DUSINESS AND
TS Econd Edition

SECOND EDITION

SECOND EDITION



DAVID P. BARON

BUSINESS AND ITS ENVIRONMENT 2nd Edition

DAVID P. BARON

Stanford University



Prentice Hall Upper Saddle River, New Jersey 07458 Baron, David P.

Business and its environment / David P. Baron. -- 2nd ed.

p. cm.

Includes bibliographical references and index.

ISBN 0-13-303314-7

1. Social responsibility of business. 2. Industrial policy.

3. Commercial law. 4. Business ethics. I. Title.

HD60.B37 1995

658.4--dc20

95-24932

CIP

Aquisitions Editor: Natalie Anderson Associate Editor: Lisamarie Brassini Editorial Assistant: Nancy Proyect

Production Service and Interior Designer: Benchmark Production, Inc.

Marketing Manager: Jo-Ann DeLuca

Prepress Buyer and Manufacturing Buyer: Vincent Scelta

Cover Design: Jack Robol

Cover Art: Theo van Doesburg's Contra-Composition V, Stedelijk Museum, Amsterdam



© 1993, 1996 by Prentice-Hall, Inc. A Simon & Schuster Company Upper Saddle River, New Jersey 07458

All rights reserved. No part of this book may be reproduced, in any form or by any means, without permission in writing from the publisher.

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

ISBN 0-13-303314-7

Prentice-Hall International (UK) Limited, London Prentice-Hall of Australia Pty. Limited, Sydney Prentice-Hall Canada Inc., Toronto Prentice-Hall Hispanoamericana, S. A., Mexico Prentice-Hall of India Private Limited, New Delhi Prentice-Hall of Japan, Inc., Tokyo Simon & Schuster Asia Pte. Ltd., Singapore Editora Prentice-Hall do Brasil, Ltda., Rio de Janeiro



Firms operate in both a market environment and a nonmarket environment. The market environment is characterized by the structure of markets and the patterns of competition among market participants. The nonmarket environment is the legal, political, and social context in which firms are embedded. It is characterized by a set of issues firms must address, the interests concerned with those issues, the institutions in whose arenas the issues will be addressed, and the information available about the issues, interests, and institutions. In the market environment, firms interact with customers, suppliers, employees, and other firms. In the nonmarket environment, firms interact with stakeholders, interest and activist groups, governments, and the public. These environments are not exogenous to firms and their managers, but instead are shaped by the actions taken by interested parties in the context of markets and public institutions. These actions not only shape the nonmarket environment, but they also affect the structure of the market environment and the positions of industries and firms in that environment. Similarly, the actions firms take in their market environment generate issues that are addressed in the nonmarket environment. The market and nonmarket environments thus are interrelated. Hence, managers responsible for the performance of the firm must manage in both environments. Business and Its Environment addresses the interrelationships between the market and nonmarket environments and the effective management of the issues that arise therein.

The second edition of *Business and Its Environment* represents continuity and change. It retains the structure, the subject matter, and the conceptual frameworks of the first edition. It also retains the managerial orientation, including the focus on strategy formulation and implementation based on the conceptual frameworks for analyzing and addressing issues.

The changes in the second edition include new conceptual materials, an enhanced emphasis on strategy, an approach to country analysis, new and updated examples and applications, and twenty-eight new cases, including several on international business. The second edition also includes integrative cases at the end of each of the five parts of the book. These cases are generally longer than the chapter cases and bring together material and issues from several chapters. Many of the new cases are set in the mid-1990s and address issues in biotechnology, telecommunications, globalization, environmental protection, product safety, business ethics, the employment relationship, and international business. In total, the second edition contains 80 cases. Most of the cases are short and intended to engage the reader quickly by providing only the detail necessary to apply the chapter material. The cases are not intended to provide exemplary lessons or descriptions of current practice. Instead, they pose a managerial issue that requires both analysis and the formulation of a strategy for addressing it.

