Transnational Anti-Corporate Campaigns: Fail Often, Fail Better

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T HE GLOBALIZATION OF ECONOMIC ACTIVITY OVER THE PAST 30 YEARS HAS BEEN accompanied by the growth of contentious political activity. With the processes and effects of globalization spreading across the world, a range of communities, groups, nongovernmental organizations (NGOs), and social movements have been increasingly challenging this "globalization from above" with a "globalization from below" by cooperating and coordinating their activities transnationally, most often through information sharing and debates, but also through coordinated actions (Yeates 2001). Over the same period there has been a growth in the critical academic literature on transnational activism, which has variously conceptualized this new form of opposition as "transnational advocacy networks" (Keck and Sikkink 1998), "transnational social movement organizations" (Smith et al. 1997), "global social movements" (Cohen and Rai 2000, O'Brien et al. 2000), and "global civil society" (Anheir et al. 2001). The appearance of the anti-globalization movement (AGM) and its spread in core countries at the end of the twentieth and the beginning of the twenty-first century has been a major impetus to this literature. Analyses of the AGM have stressed its novelty, its mode of transnational action, and its innovative use of information and communication technology (ICT). The AGM has been described as a "movement of movements," uniting a myriad of already existing groups and movements in a common cause against neoliberal globalization (Notes from Nowhere 2003, Mertes 2004, Podobnik and Reifer 2005, Mac Sheoin and Yeates 2006, Della Porta 2007).

Although it is commonly agreed that one of the main sources of the AGM and of the new transnational activism was an anti-corporate movement opposed to the spread of transnational corporations (TNCs) under globalization (Klein 2000, Starr 2000), much of the literature has focused on movements that were attempting to influence governments, intergovernmental organizations such as the United Nations, and international financial institutions like the World Bank and the International Monetary Fund (Keck and Sikkink 1998, O'Brien et al. 2000). Less attention has been paid to movements attempting to challenge and change corporate behavior, and most of what has appeared consists of case studies on individual anti-corporate

campaigns concentrating on specific corporations, projects, or industrial or business sectors — though the recent appearance of more general studies on corporations and contestation is to be welcomed (Soule 2009, Yaziji and Doh 2009). This article contributes to this latter effort by examining, through a literature review, the phenomenon of anti-corporate campaigns — their scale, scope, history, and tactics — and by suggesting, through a review of empirical findings on campaign tactics, some tentative explanations for the failures and successes of these campaigns.

The next section provides a general introduction to corporate campaigns, indicating their scope, the groups initiating and supporting them, their national and transnational nature, and the tensions inherent in coalitions supporting transnational campaigns. The following section provides an account of the history of corporate campaigns, beginning with the mobilizations initiated by consumer, labor, and religious groups and continuing with the new social movements, such as the environmental and feminist movements, which joined in later years. This section notes that instrumental to the growth of these campaigns were research, communication, and information groups, which provide ammunition to the activist groups undertaking campaign work. The article then examines the action repertoire of these campaigns, bringing together a wide variety of empirical evaluations of tactics including boycotts, codes of conduct, divestment campaigns, litigations, and shareholder activism. The penultimate section briefly examines possible explanations for campaign failures and successes. The paper concludes that, although such campaigns fail more often than they succeed, they are not going to go away. Continued and increasing corporate control of global economic activity ensures that corporate campaigns will be with us for the foreseeable future.

Anti-Corporate Campaigns:
Scope, Definition, Distinctions, Power Imbalances

We can call on a number of studies to get some idea of the scale of anti-corporate campaigns and protests. Soule (2009, 64) reports that the *New York Times* covered 3,632 anti-corporate protest events in the United States from 1960 to 1990, whereas Herder (2012) lists 175 anti-corporate campaigns from 1960 to 2012, 64 of which are described as "ongoing." A more specific project looking at transnational campaigns aimed at the German-speaking population from 1995 to 2005 found 109 such campaigns. More than half the campaigns had a single-issue orientation, and campaigns targeting a specific corporation were in the minority, with 22 cases (Niestyo 2007). Perhaps the most interesting statistics are provided by Sigwatch, an issues management consultancy, which "specialises in tracking and understanding NGOs (activist and campaigning groups) to help business manage NGO (nongovernmental organisation) risk." Sigwatch tracks the electronic output of campaign groups in Chinese, Danish, Dutch, English, French, German, Italian, Japanese, Norwegian, Polish, Portugese, Russian, Spanish, and Swedish. Among the facts it advertises are the following:

> Sigwatch daily tracks over 5,000 activist groups on over 700 issues across
> the globe, and measures their impact on almost 7,000 companies and their
> brands. Our databases contain reports on over 45,000 significant activist
> campaign events. We report 25–35 new activist initiatives every week
> day. (www.sigwatch.com/index.php?id=193)

Sigwatch tracks developments in the following 15 industrial sectors: agriculture,
chemicals, electronics, communications and digital, energy, fashion, fisheries, food,
forestry and paper, healthcare and pharmaceuticals, mining and minerals, retail,
toiletries and cosmetics, tourism, and transport. Sigwatch's subscription charges
give some indication of what such a service is worth to corporations: they ascend
from a basic service at $4,500/year (which purchases quarterly reports on NGO
activity across 14 industrial sectors and flags up the most targeted companies and
most active issues) to a bronze service at $6,500/year (which provides a daily
personalized campaign brief and access to online databases for up to five users, as
well as the quarterly reports) to a gold service at $22,500/year (which provides the
same for 99 users with one hour/month of personal consultancy with the company's
managing director). Indeed, one measure of the spread and success of corporate
campaigns may be the growth of a specific industry to counter them, first through
counter-unionization tactics, then through astro-turfing, and now through public
relations companies like Burston Marsteller and issues management consultancies
like Sigwatch.

Manheim defines a corporate campaign as "an assault on the reputation of a
company": "These campaigns are often long-running and wide-ranging affairs
conducted without rules and constrained primarily by the knowledge and imagina-
tion of the campaigners, the availability of resources, and the prospects of success"
(Manheim 2001, vii). Campaigns are based on sophisticated and thorough ongoing
research on corporations, which is used to target vulnerable corporate activities and
constituencies (in the jargon, "stakeholders"): "It is this systematic exploitation
of key stakeholder relationships through communication and other strategies that
defines the corporate campaign and sets it apart from other forms of economic,
political or social pressure" (ibid., viiii). Corporate campaigns are "based on an
analysis of the relationships between the targeted company and its stakeholders,
and they seek to alter the company's behavior by attacking those relationships that
appear most vulnerable" (ibid., 93). Campaign tactics include "boycotts, networking,
publicity, sit-in, walk-outs, lobbying, litigation, socially responsible investment,
people's development plans, public hearings, exposure, blockades, barricades,
seizures and closures, etc." (Tuodolo 2009, 532).

Religious organizations were the originators of many tactics used in corpo-
rate campaigns. However, according to Manheim, the main protagonists of such
campaigns were trade unions: he lists 162 campaigns in the United States initi-
ated by unions between 1974 and 1999 (Manheim 2001, 311–39), compared to

35 campaigns organized by non-trade union groups from 1989 to 1999 (ibid., 93, 341–46). Non-labor campaigns, due to financial constraints, "are more likely to be sporadic and almost entirely media-centric" (ibid., 92). This last statement needs to be qualified by more recent experience, as some corporate campaigns by NGOs can now count on significant resources: for example, the Greenpeace campaign on Bhopal involved costs of around half a million dollars.

