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GLOBAL LABOR COLLECTIVE ACTION

An Evidence Review for Learning, Evaluation and Research Activity II (LER II)

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ABBREVIATIONS

ATS	Alien Tort Statute
CBA	collective bargaining agreement
CGT	Central General de Trabajadores
CSO	Civil Society Organization
CTSWF	Cambodia Tourism Service and Workers Federation
ETAG	Ethical Trading Action Group
FAWUL	Firestone Agriculture Workers Union of Liberia
FLA	Fair Labor Association
GFA	global framework agreements
ICEM	International Federation of Chemical, Energy, Mine and General Workers' Unions
ILO	International Labor Organization
ILRF	International Labor Rights Forum
IMF	International Monetary Fund
IRI	International Republican Institute
ITUC	International Trade Union Confederation
NBA	National Basketball Association
NGO	Nongovernmental Organization
OECD	Organisation for Economic Co-operation and Development
SEWA	Self-Employed Women's Association
URW	United Rubber Workers
USAS	United Students Against Sweatshops
USW	United Steelworkers of America
WRC	Workers' Rights Consortium
WTO	World Trade Organization

1. INTRODUCTION & OVERVIEW[1]

This Evidence Review investigates the conditions under which transnational campaigns featuring cooperation between workers and other actors in broader civil society are effective in opening democratic space and supporting labor rights in developing countries. It does so through a review of core literature on community unionism, grassroots transnational activism, and other strands of research that shed light on the factors contributing to successful and unsuccessful outcomes in these types of transnational campaigns. This report begins with an overview of key terms, followed by research questions and an explanation of methodology. Following that is a summary of findings regarding the conditions under which labor actors and other civil society actors—both locally and transnationally—have been effective in supporting each other in their goals of enhancing civic space and improving working conditions and labor rights. Four case illustrations—covering transnational campaigns centered on Cambodia, Honduras, Liberia, and Colombia—highlight the applicability of the general findings. This report concludes with a discussion of overall trends and recommendations for future programming.

2. DEFINITIONS OF CONCEPTS AND KEY TERMS

Because identical terms and phrases are sometimes used to mean different things across different strands of the literature, below are some definitions of key terms as they are used in this report. These definitions are intended only to clarify meanings in the context of the present report and are not meant as a corrective or challenge to others' variations on uses of these terms.

campaign—a concerted effort by civil society actors to influence another actor or set of actors (such as government officials or employers) to do something the latter otherwise would not have done that is in the direct or indirect interest of the civil society actors coordinating that effort.

civic space—the spheres of interaction in which civil society actors organize, debate, and take action with the rights of free association, free expression, and peaceful assembly.

civil society actors—individuals, groups, and organizations that are separate from the government, business, and the family and who interact on the basis of shared interests and common concern. Examples of civil society actors are NGOs, social movements, grassroots organizations, online communities, activists, trade unions, and faith-based groups (CIVICUS 2018; Cooper 2018: 2; VanDyck 2017).

coalition—two or more groups or organizations that "build relationships in order to forge a shared common interest agenda to achieve social change in a specific place" (Tattersall 2010: 22).

economic globalization—the increasing international expansion of trade, finance, and labor.

labor actors—workers and workers' organizations, such as unions, works councils, and other formal or informal groupings of workers, who may or may not be formally employed.

nongovernmental organization (NGO)—a formal organization registered with a national government that has a paid staff and defined programming (Nelson 2017: 204).

[1] This evidence review was developed by Marissa Brookes and Ian Kinzel (Department of Political Science – University of California Riverside).

success—an outcome of a campaign in which those spearheading that campaign or those on whose behalf that campaign was initiated attain material gains or capacity-enhancing gains that are not outweighed by any losses incurred.

3. RESEARCH QUESTIONS AND METHODOLOGY

The following research questions provided the foundation for this Evidence Review:

- What is the evidence regarding the effects of transnational campaigns to protect or expand civic space and otherwise support freedom of association?
- What have been the outcomes of transnational campaigns involving both labor organizations and nonlabor civil society actors for freedom of association, defining this concept broadly to include not only organizing and collective bargaining rights but also various forms of civic engagement and openings of democratic space?
- What role have workers' organizations played in civil society advocacy to protect or enhance overall civic space, including the rights of association and assembly?
- What role have nonlabor civil society actors played in assisting workers in protecting or improving wages, working conditions, and other labor rights?
- What unique capacities do nonlabor civil society actors, both domestic and transnational, bring to the table when it comes to their involvement in these campaigns?
- What unique capacities do unions and other labor organizations bring to the table when it comes to their involvement in these campaigns?
- To what extent have the unions and nonlabor civil society organizations working together in these campaigns been successful in also linking with transnational stakeholders, including inter-governmental bodies, multinational companies, and industry associations?
- To what extent have such partnerships with these transnational stakeholders opened up civic space for global labor and grassroots internationalism?
- What is known about evidence regarding attempted transnational campaigns that have failed or fallen short of their goals?

To approach these questions, the Principal Investigator (PI) and Research Assistant (RA) began with a foundational set of peer-reviewed journal articles and academic books on the subjects of community unionism, social movement unionism, civil society coalitions, and grassroots transnational campaigns. These sources were the basis for a Google Scholar search for additional secondary sources on these subjects, including scholarly literature directly citing those articles and books, as well as reports from the international nonprofit organization CIVICUS, the International Labour Organisation (ILO), and the United Nations (UN) Special Rapporteur. The PI read and distilled the content of all sources to identify findings relevant to the research questions, giving particular attention to findings of practical utility for current and future transnational campaigns. The four case illustrations followed from a similar approach, whereby the PI and RA gathered relevant information from scholarly sources and supplemented this information with

additional materials, including newspaper archives and union and company reports. The RA then summarized each case using the sources available at the time of writing. The PI edited and integrated the case illustrations into this report.[2]

4. BACKGROUND AND SIGNIFICANCE: EXPANDING GLOBALIZATION AND CLOSING CIVIC SPACE

The acceleration of economic globalization over the past 30 years has led to the emergence of new actors and structures that shape opportunities for democratic participation and the conditions of work and employment in both developed and developing countries. Global value chains, multi-level institutional frameworks, regional trade agreements, and international finance now allow corporations, trade unions, social movements, and other actors to generate resources, expand markets, form alliances, spread ideas, and secure rights in ways not previously possible (Jackson, Kuruvilla, and Frege 2013: 431). In line with these increasing challenges and opportunities, the 1990s saw an upsurge in sustained, cross-border campaigns to support grassroots activists, expand civic space, and protect and promote labor rights in various developing countries. These transnational campaigns connect labor actors with nonlabor civil society organizations (such as human rights NGOs, environmental activists, student networks, and women's rights organizations) in pursuit of common goals, characterized by a growing awareness of the impact of economic globalization on local issues and the limits of formal political channels for securing basic rights. This new transnationalism, which continued to expand in the 2000s and 2010s, has also entailed a shift away from an "aid mentality" toward more substantial solidarity actions designed to bridge the North-South divide (Bronfenbrenner 2007; Munck 2002; Waterman 2001).

Research has therefore expanded on various topics related to transnational campaigns, such as multi-stakeholder initiatives (Egels-Zandén 2008), global framework agreements (Sydow et al. 2014; Hammer 2005), union-community struggles for the provision of public services (Nelson 2017; McDonald and Ruiters 2012), and the formation of new networks of unions and social movements along the global supply chains in which they are embedded (Zajak 2017; Brookes and McCallum 2017). The growing focus on labor actors is particularly striking, given the deemphasis on organized labor as a relevant transnational actor just two decades ago, as academic accounts of what were then called the "new social movements," such as those for women's rights, human rights, and the environment, tended to sideline, if not wholly ignore, unions and workers. Keck and Sikkink's (1998) heavily cited *Activists Beyond Borders*, for instance, gave little serious attention to the role of labor actors in transnational advocacy networks, reflecting the then-dominant race-to-the-bottom narrative, which portrayed capital mobility and other aspects of economic globalization as invariably detrimental to organized labor (Tilly 1995; Hobsbawm 1995). Scholars in the late 1990s and early 2000s thus associated the concept of transnationalism primarily with the activities of the UN, International Monetary Fund (IMF), World Trade Organization (WTO), World Bank, and various NGOs as well as with national governments' contributions of aid money, famine relief, and medical assistance to developing countries (Harrod and O'Brien 2002: 14–15).

[2] Because the aim of this Evidence Review is to identify broad trends and suggest recommendations for future programming based on the findings of existing research, it is important to note here that the four case illustrations are necessarily descriptive; they are not "case studies" in the strict sense of research designed for casual inference. Original empirical findings beyond what the existing literature tells us would require resources for more methodologically rigorous casual inference, including original data collection and the application of both cross-case and within-case methods of causal analysis to control for numerous confounding variables, distinguish generalizable patterns from idiosyncratic events, and explore the possibility of equifinality (multiple causal pathways to the same outcome). Despite its limitations, however, this review of the existing literature offers crucial insights into the general workings of union-community transnational campaigns.

Today, the scholarship on transnational activism is vast, intricate, and multidisciplinary, thanks in part to a revived understanding of workers and unions as actors with agency, just as labor actors themselves have begun to grasp the implications of new economic trends for their collective interests and take advantage of new opportunities for transnational campaigns. Scholars argue that this new labor transnationalism strives for greater democracy, diversity, and inclusivity and emphasizes direct, concrete solidarity actions with other civil society actors, leading to closer collaboration with social movements and campaigning that goes beyond issues of work and employment (Brookes and McCallum 2017; Tattersall 2010; Fairbrother 2008; Rainnie and Ellem 2006; Sadler 2004; Goodman 2004; Ellem 2003; Waterman and Wills 2001; Lambert and Webster 2001; Wills 2001). Nonlabor civil society actors, for their part, have been assisting workers and unions in their struggles to secure labor rights and improve working conditions around the world. Indeed, transnational civil society actors such as international NGOs have played a growing role since the 1980s in supporting labor organizing and more generally acting as a corrective force against the increasing concentration of corporate power.

Nevertheless, much remains to be understood about transnational campaigns, particularly those focused on developing countries, and especially given the crisis of diminishing civic space across much of the developing world. Government restrictions on freedom of association, freedom of assembly, and freedom of expression have become so pronounced that these anti-democratic acts are now considered "a structural global issue" rather than as mere isolated incidents (Buyse 2018: 978). According to the 2018 *Freedom in the World* report, global freedom has been in decline for 13 years in a row.[3] CIVICUS, a global umbrella organization of civil society actors, reported in 2018 that civic space has been closed, reduced, or otherwise obstructed in 109 out of 195 countries, and only four percent of the global population live in truly open civic space (CIVICUS 2018: 4; Cooper 2018: 17).

Among the tactics used by governments to close civic space are limiting or prohibiting the foreign funding of NGOs[4] (Buyse 2018: 966; Cooper 2018: 20; Rutzen 2015: 31); requiring high fees for the registration of civil society organizations (CSOs); restricting certain types of civil society actors' activities, including outright bans on human rights work (Buyse 2018: 970); restricting or repressing public demonstrations and protests; and putting pressure on independent media (Cooper 2018: 20). The Office of the UN High Commissioner for Human Rights reported that, in addition to these tactics, governments have enforced laws arbitrarily against civil society actors through travel bans, excessive fines, arrests, de-registration, and property seizures (Buyse 2018: 971). Some states have created false-front "civil society organizations" that are actually government-organized "NGOs" (or "GONGOs") that infiltrate and report on actual CSOs and individuals (VanDyck 2017). Civic space is also under attack by internet-based de-legitimation efforts, in which governments oversee the construction of memes, social media trolls, and other online communications to harass civil society actors, spread pro-government messages, increase the surveillance of grassroots activists, and sow seeds of distrust within CSOs (Sombatpoonsiri 2018). Finally, governments have and continue to use outright violence against civil society actors as the most direct means of closing civic space (Buyse 2018: 973; Cooper 2018: 20; Kreienkamp 2017: 8).

Transnational campaigns of the type analyzed in this report must therefore be understood in the dual context of opportunities provided by economic globalization and the urgency caused by closures of civic space that are of growing prominence in, but by no means limited to, developing countries. The fact that

[3] https://freedomhouse.org/report/freedom-world/freedom-world-2019/democracy-in-retreat

[4] Examples include Russia, Ethiopia, Azerbaijan, Uzbekistan, and Mauritania. Uganda and Belarus require that funds be channeled through designated banks.

so many CSOs now focus on nonstate targets in transnational campaigns shows not only how dangerous it has become to engage some national governments but also how fruitful it can be to focus on trade agreements, international financial institutions, global supply chains, and other promising avenues of influence on the international scale This dual context of more globalization-based opportunities amid increasingly repressive national governments is thus essential for understanding of what makes campaigns featuring coalitions of labor actors and other civil society actors effective in some instances but not others as well as why civil society actors use the tactics they do.