The second edition adopts an integrated perspective at two levels. First, it brings together the disciplines of economics, political science, law, and ethics to provide a deeper understanding of the environment of business and the issues that arise therein. For example, it provides an integrated treatment of the economics and politics of antitrust, regulation, environmental protection, and international trade policy. It also addresses the ethical dimensions of issues and presents frameworks for analyzing ethical concerns and making

Preface

decisions based on ethical principles. Second, a new theme developed in the first two chapters and carried through much of the book is that of integrated strategy—bringing together strategy formulation in the market and nonmarket environments. These two components are brought together in the conceptual frameworks, the examples, and the integrative cases. An integrated perspective strengthens the managerial orientation of the book and enhances the relationship of the conceptual materials to other parts of the business curriculum.

In contrast to a public policy or social responsibility perspective, the approach taken in the book is managerial. That is, the approach takes the perspective of managers, and not of government or the public, and focuses on issues of importance to the performance of firms and their managers. The approach emphasizes analysis and reasoning as the foundations for strategies for improving performance. The emphasis is thus on the formulation of effective and responsible strategies for improved performance in the firm's environment.

The book is organized in five parts. Part I introduces the nonmarket environment of business, the nonmarket issues firms face, the forces that affect the progress of those issues, and the formulation of strategies for addressing them. Part II is concerned with issues addressed in the context of government institutions with an emphasis on legislatures. The framework for political analysis developed in this part provides a foundation for Parts III and IV. Part III focuses on the interactions between government and markets with an emphasis on antitrust, regulation, liability, and environmental protection. The issue of product safety is used to contrast judicial and regulatory approaches to controlling hazards and risks. Part IV is explicitly international and provides frameworks for country analysis based on institutional structure and the pattern of relationships between business and government. The focus is on Japan, the European Union, and international trade policy. Part V is normative and considers the responsibilities of firms and the guidance that ethics provides for management. Ethical systems and ethical reasoning about managerial issues provide the basis for the policies that guide the firm and its employees in their activities. The principal contexts for applications are the stakeholder relationship, the employment relationship, and international business.

In addition to those who provided encouragement for the first edition, I would like to thank Constance Bagley, Daniel Diermeier, Daniel Kessler, Stephanie Lenway along with the reviewers of teh book: Brooke Hamilton, University of Southern Louisiana, Lafayette, LA; Joel Parrish, Springfield College, Springfield, MA; Jane Ives, University of Massachusetts, Boston, MA; Ernie Englender, George Washington Unversity; W. Bruce Erickson, University of Minnesota, Minneapolis, MN; and Tim Mazur, Santa Clara University, Santa Clara, CA. I particularly wish to thank David Brady, Constance Bagley, Thomas Gilligan, Kirk Hanson, and Keith Krehbiel for contributing cases to the second edition. The Graduate School of Business of Stanford University provided institutional support without which this book could not have been written.

Stanford, California March 1995

C O N T E N T S

Part I: Strategy and the Nonmarket Environment	1
Chapter 1: The Market and Nonmarket Environments	3
INTRODUCTION	3
THE ROLE OF MANAGEMENT	4
THE MARKET AND NONMARKET ENVIRONMENTS	5
The Four I's	6
THE NONMARKET ENVIRONMENT OF THE AUTOMOBILE INDUSTRY	7
Safety	7
Fuel Economy Standards	7
Environmental Protection	8
International Trade	9
Antitrust	9
Competitiveness	9
Employee Relations	10
Tax Policy	10
The Media and the Public	10
THE NONMARKET ENVIRONMENT AND ISSUE AGENDA	10
Issues	10
Interests	11
Institutions	12
Information	14
The Nonmarket Issue Agenda	14
CHANGE IN THE NONMARKET ENVIRONMENT	15
ANTICIPATING NONMARKET ISSUES	17
THE NONMARKET ISSUE LIFE CYCLE	18
SUMMARY	20
CASES	
GENERAL MOTORS LIKE A ROCK? (A)	22
AN EMERGING ISSUE	25
THE NONMARKET ENVIRONMENT OF McDONALD'S	27
Chapter 2: Integrated Strategy	20
	29
INTRODUCTION STRATEGY IN THE NORMARKET ENVIRONMENT	29
STRATEGY IN THE NONMARKET ENVIRONMENT	29
The Importance of Nonmarket Strategy	29
Integrated Strategy	33
Nonmarket Assets and Distinctive Competencies Strategies and Borders	35 36
ATTAIRVIES AND DOTORTS	36

