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NGOs, Activism and Sustainability

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LEARNING OBJECTIVES

- Learn about the role of activism in sustainability.
- Distinguish the characteristics of different types of activist NGOs, their tactics and (aspired) outcomes.
- Develop an overview of interactions between activist NGOs and firms over issues of sustainability.
- Understand which firms are likely to be targeted by NGO activism and how firms respond to such activism.

13.1 Introduction

A decade ago, few people would have heard about *fracking*, a technical process for the extraction of natural gas from rocky undergrounds that is based on creating fissures in the rock to allow for the extraction of the gas. The imminent depletion of more accessible natural gas supplies has made the technique an attractive supplement to more conventional extraction technologies. Yet, fracking has met with a lot

* This chapter contains sections that are adapted from earlier work by both authors. The details are listed below.

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of protest. In many countries, activist NGOs have pointed out the various risks associated with the technology, including environmental pollution, occupational health hazards and earthquakes. They organised rallies, started petitions and took legal action. Their targets have been the companies that (intend to) use fracking technology and the authorities that issue the required licences. Not all protest was successful, but some projects were reconsidered, some large investors withdrew and it has surely sparked heated debate. Today, many people know about fracking.

This is just one example of the many issues on the agendas of activist NGOs. Many of their issues involve the conditions and consequences of corporate activities; think of climate change, biodiversity, child labour, workers' rights, product safety, inequality or pollution. Whether activist NGOs seek to stop contested corporate practices or prefer to collaborate with industries and businesses in order to push for better alternatives, NGO activism has become a lasting element in the discourses and practices around sustainability.

Understanding how NGO activism offers opportunities and poses challenges to firms is important to appreciate the broader question of what makes businesses more sustainable and more socially responsible. This chapter discusses the role of NGO activism as a driver of sustainability. We first provide an overview of what activist NGOs are. Next, we explore ways by which activist NGOs seek to influence corporate policies, ranging from collaboration and partnerships to contestation and protest. We then discuss which firms are more likely to encounter NGO activism, and how they may respond to such activism. At the end of this chapter, readers should be able to explain the role of NGO activism in sustainability; to distinguish the characteristics of different types of activist NGOs, their tactics and the outcomes of their activism; and to develop an overview of interactions between activist NGOs and firms.

13.2 Activist NGOs: What Are They?

Over the last decades, interactions between firms and their multiple stakeholders have attracted considerable attention. Among these interactions, those with activist non-governmental organisations (NGOs) have assumed an increasingly prominent position. Whereas previously activist NGOs typically would have turned to governments in order to get their claims on businesses honoured through legislation or law enforcement, more recently they have addressed their claims directly to businesses. This development is related to globalisation:

1. As a consequence of their policies of liberalisation and deregulation, governments have become reluctant to directly regulate business, preferring other policy instruments such as self-regulation.

2. The unprecedented internationalisation of production and trade has reduced the possibility for national governments to effectively regulate internationally operating firms.
3. The availability and widespread adoption of information and communication technologies has facilitated the fast transfer of information across the globe, including information about firms' externalities and alleged wrongdoings in faraway countries.

For example, issues such as climate change and labour conditions in supply chains are highly complex, crossing the jurisdictional boundaries of national authorities, rife with uncertainty, and riddled by multiple, often incompatible interests and value orientations. They have no easy solutions and are often referred to as wicked problems. Under such conditions, when climate change and other issues can no longer be effectively addressed by national regulation and policy-making only, many NGOs and businesses have come to realise that their involvement is needed. Some firms have taken proactive roles, perhaps out of perceived self-interest or because they sincerely believe they can contribute to addressing the issue. Others have been more sceptical and reluctant, at the risk, however, of subsequently receiving sharp criticisms and being put under pressure to change their posture by a vocal public opinion – for example, in social media and activist NGOs.

Yet, *who are these activist NGOs?* How can we define these groups, collectives, movements and organisations that seek to influence firms' policies and practices? To define 'activist NGOs', we first need to define what are NGOs, non-governmental organisations. That is not an easy task. In part, they are defined by what they are *not*: they are organisations, but not associated with the (national, regional or local) state structure, hence the label 'non-governmental'. So are most business firms, but unlike firms, NGOs are not interested in making a profit; their *raison d'être* is in advancing some cause – for example, related to environmental, social and governance issues (ESG) or the United Nations' Sustainable Development Goals (SDGs). When that cause is largely a private matter, such as (in many countries) the organisation of religion or sports, they are usually referred to as civil society organisations; when their cause is in advancing a common or public good or the interests of a third party (but not commercial or business-related; think of Amnesty International who campaign for the rights of individuals who are detained as political prisoners), they are called NGOs. Often, a distinction is made between different types of NGOs: 'direct aid' NGOs aim to support those in need, 'empowerment' NGOs aim to strengthen local communities in achieving their objectives, and 'advocacy' NGOs attempt to influence the decision-making processes and policies of governments and businesses. Of course, these categories are not mutually exclusive: some NGOs are of a mixed type – for instance, when they combine (local) empowerment and international advocacy.

There are many organisations that operate independently from government and business, are not driven by a profit-motive and pursue a public good. They vary according to whom they are accountable (if at all: members, constituents, donors, beneficiaries, etc.) and go by labels that emphasise some particular characteristic. We have civil society organisations, secondary stakeholders, social movement organisations, public interest groups and many others. All these labels are problematic as they are not mutually exclusive. Many actual organisations fit more than one label or they are hybrids. For example, consumer leagues such as automobile clubs AA in the United Kingdom and ADAC in Germany are private interest groups, yet they not only advance the interests of their members, but also (claim to) work for a common good; as not-for-profit organisations they nevertheless have substantial commercially profitable activities. Table 13.1 provides an overview of related terms and some examples.

