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Business as a Collaborative Partner: Understanding Firms' Sociopolitical Support for Policy Formation

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Abstract: *While many scholars have discussed the merits of collaborative governance, especially for addressing complicated modern policy challenges, the literature has paid less attention to how business can serve as an effective collaborative partner during the formation of mandatory policies and regulations. Drawing on scholarship in the management sciences and combining it with literature in public administration and public policy, the authors elaborate on four distinct types of business responses to proposed regulations based on degrees of political activity and social responsiveness: defensive, reactive, proactive, and anticipatory. They then characterize the reasons why proactive firms are more likely to be valuable collaborative partners with policy makers and public managers: their engagement may avoid costly stalemates that frequently hinder policy making and help develop cost-effective, flexible policy approaches to complex social problems.*

Practitioner Points

- Businesses' responses to the formation of mandatory regulations vary (from defensive to reactive, proactive, and anticipatory) depending on their social responsiveness and political activity.
- Sociopolitically proactive businesses could be valuable government partners during the policy formation process to help advance policies that otherwise would not get passed.
- Sociopolitically proactive businesses recognize that a social problem exists, acknowledge both the utilitarian and the communitarian benefits of addressing it, and are willing to commit to collaborative agreements with government to advance mandatory regulation.
- Government–business collaboration can help identify creative solutions to complex policy problems, enhance the legitimacy of mandatory regulations, and improve the likelihood of successful policy implementation.

Collaborative governance has emerged as an increasingly popular alternative to the typical adversarial mode of policy making (Ansell and Gash 2008; Bryson, Crosby, and Stone 2006; Kettl 2006; O'Leary, Gerard, and Bingham 2006; Thomson and Perry 2006). It involves public and private stakeholders partnering and engaging in consensus-oriented decision making. Developed in response to the high cost and politicization of regulation failures and downstream implementation complexities, collaborative governance is particularly suited to addressing complex social issues that span multiple jurisdictional boundaries (Ferreyra and Beard 2007; Imperial 2005; Lenkowsky and Perry 2000; Lubell et al. 2002) and involve significant political conflict (Leach, Neil, and Sabatier 2002; Weber 2003).

Collaborative governance approaches have been discussed extensively in public administration and public policy scholarship. Existing studies address important topics such as processes to enhance stakeholder participation within the collaborative governance setting (Bingham, Nabatchi, and O'Leary 2005; Koontz et al. 2004) and the improved social outcomes that result from this governance approach (Beierle 1999). Other research has considered the collaborative governance process across sectors, settings, issues, and time (Ansell and Gash 2008; Bryson, Crosby, and Stone 2006; Emerson, Nabatchi, and Balogh 2012; Lenkowsky and Perry 2000; Thomson and Perry 2006). In spite of the burgeoning knowledge about this governance approach, we identify three gaps in existing literature.

First, firms are critical policy stakeholders at all levels of government (Baumgartner and Leech 1998; Kraft and Kamieniecki 2007). While collaborative governance scholarship refers to stakeholders as being members of civil society, communities, nonprofit organizations, and/or businesses (Andrews and Entwistle 2010; Bryson, Crosby, and Stone 2006), more often than not, government–business

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collaborations are regarded with caution because they raise concerns about equity and agency capture (Andrews and Entwistle 2010; Bryson Crosby, and Stone 2015). Less is known, however, about the extent to which some private sector participants may be valuable policy partners that collaborate with government to formulate mandatory regulations and improve social outcomes.

A second gap in the literature relates to distinctions among the sorts of policy settings in which collaborative governance is being applied. Some studies have considered the public benefits associated with private sector collaborations as they relate to a particular class of initiatives that are voluntary (e.g., Darnall and Kim 2012; Darnall and Sides 2008; Kim and Lyon 2011; Rivera, de Leon and Koerber 2006), in that firms elect to improve social outcomes beyond existing regulatory requirements. What is missing from this conversation is how private sector firms can collaborate with government to achieve public goals by enacting *mandatory regulations.* Our belief is that firms and their motivations for collaboration in the mandatory policy making setting are qualitatively different from firms' cooperative endeavors in voluntary policy settings in that the former are motivated to increase their strategic competitiveness by way of new market creation (and preempting other market participants), whereas the latter are motivated by a broader array of stakeholders. While these distinctions likely affect policy efficacy, as yet, prior research has not considered collaboration in the mandatory setting.

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A third gap in the existing literature relates to the policy implementation stage in which collaborations can occur. Prior studies assessing private sector involvement in collaborative governance initiatives focus on policy implementation (Rivera 2010) and getting the "right" people to the table to engage in collaborative policy implementation discussions (Koontz et al. 2004). Yet many important policy ideas do not get implemented because those ideas fail to move beyond the formation stage. In instances in which they do, we know little about which types of business actors are more likely to be productive collaborators during policy formation.

We address these concerns and provide important perspective on firms' diverse responses to mandatory regulations using climate change regulation as our policy application. In particular, we focus on the policy formation stage of the policy process to discuss conceptually which firms are more likely to engage in collaborative governance. We consider the range of business actors' sociopolitical responses to mandatory regulation and then determine which firms are most likely to be ideal collaborators in policy formation. By drawing on literature within the management sciences and combining it with public management and public policy scholarship, our research advances the conversation that private sector responses to proposed regulations are either politically active or inactive and that they also are either socially supportive or unsupportive toward influencing regulatory debates. We describe how these two sets of positions lead to four types of business responses to regulation: *defensive, reactive, proactive,* and *anticipatory.* We then focus our attention on which types of these firms are more likely to be ideal collaborative governance partners during policy formation. Knowledge of these responses offers a much-needed understanding of which sorts of businesses are more likely to partner with government to seek creative, cost-effective mandatory regulations that have greater legitimacy within broader society.