vi	ANALYSIS OF NONMARKET ISSUES	37
Contents	The Level of Analysis	37 38
Contents	Disciplinary Foundations of Nonmarket Analysis Time Frame	39
	A FRAMEWORK FOR THE ANALYSIS OF NONMARKET ISSUES	39
	CASE: CITIBANK AND CREDIT CARDS FOR UNDERGRADUATES	41
	Application of the Framework	41
	ORGANIZATION OF THE NONMARKET STRATEGY FUNCTION	44
	SUMMARY	45
	CASES	13
	GLOBAL WARMING	46
	BUFFALO SAVINGS BANK (A)	48
	ENVIROTEST SYSTEMS CORPORATION (A)	49
	Chapter 3: The News Media and Nonmarket Issues	55
	INTRODUCTION	
	THE ROLE OF THE NEWS MEDIA IN NONMARKET ISSUES	55 55
	MESSAGES AND THEIR INTERPRETATION	57
	A THEORY OF THE NEWS MEDIA	58
	Intrinsic Audience Interest	58
	Societal Significance	59
	Combining the Perspectives	60
	EXTENDING THE THEORY	62
	Newsworthiness	62
	The Audience	63
	The Cost of Coverage	64
	THE NATURE OF THE NEWS MEDIA	64
	The News Media as a Business	64
	The Profession	65
	Does the Media Treat Issues Selectively?	66
	MEDIA BEHAVIOR AND PUBLIC ATTITUDES TOWARD THE MEDIA	67
	BUSINESS INTERACTIONS WITH THE NEWS MEDIA	68
	The Need for Information	68
	Media Strategies	68
	Coverage and Responses	69
	Developing Relationships with the Media	69
	Media Interviews	69
	STRATEGIES FOR ADDRESSING MEDIA ISSUES	70
	Anticipatable Issues	70
	Unanticipated Events	71
	CASE: THE BODY SHOP	72
	RECOURSE IN DISPUTES WITH THE MEDIA	73
	Private Recourse	73
	Recourse to the Law	73
	SUMMARY	75
	CASES	
	THE ALAR EPISODE (A)	77
	ILLINOIS POWER COMPANY (A)	78

PROCTER & GAMBLE AND NEIGHBOR TO NEIGHBOR

79

Chapter 4: Private Nonmarket Action	81	vii
INTRODUCTION	81	Contents
ACTIVIST STRATEGIES	84	Contents
ACTIVIST ORGANIZATIONS	86	
Activist Organizations and Networks	86	
The Center for Auto Safety	87	
INTERACTING WITH INTEREST GROUPS AND ACTIVISTS	88	
Strategy and Negotiations	90	
SUMMARY	93	
CASES		
MONSANTO AND THE SYNTHETIC MILK HORMONE	95	
DENNY'S AND CUSTOMER SERVICE (A)	97	
NIKE AND THE OPERATION PUSH BOYCOTT (A)	99	
Integrative Case Part I: Calgene, Inc. and Infrastructure		
Marketing	103	
Trial Reting	105	
Part II: Nonmarket Strategies and Government Institutions	113	
Chapter 5: Political Theory and Government Institutions	115	
INTRODUCTION	115	
MARKETS	115	
The Role and Functioning of Markets	115	
Consumer Surplus and Economic Rents	116	
A CONNECTION BETWEEN THE MARKET AND NONMARKET		
ENVIRONMENTS	118	
The Demand for Nonmarket Action	118	
The Costs of Nonmarket and Collective Action	119	
SOCIAL AND POLITICAL DILEMMAS	121	
The Prisoners' Dilemma	121	
Dilemmas, Repeated Encounters, and Cooperation	122	
MAJORITY RULE-BASED INSTITUTIONS	123	
Properties of Majority Rule	123	
Arrow's Impossibility Theorem and Political Institutions	123	
Agendas	124	
The Median Voter Theorem	125	
Committees in Legislatures	126	
Bargaining Versus Voting	126	
INSTITUTIONS	126	
Congress	127	
The Organization of Congress	127	
The Legislative Process	128	
Committees	130	
Committee and Individual Power	133	
Bargaining in Political Institutions	134	
Delegation	134	
Legislators and Their Constituencies	134	
Vote Trading and Pivotal Voters	135	
Committee and Personal Staffs	135	