Groups behind corporate campaigns include trade unions, religious organizations, development/Third World solidarity groups, environmental groups, Indigenous groups, community groups, and victims groups. Industries targeted include textiles/apparel (especially clothes and shoes), forestry (Gerber 2010, Gritten and Mola-Yudego 2010), mining (Evans, Goodman, and Lansbury 2002), pulp and paper (Sonnenfeld 2002), electronics (Edge 2010; Women Working Worldwide 1991), gold (Marlin 2006), and food and fishing (Constance and Bonanno 2000). Over 30 percent of the protests examined by Soule (2009) were initiated by African-Americans, 17.5 percent by occupational or worker groups (this does not include strikes), 13 percent by students, 13 percent by residential groups, and 8 percent by women. As for the German-speaking net campaigns mentioned before, they were undertaken by NGOs (32 percent), networks (30 percent), and network organizations (27 percent), with the rest comprising trade unions, grassroots groups, and individuals (Niestyo 2007). The growth of the campaigns paralleled the expansion of NGOs. As Bendell (2004, 13) notes, "In 1999 the nonprofit sector in 22 countries employed 19 million full-time paid workers, together turning over $1.1 trillion annually."

Campaigns can be national or transnational, depending on a variety of factors. An example of the former would be the campaign against Enron in India, whose target was a multinational corporation (MNC) but whose aims were resolutely national (Wagle n.d.). These campaigns often draw on nationalist, anticolonial, and anti-imperialist elements, and sometimes they ally with fractions of national capital. Other campaigns, by contrast, are transnational due to the nature of their target: thus, the campaign against corporate waste dumping in peripheral countries, while originating with a core country NGO, necessitated the creation of a transnational alliance (Smith 1999). Another contributing factor in the transnational turn of anti-corporate campaigns are failures in the domestic political arena, either of peripheral groups lacking local allies and therefore seeking transnational allies (Keck and Sikkink 1998) or of core groups that, after the defeat of their wider political projects, turn to transnational support and solidarity work.

Many campaigns have to maintain a delicate balance as they work at different scales: the campaign for justice in Bhopal, for example, has had to operate at the local state level (to influence the government of the Madhya Pradesh state), the national level (to influence the government of India), and the transnational level (to affect Union Carbide and Dow Corporations). We should also note the existence of national and regional variations in global campaigns. In a useful article on

anti-sweatshop campaigns, Bair and Palpaceur (2012) argue that national political, cultural, and economic contexts shape anti-sweatshop campaigns, producing a marked variation in the composition and leadership of these campaigns across Canada, Europe, and the United States. In the United States, in contrast with Canada and Europe, "organized labor played a critical and underappreciated role" (ibid., 27), one result of which was that sweatshops were framed in the United States as both a foreign and a domestic problem. In fact, the major student campaign on this topic in the United States, United Students Against Sweatshops (USAS), "grew out of an internship program called Union Summer that AFL-CIO launched in the mid-1990s" and "was founded with UNITE's strategic and financial support in Spring 1998" (ibid., 20, 21).

Whereas much attention has been paid to campaigns in core countries, it must be remembered that campaigns are also widespread in the periphery, as exemplified by the campaigns to kick out Coca-Cola, Kentucky Fried Chicken, and Cargill in India. As Broad and Cavanagh (1998, 17) point out, "Many activists in natural-resource rich southern nations have taken on mining, forest, fishing, and agribusiness corporations, often in areas where Indigenous peoples are fighting for control of their ancestral lands from encroaching corporations." We also need to emphasize that campaigns in the periphery often preceded campaigns in core countries. Thus, although Women Working Worldwide (WWW) held its first conference in 1983, from which the WWW network resulted, "as early as 1978 the Committee for Asian Women (CAW) started to bring together organizations representing women in both formal and informal work places throughout Asia" (Hale and Wills 2007, 462); similarly, the Hong Kong-based CCA-URM (Christian Conference of Asia—Urban Rural Mission) was organizing and publishing the proceedings of workshops on MNCs already in 1981 (CCA-URM 1981).

An important distinction should be made between campaigns focused on the behavior of a single corporation and those with wider aims, in which the individual corporation is targeted as an example of some needed policy change. We also need to distinguish between groups for which corporate campaigns are one among a range of activities and groups that are specifically focused on the corporate world. The former tend to be larger NGOs, whereas the latter include smaller groups and groups campaigning on the basis of the material impacts of a corporation on their environment, health, or livelihood. For example, writing about anti-sweatshop campaigns, Bair and Palpaceur (2012, 41) report that "several of our European informants mentioned that large NGOs like Oxfam tended to move on to other 'hot' topics (e.g., climate change) once the initial wave of public (and, perhaps more critically, donor) interest in the sweatshop issue subsided." We should also note a division of labor in anti-corporate campaigning, with some groups specializing in information supply and dissemination and others specializing in direct action.

Finally, we need to consider an issue that is increasingly raised within various campaigns: internal power imbalances. In many corporate campaigns, especially

those involving alliances, the coming together of groups with widely different aims may lead to tensions over aims, tactics, and strategies. These alliances also raise major questions over the distribution of power between international NGOs (INGOs), mainly based in core countries, and community groups, often based in peripheral countries. As Baringhorst (2005, 20) points out, "It is not surprising that we also find a marked concentration of movement organization headquarters in Europe or North America in the field of anti-corporate campaigns." Problems with power issues were pointed out in a prescient 2000 article in which NGO campaigns were judged in relation to political responsibility (Jordan and Van Tuijl 2000). Among the dubious behaviors cited was the attitude of European and United States groups during the international campaign from the late 1980s to the mid-1990s against Conoco's drilling in the Huaorani territory in Ecuador:

> Deals were agreed which undercut the rights of Indigenous peoples to manage their own territories. In some cases, environmental and human rights organizations raised money in the name of the campaign but did not share those resources in any way with the people on whose behalf they had raised the funds.... At one point, a US-based environmental organization attempted to cut a deal with Conoco which would have allowed the company to build a road straight through the Huaorani territory. (Jordan and Van Tuijl 2000, 2061)

One major problem between core and peripheral groups relates to the focus of the campaigns. Core country NGOs tend to concentrate on issues such as child labor, which tend to be emotive, photogenic, and simplistic, whereas peripheral country groups favor campaigns on the right to free association and unionization. Among other problems, core country campaigns often rely on stereotypes that depict peripheral country workers as victims and deny them political agency. Broad and Cavanagh (1999, 163) report that what they call North-South dialogues

> are useful as campaigns evolve. For example, in a North-South dialogue on corporate codes convened in 1996 in Germany, Southern groups expressed their frustration about Northern groups focussing campaigns around the "easy" issue of child labor while downplaying the more difficult issue of working conditions for those workers who are older than 16. Northern groups explained that they often needed to use issues such as child labor as a tactical target to attract media attention. Southern groups at the meeting indicated a potential willingness to work with such groups as long as the longer-term campaign would expand to broader worker rights.