In this chapter, we narrow our focus to what we call 'activist NGOs' in order to emphasise, on the one hand, their willingness to organise collective action in the pursuit of their objectives and, on the other, their independence from state structures and commercial interests. They can also be referred to NPOs, NGOs, INGOs (when they operate internationally), CSOs, secondary stakeholders and/or public interest groups. Some may consider them to be private interest groups; what is a 'public' and what is a 'private' interest can sometimes be debated and often is ideologically laden. Activist NGOs not only lobby national, regional and/or local governments, but they also organise media campaigns to influence public opinion around the themes that they find important and actively engage with others in collaborative and/or contentious ways in order to realise their objectives. In the context of this chapter, they muster supporters and resources which they use to stimulate companies to become more sustainable (or less unsustainable). In the following sections, we characterise activist NGOs in greater detail.

13.3 NGO Activism: Some Characterisations

There are many possible grounds for characterising activist NGOs. Obviously, they vary in their domain of interest, objectives and scale of operation: from environmental pollution to worker rights and child labour, from local to transnational. Rather than going into detail on all the varieties of activist objectives here, we introduce three important distinctions: preferred mode of operation, ideological position and tactical repertoire (den Hond and de Bakker, 2007).

First, regarding their preferred *mode of operation*, we distinguish between collaboration and contention. Many activist NGOs engage in collaboration with corporations, enter in dialogue and agree to participate in corporate initiatives, such as

Table 13.1. NGOs, activists and related organisational concepts

Label	Definition, characteristics, examples
Not-for-profit organisations, or non-profit organisations (NPOs)	Organisations that do not have as their main objective the provision of income for their owners or shareholders.
Non-governmental organisations (NGOs)	Organisations that are not controlled by the state. Strictly speaking, business firms are NGOs when they are not state-owned, but usually business firms are not considered to be NGOs: the term is reserved for organisations that are neither a part of a government nor a conventional for-profit business. Often, a distinction is made between the following: <ul style="list-style-type: none"> - 'direct aid' NGOs seek to provide assistance to people in need: Red Cross, MSF/Médécins Sans Frontières; - 'empowerment' NGOs seek to stimulate emancipation of local communities and minorities: OXFAM; - 'advocacy' NGOs seek to influence government or business policy: Greenpeace.
International non-governmental organisations (INGOs)	NGOs that operate in international arenas and have offices in several countries.
Civil society organisations (CSOs)	Organisations that do not operate in the realms of the state or the market. 'Civil society' is therefore considered the 'third' sector of society, associated with family and the private sphere, emphasising voluntary action, as distinguished from political and economic action. Examples include sports clubs, churches, neighbourhood committees, human rights organisations.
Secondary stakeholders	Organisations or groups upon whom a business firm does not in a direct way depend for its economic survival, such as media, communities and regulators.
Private interest groups	Organisations that seek to advance the private interests of their members, such as business associations, labour unions and consumer leagues.
Public interest groups	Organisations that seek to advance some public interest, or common good, beyond the private interests of their members.
Activist groups, and social movement organisations (SMOs)	Organisations or groups of people that exhibit a propensity to mobilise and organise campaigns around themes they deem important, typically in opposition to some political, legal, cultural, religious or other kind of authority. The members of some activist groups are willing to run personal risks and to make certain sacrifices in order to reach their goals. Examples include Greenpeace, PETA and Friends of the Earth.

stakeholder engagement and cause-related marketing. A vast literature has developed on cross-sector partnerships (cf. Clarke and Crane, 2018) and related concepts such as social alliances (cf. Seitanidi and Crane, 2014) and multi-stakeholder initiatives (cf. de Bakker et al., 2019). This literature examines how actors from different backgrounds collaborate in order to establish some shared objectives, pool resources and develop joint standards or approaches to issues of shared concern, such as those relating to sustainability and corporate social responsibility (CSR). Collaboration can be an effective way for activist NGOs to influence corporate activities as joint projects and partnerships offer them the possibility to exert influence over corporate initiatives.

Other activist NGOs pursue more contentious engagements with corporations: they target corporations in adversarial ways, such as through naming-and-shaming campaigns, the organisation of boycotts and other means of publicly visible protest. Their preference for contentious engagements is related to a conviction that collaboration is not an effective means to establish their goals of driving corporations towards greater levels of sustainability and social responsibility. They argue, for example, that collaboration would jeopardise their independent position and reduce their options to remain critical of corporate sustainability initiatives: they fear being co-opted. Nevertheless, collaboration and contention are not mutually exclusive: some activist NGOs entertain both collaborative and antagonistic relationships with the same firms, depending on the topic or the geographical setting.

Another way to characterise the different types of interactions between activist NGOs and firms is by considering the ideological position of the NGOs involved. We distinguish between radical and reformist activist NGOs. According to social movement theory, radical groups are the ones that 'offer a more comprehensive version of the problem and more drastic change as a solution' (Zald and McCarthy, 1980: 8). They strive for fundamental change in their area of concern and think that companies cannot be part of their envisaged solution, as in their view corporate 'success' is closely tied to the very problem they seek to address. On the other hand, reformist groups are inclined to work with business to evoke corporate social change – for instance, on sustainability. Although they see current business practices as part of the problem, they also think business can, and should, be part of the solution by reforming their ways of operating. Obviously, radical and reformist are the two poles of a spectrum and many intermediate positions are possible. Yet, to understand the different tactical approaches NGO activists use at the operational level, this distinction is helpful.

A third way to characterise different activist NGOs is by looking at their tactical repertoire. Building on the work of della Porta and Diani (1999), we suggest that three dimensions categorise the deployment of tactics by activist NGOs. Their tactics can aim at inflicting damage or gain onto the target; both damage and gain in turn can be either symbolic or material. A boycott is an example of a tactic aimed at

exerting pressure on a targeted firm or industry through inflicting material damage; a massive media campaign in support of an alternative practice is an example of a tactic aimed at establishing symbolic gain. Tactics aimed at a material impact directly affect the cost or revenue structure of a firm, either positively or negatively, whereas tactics with a symbolic impact affect its reputation, again either positively ('gain') or negatively ('damage'). The first dimension is thus the nature of the tactics' intended effect on corporations.

