

CSR AND COLLECTIVE BARGAIN

An analysis of The Danish labour unions' potential usage of CSR

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Abstract

The Danish labour unions have a noteworthy history and have had a great influence on Danish society through their role in the Danish Model. However, the labour unions are currently facing challenges with declining membership and a weaker bargaining position. This thesis investigates and analyses how strategic use of Corporate Social Responsibility (CSR), including strategic partnerships with NGOs and involvement in global governance, could hold a potential for the Danish labour unions to help address some of their challenges. Using a qualitative method, our data is drawn from interviews with prominent officials of the Danish labour unions and Professor Laust Høgedahl, who has studied the Danish trade unions. We start by characterising the Danish labour unions as a reformative social movement that strives to work collaboratively with the employers to create institutional change and ensure a reinstitutionalization of their organizational field so that it is supportive of labour rights. This kind of approach is consistent with CSR, as it, among other things, concerns labour rights and is considered a corporate concept. We then discuss the core framing tasks the labour unions need to emphasize on entering into strategic partnerships with NGOs. We also reflect on some of the risks and obstacles likely to be associated with this kind of partnerships. Finally, we discuss the labour unions' attitude towards governmental involvement in CSR and global governance, and touch on how the Danish labour unions could contribute as a unique type of transnational advocacy network-auditor.

Introduction

Throughout the history of Danish civil society, the Danish labour unions have played a remarkable role. The part they played in developing and using the Danish Model has been – and still is - a cornerstone in the Danish welfare society.

Nevertheless, the Danish labour unions are now facing various challenges with a decline in memberships, lack of appeal to the younger generation of workers and a weakened bargaining position (Caraker et al, 2015). At the same time, the employers and corporations have used CSR as a commercial tool to gain PR and profit. Since the CSR concept concerns social responsibility such as labour rights, safety, and working conditions, amongst other things, etc., it could be argued that corporations are moving in on the labour unions' arena and thereby undermining their role. An example of this could be the rise of global governance and civil regulation concerning labour rights, which is widely used by corporations in several industries.

This thesis argues that strategic usage of CSR could hold potential as an advocacy tool for the labour unions and become a possible method to influence the corporations' usage of CSR. The CSR concept is new to the labour unions, however. No Danish labour union has a CSR policy and they all have a significant lack of awareness of the concept and knowledge of what it contains. We show that the field of research of this subject is relatively unexplored and is a gap that this thesis seeks to help fill.

The Danish labour unions have a unique organisational character. This can be both a beneficial factor and an obstacle when adapting to a new concept like CSR. For this reason, our area of research can seem as rather broad with a wide range of different areas to explore. Our thesis should therefore be seen as taking some of the first steps towards what could become a new strategy for the Danish labour unions and their 1,026,181 members (LO, 08/09/2016).

The Danish labour unions and the Danish Model – then and now

In this section, we start by presenting the history of the Danish labour unions and the evolution of what we refer to as the Danish Model. Then we describe the unions' present situation and the challenges they face and finish the chapter by explaining the Danish Model and its particular challenges.

We think it is important to present the historical context of the unions and the Danish Model to enable the reader to fully understand the place of the unions, and their involvement, in Danish society. We claim that the unions' origin and legacy have a considerable impact on their stance on the corporate concept of Corporate Social Responsibility (CSR), as well as on their overall organizational culture.

First, knowing the history of the labour unions is necessary to understand what kind of social movement the unions have been and have now become. This thesis also concerns the ability and willingness of the labour unions to use CSR strategically, by, for example, engaging in strategic partnerships with NGOs. If the reader is to fully understand the unions' perspective and position on a concept like CSR and their potential use of it, it is beneficial to have an appreciation of their history, including their impact on the Danish society. In this sense, it is also highly relevant to present the Danish social negotiation model, which provides the terms of engagement for the Danish labour market, the Danish Model.

The history of the Danish labour unions – the beginning

Throughout the last 100 years or so, Denmark has had labour unions amongst the strongest in the world. One reason for this is that Danish workers have had a tradition for organizing themselves from a very early stage. The first Danish worker organisations date all the way back to the end of the 1840's (Christensen, 2011; 5).

At this time, the working class was growing rapidly as a consequence of industrialisation. Both the

parliament and the upper-class, concerned at this development sought to control them and undermine the socialist tendencies that were spreading through Europe (Ibid; 8). This did not succeed and the Marxist organisation 1. Internationale established a Danish branch in 1871. This laid the foundation for how the Danish labour union would organise with the consensus of a political party. It was, however, at great risk of political and personal persecution, that workers joined the 1. Internationale (Ibid; 10).

Both employers and the police went to great lengths to impede the new worker organisation. There were many riots between workers and police, which culminated in the Danish Supreme Court making the 1. Internationale illegal and sending its leaders to jail (Ibid; 12). Despite the ban, the Danish workers continued to join the growing organisation, which now created different professional branches.

The labour union faced hard times, but this changed in the 1880's and 1890's leading to a breakthrough for the Danish labour unions. The main factor explaining the resurgence of the labour union was the agreement in 1878 to split the organisation into "Socialdemokratiet" (The Labour Party) and an independent labour union. By the turn of the century at least half of the skilled workers were organised, the highest degree of unified labour in the world at that time (Ibid; 16).

The birth of the Danish Model

As workers started to organize and use strategic tools, such as strikes, so began the employers to unite. They started to organise and responded to the strikes, with a tactic known as the lockout, excluding workers from whole trades (Ibid; 22). The lockouts culminated in the so-called "storlockout" (big lockout) that left many workers in several trades unemployed for three months. In a time without social security, this meant very tough circumstances for the workers. The end of the lockout came with the "September forliget" (The September Agreement), which was signed, by Dansk Arbejdsgiverforening, DA (Danish Employers Union) and De Samvirkende Fagforeninger, DsF (The United Danish Labour Unions) (later LO) in 1899. This agreement not only put an end to

the lockout but also meant that the Danish labour union now were allowed to organise, and they established themselves throughout the Danish labour market. The arrangement, now known as the “Danish Model” (often referred to as the “flexicurity model” internationally), where the relationship between labour unions and employer organisations is regulated without government interference, was born (Ibid; 26).

In 1919, one of the most progressive agreements in the history of Danish labour unions was made. It included a rise in wage levels of 40% and finalised the historic agreement on an 8-hour workday, a provision for which the union had fought for more than 30 years (Ibid; 38).

In 1956, however, once again there were several strikes due to failed negotiations between DA and DsF. The Labour Party made an unusual move in passing into law a proposal from DA which the workers already had voted against. This conflict showed how far apart the Labour Party and the labour union had grown.

From the end of the 1950’s and the next 20 years Danish society witnessed far- reaching developments transforming Denmark from an agricultural society to an industrial- and service society. The huge economic development meant a growth in members of the labour unions. The biggest growth was among women, increasing their unionisation from 22% to 48% (Ibid; 61). Many improvements to working conditions were achieved in these years through the union working together with politicians and employers – following the Danish Model. There were, for example, advancement of social security for unemployed, various progressive reforms including a minimum of four weeks a year paid holidays, a 40-hour maximum working week, improvements to pensions and gender equality with respect to salary (Ibid; 66).

In 1983, the conservative led government launched a policy introducing reduction in social benefits and wage restraint for the working class. This provoked the so-called “Easter trouble” with blockades and demonstrations from all the different unions. This went on for 3 weeks in 1985. Calm returned after that and the Danish Confederation of Trade Unions, LO, (formerly

known as DsF) changed to a more diplomatic course. In 1990 this meant a reduction in the standard working week to 37 hours, an agreement that has endured to this day (ibid; 67).

To summarize, the Danish labour unions went from being a radical protest group to a well-organised collaborative counterpart to employers and their organisations. Through the years, the Danish Model and its collaborative approach between the three parts (state, employer and employees) has operated as a collective bargaining system that defines the backbone of the Danish welfare-system. Nevertheless, the model is being challenged, and we will elaborate on this later in the thesis.

The current status of the Danish labour union and the Danish model

The Danish Model and the labour unions have arguably been cornerstones of Danish society and its welfare program. Although it has been central to the development of an internationally recognized society model and attracted a considerable amount of positive publicity for Denmark, both the Danish Model and the unions are facing great challenges.

We will now focus on the status of the union and (to a lesser extent) the Danish Model. Starting with the situation of the Danish labour union we review some factors and issues that are harming the union before addressing some positive variables as well.

Finally, we very briefly present how the Danish Model operates and provide a critique, arguing that there are certain sectors where it is basically no longer relevant.

The status of the Danish labour union

The Danish labour union is facing a hard time. Employers are gaining more and more influence over working conditions, salaries, etc. and the numbers of union-members are falling simultaneously. Considerably more members are thinking about leaving their union, than those thinking about joining a union (Caraker et al., 2014; 16). This is obviously a problem, and a clear sign that the unions are facing a challenge of organizing and gaining new members.

But why is that? This is a complicated question, because there are a lot of different indicators and different variables, which impact on the status of the union. Some might argue that modern society simply has grown too individualized, so there is no need for trade unions any more – at least not in Danish society. However, research by Caraker et al., “Fællesskab før Forskellene”, shows that the workforce in sectors where union organization is considered possible, has not become more individualized nor less collective (Caraker et al. 2015;16).

In this chapter then, we will briefly summarize the different variables that come into play, to explain the decline in union-members.

Several factors are important regarding the status of the union

In an Interview with Professor Laust Høgedahl from Aalborg University, he identifies a relevant factor affecting the recruitment of union members: The unions have problems of appealing to the younger generation in particular, which is important because of the now smaller labour force. Together with findings from Caraker et al. (2015), we can now discern several main explanatory variables for the present status of the Danish labour union.

Fewer union members

The degree of unionization amongst workers has become smaller (Laust Høgedahl; 1). A clear trend has emerged of a shrinking proportion of organized workers in Denmark. Younger workers in particular are not joining labour unions in the same way the generations before them did.

Surveys have shown that the younger generations are not as unionised as the older generations (Laust Høgedahl; 1). This evidence points to a conclusion that the unions are having difficulties in reaching out to the younger clientele to organize them.

Smaller work force

A crucial issue regarding the potential organization of union members is the fact that the labour force is generally declining. The generation now entering the labour market is considerably smaller than the one they are replacing (Laust Høgedahl, p. 1). This does obviously create a significant obstacle for the Danish labour union, because the total pool of workers from whom they can recruit members is becoming smaller.

After the Second World War the baby boom created a particularly large cohort entering the labour market that has now been a big part of the labour force for many years. This generation is now about to retire. Hence, the union has fewer workers to organize.

Skepticism of the unions' actual influence

In the last decade, employees have questioned the unions' actual influence on society and on the employers' decision-making (Caraker et al., 2015; 77). A large proportion of the population believes that the labour unions do not have the same bargaining power and influence on employers as they used to. This is harmful for the union because it may eventually evolve into an overall lack of confidence in the union and its legitimacy.

A large part of the labour force want a greater degree of participation in management decision-making on work-related issues (Carakar et al., 2015; 36-37). This is normally an area where the union would be expected to secure this kind of participation for its members. Unfortunately, in recent years, this has proven to be a tough challenge. At the same time, members and potential members would also like to see more engagement in the public debate from the unions (Caraker et al., 2015; 77). This is more a general societal issue, but it is also an area where people miss the greater involvement and influence from the union seen in the past.

The possibilities for the union

All though the Danish labour union is struggling and faces challenges, there are still positive signs and possibilities to regain the strong position achieved in the past. For instance, an important cornerstone in the union is solidarity and this has not disappeared from the labour force yet.

Solidarity is still alive

There are still clear signs of solidarity amongst the work force including the younger generation. For instance, ever increasing numbers of young people are engaged in volunteer work like the Danish Red Cross or *Operation Dagsværk*, and a considerable part of young people support different NGOs as well (Laust Høgedahl; 1). Studies show that the younger generations are much more open to volunteer work and supporting charity compared to the older generation. This

indicates that there is no scientific evidence supporting the assertion that there is a larger degree of individualism or a lack of solidarity – if anything, it is the other way around (Laust Høgedahl; 1).

Throughout the last decade, a discourse about welfare has emerged which has had a focus on whether or not different social classes have earned the right to social support or not (Caraker et al., 2015; 82-85). This has not created any major change in the mindset of the employees. They still believe that those who receive social benefits are those who need it (Caraker et al., 2015; 91). As Caraker et al. argue this is a very interesting finding because it challenges the idea that people have become more individualized and do not pay as much attention to solidarity as they used to. This has been discussed a lot in the last decade and normally the conclusion is that the public has become more individualized, but we have found no valid scientific proof supporting this assumption.

Caraker et al. claim that there are no signs that solidarity is not still an important issue for employees (Caraker et al., 2015; 92-94). They argue that even though politicians and the media may promote a picture of society where the neo-liberal ideas and more individualized arguments are fundamental, there are clear signs that the collectivistic approach and values still are crucial to employees. This is a notable finding because collectivity and solidarity have always belonged to the labour union's core values.

There is a general support for union work

As stated earlier in this chapter, employees wish for more influence at their workplace (Caraker et al., 2015; 36). This is very encouraging for labour unions because it shows that the need for traditional union work has not disappeared. Indeed, you can argue that it legitimizes the existence of the union.

Surveys might not say that *every* employee supports, or even thinks there is a need for union work, but it is still valid to claim that this is a major tendency among employees, which indicate that, as a group, they are supportive of unions and union work (Caraker et al., 2015; 67). Of course, there are different reasons why employees think that joining an effective union is

beneficial. Still, it is safe to conclude that the majority of the labour force recognizes that effective unions still have a legitimate role in society and in different industry sectors.

To summarize, there are challenges and possibilities for the future of the Danish labour union. Some of the challenges are that the labour force is becoming smaller and less organized. At the same time, whilst workers would like to see union influence on corporation, many are beginning to doubt unions' capacity to do this. A particular concern for the unions is that the younger generations are now harder to organize than their older peers, which is problematic because the existing union members and representatives are getting older and closer to retirement.

However, there are signs that indicate that the labour force and the younger generations are supporting collective ideas. There are also signs of solidarity and there is a general support for the union work. We would like to argue that this creates a strong foundation for the relevance of our study of the possibilities regarding CSR. If CSR could be deployed as a new advocacy tool for union work, it might help create a new image of the union, perhaps more appealing to the younger generation. At the same time, it could be a way to gain more influence, and with that, the potential to restore support and confidence from the public.

The Danish model – a Danish welfare tool in trouble

As mentioned in previously, the Danish Model has been a cornerstone in Danish society's welfare system. Nevertheless, the Danish Model has met obstacles and challenges during the last couple of years. We will address this and show how the union cannot rely on the old forms of negotiation, which they have been used to.

Since the September Agreement in 1899, the Danish labour market has been controlled and organized through negotiations between the two main labour market-counterparts, the representative bodies of Danish labour unions and of Danish employers, and the national state in what that is internationally known as the *flexicurity-model*, or as we refer to it, the Danish Model. This model has had a major impact on the Danish society:

“... the Danish Model is characterized by building the foundation of the welfare-state and its relatively high level of social equality and the establishment of a fine-meshed social security safety net plus a relationship influenced by consensus between the political and the labour market related actors who represent the conflicting interests of society”

(Due et al, 1994; 14)

The main purpose of the model is to shape how LO and DA negotiate labour market terms and conditions, and how they strive for consensus to avoid imposition of terms by the state (Due et al, 1994; 14). This has given the parties a space in which they can negotiate compromises and is how many escalations of conflicts have been avoided so helping support strong and secure economic and political development in Danish society through the years.

The Danish Model has been used to develop and agree matters such as terms of employment and notice of resignation, working conditions, minimum wage regulations, etc. (Ibid, 1994; 17). These national level agreements are referred to as the *collective agreements*. They can then be used as the basis of further negotiations in sectors of industries or even at company-level, thereby becoming local collective agreements, but they must remain consistent with the overall negotiated collective agreements.

The collective principles of the Danish Model are what make it a unique system for negotiations and organization. The two counterparts', LO and DA, understanding of their mutual dependency on each other is key in their relationship and negotiations (Ibid; 33). The outcome of the yearly negotiations of the terms of the Danish labour market is called “trepartsforhandlingerne” (the tripartite agreement).

In 1987 an agreement was made that declared that the state and the organizations (the unions) should always take the national economy into account whenever they entered into negotiations regarding agreements of labour (Caraker et al., 2015; 67). This created a special relationship between state and the organizations, especially in the state-controlled public sector. The state, by

being employer, legislature and responsible for the national budget, suddenly had complete power with respect to the public sector, creating a particularly difficult situation for the different unions in this sector. Essentially, the free negotiation about labour agreements was rendered ineffective after this point (Jørgensen 2010; Borchorst et al., 2012).

A clear example of how this can affect the Danish Model and its formula of negotiations came in 2013 in what that is known as *“The teacher lockout”*. The teachers and their unions were in negotiation with the state. They could not reach an agreement and the negotiations broke down. This led to a massive lock out of the teachers in Denmark, which went on until the state intervened in the negotiations and ordered the teachers to cooperate with the terms presented by the employer (Kristensen, 2013). The case shows that the Danish model and its established practices of negotiations can be overridden. Hence, the model cannot be seen as a fixed model in which the union (and other parties) can rely on completely. A situation like the teacher lockout clearly indicates how the interest of the employee representative, the union, can be set aside and thereby undermine the Danish model. We have shown that this can be the case in the public sector at least.

Method

As a background to the answer of the research question in this thesis the following details the methodology, the research design, the analytical method and the thesis validity and reliability.

Standpoint in theory of knowledge

This section elaborates the thesis' standpoint in terms of the theory of knowledge. This is essential to an understanding of the methodological considerations of the thesis, as well as the conclusion, as the methodological standpoint and theoretical underpinning determine the conception of the reality. In the following we will describe the ontological, epistemological and methodological aspects as they provide the foundation for the reader's understanding of the research and the results (Olsen & Pedersen, 2003; 150). Ontology concerns what reality actually consists of and how it is viewed. Epistemology concerns how the reality can be encountered and known (or not). Methodology concerns the research techniques used in the analysis of the (encountered) reality

(Ibid.)

This thesis is based on a social constructivist point of view in the theory of knowledge. This approach holds that the reality is something that is constructed or created in individuals' interaction with other people (Juil & Pedersen, 2012; 188) and is not something that simply exists alone. It also includes having a critical view on firm beliefs and set up new conceptions, that facilitate alternative lines of action (Ibid.). As the thesis includes the Danish labour unions as a case, and their key members' perception of CSR, it is important in terms of research to gain insight into the view of reality in the eyes of the Danish labour union members. From a social constructivist perspective this thesis concerns the key Danish labour union members' perception of the possibilities in CSR as a strategic tool and of the challenge to the conservative view on how the labour union can attract new members and come with alternative possibilities.

The thesis will primarily make use of the social constructivist point of view, but will also include parts of other standpoints in the theory of knowledge. This is shown in the use of the hermeneutical method regarding the interviews, which have a significant impact on the epistemology in the thesis. In social constructivism the epistemology is necessarily subjective as it is impossible for the researcher to be completely objective in his/her research (Ibid). it is important to fully acknowledge this in order to properly understand how the new knowledge is gained in the research and how it contributes to the research domain with its existing theory.

Regarding the methodical approach in the thesis we have chosen the hermeneutic approach to creation of knowledge in the interviews. In this view the researcher is considered to have a pre-understanding of a given subject but at the same time, creates a new understanding during the research (Hansen & Sehested, 2003;101). The two standpoints in theory of knowledgeshould not be viewed as conflicting but rather complement each other. This view is consistent with the view of Hansen and Sehested (2003):

“Man går derfor galt i byen, når man fastholder, at socialkonstruktivisme og hermeneutik umiddelbart undertrykker to traditioner, der ikke kan forenes. Snarere er der tale om to yderpunkter på samme linje.” (Ibid).

The basic connection between the two standpoints in the theory of knowledge is the conception that encounters with reality is always subjective.

Method of research

In the following section we present the method of the research in the thesis. We have used a case study method and interviews for collection of qualitative data. To conclude the section, we present a critique of our method.

Using a case

The research questions in this thesis arise from the challenges that the Danish labour unions face today regarding the decline of members. We have chosen to use the Danish labour unions as an actual case in order to increase the validity of the research. The social researcher, Bent Flybjerg (2006) explains the importance for using an actual case in research:

“predictive theories and universals cannot be found in the study of human affairs. Concrete, context-dependent knowledge is, therefore, more valuable than the vain search for predictive theories and universals” (Flybjerg, 2006; 224).

Bent Flybjerg (2006) emphasizes the importance of using theory in a practical context. He argues that the theories otherwise can become too detached from reality thereby undermining the validity of the research.

The method for gathering data for the case study is primarily founded in the interviews with the labour union officials. This gave an insight into the organizations, so making it possible to answer the research question. We also use empirical research drawn from reports from the labour unions and the report from Caraker et al (2015) concerning the decline of members in the labour unions.

Based on Allan Brymans (2012) book, *Social Research Methods*, in this thesis the case has been selected as a *representative or typical case*, also referred to as an *exemplifying case*. The purpose

for using such case is to create sensibility about the situation and possibilities for the Danish labour unions. The representative case prescribes;

“The objective is to capture the circumstances and conditions of an everyday or commonplace situation” (Yin, 20009; 48 in Bryman, 2012; 70).

The things that characterise this kind of case is that it exemplifies a more broad category and by then provides a realistic image of how the Danish labour unions perceive the different issues investigated in this thesis. The argument for this is that we collect data from different spokespersons from the biggest labour unions. The chosen case is not an extreme/unique case or a critical one, which means that the case is not distant from the norm. The exemplifying case also allows the researcher to examine key social processes (Ibid.). The Danish labour unions are divided in several differently sized, independent unions from different industries located all over Denmark. The reason why we chose the people for interview that we did was because the organisations they worked for either functioned as an umbrella organisation for a range of labour unions, or they simply were the biggest.

Presentation and argumentation of the use of interviewees

In this section we identify the interviewees and present arguments for their relevance to this thesis and research question.

Laust Høgedahl is a professor from Aalborg University. Laust is in the department for labour market research and wrote a report, with other professors, for FTF and LO, on why the Danish labour unions face a decline in members and reduced efficacy. Laust has a huge knowledge on the subject and was a great inspiration for us.

Janus Broen Malm is head of secretariat in Offentlige Ansattes Organisationer (OAO) and secretariat employer in Centralorganisationernes Fællesudvalg (CFU), which are the organisations that negotiate on behalf of the unions that represent the public sector.

Dennis Kristensen is president (title) for Fag Og Arbejde (FOA). FOA is a labour union, mainly for

public sector employees. Dennis is seen as one of the most prominent persons in the unions and is often interviewed in relation to labour union issues. Dennis has held several prominent positions in the labour union branch, which made him an interesting and relevant person to interview.

Jakob Sand Kirk is head of organisation and development in the Danish Confederation of Trade Unions (LO). LO is the organization that represents every labour union in the *tripartite negotiations* between state, employer representatives and employee representative. Jacob's section is responsible for the organisation, education of members, gathering of new members and the responsibility for larger development projects. Jacob has a background in the private sector, which makes him quite unusual in the labour union world. Jacob could give a perspective on the problematic issues from the angle of the employers and he had some interesting views on CSR.

Jesper Nielsen is international consultant in Fagligt Fælles Forbund (3F). Jesper mainly works with the Latin American programmes and CSR. Jesper has extensive knowledge on the subjects that this thesis concerns, such as CSR and the labour unions, plus strategic partnerships with NGOs.

Finn Johnsen is chef of secretary in Service forbundet. Service forbundet is mainly for craftsmen and salaried staff. Finn's organisation represents many workers in a sector where CSR is not a big issue, which is why it was interesting to explore if they have had any thoughts regarding CSR and strategic partnerships.

Jørn Larsen is area manager of the European coordination committee and A/S section in CO Industry. CO Industry is a cartel organization that represents every labour union that operates in the industrial sector. Jørn works with Danish corporations on projects seeking to improve their supply chain and has a thorough knowledge of how corporations work with CSR and labour rights in their supply chain.

Kasper Palm works in the general office of negotiations in the union Dansk Metal. His primary responsibilities concern collective bargaining and professional issues when members have problems with their employers. Kasper is also responsible for the national corporation committee.