5. DEFINING SUCCESSFUL AND UNSUCCESSFUL OUTCOMES OF TRANSNATIONAL CAMPAIGNS

To identify factors contributing to the effectiveness of campaigns for civic space and labor rights, it is helpful to define first what it means to call a campaign a "success." One immediate limitation of the existing literature is lack of consensus on what success is. Since studies of this subject span several scholarly subfields, lack of conceptual clarity harms efforts to harmonize researchers' scattered findings into something of practical utility. To help solve this problem, I rely here on the basic definition of success noted above as an outcome of a campaign that results in material or capacity-enhancing gains that are not offset by significant losses for the workers or civil society actors involved. Of course, what constitutes a gain or a loss must take into account the aims and goals expressed by campaign participants themselves as well as their own subjective interpretations of events. Moreover, since gains and losses are always relative to some status quo, assessments of what counts as a gain or a loss must also consider the situation campaign participants would have been in had there been no campaign.

A useful corollary to this definition comes from Tattersall (2010), who argued that success can take four forms: winning a specific outcome; shaping the broader political climate; the coalition itself creating sustained relationships among organizations; and the coalition enhancing its members' internal capacities to act (Tattersall 2010: 22–23). Importantly, coalitions "can fail to achieve policy victories but can still be successful because they increase the strength of the coalition's participating organizations" (Tattersall 2010: 24).

These different types of success are important to keep in mind, especially when it comes to transnational campaigns aimed at opening civic space. Once won, freedom of association, assembly, and expression must be shored up and defended against future retrenchment. Hence, the types of success that go beyond immediate outcomes to alter the political climate, sustain relationships, and improve organizational capacities matter just as much as any initial "wins." This evidence review will therefore emphasize factors contributing to both winning specific outcomes in the immediate aftermath of campaigns and longer-term types of success.

6. THE ADVANTAGES OF TRANSNATIONALISM

Cooperation between labor and nonlabor civil society actors can occur on one or more geographic scales—meaning locally, nationally, regionally, or internationally. What makes a campaign *transnational* is substantial cooperation among actors based in two or more countries, regardless of whether the target of the campaign is itself a transnational actor. In other words, a campaign focused on opening civic space in one country is a transnational campaign as long as actors in at least one other country play a significant role in executing that campaign. Likewise, a campaign focused on improving labor rights at a single worksite is a transnational campaign as long as it includes substantial support from actors outside that country.

Transnational campaigns offer some advantages over campaigns restricted to the national or subnational scale. One advantage of transnational campaigns is that they allow actors who are disadvantaged in a given political setting to "jump scale"—that is, strategically shift the locus of their engagement with the target of the campaign to a more favorable political or institutional setting on a different scale (Lier 2007: 824; Herod 2001: 43), as when workers in an authoritarian country appeal to the ILO or an international NGO to investigate violations of freedom of association in that country. Jumping scale does not necessarily require the wholesale relocation of a campaign to a new arena of contestation, however. Rather, jumping scale may entail the remapping of a campaign to play out on multiple scales simultaneously. Labor and civil society actors "may act at a range of scales separate or jointly…Power is not mobilized at one scale or another but at many—and in diverse ways" (Ellem 2006, 374).

Hence, a second, related advantage of transnationalism is the multiplication of leverage points so that actors operating in different countries can put pressure on a government, employer, international organization, or other target from multiple angles at once. This can occur, for example, through protests, pickets, strikes, rallies, boycotts, legal cases, divestments, or official complaints carried out by campaign supporters in several countries simultaneously. For instance, dockworkers refusing to unload cargo at dozens of ports in around the world can disrupt a supply chain more effectively (and therefore have more leverage in bargaining with a shipping company) than dockworkers in only one country could (Cole 2018). Similarly, a government receiving condemnation for its poor human rights record from various NGOs across multiple countries is more likely to respond than if NGOs from only one other country has condemned it.

These advantages of transnationalism—jumping scale and multiplying leverage points—cannot exist, however, without robust local-level coordination. This is because all campaigns, transnational or not, hinge on concrete actions that occur not in some abstract "international arena" but in actual cities, towns, neighborhoods, and other identifiable localities (Lillie and Martinez Lucio 2004: 176). Hence, "all transnationalism is local" (Brookes 2019: 31) in the sense that campaigns depend on real people taking concrete action: making phone calls, attending meetings, marching in demonstrations, writing letters, walking off the job, maintaining picket lines, meeting with government officials, sending text messages, posting on social media, giving personal testimonies, and so forth. Given the importance of the local scale for transnational campaigns for civic space and labor rights, the next section below examines the mechanisms through which labor actors and nonlabor civil society actors can most effectively coordinate with each other in the first place. Following that is an analysis of the unique capacities of labor and nonlabor civil society actors bring to the table in both types of campaigns.

7. COMMUNITY UNIONISM: HOW LABOR AND NONLABOR ACTORS CAN COOPERATE EFFECTIVELY

Whether the focus of a transnational campaign is civic space, labor rights, or both, that campaign is likely to benefit from a foundation of strong coordination among labor and nonlabor civil society actors on the local scale. The capacity of labor actors and other civil society actors to form coalitions on the basis of "place consciousness" (Ellem 2010: 351)—that is, at the grassroots level—has been most thoroughly dissected in the literature on community unionism (Tattersall 2010, 2008, 2005; Nissen 2004; Wills and Simms 2004; Ellem 2003; Wills 2001). Community unionism is the result of unions and nonlabor civil society actors joining forces on the local scale to build power in civil society by better integrating unions into their local communities over time (Yates 2003: 232). Union-community coalitions strive to address issues of shared concern such as the provision of public services or the right to peaceful assembly in public

spaces. In doing so coalitions often strengthen unions' connections with women, minorities, immigrants, and other traditionally marginalized social actors, as unions organize new members on the basis of shared identities and interests (Wills 2001: 466; Tattersall 2010: 22; Anderson et al. 2010: 384). Some scholars argue that unions are in fact most effective when workers embrace grassroots organizing, active coalition-building, and goals that transcend workplace issues (Wills 2008; Milkman 2006; Moody 1997).

Despite its direct relevance to union-community campaigns in developing countries, the literature on community unionism focuses mostly on the advanced industrialized democracies of North America, Western Europe, and Australia. Yet actions to resist the closure of civic space taken by coalitions of labor and civil society actors in developing countries reflect many of the same strategies used by their counterparts in the advanced democracies. These actions include activating transnational advocacy networks, diversifying sources of funding, appealing to the interests of international business, encouraging third-party states to pressure their own states, and teaching transnational allies the early signs of civic space closures using resources such as USAID's Legal Enabling and Environment Project, which identifies legal, policy, and regulatory proposals that threaten civic space, and the USAID-supported Civil Society Organization Sustainability Index, which monitors over 70 countries for changes in legal environment, financial viability, organizational capacity, advocacy, service provision, infrastructure, and public image (Cooper 2018: 20–21; Kreienkamp 2017: 11; Keck and Sikkink 1998). Many of the lessons from union-community coalitions in developed countries are therefore applicable to union-community coalitions in developing countries, as evidenced by campaigns for public utilities in Argentina, Bolivia, Colombia, Ghana, the Philippines, South Africa, and Uruguay; campaigns for the rights of women and informal workers in Afghanistan, Burma, Bhutan, India, Nepal, Pakistan, Sri Lanka, and Turkey; and campaigns to challenge government neglect of workers' issues in Malaysia (discussed below).

Tattersall's (2010) *Power in Coalition* provides several valuable insights into what makes campaigns involving both labor and civil society actors effective. According to Tattersall (2010), coalitions are most effective when they are "deep"—that is, long-term, reciprocal, and positive-sum, i.e. beneficial to at least one of the parties in the cooperative relationship while also not causing harm to any of the parties in that relationship. Deep coalitions that promote genuinely mutual interests and allow members to share in the responsibilities for planning and executing strategies are more likely to gain traction than ad hoc, instrumental coalitions in which unions simply seek a one-way transfer of resources (Tattersall 2010: 161). Deep coalitions, in turn, tend to depend on a frequency of face-to-face interaction and intimacy of mutual understanding that only the common context of place can provide. A certain rootedness in place thus enables labor and nonlabor civil society actors to develop the relationships of trust, reciprocity, and common identity that make deep coalitions possible. This finding remains significant despite, or perhaps in light of, the rise of social media and other internet-based methods of mobilization, which have the strength of mobilizing individuals quickly and spontaneously (Cooper 2018: 16; Green 2017) but the weakness of allowing actors' connections to be shallow, short-lived, and subject to governments' online de-legitimization tactics (Sombatpoonsiri 2018).

Another key finding is the importance of leadership in union-community campaigns. Effective coalitions of this type depend especially on the leaders of unions acting as bridge builders and campaign strategists (Tattersall 2010: 144–45). In doing so union leaders help workers and civil society partners develop a proactive and autonomous agenda (Tattersall 2010: 144; Lévesque and Murray 2010: 343), coordinate with transnational stakeholders, and obtain the resources necessary for transnational campaigning (Greer and Hauptmeier 2008: 80). On a more basic level, leaders play a vital role in mediating contending interests

and conflicting identities within organizations (Lévesque and Murray 2010: 341; Piven and Cloward 2000: 415).

At the same time, however, research also shows that effective campaigns also afford participants space for bottom-up membership involvement in planning and strategizing. Because collective action depends as much on grassroots, local-level activity as it does on leadership guidance, coalitions need a balance between bottom-up and top-down approaches (Bieler and Lindberg 2010: 229; Hyman 2010: 23; Milkman 2006: 152–53; Heery 2005). Although excessive decentralization inhibits collective action, so too does leadership that resists democratic decision making. For instance, conservatism on the part of union leadership—which can be a product of personal politics, the historical development of a particular union, or union officials' vested interests in resisting strategies that threaten their personal control (Durrenberger 2009: 133; Voss and Sherman 2003: 75)—can be especially detrimental to transnational campaigns, which seek precisely to transcend well-worn practices and attempt what are sometimes promising but untested new strategies. Evidence suggests that in many successful union-community coalitions, "[m]embers shifted from being passive participants to coalition strategists as they were brought into relationship with different organizations and were responsible for developing action plans" (Tattersall 2010: 147). A good example of successful campaigning through substantial membership input comes from the Self-Employed Women's Association (SEWA), an India-based transnational coalition of informal-economy workers comprising numerous civil society actors as well as informal workers in Afghanistan, Burma, Bhutan, India, Nepal, Pakistan, Sri Lanka, and Turkey. SEWA has "worked hard not to make informal workers appear like helpless, unorganized victims. Rather, they highlight workers' empowerment capabilities. Their presence in international forums often includes working members of SEWA who speak through translators. Publications always privilege members' voices. Executive decisions are made in consultation with the Executive Committee, which is membership-based" (Agarwala 2012: 454).

Related to the importance of balancing effective leadership with substantial participant input is another key factor influencing the success of campaigns to open civic space: learning. Learning is the ability to "reflect on…past and current change in contexts and organizational practices and routines in order to anticipate and act upon change" (Lévesque and Murray 2010: 344). Union-community coalitions must not only apply lessons from past experiences but also be able to learn quickly in the short-term and rework strategies over the course of a campaign (Anderson 2009: 959). Tendencies to fall back on traditional repertoires, resistance to change, and other forms of organizational inertia tend to prevent unions and other civil society actors from adapting to changed circumstances and exercising power in novel ways (Piven and Cloward 2000: 415, 423; Johnston 1994: 37); hence transnational campaigns may depend on organizations' abilities to "unlearn" strategies that are no longer useful (Hyman 2010: 21).