Collaborative Governance and Policy Formation

Collaborative governance refers to a situation and process in which public actors work collectively with the private sector, civil society, and the community during the policy process (Agrawal and Lemos 2007; Bryson, Crosby, and Stone 2006; Emerson, Nabatchi, and Balogh 2012; Kettl 2006; Thomson and Perry 2006). It involves the management of public programs or assets (Ansell and Gash 2008), and it is utilized at any stage in the policy process from policy formation to implementation and project management. Its primary focus is on managing social issues that span multiple jurisdictions (Ferreyra and Beard 2007; Imperial 2005) and involve significant political conflicts among adversarial parties (Leach, Pelkey, and Sabatier 2002; Weber 2003).

The merits of using collaborative approaches are numerous, including improving the possibility of adopting policies that otherwise would not be possible, avoiding adversarial conflicts, as well as enhancing access to knowledge, insights, and ideas from diverse collaborative partners (Booher 2004; Selwyn and Fitz 2001). Collaborative governance can also expand the legitimacy of public policies and programs because key stakeholders are engaged in the policy process (Leach, Pelkey, and Sabatier 2002). For these reasons, collaborative governance is being used with greater frequency among different levels of government agencies (Ansell and Gash 2008; Leach, Pelkey, and Sabatier 2002), in policies ranging from local economic development (Agranoff and McGuire 1998), tourism (Bramwell and Sharman 1999), national security (Jenkins 2006; Getha-Taylor 2006), education policy (Selwyn and Fitz 2001), child and family service delivery (Berry et al. 2008), and environmental policy (Biddle and Koontz 2014; Koontz et al. 2004; Koontz and Thomas 2006; Weber and Khademian 1997).

However, a factor that the literature has paid less attention to is how some businesses can serve as effective collaborative partners during the formation of mandatory policies and regulations. This issue is important because collaboration with certain types of private sector firms can increase government's access to specialized corporate expertise, resources, and technical knowledge (Donahue and Zeckhauser 2011; Emerson and Murchie 2010). Such access may enhance government's opportunities for designing creative solutions to complex policy problems (Fiorino 2006). Additionally, by collaborating with specific types of firms, governments may increase the legitimacy of their mandatory regulations among the business community (Donahue and Zeckhauser 2011; Emerson and Murchie 2010), thus reducing time to promulgate policy and improving the likelihood of successful policy implementation.

For instance, in 1997, when the United Kingdom established a new education policy that used technology more aggressively to serve socially and economically disadvantaged communities, the government forged close partnerships with information technology firms to develop its "National Grid for Learning" (Selwyn and Fitz 2001). The costs of implementing technology-related educational policy had previously generated significant political resistance, which prohibited the allocation of public funds. However, by collaborating with information technology firms, policy makers were able to advance a technology policy that had significantly lower implementation costs. Additionally, the partnership increased publicly available information about the merits of technology-related educational systems in a way that helped address concerns expressed by educators who questioned the effectiveness of this educational approach (Selwyn and Fitz 2001).

In spite of the merits of collaborating with firms, policy scholars raise concerns about a growing influence of the private sector in determining the public agenda (Lindblom 1977). These concerns are due in large part to the possibility for agency capture (Ayres and Braithwaite 1992; Lindblom 1977; Stigler 1971), which is attributed to the dominant role of big enterprise in the modern industrial culture, the discretionary powers that businesses exercise in civil society, and the capacity for business to influence social values (Lindblom 1977). It can lead to the formation of policies with lower performance standards and expectations (Carmin, Darnall, and Mil-Homens 2003) and policies that favor the regulated community rather than society as a whole (Yackee and Yackee 2006).

Other concerns have been raised regarding collaboration in the voluntary policy setting in that firms tend to collaborate in an effort to influence their external reputation and organizational legitimacy with a broader array of stakeholders (e.g., community groups, the media, and environmental nonprofit organizations) (Henriques and Sadorsky 1999). While enhanced legitimacy may come to firms that adhere to voluntary standards, it can also be achieved by free riding on other participant volunteer programs (Darnall and Carmin 2005; Delmas and Keller 2005). In instances in which program outcomes are achieved, they are constrained to a very small (self-selected) segment of firms (Davies et al. 1996), which limits their impact.

Skepticism about engaging the private sector is also attributable to the fact that the vast majority of firms typically (and often vehemently) contest the promulgation of regulations. Such protest can be acute, especially at the policy formation stage (Rivera 2010), and the political consequences of business opposition can be significant. For instance, in 1994, protests from private sector firms led to dozens of lawmakers losing their jobs for supporting a climate change bill that would have effectively taxed carbon pollution (Davenport 2013). Moreover, business protest is the primary reason why the United States has not passed mandatory policy that regulates climate change pollutants. For this reason, it is easy to regard business as an adversarial constituency having monolithic interests that oppose regulation (Kagan 1991; Siegal 2009; Weber and Khademian 1997).

> When confronted with the prospect of mandatory regulation, firms assess their political and social setting and frame the possible regulation as either a threat or an opportunity.