Interview with qualitative method

The interviews employ the method described in Steinar Kvale (2009). With Kvale's idea of research as a qualitative method for collection of empirical data, this method helps one to understand the world from the perspective of the interviewee, and to articulate their socially constructed meanings (Kvale & Brinkmann, 2009; 17). The approach to the interviews also incorporates a method of interviewing an "ultra elite" described by Harriet Zukermans (1972). This method addresses the precautions and techniques the interviewer has to keep in mind before and during interviews with highly prominent experts. A justification for the use of both methods will be presented in the following.

Semi structured interviews

The form of interview carried out in relation to this thesis is the semi-structured interview. In this kind of interview, the interviewer has a theoretical or practical knowledge on the subject, but is open to new information and other perspectives (Andersen, 2005; 168). During the interviews there are certain areas that need to be covered, but the interview is kept relatively open. The qualitative interview method helps to explore and understand the view of the interviewees (Kvale & Brinkmann, 2009; 17). The idea with the semi-structured interviews is to cover the areas that concern our research question and at the same time gain new views and information, which open up perspectives. It is also important that the interviewees express their meaning and explain their experiences.

The semi-structured interview method prescribes that the interviewer does not ask standardized questions but rather, covers certain areas during the interview. It is characterized by openness as the order, and formulation of the questions can change as a result of the direction the interview takes. In this way it is possible to follow a certain story or point of view that the interviewee expresses (Ibid; 144). The purpose behind the interviews has been to explore the willingness of labour union members to engage in strategic partnerships with NGOs, their and their organizations' knowledge on CSR, to establish what kind of social movement their organization can be categorized as, and what possibilities/ limitations members see for the Danish labour unions engaging in CSR.

One of the main arguments supporting the use of qualitative semi-structured interviews in this thesis is that it is a key method in the study of social movements and framing (Klanderman & Staggenborg, 2002; 93). Klanderman and Staggenborg (2002) give several arguments why this method is valuable. First, the interviewing method gives a valuable opportunity to explore the motivations, dynamics and perspectives of the movements (Ibid.). Second, it also offers to the chance to scrutinize the semantic environment of statements by social movement participants and leaders. This can help to gain an understanding of the wider social movement (Ibid.). Third, semi-structured interviews allow an insight into how social movements understand their social world and their participation (Ibid; 95).

Methodical thoughts in the interviews

In the interviews we have used what Steinar Kvale and Steen Birkman describe as the seven phases. With these phases, they recommend that the interviewers have the seven stages of the interview in mind before, during and to the end of the interviews (Kvale & Birkman, 2009; 131). The purpose for this is to secure a more solid and methodologically valid analysis.

The *thematizing* phase concerns the formulation of the research question and a theoretical clarification of the theme that we want to investigate. The main questions regarding the planning of the interviews and the *Why*, *What* and *How* in the interviews (Ibid; 125) the chosen themes in our interviews have been: 1) The Danish labour unions' knowledge of CSR, 2) Their willingness to engage with NGOs and 3) Their view on possibilities/limitations in CSR.

In the *design* phase the interview guide is composed. Here all seven phases are taken into account in order to determine the most relevant questions for the interviewees. As all of the interviewees, except Professor Laust Høgedahl, are labour union leaders, there was not a significant variation in the focus in the different interviews.

The *interview* phase includes the actual interviews. Here we used the interview guide to ensure that we address all the areas that we needed to cover. All interviews were done with an

interviewer and an observer. The task of the observer was to ask follow-up questions and to complement the interviewer.

During the *transcription* phase all the interviews are transcribed into text. This makes it a lot easier to analyse. All the interviews were transcribed in their full length and are attached as appendixes.

In the *analysing* phase, the methods of analysis are chosen. This is based on the purpose of the interviews, the theme and material.

The *verification* phase determines the validity and reliability of the collected data. It considers if the results can be generalized. The validity addresses questions of bias in the research, whilst the reliability addresses questions of consistency of results. This will be developed further in the thesis.

In the *reporting* phase the results of the research and the methods are reporting thus creating the finished result (Ibid; 122).

Interviewing experts – intro to interviewing an elite

In this thesis we will make use of Harriet Zukerman's (1972) work. The reason for this is that we mainly interview prominent labour union employees and leaders.

In Zukerman's work, she describes her method, strategy and tactics when interviewing so-called "ultra-elites". She notes that whilst various scholars have published work about the art of interviewing, including in some cases on the subject of interviewing elites (Zukerman, 1972; 160).

Zukerman describes as the "thin layer" within an organisation (such as a business) the small group of people who exhibit an especially great influence, authority, or power (Ibid; 159). Among them is a subset of particularly powerful or prestigious, influential people (Ibid; 2). Zukerman describes these highly placed members of an elite as an ultra-elite. In the following section we will examine her methods and draw parallels with the interview method used in this thesis. In her work, she interviews a wide range of Nobel laureates to demonstrate and examine her method.

The initiating contact

Zukerman starts her interviewing method with *the initiating contact* (Ibid; 160). She emphasises the importance of being concise and accurate in communications with the *ultra elite* as it is safe to assume they are very busy.

The next step in this phase is *making appointments for the interviews*. During the interviewing phase the tripartite negotiations was ongoing. This meant that we had to delay the contacting. Like Zukerman, we asked our interviewees when it would be “least inconvenient” for them to participate in an interview (Ibid; 162).

Zukerman also points how important it is as an interviewer to come well prepared. In her work, she describes how she found and examined abstracts and texts from the laureates and read a summary of each of their careers (Ibid; 164). Her broad knowledge of the interview subjects created a good relation and chemistry between the interviewer and the interviewee.

In Zukerman’s work she describes how some of the laureates tested her knowledge in order to identify the appropriate level at which to answer the questions (Ibid; 166), and the same occurred when we interviewed Jacob Sand Kirk from LO.

During the interview, Jacob Sand Kirk mentioned several concepts and asked if we knew about them (Jakob Sand Kirk; 1,2,3). This could be viewed as a form of testing of our knowledge to determine if he could continue assuming this level of knowledge. There were some important negotiations during the period when we did the interviews. At the start of some of the interviews, interviewees mentioned developments in the ongoing negotiations, which could also be viewed as a form of test of our expertise on the subject.

Techniques of interviewing

Regarding the techniques of interviewing Zukerman mentions that a tape/audio recorder is essential but can come with the disadvantage that it provokes anxiety and inarticulacy, but this is not relevant when interviewing top elite (Zukerman, 1972; 169). At the start of the interviews we always asked for permission to record, even though we already knew we were allowed, it created a

form of trust. In one interview, Jørn Larsen, CO-Industry, asked us to turn off the audio recorder if we wanted some details from a story he told during the interview (Jørn Larsen; 8). This showed us that there was a bond of trust

Zukerman also discusses the use of “technical language” of terms and phrases (Zukerman, 1972; 170). She states that the interviewee will feel uncomfortable using technical language at the beginning of the interview. Thorough preparation for the interview will give the interviewer in depth knowledge on the subject and acquaintance with the technical language, which will allow for the interviewee to use the technical language and there by create a better flow in the interview.

Secondary sources

In this thesis, we use the qualitative interviews as our primary source of data, but we also use the report from Professor Laust Høgedahl and his colleagues (Caraker et al). Their research is relevant and its conclusions have considerable value for our thesis. We are also using ad hoc theories and articles in the literature discussion to supplement our chosen theories. This creates a much more in-depth approach to our theoretical framework.

Validity and reliability

One of the crucial areas in research is its validity and reliability. Validity is a measure of the trustworthiness of the results and reflects the capability of the researcher. It is also an indicator of whether the research is answering the research questions (Kvale & Brinkmann, 2009; 276). In order to gain validity the researcher must crosscheck the quality of the research not only in the end phase of the research but during the process as well (ibid.). This includes checking if all the phases and references are reasonable, defensible and support the conclusions in the research (Ibid.) Reliability concerns the consistency and trustworthiness of the empirical research and collected data and if the results are generalizable to other similar phenomenon (Ibid; 271). It also concerns repeatability i.e. whether other researchers would find the same results based on the same theory and interviews.

The validity of the semi structured interviews and secondary data sources are difficult to

determine as they are of subjective character (Ibid; 192). The interviews can be affected by the prejudiced meanings of the interviewer and the results can vary depending on how they are used and interpreted (Ibid.). According to Kvale & Brinkman (2009) the validity does not increase together with increasing numbers of interviews. Kvale & Brinkman (2009) argue that the ability to generalize the results from the qualitative data is difficult. What the right number of interviews is depends on the purpose of the research including the need to generalize, itself also dependent on the context and heterogeneity (ibid.).

The interviews in this thesis are based on an interview guide, which keeps the focus of the interview within the sphere of the research. This guide is based on the chosen theory and strategy of the analysis. The same theories are used to interpret the data, both primary and secondary. The selected theories have been widely used by other researchers in this area of study, lending credibility to their validity and relevance for this thesis.

The reliability of the primary data is a question of whether the interviewees would give the same answers to other researchers and the results reproduced in another research process. Based on the arguments for the chosen theory and method we would argue that the analytical process would be possible to reproduce. This is not necessarily the case with the results, as the data is (necessarily) interpreted from a subjective viewpoint as described in the social constructivist point of view.

The persons we interviewed would likely not give the same answers in a future interview, as CSR is something that the labour unions are currently working with. This means that the future knowledge and perception in the field of research would properly change.

Critique

This section contains a general critique of the findings in the thesis and the method employed. The main points of criticism are the fact that we use a highly theoretical approach and that we extrapolate the view of the Danish labour unions as an entity from those views expressed by our interviewees.

A very theoretical approach can be criticised for bearing little, if any relation to the actual reality. And taking our interviewees' views as a proxy for the Danish labour unions' overall view on CSR is a weakness since they are divided into several independent unions within different industries.

Critique of our thesis

Firstly, we would like to address how our use of theory has a particular effect on this thesis.

Throughout this thesis, we present and use different theories with which we combine our collected data to carry out and present our analysis. Our objective with this thesis is to determine whether there is a potential for the Danish labour unions to benefit from engaging with the CSR agenda and thereby form strategic partnerships with NGOs and civil regulations.

By having this objective, our thesis is intrinsically normative because it seeks possible strategies that could be beneficially used by the labour unions. Thus, one can argue that our theoretical approach does not cohere with this kind of study. We do not have any objective factual evidence that our considerations would function in real life. This is an obvious and relevant critique, because this lack of actual tests or cases will add a degree of uncertainty to our findings. We can argue how some different strategies might theoretically work beneficially, but we do not have actual evidence that this would be the case.

As referred to earlier, Bent Flybjerg asserts that using universal theories without any practical context undermines the validity of the research. This thesis has uses the Danish labour unions as its case and interviews to analyse the possibilities for them to address the problematic situation they are in by implementing strategic work with CSR. However, the proposed solution is not something that we can test or show in any real-life context.

However, we will argue that our thesis creates a foundation for how the Danish labour unions might be able to engage in working with CSR. Since this approach is new to the Danish labour unions, there is not yet any real life evidence of union-work with CSR. Hence, we claim that our study might be highly theoretical, but it can still serve as a starting point for future work or research of this specific area.

Secondly, the data on which we base the main parts of our analysis is the interviews with prominent labour union officials. By generalizing a few (elite) people's statements to represent the thinking of a whole organisation, both the conception of the idea and its use as a possible solution, threatens the validity and reliability of the thesis. We describe this risk shortly in the discussion of framing as *the elite bias* but it is relevant throughout the whole analysis. This is, however, the most comprehensible method for grasping the labour unions' conception of CSR and their view on the different aspects of this thesis. The structure of the labour unions is so fragmented that it would be difficult to devise a more valid method to obtain a better model of the possibilities for the Danish labour unions to use CSR and strategic partnerships with NGOs. It would definitely not be possible within the scope and limitations of this thesis.

Critique of method

This section provides a critique of the methods used in this research. As the greater part of the analysis is built on eight qualitative semi-structured interviews, it is important to remain critical and reflexive as the research can be subject to research bias (Andersen, 2005; 210). Andersen (2005) argues that it is important to be sceptical towards one's own favourite ideas and be sure not to see patterns where there is really nothing to see (Ibid; 211). He also proposes using opposing or alternative explanations of the material.

In qualitative data collection there is a significant risk of researcher bias as the statements, statistics etc. can be interpreted differently if the researcher has a strongly prejudiced approach towards the research. In the qualitative interviews researcher bias could manifest in the form of leading questions. In our interviews, we were very careful not to ask leading questions although it happened to some extent, necessary, we found, to keep the interviewees focused within the sphere of what was relevant to for our research. When we asked about the drawbacks on CSR, in some cases we had to give examples because the interviewee simply did not know any and were interested to hear about them. This could have affected the rest of the interview.

According to Klanderman and Staggenborg (2002) frame analysis commonly utilizes qualitative methods. They also point to fact that selection and allocation of the qualitative data relies on the

researcher (Klanderman & Staggenborg, 2002; 69) but argue that qualitative research gives an insight into actors' interpretation and offers information, lost in other techniques. They argue that this method offers higher validity of the findings but less reliability (Ibid.)

Literature

In this chapter, we will present the theory and literature that have been used throughout this thesis.

We have chosen three main theories to our study: social movement theory, framing theory and global governance theory. They will be used in this order throughout our analysis. We consider that this is how we can best present our findings and analysis and we will elaborate on this in the introduction to our analysis.

First, each theory will be presented and followed by a discussion of literature that is related to the theory and its area. In this way, we will argue for why we have chosen the theory and how it contributes to our thesis's aims and area of research.

Den Hond & De Bakker – social movements and activism

One of the main theories used in this thesis is Den Hond and De Bakker's (2007) theory regarding social movements and social activism. In their text from 2007, they present terms and theory that will assist in defining the union as an organisation, as well as show possible courses of action for them.

A *social movement* can be defined as a group of individuals who share the same set of beliefs regarding what is right or wrong (Den Hond & De Bakker, 2007; 903). In our case, we consider the union as a social movement.

We state that the union is a social movement with a certain agenda which wants to influence industries and make them act in a way, more in line with the unions' set of beliefs and thereby creating societal change. Thus, it is beneficial to use Den Hond & De Bakker (2007).

The theory is a mix of *institutional change* and social movement theory. Institutional change theory is used at *field level* where you describe which activities are used by actors to create, for example, environmental regulation (Ibid.; 901-903). Social movement theory is more germane at the *organizational level* where you look at *how* you organize actions to create conditions where certain actors in the field respond and behave in a way that will create the field level change you wish. The social movement literature will therefore be our focus, since we argue that the union can use different aspects of CSR to influence companies to be more motivated to act in a certain manner. When we use the term "field", it should be understood as the *organizational field*. This is the "area" or "arena" where the movement and its activism will try to influence, e.g. the environmental debate or, in this case, CSR and labour rights.

Den Hond & De Bakker (2007) present a framework for distinguishing between different kinds of social movements and their kinds of activism. They argue that every form of social movement has to decide whether to be a *reformative* movement or a *radical* movement (Ibid.; 903). To be reformative means that the social movement is likely to collaborate with businesses to reach the movement's goals. They recognize that businesses may be a big part of the problem they want solved, but they also think that businesses will be a part of the solution. This makes collaboration the ideal way to reach their goal.

A radical social movement, on the other hand, blames businesses to be the root of their problems and they do not see any possibility of businesses being part of the solution (Ibid.; 903-904). Therefore, they seek to impact the firms in a way that affects their actions and damages their operations. An example of this could be to use symbolism to attempt to damage of a targeted corporation by taking the corporation's logo out of context, rearranging it and creating a context that is connected to the activists' objectives and most likely harm the corporate brand (Ibid.; 910). An example of a radical social movement that strives for complete deinstitutionalization could be

Greenpeace. They strive to stop any use of fossil fuel and they do not think that the use of oil can be legitimate in any way. They therefore wish to see businesses, in particular those like Shell and BP, abandon any use and extraction of fossil fuels. This is a radical group that works for the deinstitutionalization of the industry of fossil fuel.

It will be helpful to understand what type of social movement the Danish union is in Den Hond & De Bakker's terms, if we are to determine what type of actions are open to them. This theory provides an analytical tool to determine what sort of activist action would be in line with a certain type of social movement.

Even though a social movement is defined as a group of individuals that share same ideology and beliefs, there can sometimes be different attitudes towards how to act and how to achieve their aims. This can create some confusion, which might result in a *radical flank effect* (Ibid.; 904). This happens when a faction of a reformative social movement act more radical than the other reformative factions within the same social movement. This can harm the legitimacy of the reformative factions, because the radical actions indicate a focus on deinstitutionalization and excludes a collaborative approach, which is fundamental for reformative activist groups.

When considering the different tactics of activist action, we can start by dividing it into *participatory* and *non-participatory* action. Generally many protesters are needed for effective participatory actions, such as marches and boycotts, whilst in contrast non-participatory actions do not need many participants, but instead must show authoritative knowledge of the topic instead. This could be, for instance, a well-written press release with strong arguments, or a viral campaign (Ibid.; 910-911).

The paper also examines how activists can create *field-level change* in an industry. To do this there is a need for *deinstitutionalization* to remove the existing norms in a field and then *reinstitutionalize* new norms (Ibid.; 905). Reformative activists will focus on reinstitutionalization, and radical activists will focus on deinstitutionalization. Radical activists will not believe that the corporations they are in opposition to, can be a part of the solution to their problem. This is why

they will tend to focus on deinstitutionalization and harm the corporations through, for instance, symbolic or economic damage (Ibid.; 903-904). Reformative activists on the other hand would prefer to engage in negotiations where they can seek a solution collaboratively with the corporations they are targeting. The authors give examples of how radical activists can provoke deinstitutionalization and how reformative activists can gain legitimacy and thereby influence a potential reinstitutionalization (Ibid.; 910-915). Whether a social movement is for reinstitutionalization or deinstitutionalization is important because this also affects the actions of the movement.

Another crucial point in the Den Hond & De Bakker-paper is that activist groups may try to change the institution into an *arena of power relations*, where legitimacy is the key to a successful position. To gain legitimacy and create field-level change is a very complex undertaking that demands strategic thinking (Ibid.; 915-917). The authors present strategic partnerships as being one strategy to gain more legitimacy. To seek support from other powerful actors is a well-known strategy for both kinds of activists to gain influence and strengthen one's position in the organizational field (Ibid.; 913).

Social movements from another point of view

A sociological approach

We use Den Hond & De Bakker's theory regarding social movements and activism, because we acknowledge how they have a relatively normative approach, presenting different forms of activism that may create institutional change at the organizational level. Fetner & Smith state that social movement theory consists of many different factors that range from questions from the creation of inequality, social classes and groupings, to the cause of overall institutional change (Fetner & Smith, 2010; 15). In this thesis, our attention is on how to create change through activities connected to CSR and we therefore chose a particular focus on some aspects of the many different structural approaches to social movements that Fetner & Smith present. The authors discuss how social and material inequality often create the basis from which large social movements emerge. To exemplify this, they use the emergence of strong social movements in the labour sector in the Western world, a part of the world to which our research area belongs. It is

stated, as well, that social movement scholars should have more focus on labour unions (Ibid; 44), which we clearly support.

In addition, Fetner & Smith (2010) describe how the national state and the globalized world have had a major impact on social movements and their way of operating (Ibid; 14-20). This supports the theory of Vogel (2010) and Rodríguez-Garavito (2005) on the importance, relevance and existence of global governance and civil regulations.

Fetner & Smith present an important point on globalization, which we recognize in our thesis: the expansion of intergovernmental agencies that address substantive issues like labour conditions and environmental behaviour provide opportunities for social movements to influence (Ibid; 23-24). This relates to global governance through civil regulations. We acknowledge this as being an essential aspect in of global governance issue, because it supports our claim that social movements, like the labour unions, are able to influence social matters such as labour conditions. There are also some parts of their theory, which we consider less relevant. For instance, Fetner & Smith spend considerable time on "*the complex web of global relations*" that influence not only political decisions by various states, but also has a significant impact on national and cultural aspects (Ibid; 23-28). This might be true and may help explain how global governance affects different states and their cultures, but we cannot pay too much attention to this argument, because it is beyond the scope of our thesis. We deal with certain national cultural objects, the Danish Model and the Danish labour union, which we argue are unique and culturally embedded throughout the entire Danish society. Hence, we argue that it is very difficult for global civil regulation to affect labour conditions in Danish society because of the existing and well-established high standard of Danish labour conditions. This is why we do give much attention to this part of their theory.

There are many different approaches to the research and analysis of social movements. Mostly, the sociological approach is used. Sociology thinkers state that individual freedom is limited by the surroundings that create forces guiding the individual (Klanderman & Roggeband, 2010; 13). Many authors find this highly relevant when we considering social movements. Buechler (2000) states

how the sociological approach is highly connected to what you may call the classic *collective behaviour theory* (Buechler, 2000; 20-32). This theory also explains how surroundings and social stress contribute directly to the formation of these movements, a widely-followed approach to explaining the formation of social movements. So for instance, the labour unions were founded because of industrialization and were shaped through the involvement of capitalism and its political surroundings.

One can even go deeper into the sociological understanding of social movements and add Klanderman and Stekelenburg's (2010) focus on individuals in social movements. Here the focus is on how different emotions are shared by the members and on what emotions are used to guide and persuade members, as well as the general importance of this (Klanderman & Stekelenburg, 2010; 171-185). They discuss how some emotions are socially constructed and how this affects the social movement.

All this theory of sociology can be essential to understanding social movements. We recognize this, but have chosen not to incorporate it into the research design used in this thesis, because it does not directly address our areas of focus i.e. how the Danish labour union can use CSR in a normative way to strengthen their bargaining and advocacy positions when in negotiations. Hence, we find Den Hond & De Bakker (2007) more relevant, because they use a more action-oriented approach and focus on how social movements can influence and perhaps create institutional change in a certain organizational field by social activism. By using this approach, we argue that we create the most effective focus for our thesis, and one, which best serves the thesis' objectives. We acknowledge that sociology would be important if we were studying how the labour union was *built* and how the members of the society addressed the movement. Our focus however, is very much about how the movement may *act* to create institutional change. Den Hond & De Bakker's mix of social movement theory and institutional change theory creates a relevant basis for our theoretical approach, in contrast with only focusing on one perspective, such as a sociological point of view.

If we were to use theory from Fetner & Smith (2010), Klanderman & Stekelenburg (2010) or Buechler (2000), for example, we would address the detail of the formation of the union and the

interaction of its members. The focus would be more on the union's purpose in society, how it was created and how it creates a collective feeling among its members. Our thesis, however, addresses how the union may use CSR as a strategic advocacy tool to create organizational change in their organizational field. Thus, the theory of approaches to activism, whether it is radical or reformative, and the different types of associated activism, (like brand damage, for instance), are more central subjects for this thesis. Den Hond & De Bakker (2007) discuss these different subjects and how they can influence the field frame, and therefore their theory is the one most relevant to our thesis.

New social movement & resource mobilization theory

Other theoretical approaches to social movement theory that could have been relevant would include, for example *new social movement theory* (Buechler, 2000) or the *resource mobilization theory* (McCarthy & Zald, 1977; Tilly, 1978; Bantjes, 2007).

New social movement (NSM) theory strives to identify the societal context and its importance to the emergence and actions of social movements. Collective action is provoked or emerges because of its societal surrounding and context. The theory posits that some specific societal formations are fundamental to the creation and emergence of collective action. It follows therefore, according to this theory, that these social movements are all a response to either modernity or post-modernity that create these societal formations (Buechler, 2000; 46). This is pertinent to our thesis, because of our focus on the Danish labour union and its influence on Danish society, most importantly the companies. From this perspective of social movements being a response to societal formation, it can be argued that, through capitalism's integration into and impact on (western) society a need for labour unions has been created. Thus, capitalism is the dominant overarching social force creating the need for a response, and thus provoking the formation of the labour union. It might be argued that this we now live in a post-modern societal formation, but that does not change the fact that, in Denmark and in the West in general at least, the capitalist society still is the dominant societal totality, and thus creates the need for social movements such as the labour union.

“If modern or postmodern societal totalities are defined by capitalist markets... and instrumental rationality, new social movements are historically specific responses to these features of the modern and postmodern condition” (Ibid; 46)

We would argue this definitely is the case with the Danish labour union examined in our thesis. This theory might have a more political approach to the conception of social movements, since the Danish model and the Danish labour union are deeply embedded in the political environment in the Danish society, one could argue that the theory still is very relevant. However, we do not use the theory in our analysis, because we take a more strategic and action-oriented approach.