The implication in the message "The South must wait" is that power lies with the core country "partner(s)" in many (if not all) transnational campaigns, an issue which has increasingly been highlighted in the literature (Bob 2005; for case studies of particular campaigns, see Mac Sheoin 2012 and Widener 2007).

History

The historical record shows a variety of attempts to control corporate power. Broad and Cavanagh (1999) argue that there were three different waves of attempts to control global corporations in the twentieth century: the first in the 1940s, involving attempts to form global rules for trade and investment; the second in the 1970s, with the failed proposal to create a UN code for TNCs; and a third wave in the 1990s responding to neoliberal globalization. A longer history is proposed by Bendell (2004), who notes that resistance to the expansion of corporate power began in the United States in the mid-1800s, leading to the passing of anti-trust laws in 1890 and 1914, while "Marxist-inspired revolutions in Eastern Europe, Asia, the Middle East and Latin America abolished some of the early corporations in these areas" (ibid., 11). Bendell further notes that the major international expansion by corporations in the 1960s led to new attempts to control corporate operations, in particular through codes of conduct such as those proposed by the United Nations (UN) Center on Transnational Corporations (UNCTC) (which was founded in 1975) and the Organisation for Economic Cooperation and Development (OECD) (adopted in 1976). However, these efforts largely failed, and the UN attempt was abandoned when the UNCTC was disbanded in 1993 under corporate and core country pressure. It is worth repeating here Bendell's pessimistic conclusion: "Despite some successes, by the turn of the millennium, action on checking corporate power had largely failed" (Bendell 2004, 13).

Anti-corporate activism followed or paralleled corporate expansion into new territories or new markets (or previously non-market areas). Thus, the initial wave of corporate expansion by Europe and the United States into new geographical markets in the 1960s and 1970s led to a wave of concern over what were then called MNCs, whereas the later globalization of economic activity led to resistance to what were then called TNCs. Similarly, the corporate move into new areas (such as the corporate takeover of the seeds market; see Mooney 1980) and into new technology (such as genetic engineering; see Purdue 2000, Schurman 2004) was accompanied since the beginning by ideological opposition spread through various publicity channels and later resulting in anti-corporate campaigns. Moreover, as new political actors entered the public arena, they almost inevitably led to new demands on corporations. Thus, in the 1960s the New Left, the student movement, and a new religious activism (associated in part with the Second Vatican Council and liberation theology) took on corporations. They were joined in the 1970s and 1980s by the new social movements, such as the environmental and feminist movements. More recently, the rise of the anti-globalization movement (AGM) brought a new generation of anti-corporate campaigns to the fore. Furthermore, the growth in Indigenous movements led to opposition to the expansion of corporate activities (especially resource extraction) in Indigenous areas, while the growth in corporate agribusiness saw the rise of transnational agrarian and peasant movements such

as Via Campesina (Borras, Edelman, and Kay 2008). Other examples include the gay and lesbian movements and the environmental justice movement. All of these movements joined the original groups concerned about corporations — the labor and consumer movements.

Each new generation of activists produced an array of organizations and actions. The first move was usually analysis by academic, public, and organic intellectuals who laid out a critique of corporate behavior (see, for example, Schurman and Munro 2006). These intellectual critiques were spread not only through publications but also through the formation of think-tanks and through conferences and tribunals with international (such as the Second International Water Tribunal in Amsterdam in 1992) or national (such as The Indian People's Tribunal on Environment and Human Rights, launched in 1993) scope.

Like much else, corporate campaigns can trace their origin to the emergence of the New Left and the response to the US war on Vietnam. Though acknowledging that trade unions were the major group that undertook corporate campaigns, Manheim (2001, 6) finds the origins of such campaigns in the New Left of the 1960s, particularly in the North American Congress on Latin America (NACLA) set up in 1966 by Students for a Democratic Society (SDS) with funding from the National Council of Churches and support from the Methodist and Presbyterian churches, which wrote the first anti-corporate campaign research manual; and in its offshoot, the Corporate Data Exchange, set up to "discover, document and publicize the ownership and control of American corporations." NACLA's periodical *Report on the Americas* targeted US imperialism in Latin America, drawing attention to the conduct and impact of such US-based MNCs as United Fruit in Guatemala and ITT in Chile. In 1982 US consumer advocate Ralph Nader formed Essential Information (EI), which assembles and publishes critical information on corporations and industries and also runs its own campaigns. One project of EI is the *Multinational Monitor*, which began publication in 1978; the periodical notes that MNCs "transcend national boundaries routinely," so "the information flow to citizens must also cross these boundaries." EI also operates the Multinational Resource Center, whose Clearinghouse provides information on MNC histories, health and environmental issues, and product problems to workers, environmental and consumer groups, and journalists in peripheral countries.

Another element in the development of corporate campaigns came with the foundation by the National Council of Churches of the Corporate Information Centre (CIC), which later merged with the Interfaith Centre on Corporate Responsibility (ICCR). Though the Centre was originally set up to research divestment,

> within a few years of its establishment the churches were actually employing a far wider range of tactics, including shareholder resolutions, shareholder lawsuits, public hearings, private meetings and correspondence with management, demonstrations, boycotts, leafleting retail outlets, at-

tending annual meetings, research, critical publications, and fact-finding trips. (Manheim 2001, 48)

In 1969 a radical weekly journal published the dates of the annual meetings of the 21 largest defense corporations, and the American Friends' Service Committee, National Action/Research on the Military-Industrial Complex published a guide to stockholder meetings, providing information and suggesting tactics that would be implemented at the 1970 meetings of AT&T, Bank of America, Honeywell, and United Aircraft:

> The Honeywell campaign, in particular, was a harbinger of things to come. It included not only demonstrations on campuses designed to impede recruiting, but also boycotts of Honeywell products and a proxy campaign to place antiwar resolutions on the agenda for the meeting. The campaign continued into the early 1970s and even included an 8-day "Corporate Crimes Hearing" in which the company's antagonists suggested that Honeywell executives might be liable for prosecution as war criminals. (Ibid., 10–11)

Research and communication centers were central to all these campaigns, especially in the pre-Internet days, as were support organizations such as the Transnationals Information Centre London (TICL, funded by the Greater London Council). In Europe, the Transnationals Information Exchange (TIE, based in Amsterdam) was set up in 1978 with funding from the World Council of Churches and the Transnational Institute, and it brought together a network of some 50 action/research groups and workers' organizations. One of TIE's main aims was to strengthen contacts between different subsidiaries of the same multinational, which was accomplished by hosting conferences that brought together workers in the automobile industry (in 1979, 1983, and 1984), agribusiness (1983 and 1985), and information technology/telecoms (1980 and 1982).

Some information, research, and support organizations founded in the 1970s continue to operate, whereas others (such as Counter-Information Services and TICL) have fallen by the wayside. The Asia Monitor Resource Centre (AMRC), for example, founded in 1976 in Hong Kong and focusing on labor concerns, continues today to offer research, training, advocacy, and campaigns and networking services to trade unions, pro-labor groups, NGOs, academics, and researchers. In 2002 its Asian Transnational Corporations (ATNC) project led to the formation of the ATNC Monitoring Network, which by 2006 consisted of 16 labor organizations in different Asian countries pursuing concrete solidarity actions to improve working conditions in ATNCs.