The next dimension to categorise the deployment of tactics is in the amount of effort that is needed to make a tactic effective. Some tactics only require a limited number of committed people in order to be effective. For example, maintaining a website, a social media account or a blog to expose corporate misdoings only requires the efforts of a relatively small number of dedicated people. Similarly, preparing legal action can be done by just a few highly competent individuals. Yet, in both examples, the activists need specialised knowledge (and funds to finance their work). Other tactics rely on the participation of a large group of people: a boycott can only succeed if a very large number of people decide not to buy a certain product or service. As involving large numbers of participants in tactics can be difficult to organise, activist NGOs typically start off using tactics that require only a small number of dedicated participants; staging a social media campaign, negotiating a collaboration and conducting research to underscore the salience and urgency of an issue are examples of such tactics.

Time is a third dimension to characterising the deployment of tactics. Activist NGOs' campaigns may last for long periods of time. For example, ever since 2012, the Dutch animal rights organisation Wakker Dier has run its 'plofkip' campaign to phase out the sales and use of industrially grown broiler chickens in supermarkets and restaurants. Broiler chickens are raised, in extremely densely populated cages, within six weeks to a weight of 2.3 kg; they have become symbols of industrialised meat production. The campaign has been successful in gradually improving the conditions of production, through its consistent use of a combination of naming-and-shaming and naming-and-praising tactics. However, not all activist NGOs are able to successfully use the same tactics over a prolonged period of time. When the use of some tactics turns out to be ineffective, there is a likelihood of escalation. Many activist NGOs initially choose tactics that require relatively small numbers of participants to be effective, but when these are to no avail they may seek to escalate. Escalation can be sought in various ways, such as moving from collaboration to confrontation, from tactics that require few participants to those that depend on large numbers of participants, from using 'carrots' (and 'sermons') to using 'sticks', or from inflicting symbolic to material damage. Radical and reformist activist groups are likely to differ in how they seek escalation, as their ultimate objectives and worldviews are very different. Diverging ideological positions imply different views on what tactics are desirable, appropriate and effective. For example, radical

activist NGOs are more likely to escalate towards tactics that increase material damage, but are less likely to rely on large numbers of participants; reformist activist NGOs are more likely to escalate towards tactics that increase symbolic damage and that require large numbers of participants for their efficacy.

13.4 How NGO Activism Affects Corporations

NGOs deploy a wide variety of tactics in their attempts to make businesses more sustainable or more socially responsible. Several studies have examined the tactical repertoires that NGO activists have at their disposal (cf. den Hond and de Bakker, 2007; Doherty and Hayes, 2019); in this chapter, we group their tactics according to how they affect corporations. We distinguish tactics working through (corporate) governance, such as shareholder activism; through financial means, such as affecting operational costs and revenues; and through collaboration, such as in the form of partnerships. Whereas these three sets of tactics imply direct engagement with firms, a fourth set of tactics works in an indirect manner, by creating alternatives to the provision of services and products by corporations.

13.4.1 Shareholder Activism

A firm's corporate governance structure may provide opportunity for a particular kind of activism. Shareholder activism makes use of the principal-agent relationship between a firm's shareholding owners and its management in order to influence top management decision-making in privately held corporations – that is, they make use of the firm's corporate governance structure in the pursuit of their interest. A distinction should nevertheless be made between shareholder activism on social issues versus financial shareholder activism. Although both are types of shareholder activism, the focus of this chapter is on shareholder activism on social issues. For example, activist NGOs may find allies among a firm's shareholders who can voice their claims. Potential shareholder allies include large financial institutions such as banks, insurance companies, pension funds and socially responsible investment (SRI) funds. Or, activist NGOs can become shareholders themselves and use the associated rights in shareholder meetings. One example is the activist NGO Follow This (www.follow-this.org/) that specialised in using shareholder activism to pressurise the oil industry to get serious about climate change. Shareholder activism offers activist NGOs the option to exert influence through the threat of damage, either by generating negative publicity for the firm (i.e., symbolic damage) as shareholder meetings are typically well covered by financial media, or by stimulating institutional investors to invest in (or divest) the shares of particular companies, which is thought to

decrease (or increase) the cost of capital for these companies (i.e., material gain/damage) (see Chapter 11).

Shareholder activism in the form of SRI was introduced by religious communities in the United States, such as the Quakers and Methodists. Early examples include their abstaining from investing in companies that undertook activities they disapproved of for religious or moral reasons, such as making use of slave labour, the production and selling of tobacco, guns or alcohol, or gambling (Guay et al., 2004; Goranova and Ryan, 2014). Today, such negative screening is still a prevalent strategy, but it has been complemented by positive screening: investments are made solely in firms that meet certain criteria regarding their ESG policies and performances (see Chapter 11). These criteria are typically of a relative nature (e.g., 'best in class', 'showing improvement'). Positive screening not only requires criteria, but also the production and processing of large amounts of verified data on how well various companies perform on these criteria; an entire industry has emerged around ESG reporting by companies (see Chapter 17), the verification of reported data, the rating of companies and the creation of a large number of subtly differentiated investment portfolios to meet the various preferences that are found in the market (Avetisyan and Hockerts, 2017; Crifo et al., 2019).

Investors that use negative screening to inform their investment decision may feel little need to engage with a firm's management. However, when they use positive screening, there may be clear reasons for them to do so. For example, when a firm they have invested in (or that they consider investing in) creates great value for its owners and almost meets their criteria for investment, they may wish to point the firm's management to its performance on the wanting criteria. This mechanism, that a (major) shareholder uses its ownership rights to influence decisions of the company it has invested in, offers plenty of options to activist NGOs. When firms are publicly traded, NGO activists can use shareholder meetings to communicate their demands. Such meetings are attended by senior management, shareholders and the financial press. Attracting attention for their cause at such events hence is one way to spread their demands among a wider audience; financial press covers these events and other shareholders may be triggered by the calls, while senior management may feel (or be, through voting) required to formally respond. This is certainly the case in the United States, where 'proxy voting' has become very common (Agrawal, 2012). Once a proposal had been submitted and met certain criteria, firm management has two options: either to reply to the proposal and put that resolution up for voting in the shareholder meeting, or to negotiate with the filers of the resolution. When an announced proposal is withdrawn, this can be seen as a signal of success for the filers: apparently the need to put the proposal up for vote has disappeared because management has given in to their demands or because it has reached a compromise with the filers (Graves et al., 2001). How exactly the mechanisms to exert pressure on the top management operate may vary across countries and corporations

depending on national corporate governance law and firm-specific procedures. Yet, the underlying principle remains the same: use the principal-agent relationship in the interest of the principal by performing in the shareholder meeting and working with other shareholders as allies.