The NSM theory also addresses the complexity of the collection of members within a social movement. An important focus of this theory is how new social movements are deeply rooted in society (Ibid; 46-48). Where some social movement theorist will state how these movements will be rooted in gender, citizenship, age, etc., NSM theory is more observant of the societal surroundings. Some even argue that these statuses are less important and the main driver is the consensus of beliefs and values. We find this argument quite significant, because when you are dealing with a labour union there are no varying personal characteristics, such as in gender or age, for example. The values and beliefs are, on the other hand, essential, because members of a labour union share certain attitudes towards work-related topics with their fellow-members. Gender, age etc., therefore are made redundant by our approach and the focus lies only on the overall agenda of the union.

We also argue this bears some relation to the importance of shared ideologies in activism within social movements. Individuals meet in a social movement, share ideology and perception of what is right or wrong and thereby engage in collective activist engagement (Den Hond & De Bakker, 2010). The individuals within a social movement need to share this common belief and ideology of a desired society and they need to have some degree of (perceived) opportunity of taking action to achieve this society.

The theory of resource mobilization adds a more practical perspective to the theory of social movements. Prior to the advent of this theory, almost all theory of social movement had a focus on how grievance and general beliefs were the key factor driving the foundation of a social movement (McCarthy & Zald, 1977; 1213-1214). Resource mobilization theory takes a different stance on this point. It presents a completely new approach where focus is on attracting, mobilizing and organizing of resources. In the authors' own words, the approach:

“Examines the variety of resources that must be mobilized, the linkages of social movements to other groups, the dependence of movements upon external support for success, and the tactics used by authorities to control or incorporate movements.” (Ibid; 1213)

This creates what might be described as an economic and entrepreneurial approach to the social movement agenda. The focus has shifted away from only having a common cause of grievance and a desire for certain societal changes. Now the perspective is more concerned with how to create and grow this movement, gain influence and appeal to external partners, and to this end, resources come into play. An economics inspired supply and demand model was incorporated into the theory, along with the recognition of the importance of making links with external actors that would benefit the movement (Ibid; 1216). Simultaneously, these theorists divided the landscape of the social movement theory into *social movements (SMs)*, *social movement organizations (SMOs)*, *social movement industries (SMIs)* and the *social movement sector (SMS)*, which had an economic terminology. They then stated that in the SMS there would be a finite amount of resources, for which the SMOs and the SMIs had to compete against each other to obtain (Ibid; 1225). This is the reason why Buechler (2000) argues that economic relationships provide the guiding metaphor to this theory (Buechler, 2000; 36).

Bantjes (2010) argues how an important factor in the resource mobilization paradigm is the media. He claims that one of the main reasons for the social movements' rapid decline after the 60's and 70's was their lack of ability to persuade and attract the media (Bantjes, 2010; 88-89). The media is a very important factor, because it generates attention around the social movement. This is needed to appeal to sympathetisers and thereby attract resources. Bantjes (2010) elaborates,

adding that since this is the case, the more radical social movements will be most likely to get attention from the media, because they will use more extreme forms of activism, which will appeal to the press (Ibid; 89). This is an interesting argument considered in relation to labour unions and other reformative groups. There is a conflict between their need to increase public awareness in order to create institutional pressure in their field frame, and their status as a reformative group, which restricts their options to less extreme methods than radical activist groups can employ. This produces a rather complex situation for the union.

Even though this theory has a very practical and organizational approach to social movement theory, we still find Den Hond & De Bakker (2007) more appealing. The main thoughts from the resource mobilization paradigm are now dated, and we consider that it is not practical for our thesis's scope. We argue that Den Hond & De Bakker's mix of institutional change theory and social movement theory provides a good combination of practical and theoretical approaches. We need this to establish whether there is a potential for the use of the CSR concept and then analyze how we might use it. Resource mobilization theory would be a more relevant approach if we were exploring how one of the Danish unions could become more influential, for example.

To sum up, we find Den Hond & De Bakker (2007) most effective and relevant social movement theory, because of its mix of institutional change theory and social movement theory. This, we consider, best serves our thesis' objective of analyzing the possibilities that CSR might offer the Danish Labour Unions. We recognize social movement theory is a wide area, with sociology, political sociology, political philosophy, economic, practical and organizational approaches, but we argue that Den Hond & De Bakker's approach is the most appropriate for our objectives and scope and given the practical limitations, such as the timescale, of an MSc thesis.

Snow & Bedford – framing theory

This section describes framing theory. The reason we have chosen to include this theory is three-fold. First, the framing analysis provides a framework to understand and show the ways in which the labour unions frame problematic issues. This will provide a basis for demonstrating, at least in theory, where the labour unions could realistically consider possibilities for strategic partnerships

with NGOs, including setting out likely obstacles to be overcome. Secondly, it provides a tool to show if the Danish labour unions have an untapped potential for strategic partnerships. Third, framing theory is built on social movement theory, which makes it coherent with our central social movement perspective. And similarly, framing analysis will build directly on the findings from the social movement analysis.

Framing theory owes its present form to social science, but is frequently used in a wide range of other disciplines like psychology, political science, communication studies, policy studies and has been applied as a tool analytically in sociology as well (Snow & Benford, 2000; 611).

In this section we give an overview on framing theory and its different facets mainly based on the text from Snow & Benford (2000). It will also draw on a small number of other texts from Gamson (1992) and Goffman (1974) and Snow & Benford (1988).

Collective action frames

As mentioned above, the concept of framing appears in many different studies. In this section we focus on its use in the study of social movements, highly relevant to our thesis' agenda. Framing theory in relation to social movements primarily originated from the work of Goffman (1974). In his view, frames denoted "schemata of interpretation", the primary function of which is to use frames to make sense out of occasions or events by enabling individuals "to locate, perceive, identify, and label" these occasions or events (Goffman, 1974; 21,22). This is not only in relation to groups, but also, every social interaction an individual has, is understood through a frame. The collective action adds a deeper dimension to this. Gamson describes collective action frames as "not merely aggregations of individual attitudes and perceptions but also the outcome of negotiating shared meaning" (Gamson 1992: 111).

The collective action frame comprises sets of beliefs and values that generate and legitimize actions and inspire mobilization for social movement organisations (SMO's). In Gamson's definition of collective action frames, he states that, "The most likely action context is a threat to the pattern of people's daily lives" (Ibid.). There are strong parallels between what Gamson states as the most likely action context and the work by labour unions. We note that this approach has

similarities to new social movement theory (discussed above) in that there is a focus on social surroundings and how they influence individuals' ability to mobilize. In this sense the theories are compatible.

Frames - as a whole - help people to digest events and occasions, and make them personally meaningful, and in this way help them to systematize experiences and guide them in how to act. Collective action frames also provide this interpretive function by simplifying the picture of the world, but in ways that are indented to gather support around the social movement, and to resist actions of a possible opposition (Snow & Benford 1988 in Snow & Benford, 2000; 614).

Collective action frames are constructed in movements where individuals work together and have shared meanings around a specific problematic issue they believe needs to be changed. The frame incorporates a definition of what needs to be changed, who is to blame, an articulation of an alternative set of arrangements, and it urges others to act with them (Ibid; 615). However, the shared understanding of the source of the problem does not necessarily mean that people can function together under the same movement. There could be disagreement on the nature of the problem, on what the solution should be and who is to blame (Ibid; 616). This sort of division is also similarly recognised in social movement theory, one example, discussed in a previous section, is the radical flank effect described by Den Hond & De Bakker (2007). This means that there can be several social movements with the same conviction about an issue being problematic but on its own, this is insufficient to work together, because they may have different ideas about the solution, or the issue on which they want to focus is different.

Diagnostic and prognostic framing

Snow & Benford build upon Wilson's (1973) idea to break down the collective action frame into three component parts (Snow & Benford, 2000; 615). Snow & Benford refer to these core-framing tasks as *diagnostic framing*, *prognostic framing* and *motivational framing*. In this thesis, we chose only to focus on the diagnostic and prognostic framing tasks, as they are relevant in relation to our research question.

Diagnostic framing refers to the identification of a problem and who to blame for a given problem (Snow & Benford, 1988; 200). While agreement about problem identification is often achieved within a movement, consensus about the attribution of roles in relation to the problem is less frequently realized or is more problematic (Ibid.). This means that even though there is a shared understanding of the nature of a given problem, there is a disagreement about the cause of this problem and/or who might be blamed, be the victims. Within literature addressing diagnostic framing, several studies focus on what Gamson et al. (1992) referred to as “injustice frames” where the movement identify the “victims” of a given injustice and amplify their victimization. This is supported by Gamson et al’s (1992) conceptualization of the injustice frame that we will define later in this chapter.

Prognostic framing encompasses not only of an articulation of a proposed solution to a certain problem, but also strategies, tactics, and targets (Snow & Benford, 1988; 201). What is to be done is therefore formulated by prognostic framing (Ibid.). Within the prognostic framing It is more often the case that there is a direct correspondence to the diagnostic framing efforts. This means that the identification of a specific problem and its cause tends to lead to a range of possible solutions and strategies advocated (ibid.).

The strategic aspects.

There is of course, also a strategic aspect to collective action framing deployed for the social movement to gain members, to mobilize adherents and so on. Snow & Benford (2000) present four basic strategic processes that have been identified: frame bridging, frame amplification, frame extension, and frame transformation. As our thesis objective concerns the possibility for the Danish labour unions to engage in strategic partnerships with NGOs, we chose to focus on *frame bridging* and *frame extension*. The reason for this is that frame bridging centres on cooperation, and frame extension has a focus on extending the area of interest of the social movements area of interest. For this reason, these two strategies are relevant to understanding the labour unions’ potential of entering into, and gaining from, strategic partnerships.

Frame bridging refers to the cooperation between activists working through two or more

ideologically similar but structurally unconnected frames regarding a particular issue or problem. Bridging can occur between various actors from individuals to social movements, firms and organizations (Snow & Benford, 2000; 623). The concept of frame bridging is highly affected by the organizational outreach and information diffusion through networks, the mass media and modern communication tools like telephone and e-mail (Snow et. al. 1986; 467). In recent years the opportunities for frame bridging have increased a lot as technology has advanced. One such development, the phenomenon Big Data, enables access to lists of contributors or subscribers to various causes and organizations (Ibid.), gives SMOs the opportunity to map out possible sympathizers, share information and members, cooperate etc.

Frame extension. SMOs make much use of values and beliefs in promoting its programs and causes. Frame extension entails portraying an SMO's interests and frame(s) as extending beyond its primary interests to include issues and concerns that are presumed to be of importance to potential adherents (Snow & Benford, 2000; 624). This can help the SMO with attracting new supporters, and help them overcome possible ambiguities within the organization and amongst its members (Snow et. al. 1986; 472). The values that an organization is built upon may not be rooted or aligned with an existing group of supporters. When this is the case the SMO can extend the boundaries or points of view beyond that which is directly related to its primary objectives, but increasing their salience to other potential adherents (Ibid.). The movement can then try to enlarge its adherents by portraying its activities and programmes as being aligned to the values or interests of the potential adherents (Ibid.).

The injustice and the adversarial frames

In the work by Gamson (1992) he and several other theorists argue that there is a strong injustice component that implies collective action in all social movements, some even stating that the element of injustice precedes the very existence of a social movement (Ibid; 31).

Gamson writes about injustice and adversarial frames. The injustice frame alone is seen in cases where people has been treated – from their point of view – badly or unfair. But without a clearly defined opponent (Ibid; 110). The adversarial frame helps in defining this opponent by

interpreting and directing the emotional component of an injustice frame (Ibid; 111, 112). There can be strategically good reasons for choosing an adversarial frame together with the injustice frame. As Gamson puts it:

“(...) there are good theoretical reasons for expecting groups that use an injustice frame in understanding an issue to include adversarial elements in the package as well. What one has suffered personally is shared by some implied we. Righteous indignation without a they at which to direct it is difficult to sustain” (Gamson, 1992; 112).

The injustice component increases attention to social movements and other SMOs that makes use of the injustice frame, and encourages sympathy towards their efforts at collective action. It promotes personal identification with those considered to have been wronged (Ibid.).

Gamson points out that the strong feelings injustice can provoke are a good tool for any social movement, but can only be used effectively if the unrighteous acts can be attributed to particular people, organisations, corporations, or government agencies etc. (Ibid; 32). When impersonal forces, such as nature, that are considered responsible for suffering, we are taught to accept it, and in this situation, the injustice frame has a very limited effect (Ibid.).

Discussion of framing theory

Framing theory has made a huge impact on the social movement field. There is very little literature that criticizes the framing theory by Snow & Benford. This section however, offers a discussion of the theory and a critique thereof.

It starts by providing two different views on social movements and their ability to mobilize collective action. These views, whilst not in direct conflict, do challenge some aspects of the framing theory. They should be viewed as different theories that emphasise different components when compared to the theory by Snow and Benford (2000). These different social movement theories cannot stand alone in discussion as the framing theory goes beyond these perspectives.

For this reason the discussion will also include a review of Robert Benford's own critique of framing theory: *An insiders critique of the Social Movement Framing perspective (1997)*.

Resource Mobilization Theory

Within framing theory, collective action is said to emerge from social movements and their leaders. Whereas Snow & Benford's main argument for the ability of social movements to create collective action, is that there will always be so much grievance in the society, that social movements will gather and try to change this. McCharty & Zald (1977) bring another dimension to this by introducing resource mobilization theory, which we outlined in the previous discussion of social movements. McCharty & Zald (1977) argue that several studies show that there is little if no support for deprivation and the outbreak and willingness to participate in collective action if there is no accessibility to resources.

McCharty and Zald do not deny that deprivation and grievance play a part in collective action in social movements as stated by Snow & Benford, but they argue that these have less influence than first predicted. They put considerable emphasis on the accessibility to resources (e.g. money and man-power), as resources are necessary for engagement in conflicts. It also requires people involved who are able to organize the group.

Framing theory does not stand in contrast to resource mobilization theory. Much of the arguments can align with framing. One point where they differ is that framing theory is mainly concerned with the SMOs ability to frame problematic issues most effectively for gathering supporters and prompting social action.

The Political Process Theory

Another alternative to assist in understanding social movements and their ability to mobilize collective action is political process theory (PPT). This theory is based on the work of Charles Tilly; *From Mobilization to Revolution (1978)*. According to Tilly (1978) the ability for a social movement to create collective action depends on the interaction between five big components; interests, organization, mobilization, opportunity and collective action itself (Tilly, 1978; 7). The theory seeks to explain the level of mobilization and collective action for each of the members in a social

movement.

The component of *interests* represents the potential gains and losses resulting from a group's interaction with other groups. The *organization* concerns the level of unified identity and networks and the group's structure, which most directly affects its capacity to act on its interests (Ibid.). *Mobilization* is the process when a group acquires collective control over the resources needed for action. Those resources include several things that are usable in acting for shared interests. It also includes the transition of the group from being a passive collection of individuals to an active participant in public life (Ibid; 69). *Opportunity* concerns the relationship between a group and the world around it. Changes in the relationships between the groups sometimes affect the group's interests (Ibid;7). They can provide new opportunities to act on those interests.

According to Tilly (1978), collective action results from changing combinations of interest, organization, mobilization, and opportunity. Tilly (1978) takes into account the high variability between individuals. He argues that people vary continuously in the way they act and involve themselves in the organization (ibid.). This adds to the complexity of the ability to carry out collective action. Robert Benford (1997) also touches upon this complexity, as described in the next section in this thesis, an aspect he considers is neglected in his work on social movement framing.

Tilly's (1978) theory includes aspects and components not encompassed in the work by Snow & Benford (2000). The two views are not directly conflicting, but place different emphasis on a social movement's ability to mobilize collective action.

Robert Benford – an insider's critique of the social movement framing perspective

Framing theory itself has not been the target of much criticism, even though it has made a major impact. Robert Benford (1997) has however written an essay in which he points to some of the shortcomings in the theory. In this section, we will discuss some of the shortcomings that relate to aspects of the theory focused on in this thesis.

Benford (1997) points out that, even though most social movement analyses are based on case

studies, accumulating rich data from investigations of the dynamics in social movements, the research has failed to demonstrate one of the central aspects in the theory – that the collective action frame does affect mobilization (Ibid; 412). There is a lack of negative cases in this body of work, that is, studies of cases when framing actually failed to stimulate collective action. Also missing are studies showing the causal link from successful mobilization back to the work of the framing activists.

In this thesis the collective action frame – and its main tasks – are used to explain which communicative tools and frames the Danish labour unions uses in relation to the aspect of the possibility of working strategically with NGOs, and making use of CSR strategically through partnerships. Our research does not mainly focus on the efficacy of the collective action frame as a tool to increase mobilization. It focuses more on the communicative tools and possibilities/obstacles for a partnership.

Benford (1997) also points to a general problem in the framing literature, which he calls the descriptive bias and the static tendencies (Ibid: 143, 144). His argument is that there is a tendency to focus on frames as “things” rather than on the dynamic processes associated with their social construction, negotiation, contestation, and transformation (Ibid; 416). Benford (1997) distinguishes between a frame (as a static schemata) and frames (the process). A frame contains a schemata that explains “a world out there” and is much more static than the process, frames. He argues that researchers tend to treat object of their framing analysis as static, as a frame (Ibid.), giving little emphasis to the process by which the framing is implemented and becomes functional. The literature describes it as if it is a schedule that can be implemented in all social movements with widely varying membership, without any adaptations to the process.

The issue of the genesis of the different framing strategies is a vital subject that also needs to be studied. In our case with the Danish labour unions, the question would be from where the different strategies and tactics come from? If the elites in the different unions implemented a new strategy that, for instance, contains *frame bridging* or *frame amplification* without the general memberships agreement, the organization would alienate itself from the members. Benford

(1997) however reasons that it is necessary to work with a critical mass in the social movements and not just the elite.

Benford (1997) also highlights the tendency to elite bias that he identifies in the social movement framing literature (Ibid; 421). He points to the emphasis on studies of the framing of movement elites, and the neglect of the rank-and-file participants and others. Benford (1997) argues that much of the literature that is written on the subject takes it for granted that participant mobilization is simply a matter of movement activists pushing the appropriate rhetorical button (Ibid; 421). It should be mentioned that some writers have acknowledge so called “framing hazards” and unforeseen circumstances, but these are primarily presented as problems that movement elites can overcome with other framing strategies (Ibid.). Benford (1997) argues that the reason for this elite bias is that researchers tend to interview people that are identified as movement leaders or key activists. This process often has a built-in, top-down bias and ignores the rank-and-file members’ awareness of these political aspects.

This critique is highly relevant for our analysis, as we only interview key persons in the Danish labour unions. A part of the framing analysis concerns how the key people – and thereby the labour unions – view several subjects related to how they frame problematic issues, how they view strategic partnerships, how they view CSR and so forth. We do not interview the rank-and-file members in the labour unions. This would have given us a better insight into the Danish labour unions and a better conception of how they tend to frame problematic issues. The reasons we did not choose to interview more people is however because of a lack of resources, including time, and because within these constraints, we judged that a smaller number of interviews with the elite in the different labour unions would be the best way to get at least a preliminary understanding of the status of framing within the labour unions.

Benford (1997) argues that in order to develop a more comprehensive understanding of the various frame constructions, we need to include the interactions, understandings, talk, and the like of non-elites as well as of elites (Ibid.). We agree that this is the best way to study social movements and how their framing occurs. Using such method would demand resources beyond

our capacity and a much deeper cooperation with the Danish labour unions.

Another shortcoming in the social movement framing literature is that there is a general tendency to oversimplify the subject of framing. Benford (1997) argues that much of the literature neglects the multi-layered complexities of frames and framing activities. He also points to the fact that researchers treat frames in a singular fashion as though there is a *single* reality (Ibid; 422). This conflicts with the very definition of frames. Each person coming to a social movement brings her/his own biographical and personal experience as a background to the encounter and which she/he seeks to fit with the movements' already constructed versions of reality (Ibid.). This shows that there is a great complexity in the framing process.

Benford (1997) argues that some aspects of the framing are interactive processes that we know little about. In his view it is clear that, in reality, the construction of a frame entails emergent, dialectical processes that are fraught with conflict, hazards, and fragility (Ibid.).

This critique is associated with the elite bias described earlier. Our research does not take into account the multi-layered complexity of framing activities, either in terms of the different layers in the organisation or the complexity in the framing itself. Our research does however make the argument that the labour unions use different core framing tasks. Since we have a focus on a specific action (strategic partnerships with NGOs) this use of framing supports our purpose in the most appropriate way. We want to present the Danish labour unions' usage of framing in relation to their type of social movement and how the strategic aspect of framing would influence potential partnerships with NGOs.

Vogel – Global governance and civil regulation

To show the role of private civil regulation and global governance in the modern, global world, we have chosen to use Vogel (2010). Vogel discusses how civil regulation has become the new way of engaging in global governance because of the globalized world where states have less and less

influence on governance and market regulations (ibid.). This has created the perfect circumstances for civil regulations.

Civil regulation is defined as private, non-state or market-based regulatory frameworks to govern multinational firms and global supply networks (Vogel, 2010; 69). It is standards made for different markets by different stakeholders – quite often by multiple stakeholders. Civil regulation is special due to normal, self-regulation in industries because of three main factors:

- Normal technical standards are generally made with the intention of lowering the transaction cost for firms, but civil regulations focus on aspects that are dealing with CSR-issues, such as human rights, labour rights or the environment.
- Civil regulations often have the possibility of being supported politically, because they express a more widely held public wish. Thus, they are more likely to be politicized.
- Civil regulations are more likely to be transparent and engage or influence external stakeholders, contrasting with traditional standards which were made for the industry and the firms, and therefore were more opaque to external stakeholders.

(Vogel, 2010; 70)

Civil regulation became very popular throughout the 90s and commonly used in markets. Such regulations are generally called *codes* and more than 300 exist regulating areas like labour rights, human rights and environmental responsibility in a range of industries and markets (Vogel, 2010; 71). The most widely applicable code is the UN's Global Compact – a CSR standard that contains ten guiding principles regarding human rights, labour rights, the environment and anti-corruption.

Vogel (2010) states that the reason why private, civil regulation has won so much territory and is so widely employed in the different markets, is that the state and public regulation has lost much power and influence during recent decades. This can be linked to the economic globalization that has radically restructured the international economy and markets, with for instance the expansion of global firms' production and supply networks beyond national boundaries (Vogel, 2010; 72).

Civil regulation is made to:

"compensate for the decreasing capacities of national governments for providing public goods (as)... internalization yields an increasing gap between territorially bound regulatory competences at the national level and emerging problems of international scope" (Vogel, 2010; 73)

To support this claim, we refer to Matten and Crane (2005) as Vogel (2010) does in his paper. They state that in many countries, the responsibility to address societal issues, such as those relating to the environment, human rights, labour rights, etc., is increasingly being transferred from the state to firms and other private institutions (Matten and Crane, 2005). Banerjee (2010) too supports this claim, stating that the role and power of the national state has declined in the globalized world and the influence of markets and corporations have become key (Banerjee, 2010; 265). Hence, we find Vogel's statement of the importance of global governance and civil regulation legitimate and relevant.

As mentioned earlier, civil regulation is often made by a multi-stakeholder approach. It is most common that NGOs, trade associations, labour unions, interstate organizations etc. are responsible for the making of a civil regulation framework (Vogel, 2010; 73). These regulations have emerged in the different markets and companies have generally been positive towards them. One of the reasons might be support from the public for many NGOs, which often makes them an attractive partner from whom to obtain endorsement. Another reason is that civil regulations can make strategic sense for companies, because they can influence and shape the making of the regulation and use it competitively (Vogel, 2010; 74-76).

Although civil regulations are popular, they are still soft law and it is hard to tell the direct effectiveness of the regulations (Vogel, 2010; 79). Vogel (2010) claims that we should be aware of how the existence of all these regulations does not automatically lead to more responsible business behavior. Still, Vogel (2010) argues that two factors are particularly important if you want civil regulation to be successful:

- It has to make sense business-wise (including being profitable to some extent) to follow the regulations and to do CSR.

- Companies need to take these regulations more seriously. Western companies in particular tend to ignore the regulations they promise to observe.

Global governance and civil regulations can have a positive effect in areas like labour rights, and it might be the best method to secure more responsible business practice on a global scale, but it also need further improvements and research.