In the United States, regional research organizations like the Highlander Research and Education Center (Tennessee) were set up, and other organizations were set

up in response to new issues: one example is the birth of Citizens' Clearinghouse on Hazardous Waste as part of the anti-toxic waste dumping movement. Many of these organizations produced guides to researching and campaigning against TNCs [e.g., Highlander Center (1983), Public Interest Research Group (PIRG) (1996)] or compilations of accounts of previous campaign strategies and tactics [e.g., TIE (1985), CIS (n.d.)].

On the environmental front, the 1970s saw the foundation and transnational spread of Greenpeace, consolidated through the foundation of Greenpeace International in Amsterdam in 1979 (Eden 2004), as well as Friends of the Earth (Doherty and Doyle 2013), both of which targeted corporations in their campaigns. Another inspiration for anti-corporate action came from the growth of the feminist movement, which agitated on issues such as birth control (in opposition to the pharmaceutical industry's marketing of birth control methods such as Depo Provera) and working conditions of women employed in "world factories" (through organizations such as Women Working Worldwide and campaigns such as the Clean Clothes and Labour Behind the Label campaigns). Similarly, the growth of a new "social movement unionism" (Waterman 1991) gave a new impetus to traditional trade union solidarity campaigns, many of which targeted not only corporations' own activities but also those of subcontractors and original equipment manufacturers in global supply chains. Here, basic trade union issues such as the right to organize were coupled with issues such as sexual harassment of women workers, opposition to bonded and prison labor, and protection for child labor.

The 1970s and 1980s also saw the development of a transnational solidarity campaign targeting the South African apartheid regime, which called for divestment and targeted MNCs' investments in South Africa. The campaign became international, and Barclay's Bank being was its prime target in England. In response to this, the Sullivan Principles were proposed as a corporate code of conduct for United States MNC subsidiaries in South Africa. Formulated without any union or South African input, and monitored in an opaque fashion by accounting company ADL, the Principles are frequently cited but seldom empirically examined as a successful example of monitoring transnational corporate behavior (Seidman 2003). In a similar vein, the MacBride Principles were proposed in response to discrimination in employment in British-occupied Northern Ireland.

In the 1980s, the expansion of consumer movements from core to peripheral countries through the International Organization of Consumers' Unions (IOCU) marked the opening of a new front as it "encountered new sets of consumer problems not experienced by affluent westerners" (Hilton 2005), including baby formula (Dobbing 1988), pesticides (Sun 1985), and high prices and inappropriate marketing of patented pharmaceutical products (Silverman et al. 1982). IOCU responded to these three issues by creating "networks of preexisting organisations prepared to work together on a specific issue" (Hilton 2005). This "creation of a single-issue, international campaign network in the late 1970s" included the formation of Inter-

national Baby Food Action Network in 1979, Pesticides Action Network in 1982 and Health Action International in 1981, all initiated by the IOCU (ibid., 9). The IOCU also undertook broader work, including a campaign for a Code of Conduct for MNCs. The development movement provided important support in this area, as seen in Oxfam publications on pesticides (Bell 1982) and pharmaceuticals (Melrose 1982), and in publications on pesticides (Weir and Schapiro 1981) and other issues by the Institute for Food and Development Policy in San Francisco. Campaigning on baby foods, including a boycott of Nestle, resulted in the WHO International Code of Marketing of Breast Milk Substitutes, launched in 1981. Opposition to the export of hazardous products expanded to include opposition to the export of hazardous production and later to waste disposal, as seen in transnational campaigns against toxic waste dumping, incineration technology, and ship-breaking (Smith 1999).

The 1990s saw a new trend develop, whereby an increasing number of NGOs opted for collaboration as opposed to confrontation with MNCs: NGOs and MNCs began to join hands in partnership programs, some of which set out codes of conduct for industrial sectors such as The Forest Stewardship Council, set up in 1993 under the auspices of the World Wildlife Fund (WWF), and the Marine Stewardship Council, set up in 1996 under the auspices of the WWF and Unilever (Constance and Bonanno 2000). In the same period Greenpeace International embraced what it described as "solutions campaigning": "Greenpeace announced it would 'create new alliances with sectors such as business and industries' and advance environmentalism by 'interfering in markets' directly by developing new green products and technology, rather than as previously through negative publicity and boycotts" (Mac Sheoin 2012, 26–27).

In a similar vein, some corporate campaigns began to move their arguments from moral to financial bases: clean business was good business and would bring economic gains. Other argued that embracing clean technology would give MNCs an advantage over their competitors. This change in framing brought some corporate campaigns, especially those embracing shareholder activism, into line with the reformist corporate social responsibility (CSR) movement, an elite social movement (Utting 2005). The growth of CSR led corporate firms working in the fields of accountancy, consultancy, and public relations to move into this area: "Many civil group staffers previously employed in partnerships or even in brand-bashing campaigns began working in this new industry" (Bedell 2004, 15).

At the same time, however, transnational anti-corporate campaigning received a renewed radical impulse from the anti-globalization movement. This new wave of radical anti-corporate campaigning also created its own research and information circulation groups—e.g., in the United States the Program on Corporations, Law and Democracy in 1995, followed the next year by The Transnational Resource and Action Center, later renamed Corpwatch. The same year Corpwatch (England) was set up, and in 2002 Corpwatch India followed. In 1997 the Corporate Europe Observatory was set up in the Netherlands, and in 2000 the World Economy, Ecol-

ogy and Development Association (WEED) set up a Corporate Accountability initiative in Germany (Bedell 2004, 16–17). These organizations criticized NGO/ corporate partnerships as collusive and accused them of ignoring basic issues of corporate power.

This period also saw the growth of campaigns targeting specific TNCs, such as Rio Tinto Zinc, Monsanto, and Shell (Yearley and Forrester 2000, Okonta and Douglas 2003), and the formation of transnational alliances based on particular industries or technologies such as the Global Alliance Against Incineration. Support organizations featuring alliances were also formed, such as Project Underground (focused on mining) and Oilwatch, and specialist NGOs developed such as Earthrights International, which provided legal support to peripheral communities and movements seeking litigation against MNCs. This period also saw a significant number of online campaigns, with the *Financial Times* (March 19, 2013, 12) reporting on "less call for ... boycotts.... Instead, charities now want consumers to articulate what they want, if only by clicking the 'like' icon on Facebook. Button pushers 'may not be doing something dramatic,' says Ms Stocking [of Oxfam], 'but they've noticed and want to do something.'"

Tax justice movements grew in the 2000s, especially in Europe, with major use of direct action techniques by campaigns like UKUNcut. Finally, although targeted corporations have been mainly from the core regions of Europe, Japan, and the United States, struggles against MNCs from peripheral countries are now taking place, paralleling the growth in importance of peripheral economies and peripheral firms in global production. Examples include campaigns against mainland Chinese oil investment in Sudan (Patey 2009) and against dumping of waste in Cambodia by the giant Taiwanese company Formosa Plastics. Other examples include the palm oil campaign targeting Malaysian and Indonesian companies such as Sinar Mas (Pye 2009), as well as campaigns against APP and other forestry companies. As Patey (2009, 571) notes, "The road for converting Western activism into action among corporations in some of Africa's most engrained conflicts, such as Sudan and eastern Congo, increasingly runs through Beijing, New Delhi and Kuala Lumpur."