viii	State Governments	136
Contents	— Parties	136
Contents	The Presidency and the Executive Branch	137
	POLITICS AND THE PUBLIC INTEREST	138
	THE POLITICS OF THE EXTENSION OF DAYLIGHT-SAVING TIME	138
	The Nature of Political Explanations	138
	The Legislative History of the Extension	139
	The Politics of Daylight-Saving Time	140
	The Role of Information	142
	An Analytical Characterization of the Politics of Daylight-Saving Time	142
	SUMMARY	143
	CASES STANFORD UNIVERSITY'S ON-CAMPUS HOUSING PROGRAM	145
	THE REPEAL OF THE LUXURY TAX	145
	AN ELECTORAL DILEMMA (A)	146
	AN ELECTORAL DILEMMA (B)	147
	Chapter 6: Political Analysis for Business	149
	INTRODUCTION	149
	A FRAMEWORK FOR THE ANALYSIS OF POLITICAL AND COLLECTIVE	
	ACTION	150
	Interests and Interest Groups	150
	The Amount of Political Action	151
	The Demand for Political Action	152
	The Costs of Political and Collective Action	153
	The Effectiveness of Group Action	154
	The Distributive Politics Spreadsheet	154
	The Nature of Political Competition	155
	Institutions and Institutional Officeholders	158
	MORAL DETERMINANTS OF COLLECTIVE AND POLITICAL ACTION	158
	CASE EXAMPLE: BOEING IN A PICKLE	159
	ANALYSIS OF THE CASE EXAMPLE	161
	The Nonmarket Issue	161
	Distributive Consequences	161
	Boeing's Nonmarket Agenda and Objectives	163
	The Nature of the Politics	163
	Institutions and Institutional Officeholders	165
	Nonmarket Strategy Formulation	166
	The Outcome	167
	SUMMARY	167
	APPENDIX	168
	The Distributive Consequences of Foreign Leasing	168
	CASES	
	LOTUS DEVELOPMENT CORPORATION AND MARKETPLACE	

SCRUBBERS AND ENVIRONMENTAL POLITICS

PIZZA HUT AND THE LEGAL DRINKING AGE

170

170

171

HOUSEHOLD

Chapter 7: Formulating Political Strategies	173	ix
INTRODUCTION	173	Contents
RESPONSIBLE POLITICAL ACTION	173	Contents
Criticisms of Business Political Activity	174	
POLITICAL STRATEGY FORMULATION	177	
Managers and Political Strategies	177	
An Approach to Strategy Formulation	177	
EXAMPLES OF POLITICAL STRATEGIES	182	
Toshiba and Trade Sanctions	182	
Section 89 of the 1986 Tax Act	184	
Merck and Pharmaceutical Price Regulation	185	
THEORY AND STRATEGY FORMULATION	186	
SUMMARY CASES	188	
DRUG EXPORTS	191	
RBOC POLITICS (A)	192	
THE SECTION 936 TAX CREDIT	194	
Chapter 8: Implementing Political Strategies	199	
INTRODUCTION	199	
LOBBYING	199	
Lobbying by Managers	199	
The Nature of Lobbying	199	
Persuasion or Information Provision?	200	
Access	201	
Timing	202	
Government Allies	202	
Controls on Lobbying	202	
GRASSROOTS STRATEGIES AND THE CONSTITUENT CONNECTION	203	
Mobilization	203	
Business Grassroots Campaigns	204	
The Effectiveness of Grassroots Programs	205	
COALITION BUILDING	205	
Peak Associations	206	
Trade Associations	206	
Forming Ad Hoc Coalitions	207	
Coalitions and Consensus	207	
Responsibility	209	
TESTIMONY	209	
BUSINESS POLITICAL ENTREPRENEURSHIP	210	
ELECTORAL STRATEGIES	210	
Election Financing Laws	211	
The Pattern of Campaign Contributions and Expenditures	212	
Purposes of Campaign Contributions	212	
COMMUNICATION AND PUBLIC ADVOCACY	213	
JUDICIAL STRATEGIES	214	