Rodríguez-Garavito – a case study of the impact of global governance

To supplement Vogel's theory, we now outline Rodríguez-Garavito's (2005) case study from Mexico and Guatemala, which enriches the discussion of how civil regulation and global governance can have an actual effect on labour conditions. Rodríguez-Garavito's study adds the labour conditions context to the debate about global governance and its efficiency, and so showing its relevance to our labour union agenda.

We recognize that his study is in non-western countries, where working conditions and labour rights cannot be compared to Danish standards, but it is still relevant because it supplements the overall debate about global governance and labour rights. We consider this relevant as several of our interviewees discussed how the union might use CSR on a global basis, and because many Danish companies also have a transnational production and supply network. In addition, his focus on organization of employees and collective bargain makes the theory very relevant for a union-minded study like this. The theory will therefore supplement the overall theory of global governance perfectly, because it brings out a union focus that is very much coherent with our thesis's research area.

Rodríguez-Garavito (2005) research has a focus on transnational advocacy networks (TANs). His interest is in how TANs have an effect on the labour rights of employees at production units in non-western countries. Due to globalization and market-led development, concern has grown across the world about this development affecting conditions for workers and labour rights negatively through the supply chains of big corporations (Rodríguez-Garavito, 2005; 203-204). Unacceptable work conditions and the abolition of labour rights have become a regular feature in

production factories in development countries. TANs have become the advocacy tool for these rights, Rodríguez-Garavito arguing that the market and globalization tendencies have:

“... spurred the formation of transnational advocacy networks (TANs) involving a wide range of actors and strategies aimed at reestablishing the link, blurred by global outsourcing, between brands and retailers in the North and workers in supplier factories in the South” (Ibid; 204)

As mentioned above, TANs' membership can vary from a wide range of different actors who are determined to advocate on issues such as labour rights. These TANs can be conceived of as “guardians” of labour rights, monitoring conditions across the world to ensure that accepted rights and norms are being adhered to. Through the years, TANs have succeeded in achieving the acceptance and usage of agreed standards, such as *codes of conduct*, which corporations use to state values, standards and guidelines that they follow throughout their business practice. These standards address topics such as labour rights, working conditions, environmental principles, etc. Also, numerous NGOs, labour unions, trade unions etc., have embraced the code of conduct as the best tool to regulate labour rights (Ibid; 204). Thus, TANs have been seen as the best means of monitoring compliance with agreed standards to ensure decent conditions for workers, who otherwise would have questionable or unacceptable working conditions.

Still, Rodríguez-Garavito also notes that there is evidence that these codes of conduct lack an actual effect on employees' rights, and the effectiveness of these TANs are very questionable. He refers to it as *state and market failure of governance* (Ibid; 204-208) and argues that TANs' ineffectiveness is a sign of how the attempt of the market to uphold labour rights, what is normally considered as lying within the remit of state governance, has failed, as indeed has the state in this respect. He therefore discusses how an effective and moral type of labour rights governance can be created, one that will serve to protect the workers and their rights in a decent way. He presents his alternative model, calling it *empowered participatory labour regulation* (EPLR) and uses this model to study how you can make this type of governance more effective (Ibid; 211).

His arguments for EPLR are threefold:

First, he collects evidence from studies in Guatemala and Mexico that show that the most stringent monitoring systems may very well have the potential to supplement (not replace) national state labour law in addressing problematic tendencies in sweatshops (Ibid; 206). He refers to these systems as “*ratcheting labor standards*” (RLS) or the RLS model where companies bring in a regulator to monitor compliance with their code of conduct. It means that a company would cooperate with a TAN that will monitor the corporation’s practice to ensure that it follows its guidelines for labour rights.

He describes how different kinds of RLS’s systems exist, and how the different TANs involved in these RLSs do not share the same perspectives or approaches to monitoring (Ibid; 216-217). Therefore, the legitimacy and effectiveness of these systems vary. He uses the *Worldwide Responsible Apparel Production Certification Program* (WRAP) as an example of a TAN that is widely used by companies within the clothing industry, but also as an example of one of the TANs which is least protective of labour rights.

Secondly, he argues the importance of *enabling rights*, which is the right to collective bargaining and the freedom of association, and how this can add value and results to the labour rights discussion (Ibid; 205-206). This is critical to our study and one of the main reasons why we chose to draw on Rodríguez-Garavito’s work, because it is one of the core values of the Danish labour union. The employee’s right to a free collective bargain and to organize fellow employees is a cornerstone of the beliefs in the union.

Thirdly, it is very important to remember that TANs and the associated monitoring systems must not replace national, state regulation – they should supplement, enforce and strengthen the national laws regarding labour rights (Ibid). The TAN must also be respected and recognized. Government support can be very valuable in this matter if the government is not facing internal problems such as corruption or fraud (Ibid; 214). There is a need for collaborative action to create the most effective and reliable labour standards. Sustained cross-border political pressure can

secure a more beneficial collaboration between the different actors and result in a more empowered monitoring of the codes governing labour rights (Ibid; 206).

Partnerships between NGOs, TANs, labour unions and the state are also another very important issue, which we consider essential to our study. Throughout collaborative work and partnerships, cases are presented that show how this can create regulatory changes that endorse labour standards (Ibid; 219-225). Using case study examples, effective collaborative efforts by TANs and local labour unions are presented and the results are very positive. Rodríguez-Garavito uses two examples with factories in that have faced great challenges regarding labour rights and working conditions: the Kukdong case from Mexico and the Choishin case from Guatemala.

The cases both prove that: international collaboration can create positive influence on labour rights; that brands and international approval are highly valuable for corporations, and that unionized employees are vital to creating change (Ibid; 221-223). We think all these factors will support our thesis because of the Danish labour union's international work, the possibilities of brand damage linked to CSR, and the general importance of unions. Rodríguez-Garavito's findings support these arguments perfectly.

Criticism of global governance and civil regulation

With a discussion about the use of global governance and standardization as a tool to advance global CSR, we should also discuss the effectiveness of this type approach to this concept. We have already presented the findings of Rodríguez-Garavito (2005), which indicate that even though the area of global governance and TANs is flawed, there is still a possibility of progress in the improvement of labour rights through the use of these tools. Yet, global governance remains a contested topic because of the question of whether these standards and regulations actually make companies act more responsibly or not. We discuss this in this section.

The idea of CSR is, often met with scepticism. From Friedmann's (1970) old argument of how the business of business is business and no place for what he saw as pure unprofessional charity, to the more modern idea of how CSR only operates as a smokescreen for businesses dirty work, this

is a long standing scepticism. Some say, for instance, that companies only use CSR to serve their own agenda and thereby increase their profit (e.g. Banerjee, 2008). The idea is that corporations have hijacked the idea of social responsibility and use it only to gain new markets, greenwash their business and make more profit – if it is not profitable, companies will not do it.

Some even argue that CSR and social responsibility is: “... *a subtle and yet an effective response from the capitalist system to the threat of further governmental regulations*” (Gond et al., 2011; 8). In other words, there is a substantial body of literature highly critical of CSR and its global governance systems, because of a distrust in companies that only seem to engage in CSR initiatives when it benefits their profitability, prevents regulation and greenwashes their business.

Still, we will argue that the very existence of CSR creates an arena for responsible business behaviour that can lead to the creation and/or maintenance of responsible actions. The same goes for global governance and civil regulation. So, we have shown that when dealing with theories of this topic it is clear that pros and cons exist for the use and legitimacy of this type of governance.

Meta-regulation and government involvement

One thing that is clear is that there should be monitoring of corporate attempts to act responsibly. As we have seen, one way of doing this would be putting in place well-functioning TANs with this remit. Banerjee (2014) argues that it is very important to implement governance of CSR governance by diverse stakeholders from society, as that is the only way to legitimize it in a democratic sense (Banerjee, 2014; 5-8). He uses the term *meta-regulation* from Parker & Braithwaite (2003) to argue that there should be regulation of the civil regulation. Thus, a solid argument for drawing on the findings of Rodríguez-Garavito and his views on TANs to support our research.

Gond et al. (2011) argue that it is very important that the government is included in the governance of CSR. This links to the argument from Vogel and Rodríguez-Garavito as well (2005). If you implement civil governance, it needs support from government if it is to be successful. An example of that could be the British practice of CSR, which has gained a good reputation (Gond et

al., 2011; 20-22). The British way of promoting CSR has been fully supported by the government. This, it is claimed, has had a very positive effect on the outcome of British CSR initiatives. Banerjee (2014) also argues that governmental support for governance of CSR initiatives is very valuable. He suggests that a variety of different legal mechanisms might help meta-regulation of corporations' actions to ensure they are socially responsible (Banerjee, 2014; 12).

Another way to strengthen civil regulation would be to involve a set of multiple stakeholders that, between them, represent NGOs, businesses and government to form these regulations (Fransen & Kolk, 2007; 4-5). Good governance functioning well must involve proper and positive interaction between the stakeholders. There must also be a certain degree of engagement from each stakeholder to create the best results, while the range of stakeholders from different sectors will secure a democratic element. If multiple stakeholders representing different parts of civil society can be formed into a commission with authority and oversight, a level of regulation and governance can be secured that can legitimately be claimed to be democratic and an expression of public interest (Banerjee, 2014; 12-13). This would be a reasonable method to operate global governance providing some counterbalance to the extent of the influence corporations have had on state governance through lobbying and a way to make these corporations accountable for meeting the expectations from a wider societal level (Banerjee, 2010; 267-270).

Multi-stakeholder engagement might be very challenging when all stakeholders should be treated as equals. Companies know of different ways to prevent that from happening, so all stakeholders do not have the same level of influence on multi-stakeholder standards that affect the company's business (Fransen & Kolk, 2007; 11). Companies work to ensure that standards will operate in a way that serves their business agenda best. Fransen & Kolk (2007) argue that, in this way, development of so-called multi-stakeholder standards or regulation is vulnerable to imbalanced power relationships and disproportionate influence by some, usually corporate, stakeholders.

This lends weight to the claim from Banerjee (2010), who argues that CSR and its governance is made and controlled by corporations only to serve their purpose of gaining more profit. The unequal power relations between corporations and the non-corporate civil society is a given but

very few ideas have been put forward on how to counter the effect of this imbalance (Banerjee, 2014; 10).

One way could be to improve the effectiveness of TANs. As Rodríguez-Garavito and other theorists claim, it is often a good, when implementing any standard or regulation, to have an external actor to monitor both those tasked with making implementation arrangements, and the actual compliance with the standard/regulation. It is crucial to have governance of the governance to ensure that promises are being kept and that regulations have an actual effect (Banerjee, 2014; 5-8). This idea legitimizes the use of TANs as long as they actually function properly and enhance labour rights. You need to have a clear profile of the organization that does the monitoring of these TANs. Taking labour rights as an example, there are various organisations providing certification-monitoring with a wide variation in working practices between them. We elaborate on this in the following section.

The landscape of labour rights TANs

WRAP is a perfect example on how an organization clearly benefits the companies instead of its ethical agenda about creating more responsible business behaviour in the clothing industry (O'Rourke, 2006; 902-903). Big companies in the clothing industry founded the organization, and its monitoring can be considered inadequate for various reasons including, fixed dates of inspection, unreliable interview of staff and vague surveys for example (Ibid; 902-906). This is obviously harmful to the legitimacy of this kind of system and you can argue too that it lends credence to the "smokescreen"-view of CSR.

Fair Labour Association (FLA) and their certification has also taken a lot of criticism from NGOs, labour unions, student organizations etc. for a number of reasons but generally, not being strict and transparent enough (Ibid; 904). The FLA is now working hard to increase its legitimacy by making it's auditing stricter with unannounced inspections. This has strengthened their position as an auditing organization, though they still have not reached the standard of service of *The Workplace Relations Commission* (WRC).

The WRC is a mix of student organizations, NGOs and labour-organizations and their name-and-shame-tactic has proven to be rather effective (Ibid; 905). Still, they have also received criticism for only focusing on catching companies whose practice is bad, and making this public, instead of finding solutions to the bad practice. Like O'Rourke (2006), we refer to this type of model as the "gotcha-model".

According to O'Rourke (2006), regulations or standards can be categorised into three different types according to how they function. They can be *privatized* regulation, which is very focused around the company and therefore works in the company's best interest, (sometimes referred to as greenwashing). Then there is *collaborative* regulation, applicable to a wider range of standards, but this is weakened by the so-called pay-issue. This means that someone still has to pay for the auditing and management of these standards. The regulation and monitoring will tend therefore to a positive opinion of the sponsors, normally those companies required to comply with the regulation in question. Thus, the companies need to be engaged in the regulation for a successful implementation. Finally, there is the *socialized* regulation, an example of which is the one developed and managed by the WRC, that is more focussed on the civil society organizations' agenda and on following its moral codes; it also pays very little attention to the company (Ibid 906-907).

There are pros and cons for each of the different types of regulation. However, we will argue that the example of the Kukdong-case presented by O'Rourke (2006) and Rodríguez-Garavito (2005) serves as an example of good civil regulation with a positive effect.

When, as we have shown, international collaboration on governance linked to CSR issues, NGOs and unions can successfully enforce labour rights and better workplace standards, we argue that this lends legitimacy and relevance to the research area of this thesis. We will also claim that this example legitimizes our use of Vogel (2010) and Rodríguez-Garavito (2005). Vogel describes global governance and how it can enforce responsible practice, and Rodríguez-Garavito puts this thinking in a context of labour rights, which make them both very relevant.

Example on a theoretical discussion of global governance

In this section, we will present different theories that both support and criticize the usage of global governance. We will use the UN Global Compact as an example; our reasons for this are threefold:

First of all, the UN Global Compact is the world most widely recognised CSR standard (or civil regulation code) (Vogel, 2010; 71), which makes it highly relevant to our study since we are dealing with CSR. Secondly, analyses of the effectiveness of the Global Compact are provided by Sethi and Schepers (2013) and Haack and Scherer (2014). We find their discussion pertinent to our theme, because their argument addresses both whether the model of Global Compact actually has a positive effect on the companies that subscribe to it, and if there should be another alternative. Finally, Den Hond & De Bakker (2007) use Global Compact in their text *“Ideologically motivated activism: how activist groups influence corporate social change activities”* as an example of how reformative and radical activist groups have different approaches to this kind of standardizations.

We recognize that there are many different examples of civil regulation and global governance. We could have, for instance, used the Equator Principle if we wanted a global standard that was driven by companies from the private sector or the UN Guiding Principle if we wanted a regulation that had a more political approach, and applying to states and their governments as well. But, because of this thesis's constraints and the reasons outlined above, we will use Global Compact as our example.

Critique of the Global Compact and its function

We will start by addressing some of the critique of the UN Global Compact, which is mainly presented by Sethi & Schepers (2013). These authors argue that the standard has proven its failure as a legitimate standard promoting CSR and making companies act more responsibly.

The Global Compact claims that throughout its first decade, it has been successful, a claim with which the authors strongly disagree (Sethi & Schepers, 2013; 193-194). One of their main points is that the Global Compact has a critical lack of evidence to demonstrate whether its members actually have implemented more responsible business behavior or not.

Sethi & Schepers (2013) present two main reasons why the Global Compact has failed regarding proper implementation of its agenda:

1. The Global Compact has a major lack of accountability regarding companies' external communication and transparency of their responsible actions.
2. It has failed in persuading signatory corporations to make systematic and meaningful efforts to implement the principles in a way which results in real improvements.

(Ibid; 198-200)

When a company applies for the Global Compact, they simply need to submit a statement from the CEO, a report of actions that support the ten principles of the Global Compact or other UN related initiatives and an outcome measurement. The Global Compact does not make any significant use of external monitoring systems, so that all monitoring has to be carried out internally, an almost impossible task. This is a very important critique. The authors even argue that the Global Compact organization has proven it has abandoned any effort to sustain the embedding of the ten principles, because these governance arrangements are simply not appropriate (Ibid; 203-207). If the Global Compact cannot hold their members accountable or monitor their actual actions, it loses its legitimacy and with it, it's right to operate. Banerjee (2014) adds that this is a well-known problem of this type of standard:

“The lack of accountability, monitoring and enforcement mechanisms is a fundamental problem with the plethora of human rights declarations, codes of conduct, standards, compacts, policies, statements, reports.” (Banerjee, 2014; 7)

By not having suitable tools to secure the promises made by the members in their submissions, the standard becomes instead a tool for what Sethi & Schepers' (2013) describe as *bluwashing*, which is basically the same principle as greenwashing. It means that members of the standard only use it to add a blue UN-logo to their corporation for commercial purposes.

In addition, the only way to try to avoid *free riders* from the standard is by de-listing them publicly. To be de-listed, a company has to fail to deliver its report in time (Ibid; 206-207). Thus, there is no

focus on whether the principles and promises are being kept – the central criterion for de-listing is a failure to comply with a bureaucratic process and deadline.

The authors claim that the Global Compact organisation has focused on recruiting many members rather than ensuring that the standard had an actual effect (Ibid; 203-205). This has arguably made it the one standard with most members in the world, but it has also harmed its effectiveness and legitimacy. The two authors finish by adding that if the Global Compact does not change its way of operating it will lose all legitimacy and not fulfill its purpose as a standard of global governance concerning responsible business behavior.

It can be inferred from this critique that the authors consider there is a need for a stricter strategy regarding non-compliance sanctions or de-listing from the standard, and a more in-depth monitoring system to establish if the companies follow the steps and achieve the objectives they undertook in their submission to the Global Compact. In this way, the Global Compact may uphold its principles and thereby its legitimacy as a global CSR-standard as well. If not, it becomes an ineffective standard and worse, a possible tool for blue/greenwashing.

Rather a nurturing parent than a strict one

To represent the more optimistic and positive view of the UN Global Compact, we mainly use Haack & Scherer (2014). They present their critique of the article by Sethi & Schepers (2013) and state that they do not agree with Sethi & Schepers' view on the UN Global Compact. They do not accept the argument that the Global Compact is only used for bluewashing and does not have any effect (Haack & Scherer, 2014; 225).

Haack and Scherer's (2014) article employs a family-metaphor to describe two different strategies for international civil regulation standards, such as the Global Compact. They compare the UN Global Compact with a family: they describe the governing institution as the overall family; the governed partners, in this case companies that follow the Global Compact, as the children of the family; and the governing individual, in this case the UN Global Compacts institution, as the

parents. The implication of the metaphor is then that it is the parents' task to get the children to act properly and thereby make the family work in the way the parents intend.

The authors distinguish between two different types of parents: the *nurturing parent* and the *strict father*. The strict father model assumes that the children will need a strong character to tell them what is right and wrong (and that the children do not know this) (Ibid; 229). This parent model requires a strong authority to teach the children how to act and the children should obey and follow this character.

Thus, the authors argue that:

“Evaluators who embrace the strict father ideal of transnational governance (“strict fathers” hereafter) tend to hold a negative image of human nature and assume that managers, business firms and whole industries are involved in the decoupling of policy and practice; that is, that they are “free riders” who deliberately shirk responsibility (Bromley and Powell 2012). In the view of strict fathers, business firms are “bad” and morally “weak” when they fail to embed effectively the prescriptions of CSR initiatives into their daily activities. Because strength and authority form the foundation of their morality, strict fathers believe that compliance with the prescriptions of TGSs (Transnational Governance Schemes) can be improved through the proverbial rod, that is, negative sanctions and punishment” (Ibid; 231)

The authors claim that they find Sethi & Schepers in this category with their critique of the Global Compact. Sethi & Schepers (2013) see the gap between a company's statement and their performance as an opportunity for companies not to follow their own statements and thereby become free riders of the standard and make it a possible tool for bluewashing/greenwashing (Ibid; 232). This indicates a general negative attitude towards corporations and their operations. Haack & Scherer (2014) prefer the nurturing parent model. The idea of this model is that the children act in accordance with the parents' principles because of love and respect for the parents and not because of fear of punishment (Ibid; 231). The nurturing parent will accept the gap between promise and performance and focus on how it is better that the child speaks of changes and tries to make these changes.

The authors argue that transnational governance and civil regulation needs this kind of model rather than a strict father model. They argue that if you follow the strict father model, creating higher barriers to entry to the different standards and starting to punish and also exclude companies that are not able to follow the standards correctly, you will only harm the expansion of better global CSR practice (Ibid; 237). By only having members who follow the standards perfectly, the standards' membership and global reach will shrink, which will harm innovation and the standards' effectiveness.

Christensen et al. (2013) support this argument with communication theory that states how words can, not only describe an existing situation, they can themselves effect change by committing an organization to adhere to the values communicated (Christensen et al., 2013; 376). In Christensen et al.'s (2013) article "*CSR as aspirational talk*" the authors challenge the idea that companies' public statements regarding CSR initiatives are necessarily greenwashing just because their promise might not cohere totally with the reality. They start by stating how communication is how any organization involves, emerges and operates (Christensen et al., 2013, 374-375). Through auto-communication, a communicative form where the sender of a message also is the actual main audience of the message, corporations can use CSR-policies as a driver for more responsible actions. An auto-communicative message gets more intense, effective and legitimate when it is communicated through an external media (Christensen, 2004; 14-16).

Hence, CSR statements should be announced to the wider public so the company is more obligated to follow these statements. By presenting CSR ideals to the public, a company creates greater expectations of itself and a more substantial commitment (Christensen et al., 2013; 384). Thus, the CSR ideals might not cohere with the actual reality, but it will drive the corporations towards these ideals.

The more the merrier or strict guidelines?

The argument, whether global governance schemes, such as the UN Global Compact, are beneficial can be summed up as follows:

When considering companies' CSR-initiatives and their practice, the key question is, which kind of civil regulation will create the best practice? Should as many companies as possible be encouraged to sign up to these standards so that the standard can become big, popular and have many members, who may, over time, increasingly choose to follow their CSR-promises?

Or, should the standards only be for the companies that actually can fulfil their promises, so the standard is a clear sign of good practice? This will obviously make it harder to gain these standards, create a higher barrier to entry and fewer companies would have this standard.

We claim that this is the central discussion when dealing with global governance and civil regulation. Our view is that the question of a standard's legitimacy is very important and the strict father approach will uphold this legitimacy more effectively than the nurturing parent will. This is why we have chosen to have a focus on text from Rodríguez-Garavito (2005) and the many theorists who support his position. We also draw on Vogel's (2010) theory of global governance, because we agree that there can be little doubt that in a globalized world, civil regulation will become the key method to regulate market-led development. Authors like Rodríguez-Garavito and Banerjee agree with this point. Thus, the theory of global governance should be seen as a crucial element for a study of responsible business behaviour.

However, we do not believe that most of the present corporations' codes of conduct or standards like the UN Global Compact ensure responsible business behaviour regarding labour rights and conditions. Hence, our chosen authors are consistent with the agenda of this thesis, investigating the Danish labour unions' opportunities through the use of CSR, to enforce and advocate for labour rights.

Analysis

The following analysis consists of three main parts.

First, we investigate what type of social movement defines the Danish labour unions. This is vital to understand their capacity and attitude towards the potential usage of CSR. This section will also deal with our interviewees' perception of the potential use of CSR and what challenges that comes with it.

In the second part, we analyse some more strategic aspects of potential strategic CSR partnerships between the Danish labour unions and NGOs. We introduce some issues that the labour unions need to take into account if they consider entering in to such a partnership. Using framing-theory, we present an analysis of the related opportunities and obstacles.

In the last part, we introduce global governance and civil regulation, which is another CSR concept relevant to the Danish labour unions. This is due to the many standards and TANS that govern labour rights etc. We show how the labour unions differentiate from other organizations, such as WRC, and we discuss if governmental intervention would increase socially responsible behaviour by companies.

The Danish labour union – a certain type of social movement

We begin with an analysis of the type of social movement the Danish labour union is. By being a labour union, it is obviously a certain type of movement all ready, but we will also argue how the Danish version is unique as a labour union. To do so, we will start by showing how the Danish Model and its ways of collaboration with the different parties have a particular effect on the union. Then, drawing on den Hond & de Bakker (2007), we argue how this effect shapes the type of social movement that is the Danish labour union.

It is valuable to analyse what type of social movement the union is because we need to understand what kind of approach they would use in relation to CSR as an advocacy tool and how future negotiations with companies, employers, state etc. may be influenced by this.