Transnational campaigning groups from hitherto peripheral countries such as Korea have also grown, with networks such as Korea House for International Solidarity and Korean Transational Corporations Watch (KTNC Watch) addressing issues arising from the operations of Korean-based TNCs. KTNC Watch, for example, together with NGO alliances from India and the Netherlands, complained to the OECD about the breach by POSCO in India of environmental and human rights protections contained in the OECD Guidelines for Multinational Enterprises. Another Korean example is an alliance of over 30 Korean organizations including labor, human rights, occupational safety, and health and political groups that invited activists and workers from Hong Kong, Taiwan, and the United States to Korea in March 2010 to participate in "The Memorial Week of Occupational Deaths of Semiconductor Workers." The group, set up in November 2007, later became

known as SHARPS (Supporters for Health and Rights of People in Semiconductor industry). Samsung, which "employs approximately 164,600 workers in 179 offices in 61 countries, and whose manufacturing facilities are located in China, India, Indonesia, Malaysia, Philippines, Thailand, Vietnam, Slovakia, Brazil, Mexico, and the United States" (ALU 2010), remains a major corporate target for SHARPS.

Thus, the scope and scale of anti-corporate campaigns has widened with the globalization of corporate activities. Groups opposing corporate policies and practices have spread from a core of consumer, labor, and religious organizations to include new groups: new social movements, communities, and Indigenous peoples. Campaigns have increasingly operated on a transnational basis, bringing together in coalition groups from different countries and continents, with often wildly disparate aims and concerns. Corporations from peripheral countries are increasingly targeted as these corporations' importance in production increases.

Tactics/Action Repertoire

Anti-corporate campaigns have embraced a wide variety of tactics. In its campaign from 1964 to 1967 against Eastman Kodak for racial discrimination in job practices, FIGHT (Freedom, Integration, God, Honor, Today) threatened "farting en masse at concert hall" (Herder 2012, 302). In the campaign against child labor, tactics have varied from litigation (as seen in a case laid against Samsung by three French human rights groups in 2012 over child labor in subcontractors' factories in the Peoples Republic of China; *Financial Times,* March 4, 2013) to the raid by Bachpan Bachao Andolan of a train carrying trafficked children to Delhi in 2012 (*Observer,* February 24, 2013).

A useful indication of the breadth of campaign tactics can be seen in environmental campaigns. Lenox and Esley (2009) used LexisNexis to examine newspaper articles and legal actions from 1988 to 2003 and identified 552 environmental campaigns involving 273 firms and 267 activist groups in the United States. These campaigns involved multiple demands, a total of 1092, concerning issues such as pollution (364), land use/habitat destruction (285), recycling (123), greenhouse gases (87), and others (233). Making these 1,092 demands were environmental NGOs (468), non-environmental NGOs (52), religious groups (230), individuals (107), and a fairly large group of others (235). Tactics varied from civil suits to protests, boycotts, letter writing, and proxy votes, with different groups choosing different tactics: religious groups, for example, chose mainly proxy vote campaigns (224 out of 230). In general, the most popular tactic was proxy votes (547) followed by civil suits (343), protests (115), boycotts (76), and letter writing (11) (Lenox and Esley 2009, 59). The authors of the study found a high success rate—"approx 44 percent of the firms in our sample complied with the activist's request" (ibid.)—but noted that "moderately polluting firms are more likely to comply than less polluting firms but ... activists are unable to impose the necessary harm to motivate extremely polluting firms" (ibid., 67). Although very few firms were targeted (8

percent of their sample; Lenox and Esley 2009, 65), "some firms were targeted upward of 10 times in a given year" (ibid., 60).

Research: Naming and Shaming

Basic to all campaigns is the production of knowledge about corporate behavior: the publication of reports is a basic tool that underlies other tactics, such as calling for a boycott. The importance of research organizations such as the AMRC, EI, and the ICRC has already been noted. Reports can vary from case studies of an individual factory's operations to analyses of entire production sectors, such as Oxfam's recent *Behind the Brands* report on the world's top ten food and drink companies, which was "at least a couple of years" in the making (*Financial Times,* March 19, 2013). Some organizations exist purely to produce and facilitate research, but most also support the campaigns. Among the tactics used here are the adoption of traditional consumer surveys of products or corporations on criteria such as labor discrimination, environmental impact, etc. A related tactic involves comparing and contrasting the environmental performances of rival companies in the same industrial sector. In one example, the e-waste campaign

> ranked electronics manufacturers on the sustainability of their products....
> Since 2006 Greenpeace has also published the Greenpeace Guide to Greener
> Electronics several times a year. The guide ranks the major electronics
> manufacturers on criteria such as their endorsement of IPR, the voluntary
> phase out of hazardous chemicals, energy efficiency, and availability of
> free take-back programs for old products. These reports show the leaders
> and the laggards in the electronics industry, as well as which companies
> are not living up to their environmental commitments. (Edge 2010, 11)

Related to this naming and shaming strategy is an embrace of innovative media tactics. Corporate campaigns have featured innovative and early use of media; for example, the United Farm Workers Union produced and distributed a video titled *Wrath of Grapes* in the mid-1980s (Keiser 1993, 78). More recently there has been an increasing use of the Internet in corporate campaigns, not only to coordinate group activities and share information, but also through the development of virtual activism or "clicktivism." Early analysts were optimistic over the use of the Internet for anti-corporate struggles; Carty (2002, 129), for example, argued that "the Internet provides the resources and environment necessary for cohesive organized resistance to corporate culture across the domains of production (labor issues) and consumption issues (marketing)." Campaigns use the Internet for a variety of purposes, including for information exchange and communication within networks and with the general public; for clicktivism, through, for example, online petitions; for culture jamming, through the subversion of corporate slogans and advertising campaigns; and for direct action, through hacking and online attacks on corporate websites. This is a vast subject into which I will not venture, except to note that

the Internet is the area in which corporate campaigns are increasingly played out (for the example of Bhopal, see Pal and Dutta 2012), and a whole new repertoire of electronic contention has been developed (Costanza-Chock 2003).