Although social shareholder activism nowadays is booming, the impact of this type of activism is difficult to determine. Some research, for instance, suggests that more politically active firms are 'more likely to challenge socially oriented shareholder proposals and less likely to arrive at agreements with social activists than their less politically active counterparts' (Hadani et al., 2019: 656). (Ironically, it must be noted that recent research suggests that financial shareholder activism, such as that by hedge funds, may assess a firm's involvement in sustainability even as a signal that excess resources are being spent: the firm is judged to have wasteful intentions and capabilities, which prevent it from maximising shareholder value in the short term [Desjardine et al., 2020: 1]. This may drive activist hedge funds to target firms with higher levels of CSR engagement, punishing them for not maximising shareholder value in the short term.) Furthermore, while this tactic may work with large firms that are listed on the stock market, it is less obvious how it would work vis-à-vis firms with different ownership structures, including many small and medium-sized enterprises. Hence, it is important to look beyond these tactics to the other ways by which activist NGOs can exert influence on firms.

13.4.2 Operational Costs and Revenues

When we discussed shareholder activism, we already pointed at its potential influence on firms' cost of capital. Yet, there are more ways in which activist NGOs can impact the financial situation of a firm: they can try to influence its operational costs and revenues, both positively and negatively. There are two main routes to do so: directly through the marketplace and indirectly through the mobilisation of public opinion.

13.4.2.1 Marketplace Tactics

Our starting point to consider how activist NGOs can affect operational costs and revenues is in the field of political or ethical consumerism. The main tenet, here, is that consumption is fraught with ethical and political issues: buying a piece of cloth is not just to purchase some functionality, or to express one's identity or adherence to some fashion, but also to financially support a firm that pollutes the environment and exploits workers, either directly or through its supply chains, and to contribute, when the piece of cloth is no longer worn, to the production of household waste. Forms of political consumerism include boycotts, increased preferences for organic or Fairtrade products and lifestyle choices (Boström et al., 2018). Political and ethical consumers seek to change firms, markets, industries and supply chains through their choice of products, services and producers (Micheletti, 2003). Which

products, services or producers they select is informed by their evaluations of the supplier. Activist NGOs play important roles in developing and disseminating such evaluations, by promoting standards for environmentally or socially sustainable products or otherwise inform consumers of what is 'behind a company's label' (e.g., <https://labourbehindthelabel.org/>). Consumers can thus leverage activists' claims as they have a direct impact on a firm's sales: informed by activist NGOs' claims, consumers are politicised to use the marketplace as an arena for change.

Consumers' buying power is thus critical in political consumerism. By withholding their buying power, that is, by *not* buying certain products or services, consumers can exert influence over firms, provided they do so in sufficient numbers. After all, in order to be effective, a boycott needs substantial numbers of participants and thus the problem of collective action needs to be overcome. Activist NGOs need to make sure they reach and convince a substantial number of consumers in order to make a boycott successful. This requires considerable effort in overcoming collective action problems and has proven difficult (Delacote, 2009). Just as activist NGOs can call for a boycott to demonstrate that they disapprove of a certain issue, they can also call for a 'buycott': calling upon consumers to use their buying power in support of certain products or producers that are preferred for the values embedded in them.

Boycotts have been around for a long time. Well-known examples include the boycotts of multinationals that had invested in South Africa during the times of the Apartheid regime, and the boycott of Shell in Germany over its plans to sink in the North Sea a decommissioned oil rig in the mid-1990s. Examples of buycotts can be found in movements that seek to support local ('buy local'), fair trade and ecological products in the market. Beyond these, buycotts are more difficult to find, probably because they are less media savvy. One high-profile example in the Netherlands is the already-mentioned animal rights activist NGO 'Wakker Dier', who have been running media campaigns against intensive animal husbandry, praising (or shaming) those supermarket chains that had (or had not yet) made a significant step towards banning 'factory farmed meat' from their shelves. Campaigns such as these are examples of how activist NGOs may 'reward' or 'punish' companies through the market mechanism, by seeking to influence consumers' purchasing behaviour and thereby to shape markets.

Additionally, activist NGOs have been highly involved in advancing standards as a way to influence 'value' and 'valuation' in the market. Through their involvement in standards, activists can have an impact on what is considered a product or service that has been produced in an environmentally or socially sustainable manner. The Marine Stewardship Council (MSC), for instance, was established from the collaboration between a company (Unilever) and an activist NGO (WWF). After the collapse of cod fishery in parts of the Atlantic Ocean, both had a joint interest: WWF was concerned about the loss of biodiversity, whereas Unilever was concerned about its

long-term supply of fish. Together, they took the initiative to start the MSC, which soon thereafter became independent of its founders. Nevertheless, this initiative is a clear example of collaboration between a firm and an activist NGO that worked through the marketplace, signalling to consumers that fish products labelled with the MSC logo had been brought to the market in a more sustainable way than non-labelled fish.

According to Micheletti (2003), the use of boycotts, buycotts and standards has flourished since the 1990s and their effect on firms' operational costs can make them successful. Yet, as these tactics require the participation of large numbers of consumers, they are difficult and costly to organise for activist NGOs. Hence, they are usually not among the tactics that activist NGOs initially select in their efforts to increase firms' sustainability practices.

It is important to note that there is another set of tactics that may or may not be legal and that can have the effect of increasing a firm's operational costs. Sabotage and obstruction of facilities – for example, by the blocking of gates and hacking computer networks – are some of the tactics that more radical activist NGOs sometimes resort to. These tactics are not only highly visible in the media and thereby draw public opinion to the issue at stake (see the next section), but they can also be very disruptive for the daily operations in firms and thereby increase costs. Yet, compared to the other tactics discussed in this chapter, these more extreme tactics are used only sparsely.