Yet some studies (e.g., Rivera 2010) have recognized the heterogeneity of firms' responses across the policy process in that they tend to lack interest in (or are defensive toward) collaborative discussions during policy formation but are more supportive during the implementation stages (Rivera 2010). Anecdotal evidence goes a step further by suggesting that heterogeneity also exists within each stage of the policy process.

We suggest that collaborating with a certain type of firm during policy formation could prove useful to policy makers in advancing mandatory regulations that are designed to address complex social problems. These firms, although small in number, are particularly conducive to mandatory rulemaking because they are motivated by market conditions (Oliver and Holzinger 2008) and the prospect of creating new markets, thus enabling collaborative firms to preempt competitors in a way that could yield significant profits. Competitor preemption of this sort is only effective if collaborative firms advance mandatory regulations that are sufficiently robust; otherwise, competitors will easily meet new regulatory requirements, thus eliminating potential competitive advantages. This incentive structure helps deter business opportunism and the sort of free riding that occurs in the voluntary policy setting (Darnall and Sides 2008; Kim and Lyon 2011; Rivera, de Leon, and Koerber 2006).

Moreover, to the extent that collaborators within the private sector can lead to the promulgation of mandatory regulations (especially those that otherwise would not get passed), the social benefits associated with collaboration in mandatory policy settings are likely to be far greater than those that would occur within voluntary policy settings.

In spite of the potential merits of allying with firms to formulate policies that advance government's broader social goals, prior public management and public policy scholarship has not explored which sorts of firms are more likely to collaborate effectively with government to formulate mandatory policies.

Businesses' Sociopolitical Postures toward Policy Formation

We draw on research in the management sciences that explains how different types of firms compete in the marketplace (e.g., Miles and Snow 1978) to develop a framework that describes firms' sociopolitical postures toward policy formation. We suggest that when confronted with the prospect of mandatory regulation, firms assess their political and social setting and frame the possible regulation as either a threat or an opportunity. We then develop a set of archetypes that describe variations in firms' responses and identify which type of firm is most likely to serve as an ideal collaborator for advancing mandatory regulations.

Political Position: Active versus Inactive

The political behavior of firms is classically explained by collective action theory. Collective action theory (Olson 1965) suggests that imperfectly competitive markets create incentives that encourage political activity. Firms might be also politically active when they face pluralist or countervailing interests in order to offset information from opposing groups (Austen-Smith and Wright 1994; Godwin and Seldon 2002; Hansen, Mitchell, and Drope 2004; Lowery and Gray 2004) during policy making (Furlong and Kerwin

2005; Yackee and Yackee 2006). However, when the benefits of political activity are distributed widely across many firms, and when costs are high, firms tend to expect others to engage in political activity (Drutman 2015; Godwin, Lopez, and Sheldon 2008; Hansen, Mitchell, and Drope 2005).

Recognizing that most markets are imperfectly competitive (Olson 1965), we suggest that firms strategically engage in political activities for the purpose of maintaining existing business values and creating new ones (Oliver and Holzinger 2008). Congruent with institutional theory, they respond to external demands and expectations in order to increase their long-term survival (Hansen, Mitchell and Drope 2004; Meyer and Rowan 1977). Such responses include a wide range of strategic behaviors to manipulate external dependencies or exert influence over the allocation or source of critical resources (Pfeffer and Salancik 1978; Scott 2008). For instance, during policy formation, some firms may regard pending regulation as a threat that could destabilize their market competitiveness (Dutton and Jackson 1987). These firms are more likely to actively lobby to thwart policy formation because maintaining the status quo protects their existing investments and strategic direction (Godwin, Lopez, and Seldon 2008; Grossman and Helpman 2001; Hansen and Mitchell 2000; Oliver 1991). By contrast, other firms may regard a potential policy or regulation as an opportunity (Dutton and Jackson 1987) and actively endorse it because doing so could increase their market position (McWilliams et al. 2002). These firms seek to bargain with government actors because they recognize the social pressure for policy formation and the increased business certainty that could come with it. They also are more likely to have developed specific resources and capabilities that could increase their market position if a new policy is formed (Lin and Darnall 2015). For these reasons, they are eager to collaborate with government actors in the hope of benefiting their strategic direction.

Still other firms may be politically inactive and disengage from the political discussion. While one perspective suggests that firms disengage because the costs of engagement are too high (Drutman 2009; Hansen, Mitchell, and Drope 2005), these businesses may also recognize that policy formation is inevitable. As a consequence, they are more likely to comply with institutional pressures for policy formation in anticipation of specific self-serving benefits that come with compliance, including business predictability (DiMaggio and Powell 1983; Meyer and Rowan 1983; Pfeffer and Salancik 1978). These firms may also lack valuable capabilities (e.g., technical ability and information) related to the specific policy area (Binderkrantz, Christiansen, and Pedersen 2014) and thus choose to remain at the periphery of the political debate.