Yet another factor that contributes to the effectiveness of transnational campaigns is how well the labor actors and civil society actors spearheading a campaign frame issues to resonate with key audiences. Unions in particular gain greater support when they combine their vested interests with what Flanders (1970) referred to as a "sword of justice" in order to "connect workplace concerns with a broad agenda that in turn can transform the broader political climate" (Tattersall 2010: 3). In general, labor-community coalitions benefit by evoking "[u]niversal ideas in the culture, [such as] ideas concerning equality, consistency, equal protection under the laws, justice, liberty, freedom of movement, freedom of speech and association and civil rights" (Schattschneider 1960: 7). For instance, in their resistance against water privatization attempts in Argentina, Bolivia, Colombia, Ghana, the Philippines, South Africa, and Uruguay, the various union-community coalitions in these countries "invoked a range of themes, including

opposition to the World Bank and transnational corporations, consumer rights, labour rights, the right to participate in decisions affecting access to water, the human right to water, and the assertion that water is a free good, not a commodity," which made it possible to "mobilize participants and create a shared oppositional consciousness" (Nelson 2017: 208). SEWA offers another example of effective framing in transnational campaigns. "In its speeches, public statements, and publications, SEWA fits informal workers into a variety of movement repertoires—as exploited, wronged, poor, discriminated against based on gender, and tied to land and forests. Doing so enables SEWA to insert informal workers' agendas into many social movement agendas. It also enables SEWA to tap into a wider range of resources. Ultimately, the increased support and resources add legitimacy to SEWA, particularly in the eyes of the state" (Agarwala 2012: 453).

In contrast to these successes, some unions fail at coalition building because they are seen as narrow or self-serving. Malaysian unions' failure to build a coalition of labor and civil society actors during the 2013 national election season was caused in part by poor framing. According to research by Miles and Croucher, "Despite acknowledging the benefits of coalitions, there was reticence on the part of many unions and civil society organisations to trust each other. One civil society organisation remarked that they could not depend on unions; unions were not interested in advancing workers' rights in factories even where unions were recognised…Another preferred to work with workers without the involvement of unions because unions were disinterested in women and migrant workers…A third welcomed opportunities to work with unions but felt that unions did not want to 'rock the boat…'" (Miles and Croucher 2016: 302).

Conservatism on the part of union leaders can prevent effective coalition building. In some cases, union leaders simply distrust foreign activists and oppose joining forces with other civil society actors. In other cases, unions establish pacts with employers or the government that purposely run contrary to the "class-based and anticapitalist orientation of left-oriented unions" (Anner 2011: 15). By pointing out the "threat" of more left-oriented unions, conservative and moderate unionists legitimize themselves in the eyes of employers and the government. Anner found evidence of such a "radical flank mechanism" in his analysis of union strategies in Honduras and El Salvador (Anner 2011: 18).

The foregoing discussion captures factors that are essentially under the control of the labor and civil society actors cooperating in transnational campaigns. Yet other factors that lie outside these actors' control inevitably affect campaigns' dynamics as well. In her research Tattersall found that the "national political setting sometimes limited and sometimes enhanced coalition power across the case studies, affecting their ultimate success" (Tattersall 2010: 150). Clearly, the most important aspect of national setting for the fortunes of union-community coalitions is the openness of the state and the continued existence of civic space—which are often the very objects of campaigning in the first place.

At times, the national political setting favors civil society coalitions and transnational campaigns (Caraway 2006). As Agarwala pointed out about India, "Part of SEWA's successes and leadership capacity can be attributed to the democratic context in which Indian informal workers have long been organizing and empowering themselves. This democratic context has ensured that the Indian state did not repress or ignore informal workers' movements, but rather engaged them to retain its legitimacy" (Agarwala 2012: 455). Another example is the case of water privatization resistance in Argentina. Because "the government has long negotiated social policy agreements with unions and labor-based parties," unions were able to play a direct role on behalf of their civil society partners in protecting access to water and, through workers' cooperatives, creating and managing publicly held utilities companies (Nelson 2017: 213).

In contrast, unfavorable national political settings, characterized by closed or closing civic space, obviously make coalition formation more difficult. Importantly, some evidence suggests that a country's level of economic development does not matter as much as its regime type and internal politics when it comes to barriers to effective coalition building in campaigns. A growing number of countries have passed laws to restrict the activities of foreign and local NGOs. For example, Equatorial Guinea has banned NGOs from conducting human rights work, while Egypt and Russia place strict limits on all civil society actors' political activities (Buyse 2018: 970). In Austria NGOs tied to Islamic religions are not allowed to receive foreign funding, whereas all NGOs in Mauritania, regardless of their affiliation, are banned from foreign funding as well (Buyse 2018: 966). Governments also use legal and institutional tactics to co-opt unions and divide labor organizations. One such tactic is "welfarist incorporation," whereby governments arrange for CSOs to deliver services and implement policy, essentially setting those organizations' agendas (Howell 2015). CSOs accept these arrangements to gain legitimacy, legal status, protection, offices, and stable funding. The result, however, is governments steering CSOs into apolitical activities, "leading NGOs to limit their activities to safe agendas and to become adjutants of the government rather than of workers" (Howell 2015: 718). As Howell found from her research in China, "Labour NGOs engaged in governmental service provision are unlikely to be agencies of social change empowering workers to organize collectively, challenge government employment policies or consciously build a labour movement" (Howell 2015: 719).

Additionally, governments divide labor and other civil society actors by exploiting racial, ethnic, and religious divisions in the national polity. The failed attempt by Malaysian unions at labor-community coalition building, despite there being at the time a "ground swell in civil society participation" in which thousands of citizens occupied public spaces to protest government corruption, can be attributed not only to the unions' own failures to broaden their appeal to potential coalition partners but also to repressive state institutions that prevented labor issues from reaching the national agenda and divided workers along deeply entrenched ethnic lines (Miles and Croucher 2016: 298). Governments also engage in "soft repression," which involves tactics like pressuring landlords to terminate the leases of activists and their organizations, sending inspectors to CSOs' offices to charge them for minor health and safety infractions, and inviting activists to attend informal meetings with police that turn out to be interrogation sessions (Fu 2016: 450).

Transnationalism can help labor and other civil society actors gain greater control over the political and institutional context in which a campaign plays out. As noted earlier, by including allies in other countries, transnational campaigns allow labor and nonlabor actors to jump scale, for instance, by bringing on board international organizations operating from a political or institutional context that is more conducive to organizing and executing campaign activities. Transnational campaigns also afford actors the ability to multiply the number of potential pressure points. Hence, while transnationalism does not eliminate the need for a foundation of effective coordination and action on the local scale, it does afford those actors cooperating in campaigns for civic space and labor rights more latitude for strategic action.

8. PROTECTING AND EXPANDING CIVIC SPACE: THE ROLE OF LABOR ACTORS

Unions, workers, and other labor actors have a lot to offer in campaigns to protect and expand civic space. Sometimes labor organizations have more financial resources than nonlabor actors, for instance in developing countries where civil society organizations or ad hoc coalitions of community members lack membership dues or other sources of revenue. Direct financial contributions aside, some unions have funds invested in companies and can use their shareholder power to influence corporations that are the

target of a transnational campaign (Anderson et al. 2010; McAteer and Pulver 2009). Additionally, some unions have strong connections to political parties, affording them influence over policy making either directly or through the potential to deliver votes. Likewise, in some cases local and national labor actors have more institutionalized access to international organizations than do other actors in civil society. For example, in a country where most citizens lack access to or awareness of international NGOs, unions in that same country might nonetheless have ties to one or more of the global union federations (GUFs), the International Trade Union Confederation (ITUC), or other umbrella organizations. That said, any of the above may be true in reverse, depending on the country and the campaign. That is, nonlabor civil society actors could have more money, more political power, or more ties to international organizations than labor actors do. Hence, it is important to ask, what *unique* capacities do labor actors bring to the table when it comes to assisting other civil society actors in transnational campaigns?

Part of the justification for separating labor from nonlabor civil society actors in this analysis comes from evidence in the literature that labor actors, despite being by definition part of civil society, are fundamentally different from other civil society actors in their capacities to exercise power in transnational campaigns (Brookes 2017). The first unique capacity labor has is what scholars have termed *structural power* (Silver 2003; Wright 2000), which is the ability to directly disrupt the production or delivery of goods or services by withdrawing labor. Structural power is enhanced by economic globalization since today's complex global supply chains, which were designed to afford firms efficiency and flexibility in their business strategies, make those same firms vulnerable to labor disruptions at key nodes in the chain, especially disruptions at multiple workplaces at once. Governments are vulnerable as well to work stoppages, slowdowns, strikes, and other forms of structural power if labor puts pressure on nationally important industries or sectors. Workers and unions can therefore use structural power to assist nonlabor actors in their demands for freedom of association, assembly, or expression by withdrawing labor in ways that put governments on notice. For instance, a country that is economically reliant on its fresh produce exports would be vulnerable to something like what Selwyn (2011, 2007) observed in Brazil, where agricultural workers leverage their bargaining position by varying the speed at which they pick fresh fruit in ways that threatened to reduce its value, given the short shelf life of export-quality produce.

The second unique capacity labor has—*institutional power*—is less common than structural power but nevertheless significant for transnational campaigns. Some workers are afforded unique protections and privileges through institutions on the national or international scale that exist to govern employment relations. This institutional embeddedness enables those workers to invoke the formal and informal rules that structure the employment relationship in ways that can compel an employer or other actor to change its behavior (Schmalz and Dörre 2014; Brookes 2013). An example of institutional power unique to labor actors is when a union in a coordinated market economy such as Germany uses its privileged access to top management of a company to convey concern over an issue affecting citizens of another country in which that company operates. While many other types of civil society actors are capable of invoking the authority of laws, regulations, and other institutions in general, labor actors have unique influence over those specific institutions that govern the employment relationship, such as global framework agreements (GFAs), the OECD Guidelines for Multinational Enterprises (OECD), and national level institutions that guarantee workers direct access to employers, as when unions or works councils sit on supervisory boards and regularly advise management on workplace practices.

Hence, when it comes to their role in transnational campaigns, labor actors offer capacities that differ from those of other actors in civil society who are not in the structural position to systematically disrupt

production processes or in the institutional position to leverage specific institutions that govern the employment relationship. Nevertheless, how effectively labor actors contribute to transnational campaigns to open civic space depends, however, on how well workers and unions connect with nonlabor civil society actors in the first place. As noted above, all transnational campaigns depend on actions on the local scale, which means that factors contributing to the effectiveness of union-community cooperation are often a vital component in transnational campaigns to open civic space.

9. PROTECTING AND EXPANDING LABOR RIGHTS: THE ROLE OF CIVIL SOCIETY ACTORS

Just as labor actors can play a vital role in assisting other civil society actors in protecting and expanding civic space, so too can nonlabor civil society actors assist workers and unions in attaining better working conditions and securing labor rights. This is especially true in transnational campaigns. Transnational cross-movement coalitions are growing more common (Zajak 2017), and many cross-border campaigns incorporating multiple stakeholders have been successful. For instance, numerous transnational campaigns aimed at garment factories supplying major clothing companies have successfully combined workers' actions with consumer pressure to improve working conditions (Anner 2015; Wright and Kaine 2015: 10; Donaghey et al. 2014; Riisgaard and Hammer 2011; Merk 2009; Armbruster-Sandoval 2005; Sadler 2004). Moreover, labor scholars have been paying increasing attention to transnational campaigns initiated in the global South and are analyzing more campaigns outside of unions' traditional strongholds in manufacturing, particularly through greater attention to developments in the service sector (e.g., McCallum 2013; Anderson 2009; Tattersall 2007; Gray 2004). One result of this research is that we now know more about the ways in which nonlabor civil society actors support workers in transnational campaigns. Importantly, the literature has evolved beyond the classic "naming and shaming" paradigm (Keck and Sikkink 1998) in acknowledgement that the targets of transnational campaigns, be they states, employers, or otherwise, are not all sensitive to public pressure in the same way, if at all (Bartley and Child 2014: 662; Locke 2013: 28–29), as will be shown below.

The concept of coalitional power is especially useful for understanding the contributions made by various nonlabor civil society actors in transnational labor campaigns. Coalitional power is "the capacity of workers to leverage the influence of stakeholders beyond the labor movement," such as students, voters, NGOs, shareholders, political officials, journalists, or business leaders, on whom the target of a campaign depends for its functioning and viability (Brookes 2017). Unlike other forms of workers' power, coalitional power does not depend on workers' direct capacities to withdraw their labor (as with structural power) or on workers' direct capacities to invoke rules specific to employment relations (as with institutional power). Rather, coalitional power is rooted in labor actors' abilities to convince nonlabor stakeholders to boycott, divest, vote, shame, protest, influence, or otherwise affect some aspect of that on which the target actor depends.