13.4.2.2 Public Opinion Tactics

A key factor for the success of boycotts and buycotts is the widespread dissemination of information regarding which ones are ongoing, why they are called for and what their purposes are. Lists of current boycotts can be found on websites such as www.ethicalconsumer.org/. Public opinion tactics, the use of mass media and social media channels to spread information and emotion on industries, firms and their products and services are key in NGO activism that seeks to affect operational costs and revenues.

Mass media have the possibility to influence public opinion, and thereby to add to, or distract from, the reputation of those people, organisations or entities on which they put the spotlight. Working through mass media offered a range of new means to NGO activists. They use media campaigns to support firms that work in line with their objectives, and to inflict symbolic damage on firms that don't. A firm's reputation is considered to influence its sales and market shares (Minor and Morgan, 2011) and the overall attractiveness as an employer (Turban and Greening, 1997). Hence, reputation has become so important for many firms that they are eager to bolster or protect their reputations. Firms' heavy reliance on reputation thus gives activist NGOs a lever to gain influence: if their tactics support corporate reputations then that might be a selling point; if their

tactics potentially harm a firm's reputation then this strengthens the activists' position vis-à-vis the firm.

The wide variety of public opinion tactics all use communication about corporate policies, plans and activities in an effort to influence both business and the general public. These tactics can be contentious, non-contentious or involve a mix of both. By endorsing certain firms, products or practices, NGO activists can provide symbolic gain to firms and strengthen their reputations; by engaging in negative publicity (in press, online or at meetings), NGO activists can exert pressure on firms and damage their reputations. An interesting example of the latter tactic is 'culture jamming': corporate symbols and logos are taken out of context, transformed and released to the public. The subversion of well-known symbols or logos is supposed to disrupt the general public's positive attitude by questioning and criticising the firm and its behaviour (e.g., *adbusters.org*). Rather than calling for action, this tactic aims to generate negative publicity. As Bennett (2003: 152) noted: 'unlike boycotts, many contemporary issue campaigns do not require consumer action at all; instead, the goal is to hold a corporate logo hostage in the media until shareholders or corporate managers regard the bad publicity as an independent threat to a carefully cultivated brand image'. Starting off as a threat of symbolic damage, such a tactic thus could well develop into one that inflicts material damage.

Over the last decade, several studies examined the impact of protest on market value. King and Soule (2007: 38) found that the staging of protest did have a negative impact of stock price, but also that 'the most powerful feature of protest vis-à-vis stock price lies in its ability to upset image management, not in its ability to threaten direct costs to firms'. Bartley and Child (2011) investigated the effects of anti-sweatshop campaigns on firms. They found 'compelling evidence' that only 'specialized and recognizable firms experienced notable declines in sales as they faced anti-sweatshop campaigns' (2011: 439). They also found a significant effect on stock price, but only a limited effect on corporate reputation (2011: 445). Both studies were conducted in the United States. These, and other studies, thus find mixed evidence of the impact of boycotts and activist campaigns. In individual cases, however, the impact may be substantial. That is, of course, what activist NGOs hope for, while the overall mixed evidence poses a dilemma to firms facing activism about whether and how to respond.

13.4.3 Partnerships

Yet another way for activist NGOs to exert influence over firms is to collaborate with a corporation – for example, in the form of a partnership or alliance (see also Chapter 18). Influence through collaboration is based on the 'giving and taking' between the parties that may be needed to develop common ground and shared objectives. Cross-sector collaborations have grown in prominence. Within the literature a whole range of partnerships is distinguished, ranging from cross-sector

partnerships to social alliances and multi-stakeholder initiatives (de Bakker et al., 2019). Although such partnerships and initiatives differ in their exact focus and composition, they all involve a willingness to foster cross-sectoral collaboration (Seitanidi and Crane, 2014). Some of these partnerships involve the transfer of resources, while others focus on establishing change in corporate policies and/or products. The development of standards and labels is one example (think of the MSC label mentioned earlier); collaboration on new products or services is another. For example, several NGOs have teamed up with firms to increase the use of solar power. There also exist partnerships in which activists and firms collaborate to impact other firms – for example, in the agri-food or clothing and shoes industries, aiming to help other firms in the supply chain to reduce their environmental impact or to improve their labour conditions (McDonnell, 2016).

Radical NGO activists are less likely than reformist groups to engage in partnerships or collaborations with firms. After all, as they typically consider firms not to be part of their desired solution, they will not be much inclined to engage in partnerships. Reformist groups, on the other hand, are more likely to work with firms in trying to change their behaviour because, in their worldview, reform can be an effective way to accomplish change: their presence in a partnership gives them the possibility to influence a firm's policies and practices. Many partnerships are presented as successful initiatives that create 'win-win situations'.

Yet, there is also criticism of the positive tone in which cross-sector partnerships are discussed. One may wonder what their actual contribution is: Do partnerships really contribute to social change? Critics argued that partnerships can be used, and indeed are being used, by firms for window-dressing or greenwashing: they show off with a partnership, but do not really change their operations or strategies (Wu et al., 2020). Finally, it is feared that NGOs jeopardise their independence when entering a partnership, by being co-opted (Baur and Schmitz, 2012). Co-optation refers to processes by which authorities (e.g., government agencies, leadership teams, and business firms) absorb critics into their policy- or decision-making structures as a means of neutralising the threat that critics may pose to their stability or existence. For some activist NGOs, the risk of being co-opted is a reason for refraining from positive engagement with corporations. Notwithstanding such critique, partnerships can have far-reaching consequences in changing markets and organisations. Some standards and labels have led to the widespread adoption of new 'rules of the game' and therefore partnerships are likely to remain an important tactic for many activist NGOs.

13.4.4 New Business Systems

For some activist NGOs, partnerships are not a viable option. The more radical activist NGOs may well argue that entering into collaboration or negotiation with companies confers legitimacy to the entities whose very legitimacy they

fundamentally contest. Others refrain from collaboration with firms because they feel that doing so would limit their ability to publicly criticise them. If, furthermore, their analysis is that protest is unlikely to fundamentally change the behaviour of companies – for example, because the problems they seek to address are systemic and inherent to the prevailing corporate capitalist system, or if they would rather invest their energy in a positive way to create something new – they may turn away from engaging with firms. Instead, they may choose to contribute to developing some alternative economic order. Rather than challenging individual corporations, it is the institution of corporate capitalism that they challenge and that they seek to replace with one that, in their view, is not oppressive, exclusive, exploitative and polluting, but democratic, liberating, inclusive, respectful and sustainable. Such has been the thrust of the Occupy and alter-globalisation movements.