Boycotts

Boycotts have been a consistent tactic in anti-corporate campaigns; for example, Broad and Cavanagh (1999, 159) report that "a recent issue [Fall 1994] of Co-op America's *Boycott Action News* documented citizen campaigns against Philip Morris and 57 other companies by citizen groups around the country." Using five major US newspaper as source (*New York Times*, *Washington Post*, *Wall Street Journal*, *Chicago Tribune,* and *Los Angeles Times*), King (2008, 404) found 133 boycotts targeting 189 corporations from 1990 to 2005, motivated by morality (23 percent), racial discrimination (13 percent), environmental issues (11 percent), labor conflict (10 percent), and consumer concerns over products (9 percent). The success rate was 28 percent, with 53 of the corporate targets conceding to demands, similar to the 26 percent found by a previous study of boycotts from 1970 to 1980. On choice of targets, King (ibid., 409) found that "activists are more likely to boycott firms that have previously been targets of a boycott or that are in industries that have been targeted frequently in the past. Activists are also more likely to target large firms ... and firms with positive reputations." One interesting conclusion is that the most critical mechanism underlying boycotts' influence is their ability to damage corporate reputations rather than sales:

> Boycotts may not need to affect sales at all in order to be effective. Rather, boycotters' influence stems from their ability to make negative claims about the corporation that generate negative public perceptions of the corporation. (Ibid., 413–14)

Shareholder Activism

The last two decades have seen a growth in, and intensification of, attempts to influence TNCs through what is called, variously, shareholder activism and socially responsible investing. Among those engaging in shareholder activism are individual investors, pension funds, trade unions, religious organizations, social organizations, and socially responsible mutual funds that invest on the basis of ethical guidelines. A review of shareholder resolutions between 1992 and 2002 found that an average of 257 proposals were submitted each year, and the three most common topics were international conduct, environmental issues, and anti-discrimination. The largest number of proposals each year was submitted by religious organizations, partly due to economies of scale resulting from membership in the umbrella organization, the ICCR (Tkac 2006).

A study of social policy proposals from 1988 to 1998 based on data from the Investor Responsibility Research Center (IRRC) found that 2994 proposals were

submitted, concerning in particular South Africa (543), environmental issues (483), human rights (289), and diversity (253). A recent trend identified by this study was a linking of environmental and social performance to financial performance, "moving the rhetoric of ... activism out of the realm of 'ethics' or good versus bad behavior, and into that of traditional issues of profitability and shareholder value" (O'Rourke 2002, 230). A more recent review of 1719 resolutions filed by ICCR members and affiliates from 1999 to 2005 found justice issues to form a substantial proportion of each year's resolutions, varying from a low of 34 percent (2004) to a high of 50 percent (2001). These were predominantly related to employment and economic development (92.4 percent), with a small number related to political justice (4.2 percent) and environmental justice (2.8 percent) issues (Logsdon and Van Buren 2008).

Analysis of shareholder activism from 2001 to 2004 (based on ICCR data) found

> a broad but largely unfocused spread of resolutions in any year, a smaller number of concerted interventions that may gain momentum over time, and a select number of shareholder campaigns able to attract coordinated action from a variety of institutions targeted on high-profile issues and companies. (Clark, Salo, and Hebb 2008, 1377)

The most significant issues these authors found were of social and environmental nature, with corporate governance lagging behind (ibid., 1378). In the active campaigns, corporations targeted were household names and had been in the news over ethical issues. The 28 corporations identified were in the following sectors: retail (10), finance (5), pharmaceutical (4), energy (i.e., oil), manufacturing and tobacco (3 each), and aerospace, conglomerates, and media (1 each) (ibid., 1379). A different approach was taken by Monks, Miller, and Cook (2004), who looked at shareholder proposals in 81 of the 100 largest publicly listed companies in the US from 2000 to 2003. They found that a large proportion of proposals (45 percent) addressed Corporate Social Responsibility (CSR) concerns. Of the CSR proposals, 47 percent addressed human rights and social issues, 28 percent environmental issues, 14 percent corporate employment policies, 9 percent corporate political activities, and 3 percent corporate charitable activities. Support for CSR proposals increased over the study period, reaching a high of 9.4 percent in 2003 (ibid., 321).

From the point of view of activists, the important conclusion of research on shareholder activism is the lack of effectiveness of shareholder resolutions in changing corporate behavior. Monks, Miller, and Cook (ibid., 319) found that "only 6, 4, 14 and 16% of proposals attained shareholder support exceeding 50%, respectively in the four years [from] 2000 to 2003, all classified as corporate governance." This low success rate needs to be placed in the context that "in most states of the US, shareholder proposals are non-binding" (ibid.). It may be concluded that these resolutions are therefore intended for purely propaganda purposes. As Clark, Salo, and Hebb (2008, 1387) note, "given the lack of media attention for the vast

majority of resolutions, it is may be [sic] surprising that social investors persist with this type of strategy." They suggest that the resolutions function as a "signal" that the investors care. These negative findings need to be tempered by the finding of Lennox and Easley (2009, 54n10) that "although they are never successful directly, that is, in our sample not a single proxy vote received majority approval, many proxy votes are successful to the extent they motivate the firm to voluntarily comply to the requests of those who bring the proxy vote."

Divestment Campaigns

Divestment campaigns appear to begin in the 1970s, with many continuing up to the present day despite negligible evidence of their effectiveness, at least in affecting corporations' bottom lines, though some wider, indirect effects have been reported. In its report on the fossil fuel divestment campaign, Smith School of Enterprise and the Environment (SSEE) lists 11 campaigns: campaigns from the 1970s to the present focused on alcohol, arms, gambling, and pornography, whereas campaigns from the 1980s focused on biotechnology, nuclear power, and tobacco. Further campaigns, which are no longer active, were country-oriented rather than industry-oriented (South Africa 1978–1990 and Darfur, Sudan early 2000s to 2011); divestment campaigns initiated in the 2000s focused on fossil fuel (SSEE 2013, 40). Elaborating on this history, SSEE notes that all these campaigns begin in the USA and go through three phases: in the first phase, a core group of investors divest from the industry; although it has little financial impact, this action results in wide public awareness. In the second phase, universities, cities, and selected public institutions divest, with the tipping point being divestment by Harvard, Johns Hopkins, and Columbia universities. In the final phase, the campaigns spreads outside the United States, targeting very large pension funds and the wider market (ibid., 10–11). SSEE's summary of the outcomes of previous divestment campaigns is disarmingly downbeat: where results of direct impact are available, the campaigns show little or no impact, though both the apartheid and Darfur campaigns eventually resulted in legislation in the United States (ibid., 64).

Appeals and Complaints to Regulatory Authorities

Related to the shareholder resolutions, though much less common, are interventions in regulatory activities such as investigations into mergers. In the case of the Dow Chemical's merger with Union Carbide, interventions were made with regulatory authorities whose approval was needed for the merger to go through. In Europe, Paul Lannoye MEP (President of the Greens/EFA) and Patricia McKenna MEP submitted observations on the proposed merger to the the EU Director-General for Competition on January 21, 2000, asking the Commission to make the fulfillment of the legal obligations of Union Carbide resulting from Bhopal an "absolute precondition" for approval of the merger. In another example, on April 12, 2007

Amnesty International USA called for the Securities and Exchanges Commission (SEC) to investigate Dow for its attempt to pressure the Indian government into ridding Dow of its liabilities for Bhopal as a condition to facilitate Dow's investment in India. This had been revealed in a letter sent on November 8, 2006 to the Indian Ambassador to the United States, obtained under Freedom of Information by Bhopal campaigners, and represented a material matter that should have been disclosed by Dow's management to shareholders. Amnesty International asked the SEC to investigate this failure to disclose pertinent information to Dow shareholders. In May 2008, nine shareholders sent a letter to the SEC accusing Dow of failing to disclose to investors the potential liabilities involved with Bhopal, noting that "up to £1 billion in Dow Chemical investments in India may be impeded" by the issue (*Businessweek*, May 28, 2008).