ADVISORY PANELS AND COMMITTEES ORGANIZING FOR POLITICAL EFFECTIVENESS	215 215
SUMMARY	216
DREXEL BURNHAM LAMBERT AND JUNK BOND POLITICS	218
ENVIROTEST SYSTEMS CORPORATION (B) CAFE STANDARDS 1990	219 221
Integrative Case Part II: Manufacturing Politics (A)	229
Part III: Government and Markets	237
Chapter 9: Antitrust: Economics, Law, Policy, and Politics	239
	239
ANTITRUST LAW AND ENFORCEMENT	240
The Antitrust Statutes	240
Exemptions	242
Government Enforcement of the Antitrust Laws	242
Private Antitrust Actions	245
Per Se Violations and the Rule of Reason	247
SCHOOLS OF ANTITRUST THOUGHT	247
The Traditional or Structural Approach	249
The Chicago School	250
	252
	252
	252
	254
	256
	256
	258
	258
	259
	260
	262
GOODYEAR TIRE AND RUBBER CO.	263
THE MALT BEVERAGE INTERBRAND COMPETITION ACT	264
Chapter 10: Regulation: Law, Economics, and Politics	269
	269
	270
	271
REGULATORY COMMISSIONS AND AGENCIES	272
THE NONMARKET ENVIRONMENT OF REGULATORY AGENCIES	272
DELEGATION, DUE PROCESS, AND DISCRETION	274
EXPLANATIONS FOR REGULATION	276
MARKET IMPERFECTIONS	276
Natural Monopoly	276
	ORGANIZING FOR POLITICAL EFFECTIVENESS SUMMARY CASES DREXEL BURNHAM LAMBERT AND JUNK BOND POLITICS ENVIROTEST SYSTEMS CORPORATION (B) CAFE STANDARDS 1990 Integrative Case Part II: Manufacturing Politics (A) Part III: Government and Markets Chapter 9: Antitrust: Economics, Law, Policy, and Politics INTRODUCTION ANTITRUST LAW AND ENFORCEMENT The Antitrust Statutes Exemptions Government Enforcement of the Antitrust Laws Private Antitrust Actions Per Se Violations and the Rule of Reason SCHOOLS OF ANTITRUST THOUGHT The Traditional or Structural Approach The Chicago School The Strategic Approach EXAMPLES OF THE DIFFERENCES IN ANTITRUST THOUGHT Vertical Arrangements Predatory Pricing and Entry Deterrence Collusion and Price-Fixing MERGERS AND MERGER GUIDELINES STATE ANTITRUST ENFORCEMENT COMPLIANCE THE POLITICS OF ANTITRUST SUMMARY CASES APPLE COMPUTER AND MAIL-ORDER SALES GOODYEAR TIRE AND RUBBER CO. THE MALT BEVERAGE INTERBRAND COMPETITION ACT Chapter 10: Regulation: Law, Economics, and Politics INTRODUCTION PERIODS OF REGULATORY CHANGE THE CONSTITUTIONAL BASIS FOR REGULATION REGULATORY COMMISSIONS AND AGENCIES THE NONMARKET ENVIRONMENT OF REGULATORY AGENCIES DELEGATION, DUE PROCESS, AND DISCRETION EXPLANATIONS FOR REGULATION MARKET IMPERFECTIONS