There are many and widely diverging examples of initiatives that subscribe to such an agenda, including worker-owned factories and shops, local exchange trading systems and networks (LETS), such as time banks, food collectives, etc. Time banks, for example, are self-organised collectives in which members exchange services of which the value is measured in units of time instead of money (Laamanen et al., 2020). The common denominator in all these initiatives is a desire of their participants to become less dependent on the dominant corporate capitalist system. While there is the awareness that complete autarky is probably an ephemeral dream, participating in them is for many participants both an act of self-fulfilment and a way of showing that some alternative is actually possible. This is not a new idea. Whereas the idea and the term ‘LETS’ was coined in the early 1980s, various sorts of workers’, consumers’ and producers’ cooperatives were already set up in the mid nineteenth century to counter corporate power in areas such as agriculture, finance and retail, resulting in, for instance, cooperatively owned and managed sugar refineries, banks, supermarkets and – more recently – facilities for the production of wind power. The long and successful history of many such cooperatives suggests that multiple ways of organising economic exchange can be viable, and indeed can compete head on with more ideal-typical capitalist firms that are dominant in Western industrialised markets. Some of the alternative practices that cooperatives developed have been adopted by conventional firms: the organic agriculture movement, for example, has contributed to the mainstreaming of organic products in food markets. Yet, this development involves a risk as it might lead to the crowding out of organic producers by large industrialised producers and retailers (Sikavica and Pozner, 2013).

Another form of new business systems is found in social enterprises. These entrepreneurial organisations link their activities to a social mission and offer a business-like contrast to traditional non-profit organisations through a hybrid organisational form (Battilana and Lee, 2014). Some social enterprises highlight the link with the local community in which they operate, such as the so-called

community-based enterprises that have become more prominent in the United Kingdom, whereas others aim to improve social and environmental sustainability within the supply chain. Activist NGOs, for instance, have been engaged in the emergence of social enterprises such as Fairphone (Akemu et al., 2016), or in enterprises active in markets as diverse as medicine, water or food. Much of these initiatives, the contexts in which they operate, and their organisation are studied in the domain of entrepreneurship, where a dedicated literature has emerged on social enterprises and social entrepreneurship. Yet, as Luke and Chu (2013) note, the concepts of social enterprises and social entrepreneurship are different as not every enterprise is entrepreneurial. In their view, research on social enterprises emphasises the commercial business activity, and research on social entrepreneurship highlights opportunity recognition, innovation and risk. Both are important to develop an alternative economic activity. Through the provision of resources (such as time, knowledge, legitimacy or financial support), activist NGOs can use this route to contribute to demonstrating the viability of their ideas, creating an alternative product or service offering.

All in all, creating alternatives to current business systems provides the opportunity to establish new norms and standards that better fit the objectives of the activist group and that establish links between local communities and business initiatives. Yet, the mainstreaming of these alternatives can also be a risk for the original initiatives.

13.5 Which Corporations Are Likely to Encounter NGO Activism?

In a chapter highlighting NGO activism and sustainability, it is also important to discuss which corporations are likely to encounter NGO activism. In the literature, some attention has been given to the question of which factors increase the likelihood that firms are targeted by activist NGOs. This explanation may well be symmetrical: the same factors are relevant for explaining why NGOs select particular firms as partners.

According to Hendry (2006), a firm is more likely to be targeted by NGO activism when: (1) it is a proven, repetitive trespasser of social or legal norms; (2) it is visible to consumers in the value chain or through brands and is an important player in the industry; or (3) it operates in an industry that is under high levels of scrutiny by activist groups. If a firm is a repeated wrong-doer, it will be easier to mobilise support for activism; if a firm operates in an advertising-intensive industry, reputational threats or support will provide leverage to the activist NGO; and if a firm is operating in an industry that is already considered socially or environmentally sensitive, then it is more likely to be targeted by activist NGOs, either for

collaboration or for contestation. Firm size might be another influential factor, although research is inconclusive on whether larger or smaller firms are most likely to respond positively to activists' calls for change.

Obviously, activist NGOs will make ~~diverging~~ choices in targeting firms. They will be selective in picking their targets as campaigning may require substantial resources (money, time, energy) and hence they will try to select those targets that look most promising to help them reach their own objectives. Yet, as Rowley and Moldoveanu (2003) suggest, pursuing their interests is not always the sole reason for activist groups to target a firm. Strengthening their own position vis-à-vis their constituencies and reaffirming their social identity may be additional reasons: as targeting large, visible firms is more likely to attract media attention, activist NGOs may therefore decide to do so, even if the chance of success in terms of change in firm behaviour is small.

In addition to pursuing its interests and confirming its identity, ideology will also be an important factor in an activist NGO's targeting decisions, as we suggested in section 13.3. Radical activist NGOs will select a different set of potential targets than reformist activist NGOs because this fits in with their desired worldview: radical activists will be less inclined to collaborative interactions, whereas collaboration can be a fruitful tactic for more reformist activists, especially if the target firm is open to reassessing its sustainability behaviour, or is performing better than its industry peers on the issues at stake. Whereas reformist activist NGOs will be inclined to work with such leading firms, more radical activist NGOs are much less likely to do so. Taking these considerations into account, it seems quite clear that certain firms are more likely to attract the attention of activist NGOs and to become a target, either for collaborative or for contentious interactions. Then how do firms respond?

