detail elsewhere (AUTHORS, In Preparation).

Tobacco as a special case

At the outset we aimed to study tobacco alongside alcohol and gambling. However, the conflict of interest for tobacco is seen as sufficiently high that it is argued that 'tobacco companies are not in the CSR business' (Palazzo and Richter 2005:398). The WHO's 2008 Guidelines on interpreting Article 5.3 of the Framework Convention on Tobacco Control state explicitly that *'there is a fundamental and irreconcilable conflict between the tobacco industry's interests and public health policy interests',* and furthermore that *'[governments should] to the extent possible, regulate*

activities described as 'socially responsible' by the tobacco industry'. As a result, we found it almost impossible to speak to people in the tobacco industry, and it is clear that a post-political discourse is not tenable in this context. Instead, the main importance of the tobacco example in our data is as a salutary tale for the other addictive industries; avoiding the fate of tobacco is mentioned several times by those working in other industries as a motivating factor for their own activities.

Conclusions

In this paper we have examined Garsten & Jacobsson's claim that European governance discourses are becoming increasingly post-political, premised on harmonious relationships rather than conflicts between diverging interests. We examined the alcohol and gambling industries in Europe as critical case studies for this argument, as consensus-based discourses are likely to be hardest to sustain when facing the potential conflict of interest in selling an addictive (and sometimes more broadly harmful) good/service. The empirical material is based on six individual case studies, of alcohol/gambling each in three contexts (across the UK, Netherlands, Italy and EU-level governance), using both individual interviews and publicly available documentary material.

In support of Garsten & Jacobsson, we found evidence of a post-political discourse where the existence of even a slight of conflict of interest is denied. Rather than viewing the production or sale of an addictive good/service as inherently involving conflicts of interest, this discourse minimises the extent of the incentives to be irresponsible (by demarcating a small proportion of addicts within which all problems are located), and sets these against the much stronger incentives to be responsible (primarily the long-term threat of severe regulation if public opinion becomes hostile). This discourse is visible across both alcohol and gambling, across several settings in which CSR is

well-established (the UK, Netherlands and at EU-level), although to a lesser extent in settings where CSR is yet to take root (Italy).

Yet this is not the only CSR discourse we found in the mature CSR cases. A further 'common ground' discourse is also apparent, which recognises some areas of conflict of interest, and therefore focuses CSR and partnership on areas in which common interests could be found. While the limits of the motivations to be responsible are implicitly (and occasionally explicitly) recognised, corporate actors nevertheless stress the genuineness of their activities, partly because of their personal moral commitments to social goals, and partly by differentiating good (long-term) from bad (short-term) incentives to be responsible. In other words, interviewees present their own CSR activities as unaffected by conflicts of interest in ways that are similar to post-political discourses, but maintain a space in which conflict of interest in general could be discussed.

The magmatic conditions for negotiation created in this interstice is, in our view, particularly interesting to bring to scholars' and policymakers' attention, as it raises the question of whether the common ground discourse is sufficient to avoid the anti-democratic tendency to marginalise dissent, the focus of Garsten & Jacobsson's critique of the post-political discourse. As Jacobsson (2004:85) puts it, in post-political discourses we find that CSR activities *'are given a status beyond political contestation, being viewed as morally and ethically sound, and, hence, difficult to question in principle.'* Garsten & Jacobsson do not suggest that this is an inevitable feature of CSR, but rather that *'while consensus as an* <u>*end-result*</u> *of a process is not problematic, consensus as the* <u>*premise*</u> *at the point-of-departure is'* – or put another way, that *'compromises are possible and necessary but should be seen as temporary respites in an ongoing confrontation'* (Garsten and Jacobsson 2013:423).

This would seem to imply that the common ground discourse is strongly preferable to the post-political one, at least in terms of its impact on the nature of democratic debate. A similar view is even mentioned in one of our interviews:

> *'The [alcohol company] is not a public health operator and probably sometimes*
>
> *there is this confusion which is not voluntarily noted by operators in general that*
>
> *basically they are taking part in the debate as if they were from the public health*
>
> *side'* (Alcohol EU5, 2007)

Our findings are suggestive – yet it is unclear whether these small discursive openings to debate conflict of interest result in meaningful differences in political debate and the policy. To investigate this requires investigation of the policy process itself, building on the present analysis of the discursive constructions of industry actors. It will therefore be left to future research (including the overarching project of which this paper is a part) to uncover whether different CSR discourses have different implications over the course of alcohol/gambling policymaking.

Finally, the concept of the post-political offers a new lens with which to see debates in the addictions field. Jacobsson has noted that *'one can imagine courses of action where actors conform and adapt in some respects and preserve their interests and initial positions – refusing conformity – in others'* (2004:359). It is possible to interpret the responses of those who reject CSR on *a priori* grounds as an act of resistance to the post-political; an attempt to reassert that different actors have different interests, and that these should be openly debated within democratic processes. For instance, n the alcohol field there are ongoing battles about the appropriate role of the alcohol industry, with organizations such as the Global Alcohol Policy Alliance attacking the claims about shared interests made by the Global Alcohol Producers Group. In this way, the idea of the post-

political makes visible the true nature of this debate, not just as a conflict between those with

different values, but as a conflict about the very existence of these different values at all.

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[2] The few papers on gambling CSR are primarily discussions of the moral responsibility of the

gambling industry (e.g. Yani-de-Soriano, et al. 2012) or analyses of CSR reporting (Jones, et al. 2009).

[3] This is a part of a larger multiple case design that includes tobacco and food, where each case study

is studied at EU level and in two countries.

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