278

Externalities

Public Goods	278	xi
Asymmetric Information	279	Contents
Moral Hazard	280	Contents
Transactions Costs	281	
Destructive Competition	281	
Government Imperfections	282	
THE POLITICAL ECONOMY OF REGULATION	282	
Cross-Subsidization	284	
Cost-of-Service Regulation	284	
TELECOMMUNICATIONS AND REGULATORY CHANGE	285	
Alternatives to Cost-of-Service Regulation	286	
Other Regulatory Innovations	287	
SUMMARY	288	
CASES		
SEARS AND THE LOCAL REGULATION OF ADVERTISING	289	
THE FCC AND INTERNATIONAL TELEPHONE RATES	290	
AMR, CORP.	292	
Chapter 11: Product Safety: Liability and Regulation	295	
INTRODUCTION	295	
THE PRODUCT SAFETY PROBLEM AND SOCIAL EFFICIENCY	296	
ENTITLEMENTS, LIABILITY, AND SOCIAL EFFICIENCY	298	
The Coase Theorem	298	
Entitlements and Their Protection	299	
Transactions Costs and the Limits of the Coase Theorem	300	
The Assignment of Costs and the Choice Between Liability and Regulation	301	
PRODUCTS LIABILITY LAW	302	
Products Liability Cases	302	
The Development of Products Liability	303	
Allowable Defenses Under Strict Liability	306	
Damages	307	
Imperfections in the Liability System	308	
Absolute Liability	309	
Further Change and Revision of Products Liability	310	
The Politics of Products Liability	310	
PRODUCT SAFETY REGULATION	312	
CHAIN SAW SAFETY	315	
The Safety Issue	315	
Market Imperfections	316	
Channels of Distribution and Information Provision	318	
The Consumer Product Safety Commission's Standard Setting Efforts	318	
SUMMARY	319	
CASES		
DOMINO'S DELIVERS (A)	321	
CALIFORNIA SPACE HEATERS, INC. (A)	322	
PEPSI-COLA AND THE SYRINGE EPISODE	325	
BIC DISPOSABLE BUTANE LIGHTERS	328	

Y	1	1
n	r	r

Contents

Chapter 12: Environmental Protection: Economics,	
Politics, and Management	333
INTRODUCTION	333
SOCIALLY EFFICIENT REGULATION OF POLLUTION EXTERNALITIES	334
Emissions Charges	334
Tradable Permits	335
Abatement Decisions	336
Distributive Consequences	338
Uncompensated Damages	338
Implementing Socially Efficient Regulation	338
THE ENVIRONMENTAL PROTECTION AGENCY	339
Standard Setting and Engineering Controls	341
Incentive Approaches	342
Superfund	342
THE POLITICS OF ENVIRONMENTAL PROTECTION	343
Changing Politics?	345
NIMBY The 1990 Amendments to the Clean Air Act	346
Acid Rain and Tradable Permits	347 348
MANAGEMENT OF ENVIRONMENTAL PROTECTION ISSUES	351
Internal Management Issues	352
McDonald's and Waste Reduction	353
Kodak and the Recycling of Single-Use Cameras	354
3M and Pollution Prevention Pays	354
SUMMARY	355
CASES	
AMERICAN NUKEM, INC.	357
PROCTER & GAMBLE AND DISPOSABLE DIAPERS	358
WESTLANDS WATER DISTRICT	361
Integrative Case Part III: Calgene, Inc.: The FLAVR SAVR	
Tomato and the Regulatory Approval Process	365
Part IV: International Business and Nonmarket Issues	373
	373
Chapter 13: Country Analysis: The Political Economy	
of Japan	375
INTRODUCTION	375
ISSUES	377
INTERESTS	377
INSTITUTIONS	378
The Diet (Parliament)	378
Political Parties and the Electoral System	380
The Bureaucracy	383
The Judicial System	386
The Anti-Monopoly Law and the Fair Trade Commission	386
INFORMATION	387
THE MEDIA	387
CULTURAL FOUNDATIONS	388