The Danish Model – by collaboration you will reach your goals

We have already described how the Danish Model works and how it has had a transformative effect on the Danish society. Here, we build on this by showing how the model is deeply rooted in the different unions and their perception of CSR and responsible behaviour.

There is little doubt that the collaboration between state, business owners and employees has been very significant in Denmark throughout our history. Jesper Nielsen from 3F states,

“... the collaboration between the employers here in Denmark has been very close historically speaking, if we compare it internationally” (Jesper Nielsen; 1).

This is very much a shared belief of many of our interviewees. Jesper Nielsen elaborated and argued that the model of collaboration has created a platform where the union and the employees have had a relatively smooth collaboration with the employers when dealing with businesses behaving responsibly. It is important to note that this refers to historical, general responsible business behaviour and not the more recently specifically defined CSR.

However, evidence emerged from the interviews, of collaborative work on CSR in relation to international issues. Jørn Larsen from the union cartel CO Industry elaborated with an example on how they (CO Industry) and the industrial employers' organisation, Danish Industry (DI), are being used to model a good example internationally, and to advocate for collaboration between the different parties and a more decent CSR policy in industries in Manilla, the Philippines:

“... We travel around (in Manilla) with a background and a description of CSR politically seen from a consultant point-of-view, where we strive to help partners get started, so they can build a cooperative foundation. It is pretty special that you, in a project that actually is in the ministry of foreign affairs area, use two [employer and employee] counterparts in such a project... So when we are going to Manilla, we do it together as one community with a common presentation, also just to prove to many natural sceptics, who are not used to the same conditions we have in Denmark, that

it is actually possible. Even though we are counterparts, there are still many areas that we can collaborate with.” (Jørn Larsen, CO Industry)

The Manilla-project is an obvious example of the quite unusual circumstances we are dealing with in Denmark. It also not the only example on how employer collaboration with their union counterparts is important when we are discussing the work and function of the Danish labour union. Janus Broe Malm from another union cartel, OAO, stated how they have collaborated with employers in a project about a better physiological work-environment (Janus Broe Malm; 2). OAO is a cartel for unions in the public sector and how well they can collaborate with the government and the employers is very important for them. They strive to work better together and they have also launched a project where employers and unions try to cooperate better locally in Denmark (Ibid; 2). Janus argued how it is important for proper collaboration that the employers and employees see each other as collaborators instead of opposites, a way of thinking which characterizes their relationship and the Danish Model.

Yet, there is also little doubt that even though the two parties collaborate to some extent, they are still separate parties to the debate with very different interests, and therefore different agendas. When Jesper Nielsen talked about a very close collaboration between the two parties, it is important to remember this is in a *historical* and *international* context. As we mentioned in the introduction, the Danish Model is under pressure. The employers are gaining much more influence through a market-based economy and a neo-liberal political system that tend to prioritise economic interests. There is little doubt that the company leaders are setting the agenda and how to gain more profit will be the main objective.

When exploring CSR and how the union and its members may achieve better working conditions using CSR, every interviewee was clear that they thought that union representatives should be included in a company's CSR profile, at least in respect of the company's activities regarding social responsibility and working condition for the employees. However, interviewees were equally unanimous in reporting that they had not seen this happening with any company where they have members. Kasper Palm from Dansk Metal stated that if CSR were to be considered as a possible advocacy tool for his union, his representatives would have to be involved in the development of

their companies' CSR policies. He had not yet seen this happen and had doubts that it would happen (Kasper Palm; 3). The fact that company leaders alone decide what their their CSR will be, is a significant challenge according to prof. Laust Høgedahl. He argues that since they have the right to lead their company as they wish, they also have the right to form their CSR policy and decide whether they want to involve the employees and their representatives or not (Laust Høgedahl; 4-5).

To summarize, although the union and the employers often work collaboratively, they are still two different stakeholder groups with different interests and different agendas, and they strive for two different things. Still, it is important to emphasise their shared history of collaboration through the Danish Model, which has affected the type of social movement that is the Danish union, and which we discuss in the next section.

A wish for reformative reinstitutionalization without too much deinstitutionalization

Den Hond & de Bakker (2007) presents two overall types of social movements: reformative groups and radical groups. To determine if a social movement is radical or reformative, an analysis of how they seek to influence their organizational field and how they intend to create institutional change (den Hond & De Bakker, 2007; 903-906). It is important to understand what type of social movement you are dealing with considering how it should act.

Our analysis of whether the Danish union movement is a reformative or radical social movement, concludes that it should be considered a reformative group. A reformative group focusses on reinstitutionalization, rather than deinstitutionalization (Ibid; 908-909). This will be the case with the labour union. They serve to create institutional change for their members, leading to better working conditions and labour rights. They work on the assumption that the corporations and the employers will necessarily be a part of the solution to their problem, because they are the ones with the power and resources to make the desired changes. Hence, they do not wish for a complete removal of the corporations and their employers.

Den Hond & de Bakker (2007) argue that, to some extent, you might see deinstitutionalization and reinstitutionalization as partially dependent on one another, because an effective reinstitutionalization will only happen if the old institution is properly removed and deinstitutionalized. This is a point that cannot be entirely supported by the evidence from our study of the union and their situation. The union explicitly works for a reinsitutionalization of their field frame, which will be the condition of their members and their work. They want to influence this field and push their own agenda through. What makes the union a rather special social movement is that they do not wish for any dramatic or very radical deinstitutionalization, because they wish to collaborate with their opponents, the employers. The reason for this is simple: no companies means no jobs for their members, which in turn, means no need for unions

This differentiates the union from a radical group like Greenpeace. Jakob Sand Kirk from LO commented on the difference between an environmental NGO and the union:

“It is not because I want to be mixed into the debate about the environment, but the point for a company is to work pragmatically, and in this case the special thing about union representatives is that they have a job at a company where they share a common interest (with the employers) that they want there to be jobs, and I do not think that an environmental NGO thinks like this.” (Jakob Sand Kirk; 3)

It is not our argument that environmental NGOs do not consider threats to jobs in their activism, but rather they have a fundamentally different relationship with their targeted companies. As Jakob Sand Kirk said, the union is dependent on the companies and their leaders. A union’s agenda is to represent its members’ employment and their rights. Hence, the union has an important stake in the company and its wellbeing.

When we look at their approach with CSR, the union 3F, which has some knowledge and experience with CSR, engage with companies in a collaborate way. Jesper Nielsen reported that 3F always offer themselves as a consultant or source of advice to Danish companies, if, for instance

they uncover a link between a Danish company and bad international business practice concerning labour rights (Jesper Nielsen; 1).

Being a reformative social movement will affect which type of communicative action that may serve the movement best. In the case of the union, you can argue that even though they want to create institutional change within companies and get them to act more responsibly, they have to be careful if the companies employ many of their members. Movements can choose to focus on creating economic damage to a company to create a financial incentive driving the company towards change (den Hond & de Bakker, 2007; 909-910). It could be a boycott, for instance. This however, may be risky for the union because significant economic damage could result in members losing their jobs.

Another participatory tactic is the strike (Ibid; 912). This is more common in a union context, as also Dennis Kristensen mentions, when he talks about how they sometime need to influence the general population to strengthen their case (Dennis Kristensen; 9). This type of activism has a more political approach and is more used by the union. It does not directly jeopardize jobs by creating immediate economic damage, but it works as a form of lobbying, which can have influence on a possible institutional change. We recognize that a strike will create some economic damage, but the main objective is rather to create public awareness of a certain issue. Thus, one tactic to create field level change is to work at the field level, for instance, by raising public awareness that can create pressure for institutional change in the field (Den Hond & De Bakker, 2007; 916). A method to do this could be by strikes.

The union always needs to consider what is best for their members. Being a reformative movement, they will strive to create the best possible reinstitutionalization of their institutional field that benefits their members without creating too big a risk for members losing their jobs. Thus, they cannot support too radical an approach that focus on deinstitutionalization because it will harm the employment chances of their members. We will now argue that the CSR concept can offer a new way to collaborate with employers, which will resonate with the custom of the Danish Model and also the reformative nature of the Danish labour movement.

Finding common ground in the search for collaboration

The fact that the union can be characterized as a reformative social movement creates an interesting link to CSR. The element of collaboration between employer and employee is essential to the Danish Model. Even though the union sees the employers as an opposing party, its preference will be to take a collaborative approach towards the employers. We argue that CSR can work as a platform for this type of collaboration. CSR is a business term. It is something that exists and operates within the corporate world where it is, among other things, being used as a tool for competition, standardization, innovation etc.

We suggest that by using a business term, such as CSR, the Danish union will gain a new advocacy tool, one that may be more effective because it is already a corporate concept. In doing so, the union would, to use one of our interviewees' terms: "*speak their (corporations) own language*" (Janus Broe Malm; 3). Janus Broe Malm from OAO is very positive about how CSR could be used to create a new agenda for the union. He works closely with the state because his organization is an umbrella organisation that represent the unions that operate in the public sector.

"I actually think that could be a really good strategy... because one thing we often are met with by the ministry of finance ... is their own agenda, which they will call efficiency. This (CSR) could be an answer to this new public management or efficiency... I actually think that CSR, if you choose to call it that, well, then it would sound much better to the Permanent Secretary in the ministry of finance and Martin Præstegaard (the Permanent Secretary in the ministry of finance) would say: Mmm, that sounds interesting!" (Janus Broe Malm; 3).

He continued by describing to us how their organization definitely could use a corporate concept like CSR, so they can work in a more business-friendly manner with both state and businesses. The state is also increasingly considering the public sector more and more like a company that must achieve a certain "outcomes", like profit, for instance. With CSR, you can use terminology that is at home in this corporate discourse. Theoretically speaking, this can arguably provide a method to influence the organizational frame and start institutional change without creating consequences

that threaten major deinstitutionalization. The activist group will then transform the organizational field into an arena of power relations (Den Hond & De Bakker, 2007; 905). The union would be seen as a collaborate counterpart in this arena, striving to be a constructive partner for the corporations, if they can use the CSR terminology to its fullest. A radical social movement would never engage in institutional change like this because they would think that using the corporate discourse would indicate a positive attitude towards the system embodied by the corporations (Ibid). The use of CSR is therefore only possible as a reformative approach, suiting the unions, profile as a social movement.

Jakob Sand Kirk also thinks that the use of CSR could be successful at establishing a common platform for companies and unions to collaborate. His view is that CSR offers a positive constructive approach to solving problems:

“the good thing about this is that CSR is about how we function well as a company, and how we carry out our production and business in a decent way together, employers and employees. It is like a forward-looking positive way to see things, also the tough stuff” (Jakob Sand Kirk; 4).

He stated that it is a more positive and constructive way to approach companies. It creates partners not opponents, which he thought very valuable.

We argue that this perception of CSR shows a very positive potential for the use of CSR as a new advocacy tool for the union, a position the theory of a reformative activist group and reinstitutionalization lends weight to. The union wishes to prompt institutional change and more responsible business behaviour. CSR provides them with a platform on which they can engage with the employer more on their own terms, advocating how the common use and focus on a business concept like CSR could create a win-win situation for both parties.

Janus Broe Malm added that he thought it would be very valuable for the unions to look at the private sector and see what kind of elements they could use from that (Janus Broe Malm; 3). In a

more businesses-minded reality and a competitive world, it could be very effective to start using concepts from the business sector if these concepts support the agenda and outlook of the union.

He said,

“With CSR you suddenly have a possibility to create a common and shared agenda where we can ask ourselves: how can we actually work towards this common goal?” (Ibid; 5).

This point of view is shared by Jakob Sand Kirk, but he also addressed how union representatives need to be constructive and positive if they did engage in the development of a company’s CSR policy (Jakob Sand Kirk; 7). He acknowledged how union representatives can provide very useful contributions to developing effective CSR policy, but only if they approach the project in a constructive manner. Otherwise, it will soon become a sport for employers to find ways of avoiding the representatives’ involvement (Jakob Sand Kirk; 8). He added that LO sees great potential in CSR if it is adopted and used properly. Because of this potential, LO have decided that a key objective for them is to educate their member organizations’ representatives on CSR over the next three years. LO wants to add CSR-knowledge to their representatives’ toolkits for advancing their union work (Ibid; 1). The reason for this is that they see CSR as a possible future concept of advocacy for the union.

“We (the Danish labour unions) are not just a “warmachine”, we are a “dialogue-machine” for the creation of improvements and that is what we prefer to do, and if it (CSR) can hone that machine a little, then it would be great” (Ibid; 5)

As we discussed earlier, we do recognize that the CSR concept is wide and flawed to some extent, with little evidence on whether or not it actually creates responsible business practice. CSR does not provide a clear answer to how to guarantee responsible business behaviour. We recognise the danger, noted by several authors (e.g. Banerjee (2008)) that corporations may use CSR mainly, if not only, for greenwashing, serving only the corporations’ objective of increasing profit more profit. Still, we argue that there is an interesting potential in the CSR concept for the Danish labour unions. The idea of creating a more constructive and business-minded discourse in future union work does, arguably, fit very well with the reformative characteristics of the union. They wish to

appeal to the employers and corporations in a way that can support the collaborative tradition from the Danish Model. CSR might be a possible solution to this. The union can appeal to the employers and corporations in their own terms, whilst still serving their members' interests regarding responsible working conditions, responsibility for the local community, and safety for employers, etc.

It can therefore be argued that CSR can be used as a new advocacy tool for the union to approach future negotiations with their employer counterparts. However, we need to acknowledge that there are challenges linked to the unions' use of CSR, which we will now address.

A new concept with controversial reputation – the challenges of CSR

There are many challenges linked to the idea of implementing CSR as an advocacy tool for the union. First, it is an agenda completely controlled by the leaders of the corporation. Prof. Laust Høgedahl sees this is an obvious challenge because the CSR policies are made, managed and controlled by the management (Laust Høgedahl; 4-5). CSR is, at best, soft law and the corporations can form their CSR policy as they wish. Only the biggest corporations have a legal obligation to report on their CSR initiatives, but even then, they are only required to address certain areas, such as the environment and human rights, and then describe how and why they work with these areas. There are no regulations specifying how they should be involved in this work – only that they shall report on it.

Another crucial challenge regarding CSR is that the different unions and their organizations have a considerable lack of knowledge regarding CSR, which must be categorized as a major challenge for the Danish labour unions as a whole. Our data shows clear evidence of this lack of knowledge. Apart from LO's Jakob Sand Kirk, who previously worked as a manager in the private sector, the only interviewees that had significant knowledge of CSR all had one thing in common: they have been or are involved in international projects. Jesper Nielsen, Kasper Palm and Jørn Larsen, had encountered the concept before it was presented by LO, and all did so because of their international work (Jesper Nielsen; 1, Kasper Palm; 1, Jørn Larsen; 1). This is obviously a challenge.

If the union is determined to use CSR in future union work, they need to fully understand the concept and what it contains.

Finn Johnsen agreed:

“I think we need to get it (CSR) out to our representatives before we can begin to use it in negotiations. Because when we negotiate our common agreement, we mostly rely on our representatives from the actual workplaces and in the end it is only them who can define the link between some CSR policy and a common agreement...” (Finn Johnsen; 4)

He noted too that there was very little knowledge of CSR or even of the concept's existence in his union, Serviceforbundet. Only the most senior management have some knowledge of it (Ibid; 4). This is something they have to work on, needing to get it communicated throughout their union if they are to use CSR for future negotiations. Dennis Kristensen and Janus Broe Malm both added that a challenge of CSR is also how it can be interpreted differently by various stakeholders. This is why the union needs itself to define how they understand and see CSR (Dennis Kristensen; 6, Janus Broe Malm; 4). This relates also to Finn Johnsen's point of how the unions need to be educated in CSR and create a common understanding of CSR. This is also a challenge that the union has to meet if it is to advance this agenda.

Kasper Palm from Dansk Metal is one of the interviewees that has some knowledge of CSR, but it is not a concept he has known for a long time:

“It (CSR) is not something that we have a policy of here in Dansk Metal and my own acquaintance with it started when our employment department of developing countries in LO began to work with it and I was invited to Egypt to talk about how we do things here in Denmark and CSR was on the agenda back then. That was the first time I heard of it and it is... what, a year and a half ago?”

(Kasper Palm; 1)

Even though Kasper Palm has known the concept for almost two years, it is safe to say that he was not exactly positive about CSR and its possibilities for the union in his interview. He thought that

the only real use of CSR is in an international context, because many of the topics that he saw as CSR-topics are things like clean water, which are already established in Denmark. He believes that through the Danish model, these standards for responsible business behaviour have already been taken care of (Kasper Palm; 2). In Denmark, we are safe regarding basic labour rights compared to other places in the world. As said, he was more positive about possibilities in an international context, suggesting it might be useful, for instance, to be assured that a Danish company will maintain its domestic standards of labour rights in any undertakings abroad.

“The thing about selling the idea of CSR and use it here in Denmark is something I do not see any great potential in, if you ask me. It is more something that if you want to go out in different parts of the world and create a bigger profile, build a factory or something else, then you must remember to bring some of the Danish models with you, you know” (Kasper Palm; 2)

The only usage that he found legitimate is to teach CSR to those union representatives, who had been voted onto company boards. In such a position they might well have influence on the policy, and will have to sign it off. Then they should have an understanding of what they sign.

The scepticism from Kasper Palm is a clear sign of the challenges that will meet the usage of CSR in the Danish labour union. Yet, there is still another important challenge touched on previously, which we need to address: CSR has a bad reputation for just being a commercial tool (Ibid; 2) Kasper Palm raised this concern and stating that he also just saw it as something the companies may use for branding purposes (Ibid.). He was sceptical of the domestic use of CSR, because his view was that the Danish model embraces everything that is needed in terms of governance for fair labour conditions. Thus, he saw CSR only as a tool for branding and commercializing. Jesper Nielsen from Denmark’s largest union, 3F, argued that even though his union was about to publish a CSR policy defining their attitude towards CSR, a lot of doubt about the concept still existed. Personally, he admitted that he had read many CSR statements and policies that could only be seen as greenwashing (Jesper Nielsen; 2). He reported they included empty rhetoric about initiatives that were not related to the company’s actual behaviour. This is harmful for the concept

and it only fuels doubt about CSR's actual effect. In the mind of unionists, the fact that CSR is, at best, soft law does not help.

"... you will often find that people (from 3F) are very sceptical and say that the only thing that actually works is to take them to the employment tribunals (arbejdsretten) or the actual court to use legal and juridical means to reach an agreement, to make a common agreement and then move on in that direction. The softer CSR-area meets with a lot of scepticism" (Jesper Nielsen; 2)

The whole concept of soft law is new to the unions, familiar only with hard law and its mechanisms. So, not only does CSR have a reputation of greenwashing and providing corporations with a PR tool, it is also soft law that cannot be regulated effectively. These are critical challenges when dealing with CSR from a union perspective. You can argue that these factors go completely against the unions' values. To compound matters, it is even a foreign concept with an English title; it is a corporate concept, and it is almost entirely defined and managed by corporate management. Banerjee (2008) would fully agree with this scepticism and say that the concept is only made to serve corporations' own agendas, which most likely will be to generate more profit even at the expense of acting responsibly (Banerjee, 2008).

These arguments are not new to the discussion of CSR. The accusation of being a tool for greenwashing and only serving corporations commercially have recurred for quite a while. The same goes for the discussion of soft law and its questionable regulative effectiveness. If corporations are only required to communicate information on initiatives, not necessarily relating to their actual operations, and if there are no real consequences if their actual operations are irresponsible, the legitimacy of CSR will be undermined (Sethi & Schepers, 2013).

To summarize, we find that the big challenges for the unions effectively using CSR to advance their agenda, are their lack of knowledge of the concept, the fact that it is soft law and so incompatible with their normal hard law-approach, their lack of faith in the concept in a Danish context and concern that it can be used for greenwashing. These are important considerations in advancing these ideas in practice. The unions will have to define how they understand CSR and how they can

use it. Then they need to educate their representatives and their members with knowledge of CSR. They need to know how to embrace it and how they can use it, even though it is soft law.

Summary

This first part of the analysis set out to analyze what kind of social movement the Danish Labour union movement is, and how this relates to the use of the concept of CSR as an advocacy tool. This provided the background too to a discussion about the challenges that may occur implementing such an approach.

We conclude that the Danish labour union can be categorized as a reformative social movement. Evidence supporting this conclusion is their historical collaboration with their counterpart, the employers, as well as the state. Their approach to creating institutional change in their organizational field has a focus on collaboration with their counterparts, clearly more a reinstitutionalization approach than a deinstitutionalization one. This emphasis allows us to conclude therefore, that they are a reformative group.

Another indication of their reformative identity, is that the unions and their members are highly dependent on the employers and the corporations. They do not seek to create significant economic damage, as a radical social movement might chose to, because this may jeopardize jobs for their members, in the interests of neither the companies nor the union. The unions' members need their jobs, which is why the union sees the corporations as a part of their solution to the institutional change they want to emerge. Striving for deinstitutionalization of the field frame would therefore be counterproductive for the unions. Instead, they sometimes do use participatory activities like strikes with the objective of creating public awareness of an issue to generate institutional pressure in the field.

By being categorized as a reformative group, we argue that there is a sound theoretical basis to propose that Danish labour unions can use CSR as an advocacy tool for future negotiations with employers and state. The use of a business concept is more likely to appeal to the employers and create better circumstances for collaboration in a reformative approach. Better collaboration is

obviously something that is compatible with the Danish model and the negotiations linked to it. Furthermore, our data shows that many of our interviewees see CSR as a potential platform for better collaboration between the employers and the unions. Our interviewees argued that CSR has the potential to produce a more constructive discourse that both employers and state will find attractive. Another important argument supporting this idea is that the CSR concept includes social responsibility, labour rights, workplace conditions, safety etc. and all these themes have always been linked to the labour union agenda. This means that CSR can potentially provide a new platform for constructive negotiations on labour union issues with employers and the state in the future.

Finally, we must also acknowledge the challenges linked to the use of CSR. It is a new concept to the union and its representatives, indicating a big challenge of communicating and educating the representatives, and to some extent, also the members, so that everyone understands what CSR is and how they can use it. There is a need for a common definition of the CSR in the union. There is also a certain mistrust of CSR, with suspicion that it is being used as branding and greenwashing, potentially undermining confidence that CSR can work for labours' as well as corporations' interests. One of the interviewees found it difficult to see CSR's relevance in a Danish context, his view of its value coming from its use in an international context, that is, in countries that do not yet have the high standards of labour conditions as are current in Denmark. Lastly, the fact that CSR is enforced through soft law is alien to how the union usually operates. They are accustomed to using the hard law of the Labour Court and their legal binding common agreements.

The labour union and their use of framing

We have now determined the type of social movement, which the Danish labour union can be categorized as – a reformative social movement. This is a necessary step essential to understanding the labour unions' standpoint and how that shapes the options for action they perceive. This forms the basis then for exploring what possibilities they may have for engaging in strategic partnerships with NGOs with a mutual interest in CSR. The reason for our focus on these type of partnerships is that collaborative working is consistent with the principles of CSR.

Meanwhile, Professor Laust Høgedahl states that there is evidence that shows that the younger

generations are generally very supportive of NGOs. Since the labour unions need to appeal more to the younger generations, this kind of partnership may therefore strengthen their appeal.

Framing theory is useful in this context, because it indicates how the strategic aspect of partnerships with NGOs fit the profile of the Danish labour unions. Also, it provides an approach to analyse, which will help determine what kind of core-framing task will be most beneficial in engaging in strategic partnerships with NGOs.

In the first part of this section, we analyse how the Danish labour unions make use of elements of both diagnostic and prognostic framing tasks. We analyse and discuss how these two will affect the possibility of Danish labour unions engaging in strategic partnerships. In this part, we take account of the categorisation of Danish labour unions as a reformative social movement in order to provide a more pertinent analysis. We combine data from our interviews conducted with prominent figures in the Danish labour unions. Finally, we analyse how CSR fits into the external communications of the labour unions.

In the second part of this section, we analyse the possibilities for the labour unions to make use of strategic framing in relation to CSR. To conclude the section we combine our data to identify what possibilities are open to the labour unions what changes are needed to make CSR a more attractive, effective option for them. We will make use of the findings in the social movement analysis and the findings in the previous section.

The Danish labour union and the collective action frame

By defining the labour unions as social movement organisations and their motives to use collective action frame, we can construct a theoretical basis for further analysis.