Litigation

Litigation against corporations has blossomed most spectacularly in the United States, taking off with the introduction of "class actions" in the 1960s, but it has also grown elsewhere. In Africa, for example,

> Cape plc and RTZ have been sued in British courts for environmental damage and breach of employment rights.... Companies which sold products to South Africa's former apartheid regime, such as Fujitsu, UBS and IBM, are now being sued in US courts. Shell and Chevron are being sued in US courts for human rights abuses in Nigeria. (Frynas 2004, 363)

Another significant location has been India; the range of issues discussed at a workshop on Litigating Against Corporations for Human Rights in February 2011 shows the wide range of areas in which litigation could be considered a useful tactic:

> litigation against SEZs [Special Economic Zones], multinational mining companies, industrial units for causing pollution, litigation against corporations to protect the rights of labour and other human rights such as right to health, environment, water and use and management of forest resources and litigation against nuclear power plants. (*Economic and Political Weekly*, April 2, 2011)

A recent example of litigation is the case against Shell brought by Leigh Day in London on behalf of the Bodo community in Nigeria over oil spills: a Shell offer of £30m ($48 million), around £1000 ($1,600) for every individual claimant, was rejected in September 2013, though progress was made in agreeing on a cleanup of the spill (*Guardian*, September 14, 2013). Another example is the 20-year-long legal battle against Chevron over oil pollution in the Ecuadorian Amazon caused by Texaco (which Chevron purchased in 2001). Originally filed in a federal court in the United States in 1993, the case was thrown out in 2002 on condition that

Chevron agreed to accept Ecuadorean jurisdiction. In January 2012, a damages award of $18 billion against Chevron was confirmed. Later that year, Chevron failed to get the Supreme Court to block global efforts to collect on the ruling. The first such attempt led to the temporary imposition of an asset freeze in Argentina, later overturned; but, as a spokesperson for Amazon Watch told the *Financial Times* (January 5, 2012), "Chevron has to win every one of those cases. The plaintiffs will only need to win one."

In the United States, some litigations have made use of the Alien Torts Statute and the Alien Tort Claims Act (ACTA): by 2009, about 64 alien tort cases had been filed against corporations, most of them since the mid-1990s (*Financial Times*, May 26, 2009). In the European Union, a judgment of the European Court of Justice in 2005 which allows a claimant to sue in the defendant's home country expanded the scope for suits against corporations, as did a decision in the British Lords in 1997 that an employee of Rio Tint Zinc (RTZ) in Namibia could see RTZ in English courts due to lack of legal aid in Namibia (*Observer*, November 8, 1998). Similarly relevant was a 2010 legal ruling in France "allowing NGOs such as Transparency International to bring anti-corruption cases" (*Financial Times*, October 7, 2013).

The spread of class action litigation outside the United States is a hopeful sign for this strategy: by 2011, there were "at least 21 countries that have adopted some type of class action" (Hensler 2011, 306), though only a small number of jurisdictions has seen much use of class action suits. In the Netherlands, for example, of six mass settlements reached between 2005 and 2010, only one [relating to the drug diethylstilbestrol (DES)] involved mass personal injuries; the others involved policyholders and shareholders making claims over financial and other matters.

Another development, which may help overcome the obstacles to mass litigation posed by legal and court fees, involves the growth of third-party funding. Hensler (ibid., 323) comes to an optimistic conclusion in this regard:

> Joining broad class action jurisdiction, particularly the settlement paradigm pioneered by the Netherlands, with widely available third party litigation funding, opens up new opportunities for transnational class action litigation in the increasing number of instances in which mass injuries—financial and otherwise—are truly global.

For the growth of this transnational anti-corporate litigation, as well as these legislative changes, "of fundamental importance is the availability of funding and lawyers willing and able to represent victims in this highly complex, hugely expensive and risky type of litigation" (Meeran 2011, 1). Legal activists willing to engage in such cases have varied from individual lawyers (such as Rajan Sharma in the Bhopal New York litigation) to specialist NGOs (such as EarthRights International) and legal practices (such as Leigh Day of London).

Codes of conduct

One result of anti-corporate campaigns is the growth and spread of codes of conduct, either industry-generated as a form of self-regulation, or created in cooperation with what has come to be called civil society, most often in the form of NGOs. These codes are seen as a form of global governance, where governance is something less than regulation in that adherence to a code is voluntary and many codes lack any form of certification, auditing, or inspection. These codes of conduct exist along a continuum from total independence from the industry to incorporation or cooption by the targeted industry. For the latter, organizations such as the Marine Stewardship Council are said to show how

> a dominant TNC was able to co-opt a dominant detractor, the largest transnational environmental organization (TNEO) in the world, and create a supranational state-like NGO to establish a socially legitimate system of standards that propose to balance capital accumulation with environmental sustainability. (Constance and Bonanno 2000, 133)

This illustrates the role some NGOs play in a situation "where emancipator demands are countered by discourses and practices that redefine the situation to the advantage of the TNCs" (ibid., 135).

A useful early review by the OECD examined 246 codes issued by firms or associations operating in "a variety of sectors, including high technology, mass retailing, heavy manufacturing, light manufacturing, primary production, and financial services" (Gordon and Miyake 2000, 6). Of these codes, 14 percent had been issued by a company, 34 percent by an industry association, 15 percent by stakeholder partnerships, and 2 percent by an international association (ibid., 9). Of the issues mentioned in the codes, labor standards and environmental issues were the most prominent; not surprisingly, only one code addresses tax issues, and that was issued by the ICCR (see Table 1).

Table 1: Issues Mentioned in Codes of Conduct

Labor standards	148
Environmental issues	145
Consumer protection	117
Bribery	56
Competition	50
Information disclosure	45
Science and technology	26
Taxation	1

Source: Gordon and Miyake (2000, 12).

Codes of conduct have been especially present in the governance of the apparel and footwear industries in response to controversies over child labor, working conditions, treatment of women workers (including sexual harassment), freedom of association, exposure to toxic materials, and captive, unfree, or prison labor. Approximately 25 percent of apparel corporations were reported in 2010 to have their own codes of conduct. The corporations targeted in these cases have been the brand name owners in core countries as well as the retail sector. Adherence to the code is a constant source of struggle. Central to this conflict is the attempt by the campaigns to damage the reputation of particular products and corporations by associating them with despicable behavior. Given the high economic value attributed to brands, corporations have a strong interest in guarding their reputation. It is in the apparel industry, therefore, that the most thorough judgment can be made on the success of codes of conduct. Unfortunately, the news is not good:

> [C]hange on the ground has been minimal. Codes and monitoring have led to some improvements in the payment of required wages and benefits, the reduction of child labor and improvements in health and safety protections.... Nevertheless, even after so many years of widespread company participation, we continue to see breathtaking levels of exploitation: hundreds of millions of dollars stolen from workers in unpaid wages and severance each year, a growing trend of workers on temporary contracts without protections, regular firing of union activists, and even death by fire and by violence. The fact is that non-compliance with basic rights, under national laws, international accords, and with codes remains the norm in the industry. (Esbenshade 2012, 542)

Direct action

Direct action normally involves physical confrontation of some sort against corporate targets—for example, preventing access to construction sites in projects opposed by local communities, or occupying a company's administrative offices or corporate assets and factories. Other direct action tactics include sabotage, swarming, public protests, tree-sitting, and hacktivism. There is a basic dichotomy in direct action between functional and expressive/media-oriented actions. The former are intended as a physical impediment to the construction or operation of a corporate project: examples would include blockades of construction sites, factories, or waste disposal sites, which are basic tactics in community opposition campaigns to locally unwanted land uses. Similarly, the physical liberation of captive animals is a basic tactic of the animal liberation movement. By contrast, other forms of direct action (such as Greenpeace spectaculars) are produced specifically to obtain media attention.