TYING THE COMPONENTS TOGETHER: A FRAMEWORK FOR POLITICAL	200	xiii
EXCHANGE Political Food on the	389 390	Contents
Political Exchange SUMMARY	394	
CASES	334	
THE BREAKUP OF NIPPON TELEPHONE AND TELEGRAPH?	395	
FUJITSU AND BUYING IN	397	
Chapter 14: Nonmarket Strategy in the Japanese		
	200	
Political Economy	399	
INTRODUCTION CHARACTERISTICS OF PAGENCIES	399	
CHARACTERISTICS OF BUSINESS	400	
The Organization of Business	400	
Business Attitudes Toward Shareholders and the Market for Control	402	
Business Practices BUSINESS COVERNMENT INTERACTIONS	403	
BUSINESS-GOVERNMENT INTERACTIONS The Organization of Pusiness for Political Action	405	
The Organization of Business for Political Action Political Strategies	405 405	
Lobbying and Points of Access	406	
Joint Ventures as a Mechanism for Accessing the Government	408	
Information	408	
Coalition Building	408	
An Incident	409	
CORPORATE POLITICAL STYLES	410	
SUMMARY	411	
CASES	111	
SYNTEX: THE CHALLENGE IN JAPAN	412	
TOYS ' A ' US IN JAPAN (A)	416	
(,		
Chapter 15: The European Union	419	
INTRODUCTION	419	
THE UNION	419	
The Single European Act	420	
The Maastricht Treaty	421	
NONMARKET ISSUES	422	
THE INSTITUTIONS OF THE EUROPEAN UNION	423	
The European Commission	423	
The Council of Ministers	424	
The European Parliament	425	
The Economic and Social Committee	425	
The European Court of Justice	426	
The EU Legislative Process	426	
Competition Policy	427	
Privatization and Market Opening	430	
State Aids	431	
Company Law	431	
Social Charter	431	
Social Democracy and Labor	432	

xiv	Competition Among the States	432
Contents	Fortress Europe?	433
Contents	INTERESTS AND THEIR ORGANIZATION	434
	NONMARKET STRATEGIES IN THE EUROPEAN UNION	435
	GERMANY	438 438
	Institutions: The Structure of Government	
	The Political Economy of Germany	440
	Interests and Their Organization	441
	SUMMARY	443
	CASES DENIETTON ADVERTISING PROTESTS AND EDANGHISING	444
	BENETTON, ADVERTISING PROTESTS, AND FRANCHISING The European auto industry	445
	PHILIPS N.V. AND THE CHALLENGE OF A SINGLE MARKET (A)	451
	TOYS ' A' US IN GERMANY	454
	1013 % OS IN GERMANI	131
	Chapter 16: The Political Economy of International	
	Trade Policy	457
	INTRODUCTION	457
	THE ECONOMICS OF INTERNATIONAL TRADE	459
	Competitive Theory	459
	Strategic Trade Theory	461
	THE POLITICAL ECONOMY OF INTERNATIONAL TRADE POLICY	463
	The Dual Nature of the Politics of International Trade	463
	Asymmetries in the Politics	464
	INTERNATIONAL TRADE AGREEMENTS	466
	The General Agreement on Tariffs and Trade and the World Trade Organization	467
	The Uruguay Round (1986–1993)	468
	Additional Issues	470
	Dispute Settlement	471
	OTHER MULTILATERAL AND BILATERAL AGREEMENTS	471
	SUMMARY	473
	CASES	
	THE SEMICONDUCTOR TRADE AGREEMENT: ROUND II	474
	THE NEXT GATT ROUND: ENVIRONMENTAL PROTECTION?	476
	ANTIDUMPING POLICY	477
	Chapter 17: U.S. Trade Policy, Politics, and Negotiations	481
	INTRODUCTION	481
	U.S. TRADE POLICY	482
	The Structure of U.S. Trade Policy	482
	U.S. Trade Law and Its Administration	482
	The International Trade Commission	483
	The International Trade Administration	484
	THE POLITICS OF PROTECTIONISM	484
	Formal Policies	484
	Channels of Protection	487
	THE POLITICAL ECONOMY OF MARKET OPENING	488