Labor actors have coalitional power because they are embedded in widespread networks resulting not only from workers' and unions' overlapping roles as citizens, consumers, neighbors, activists, and members of faith-based, political, and cultural associations but also from unions' organizational ties to NGOs, GUFs, governments, transnational advocacy networks, and other international organizations. Crucially, coalitional power is not just a matter of forging ties with sympathetic others. "The exercise of coalitional power necessarily entails actions on the part of workers to convince nonlabor actors—meaning groups or individuals outside of the employment relationship—to leverage their position as stakeholders" in ways that directly threaten the target actor's core interests (Brookes 2017: 11). Coalitional power is thus

especially relevant for transnational campaigns in so far as transnationalism multiplies workers' opportunities to tap into different stakeholder networks, as when workers mobilize consumers around the world to boycott a product or brand in several different countries at once.

Though related, coalitional power is distinct from community unionism, which is when unions and nonlabor civil society actors join forces on the local scale to build power in civil society by better integrating unions into their local communities over time. In contrast, coalitional power describes the capacity of workers to invoke the power of nonlabor stakeholders in general—a capacity that is not limited to networks based on workers' local, place-based ties and can instead or additionally incorporate stakeholder networks at the national, regional, or international scales. Hence, while both strategies are useful for both types of campaigns analyzed in this evidence review (campaigns for civic space and campaigns for labor rights), community unionism's focus on local capacity building over time is more conducive to campaigns to protect and expand civic space, while coalitional power's ability to mobilize transnational stakeholders relatively quickly is particularly effective for labor rights campaigns.

The effectiveness of coalitional power depends on how dependent the state, employer, or other actor on which a campaign is focused is on the nonlabor stakeholders mobilized in the campaign. For example, an employer that depends heavily on its public reputation and brand name, such as an airline, restaurant, or clothing retailer, will be more vulnerable to a worker-consumer coalition calling for customers to take their business elsewhere than a company for whom public image is less essential, such as an energy company or defense contractor. Likewise, a worker-investor coalition cannot impact a privately held company in the same way it can a publicly traded company that is subject to shareholder scrutiny. Similarly, an authoritarian government will not respond to mass mobilizations of citizens in the same way that a democratic government subject to regular, free and fair elections would.

The potential for labor actors to exercise coalitional power is enhanced in transnational campaigns, which allow actors to jump scale and multiply leverage points, as noted earlier. An example of effective coalitional power in a transnational campaign is the effort by labor and civil society partners to create and enforce The Accord on Fire and Building Safety in Bangladesh in the aftermath of the 2013 Rana Plaza collapse. The Accord is an agreement between globally branded companies and a coalition of unions and NGOs, including the Clean Clothes Campaign, the International Labor Rights Forum (ILRF), the Worker Rights Consortium, and the Maquila Solidarity Network. Several of these organizations began formulating the Accord years before the Rana Plaza disaster. The horrific industrial accident and subsequent international outrage then served as a critical juncture that opened up space for the Accord to be put into place. Reinecke and Donaghey (2015) found that labor actors and CSOs used coalitional power to make the Accord legally binding and to convince over 180 brand name companies to sign it. This was possible, thanks to these organizations' years of planning and their good strategic sense to seize the opportunity of the critical juncture. Though results varied in terms of the extent to which different firms altered their supply chain and sourcing policies to better protect labor rights (Scheper 2017), research suggests that this variation in firm compliance can be explained by different levels of pressure applied by labor and nonlabor stakeholders in various countries (Schuessler et al. 2019). Union-NGO coalitions continue to monitor the Accord's implementation, carry out campaigns to make sure that firms follow through on their commitments, and win compensation for families of workers who died in the Rana Plaza collapse (Cooper 2018: 10).

10. CASE STUDIES: TRANSNATIONAL CAMPAIGNS IN CAMBODIA, HONDURAS, LIBERIA, AND COLOMBIA

Below are four case illustrations that demonstrate empirically the applicability of findings from the research cited above. These are: the Raffles hotels campaign in Cambodia (2004); the Russell Athletics campaign in Honduras (2008–09); the Bridgestone-Firestone campaign in Liberia (2005–10); and the Fairness in Flowers campaign in Colombia (2003–2017). Each unit of analysis is a transnational campaign concluding within the past 15 years that involved both labor actors and nonlabor civil society actors working together to open civic space, secure workers' rights, or both. These four cases were selected based on representing significant variation across industries, regions, and national political contexts to facilitate a first-cut test of whether findings from the existing literature are broadly generalizable. In other words, if similar outcomes and patterns are found across otherwise diverse cases, then we have some evidence that certain variables of interest—such as those factors influencing the effectiveness of union-community coalitions and coalitional power in transnational campaigns—are systematic as opposed to idiosyncratic (Seawright and Gerring 2008; Przeworski and Teune 1970).

10.1. CASE ONE: CAMBODIA AND THE RAFFLES HOTELS CAMPAIGN

PHOTO BY IUF

Raffles, a luxury hotel chain based in Singapore, became the site of an international labor dispute in Cambodia in 2004. The Raffles Grand Hotel d'Angkor in Siem Reap charged customers over US$250 a night, while the Raffles Hotel Le Royal in Phnom Penh had a standard room rate of US$165 per night; in contrast, the average base pay for workers at these hotels was roughly US$30 per month.[5] Raffles hotels also charged a ten percent service fee to customers, and Cambodian law mandated that all proceeds from this fee must go to workers; however, workers claimed that they were only receiving up to two percent of the service fee while management pocketed the rest.[6] Because wages are so low, Cambodian workers rely heavily on service fees to supplement their incomes. The hotel workers also cited a lack of compensation for workplace injuries.[7]

In late 2003 collective bargaining broke down at both the Raffles Grand Hotel d'Angkor and the Raffles Hotel Le Royal. Several dozen workers walked off of the job at the Le Royal to protest management's handling of the ten percent service charge.[8] Managements at the Le Royal responded by firing 97 employees. Unions at several other Cambodian hotels banded together under the Cambodia Tourism Service and Workers Federation (CTSWF) later that year and immediately engaged with Raffles on behalf of the fired workers. Ian January 2004, the Cambodian Arbitration Council ordered Raffles to pay the

[5] "Raffles Holdings hotel in Cambodia terminates services of 196 employees," The Business Times of Singapore, April 20, 2004.

[6] "Labor Arbitrators Challenged By Limitations," The Cambodia Daily, March 25, 2004.

[7] "Workers at Raffles Hotel Chain Go on Strike", The Cambodia Daily, December 24, 2003. https://www.cambodiadaily.com/news/workers-at-raffles-hotel-chain-go-on-strike-70789/

[8] "Raffles Puts Best Face on Breaking Unions", The Cambodia Daily, May 11, 2004. https://www.cambodiadaily.com/news/raffles-puts-best-face-on-breaking-unions-40581/

workers the full amount of the service fees monthly and increase their basic wage to US$50 a month. But rather than accept the Arbitration Council's rulings, Raffles simply chose to discontinue the service fee.

Workers from both hotels went on strike over the abolition of the service charge in April 2004.[9] Managers at the Raffles hotels stood their ground. The Hotel Le Royal had already fired 97 workers, and the Grand d'Angkor soon followed suit by firing another 190 workers. These firings amounted half of the two hotels' combined workforce and the entirety of the hotels' union membership. The Raffles Grand d'Angkor closed on April 27, 2004, pending resolution of the labor dispute, until re-opening upon resolving negotiations with union replacements hand-picked by Raffles Holdings.[10] This step ran counter to Cambodian law, which required that negotiations be carried out with worker-chosen union representatives.

For months, CTSWF members and supporters from the broader community continued to protest daily in front of both hotels and in nearby streets and parks to demand reinstatement for those dismissed. These assemblies sometimes numbered hundreds of protestors at once. Nevertheless, daily protest activity took its toll, as workers lacked a strike fund and struggled to feed their families as the dispute continued. In both Phnom Penh and Siem Reap, hotel managers used direct retaliation to intimidate the workers and their supporters in the broader community. Police visited the homes of union officials and threatened the president of the union at the Raffles Grand. Several men, presumably hired by management, broke into the union office at the Grand and destroyed the documents establishing the union as the workers' sole representative.

At this point, the dispute turned transnational, as the hotel workers turned to supporters outside Cambodia to actively engage Raffles around the world. It is important to point out, however, that transnational ties, particularly between the AFL-CIO-affiliated Solidarity Center and the Cambodian hotel workers, existed well before the Raffles dispute arose. "The development of trade unions in the hotel industry was really a project of the Solidarity Center. We had government money," explained a Solidarity Center field director in an interview (December 15, 2011). The Solidarity Center had begun to help Cambodian workers organize unions in the early 2000s, first in the garment industry, then in tourism. By the onset of the Raffles campaign in 2004, Solidarity Center staff were still present in Cambodia yet careful not to overstep their bounds. "It's not that the Solidarity Center was endorsing the strike or supporting the strike," the field director clarified. "The role of the Solidarity Center could be called more of a mentorship between unions so that they would be able to learn how to settle their disputes" (personal interview, December 15, 2011). By focusing on training and advice, the Americans sought to empower the Cambodian unionists at the grassroots level without necessarily directing workers toward any specific course of action.

In addition to giving advice, the Solidarity Center also helped arrange for SEIU to provide $25,000 to the CTSWF (Raffles Le Royal union official, personal communication, May 14, 2011). The global union for food and hospitality workers, the IUF[11], also contributed funds. According to a Solidarity Center field director, it was important "that we had some financial assistance because the management tactic was basically to wait it out. Workers were running out of money" (personal interview, December 15, 2011). Additional

[9] The Business Times of Singapore, 2004.

[10] "Raffles Puts Best Face on Breaking Unions", The Cambodia Daily, May 11, 2004. https://www.cambodiadaily.com/news/raffles-puts-best-face-on-breaking-unions-40581/

[11] International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations

transnational support came from London, where members of unions affiliated with the IUF handed out leaflets in front of the Raffles Howard Hotel, denouncing the hotel chain for the mass firing in Cambodia.[12] The Australian Liquor, Hospitality, and Miscellaneous Union rallied in front of the Raffles-managed Swissôtel in Sydney,[13] and the AFL-CIO started to apply pressure to Raffles Holdings.[14] In the US, the Los Angeles branch of the Hotel Employees and Restaurant Employees Union leafleted the Raffles L'Ermitage in Beverly Hills. Local and international media, including a Khmer-language radio station, covered these events. Labor allies held additional demonstrations at Raffles hotels and Cambodian embassies in Bangkok, Chicago, Los Angeles, London, Moscow, San Francisco, Sydney, and Toronto.

Most significant, however, was the strategic guidance provided by the Solidarity Center that shifted the transnational campaign toward different tactics. As one Solidarity Center organizer recalled in an interview,

"I went to Cambodia in May [2004]. The campaign was actually going downwards, and so we had essentially to revitalize the campaign. The reason it was dying down was because the workers essentially were just doing the regular strike thing, standing in front of the hotel and camping in the parks…See, the model was the garment [industry]. In the garment model, with on-time delivery—basically, you stop the delivery of goods and you create a lot of financial loss for management...But we were now realizing that the hotel is just a totally different animal. They can withstand, as Raffles has shown, long periods [of striking and protests]…So they could take a loss for a long time." (Solidarity Center Field Director, personal communication, December 15, 2011)

This revelation marked a major shift in the campaign from basic protest actions—"just doing the regular strike thing"—to the full use of coalitional power. The CTSWF and their supporters began to call on transnational stakeholders beyond the labor movement who could threaten the long-term viability of the Raffles brand. The Solidarity Center proved essential in helping the hotel workers exercise coalitional power, helping coordinate the dissemination of information to civil society actors in numerous countries. The Washington, D.C.-based International Republican Institute (IRI) took a clear stand. IRI country director Jackson Cox explained, "We felt we had to stand up because it is a clear case of right and wrong. Everyone I've talked to in the international community is disappointed and looking to take their business elsewhere" ("Raffles Hotels Puts Best Face on Breaking Unions in Cambodia," 2004). US Representative George Miller, after a visit to Cambodia, called on the UN, the IMF, the World Bank, and the Asian Development Bank to cease patronizing the Raffles hotels in Cambodia. Miller wrote to then-president of the World Bank James Wolfensohn that the "continued use of Raffles hotels by World Bank employees serves to undermine the development and strengthening of those fundamental democratic institutions which are at the core of the World Bank's agenda in Cambodia and around the globe." The US Embassy declined to hold its July 4 reception at the Raffles Hotel Le Royal in Phnom Penh. Cambodian and foreign tourists also declined to book rooms with Raffles.

