Voluntary or Mandatory: That is (Not) the Question

Linking Corporate Citizenship to Human Rights Obligations for Business

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Human rights have traditionally been considered a domain of governments. The ongoing economic globalization, however, has rendered this state-centered view increasingly inadequate. In this contribution we will argue that also the powerful transnational corporations must bear more and more direct responsibility for the impact of their actions on human rights. Florian Wettstein and Sandra Waddock will first clarify the conceptual connection between existing approaches to corporate citizenship (CC) and corporate social responsibility (CSR) and the newly emerging “business and human rights” debate. Partly in contradiction to the “traditional” view on CSR/CC as a voluntary affair for business, we will then plea for mandatory human rights standards for corporations. However, human rights obligations are not always clear-cut and evident; especially so-called positive rights often create contingent and often highly ambiguous duties for many different actors. Therefore, we will argue CSR/CC can make a valuable contribution especially regarding the clarification of such imperfect obligations. Accordingly, the relation between voluntary and mandatory approaches must not be seen as a mutually exclusive one, but rather as inherently complementary.

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1. Business and human rights: the traditional view

Ever since corporations began operating as autonomous institutions, they have been under critical scrutiny regarding their impact on people and the society at large. At the turn of the 20th century massive abuse of corporate power culminated in equally powerful counter-movements distinctly aimed at enforcing and strengthening worker’s rights. In the second half of the 20th century, the first systematic theoretical approaches to corporate social responsibility (CSR), corporate citizenship (CC), and