Social Position: Supportive versus Unsupportive

In addition to considering firms' varied political responses (politically active or inactive) to policy formation, firms also can be either socially supportive or unsupportive toward addressing a particular social concern. In their discussion of advocacy coalition formation, Sabatier and Jenkins-Smith (1993) suggest that individuals whose core social beliefs align with those of other individuals are more likely to engage in nontrivial degrees of coordination. The advocacy coalition framework is frequently used to explain stakeholder behavior in intense political conflicts and policy disputes over political goals and the veracity of scientific issues that are related to the policy goals (Sabatier and Weible 2007; Weible 2007). While individual policy actors have remained the primary unit of analysis, advocacy coalition formation also has been useful in understanding coordination and coalition building activities among organizational-level policy networks and subsystems (Craft and Howlett 2012; Elgin and Weible 2013; Henry 2011; Henry, Lubell, and McCoy 2011; Ingold 2011; Matti and Sandström 2011). The suggestion is that organizations whose priorities are to respond to specific social issues are more likely to coordinate with others whose priorities are sufficiently aligned (Craft and Howlett 2012; Elgin and Weible 2013). An organization's priorities are determined by managerial interpretations of social issues (Anderson and Bateman 2000; Sharma 2000) and competitive advantages that may arise by addressing them.

Applying these ideas to policy formation, we anticipate that businesses' strategic priorities influence their position toward social issues. That is, if a firm's strategic priorities are congruent with societal concerns, it sees a benefit associated with policy goals and will be more likely to coordinate with government actors to seek mutually beneficial remedies. Conversely, if a firm's organizational priorities are incongruent with certain social concerns, it will see little benefit associated with achieving policy goals and be more likely to oppose potential remedies and coordinate with other individuals and organizations who also oppose them. In both instances, firms may invest their organizational resources to facilitate their collective efforts. Examples include firms either financing research in an effort to generate information that could influence public debate (Weible 2007) or leveraging their professional networks to persuade other businesses to join their collective efforts.

In spite of their social position—supportive or unsupportive—many firms remain politically inactive (Oliver and Holzinger 2008). Inactivity may relate to the fact that the benefits of political activity are distributed too widely across many firms (Drutman 2015; Hansen, Mitchell, and Drope 2005). In other instances, businesses may see some advantages to addressing a social concern but abstain from advocacy or direct political activity in large part because they recognize that their resources are better spent on other matters that they view as more critical to their strategic direction. These firms regard the external demands related to policy formation to be less of a threat to their overall strategy, and thus they adapt to regulatory expectations. So while organizational priorities influence whether firms are supportive or unsupportive toward the social issue that underpins policy formation, institutional pressures within political systems, combined with organizational resources and capabilities, influence whether firms respond in a politically active or inactive way. For these reasons, we combine political position and social support arguments to describe businesses' sociopolitical positions toward policy formation. We suggest that firms have a choice of responding to policy formation in one of four ways (see figure 1), leading to four types of firms: *defensive, reactive, proactive,* and *anticipatory.* While this characterization appears similar to other strategic management frameworks (e.g., Miles and

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		Political position	
		Active	Inactive
Stance toward a particular social concern	Supportive	Proactive	Anticipatory
	Unsupportive	Defensive	Reactive

Figure 1 Types of Sociopolitical Business Responses to Mandatory Regulation

Snow 1978), our archetypes are unique inasmuch as they apply specifically to the sociopolitical setting and firms' responses to the prospect of additional mandatory regulation.

We describe each of the four types of firms' sociopolitical response within the context of the U.S. climate change regulation. This context is particularly relevant to policy formation because significant political opposition to governmental regulatory efforts have prevented the formation of a comprehensive U.S. climate policy at the federal level. While in 2009 the Barack Obama administration had a small window in which congressional policy makers were actively discussing the potential promulgation of mandatory regulation of climate change pollutants at the federal level (Samuelsohn 2009), that window closed because of contentious political disfavor expressed mainly by resistant private sector firms. Therefore, voluntary approaches to address climate change pollutants have been the primary federal policy tool to receive widespread political endorsement. However, mounting evidence indicates that these voluntary approaches fail to reduce firms' climate change pollutants (Kim and Lyon 2011; Delmas, Russo, and Montes-Sancho 2007; Pizer, Morgenstern, and Shih 2010; Welch, Mazur, and Bretschneider 2000). That situation led to stronger calls among scientists and environmental activists for comprehensive mandatory climate change regulation. Yet even with significant support from these groups, the 110th Congress (2009–10) failed to enact a national climate change policy because of intense opposition from business opponents and conservative Republicans who echoed the concerns voiced by business actors (Nisbet 2011).

More recently, on June 2, 2014, the U.S. Environmental Protection Agency (EPA) proposed controversial carbon pollution standards for existing coal-fired power plants. Amid pressures from the fossil fuel industry, a dozen coal-reliant states announced their intention to sue the EPA in an effort to derail the proposed controversial carbon pollution rules (Banerjee 2014), arguing that the proposed rules would negatively affect jobs and the economy and that the EPA lacked the legal authority to promulgate them. By contrast, states such as California (which endorsed the EPA's carbon pollution standards) were collaborating with renewable energy firms to push for more wide-sweeping mandatory climate regulation (GCC 2014). These sorts of collaborations will likely be essential for the enactment of an omnibus federal climate change policy. However, understanding which types of businesses are more likely to form meaningful collaborations with government to advance this mandatory policy requires an understanding of the range of possible positions that firms can take toward policy formation.