The North American Free Trade Agreement

488

Market Opening and Client Politics	489	xv
Market Opening Under the Threat of Retaliation: The Omnibus Trade and		Contents
Competitiveness Act of 1988 and "Super 301"	490	Contents
TRADE NEGOTIATIONS BETWEEN THE UNITED STATES AND JAPAN	491	
Cellular Telephone Disputes	492	
SUMMARY	493	
APPENDIX	494	
U.S. Trade Law	494	
Section 201—The Escape Clause	494	
Section 301—Presidential Retaliation	494	
Section 731—Antidumping	495	
Section 303—Countervailing Duties	495	
Section 337—Intellectual Property	495	
Trade Adjustment Assistance	495	
CASES		
CEMEX AND ANTIDUMPING	497	
SUPERCOMPUTER POLITICS AND TRADE RELATIONSHIPS	504	
THE CELLULAR TELEPHONE TRADE DISPUTE: ROUND III	505	
ANOTHER TRADE DISPUTE?	507	
Integrative Case Part IV: Toys 'A' US and Globalization	509	
7		
Don't W. Ethios and Doomonoihilites		
Part V: Ethics and Responsibility	513	
Chapter 18: Corporate Social Responsibility	515	
INTRODUCTION	515	
THE ROLE OF BUSINESS IN SOCIETY	517	
The Efficiency Perspective	517	
Concerns About the Efficiency Perspective	518	
Market Capitalism and Managerial Capitalism	518	
The Social Responsibility Perspective	519	
CONCEPTIONS OF THE SOCIAL RESPONSIBILITY OF BUSINESS	519	
The Law	519	
Corporate Social Responsibility as Market Value Maximization	520	
The Business Roundtable Statement on Social Responsibility	522	
An Example of the Difference Between Friedman and the		
Business Roundtable	523	
The Stakeholder Concept	524	
EXAMPLES OF CORPORATE SOCIAL RESPONSIBILITY?	525	
Unocal Corporation and the Dirty Car Bounty	525	
ARCO and Gasoline Price Restraints	526	
Aetna and Housing Rehabilitation	526	
Shorebank and Community Development	527	
SOCIAL RESPONSIBILITY: MOTIVES AND CAUSALITY	527	
CORPORATE GOVERNANCE	531	
Constituent Representation	531	
Social Accountability	531	
The Duties of Boards of Directors	532	
The Market for Control	534	
SUMMARY	535	
SUMMAN	333	

	CASES	
XV1	CASES	
	TATE	

0				
Cc	n	te.	п	TS

WESTERN NATIONAL BANK HEADQUARTERS RELOCATION: KIMBERLY-CLARK AND THE STATE OF	536
WISCONSIN	536
RESPONSIBILITY FOR YOUR CUSTOMERS?	540
RESPONSIBILITY FOR YOUR SUPPLIERS?	541
Chapter 19: Ethical Systems and Management	543
INTRODUCTION	543
WHAT ETHICS IS AND IS NOT	544
Issue: Integrity Tests	545
THE METHODOLOGY OF ETHICAL ANALYSIS	546
THE RELATIONSHIPS AMONG MORAL PHILOSOPHY, ETHICS,	
AND POLITICAL PHILOSOPHY	547
CLASSIFICATION OF ETHICAL SYSTEMS	548
UTILITARIANISM: A CONSEQUENTIALIST SYSTEM	549
Consequences and Their Evaluation	549
Act and Rule Utilitarianism	551
Utilitarianism and Rights	552
Criticisms of Utilitarianism	552
DEONTOLOGICAL SYSTEMS Vention Marine on Marel Bules	553
Kantian Maxims or Moral Rules The Poletionship Petroson Maxims and Rights	553
The Relationship Between Maxims and Rights Criticisms of Kantian Rights	554 555
Neoclassical Liberalism	55¢
RAWLS' THEORY OF JUSTICE	557
The Framework for Justice as Fairness	557
The Principles of Justice	558
The Role of Incentives	559
Criticisms of Rawls' Theory	560
HIGHER ORDER STANDARDS FOR JUDGING RULES AND PRINCIPLES	561
CATEGORIES OF JUSTICE THEORIES	562
DISTRIBUTIVE JUSTICE	562
Compensatory Justice	563
SUMMARY	563
CASES	
SEX-DIFFERENTIATED RETIREMENT BENEFITS	565
LIVING BENEFITS	567
GENETIC TESTING	568
Chapter 20: Ethical Reasoning in Management	571
INTRODUCTION	
ETHICS AND PRIVATE INTERESTS	571
CASUISTRY	571 572
THE APPLICATION OF UTILITARIAN ANALYSIS	573
Categories of Situations	573
Methodology	574
Difficulties in the Implementation of Utilitarian Analysis	575