More generally, direct action is seen as a tool of radical campaigners, also predominant in radical environmental campaigns (such as those initiated by Earth First!). Given the wide variety of its uses, it is hard to judge how effective direct

action is as a campaign tactic. Seifert (2013, 215), for example, argues that the use of open field destruction (where activists vandalize fields with GMO crops) by the anti-biotech movement in France enabled activists to dominate "the public debate over a period of ten years that significantly contributed to the fundamental reform of France's biotechnology policy." Results of such actions, however, vary widely and strongly depend on the balance of power in each situation.

Campaign Success and Failure: Some Possible Explanations

Before turning to our conclusions, we need to make some cautionary qualifications. Having reported diametrically opposite conclusions from two studies of the impact of divestment from South Africa on firms, Spar and La Mure (2003, 98n18) note in a footnote:

> The contradictory findings in the research on South Africa and the empiri-
> cal work on boycotts reflect a broader trend in the literature on corporate
> social performance (CSP) and corporate financial performance (CFP).
> Despite more than 25 years of research, scholars continue to disagree on the
> nature of the relationship between the two.... Notably ... scholars continue
> to disagree on the definition of, and relationship between, both concepts.

Similarly, whereas Lenox and Easley conclude that litigation is important and effective, Bartley and Child (2012) conclude that legal tactics are ineffective. Despite these limitations, some tentative conclusions can be formulated as to why some campaigns succeed and some fail. In the case of the US-based Sudan divestment campaign, Patey (2009, 552) notes that "the campaign was ill-conceived to influence its primarily Asian targets." Three Asian national oil companies produce over 90 percent of crude oil in Sudan. Inconveniently for the Sudan divestment campaign,

> Asian nationals are almost completely state-owned enterprises, and there-
> fore largely resilient to divestment pressure ... through their high levels of
> state ownership simply cannot be influenced in the same manner as Western
> companies, which are typically prone to divestment pressure through their
> capital positions and consumer reputation in home markets. (Ibid., 562)

Besides the strategic failures resulting from such failures of analysis, campaign tactics may backfire in other unexpected ways. For example, in Greenpeace's campaign over the disposal of the offshore oil rig Brent Spar, a mistake in the estimation of the amount of toxic material on the rig was used to cast doubt on Greenpeace's scientific credentials, in what was almost a revenge attack by a press that had previously been led by the nose by the environmental organization. In another case, examination of media coverage before and after the Yes Men's BBC Bhopal action found that "the Bhopal BBC hoax actually decreased the media's use of frames sympathetic to the victims of Bhopal" (Robinson and Bell 2013, 352).

Industry structures are helpful in explaining the success of some campaigns. For example,

> The extremely competitive nature of the electronics industry aided the e-waste network's strategy of contrasting leaders and laggards within the industry. The network focussed on changing the practices of the most vulnerable electronics companies first, and once successful pressured other companies to follow suit. By getting one or a small number of companies to change their standards, the network has been able to illustrate to the public and policy makers that its demands are achievable by the industry. (Edge 2010, 14)

Here an important contribution has been made by Schurman (2004) who, on the basis of a case study of the success of the western European anti-biotech movement, argues that "industry opportunity structures" are a major determinant in the success or failure of social movement campaigns against business or corporations: "Industry characteristics are a critical determinant of movement efficacy when the primary target of opposition is corporations, rather than the state" (ibid., 245). These structures include the economic and competitive behavior of firms within an industry, the relationships within an industry's "organizational field" or system (including regulators, consumers, and commodity and supply chain members), corporate culture, and individual firm cultures. One particular tactic involves dividing corporations in an industry into bad and good (or at least reformable) actors, as noted above in the case of the e-waste campaign. This tactic, related to a move towards "solutions campaigning," has been used successfully by Greenpeace; for example, in its pulp and paper campaign, "an essential part of the strategy of Greenpeace's global campaign was the active cultivation of green capital in competition with 'brown' capital" (Sonnenfeld 2002, 19).

Material reasons underlie many aspects of corporate campaigns and MNC responses, and the most basic reasons for campaign failures can be found in the structural imbalances of power and vulnerability inherent in the capitalist system. Basic to a corporation's response to a campaign is an evaluation of the risks and benefits the campaign poses to the bottom line:

> Higher transaction costs ... push firms towards the path of resistance. In cases such as Unocal [in Burma], where capitulation to NGO demands will almost certainly burden the firm with significant switching costs, resistance serves as an economically rational response. That may be why companies in the natural resource industries tend both to be targeted by activist groups and to resist their demands. It may also explain why Novartis has been less aggressive in responding to criticism of its GMO [genetically modified organism] business, where switching costs are high and activist demands not yet that heated. By contrast, in industries such

as footwear, where switching costs are low, capitulation is less expensive
and more frequent. (Spar and La Mure 2003, 95)

Similarly, campaigns targeting consumer product firms have a higher chance of
success than those targeting resource extraction or chemical corporations.

Conclusion

This article has looked at transnational anti-corporate campaigns, examining their
history, scale, scope, tactics, and failures and successes. Originally conceptualized
as a strategy for organized labor, these campaigns have expanded to include new
social actors, including new social movements, community and victim groups, and
many others. I have briefly traced the history of these campaigns, noting a division
of labor between communication, information, and research organizations on the
one hand and activist groups on the other, and noting also how each decade has
brought new groups to participate in anti-corporate campaigning. While a pattern of
institutionalization can be seen in older organizations, with increased cooperation
with TNCs through codes of conduct and similar initiatives, more recent groups,
especially those associated with the AGM, have continued to develop and follow
confrontational tactics.

This article has also brought together empirical studies on the effectiveness
of anti-corporate tactics and strategies, reporting data on naming and shaming,
boycotts, shareholder activism, divestment campaigns, litigations, and codes of
conduct, while also noting continued widespread use of direct action. The studies
reviewed provide much evidence to support the pessimistic view (previously quoted)
of Bendell (2004) that attempts to control corporations in general have failed. A
similarly pessimistic conclusion was arrived at by Ward Morehouse after 10 years
of campaigning on Bhopal: "We had singularly little impact where it really mat-
tered; that is, on Union Carbide's behavior toward the victims" (Mac Sheoin 2012,
34). However, all is not lost. The literature reviewed above also shows evidence
of minor successes, and many other campaigns that are not discussed here were
also successful.

Most importantly, corporate campaigns are not liable to go away as long as the
corporate grip on culture, economy, and society continues. So the slogan for future
campaigns may be, in words attributed to Samuel Beckett, Fail often, fail better.

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