Defensive Firms

Defensive firms focus on protecting the status quo (Miles and Snow 1978) in that they are socially unsupportive toward the formation of regulations and wish to maintain their existing corporate values regardless of social trend.[1] They question scientific evidence about the existence of a social problem and thus the societal benefit of regulation. They also tend to emphasize the scientific uncertainty surrounding the social issue. Defensive firms are politically active in their response to potential regulation. These firms argue that regulations are a threat (Dutton and Jackson 1987) in that mandatory policy will levy unnecessary costs on their production activity (Eckerd and Heidelberg 2015). In lieu of additional regulation, these firms tend to press for policy reform and greater legal protection (Eckerd and Heidelberg 2015). To defend their position, these firms openly oppose regulations that address broader social concerns and actively engage in lobbying and other political endeavors in an effort to persuade policy makers not to pass additional regulation. Defensive businesses voice their positions in congressional testimony, in public statements by executives, in company documents and marketing materials, and/or in formal public comments to government agencies' regulatory notices. For instance, in 2009, Murray Energy Company and Marathon Oil Corporation both directly opposed (e.g., in marketing campaigns) the formation of mandatory climate policy regulation and sought to discredit established climate science by funding ideologically oriented climate studies (U.S. Chamber of Commerce 2009). Similarly, the chemical company FMC Corporation submitted public comments to the EPA opposing mandatory climate change regulation, indicating that the climate change pollutant carbon dioxide is fundamental to life and therefore poses no societal harm (Union of Concerned Scientists 2012). Firms such as Murray Energy, Marathon Oil, and FMC adopted a defensive sociopolitical posture because they opposed the premise that regulating climate pollutants may be beneficial to society and were politically active in voicing their opposition.

Reactive Firms

We refer to *reactive* firms as those that do not influence the policy formation process and respond only after regulations are promulgated. For reactive firms, there is no absence of strategy.[2] Rather, reactive firms actively assess various regulatory proposals (Jones and Levy 2007; Kolk and Pinkse 2004, 2007) and elect to forgo political engagement because doing so is not in their strategic interest. Like defensive firms, reactive businesses do not acknowledge the social benefit of promulgating a particular regulation, in part because the individual benefit of doing so is too low and they regard regulation as being inevitable. Reactive firms therefore make a strategic decision not to influence the policy formation process. Instead, reactive firms tend to monitor the policy discussions and observe social debates about various regulatory proposals (Jones and Levy 2007; Kolk and Pinkse 2004, 2007) while remaining at the political

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periphery. Only after regulations are promulgated do these firms respond, as only then do they see the business value in doing so. For instance, by 2012, AirTran and ExpressJet, two U.S. airline companies, resisted taking a political stance on climate change (Climate Counts 2012), even though policy makers had expressed concerns as early as 2009 about the aviation industry's significant impact on climate change (GAO 2009). AirTran and ExpressJet also were inactive in initiating ways to reduce their climate impacts because they believed that voluntarily reducing their climate pollutants lacked strategic value. Rather, these firms expressed concern about the cost associated with emissions reductions and their ability to compete as low-cost airlines (Becken and Hay 2007; Climate Counts 2012). Firms such as AirTran and ExpressJet are considered to be reactive because they are socially unsupportive toward regulating businesses' climate pollutants, and they choose to remain politically inactive in the policy debate.

Proactive Firms

Proactive firms see opportunity (Dutton and Jackson 1987; Miles and Snow 1978) in the promulgation of new regulations (Oliver and Holzinger 2008)[3] and are socially supportive in their preference toward formulating mandatory regulations (Kolk and Levy 2001; Margolick and Russell 2001). These firms accept that a particular issue has significant societal concern and agree with the scientific evidence supporting its existence. Like defensive firms, some socially supportive businesses are politically active in their efforts to influence the policy debate. What makes these businesses differ from defensive firms is that by changing the regulatory setting (Oliver and Holzinger 2008), they see opportunity for competitive advantage (Miles and Snow 1978).

Proactive firms typically have invested in specific resources and capabilities that allow them to adapt quickly (Lin and Darnall 2015; Miles and Snow 1978) to a changing social and political landscape. For instance, proactive firms anticipate shifts in social concerns and develop new product lines or disruptive technologies to address them, but they are inhibited from deploying them because existing regulations favor other incumbent products and technologies. As a consequence, proactive firms recognize the potential business value associated with the formation of mandatory regulations, even if they may not agree with the details of various policy proposals (CDP 2008). One example is NRG Energy, which has acknowledged the societal problems associated with climate change (NRG Energy 2012). Accordingly, NRG Energy has committed to generate and distribute clean power solutions, retrofit its existing fossil fuel plants, and expand its business portfolio of renewable energies (e.g., wind, biomass, and solar) to meet the societal demand for low- and no-emissions power generation (NRG Energy 2012). In 2009, the company also took a politically active position to support the formation of mandatory climate regulation when it endorsed an advertisement in Politico titled signed "Message to Barack Obama" that favored federal climate change legislation (WeCanLead 2009). Additionally, Entergy, DuPont, Imperial Chemical, Sempra Energy, Alcoa, GE, and PG&E are pressing for the formation of mandatory climate change regulation at the federal level because it is in their direct economic interest to do so. In accepting that climate change is a serious social problem, these companies have developed products and technologies that would gain a substantive foothold in the market if comprehensive climate legislation were passed. Their supportive stance has been expressed by way of formal position statements in favor of regulatory climate change bills, congressional testimony, and public statements. Firms like these are considered proactive because they socially support the premise that regulating climate change pollutants may be beneficial to their business and society, and they are politically active in their efforts to influence the policy debate.