Support came from other countries as well. In early August 2004, three trade union centers in Russia urged the Russian Embassy in Cambodia to avoid bookings at the Raffles hotels. Unions and political

[12] "Anti-Raffles Demonstrations Held Abroad", The Cambodia Daily, June 23, 2004. https://www.cambodiadaily.com/news/anti-raffles-demonstrations-held-abroad-41482/

[13] "Anti-Raffles Demonstrations Held Abroad", The Cambodia Daily, June 23, 2004. https://www.cambodiadaily.com/news/anti-raffles-demonstrations-held-abroad-41482/

[14] Cambodia Workers Jobless, August 18, 2004.

officials sent similar letters to the embassies of Australia, Austria, India, South Korea, and the Philippines. These efforts culminated in an effective, high-profile boycott, which cost Raffles not only financially but also in reputation. Commentaries in the *Financial Times* and on National Public Radio amplified these effects.

In September 2004, the president of the CTSWF, other union representatives, the hotels' general managers, and Raffles Global Group Human Resources Director Han Hun Juan signed an agreement to reinstate 80 percent of the fired workers and pay 75 percent of their wages backdated to April 11, 2004. The remaining workers received full severance pay, of back wages, and first priority in the hotel's next hiring round. Raffles also agreed to reinstate the service fee and distribute the funds directly to employees. To date the union has been able to sustain these economic gains, even as the space for labor organizing in Cambodia has contracted. The Raffles campaign thus helped establish an anchor in civil society, as the union's relationship with this employer helps insulate it from government interference.

10.2. CASE TWO: HONDURAS AND THE RUSSELL ATHLETICS CAMPAIGN

PHOTO BY MOLLY MCCOY

On January 30, 2009, Fruit of the Loom—Russell Athletics officially closed its *Jerzees de Honduras* factory near the Honduran city of San Pedro Sula, putting roughly 1,800 employees out of work.[15] The closure came six years after Russell joined the Fair Labor Association (FLA) in 2003, placing the Honduran factory under FLA guidelines. Despite FLA oversight, Russell had developed a contentious relationship with employees in Honduras over the years: the company laid off 2,000 workers in January 2006, and in September 2007, the Workers' Rights Consortium (WRC) began a separate investigation into allegations that Russell was retaliating against workers who were organizing a union known as Sindicato de Trabajadores de la Empresa Jerzees de Honduras, S.A. (SITRAJERZEESH). The WRC ultimately found "substantial credible evidence that Russell had violated workers' right to freedom of association" in the *Jerzees de Honduras* and *Jerzees de Choloma* facilities "through targeted firings of the unions' founding members,"[16] including the firing of 145 workers from both factories.

In February 2008, the FLA sent the social accountability firm ALGI to the Jerez plant. ALGI reported that Russell was complying with its commitment to allow workers to unionize, sending a letter accepting its workers' right to associate.[17] However, members of management had been telling workers that the factory would close if the workers chose to form a union: during a lunch break in March 2008, a supervisor stated, "This factory is going to close because of the union…the workers will starve because they got

[15] "Russell Athletic Tries to Keep the Shirt on Its Back." Tauber Institute, February 6, 2009.

[16] "Worker Rights Consortium Assessment Jerzees de Honduras (Russell Corporation): Findings and Recommendations." Worker Rights Consortium, November 7, 2008. http://depts.washington.edu/brandrp/cases/Jerzees/Jerzees%20de%20Honduras%2011-07-08.pdf.

[17] "FLA Report on the Closure of Jerzees de Honduras." Fair Labor Association, January 28, 2009. https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1722&context=globaldocs.

involved with a union," and "[T]hese people from the union are going to be left eating shit."[18] These threats became more tangible with the closing of the Choloma plant in April 2008, as Russell let go of 151 workers.

Russell entered negotiations with SITRAJERZEESH in June 2008.[19] On October 3, SITRAJERZEESH declared an impasse, bringing the union a step closer to obtaining legal protection for a strike. Five days later, Russell announced that the *Jerzees de Honduras* factory would soon close.

At this point, the WRC judged that it had enough evidence to argue that the closure was at least partly motivated by the presence of the union, and the WRC presented its findings—including the testimony of 59 workers—to universities in the United States. However, the FLA held its own investigation, and found the evidence to be inconclusive in light of economic conditions in the garment industry—i.e. while Russell's practices were troubling, the FLA could not conclusively rule out economic factors as the cause of those practices. The FLA's January 2009 report concluded that "FOA Benchmark Number 9 (Freedom of Association) was not breached in this case," and described labor-management issues as "a complicating factor rather than a motivating factor in the closure of JDH."[20] The publication of the FLA report coincided with workers rejecting a pay increase of four cents per day[21]; two days later, Russell shut down the *Jerzees de Honduras* factory.

Russell's treatment of workers in Honduras had sparked an apparel protest among college student activists in the United States, dating back to November 2007.[22] The student organization United Students Against Sweatshops (USAS) escalated its efforts after the *Jerzees de Honduras* factory closure. The organization launched the blog "Rein-In Russell," brought union organizers to speak at universities in the United States and Canada,[23] and arranged a letter signed by 65 members of Congress, expressing "grave concern about reports of severe violations" of labor rights by Russell.[24] Soon afterward, several US universities chose to cut ties with Russell: Cornell, Georgetown, Wisconsin, Miami, Columbia, Purdue, and Houston.[25] The Ethical Trading Action Group (ETAG), a Canadian-based coalition of faith-based organizations, labor organizations, and NGOs advocating for humane labor practices, responded by calling on Russell to implement corrective action steps with SITRAJERZEESH; meanwhile, Maquila Solidarity, a Canadian network advocating for labor rights in global supply chains, asked for the immediate rehiring of workers at *Jerzees de Honduras*.[26] Then USAS stage a protest of a National Basketball Association (NBA) Finals playoff game between the Orlando Magic and the Los Angeles Lakers.[27] This move, which succeeded in

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[18] Worker Rights Consortium, 2008.

[19] Tauber Institute, 2009.

[20] "Russell Athletics Tries to Keep the Shirt on Its Back." William Davidson Institute, January 10, 2010. http://michiganintheworld.history.lsa.umich.edu/antisweatshop/files/original/51a09375355c72c52516659263392d05.pdf.

[21] "Human Rights Activists Protest NBA-Linked Sweatshops", HuffPost, June 14, 2009. https://www.huffpost.com/entry/human-rights-activists-pr_b_215326

[22] "The Sweatshop Protests", Minding the Campus, November 23, 2007. https://www.mindingthecampus.org/2009/11/23/it_was_a_win_for/

[23] Tauber Institute, 2009.

[24] "Labor Fight Ends in Win for Students," The New York Times, November 17, 2009

[25] "Cornell cuts ties with Russell Athletic over labor practices", Syracuse.com, February 20, 2009. https://www.syracuse.com/news/2009/02/cornell_cuts_ties_with_russell.html

[26] Honduras, May 21, 2009. http://en.archive.maquilasolidarity.org/jerzees

[27] HuffPost, 2009.

drawing press coverage in outlets such as the New York Times and Huffington Post, was intended to target Russell's lucrative contract with the NBA—a contract which, at $125 million a year, accounted for nearly a quarter of the company's $562 million in total annual sales.

On June 25, 2009, the FLA put Russell on probation for noncompliance with FLA standards—in part due to the increased public scrutiny of Russell's labor practices, and in part as a reaction to Russell's decision to shut down the *Jerzees de Honduras* factory after publication of the FLA's previous findings.[28] Three days later, workers in Honduras negotiated a deal with Russell to open a new unionized plant and rehire 1,200 employees who had been fired.[29] This deal culminated in the signing of an agreement between Russell Athletics and Central General de Trabajadores (CGT) in November 2009,[30] establishing a framework for future management-union relations at the new factory *Jerzees Nuevo Día*.[31] Two years later, Russell and the union signed a contract guaranteeing investment in better machinery, free transportation to and from work, free lunches, and a 26.5% wage increase.[32]

These events are particularly striking, given the turbulence of Honduran politics in recent years. CGT's organizing efforts with Russell Athletics coincided with President Mel Zelaya's removal from office in 2009 at the hands of the military, following Zelaya's efforts to combat poverty and raise the minimum wage. Even as the political climate grew more hostile for labor and civil society actors, CGT's successes at *Jerzees de Honduras* and *Jerzees Nuevo Día* helped pave the way for workers to organize at other Russell/Fruit of the Loom facilities. In 2012, workers at *Jerzees Buena Vista* formed a union which management was quick to recognize, with collective bargaining negotiations commencing that October.[33] In 2015, CGT also secured a collective bargaining agreement for 1,200 Honduran workers at Russell's factory in the town of Villanueva, and negotiated another agreement for 9,000 workers at the Canadian-owned Gildan apparel factory in Choloma.[34]

One can observe multiple parallels between this case and the previous case in Cambodia. As with the Raffles campaign, the Russell Athletics campaign in Honduras secured substantial gains for employees: employers in both cases made considerable material concessions in terms of compensation and hiring/firing practices, and employees were able to build and use extensive international networks to exert pressure on their employers. As such, both campaigns qualify as successes featuring material gains and capacity-enhancing gains. In the case of the Russell Athletics campaign, however, it is also worth noting that workers gained an additional victory: by being able to form the SITRAJERZEESH union, the Honduran workers improved their capacity to self-organize in the future, laying the groundwork for CGT to carry

[28] "Russell Agrees to Re-Hire Honduran Workers", SGB Online, November 23, 2009. https://sgbonline.com/russell-agrees-to-re-hire-honduran-workers/

[29] The Victory for Worker's Rights in Honduras, June 28, 2009.

[30] WRC Update on Russell Athletic Fruit of the Loom in Honduras, January 21, 2016.

[31] "Protests Persuade Russell Athletic to Rehire Honduran Workers", New York Times, November 17, 2009. https://www.nytimes.com/2009/11/18/business/18labor.html

[32] 3 Years After Signing Historic Agreement, Honduran Workers and Fruit of the Loom Lead the Way, United Students Against Sweatshops, October 10, 2012.

[33] 3 Years After Signing Historic Agreement, Honduran Workers and Fruit of the Loom Lead the Way, United Students Against Sweatshops, October 10, 2012.

[34] Honduran Workers Win Unions at 3 Plants, Get Pact at 4th. Solidarity Center, June 15, 2015.

out subsequent organizational drives at several other facilities despite increasingly unfavorable political conditions.

It is important to note that Russell's direct ownership of its factories in Honduras contributed to the campaign's success. Direct ownership of production by a lead firm is relatively uncommon in the global apparel industry, which normally entails extensive chains of outsourcing. Given an arms-length relationship between the lead firm and the subcontracted producers, the former normally attempts to absolve itself of responsibility for the latter's labor practices (Mosley 2010; Anner 2011). Russell did not have that option, however. Interestingly, the Raffles case also featured a relationship of direct ownership so that the disputes in Phnom Penh and Siem Reap were handled not only by local hotel managers but by the heads of the transnational corporation in Singapore as well.[35] Future research should examine the role of ownership structure in the success and failure of transnational labor campaigns.

10.3. CASE THREE: LIBERIA AND THE BRIDGESTONE-FIRESTONE CAMPAIGN

PHOTO BY JEMAL COUNTESS / THE SOLIDARITY CENTER

In February 2006, more than 6,000 workers went on strike at Liberia's largest rubber plantation, owned by Bridgestone-Firestone.[36] There had been several highly contentious issues at the plantation for some time, relating to compensation, production quotas, working conditions, and living standards.[37] At the time, maximum compensation was equivalent to just over US$3 per day, and even this was contingent on workers meeting strenuous production quotas, often requiring the help of family members, including children. Workers were also living on company property in huts without electricity or plumbing. When nearby wells went dry, inhabitants would have to draw water from a river polluted by the company itself.

The Bridgestone-Firestone strike in Liberia came on the heels of a series of strikes, walkouts, and lawsuits in response to labor violations alleged against the Bridgestone-Firestone company in several countries. This pattern goes at least as far back as a United Rubber Workers (URW) Union walkout at a Bridgestone-Firestone facility in the US in July 1994.[38] By January 1995, Bridgestone-Firestone announced the decision to hire permanent workers to replace those participating in the walkout. Contested reports came out shortly thereafter alleging that Bridgestone-Firestone was hiring strikebreakers from Brazil and Japan to go to the United States.[39]

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[35] A transnational labor campaign with striking similarities to the Raffles campaign – the Shangri-La hotel campaign in Indonesia – was not successful, in part because of Shangri-La's divided ownership structure (Brookes 2017).