13.6 Strategic Response or Taking Responsibility?

As the upheaval around fracking and many other examples show, business activities can be contested. Not everyone agrees that all activities undertaken by firms are legitimate. Following Suchman (1995), contested business activities can be considered to lack moral legitimacy, in the sense that the activities themselves, or their consequences, are considered to violate some moral principle. Think of paying bribes, the use of child labour or the Volkswagen scandal over its software manipulations to simulate better performance on emission tests. Firms may also be considered to lack pragmatic legitimacy, in the sense that their activities, or the consequences thereof, are contrary to the interests of some of their stakeholders. Although many food companies are considered to have moral legitimacy, some of

the products they offer have been scrutinised for possible health risks to consumers, which may affect these firms' pragmatic legitimacy with consumers.

Hence, even if a firm operates in such a way that its activities are legally permissible – it operates within the conditions set by law and regulation, it has obtained all the required licences and permits, and it adheres to their provisions – its activities, or the organisation as such, may still be contested. Legality and legitimacy are not the same. While being perfectly legal, some activities of the company might still be considered illegitimate by outsiders – for example, because the activities or their consequences are associated with pressing social or environmental issues.

Activist NGOs have become main protagonists in articulating the social and environmental sustainability issues in which companies can be implicated, in mobilising people around the issues they find important and in putting pressure on firms to effectively address these issues. The inability or unwillingness of national governments to directly regulate business activities regarding sustainability has been a driver behind NGO activism towards firms, as we argued in section 13.2. Moreover, some of these issues, such as climate change, labour rights issues in upstream supply chains and poverty alleviation, are highly complex, involve radical uncertainty as to their causes and consequences, and are infused with multiple and opposing values and interests; to such an extent that they are beyond the capacity of governments and firms to resolve them. Many people have come to see NGOs as crucial agents in helping firms (and governments) to address these issues (Reinecke and Ansari, 2016).

Many companies have experienced, or are likely to experience, NGO activism. As we have seen above, NGO activism may take various forms but always makes some claim on the firm. Some firms will just sit and wait until they are targeted by activist NGOs, but others may decide to be more proactive. A range of studies has examined the various ways in which firms can respond to, or anticipate, NGO activism. These responses vary from seeking allies and partnering with NGOs to defending their own positions and partnering with peers. Relevant questions for targeted firms include: Which claims to respond to, and how to respond, if at all?

Building on stakeholder theory, Mitchell, Agle and Wood (1997) proposed a model to predict under what conditions a firm's management is more likely to respond to claims made by stakeholder groups, such as activist NGOs. They argued that management is more likely to respond as the stakeholder's salience increases. Salience, in turn, is seen as a function of the urgency of the claim ('do we, as a firm, need to respond swiftly?'), its legitimacy ('is this a claim that is widely supported?') and the power of the claimant ('how potent are the means that the claimant can deploy to force us to respond?'). Cast in these terms, one strategic question for activist NGOs is how to increase their salience vis-à-vis their target firms. Rowley (1997) extended the notion of power by considering the position of the firm in the

social network structure of its stakeholders. He argued that when the network of the firm's stakeholders is denser – for example, the activist NGO has secured many allies to its cause – the firm faces a stronger claimant. However, when the firm's centrality is higher – that is, there are several disconnected groups of stakeholders making claims on the firm – it has a stronger position, as it can 'play off' one group against another.

These two classical models depart from the situation that firms have multiple stakeholders, including activist NGOs, each having different, potentially incompatible or even contradictory claims on the firm. But even when the claims are not incompatible or contradictory, their sheer numbers may be such that a firm cannot attend to all of them; some prioritising will need to be done. Having decided *which* claims to attend to, a next strategic question for the firm is *how* to respond. There is a considerable literature on 'response' to 'institutional pressures' which is relevant. As can be inferred from section 13.4, some of the tactics that activist NGOs deploy, such as public opinion tactics, can be understood in terms of increasing institutional pressure on firms. Moreover, NGO activism in itself can be seen as an expression of societal expectations about what companies should do. Much of this literature on how companies respond to institutional pressures builds on the seminal framework developed by Oliver (1991). Her framework was one of the earliest formulations of the idea that institutional pressures can be resisted. Oliver's framework comprises five different response strategies that range from 'giving in' to 'resisting' institutional pressures. For example, acquiescence, or compliance, refers to a response in which companies accede to the claims posed upon them. Defiance, on the other hand, is a resisting response strategy in which claims are denied, dismissed, challenged or counter-attacked. Other response strategies on the continuum from acquiescence to defiance include compromise, avoidance and manipulation. Compromise is a response strategy that encompasses bargaining, negotiating or creatively working together to develop some solution that is acceptable to both the firm and the activist NGO. Avoidance is a strategy by which firms conceal their non-conformity, buffer themselves from NGO activism or otherwise seek to escape from the claims upon them. To publish a CSR report that selectively highlights successes but omits failures or ongoing problems is an example of an avoidance strategy. Another example of avoidance can be found in Whelan, de Bakker, den Hond and Muthuri's (2019) account of how the UN Global Compact made it more difficult for activist NGOs to challenge its policies and practices by 'deflating' its own standards. Finally, manipulation is a response strategy in which firms seek to change or exert power over the content of the claims they face or over the activist NGOs that make these claims. Examples of manipulation strategies include co-opting activist NGOs, influencing public opinion, lobbying politicians and regulators, and seeking to prosecute activist NGOs by legal means.

While typologies such as these are helpful to classify and describe firms' responses to NGO activism, they cannot be used as normative frames to guide how firms should deal with NGO activism. Their formulation and presentation seem to emphasise (and legitimise) rationalised and instrumental self-interest on the part of the firm. They offer a set of highly instrumental frameworks for developing a 'strategic response'. For example, they appeal to 'bottom-line' thinking and the economic calculus of costs and revenues, as well as to risk management approaches that are associated with a discourse of maximising shareholder value. But they do not easily open up to 'taking responsibility', because they disregard the values, and hence the morality, that are implied in the issues that NGOs seek to address.