Anticipatory Firms

We suggest that *anticipatory* firms are socially supportive firms that take an inactive political approach to policy formation.[4] While accepting that a social issue has significant concern and acknowledging that they bear some responsibility for addressing it, these firms do not see business value in waging a political response, in large part because the benefits of political activity are distributed widely across many firms and the costs of collaboration are high (Drutman 2009; Hansen, Mitchell, and Drope 2005). Like reactive firms, anticipatory firms adopt a political posture that is passive. These businesses believe that policy formation is inevitable and that becoming active in the political debate lacks organizational benefit. As a consequence, these firms make a strategic decision to remain at the political periphery even though they are aware of the policy discussions. Waste Management, the largest provider of comprehensive waste and environmental services in the United States, is one example of an anticipatory firm. In response to social concerns about climate change, in 2011, the company opened 17 waste-to-energy plants and 127 landfill gas-to-energy projects that converted methane into a source of renewable power. However, Waste Management has made the strategic decision to be inactive in political discussions about forming mandatory climate regulations even though the company is actively mitigating its own climate change impacts (Waste Management 2011).

Ideal Business Collaborators

In considering the four types of firms identified in our framework, we emphasize three conditions in determining which are ideal collaborators during policy formation. The first condition is that firms must recognize that a social problem exists and that their ability to address it is interdependent with the actions taken by others (Sarason and Lorentz 1979; Waddock 1989). Interdependencies exist because of the social problem's complexity and dynamic quality (McCann 1983), which make it impossible for any single organization to solve (Gray 1985).

Second, ideal partners should be motivated to pursue private economic benefits that are aligned with broader social benefits (Gray 1985; Wassmer, Paquin, and Sharma 2014). That is, these firms must recognize that an organizational benefit can accrue by addressing the problem because they gain access to markets that otherwise did not exist or because they can better address changing expectations from consumers, investors, and regulators (Schermerhorn 1975; Wassmer, Paquin, and Sharma 2014). Firms seeking reputational benefits and social legitimacy can therefore enhance their economic viability or financial stability (Wassmer, Paquin, and Sharma 2014). As a consequence, these firms arguably create public value or publicly valued outcomes that are congruent with personal gains (Bozeman 2007; Bryson, Crosby, and Bloomberg 2014).

Finally, an ideal collaborative partner must commit to partnership agreements (McCann 1983; Waddock 1989). Such commitment requires that collaborators be willing to either employ existing resources or acquire new resources to achieve partnership goals (Waddock 1989). Commitment also requires support from top-level leadership, which helps establish shared values toward achieving partnership objectives through firm-level programs, policies, and actions (McCann 1983; Waddock 1989).

Of the four sociopolitical postures described earlier, proactive firms are more likely to be ideal partners for government to engage during the formation of mandatory regulations. These firms recognize that a social problem exists and understand the independences of their interests and actions. These firms also are more likely to acknowledge that the societal concern cannot be remedied by their own internal efforts, and thus they engage in joint problem solving with different social actors. Moreover, proactive firms have adopted business practices that address social concerns or have invested in developing product lines or technologies that address these concerns. However, existing market structures inhibit them from benefiting fully from their investments. Therefore, they have a stronger predisposition toward achieving partnership goals and could be ideal partners that governments should consider when formulating mandatory policies.

Within the environmental policy arena, there are several examples of how proactive firms have served as ideal partners with government in promulgating mandatory regulation. For instance, in 2009, the United States announced a national policy that would increase the corporate average fuel economy (CAFE) standards. CAFE standards were originally established in 1975 to improve the nation's energy security and reduce energy consumption. Since the early 1980s, CAFE standards had remained relatively unchanged at the federal level, mainly because of resistance from automobile manufactures. However, in the mid-2000s, some automakers changed their position.

In its *2007 Sustainability Report,* Ford Motor Company acknowledged that climate change was a significant social concern that the company should address because Ford sold products that produce climate pollutants (Ford 2007). Prior to that time, Ford had begun developing automobile technologies that emitted less carbon (Ford 2007) and invested heavily in creating a fuel-efficient engine (Fischetti 2011). Ford's technology was 20 percent more fuel efficient than traditional engines and produced 15 percent fewer greenhouse gas emissions (Ford 2007). Ford recognized the potential increase in its competitive position if policy makers passed more stringent CAFE standards (Fischetti 2011). Other business opportunities that Ford saw related to cost savings that it could accrue if existing state-level variations in fuel economy standards were eliminated. State-level variations increased Ford's costs because they caused the company to produce multiple versions of the same vehicle. By producing one version of the same vehicle that could be sold across all states, Ford could reduce its overall operating costs and increase business certainty because states would no longer be able to increase their standards independent of federal action. These factors provided significant motivation for Ford to collaborate with government to support legislation to create a national fuel economy standard that followed a more stringent fuel economy standard that had been endorsed by California.

Accordingly, in 2009 and 2011, the U.S. Department of Transportation's National Highway Traffic Safety Administration and the EPA engaged in extensive collaborations with Ford and other automobile companies (NHTSA 2012; Snavely 2012), along with states, environmental and energy experts, and the public, to discuss increases in federal CAFE standards. The collaborative efforts led to an increase in CAFE standards to 34.5 miles per gallon by 2016 and an increase in CAFE standards to 54.5 miles per gallon by 2025; the latter standard will double the average fuel economy of new cars and trucks. By engaging with proactive firms, regulators were able to expand their knowledge about the technical and economic feasibility of the proposed standards and pass an otherwise contentious rule (EPA 2012). The collaboration also increased regulatory flexibilities to Ford and other automotive companies related to the lead time required for manufacturers to make necessary technological improvements, which reduced the overall cost of policy implementation while achieving desired environmental objectives (EPA 2012).