To argue that the Danish labour unions use collective action frame to mobilize adherents, we can draw on Gamson's (1992) definition of the collective action frame. He states that it is not only an aggregation of individual attitudes but also the result of negotiating and shared meaning (Gamson, 1992; 111). This fits very well with the history and current status of the Danish labour unions. The

Danish labour unions have a long tradition of being democratic and acting as a collective political movement. This collective democratic tradition dates back to the origin of the labour unions when they emerged from the Danish Labour Party and has been a key force in the union organizations since the beginning. Where we see a very relevant difference in the situation of the workers and labour unions from the past to today is that the living standards have greatly improved. In Gamson's definition of the collective action frame he states:

"The most likely action context is a threat to the pattern of people's daily lives" (Ibid.)

The fact that the living and working conditions of the workers was much poorer and they had no labour rights meant that the patterns of their daily lives were much more threatened than is the case today. In time, the landscape of Danish labour rights has changed for the better, which means that the labour unions face a more difficult task when seeking to mobilize collective action. Labour rights are still a subject that concerns people's lives but the element of threat is scaled down.

The diagnostic framing – the first step towards the injustice frame

The diagnostic framing is the frame where the social movement identifies the problem in a clear, easily understood way. It formulates exactly what the problem is, and who or what is to blame. Several theorists argue that this kind of framing automatically leads to the injustice frame, because the injustice frame has the same conditions but also has the element of victimization of the social movement.

This is why we will include injustice frame in this section. The practice of diagnostic, and especially injustice, framing fits naturally with a social movement wishing to criticise and change a current situation and at the same time, portray themselves as the victims. The reason for this is that these framing tasks provide strong emotionally charged tools which become more powerful when most people can relate to the victim group. In the interview with Dennis Kristensen, FOA, we asked him how the Danish people could demand higher social responsibility standards from the corporations, he stated that:

“I think the first step is to get more moral and ethical perspectives into the debates. Right now we are only discussing economic debates (...) the gap between the common citizen and the elite is getting bigger and bigger. This prevents what we think is morally or ethically right. It’s getting harder because we live in two different worlds” (Dennis Kristensen; 6)

What Dennis Kristensen is saying fits very well with the diagnostic framing and tends to have an element of injustice frame. He defines a given problem: there is not enough focus on ethical and moral in the debates in Denmark. People do not care enough about these issues, which has the consequence that labour rights and other issues of CSR are neglected. In Dennis’ eyes, the nature of the problem is the ever increasing economic gap between rich and poor. There could however be several different opinions about the nature of this problem. The element of injustice frame is the underlying debate about the disposition of the economy. This rhetoric relates to the history of the labour union. As explained earlier in this thesis, the Danish labour unions have had a long tradition of battles with the upper class of the society. Even though the economic situation has changed for the better for the workers, the rhetoric is still embedded in the culture of the labour unions.

In Dennis Kristensen’s quote, he assumes the rich elite to be focused on the economy, and the workers/ labour unions to be focused on the human values. This is also the point in what Dennis Kristensen said, in a discussion on how the labour unions could use CSR;

“(...) I think that in a way we have used CSR to get that (better tools for nurses) on the daily agenda, as we told them (the employers, red.) – you have moral responsibility if you do not do more than you do right now. There were four killings of nurses in two years (...) and it is here where I want to go to the employers and say, you can shove your economic discussion up your A..” (Ibid;

8)

In this quote, Dennis Kristensen is framing the discussion between the employers and the labour unions to be about the employers’ aim to save money, and the unions’ aim to reduce risk to the

lives of the nurses. There is a clear definition of the problem: nurses do not have the necessary tools to work safely; this endangers the lives of nurses, which casts the nurses in the role of the victims. This is a clear usage of diagnostic and injustice framing.

Dennis develops this argument supplementing with adversarial framing by adding his view of who is to blame, and that is the employers who prioritize money over the safety of the workers. This gives an insight into how prominent people in the labour unions view these problematic issues and helps shed light on how these kinds of issues are framed in the organization, with diagnostic framing and injustice framing as an example. We will argue that a focus on the use of diagnostic and injustice frames can be partly explained by their historical origin of being a protective institution for the labour force.

Diagnostic framing as contribution to strategic partnerships

This section presents a hypothetical model of how the strategic partnerships and CSR could fit into the diagnostic framing. As mentioned previously the diagnostic framing includes an identification of a given problem and an articulation of whom to blame. There is not necessarily a consensus about the root or cause of the problem.

If the Danish labour unions should use such framing in strategic partnerships, it would be easy to identify some general problematic issues of concern to both the union and a potential partner organisation and work together on this basis, without the need to go into details about the nature of the root of the problem. An example could be to focus on gender equality in society and cooperate with an NGO fighting for women's rights. The identification of the problem is congruent with both of the organizations' values, with men having an advantage in the labour market in the form of higher salaries, better jobs etc. and this is not acceptable.

The two organizations could work together and still have a disagreement on the cause of the problem. There could be different views on why men have advantages on the labour market, but there is an overall agreement on the urgency of solving the problem, which make the diagnostic framing suitable for this kind of partnerships. Ideally there should also be an articulation of whom to blame. This is rather problematic in this example since it is of a cultural and structural nature. There might be people or organizations that identify the problems with the culture or structures in

the society but it is not possible to blame a specific organization, person or industry for the imbalance in gender equality. The diagnostic framing however, does not provide any solutions or strategy. Thus there are pros and cons with this arrangement. On the positive side, the actors in the partnership do not have to communicate a plan or strategy in order to find a way to collaborate. They can put the communicative focus on the problem and the partnership. On the negative side, people might doubt the authenticity of the joint arrangement if they do not present a clear strategy of how to deal with the issue. Also, if the labour unions chose to blame a company, this could jeopardize the relationship with the employers and the members' jobs.

In the injustice frame, there is also no formulation of a solution or strategy but this frame focuses more on a victimization of the organization the injustice frame comes from. It can also happen to be that there is a clear defined opposition - this is with the use of the adversarial frame. In most cases the injustice framing appears when a social movement advocates for political and/or economic change or has been treated badly.

The injustice frame places great emphasis on emotions. This is an effective tool when dealing with human rights subjects such as the labour union and is a tactic common with NGOs. Whether the social movement is reformative or radical this framing is useful as a communication tool. The diagnostic framing does not necessarily advocate for reinstitutionalisation and a solution both parties can agree with. Instead it works to bring into sharper focus the issues that the movement is dissatisfied about. The injustice and adversarial frames however can be more comprehensive for both types of social movements if and when they focus on the victimhood of their own members. This can put them in a favourable bargaining position, which can be used both for making reformative agreements and for mobilizing collective action for more radical action such as demonstrations. Though the partnership would face obstacles if the main focus were on diagnostic- and injustice frames, as they do not suit the reformative approach.

As the Danish labour unions can be categorized as a reformative social movement, this kind of framing can be controversial if it used in larger partnerships. It can however be beneficial to use this type of framing tool in certain campaigns where there is no chance of a common agreement

with the opponent. The lack of reinstitutionalization makes it problematic to use the diagnostic and injustice frame for the labour unions because of their reformative profile.

It could be difficult therefore to define a unified opposition in a strategic partnership between labour unions and some NGOs; Some types of NGOs have a clearly and confrontationally defined perception of the blame for deplorable conditions, and are less likely to adopt a reformative political approach to solutions. The injustice frame prescribes that it is most effective when the unjust acts can be linked directly to specific people, organizations, corporations, governments etc.

This can prove to be problematic for reformative labour unions striving to collaborate with precisely these stakeholders. This would suggest that these types of framing tasks should not be comprehensive for a strategic partnership with an NGO and labour union to be successful. The labour unions strive to be a part of the reinstitutionalization of their organizational field. Thus, they will need a solution to the problem that they frame. This is why we next address prognostic framing.

Prognostic framing – solutions and strategies

The labour unions have historically, and continue to be very skilled when it comes to solutions and tactics in negotiations with corporations and employers, which is why it is relevant to look at the prognostic framing. As described earlier in this thesis, the labour unions can be categorized as reformative social movements, which are solution-focussed and cooperative minded in their approach to problematic issues with the corporations. Reformative social movements and a prognostic framing approaches are not necessarily congruent. The prognostic framing constitutes strategies, tactics and a solution to a given problem, but that does not mean that the opponent is necessarily part of that solution or strategy. In our interview with Jesper Nielsen, 3F, we got an insight into the ability of the labour unions to work together with corporations. In a discussion about the unions' use of CSR as a tool to work together with corporations outside Denmark, he stated;

“When we know that Danish corporations face problems in their supply chain we are always willing to help with a solution. We could do the same in Denmark and we also propose what they can do if

they know about violations of workers' rights or similar critical issues in their supply chain" (Jesper Nielsen; 2)

This statement is align with the prognostic framing. The labour union offers a strategy and a tactic to overcome the problems that the corporation and the workers face. This kind of framing activity by the union is also supported by Jacob Sand Kirk, LO shown by his view of how the labour unions not only serve as a "war machine", but also as a "dialogue-machine" (Jakob Sand Kirk; 5). This difference in approach also substantially affects the way the labour unions frame their communication activities. Not only do the labour unions make use of the diagnostic and injustice frames when they are taking the position as the "war machine" but they can also provide solutions and tactics in the prognostic framing as "the dialogue machine".

Jørn Larsen from CO industry shares the same approach. He states;

"The goal has never been only to take the corporations to court, we know that it would damage all employer organizations" (Jørn Larsen; 7)

These statements indicate that, whilst the labour unions make use of diagnostic framing, in some cases they also use the prognostic framing. The prognostic framing task are the most comprehensively used when the labour unions seek to work with other reformative social movements, whereas the – more limited – diagnostic and injustice frame is most beneficial in creating attention around subjects (and can facilitate working with radical social movement organisations).

Prognostic framing and strategic partnerships

This section outlines a hypothetical model of how CSR and strategic partnerships could benefit from the use of prognostic framing by the labour unions. In prognostic framing there is already a clear definition of the problem. What this aspect of framing contributes is strategies, targets and solutions addressing the problem. As this kind of framing does not focus on a clearly identified opponent or cause of the problem, but rather on strategies and tactics to cope with the problem,

it offers potential benefit to the Danish labour unions. One attraction to the unions would be that it is an approach compatible with reinstitutionalization through offering solutions to a problem. In the context of a potential strategic partnership with an NGO, there would also need to be a degree of agreement about the solution and strategy to implement this solution. Therefore, this implies that another reformative social movement would be most suitable for this kind of partnership.

If the labour unions decided to set up a strategic partnership, we suggest that they should mainly focus on the solutions to the problem, as it would be most effective to choose a subject where the results would be clearly measurable. An example of such a case could be to minimize child labour, or ensure better work conditions for children through the supply chain of Danish companies. The partner could then be an NGO dedicated to promotion and protection of children's rights – Save the Children - and could also include the corporations and their suppliers. This case doesn't affect the members of the Danish labour unions directly but could benefit the organization PR-wise. Vogel (2010) argues that NGOs often are popular candidates for partnerships because of their widespread public support (Vogel, 2010; 74-76). Hence, collaboration with a NGO such as Save the Children may offer commercial benefits also if agreement could be reached on the solution and tactics.

If the Danish labour unions were to engage in long-term strategic partnerships with NGOs, it is plausible to argue that prognostic framing is the most suitable form of framing to emphasise. However, if they did wish to engage in this kind of partnerships, they would also need to consider the strategic aspects, which we will now explore.

To engage in strategic partnerships with NGOs – the strategic aspect

The purpose of strategic framing is to achieve a specific goal – to gather more sympathisers, to please already existing members, to recruit new members, to mobilize supporters or to acquire resources etc. These strategic actions by social movement organisations are intended to highlight a connection between their sphere of interests with those of potential supporters or potential resource providers. This has been conceptualized as the “frame alignment processes” (Snow &

Benford, 2000; 624). In this section we analyse and discuss the possibilities for the Danish labour unions of using some of these strategic processes in relation to CSR.

First, it is relevant to consider the labour unions' willingness to engage in such a strategy. Opinion within the union movement about possible cooperation between the labour unions and other actors, like NGOs, is something that varies. When asked if it was possible to imagine if the labour unions could work together with other organizations that share similar goals, Finn Johnson, Service Forbundet, explained how he had taken a proposal to the board to work with a pop-up community with a view to possibly attracting some of the younger people. This proposal was rejected:

“Last year there was a report, which was about pop-up communities among young people. I tried to bring it as a proposal to work with them to our board but people were not so supportive of it” (Finn Johnson; 5).

Like Finn Johnson, Jesper Nielsen, 3F is also positive about the idea, but has had the same experience of an organization that hasn't been supportive of specific initiatives. He stated:

“We try to work with different human right based organisations and create alliances, but we have not been good enough and that is where we are falling behind compared to what we could be” (Jesper Nielsen; 6)

Based on the interviews and conversations with the prominent figures in the different Danish labour unions, our understanding was that there were a majority of people that could not see the opportunities offered by partnerships with other organisations. This has a major impact on whether or not the Danish Labour unions can use these kinds of strategies.

Frame bridging

Frame bridging refers to the cooperation between unorganized groups of people or other social movements that are ideologically congruent but structurally unconnected. This could be a useful tool for labour unions to align themselves with social movements with interests in the upsurge of

attention given to CSR. Frame bridging can occur if the actors share similar interests or goals, and this is where CSR literally can build bridges – frame bridges – between an increasingly self-regulating private sector and the labour unions, NGOs etc. By the labour unions nature, their main interest in CSR is labour rights and a decent work environments. However, CSR would bring the labour union into contact with other ideologically similar, but structurally unconnected, social movement organizations and unorganized people who are supportive of other CSR matters, such as a environmental protection, human rights, gender equality etc. So our question is, can the labour unions use frame bridging in this CSR context in order to gain members and influence?

Even though some of the labour unions are only just starting to use resources on education and incorporation of the concept into its ways of working, most of the interviewees were aware of the concept and indeed had opinions about it. For the majority of the interviewees there seemed to be a broad consensus about the potential in CSR. Jesper Nielsen from 3F, who we interviewed, is one of the few in the labour union sector who already uses CSR in his work. In his view, the labour unions have made a serious mistake by not taking CSR and its potential seriously. When asked what would make 3F more likely to use CSR and work with other organizations, he stated:

“The development is heading in that direction. You could say that when the labour union is holding on to what we have because we don’t know what we can get, that means we are missing out on alliances between other stakeholders. Alliances between corporations, politicians, NGOs (...) where there is a great development on the whole subject of CSR. This is where the labour union is falling behind” (Ibid; 3).

Jesper Nielsen pointed to the fact that there is a general problem in the labour unions. He indicated that the organizations are afraid to act innovatively and that’s the reason why the corporations have had the chance to take the lead. Corporations are more effective in adapting to a changing environment and to strategic partnerships (Marks & McAdam, 1996; 261). Thus, they use frame bridging as a strategic measure. This is problematic for the unions who find this more challenging for several reasons. However, we continue to argue that frame bridging has the

potential to assist the unions in appealing to a wider range of supporters, including the younger ones referred to by Professor Laust Høgedahl.

The reasoning for whether or not the Danish labour unions could use CSR together with the frame bridging strategy in order to gain more influence is three-fold. First, the labour unions can be categorized as a reformative social movement. That has been their approach to date, and enables them to work together with their opponent in order to come up with solutions that benefit both parts. This is why cooperation, or frame bridging, with radical social movements could involve several obstacles. If the goals of the labour unions and the radical social movement are too far apart, frame bridging may not be a possibility. In these circumstances frame bridging could risk provoking a radical flank effect within the organisation. This happens when a part of the organisation becomes more radical than the rest of the organisation (Den Hond & De Bakker, 2007; 904). There would be a better chance for success in a frame bridging with another reformative social movement because this would match the Danish labour unions' reformative profile and the risk of a radical flank effect would be smaller.

Second, as mentioned earlier in this section of the analysis, commonly held views in the unions on cooperation, or frame bridging, with organizations like NGOs, are not very positive. In the firmly established world view of the labour unions, a partnership should include the state or other labour unions, the normal partners of the Danish model. There are of course people in the labour unions who think otherwise, but the overall impression the interviewees gave was that this was not something the labour unions was very open-minded about. If the labour unions should use the frame bridging strategy with other SMOs in the future, this is one area where they will need to change their approach.

Third, the knowledge about CSR has to be more widely understood and incorporated in the labour unions than it is at present. As Jesper Nielsen, 3F pointed out, the corporations have used the multi-stakeholder theory and CSR for many years. This could be one reason why the labour unions have lost members and relevance.

So, to summarise, there is evidence that developments in the Danish labour unions is heading towards the use of frame bridging. The knowledge and incorporation of CSR is increasing and the belief in the concept as something that the labour unions can use in their work is positive. Where the labour unions meet obstacles, is in the view on cooperation with other social movements. The significant developments in the labour unions regarding CSR could affect this view in a positive direction. But if the labour unions choose to use the frame bridging strategy they must cooperate only with other reformative social movements.

Frame extension

A strategy, centred on frame extension, will focus on some of the same aspects as frame bridging. Using the frame extension strategy the way the organization portrays the problem. Its focus and solutions are extended beyond its primary frame in order to appeal to a wider audience and gain new members. These new extended frames could very well coincide or overlap with the frames of other organizations, much as is the case with frame bridging.

One important factor to note is the danger inherent in such a strategy, that the frame extends too far. When an organization extends its frame to appeal to other potential adherents the new frames must be congruent with the basic values and beliefs that the organization has. If the organization extends its frame too much it will denude its value for the members and risking them choosing to leave the organisation. To determine if the Danish labour unions could use the frame extension strategy we consider the labour unions' perception of the potential in CSR to see if they are open to the idea of extending their frame. We also include the labour unions' view on the possibility of gaining new members by extending the frames of the organization. Last we clarify whether the labour unions have considered some of the dangers combined with such a strategy.

If the Danish labour unions did extend their frame, they could, for instance, include much more focus on the issues of equal opportunities for men and women, or of racism in the labour market, or the issue of the responsibility for corporations to protect the environment. In that way they could extend their frame to be relevant to potential supporters from these other groups i.e.

feminist, anti-racist and environmentalist groups. The concept of CSR encompasses all of these issues in some way. Hence, there is a range of possibilities linked to the concept.

Jørn Larsen, CO industry, also acknowledged the potential in CSR. He briefly commented on the frame extension subject in the interview. When asked if he had any thoughts about whether the Danish labour unions could make strategic partnerships he answered:

“(...) in a recruitment situation you have to take into consideration what the current situation for the potential members is today. It’s not like all the people who we don’t get as members in the labour unions, are staying out because of the economic issue of the union dues. Because we notice they might be members of different NGOs” (Jørn Larsen; 5)

Even though this quote is from a discussion about strategic partnerships, it could indicate that the labour unions have used elements of the frame extension in their efforts to recruit new members. Jørn Larsen mentions that the economic issue is not relevant for all potential members. So, the labour unions look at current activities among the potential new supporters, who sympathize with other organizations whose values – in some cases – are congruent or similar to the values of the labour union. This could indicate that the frame extension strategy is already something that is practised in some labour unions, although to what extent is hard to say.

In the interview with Janus Broe Malm, OAO, the danger of this strategy was pointed out. In a discussion on whether OAO could benefit from a strategic partnership, he said:

“I would say that it is not the first thing I or any other person in the organization think of –but it’s not due to the fact that I can’t see the rationale in it (...) Where I would evaluate the openness to the idea of partnership with an NGO: it is likely that 4-5 OAO member unions think it’s a good idea, but there would probably also be 4-5 unions who think that it’s not a part of the core task of the labour movement, and that is not what our members pay for”. (Janus Broe Malm; 5)

Janus Broe Malm is open to the idea of extending the framing of the labour unions to attract more

adherents and sympathizers, but is also wary of the potential danger with this strategy. As when dealing with frame bridging, frame extension has the same risk of creating internal disagreement, which can lead to rifts and the radical flank effect.

There are three aspects of our analysis of whether or not the Danish labour unions could use frame extension as a strategy to gain more possible adherents. First, earlier in this thesis we categorized the Danish labour unions as reformative social movements. This is important to underline in relation to the question of frame extension. As Janus Broe Malm pointed out, a danger could be that the present members would be displeased if the frame extension included subjects that they did not consider congruent with the existing values and focus of the labour unions. If the Danish labour unions intended to implement such a strategy they would have to operate within the sphere of – not only the values that are congruent with their own – but also be cautious of how radical they appear in their framing.

Second, the labour unions do see the potential in CSR as a tool for advocacy. This indicates that they are open-minded regarding extending their frame and operating in fields in which they have a limited interest. Jørn Larsen, CO industry, even mentioned that the labour unions had already come to the conclusion that they could win new sympathizers among members of NGOs.

Third, based on the interview with Janus Broe Malm, OAO, which gave an insight into how the labour unions view frame extension, the risky aspects of the strategy were already on his mind. Dealing with such a large and complex organization, it is important not to extend the frame so much that they lose their congruence with existing values and core tasks. Janus Broe Malm's statement (above) shows that this is something they take into account. Based on these findings, the frame extension strategy is definitely a possibility for the Danish labour unions. The statement of Janus Broe Malm (above) shows that, even though he has not considered a specific partnership or an extension of their frame and he has certain scepticism about this, this awareness of the risks of an approach – to which he seems quite receptive – is necessary in order to navigate its implementation successfully.

Summary

In this part of the analysis we provided two chapters with each a focus. First, we investigated the diagnostic and prognostic framing and gave examples of their use in a labour union context. We analysed the up- and downsides of using these framing approaches when engaging with other reformative social movements like the labour unions. We did that by including the data from the interviews to build an understanding of the representatives' perceptions of how problematic issues are understood, verbalized and framed.

We then provided examples of how the diagnostic and prognostic frames might work with strategic partnerships to show what potential CSR holds for the labour unions. The findings showed both what possibilities and what obstacles each of the framing tasks presented, but indicated that prognostic framing was most suitable in a strategic partnership with an NGO who also could be categorized as a reformative social movement. The diagnostic and injustice frame were more relevant in cases where generating publicity and attention is the main objective.

In the last part, we analysed the possibilities for labour unions using CSR as an advocating tool and engaging in strategic partnerships in the different framing alignment processes. The analysis showed that there are some possibilities to use frame bridging and frame extension to appeal to a wider audience segment. Nevertheless, the Danish labour unions should be aware of what type of NGO they approach. That type of NGO should be a reformative social movement if the strategy is to succeed. If not, there can be a risk of the radical flank effect where fragments of the union become more radical than the rest, causing internal problems. The analysis also included what elements the labour unions have to be cautious about, as there are several obstacles and dangers combined with each of the strategies.

Global governance and civil regulation for labour rights

A shared view of most of our interviewees is that the union wish for more government action on governance in the area of CSR. Many mentioned how a type of governmental governance that would endorse the use of CSR would not only promote the concept, but would also markedly

improve the possibilities for the Danish labour unions when using CSR in advocacy and negotiation.

Global governance and civil regulation are used in several industries to encourage responsible business behaviour. This governance exists through standards or certification, which companies voluntarily sign up to and promise to follow. These standards or certification can range from all kind of CSR-related topics, such as environmental sustainability, charity, societal responsibility and of course, decent working conditions and labour rights. Yet many examples exist where this type of governance fails to uphold the rights it is intended to protect. Instead, it functions as a tool for greenwashing. Many theorists think, as did many of our interviewees, that governmental involvement can solve this, but we argue that it might not be as simple as that.

In this chapter, we identify from our data what attitude the Danish labour unions have towards governmental involvement in the CSR concept and global governance. Since this kind of governance has a central role when dealing with the labour rights aspects of CSR, we consider it important to analyse how the unions perceive these standards. We will describe the types of governance that exists in the labour rights literature and discuss the effect of each. We also address the issue of hard law compared to soft law.

It is important to look at this kind of regulation and governance because standards and certification on labour rights in international context already exist. This cannot be ignored when dealing with labour rights, but the governance still has to be proven effective. We will therefore discuss its effectiveness and how the unions perceive this type of international governance.

A call for more governmental governance

As discussed earlier, CSR is a relatively new concept to the labour unions. Still, most of the interviewees had some knowledge of it and most of them thought that there could be a potential in CSR to help advance the unions' agenda. We therefore, explored with them how they thought the CSR concept could be used to benefit labour rights, and if it needed anything added. This generated very interesting comments, with almost unanimous agreement to one specific part,

which they all thought could be beneficial: there should be more CSR governance controlled by government, and an approach which makes compliance with more CSR standards legally binding.