[36] Liberia Rubber Plantation Workers Strike Over Conditions, The New Humanitarian (IRIN News), February 10, 2006. http://www.thenewhumanitarian.org/report/58109/liberia-rubber-plantation-workers-strike-over-conditions-pay-child-labour

[37] "USW Helps Empower Workers on Firestone Plantation in Liberia," Huffington Post, October 16, 2008

[38] "Permanent Replacements Being Hired", January 5, 1995.

[39] "Argue Over Workers Origins", September 18, 1995.

As negotiations with the company continued to deteriorate, the USW announced its intentions to coordinate with global labor in response to the global nature of the company itself.[40] Disputes between the USW and Bridgestone-Firestone continued into 2000, when the company blamed leadership within its US subsidiaries for poor quality control and labor relations at US facilities. Bridgestone-Firestone's then-president, Yoichiro Kaizaki, explained that the company "let the U.S. unit use its own culture. There was an element of mistake in that."[41]

In November 2005, workers at Firestone's plantation in Liberia allied with The Association of Environmental Lawyers of Liberia (Green Advocates) to file a lawsuit against Bridgestone-Firestone, alleging that the company was using child labor and dumping waste into a local river. Collaborating with Liberian human rights groups and environmental advocates such as Friends of the Earth, the US-based International Labor Rights Fund (ILRF) also filed a second lawsuit in December 2005 over pervasive slave-like labor conditions.[42] Plantation workers went on strike two months later, while the USW in the US collected funds to support the 6,000 striking Liberian workers.

Bridgestone-Firestone responded by agreeing to allow open union elections for the first time in over 80 years.[43] Previously, the union was owned and controlled by Bridgestone-Firestone itself. The newly-formed Firestone Agriculture Workers Union of Liberia (FAWUL) challenged the company union in the 2007 election and challenged the company through the courts after Bridgestone-Firestone refused to recognize the union election results. The legal challenge, which made it all the way to the Liberian Supreme Court, was the result of a transnational alliance among FAWUL, USW, the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM),[44] and the Solidarity Center.[45]

This ruling came on the heels of a separate court ruling in Firestone's favor earlier in 2007 regarding the company's alleged violations of the Alien Tort Statute (ATS). The ATS was deemed unenforceable due to the absence of clear rules outlined for child labor laws.[46] The USW, the Save My Future Foundation, and the Solidarity Center collaborated with the Firestone rubber workers in Liberia to investigate child labor violations in 2008.[47]

Meanwhile, Firestone and FAWUL signed their first true collective bargaining agreement (CBA). This CBA ensured a 24 percent pay raise, a 20 percent reduction in daily quotas, and mechanized transportation so that workers no longer had to carry latex on their backs.[48] Nevertheless, FAWUL claimed in 2009 that Firestone had not yet reduced the daily quotas, and the USW received reports that children were still working on the plantation to help their parents meet persistently high quotas. The USW sent a letter to

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[40] "Union vows war on tire company Bridgestone—Firestone", People's Weekly World, February 10, 1996. http://www.hartford-hwp.com/archives/45b/048.html

[41] "Bridgestone President Admits Tire Quality Problems", New York Times, September 11, 2000. https://www.nytimes.com/2000/09/12/business/bridgestone-president-admits-tire-quality-control-problems.html

[42] The New Humanitarian (IRIN News), 2006.

[43] "Stop Firestone Coalition Celebrates Victory", International Labour Rights Forum, December 21, 2007.

[44] ICEM was a global union federation that merged into the global union federation IndustriALL in 2012.

[45] "Stop Firestone Coalition Celebrates Victory", International Labour Rights Forum, December 21, 2007.

[46] Flomo v. Firestone Natural Rubber Co., No. 1:06-cv-00627-JMS-TAB (United States District Court, S.D. Indiana, Indianapolis Division October 5, 2010).

[47] "USW Helps Empower Workers on Firestone Plantation in Liberia," Huffington Post, October 16, 2008

[48] "USW Helps Empower Workers on Firestone Plantation in Liberia," Huffington Post, October 16, 2008

the president of Firestone Natural Rubber in Liberia citing poor implementation of the new CBA.[49] A second CBA signed in 2010 set similar terms as the first and had similarly slow implementation.

Despite the slow implementation of these CBAs, the workers at the Bridgestone-Firestone plantation in Liberia were still able to win considerable concessions from their employers without taking on any new offsetting losses. By delaying implementation of the quota reductions specified in the new CBA, Bridgestone-Firestone simply perpetuated conditions that were already part of the status quo, rather than burdening workers with additional hardships. Thus, it is still possible to claim this case as a qualified success on three grounds: first, by achieving a pay raise; second, by strengthening the workers' abilities to act through their new union (FAWUL); and third, by forming relationships with outside organizations such as USW, ICEM, and the Solidarity Center.

However, the success of this campaign is largely limited to Firestone's plantation in the town of Harbel, about thirty miles east of the capital in Monrovia. While acknowledging that Firestone has "made efforts to clean up their act somewhat" in Harbel, Green Advocates president and founder Alfred Lahai Brownell pointed out in 2010 that Firestone continued to obtain its raw rubber supply from small-scale suppliers throughout Liberia.[50] These suppliers are reportedly the source of most of the human rights abuses, and Brownell contends that much of the progress with Firestone has consisted of "cosmetic but not comprehensive changes."[51] Likewise, in 2012, the US Department of Labor released a report finding that other rubber plants throughout Liberia exhibit similar abuses as those previously reported within the Firestone compound, though these other plants often have significantly lower quotas.[52] Further troubling developments have arisen in subsequent years.

In October and November 2016, Liberian police obtained a series of arrest warrants to detain the entire Green Advocates staff, including president Alfred Lahai Brownell, in apparent retaliation for the organization filing a complaint against palm oil company Golden Veroleum. Liberian president Ellen Johnson Sirleaf had "publicly condemned Green Advocates for undermining national sovereignty through the use of the grievance mechanism of the Roundtable on Sustainable Palm Oil (RSPO),"[53] and community members were arrested[54] after protesting Golden Veroleum's exploitation of the Ebola crisis to acquire extensive farmlands with the assistance of the state.[55] Green Advocates also allege that these arrests are part of a pattern of government-sponsored harassment dating back to 2014, when Liberian officials accused Green Advocates of "terrorizing" employees on a plantation owned by Salala Rubber Company. These events highlight the risks that civil society actors assume when advocating for improved labor conditions in an unfavorable political environment.

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[49] Flomo v. Firestone Natural Rubber Company, 2010.

[50] "'Resource-cursed' Liberia Struggles in Firestone's Stronghold," ESCR-Net, March 23, 2010.

[51] "'Resource-cursed' Liberia Struggles in Firestone's Stronghold," ESCR-Net, March 23, 2010.

[52] "Rubber Production in Liberia: An Exploratory Assessment of Living and Working Conditions, with Special Attention to Forced Labor". Verité, February 2012. https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2777&context=globaldocs

[53] "Liberia: Judicial harassment and threats against Alfred Lahai Brownell and the Green Advocates' staff." ESCR-Net, December 2, 2016.

[54] "Global Witness Statement on the Persecution of Green Advocates' Staff," Global Witness, November 7, 2016.

[55] "The New Snake Oil? The violence, threats, and false promises driving rapid palm oil expansion in Liberia," Global Witness, July 23, 2015.

Meanwhile, Firestone has executed two rounds of layoffs at its plantation: citing falling rubber prices and "continued and unsustainable losses resulting from high overhead costs associated with the company's concession agreement with the government of Liberia," the company let 400 plantation workers go in 2016, followed by another 800 layoffs announced in March 2019.[56] While local advocates such as Green Advocates acknowledge improvements in the Firestone plantation, the long-term sustainability of these gains remains in doubt.

10.4. CASE FOUR: COLOMBIA AND THE FAIRNESS IN FLOWERS CAMPAIGN

So far, this evidence review has discussed cases revolving around single, discrete labor disputes at individual worksites. Each dispute arose within the context of larger issues spanning entire industries at the national and international scales, yet it was still possible to evaluate the success or failure of each campaign to achieve specific goals and build capacity for future action. As the Bridgestone-Firestone case in Liberia illustrates, however, the success of a campaign at an individual worksite may be compromised in the face of conditions prevailing nation-wide across an entire industry. In Colombia, the Fairness in Flowers campaign presents a different project altogether: rather than building a coalition to address a dispute at a single worksite, Fairness in Flowers was designed as a long-term watchdog organization to advocate for workers' rights across the entire Colombian cut flower industry.[57] While Fairness in Flowers is a single ongoing campaign, the nature of its mission also allows for analysis of multiple discrete campaigns at individual worksites—particularly with respect to Dole Fresh Flowers, which has been at the center of Fairness in Flowers' most widely publicized dispute.

The International Labor Rights Forum (ILRF) launched the Fairness in Flowers campaign in 2003 in response to working conditions in Colombia's cut flower industry. The goal was "to urge US flower retailers and US-based multinational companies involved in flower production to adhere to basic health and safety, and labor rights standards in the industry."[58] Colombia's cut flower industry employs over 100,000 workers[59]; numbers vary from source to source, but it is estimated that women account for around 65–70 percent of these employees.[60] The industry has been known to subject its workers to harsh conditions and legally questionable practices: Long hours, sustained exposure to pesticides, and acute poisoning abound, while employers pocket funds intended to be paid into Colombia's social security program.[61] As a condition of employment, women working in the industry are often required to take pregnancy tests or provide proof of sterilization, "as employers hope to avoid providing paid maternity leave."[62]

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[56] "Firestone Liberia to lay off 800 staff on low rubber prices," Reuters, March 18, 2019.

[57] An active organizing drive predated (and was part of the impetus for) Fairness in Flowers, which, as will be shown below, comprises a coalition of actors working across a broad set of issues in the industry.

[58] International Labor Rights Fund 2003 Annual Report, p. 2.

[59] Nora Ferm. 2008. "Non-traditional agricultural export industries: conditions for women workers in Colombia and Peru", *Gender & Development*, 16:1, 13-26,

[60] Amy Cameron Price. "Beyond the Beauty of a Dozen Roses: Implications of Free Trade on Women Workers in Colombia's Cut Flower Industry.", June 2014, p. 64.

[61] Nora Ferm. 2008. "Non-traditional agricultural export industries: conditions for women workers in Colombia and Peru", *Gender & Development*, 16:1, 13-26,

[62] "Creating a Sweatfree World: Fairness in Flowers", International Labor Rights Forum, February13, 2008.

Since beginning in 2003, the ILRF's Fairness in Flowers campaign has conducted extensive research on the ground, testified before the UN, organized speaking tours across the US for South American flower workers to share their experiences of harsh working conditions, and pressured prominent companies to improve conditions for their employees.[63] In particular, Dole Fresh Flowers, a Dole Food Company subsidiary, has drawn a lot of scrutiny: the company is Colombia's largest fresh flower exporter and plantation owner, and has a history of repeated offenses against its workers in the banana and cut flower industries.[64] In 2004 Dole came under fire from local unions, labor activists, and global watchdog organizations (including Fairness in Flowers) for suppressing workers' attempts to unionize. UNTRAFLORES, a nation-wide Colombian union, had supported an organizing drive at C.I. Splendor Flowers, which is owned by Dole Fresh Flowers. Motivated to take action in the face of escalating workloads, exposure to toxic pesticides,[65] and company termination of sick employees,[66] 27 Splendor employees formed a new union that November called SINTRASPLENDOR, and affiliated themselves with UNTRAFLORES.[67] In short order, over 200 more Splendor employees joined SINTRASPLENDOR.

The response from Dole Fresh Flowers was twofold. First, the company immediately fired Gloria Oliveira, a founding member of SINTRASPLENDOR, and used members of the military and law enforcement to intimidate union members—a notable example of collusion between a multinational company and the host country.[68] Then, in December 2004, Dole formed a company-controlled union, SINALTRAFLOR, to negate the legal justification for the Colombian government to recognize the independent SINTRASPLENDOR union.[69] SINALTRAFLOR also enabled Dole to construct a collective bargaining agreement that was favorable to the company[70], while offering an incentive of 40,000 Colombian pesos for workers to support SINALTRAFLOR over SINTRASPLENDOR.[71]

Dole's actions were unfortunately consistent with the broader context of anti-union repression in Colombia as a whole. Hostility to unions and civil society activists in the form of extreme harassment and violence remained pervasive through the country. Yet despite this context of closed civic space, and despite Dole's tactics of intimidation and manipulation, SINTRASPLENDOR still managed to gain legal recognition from the Colombian government in March 2005. Shortly thereafter, however, Dole fired more union members. By 2006, only 150 out of an original 2,000 Dole employees remained at C.I. Splendor Flowers.