Another example of an ideal collaboration relates to the worldwide ban on chlorofluorocarbon (CFCs). DuPont and Imperial Chemical Industries collaborated with policy makers and the industry association, the Alliance for Responsible CFC Policy, to enact the ban. Relying on their own internal scientific assessment (Maxwell and Briscoe 1997) and external reports issued by the Ozone Trends Panel (Morrisette 1989), DuPont, Imperial Chemical, and the alliance publicly acknowledged that CFCs depleted ozone. Such an acknowledgment stood in stark contrast to the views being expressed by most other firms in the chemical industry, which questioned the scientific evidence related to the harmful environmental effects of these chemicals. Industry peers also expressed serious concern about potentially costly production cuts that a ban would impose. At the same time, EPA officials announced the need for an immediate 85 percent reduction in CFC production. DuPont went a step further to push for a global freeze on CFC production. Its rationale was that the freeze would encourage a market transition to alternative chemicals, which were more expensive to produce and therefore lacked market viability in the current regulatory setting. DuPont stood to gain because the company could exploit its existing competencies (Lin and Darnall 2015) toward developing new chemical substitutes that it had already begun to explore (Maxwell and Briscoe 1997). By actively bargaining with government actors (Oliver 1991), DuPont was poised to be a leader in the sale of CFC-free chemicals.

In 1997—one year after beginning negotiations—the outcome was the Montreal Protocol (Murphy 2002; Puller 2006). Its passage addressed the broader social concern regarding CFC production in a way that likely could not have been achieved by DuPont acting on its own. Additionally, DuPont was able to benefit economically by obtaining a foothold in the development of lucrative CFC-free chemicals. For policy makers, the collaboration provided the necessary political capital required to expedite passage of the Montreal Protocol (Murphy 2002; Puller 2006). The collaboration also helped policy makers devise an international ban that allowed for a smooth transition period (Morrisette 1989) and garnered significant legitimacy within the chemical community, thus facilitating policy efficacy.

Both of these examples illustrate how firms taking a proactive sociopolitical stance toward mandated regulations can be ideal partners in collaborative governance. Further, they demonstrate that by engaging ideal business partners, government can create solutions for complex social issues (Fiorino 2006) that increase access to specialized knowledge and resources and enhance business actors' perceived legitimacy of mandatory regulation (Donahue and Zeckhauser 2011; Emerson and Murchie 2010).

Conclusions

This research responds to concerns that while public management and public policy research endorses the virtues of collaborative governance, the role of private firms has received limited attention. We suggest that collaborative partnerships with firms may be particularly relevant toward passing federal policies that regulate complex social problems. Our analyses offer four contributions to scholarship.

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First, by drawing on literature anchored in the management sciences and combining it with scholarship from public administration and the policy sciences, we offer an important perspective on how firms behave during policy formation. This issue is salient because although it is widely assumed that firms are critical policy actors at all levels of government (Baumgartner and Leech 1998; Kraft and Kamieniecki 2007), less is known about which firms are more likely to be ideal policy partners during the formulation of mandatory regulations, in large part because the private sector is generally regarded as an adversary that opposes regulation (Kagan 1991; Siegal 2009; Weber and Khademian 1997) and either lacks interest in (or is defensive toward) collaborative discussions during policy formation (Rivera 2010). We build on prior research (e.g., Rivera 2010; Siegal 2009; Weber and Khademian 1997) by offering credible arguments for the idea that firms do not behave homogenously during policy formation. Rather, firms' postures differ across two important dimensions based on whether they are politically active in their effort to influence policy formation and supportive of the social concern that underpins the proposed policy. Drawing on this insight, and by extending management strategy (e.g., Miles and Snow 1978), we develop a framework that describes how these two dimensions lead to four corporate responses to policy formation: defensive, reactive, proactive, and anticipatory. We suggest that variations in corporate responses to policy formation create opportunities within the policy debate for government entities to collaborate with proactive businesses to advance their regulatory agenda.

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The second contribution of this research relates to the policy setting in which collaborative governance is applied. We focus on how private sector firms can collaborate with government to achieve social objectives and serve as ideal collaborative partners during the *mandatory* policy formation process. In this regard, we expand significantly on prior research (e.g., Darnall and Sides 2008; Kim and Lyon 2011; Lin and Darnall 2015; Rivera, de Leon, and Koerber 2006), which has primarily considered the benefits of government–firm collaborations in the voluntary setting, where participation is constrained by self-selection and policy efficacy has been questioned. By encouraging private sector collaboration in contentious policy settings, government actors may be able to formulate policies that otherwise would not be possible. By virtue of the fact that they are mandatory, these policies are applicable to the entire regulated community (rather than a select few) and thus may lead to greater social benefits than those achieved in a voluntary program.

Third, our study provides insight about the policy stage when policy makers consider collaborations. Prior studies examining private sector involvement in collaborative governance underscore policy implementation (Rivera 2010) and getting the appropriate people involved in collaborative implementation plans (Koontz 2005). Yet there has been a lack of understanding of firms' cooperation in policy formation, which is mainly attributable to firms' historically vehement defensive posture in initial policy discussions (Kagan 1991; Siegal 2009; Weber and Khademian 1997) and concerns about agency capture (Lindblom 1977). Our study suggests that firms could be valuable collaborative policy partners during policy formation and offers multiple examples in practice that support this view.