For a firm to take responsibility implies that it moves beyond the defence of its own economic interests to consider the questions of what kind of corporation the firm wishes to be, what role in society it aspires to fulfil and how to relate to its various stakeholders. Despite all the talk of 'win-win solutions' and 'creating shared value' (Porter and Kramer, 2011), such opportunities remain rare events that are also criticised (Crane et al., 2014). Acquiescence may be a rational response strategy when it is inevitable that the firm has to address a societal demand as expressed or amplified in the claims by activist NGOs, or when the approach that the firm has developed to address a societal issue, perhaps in collaboration with activist NGOs, is going to strengthen its competitive position. But in other instances, the issue at stake may be less unequivocal: there may be disagreement about its causes and consequences of the issue and multiple values and interests may be involved. If this is the case, it might be appealing to consider the salience of the activist NGOs that bring the issue to the firm, and to wait and see if the NGOs' salience increases to critical levels (instead of considering it as a weak signal of how the society in which the firm operates may change). It might be tempting to the firm to seek to defy, avoid or manipulate the claims from NGO activism in an effort to defend its own interests, because doing so is not challenging to the status quo. Yet, if the words and phrases such as 'responsibility', 'respect', 'sustainable' and the 'integration of economic, environmental and social considerations into business decision-making' – words and phrases that are often found in the 'core values', 'mission statements' and other expressions of firms' purposes – are to have any meaning, they imply and demand an openness on the part of the firm to other voices that may be dissonant with its own talkings and doings. If the meaning and intent of a firm's sustainability policies and practices are to be anything other than an instrument to the maximisation of shareholder value, it needs to be open to the values and interests of its other stakeholders and broaden its scope to its wider sustainability impacts. Expressing such other voices, values and interests is exactly what activist NGOs do. By shaping firms' views of potential alternative solutions, they might help in creating forms of sustainability activities and CSR as 'aspirational talk' (Christensen et al., 2013) that sets a more complete version of corporate activities in motion. Engaging with

activist NGOs can be difficult, especially if there is hostility in how they approach the firm. Then again, sometimes these contentious interactions can, in the end, lead to changes in practices. It will be the task of activist NGOs to ensure that a firm's responses develop beyond window-dressing to ensure real change.

13.7 Chapter Summary

Starting from the premise that the wish of non-traditional stakeholders to engage with corporate policies, processes and outcomes is there to stay, the chapter has first sought to clarify some notions about how to talk about them. As noted, these actors have been conceptualised as NGOs, civil society organisations, social movements and several other terms. All these terms have particular connotations that emphasise some of their traits and characteristics while downplaying others. We used 'activist NGOs' for two reasons: to highlight their willingness to organise collective action in the pursuit of their objectives, and to focus on their efforts in furthering their take on environmental and social sustainability.

Drawing on social movement literature, we argued that activist NGOs can leverage their claims by showing that many people share them ('logic of numbers') or by using positive and negative incentives to make corporations change ('logic of damage'). Elaborating on these distinctions, we refined the idea of 'activism': we showed how collaboration and confrontation are often closely related, and how the most visible forms of activism typically have a longer history. Next, we discussed various ways by which NGO activism may knock on corporate doors. We focused on tactics working through corporate governance, through operational costs and revenues in direct and indirect ways, and through collaboration, as these are common routes that NGO activists apply. These three sets of tactics were supplemented with a fourth one that does not imply direct engagement with firms: creating alternatives to the provision of services and products by firms.

Not all firms are equally susceptible to NGO activism. We reviewed literature that suggests which conditions increase the odds that a corporation will be facing NGO activism. Firm size, industry and visibility to consumers are important elements, as well as their historical record on CSR and sustainability issues. Furthermore, activist NGOs may also target firms to strengthen their own position vis-à-vis their constituencies by reaffirming their social identity or because doing so fits with their own ideological position.

Finally, in discussing how corporations may respond to NGO activism, we linked up with other chapters in this textbook. More fundamentally, we put the onus on corporations by suggesting that how to respond to NGO activism – or how to prevent it popping up in the first place – involves corporate management and staff

to ask some tough questions about their identity, mission and values, policies and processes, and their role in a globalised society that confronts major challenges, such as climate change. Ultimately, these are questions of ethics. While it will be impossible to get rid of NGO activism, we suggested that considering the corporation not as a vehicle for maximising profit or shareholder value, but as a means for shaping society for the better, will open up possibilities for constructive engagement with all sorts of ideas and preferences, including those held by activist NGOs.

CHAPTER QUESTIONS

1. How can the ongoing attention of activist NGOs for labour conditions in Chinese electronics factories be characterised in terms of the tactics they apply?
2. Sample a major newspaper for recent examples of different activist NGO tactics on issues of sustainability.
3. Provide an overview of characteristics of activist NGO–business interactions.
4. Write a recommendation for a firm being targeted by activist NGOs, based on a worked real-life example.
5. Examine under which conditions partnerships between NGOs and firms may work out well.

Case Study: *Clean Clothes Campaign*

Available from Cambridge University Press at www.cambridge.org/rasche

FURTHER RESOURCES

Seitanidi, M. and Crane, A. (Eds.). (2014). *Social Partnerships and Responsible Business: A Research Handbook*. New York, NY: Routledge.

This edited volume presents a wide range of perspectives on cross-sector partnerships and critically examines the motivations for, processes within, and expected and actual outcomes of cross-sector partnerships from a variety of disciplines.

Soule, S. A. (2009). *Contention and Corporate Social Responsibility*. Cambridge: Cambridge University Press.

This book presents a rich overview of anti-corporate activism over time, combining insights on social movements, private politics and their consequences.

Yaziji, M. and Doh, J. P. (2009). *NGOs and Corporations: Conflict and Cooperation*. Cambridge: Cambridge University Press.

These authors provide an overview of interactions between NGOs and corporations, both contentious and collaborative, illustrated with a range of examples.

Business for Social Responsibility, <http://bsr.org>

Business for Social Responsibility (BSR) is a global non-profit organisation that works with a large network of member companies to build a just and sustainable world by developing sustainable business strategies and solutions through consulting, research and cross-sector collaboration.

Center for research on Multinational Corporations, www.somo.nl

The Center for research on Multinational Corporations (SOMO) is an independent, not-for-profit research and network organisation working on social, ecological and economic issues related to sustainable development. Since 1973, the organisation investigates multinational corporations and the consequences of their activities for people and the environment around the world. Their website provides a rich overview of research on CSR issues and activists' efforts to influence these issues.

PROOF