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[63] "Fairness in Flowers Campaign Toolkit". International Labor Rights Forum, 2009, p. 2. https://laborrights.org/sites/default/files/publications-and-resources/toolkit2009.pdf

[64] International Labor Rights Forum, 2009, p. 13.

[65] "Dole worker tells of labor rights violations in Colombian flower industry," ILRF, February 12, 2007.

[66] "Overseas Sweatshop Abuses, Their Impact on U.S. Workers, and the Need for Anti-Sweatshop Legislation," Hearing before the Subcommittee on Interstate Commerce, Trade, and Tourism of the Committee on Commerce, Science, and Transportation, United States Senate, February 14, 2007.

[67] "Justice for All: The Struggle for Worker Rights in Colombia." Solidarity Center. May 2006.

[68] International Labor Rights Forum, 2008.

[69] International Labor Rights Forum, 2009, p. 13.

[70] Colombia Final 1, May 2006, p. 32.

[71] "Overseas Sweatshop Abuses, Their Impact on U.S. Workers, and the Need for Anti-Sweatshop Legislation," Hearing before the Subcommittee on Interstate Commerce, Trade, and Tourism of the Committee on Commerce, Science, and Transportation, United States Senate, February 14, 2007.

Dole's aggressive anti-union tactics escalated even further in December 2006, as the company closed the Corzo farm—one of the farms associated with the Splendor Flowers unionization drive.[72] Despite citing profitability as a primary factor in closing the farm, Dole refused to provide documentation to substantiate these economic concerns, and other Dole-owned farms in the area remained in operation. Even though the Colombian government granted SINTRASPLENDOR an arbitration hearing in 2008, leading to the union's first collective bargaining agreement, Dole continued using similar tactics to stymy unionization efforts at the Flores de Fragrancia farm.[73]

Beyond specific issues pertaining to Dole Fresh Flowers, the ILRF's Fairness in Flowers campaign has maintained its focus on the broader dynamics of the cut flower industry in both Colombia and Ecuador. The ILRF published a study in 2005 documenting systemic sexual harassment and assault, as well as an ongoing reliance on child labor in Ecuador.[74] In 2007, the ILRF also expressed concerns about Colombia's free trade agreement with the United States, citing an absence of "enforceable mechanisms for guaranteeing compliance with labor rights in Colombia" within the deal that took effect in 2012.[75] Beatriz Fuentes, a Dole employee and president of SINTRASPLENDOR, argues that Colombian workers need "new and enforceable international legal tools" in light of "the limitations of Colombian labor law enforcement."[76] Fuentes points out that the Colombian court system can take years to respond to legal complaints from workers, while the same court system has approved Dole-sponsored court petitions in a matter of weeks.

Because the scope of the Fairness in Flowers project is so much greater than any of the other three cases, it is difficult to make a reliable, accurate comparison in assessing the campaign as a success. While Fairness in Flowers continues addressing labor abuses across Colombia, the pervasiveness of those conditions does not negate the specific gains made at the Dole-owned C.I. Splendor Flowers: by forming SINTRASPLENDOR, the workers at that farm created their first independent union and achieved their first collective bargaining agreement. It remains to be seen whether workers can achieve similar outcomes at other worksites throughout the country, such as Flores de Fragrancia. However, while the success of Fairness in Flowers may be an open question, the drive to organize workers at C.I. Splendor Flowers qualifies as a success by the same criteria with which we have evaluated the preceding cases.

11. DISCUSSION

What do these four cases reveal in terms of factors that contribute to the effectiveness of transnational campaigns? How do findings from the cases compare or contrast with the general findings from the broader literature review? The four foregoing cases offer evidence that general findings from the existing literature have applicability across a range of political and economic contexts, as each case has aspects that support several of the general findings from the literature on transnational campaigns and labor/nonlabor coalitions. At the same time, however, the cases also feature dynamics that do not conform

[72] International Labor Rights Forum, 2009, p. 14.

[73] International Labor Rights Forum, 2009, p. 14.

[74] International Labor Rights Forum, 2008.

[75] "Dole worker tells of labor rights violations in Colombian flower industry," ILRF, February 12, 2007.

[76] "Overseas Sweatshop Abuses, Their Impact on U.S. Workers, and the Need for Anti-Sweatshop Legislation," Hearing before the Subcommittee on Interstate Commerce, Trade, and Tourism of the Committee on Commerce, Science, and Transportation, United States Senate, February 14, 2007.

to these general findings, providing nuance to our understanding of transnational campaigns and directions for further research.

11.1. ACTIVE PARTICIPATION OF GRASSROOTS ACTORS

All four cases are representative of the new transnationalism in so far as they center on issues affecting civil society and labor rights in the global South. Moreover, in contrast to Keck and Sikkink's (1998) classic "boomerang" model of transnational activism, which emphasized the agency of international activists and organizations while relegating local actors to the role of passive recipients of help, these newer transnational campaigns all feature local actors as active participants in their own campaigns. For example, although they received mentorship and advice from transnational allies, the hotel workers in Cambodia ultimately organized and mobilized their own campaign. The cut flower industry workers in Colombia took the initiative to organize an independent union and win their first CBA. In Honduras workers made their own efforts to unionize and took the initiative in gaining the attention of the WRC and the FLA.

11.2. NATIONAL POLITICAL SETTING AND JUMPING SCALE

All four campaigns originated in political settings that were, to varying degrees, hostile to labor rights and civil society overall. Disadvantageous institutions on the national and subnational scales, such as inefficient or corrupt legal systems and anti-union labor practices, meant that labor actors' institutional power was especially limited within these countries. Transnationalism helped local actors in each case overcome unfavorable national settings, at least in part. Below is a brief summary of each case's political context.

Honduras is one of the most dangerous countries in the world when it comes to union organizing and campaigning. Union organizers there have been subject to violent reprisals, including beatings, murder, disappearances, and threats to their families, leading Anner (2015) to categorize Honduras as a "repressive labor control regime." Yet the garment factory workers in the Russell campaign managed to jump scale by involving the international organizations WRC and FLA, which launched investigations of Russell's freedom of association violations, and by involving the US-based student group United Students Against Sweatshops, which took the conflict out of the restrictive national context of Honduras and placed it, in part, in the hands of individuals protected by constitutional rights to free expression and free assembly. Hence, although the workers were dealing with a closed political context, transnational relationships helped them open up space to organize and win. Subsequently, the CGT maintained this momentum and was able to continue organizing at Russell/Fruit of the Loom facilities despite political hostility.

In Colombia, workers also faced a closed political context. Although workers in the cut flowers industry managed to gain legal recognition for their union, SINTRASPLENDOR, the national government stood in the way of true freedom of association by dispatching the military and police to intimidate union members. The Colombian government also turned a blind eye to Splendor's retaliatory firing of one the union's founding members. Jumping scale in the Fairness in Flowers case took the form of worker testimonies before the UN and in speaking tours around the US, facilitated by the ILRF, although the setbacks that the cut flower industry workers continue to face in Colombia demonstrate that jumping scale does not necessarily mean fully escaping disadvantageous political and institutional settings. Additional research is needed to determine the extent to which SINTRASPLENDOR has been able to sustain gains for the workers.

Liberia's political setting, though not as notoriously anti-union as that of Honduras and Colombia, still proved problematic for the full protection of labor rights. Although the conclusion of civil war in 2003

and democratic elections in 2006 had somewhat of an opening effect on civic space, FAWUL still had to fight for its existence even after it won the right to represent workers at Firestone in 2008. The rubber workers also had to fight for the implementation of their CBA. These obstacles were due to Liberian courts' lack of resources to implement and enforce rulings that favored labor and other weak institutions. Circumventing this unfavorable political context meant jumping from the local scale to the national scale by forging ties with Liberian human rights organizations. The rubber workers and allies like Green Advocates also jumped scale to the international by drawing on their connections with the USW and connecting with the Solidarity Center, ILRF, and other US NGOs. Though the future of civic space in Liberia remains uncertain, FAWUL, despite facing challenges, including the national Ebola crisis, has proven itself to be strong and resilient.

The political setting was somewhat more open in Cambodia, which at the time of the Raffles campaign was in the midst of a democratic and economic opening. The Cambodian government had recently made great strides in updating its labor laws, although implementation and enforcement still lagged behind *de jure* rights. The Cambodian Arbitration Council, for example, was well respected by government officials, employers, and labor actors alike, but it lacked effectiveness since its rulings could easily be rendered nonbinding. This mixed picture meant that the hotel workers in the Raffles case benefitted from enough open civic space to organize a union and coordinate with other civil society actors in their campaign, yet they still fell victim to violent reprisals and employers' flouting of labor rights. The workers were able to jump scale, however, to remove the campaign from the realm of local management and refocus it on Raffles itself, the actual owner of the hotels. Following more recent closures of civic space in Cambodia, the CTSWF has remained strong and active, thanks to its ties with transnational activists and employers.

11.3. MULTIPLE PRESSURE POINTS

In each of these cases, labor and civil society actors used transnationalism to engage the targets of their campaigns through multiple angles or pressure points. All four campaigns began in developing countries but drew power from various allies in the US and often other developed (and sometimes other developing) countries as well. In the Raffles campaign, the multiplication of pressure points through the involvement of transnational supporters came from actors in many different countries leafleting, demonstrating, boycotting, alerting national media outlets, and communicating directly to the hotel company. In the Bridgestone-Firestone campaign, labor and nonlabor civil society actors multiplied pressure points by having different organizations from abroad investigate the allegations of child labor, release a report on the company's human rights violations, file a lawsuit against the company, and send letters to the president of Firestone Natural Rubber in Liberia. Connecting with human rights organizations helped the Liberian workers make progress within multiple national legal systems. In Fairness in Flowers case, some of the pressure points facilitated by transnational actors included worker testimonies, speaking tours, and various efforts by international organizations to prepare and publicize reports on working conditions in the cut flowers industry in Colombia.

Crucially, however, simply multiplying pressure points was not what led to success in any of these cases. In fact, engaging the target of a campaign from multiple angles can actually be detrimental to labor and other civil society actors' goals when transnational coalition partners are at odds with one another. For instance, in the Russell campaign, disagreement between the WRC and the FLA over whether or not Russell violated freedom of association rights in its factory shutdowns in Honduras introduced a complication harmful to that campaign's goals.

An especially important takeaway point from this evidence review is that the type of actions carried out by local, national, and international actors in transnational campaigns makes a difference. Jumping scale and multiplying pressure points are only useful if the tactics with which labor and other civil society actors engage their targets are strategically sound.

11.4. DIFFERENT POWER STRATEGIES

The four cases demonstrate a mix of power strategies used in transnational campaigns. By far the most frequent power type exercised in these campaigns was labor actors' exercise of coalitional power, whereby unions and workers leveraged the influence of nonlabor stakeholders in attempt to change the behavior of the campaign target. The Cambodian workers drew on a transnational network of customers to boycott the Raffles hotels. These included NGOs, political officials, unions, and tourists from numerous countries. The Honduran workers exercised coalitional power effectively by connecting with USAS and members of US Congress to threaten Russell's contracts with major universities and the NBA, an effort that was also backed by The Ethical Trading Action Group and Maquila Solidarity. The Liberian workers exercised coalitional power to confront Bridgestone-Firestone through its connections with ILRF and Liberian human rights groups, as well as the United Steelworkers union, the Save My Future Foundation, and the Solidarity Center. Colombian workers and their civil society allies appealed to buyers of cut flowers in spreading awareness of working conditions in that industry, an act of coalitional power especially aimed at US-based flower retailers to enforce health and safety standards in their supply chains.