Finally, this research expands on collaborative governance scholarship by articulating which sorts of businesses are more likely to serve as ideal collaborators. We suggest that ideal collaborative partners meet the three essential conditions. These firms recognize that a social problem exists (Sarason and Lorentz 1979; Waddock 1989) and that addressing it creates private benefits that are aligned with broader social benefits (Gray 1985; Wassmer, Paquin, and Sharma 2014). They also are willing to commit to partnership agreements to address the social concern (McCann 1983; Waddock 1989). Our conceptual framework advances proactive firms as the "ideal partners" because they more likely to accept that a social issue has relevance. These businesses also see policy formation as a potential pathway for value creation (Gray 1985). For these reasons, proactive firms are more eager to engage collaboratively (McCann 1983; Waddock 1989) and are the most suitable collaborative business partners when forming mandatory policies. Collaboration with these firms could potentially create substantial benefits to government, including increasing government's access to specialized corporate expertise, resources, and technical knowledge (Donahue and Zeckhauser 2011; Emerson and Murchie 2010), which may increase creative, cost-effective solutions to complex policy problems. Collaboration with these firms can also reduce or diffuse conflicts that prevent policy formulation and the more widespread societal advantages that come with addressing social problems. Still other benefits include increased legitimacy of mandatory regulation within the regulated community (Donahue and Zeckhauser 2011; Emerson and Murchie 2010), which can increase the likelihood of successful policy implementation.

We offer several suggestions for future studies. First, a valuable extension of our research would consider what political, societal, and organizational factors cause firms to position themselves within one particular sociopolitical posture over another. Research in the management sciences may be useful in exploring this issue. For instance, in the face of regulatory uncertainty (Engau and Hoffman 2011) some studies suggest that firms' internal strategic capabilities may be relevant (Conant, Mokwa, and Varadarajan 1990; DeSarbo et al. 2005; Hambrick 1983; Kabanoff and Brown 2008; Walker et al. 2003). In particular, firms' capabilities related to organizational learning, continuous improvement, and stakeholder integration have been associated with firms' proactive environmental strategy (Darnall, Henriques, and Sadorsky 2008; Ehrgott et al. 2013; Lin and Darnall 2015; Sharma and Vredenbrug 1998). They may also be relevant to firms' sociopolitical postures.

Of the four sociopolitical postures we discuss, we suggest that proactive firms are more likely to be ideal partners for government to engage during the formation of mandatory regulations because they are more likely to recognize that a social problem exists. These firms recognize that taking action to address the problem is interdependent with the actions taken by others (Sarason and Lorentz 1979; Waddock 1989). They also are more inclined to be motivated by positive private economic benefits that are aligned with broader social benefits (Gray 1985), and commit to partnership agreements (McCann 1983; Waddock 1989). However, it is theoretically plausible that some other firms may seek to collaborate with government. Future research should consider this possibility and what sorts of policy outcomes might arise out of these "non-ideal" collaborations. Because these businesses would not be proactive, our expectation is that "non-ideal" firms would be more likely to behave opportunistically because mandatory regulation would likely to put them at a competitive disadvantage. We also expect that these firms would be less likely to commit to the partnership because they would not fully acknowledge that a social problem exists. The outcome of such collaboration, especially among defensive firms, would most likely be a mandatory policy that was weaker and favored the business community at the expense of society as a whole (West and Raso 2013; Yackee and Yackee 2006). However, future research should consider this issue more fully.

Our final recommendation is that the field would benefit from comparative research that draws on a large sample to consider policy outcomes derived from government partnerships with ideal business collaborators as compared to collaborative governance settings that do not engage these firms. Such research should specifically consider how social outcomes might differ in settings with and without different business participation, and across different sorts of collaborative arrangements. Critics of business–government collaboration might suggest that because businesses often outnumber other participants in regulatory policy making (Furlong and Kerwin 2005; West and Raso 2013; Yackee and Yackee 2006), the eventual policy outcomes may favor business over society as a whole (Carmin, Darnall, and Mil-Homens 2003; West and Raso 2013; Yackee and Yackee 2006; Yackee 2012) and lead to normative concerns related to power imbalances among stakeholders (Gerlak, Heikkila, and Lubell 2013). However, in the absence of business engagement, policies may not get formed or downstream implementation problems may arise. Additional comparative research is needed to explore these concerns further.

In sum, our research offers important contributions to public management and public policy scholarship by developing a framework that characterizes the range of business actors' sociopolitical responses to mandatory regulation. This framework helps us understand which types of business are more likely to form meaningful collaborations with government, thereby increasing government's access to knowledge and expertise and ability to find creative solutions to complex policy problems.

Notes

1. *Defenders* in Miles and Snow's (1978) framework concentrate on protecting current markets, maintaining stable growth, and serving current customers.
2. By contrast, *reactors* in Miles and Snow's (1978) framework are suggested to lack a consistent and coherent adaptive strategy and are characterized as being strategy "absent" (Walker 2013).
3. Miles and Snow's (1978) *prospectors* explore new markets and new growth opportunities and encourage risk taking.
4. Miles and Snow's (1978) *analyzers* maintain current markets and current customer satisfaction with incremental improvements to existing products.

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