“But it is obvious that if it (CSR) was bound by law and everybody had to describe it, then you could use it much more, I think” (Finn Johnson; 5).

He added that with stricter regulation from the government, the CSR concept would benefit the union more. They would then have a clearly defined tool to advocate for CSR and responsible behaviour regarding labour rights and condition. This point is related to the challenge of having a common definition of CSR within the Danish labour unions, noted by which both Dennis Kristensen and Janus Broe Malm mention. By making it hard law requirement, you get a determined definition of the concept and a piece of juridical proof the corporations are obligated to follow. An agreed definition, enshrined in law, makes it easier both to ensure compliance, but also to determine non-compliance making it easier to prosecute. This has the potential to which might strengthen the possible use of the CSR concept as an advocacy tool.

This view was shared by most of the interviewees. Jesper Nielsen added that if you, as a union-worker, needed to get improvements in less developed societies and countries, you definitely need to have support from the government (Jesper Nielsen; 4-5). He noted that if the area of responsible business behaviour is left to corporations to police themselves, then transformation towards more responsible behaviour would be very slow. He argues that this is in the best interest of the corporations. They will still have the best business potential, if they can boast about responsible initiatives and of how they will work towards responsible transformation, while still keeping the old business practices in place. This way, they can maintain their cheap production with dreadful labour conditions (for example) whilst at the same time creating socially responsible PR. Corporations would therefore seek to extend the time taken for responsible transformation as long as possible (Ibid; 6). Jesper Nielsen’s view is something that Banerjee (2008) would agree with. His criticism of CSR is very like Jesper Nielsen’s point: the only situation in which most corporations will engage in responsible initiatives is if their business can gain anything from it,

most likely profit-wise (Banerjee, 2008). Hence, it can be problematic when corporations set the CSR agenda by themselves.

Jørn Larsen has some evidence that governmental involvement sometimes can lead to more effective governance. In the CO Industry-project concerning CSR practice in Manila (discussed previously), the organization recruited the local Danish ambassador to support their project (Jørn Larsen; 8). They did this, not only to support, but also to engage in the project so he felt some ownership of it himself. This had a clear effect on the other stakeholders in the project. His presence and engagement became very valuable for the project, not because he served as a direct “watchdog”, but more that he reminded the other stakeholders of certain obligations.

There are similar findings from Guatemala presented by Rodríguez-Garavito (2005). When the government’s reputation is implicated in a matter of labour rights, there is a chance that the government will choose to intervene in the matter, taking measures to benefit labour rights. This was the case when the Guatemalan government put pressure on Choosing to engage in negotiation with the union because the case was internationally prominent and had implications for Guatemala’s participation in *the US-Central American Free Trade Agreement (CAFTA)* (Rodríguez-Garavito, 2005; 223). The opposite, however, can also be the case, if the government or state are more fragile, perhaps mired in corruption or had a troubled past with internal problems or civil war, for example. State incapacity can simply function as a straight block on action towards responsible behaviour and labour rights (Ibid; 214).

The area of more regulation and governance is not only interesting because many of the interviewees thought it an area with the potential to strengthen CSR for the labour union. It is also quite important because of the union’s customary practices. The union has always referred to various regulations to argue their case when dealing with employers. The labour court along with potential recourse to a higher court dealing with this area, is one of the factors that has made the Danish union strong through the years. Thus, governance and regulation are already part of the unions’ way of working.

“If you discuss if you should, for example, use international guidelines instead of the practice of Danish national labour law or as a supplement to this, then everyone in the present Danish labour unions would automatically answer that we will use the pertaining Danish labour law and the Danish civil courts. The institution of dispute settlements and complaints, which for example is the reference for OECD’s work in Denmark, has only been used by 3F once.” (Jesper Nielsen; 4)

He elaborated that international institutions and their guidelines, such as the UN Guiding principles or the OECD’s guidelines for multinational corporations, are not something that the unions tend to use. Still, he recognized that this might be changing, but it will also need some more governmental pressure if it is to be seen as a legitimate soft law that would have influence on actual business practices (Jesper Nielsen; 4). Jesper Nielsen’s view was that society’s expectations of corporations and their behaviour are growing all the time, and this might affect regulation and the unions’ use of and engagement in civil regulation as well. He stated that he saw the recently added CSR provision in the Danish Financial Statement Act (§99a) as a good example of how CSR is becoming increasingly recognized by the public and the society (Jesper Nielsen; 4). Finn Johnsen adds that informing the wider public about the CSR concept is a part of the larger process to prepare CSR as an advocacy tool (Finn Johnsen; 5). Maybe the political consumer has been born and maybe the corporate world pays a lot of attention to CSR, but the wider public still does not know the term CSR and what it stands for. This is something that has to change in order to strengthen future union work with CSR.

This is backed up by the theory from Meyer & Gereffi (2010). According to their third hypothesis:

“Effective private governance is most likely in the face of effective societal pressure, which, in turn, depends on the relative ease of mobilizing collective action.” (Meyer & Gereffi, 2010; 11-13).

They argue that it is necessary to create public, social and societal pressure to make sure that institutions of new governance are established and followed. The public need to create a focus around the need for governance and a social wish needs to develop, to not only implement the governance, but also to follow and enhance the governance. To create this kind of public

awareness that can lead to institutional pressure, it may, in some circumstances, be beneficial to use an action like a public strike, for example (Den Hond & De Bakker, 2007; 916). A participatory activist action like this will create a public outcry and the use of strikes to do this is not new to the labour unions as Dennis Kristensen also expressed in our interview with him.

There is a clear tendency in the literature on the theory of global governance, civil regulation and multi-stakeholder regulation, to conclude that more governmental influence will have a positive impact on governance. Some argue that examples of the best CSR initiatives are the ones presented by the British businesses, which is very much supported by the government (Gond et al, 2011; 20-22). In a related point, it is a common view in the literature that the governance should be supported by the state if it is to be successful. This is not because state and private corporations should merge into one unit. Corporations do not have the accountability or capacity to be completely socially responsible – it should be the state's responsibility (Ibid; 9-10). An effective civil regulation must therefore be a result of proper multi-stakeholder management. If NGOs, state, trade associations, labour unions, corporations etc. work together to create civil regulation, they might create a successful example of governance that will govern CSR matters, such as human rights, environmental protection etc. (Vogel, 2010; 73-76).

Jakob Sand Kirk presented another perspective on the issue of more governmental regulation in the CSR area. He did not fully agree that CSR should be fully regulated by the state (Jakob Sand Kirk; 5). This is something that differentiates him from most of the other interviewees who tended to think that more governmental regulation would benefit the CSR concept. This is interesting because of the differentiation from the other interviewees, and we agree with Jakob Sand Kirk's scepticism. Even though governmental intervention is often considered the answer to more effective responsible regulation, there are arguments why that might not be the case which we present in the following section.

Scepticism of government influence

Although most of the theories of global governance, civil regulation and multi-stakeholder regulation suggest that government influence will make a stronger and more reliable regulation,

we argue here that it might not be as simple as this. We do not question the fact that in respect of regulation, it is an obvious advantage if the regulation is hard law and enforced by the state. Of course, legally binding regulation will make compliance almost inevitable for the corporations because of the possible legal consequences.

However, we argue here that the circumstances, context and content of the regulation of CSR would change if it became hard law. CSR is arguably something, which the corporation need to define themselves because of the very large and complex task it is to define responsibility. In each case the details can be argued as to what constitutes good or proper CSR, but there will be no general resulting figure of how CSR *must* be in each and every case. Of course, there is consensus on some topics that are considered CSR-topics such as equal rights, labour rights, the environment, anti-corruption etc., but the corporations will still have a remarkably large range of possibilities of what they will perceive as social responsibility. Many will argue that an element of voluntariness is essential for proper CSR practice, the intention of which is to create a win-win situation for both company and society (Banerjee, 2014; 13). We have mentioned how many interviewees saw this management and freedom of interpretation from corporations as an obstacle and a challenge of CSR. Now we wish to argue that this factor and the soft law element in CSR and civil regulation might actually be a positive element.

When Jakob Sand Kirk from LO was asked if he could come up with any suggestions that would make CSR more efficient as a tool for the labour unions, he answered:

“The natural thing to suggest would be to make it hard law, but I am not going to say that because then you would need some sort of rules where you could add it. I believe that if you did this then the content that would be in these policies would have way less effect. I think that they would not add anything more than just what the law told them to and they are already doing that. So I do not believe that it would be constructive.” (Jakob Sand Kirk; 5)

He presents a very interesting perspective, because he believes that one of the most positive elements in CSR is that there is the possibility of implementing higher standards than the law

requires. By keeping it as soft law, the corporations have the option of creating such a progressive CSR policy. This, the argument goes, would give them an incentive to act responsibly and create CSR that can differentiate their business from others. The reason why many big corporations embrace civil regulation is that it is a way to avoid further state regulation and to differentiate their product (Vogel, 2010; 76-78). It is the same argument in this case. Hence, it would be rather problematic to change the element of self-regulation because this clearly plays a significant role for the corporations and their willingness to engage in such projects.

Jakob Sand Kirk therefore has a strong point when he claims that a change to hard law would actually end up harming the extent to which the corporations embrace social responsibility in their actions. It is beneficial to have something that appeals to the corporations and their willingness to engage in responsibility initiatives. Vogel (2010) points out how it needs to be good for business to practice CSR if civil regulation is to be effective (Vogel, 2010; 81). More state regulation in the area might destroy this element meaning that corporations would no longer be able to secure a business advantage through CSR and civil regulation themselves.

However, we should remain mindful of how many theorists argue that governmental involvement in civil regulation would make them more respected. Some theorists argue that meta-regulation, or monitoring of civil regulations, does not have to be an exact replica of how a state would normally enforce laws. An alternative could be conventional legal mechanisms with power and status to enforce compliance by corporations with their CSR claims (Banerjee, 2014; 12-13). These mechanisms do not have to be government, but could be multiple stakeholder groups or professional NGOs who are expert in the CSR areas. This is similar to Rodríguez-Garavito's (2005) argument that collaboration between different stakeholders can supplement the government in enforcing labour rights. We would argue that if there were more governmental intervention with civil regulation, it would most likely be a replica of hard law, which we do consider an appropriate solution.

Another relevant argument could be that government involvement might not even have any notable effect in an area that used to not be regulated. An example of this is the present situation

of the company, Uber in Denmark. Uber's appearance has been a much-discussed matter because the company challenge normal Danish labour rights by not complying with them. On 8 of July this year, six Uber-drivers were convicted by the Danish court ("Uberkørsel var ulovlig taxi-kørsel", 08.07.2016). Although the conviction was appealed immediately, this made driving for Uber illegal in Denmark by state regulation. However, this did not stop Uber-drivers continuing their business, and already, less than three weeks after the trial, Uber-drivers stated to a journalist, that they had no fear of being caught by the police or of fines, because Uber would pay the fine on their behalf (Dalsgaard & Gram, 2016).

The interesting point in this case, is how it shows that state regulation is sometimes ineffective when there is no clear definition of the scope of regulation. The case is relevant to the unions because 3F were involved because of the labour rights-issues, which also makes it appropriate to use in this thesis. The case indicates how these grey areas of regulation sometimes cannot be fixed by state regulation. Corporations' CSR-policies are also a grey area by being hard to define precisely, which means this might not be the best area to regulate using hard law. We therefore support Jakob Sand Kirk's point that it would be more beneficial to appeal to the corporations in a more constructive manner.

Jakob Sand Kirk adds:

"You should preferably use it (CSR) as dialogue-tool and then maybe also as a documentation-tool and a media-tool. You should not underestimate that it is very problematic if a big, well-known corporation has promised something and then does the opposite. It then becomes very unpleasant for them in the media – a shitstorm" (Jakob Sand Kirk; 5)

This statement indicates that even though LO wish to engage corporations in a constructive manner, they are not afraid of using more radical methods to further their agenda. This is clear when Jakob Sand Kirk mention how CSR can become a media-tool to put pressure on the corporations. He thinks that CSR could be a tool to create pressure from the media, which the unions can use. Instead of a focus on dragging the corporations through court, they could have a new focus on how to use the media when the corporations do not keep their own promises.

To use CSR like this is very appealing to a radical social movement who is intent on harming corporations' brands and practice. As we stated earlier, these kinds of social movement would very much prefer to create symbolic damage that will influence the public's perception of the corporations. Given the fact that we define the Danish labour unions as a reformative social movement, this type of activist action would normally not be considered as appropriate. Nevertheless, it is not a secret that the negotiations between employers and unions have, at times, become intense and quite tough for the unions. Thus, a tool bringing media attention to the gap between corporations' promises and their actual practice might be very useful to the unions, but only if they decide to confront the corporations. This is very much related to our framing-chapter.

To create media attention might seem like the "gotcha-model" that is used by WRC, mentioned earlier. Like other radical activist groups, the focus is on creating symbolic damage to create a deinstitutionalization of the organizational field, hopefully leading to institutional change. This is where the Danish labour unions can differentiate themselves from these groups, because of a single fact: the unions not only present a solution that would create reinstitutionalization of the organizational field, they will also be eager to assist in this institutional change. Hence, they must consider carefully such a move that causes symbolic damage to their opponents. As we discussed before, this can lead to internal division within the unions and might lead to a radical flank, or maybe the corporations or civil society will begin to perceive them as a radical group that does not seek any collaboration. This can end up harming the unions as they value their reformative status.

As our analysis shows that many of our interviewees spoke of how they operate as advisers for corporations. We also argued that the union could be seen as a reformative social movement with a focus on reinstitutionalization through collaboration. Hence, we argued that CSR could provide a method to draw negative media attention towards corporations, which may give them an incentive to act more responsibly. To support our argument, we simply draw attention to Jakob Sand Kirk's comment (Jakob Sand Kirk; 5-8). Still, we believe that such an action should be considered strategically and carefully, particularly where there is a risk of a radical flank effect.

Many of our interviewees asserted that Danish labour unions' representatives should be included in the development and agreement of CSR policies. In our literature chapter, we also showed how different TANs exist which have been established for governance purposes in relation to the maintenance of specific standards e.g. labour rights, corporate code of conducts. etc. We recognize how it therefore would be interesting to analyse how the Danish labour unions differ from other organisations that claim to advocate labour rights. This will be the focus of the last section.

The landscape of labour rights governance

There is a wide range of different types of civil regulation that govern labour rights. There are many different types of TANs that all have different approaches to operating an auditing or monitoring system (Rodríguez-Garavito, 2005). It is not clear how to discern the most effective approach, and hence, the selection of an organization to provide RLS when you are dealing with governance, is not a simple choice.

Unfortunately, most of the organizations involved in labour rights auditing also have a serious problem of being too commercialized and work harder to appeal to the corporations hiring them than they do auditing conditions (O'Rourke, 2006). Compared with the labour unions, corporations have been more effective in their approach to these auditing organizations and in influencing their operation. This is because corporations have, in general, been much more focused on building relations with their stakeholders. As we stated earlier, this is the view of Jesper Nielsen, who thinks that this is unfortunate. First of all, because the labour unions and the corporations share a lot of the same stakeholders, but also because it gives corporations the opportunity to influence the CSR area in a manner that benefits their business, a negative step in his view (Jesper Nielsen; 2).

Jesper Nielsen thinks this is a major problem with CSR.

"You (The corporation) claim that with CSR you can please the interest of every stakeholder, but do not include every stakeholder probably yet. You do not include employees and their unions

probably in the value chain and nor monitor your own CSR policy and I actually do not get it... “

(Ibid; 2).

The reason why Jesper Nielsen is puzzled as to why the employers do not see inclusion of their employees and the union in their CSR policy as a good idea is because of the evident use of expensive, external audit organizations. Instead, he suggested, of paying for expensive consultancy from private firms or external organization, the employers should use their own employees and their union because they know how to be socially responsible regarding labour rights and working conditions (Ibid; 2). According to him, the corporations hide behind an argument that states it takes too many resources to include the employees or their union representatives in the CSR policy, an argument that he finds unconvincing. The alternative, hiring external monitors, seems much more expensive. He stated that the idea of including the employees or their representatives must seem to the employers, too big a project, easier handled by outsourcing to an external company or organization.

What Jesper Nielsen calls for is something like Rodríguez-Garavito's (2005) EPLR-model. This model places participation at the centre of the RLS. It is seen as an alternative to poorly handled TANs outcomes, which like codes of conduct mainly serve a commercialized purpose. It does not advocate for proper responsible business practice (Rodríguez-Garavito, 2005; 211): Rodríguez-Garavito (2005) instead argues that a collective approach where you include multiple stakeholders would be the solution most likely to create a well-functioning governance of labour rights. When Jesper Nielsen spoke of the potential in the involvement of union representatives, he supported Rodríguez-Garavito's claim. The Kukdong-case is a good example of how cooperation between the different stakeholders can create remarkable changes. A successful collective approach, where you also include the labour union, is likely to guarantee the most legitimate and effective way of securing governance of labour rights (Ibid; 219-225).

Banerjee (2014) develops this, arguing that the only reasonable solution in a democratic sense, in ensuring corporations' compliance with civil regulations, would be governance of the governance (Banerjee, 2014; 5-8). Through meta-regulation, it would be possible to create responsible and fair

circumstances, which encourages good corporate practice. This supports the idea of TANs and the involvement of union representatives. Banerjee (2014) would also embrace the idea of unions' involvement in their employers' CSR activities. He states:

One of the outcomes of meta-regulation is to ensure that stakeholders who might otherwise be excluded from corporate decision-making are given legal rights to be involved. If these stakeholders play a more important role in corporate and institutional decision-making one would expect better social outcomes depending on the context of CSR initiatives (for example if CSR practices are aimed at providing better employment, educational, health or environmental outcomes for the community) (Ibid; 13)

The insight and expertise from a labour union representative would be valuable if a corporation wished to engage in responsible business practice. Banerjee's position would probably be that involving many differentiated stakeholders is required to secure effective meta-regulation. Labour union representatives might not be enough on their own in that sense.

However, we argue that because of the labour unions' history and impact on Danish society, they can provide acceptable representation for a significant part of the civil society that Banerjee (2014) wants involved in this type of regulation. Meanwhile, their unions' reformative profile and their commitment to corporate success (to secure their members' employment) would make them more attractive to employers as collaborative partners. Hence, we believe that involvement of labour union representatives in the audit or creation of a corporation's CSR activities would lead to a more responsible and a partially democratized business practice.

Almost every interviewee shared this view. They all thought that creating a strong CSR policy in collaboration with employees or at least their representatives would be an excellent solution. The representatives could provide knowledge and expertise (e.g. of the realities of the production process) that would likely benefit the companies' CSR policy. As mentioned earlier by Jakob Sand Kirk, the union representatives and the employers share a common goal of securing the company and its future operation (Jakob Sand Kirk; 3). The representatives are motivated to help the

company to secure their colleagues' workplace. Hence, they have a wish to pursue a reformatory approach and not only to complain, as you might think was the impression from the employers. Labour union representatives could engage and involve themselves in the CSR policymaking and create a new type of auditing that serves both the company and its employees.

The involvement of labour unions in global governance and TANs is not something completely new. When Vogel (2010) speaks of a well-functioning civil regulation, it will comprise several multi-stakeholders including labour unions (Vogel, 2010; 76). Organizations carrying out auditing and monitoring have the same approach. If you look at examples of an organization that audits labour rights and condition, a good example is the WRC. WRC is an organization founded by *United Students Against Sweatshops (USAS)*, *the Union of Needletrades, Industrial and Textile Employees (UNITE)*, *the American federation of Labour-Congress of Industrial Organizations* and various labour, religious and human rights NGOs (O'Rourke, 2006; 905). The organization mostly audit companies that supply the apparel industry or if the organization receive complaints of poor labour conditions and their usage of the "gotcha-model" can be problematic because it does not provide any solution to the problem it is targeting (Ibid; 905-906). It only delivers criticism. If we use framing-terminology, we might say that this approach is a diagnostic framing that only focuses on a certain problem and who that is to blame for this problem. As mentioned earlier in this thesis, the diagnostic and injustice frame can be valuable tools in used to attract attention, but these frames alone are not ideal when dealing with a reformatory social movement. WRC can therefore arguably be defined as a radical social movement because of their focus on damaging the reputation of corporations who allow bad practice regarding labour rights.

This approach does not fit with the Danish labour union's principle. Their reformatory approach will seek for reinstationalization through offering a solution to the problem that may call for institutional change. They will, to a larger extent, use a prognostic framing where they will focus on how to solve the actual problem and provide the corporations with tactics and strategies. Thus, the Danish labour unions could provide a new type of auditing and governance regarding labour rights. They would not just focus on a "gotcha-model" approach, but instead also provide a solution to the problem. That is why we argue that our interviewees might have a strong

argument when they claim there is a potential benefit in union and employee involvement in the making of CSR policies. The union differentiate themselves from any other type of auditing organization or civil regulation. They will strive to be as reformative and collaborative as possible whilst they have a strong legitimacy and an agenda that serves the topics of genuine CSR, such as human rights, fair working conditions, labour rights etc.

Summary

This final part of the analysis has focussed on global governance and civil regulation of CSR.

Global governance and civil regulation are very popular with advocates for CSR. However, they have been proven not to be very effective in creating corporate behaviour that is more responsible. Most of our interviewees had little doubt that the most effective thing to do would be to increase governmental influence in these regulations. By introducing hard law enforcement, the regulation would be legally binding and the corporation would have little choice but to follow it. The problem with this idea, we have argued, is that the very reason why this type of governance became popular and used throughout so many industries on a global scale was the element of self-control and soft law. Corporations have been willing to subscribe to civil regulation because, unlike hard law, it could either benefit their business by differentiating their product or avoid further state regulation.

We presented our interviewee Jakob Sand Kirk's view that he did not think that governmental regulation was the right approach to CSR. He told us that the soft law element is important as it makes the system more constructive and produces higher standards for CSR initiatives. He also described how the media can be used to create public pressure on corporations instead.

We agree with the thoughts of Jakob Sand Kirk. The element of voluntariness currently in CSR is essential to appeal to the corporations and the private market. We recognize how use of public pressure through the media might be more of a radical approach, akin to symbolic damage, but we claim that the unions have a stronger position to appeal to the corporations because of their reformative profile and collaborative focus on reinstitutionalization of the organizational field.

Finally, we examined the landscape of civil regulation that deals with labour rights with a focus on TANs. We compared WRC to the Danish labour unions to show how their framing and types of organization differentiate. We concluded that the union cannot use the same approach as WRC and their “gotcha”-model. Instead, however, the union can offer a solution to possible problems that might arise out of an audit, a situation where WRC would only focus on the problem.

Discussion

The Danish labour unions’ potential use of CSR

There is little doubt that the Danish labour unions are facing major challenges with declining members, new market developments, new technologies, flexible employment, and a larger labour force (Lind, 1994; 46). These factors are creating pressures that the unions need to act on. At the same time, the Danish labour unions are also finding it hard to appeal to the younger generations, whom they need to recruit to ensure the continued relevance and longer-term sustainability of their organization.

Marks & McAdam (1996) argue that labour unions are faced with a challenge requiring an ability to readjust to the market (Marks & McAdam, 1996; 261). Our data supports this argument, especially in relation to CSR. The labour unions navigate in a primarily political environment while the companies navigate in an economic environment. This makes it much more difficult for the labour unions to change strategies and adapt to the current situation. This challenge alone is not new for the labour unions as the two parties have always worked like this. It has, however, currently a particularly significant impact on the labour unions, a time when corporations and markets are developing new methods that threaten the labour unions in several ways. An example could be market developments like Uber, which exemplifies how technology and globalization have created a new form of multinational corporations which is a threat to the established labour rights.

Globalization and technological advances have the potential to become one of the Danish labour unions’ biggest challenges. Through more than a century, they have operated traditionally through collective bargaining within the framework of the Danish Model. Because of the Danish Model,

there has been no need to adapt to the corporate world and discourse. Nevertheless, the main task for a labour union now is to form a social movement that reflects industrial patterns (Lind, 1994; 60).