Coalitional power was most clearly effective in the Raffles and Russell campaigns. The reason this power type was so effective in these cases is directly related to the core interests of the employers that were targeted in these campaigns. Luxury hotels depend crucially on their brand name and reputation to attract well-heeled customers, so any threat to a luxury hotel company's image and the longevity of its brand is a threat not only to its immediate profits but, more importantly, to its sustainability over the long run. Certainly, Raffles, a five-star hotel chain new to a country that was itself new to selling tourism there as safe and enjoyable (let alone luxurious), was especially vulnerable to a consumer boycott. That is why the switch in strategy to coalitional power from the ineffective strategy of structural power (discussed below) turned a stagnant campaign into a successful one. In the Russell campaign, coalitional power was effective, but the mechanism differed. Labor and nonlabor civil society actors did not broadly target the Russell brand; rather, they threatened the loss of the most lucrative clothing contracts that Russell had (university apparel and NBA gear). Coalitional power thus worked because it pinpointed Russell's main vulnerability, as losing those contracts would have meant a loss in profits substantial enough to threaten the company's very being. Hence, in both cases, labor's coalitions with consumers not only helped workers circumvent an unfavorable national political setting but also shifted the cost-benefit analysis of corporate leaders toward cooperating with, rather than cracking down on, the unions.

Unlike in the Raffles and Russell campaigns, coalitional power was not nearly as effective in the Fairness in Flowers campaign. Fairness in Flowers appealed directly to consumers, sending alerts around Valentine's Day and Mother's Day that asked women to support other women by boycotting cut flowers on the two biggest buying days of the year. Yet Dole remained unfazed. The boycott call did not activate enough consumer power to pose a serious threat to the company's financial viability. Moreover, Dole's consumer base is broad and diffuse, so Dole was not vulnerable in the same way that Raffles was with its niche market of luxury travelers or Russell with its concentration of lucrative university contracts.

Structural power (physical disruption of the production or delivery of goods and services by withdrawing labor) also appeared in these case studies. The Cambodian hotel workers and supporters protested daily in front of the Raffles hotels in Phnom Penh and Siem Reap, which disrupted hotel services. As the case study showed, however, structural power was not the appropriate strategy for the Raffles campaign, in part because hotel workers are relatively easily replaceable, and hotels can often remain operational despite demonstrations on their premises. In contrast, structural power appears to have been at least temporarily effective in the Bridgestone-Firestone campaign. After the Liberian rubber plantation workers went on strike with the help of strike funds from the USW, Bridgestone-Firestone responded by allowing open union elections for the first time in decades. Workers won a union and subsequent CBAs. Still, those gains were short-lived, thanks to Bridgestone-Firestone's delay tactics and the inability of courts to effectively enforce the workers' rights.

Why is structural power effective in some campaigns but not others? As with all power types, the key to effectiveness is whether that exercise of power threatens the core interests of the actor targeted by those actions. Employers that rely on time-sensitive delivery and production processes—such as those in shipping, export-quality produce, or just-in-time manufacturing—tend to be vulnerable to structural power. Conversely, if a company can withstand such disruptions or simply relocate to avoid them, then it is not vulnerable to structural power. In Honduras, for instance, the fact that Russell consistently responded to union activity by closing and relocating factories indicates the company's relative resilience to structural power. In Colombia, however, there was perhaps more potential for workers to exercise structural power, given the time-sensitive nature of cut flowers (c.f. Selwyn's work on fruit pickers in Brazil, cited above). Although Dole and other companies closed farms in response to unionization, flower fields are not like garment factories; there are only so many locations conducive to that industry. It is important to note, however, that the potential effectiveness of structural power in a given context differs from the viability of exercising structural power in that context. Fully closed civic space generally precludes the possibility of using industrial action without serious risk to life. Hence, whether workers can exercise structural power should be considered separately from whether or not doing so would have an impact.

11.5. DEEP COALITIONS

The four case illustrations did not provide clear evidence of deep coalitions among labor actors and nonlabor civil society actors, with the exception of the Solidarity Center's relationship with the Cambodian hotel workers. This finding should not be taken a dismissal of the importance of long-term, reciprocal, and mutually beneficial (i.e. "deep") coalitions, however, since the case studies were necessarily bounded by the timelines of specific campaigns. A different type of analysis that is focused on relationship building among labor and nonlabor civil society actors over time would shed greater light on the general finding from the literature that deep coalitions contribute to the success of campaigns. That said, one takeaway point from the present case studies is that deep coalitions are not always necessary for effective transnational campaigns—at least depending on the type of success one is considering (discussed below).

11.6. LEADERSHIP, LEARNING, AND BOTTOM-UP MEMBERSHIP INVOLVEMENT

In the Raffles campaign, Solidarity Center staff made a point of allowing the Cambodian workers themselves to mobilize on a grassroots level. At the same time, there was a clear role for leadership, especially when it came to switching from a strategy of structural power to one of coalitional power, which demonstrated effective learning on the part of the Solidarity Center and the CTSWF. In the other three campaigns, the exact balance between active leadership and serious involvement of grassroots actors

is less clear, which is limitation of the data available to the PI and Research Assistant at the time of writing. Still, there is some evidence that these three other campaigns were relatively balanced in terms of leadership *versus* membership involved; they were at least not all top-down. In Colombia the agricultural workers organized their own independent union and won a collective bargaining agreement, which they did on their own initiative. Moreover, the fact that Fairness in Flowers organized speaking tours for the cut flower workers indicates that the voices of the workers themselves were heard and valued, so there was bottom-up involvement in the sense of grassroots actors' direct participation. In Honduras while several labor and nonlabor civil society organizations became involved in the Russell campaign, it is clear at least that the Honduran garment workers themselves set their own agenda in terms of unionization. In Liberia, the USW and Solidarity Center provided on-the-ground training and advice to the rubber workers and clearly paid attention to the issues workers brought to them, including unreasonably high production quotas, expectations that workers carry heavy buckets of sap by hand, and child labor.

11.7. FRAMING

The strategic framing of campaign messages played an important role in each of these four cases, especially when it came to activating coalitional power. Rather than portray the issues at hand as narrowly focused on one workplace or a small set of workers, campaign organizers and activists made an effort to connect workers' issues with broader agendas linked to human rights, social justice, freedom of association, and other universalizing ideas. For example, the report entitled *Firestone: The Mark of Modern Slavery* cited not only unfair labor practices in Liberia but also environmental problems and human rights violations. The Fairness in Flowers campaign highlighted not only labor issues but also broader concerns about discrimination against women and exposure to deadly chemicals. In the Raffles campaign, activating coalitional power was accomplished by calling on potential hotel customers to view what was happening in Cambodia not only as labor rights violations but as a human right issue, with the National Public Radio and the *Financial Times,* for example, reporting on how the fired hotel workers were living on less than $2 a day and fishing in nearby rivers to feed their families. The Russell campaign effectively reframed the issue of union rights in Honduras into the responsibility of rich-country consumers and retailers to use their economic power to end sweatshop practices down the supply chain.

11.8. DIFFERENT TYPES OF SUCCESS

As explained above, transnational campaigns can succeed in four different ways: (1) winning a specific outcome, (2) shaping the broader political context, (3) sustaining relationships across organizations over time, and (4) improving organization members' internal capacity to act. The first type of success is the easiest to observe; whether or not a campaign has achieved a specific outcome becomes evident in the immediate aftermath of that campaign. The other three types of success are more difficult to observe because they tend to unfold over a longer period of time, and it is not always clear the extent to which changes in political context, sustained relationships among organizations, or improvements in organizations' own internal capacities that occur long after a campaign ends can be attributed to that campaign.

In terms winning specific outcomes, the Raffles campaign achieved a clear success with the reinstatement of 80 percent of the hotel workers, back wages, severance pay, and a fair distribution of the service fee. Specific outcomes won by the Honduran workers in the Russell campaign included the opening of a new unionized factory, the rehiring of 1,200 workers, a wage increase, the industrial relations agreement signed by Russell and CGT, and the provision of better machinery, transportation, and meals for the workers. In Liberia workers formed a union and signed collective bargaining agreements that included wage increases,

quota reductions, an end to child labor, and mechanized solutions to replace the heavy lifting requirements and other physical burdens; however, implementation of these agreements proved problematic. In Colombia, concrete gains from the Fairness in Flowers campaign included the formation of the union SINTRASPLENDOR and the negotiating of a CBA. The Colombia case is somewhat different, however, because it focused not on a specific workplace dispute but on the conditions for workers in the cut flower industry overall, so specific outcomes might not be the most appropriate way to measure success at this time.

While more difficult to measure, success in sustaining relationships across organizations over time and in improving organization' own internal capacities is nonetheless evident in all four cases all well, in so far as each campaign forged ties between workers on the grassroots level and various national and international labor and nonlabor civil society organizations. As stated earlier, however, a more thorough assessment of long-term success in these campaigns would require deeper engagement with each case, including additional data on each campaign.

12. CONCLUSIONS: RECOMMENDATIONS FOR STRATEGIC DEVELOPMENT AND FUTURE PROGRAMMING

Based on the findings in this Evidence Review of factors that contribute to effective union-community coalitions and successful transnational campaigns, recommendations for future programming include the following:

- **Specify the type of success** the campaign has set out to achieve: The four types are: winning a specific outcome, shaping the broader political context, sustaining relationships across organizations over time, and/or improving organization members' internal capacity to act. Some campaigns that appear to succeed on one level might be unsuccessful on another and vice versa.

- Transnational campaigns allow actors who are disadvantaged in one political setting to "**jump scale**"—that is, strategically shift the locus of their engagement with the target of the campaign to a more favorable political or institutional setting to play out on a different scale or on multiple scales simultaneously.

- Transnational campaigns also make it possible to **multiply leverage points** so that actors in several countries are putting pressure on the target of the campaign from a variety of different vantage points simultaneously.

- Jumping scale and multiplying pressure points are distinct advantages of transnational campaigns; **however, they do not happen automatically**—they require effective coordination among coalition partners on various scales—**and they do not guarantee success,** which depends less on the number or the spread of campaign activities and more on the type of power strategies used. **Strategy matters**.

- **Labor is unique as an actor** because unlike other actors, workers and unions can withdraw labor to physically disrupt the production and delivery of goods and services (**structural power**) and can invoke laws, rules, and regulations unique to the employment relationship (**institutional power**); however, labor's third type of power—**coalitional power**—might be the most effective means of influencing the target of a transnational campaign, depending on that actor's core interests.

- **Coalitional power**—the capacity of labor actors to leverage the influence of nonlabor stakeholders—is effective when the target of the campaign not only has an interest in maintaining a positive public image, brand name, or reputation but would also be affected materially by the loss of profits or loss of economic sustainability threatened by the actions of the nonlabor stakeholders' that are mobilized.

- Though strategy is important, successful campaigns need strong foundations. **All transnationalism is local.** Labor and nonlabor civil society actors should therefore build coalitions that are **long term**, **reciprocal**, and **mutually beneficial**—i.e., "deep"—because deep coalitions can ensure that gains in expanding civic space are sustainable over time.

- **Leadership** is vital but must be balanced with **membership participation** for most campaigns to be effective because even transnational campaigns depend crucially on mobilizing concrete action in specific localities.

- The capacity for **learning** and openness to adopting new strategies is indispensable at the level of each organization in a coalition. Learning applies not only to campaign tactics but also to knowledge of political contexts. It can be especially valuable for transnational and local allies to learn the early signs of closing civic space so that they can take action to prevent the retraction of rights. Learning is also valuable for recognizing critical junctures, i.e., events that open up space for institutional change.

- The more a campaign expands transnationally to encompass many different types of civil society actors, the more important it is to be conscious of **framing** campaign messages and information in ways that resonate with the broader public.

- **National political setting**, including a country's institutional context and relative democratic openness, are usually outside the control of those campaigning for civic space and labor rights; however, transnational campaigns can help local and national actors circumvent unfavorable national political settings.

12.1. SUGGESTIONS FOR FUTURE RESEARCH

Future research on the effectiveness of transnational campaigns involving cooperation among labor and nonlabor civil society actors would benefit tremendously from a database of all known campaigns (including failed campaigns) that fit those scope conditions, which could be constructed with a combination of secondary sources and original interview data. Single case studies and anecdotal reports still dominate the literature, which leads to biases in case selection and an overrepresentation of success stories. The literature at this stage also tells us more about labor and other civil society actors' strategies and tends to focus less on the strategies of the targets of transnational campaigns. Yet analyzing the interests and strategic actions of governments, employers, and other actors who are engaged as the targets of transnational campaigning would be valuable for constructing a complete analysis of the factors that make campaigns effective or ineffective overall. To date, few existing studies in the literature control for enough variables to reliably separate systematic from idiosyncratic factors contributing to campaigns' outcomes, making it difficult to generalize findings across cases. Future research should therefore include more comparative case study analyses, more analyses of unsuccessful campaigns, and more thorough analyses of the strategies of actors on whom campaigns are focused.

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