Based on these arguments, we claim that the use of CSR could become an alternative tool to increase their influence in collective bargaining with corporations. Many studies have been carried out into how the unions interact and are influenced by external changes, such as for instance new market developments, the EU. An example of such a study is Hyman (2005), who discusses how different labour unions are dealing with the incorporation of a social model in the European Union (Hyman, 2005). Our study has a narrower scope, focussing on the Danish labour unions and on how their potential use of the CSR concept can strengthen their position. From our collected data, we have described how prominent figures from the Danish labour unions perceive the potential of CSR, our central subject. We argued for a categorisation of the Danish labour unions as a reformative social movement. This can be seen as a supplement to studies like Marks & McAdam's (1996), because we use modern theory of social movements and potential action patterns through the theory of Den Hond & De Bakker (2007) and show how the Danish labour unions can navigate more effectively in a political environment.

Our study of the Danish labour unions and CSR is the first of its kind. By reviewing ideas such as strategic partnerships with NGOs and global governance, we have analysed how the Danish labour unions might have the option of using aspects of the CSR concept to renew their strategy and approach as part of their response to new market tendencies.

However, it can be argued that the CSR concept is itself a market development which constitutes a threat to unions, and that corporations' use of CSR potentially could be used to outmanoeuvre the labour unions. As the corporations set the agenda for social responsibility and labour rights, they can contribute to the undermining of the role for labour unions. Thus, we argued that the Danish labour unions have to engage in this concept and try to influence the agenda as much as possible. The point made by McAdam & Marks (1996) claims that the labour unions will face difficulties in adjusting to the developing market environment and in becoming a part of it. Our study shows

that this is, at least partly correct as the Danish labour unions does not unanimously support the new CSR projects.

One could argue that the labour unions are “giving up” their power by agreeing to take part in CSR and thereby adopting the terminology of the corporations. By entering the domain of corporations and by using corporate terminology, the Danish labour unions concede that they accept the corporate perspective as the dominant perspective. However, this argument may work both ways. With social responsibility corporations too are engaging in a perspective and discourse they would not previously have been associated with. Indeed this has traditionally been the area of - among others - labour unions work. This supports an argument for labour unions engaging constructively with this agenda.

There is an element of truth, we find however, in the argument that the Danish labour unions might partially relinquish their strategic position when using corporate terms, because the risk is that the labour unions could lose legitimacy by acting in collusion with the corporations (and by being seen to do so). Still, we claim that it is very much a pragmatic question of how best to achieve the greatest amount of positive influence, and as many studies state that the Danish labour unions need to engage with market developments to regain their bargaining position.

A unique social movement with a new advocacy tool

The Danish labour unions have gained many victories and achieved considerable societal influence throughout the last century, but as Lind (1994), among others, says, the times and the market have changed and they need to adapt. Hence, they must move on from past victories and action patterns, and engagement in CSR could help them do this effectively. We recognise the risks to them of adopting corporate discourse, but we believe that they need to do this to be involved in CSR practice and thereby also influence it. Thus, this is an argument that they need to engage in this concept to enable them to adapt to modern market conditions that have an impact on their organizational field.

For a reformative social movement, this would seem to be a legitimate action. By using a corporate phenomenon, the Danish labour unions will be approaching the corporations in a reformative manner where the corporations are assumed to be a part of the solution and reinstitutionalization of their organizational field. This would be consistent with their historical past of collective bargaining, which must be considered a key advantage when considering the future effectiveness of the Danish labour unions. They value the Danish Model and the collective bargaining system very much. Strategic work with CSR would likely therefore be completely in line with this outlook. This is also in line with Den Hond & De Bakker (2007) as they argue how a reformative social movement would strive to implement this kind of approach to creating institutional change. CSR would fit comfortably into the collective bargaining system of the Danish Model, and would also constitute an adjustment to modern, market-driven tendencies. The use of corporate terminology will make it easier to appeal to corporations, and the CSR concept would still serve the labour unions with a social responsibility discourse. In this discourse, they can address union-matters such as labour rights, working conditions, safety, etc. Hence, we argue that CSR can serve the unions' agenda in a way that is consistent with their historical use of the Danish Model and their status as being reformative, and in a way which enables them to appeal to corporations in a more modern, innovative and constructive manner.

The Danish Model and the embedded nature of the labour unions in Danish society make the Danish labour unions a unique kind of social movement. Thus, we argue that our study proves that their potential use of CSR could be the focus of new type of study in social movement theory. Any success achieved by the Danish labour unions' reformative approach to creating institutional change in their organisational field by strategic use of CSR would be unique due to their societal position and their great influence in the Danish society. Our interviewees confirm that there is reason to believe that CSR could be an appropriate tool for the labour unions, which supports this study's relevance. Since LO is introducing education in CSR to union representatives, it will likely become possible to study the actual effect of this social movement action.

Framing - the obstacles and the possibilities

This thesis relies on framing theory in relation to mobilizing collective action and recruiting new members. As argued earlier, there are several reasons for this choice. One of them is to emphasize the possibility of entering into strategic partnerships with NGOs in order to gather more members and also to increase the movement's relevance in the debates.

Our study points towards the Danish labour unions having varying conceptions of CSR and there being obstacles to them adjusting to the CSR environment and making effective use of the concept to further their interests. This confirms the reflections of Marks & McAdam (1996) who argue that the labour unions struggle to have difficulties adjusting to new market tendencies. Another counter argument for the labour unions to hold back from this kind of strategic partnerships was advanced by Janus Broe Malm, OAO. He stated that there is a great risk of that the labour unions inadvertently distancing themselves from their members (Janus; 5). This issue is explained for the frame extension part. The danger of combined with frame extension is the risk of alienating members from the organisation who no longer recognise the original values of the organisation they joined. Janus' argument is reasonable and our study does not address on whether if this strategy would work in practice.

In Janus' statement (ibid.) he also raised another factor which perhaps also plays a part in the reason why the difficulties for the labour unions have in adapting to its changed environment and also in using CSR as a strategic tool e.g. with the use of framing and partnerships with NGOs. Janus explained the fact that the labour unions are quite fragmented which makes it hard for the umbrella organizations to make major decisions on behalf of all of the unions. This point opens up to a whole other theoretical framework, which we will describe more thoroughly in the section on further study.

The framing analysis also deals with the diagnostic and prognostic framings, which the labour unions use. This part discusses the benefits and drawbacks of the up- and downsides combined with the two framing tasks in relation to a hypothetical strategic partnerships with NGOs, and how the effect of these framing tasks might differ depending on whether the social movement concerned is considered a reformative- or a radical social movement.

It is important to note that the matter is that the communication is only one out of many factors that needs to be considered by the partners (and probably adjusted), in order for a partnership to work. In such cases, the circumstances are much more complex than just communication. Issues around ways of working that the way labour unions need to consider, in order to communicate and interact effectively to build a strategic partnership with NGOs go well beyond diagnostic and prognostic framing.

The labour unions can agree with several NGOs about certain subjects, but that on its own does not indicate their ability to operate together.

It is also relevant to reflect on whether the focus on NGOs as a solution to the decline in labour union members, is appropriate at all. Laust Høgedahl pointed out that the younger generation is more organised in NGOs than older generations were, and claimed that the decline in younger members among the labour unions is not because of a tendency to increased individualization or decreased social responsibility. However, we would argue that there is no direct connection between this statement and the benefit, or otherwise, that such a partnership might bring in terms of the labour unions gaining younger members.

Since the CSR concept is new for the labour unions, it would be interesting to consider the communication/framing strategy towards corporations that do not adhere to their CSR promises. This is something, which the labour unions need to have prepared when they roll out education on this subject within their organisation. This is particularly important because generating negative publicity about their partner corporations in the media, would be in contrast to how labour unions have, to-date, worked as a reformative social movement. This is something Jakob Sand Kirk, LO touched on in his interview (Jakob Sand Kirk; 3). Jakob acknowledged how a more aggressive communication strategy, employing tactics, such as symbolic damage or other activist tools might have an effect on corporations, but this would still not be the unions' main focus. They maintain their wish for a more dialogue-based and collaborative strategy, because it is in their interests not to jeopardise the corporations' continued operation, so no jobs will be lost, or pay decreased. This

is important due to the labour unions' overarching mission to secure jobs for their members. However, the possibility of new strategies and tactics will likely appear which call for a more nuanced communication strategy for the labour unions. As pointed in the analysis, the most workable framing task in this context is prognostic framing, as it includes providing a solution to the problematic issues. Nevertheless, the labour unions need to have a deeper knowledge concerning CSR in order to provide these.

The body of research within the framing theory literature lacks of studies with negative framing results and cases where a framing approach has not been used yet (Benford, 1997; 412). Our study contributes to framing research as it provides several options (with rationales) for the Danish labour unions to engage in different framing strategies, including an outline of several obstacles and difficulties, which the unions would need to consider in implementation. The fact that framing hasn't been used yet and that the strategic partnership is hypothetical also makes the contribution to the research atypical. Our consideration of framing analysis has also concluded that the Danish labour unions need to emphasise the prognostic framing task in a strategic partnership. The reason for this is the solution element in this framing task is necessary to maintain consistency with their status as a reformative social movement.

Global governance – a new type of governance

Global governance and civil regulation are essential to the ensuring the implementation of the CSR concept in multiple industries and markets on a global scale. When we presented the idea of engaging in this kind of CSR practice, we met different point of views on governance from our interviewees.

To some extent they agreed that this approach could offer a great potential, but our interviewees found it hard to consider an option that did not involve increased governmental influence. There is no doubt that they would much rather rely on hard law, regulated and governed by the state. As we have argued, we claim that this might have something to do with the unions' historical past and the motivations for their founding. Early in this thesis, we presented the history of the Danish labour unions and the evolution of the Danish Model. This model of collective bargaining and how

the labour market is regulated through agreements negotiated in the tripartite deal is essential background to understand why the different interviewees are drawn to relying on state regulation and hard law. This is what they know.

There is much scepticism in relation to global governance and civil regulation, which was also evident from our interviewees. There are different reasons for this, one of them being the point expressed by Vogel (2010) that global governance has been used by corporations to prevent regulation. Therefore, it can be that global governance and civil regulation can be used as a corporate tool to promote their agenda of maximising profit and thereby operating as a form of greenwashing. This is a factor explaining much of the scepticism about CSR amongst our interviewees. Theorist like Banerjee (2008, 2014) would be similarly sceptical. This is all because of the element of greenwashing, which still has an effect on the CSR concept. Our interviewees stated how they knew of countless examples on CSR and CSR-reports being used only for commercial purposes. These experiences and a generally sceptical attitude toward corporations, has generated a somewhat negative or, at least doubting opinion on the use of CSR and global governance in advocacy. That said, most of our interviewees found the overall CSR concept interesting and appealing.

This argument that global governance and CSR can actually operate as a corporate PR-tool clearly has its basis in the widespread and controversial usage of CSR throughout different industries. When we consider the critiques by Banerjee (2008, 2014) and Sethi & Schepers (2013) regarding green/bluewashing through standardization and other types of civil regulation, a clear basis is evident, of global governance and civil regulation becoming an instrument for corporations to gain more profit, rather than an instrument to ensure more responsible business practice. This is very relevant to the legitimacy of CSR and indeed, to how (or whether) the Danish labour unions can be associated with it. Danish labour unions *cannot* be linked with controversial usage of CSR or definite greenwashing, and this is why a sceptical and observant attitude towards it is necessary.

Yet, we argue that a compromise exists, where the Danish labour unions can embrace the use of CSR concepts, including global governance and civil regulation, and still be mindful of the concept's flaws and the risks it poses.

An example of how they could use CSR might be involvement in TANs. With a positive approach towards global governance, the Danish labour unions could contribute to the operation of different TANs, like, for instance, WRC. Unlike other partners in this TAN, the Danish labour unions would offer a focus on how to create change in a reformative solutions-focussed way, instead of only directing attention to flaws and problematic issues. By being a reformative social movement, with their proven track-record in collaborative working, the Danish labour unions could become a unique auditing partner with a special ethos.

In this way, our study will add valuable information to the work of Rodríguez-Garavito (2005) and other authors that have addressed TANs, like WRC or FLA. In contrast to these studies, our thesis provides a basis for how the Danish labour unions could become a more critical, yet reformative TAN-auditor for the employers. The labour unions have a special relation with, and stake in, the company. In addition, their insight would likely be very valuable for monitoring corporations' CSR initiatives related to labour rights and social responsibility. Our interviewees agreed that union representatives would be the ideal partner in this function, because of their instinct to be reformative and keep secure the jobs of their colleagues, while at the same time, being true to their union's agenda. In this sense, a new and less commercialized TAN-advocacy partner could be founded.

However, the Danish labour unions must also recognize that they enter an arena of corporate terminology, regulated mainly through soft law. This is very new to them and they will need to make specific adaptations to this world. As we have already discussed, a thorough educational initiative is needed along with agreed policies and instructions in CSR and its use. At the same time they need to be aware of the pitfalls and challenges linked to CSR, such as greenwashing. We argue that a sceptical and observant attitude towards corporations CSR practices is important because the Danish labour unions need to protect their legitimacy and position as trusted

representatives of the labour force. Hence, they must maintain a critical attitude to ensure they support only properly executed genuine CSR practice and global governance, and not blindly support any corporations' CSR initiatives. These initiatives need to be responsible and sincere (and seen to be) for the Danish labour unions to be involved as a collaborator. Otherwise, they risk alienating themselves from their members as our framing analysis indicates. It would be unwise and very dangerous to create a (perceived) link between their organization and its reputation, and initiatives or practices that are more greenwashing than CSR, because this will cause serious harm to their work by jeopardizing their status as labour force representatives. If they engage in strategic use of a corporate concept, they need to ensure that they still serve their members' agenda and still function as a critical (and constructive) counterpart to the employers.

CSR and Global governance might be corporate concepts, but the question is whether or not the Danish labour unions can afford to let the chance to influence these concepts pass by. It is clear that the Danish labour unions are facing significant obstacles and challenges, and perhaps this method would help them to adapt to modern times and market patterns, and so regain a powerful and influential position in Danish civil society. This is of course relative to their historical position and we do recognize that they still are embedded centrally, in society. Nevertheless, this does not change the fact that they are facing serious challenges, which they also acknowledge themselves. Hence, the solution could be a strategic use of CSR, taking careful account of the above-mentioned risks. The corporations are in control of setting the scene for how CSR should operate, and their representative organization, like DI and DA, are glad to engage in this as well. We claim that the Danish labour unions have a rightful place in this debate of how a corporation should behave to be considered socially responsible, and arguably, they therefore also have a responsibility to engage and influence the agenda of CSR on behalf of their members. Our study should therefore be seen as a theoretical foundation for further related strategic actions .

Further study

In this brief chapter, we discuss possibilities for new research arising from this thesis and its findings. Given the lack of studies in this area, this thesis could be seen as a foundation for a range

of further research options related to the Danish labour unions' use of CSR. We explore some priority options, as we see them, below.

In our thesis, we stated how big a challenge it is for the labour unions to adapt to a new concept like CSR even though our interviewees recognized the potential of the concept. Therefore, it would be valuable to research the organizational culture within the Danish labour unions to study in more detail, why implementing strategic usage of CSR is challenging, and how to deal with this. To execute this kind of study we would suggest drawing on the theory of organizational culture from Schein (1994). His studies provide an appropriate method to analyze organizational culture and how it affects the organization's behavior and action patterns.

We consider that there will be two major factors in this research; the labour unions' history and their organisations' fragmentation. Our thesis indicates that their history influences their behavior, but an in-depth research is needed to explore to what a degree this plays a role. Turning to fragmentation and division, we reason that the organization of each labour union into local departments in different regions in Denmark would create complexities when seeking to implement the use of a new concept such as CSR. A detailed study therefore, into the organizational culture and subcultures of the labour unions, would provide a better understanding and basis on which there could be a successful roll out of a new union policy on the strategic use of CSR, throughout these different departments in the different labour unions. Schein (for example, Schein 1994) would provide a theoretical basis for the research for both the main organizational culture and its subcultures, but also provide ideas on how to manage change and implementation of new customs within an organization. His studies also investigate how change would affect the members' perception of the culture (Ibid; 141) and also how the age of an organization affects its attitude and willingness to change (Ibid; 291).

It should be noted that Schein's (1994) research case studies are mostly commercial organisations, with key differences therefore, from Danish labour unions. His approach may therefore need some adaptation but we judge that it would provide a suitable starting point to investigate labour unions' organizational culture to better understand how they should engage in the implementation of CSR.

Another area of research building on this thesis could be a more focused study of what type of strategic partnerships with NGOs that would be the most appropriate for the Danish labour unions. Using framing theory, our thesis found that unions would need to be aware of the type of NGO they approached; a study focused on this could define more of the necessary characteristics of NGOs which would be appropriate as partners in this context, and perhaps even make suggestions for specific NGOs.

To do so we would recommend using the study from Egels-Zandén & Hyllman (2011). Their study concerns partnerships between Swedish labour unions and NGOs (Egels-Zandén & Hyllman, 2011). Both the subject of their study and the fact that it is from Sweden, which has a relatively similar labour union-context to the one in Denmark, makes their findings relevant. Further research could supplement these findings with more of a focus on the labor unions' framing in external cases, to enable the identification of NGOs whose communicative habits match those of the labour unions. The study could include an analysis of segmentation to better understand the demographics of those the labour unions would appeal to by entering into strategic partnerships with NGOs. Our data suggests that there is reason to believe that it would appeal to a younger audience, a segment of the population not well represented within the labour unions' membership. However, an in-depth analysis of this would build stronger evidence for such a strategic move.

Finally, a study of how the labour unions might act as TAN-auditors would be beneficial if they are to approach corporations in this way to advocate labour rights and responsible business practice. This could be done by a thorough study of existing TANs and the organizations that audited them. By analyzing products, such as codes of conduct, the labour unions could take the lead in developing and gaining consensus on a standardization encompassing proper EPLR. The majority of interviewees in our study agreed that union representatives should be a part of this type of auditing and our analysis showed how the labour unions could serve as a unique type of TAN-auditor. Hence, we think this is an interesting area of further study to pursue.

Conclusion

It can be concluded that the Danish labour unions are unique amongst labour unions in their structure. Through the Danish Model and the collaboration with their counterparts, the employers, they have created a positive environment for collaborative bargaining. Our data have shown too how this collaboration remains essential to the unions' work today. This collaborative approach and the overall agenda of the labour unions are relevant when ascertaining what type of social movement they should be categorised as. The labour unions' agenda is to serve their members and ensure that they have work, and fair work conditions. Thus, they too have an interest in ensuring the future success of corporations, which is why we can define them as being a reformative social movement. As such, they emphasize change through the reinstitutionalization of the organizational field, because they need corporations to be a part of the solution - otherwise they risk their members losing their employment.

With the definition of being a reformative social movement in mind, we argue that CSR offers great potential for the union. The corporate concept appeals to the corporations and it concerns issues as social responsibility, labour rights, work conditions etc., which are issues the Danish labour unions wish to influence. By using this concept, the labour unions can appeal to the corporations in a collaborative manner, which is consistent with a reformative social movement's methods. CSR would, arguably, provide a method of influencing the organizational frame and start institutional change without triggering processes of deinstitutionalization, which is in-line with the agenda of the reformative Danish labour unions. It will create a new platform where the two counterparts, unions and employers, can meet and discuss issues that the labour unions wish to influence, such as labour rights.

Obviously, there are many pitfalls, and controversial examples of greenwashing related to the use of CSR do exist. We do not claim that the usage of the concept would provide a guaranteed way of securing labour rights, but our data with its analysis does provide an indication that it has a potential benefit for a reformative social movement like the Danish labour unions. .

However, several challenges linked to the labour unions' potential use of CSR exist, and the reputation for greenwashing is one of them. Our interviewees were sceptical and expressing a fear that the concept is used only for commercial purposes. They also question the soft law approach associated with implementing CSR. The Danish labour unions are used the ways of the employment tribunal and to following provisions of collective agreements. In contrast to that CSR is mainly soft law that cannot be mandated. To understand and see the potential in this is a challenging shift in perspective for many in the union. The lack of knowledge generally in the union exacerbates this problem. Most of the labour unions' employees, members or representatives are not yet even aware of the term, much less understand the concept. This represents therefore an enormous undertaking in education, information and instruction, a programme, which has been given a start by LO according to by Jakob Sand Kirk. Another crucial challenge is the fact that CSR policies and practice are, more or less, completely managed and controlled by the employers. Some of our interviewees were also doubtful of the relevance of the concept in a Danish context, because they understand it more as a concept made for international use. In Denmark we have the Danish Model, which they would rather rely on.

There are many challenges for unions pursuing the use of CSR. There are certainly reasons to be sceptical of greenwashing practices and of the effectiveness of global governance and civil regulation. Nevertheless, we argue that most of the challenges are bound in the labour unions' lack of knowledge, which we argue is possible to change through proper education.

Our framing analysis centred on the diagnostic and prognostic framing tasks. It is possible to find examples of the labour unions using both diagnostic and prognostic framing in their communication. However, this part of the analysis provided an analytic discussion of how the labour unions could handle the pros and cons inherent in the two framing tasks if they were to engage in a strategic partnership with NGOs in the future. Our analysis indicates that prognostic framing, which focusses on solutions and tactics to address problematic issues, fits best with the characteristics of a reformative social movement. It also concluded that a successful collaboration with an NGO is most likely if that partner NGOs is a reformative social movement.

The study also reflected on various framing strategies and the labour unions' willingness and ability to engage in these. The findings here point towards CSR offering a great potential for the labour unions to think strategically and engage in some of the framing strategies which concern CSR and partnerships with NGOs. The findings also showed that the labour union faces several obstacles should it choose to engage in such initiatives. In particular, the labour unions need to overcome a widespread internal lack of knowledge about CSR. It also became clear during the study, that whilst the union officials saw a potential in partnerships with NGOs they also expressed caution in engaging in initiatives not directly related to labour union work. As described in discussion about the frame extension strategy, there is a good reason to exercise caution to avoid the risk of alienating the labour union from its members. That said our view is it is essential that the labour unions react and adapt to their current environment, and these strategies could provide a way to do this.

Global governance and civil regulation is another CSR concept that provides the labour union with an arena in which to address labour rights. However, our interviewees tended to claim that they would prefer governmental intervention and hard law. We consider that this is strongly influenced by their normal practice and their trust in the reliability of the state, an understanding which has been developed by their collaborations through the Danish model. The labour unions are also used to working to achieve their goals within a framework involving the Labour court and hard law. We have argued that the labour unions need to challenge this tendency and begin to try to influence the agenda of corporate civil regulation, so they can try to advance their own agenda on labour rights etc., within this new framework.

We also argued that governmental involvement might end up harming the CSR concept more than benefits it. This position was supported by the argument from Jakob Sand Kirk. We have claimed that state-regulated CSR would take away an important element of voluntarily approach, which is not only intrinsic to the definition of the CSR concept, but is also a significant aspect of the appeal of CSR to corporations. The possibility of differentiating their product is among one of the key factors motivating corporations to engage in CSR practice, and this driver would be weakened under state-regulation We presented the example of the present legal proceedings against Uber in

Denmark showing how it can be difficult in practice to begin to regulate effectively, previously unregulated areas (as CSR practice would be).

Finally, we argued that the Danish labour unions have a unique chance of becoming a TAN-auditor that would differ from the other organisations usually carrying out this function. Their reformative approach and their focus on reinstitutionalization (as opposed to deinstitutionalization) would create the foundation for them being a significant partner in monitoring appropriate aspects of CSR, such as working conditions. They have a unique ethos due to their long-established position in society, and they will not be commercialized. Nevertheless, they need to exercise caution when in selecting what initiatives they engage in and how they monitor, to ensure they are not seen to lose this special status by being caught up in a case of greenwashing.

The Danish labour unions face challenges because of a decline in memberships and a weaker bargaining position. Their status and approach as a reformative social movement, puts the Danish labour unions in a position to make use of CSR to further their agenda, and this is something, which they also recognize themselves. The concept is new and there are many challenges related to it, such as greenwashing and the labour unions lack of knowledge of it, but it is broadly consistent with the collective principles behind the Danish Model. A way to use it strategically could be to engage in strategic partnerships, but the labour unions have to consider their framing tasks and their strategic aspect. They could also engage in civil regulation by acting as a TAN-auditor bringing unique characteristics to the role. This is all, however, challenged due to the widely held view in the unions that CSR is a purely commercial venture, and that the degree of governmental influence is too limited.

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