Lobbying governments or corporations?

A comparative case study of old and new tactics to improve factory farming in the Netherlands

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Abstract: While there is an abundance of studies that either examines the tactics of NGOs versus governments or vis à vis corporations, there is relatively little work that examines under what conditions they choose to lobby governments or target corporations. Rather than seeing political and corporate ‘venues’ as distinct and unconnected lobbying routes, this paper seeks to highlight the strategic choices NGOs have to make when addressing regulatory issues affecting the market. In answering these questions I combine insights on the way opportunity structures affect the action repertoire of social movements with the analytical perspectives offered by the governance literature. I argue that the key to evaluating these choices lies in a differential assessment of the governance capacity of the state versus the market. The perceived governance capacity of the state vis à vis the market is an important determinant of the opportunity structures NGOs face. Along with other factors such as an organization’s resources and identity, it is this assessment that helps explains a movements choice of its target. Through a comparative case study of the campaigns of two different organizations that challenged factory farming I show how the one group deliberately argued in favor of holding the Dutch government responsible for making the necessary regulatory changes, while the other group’s assessment of the regulatory constellation led to the precisely the opposite conclusion of seeing the market as the most effective agent of change in improving factory farming. I conclude that such different assessments are a direct result of the complexity of modern food governance, and that this complexity may also explain the resilience of both targets to in fact yield to the demands of these two groups.
1. INTRODUCTION

In the spring of 2012 sleepy train travelers in the Netherlands received a wake-up call from the platform’s billboards depicting two types of broiler chickens next to each other. The left half of the picture featured an organic chicken that would achieve a weight of just under a kilogram in the course of 5.5 weeks, whilst the right half featured a so-called ‘plofkip’, achieving more than twice the weight in the same time-span. Headlined ‘supermarkets best kept secret’ the byline of the ad read: ‘95% of all chicken in the supermarket is a plofkip. Such animals sometimes even can not walk anymore’.

The plofkip was the focal point of a multimedia campaign initiated by the animal welfare NGO Wakker Dier. While the confrontational ads were certainly a remarkable aspect of Wakker Dier’s campaign, its real defining feature lay in the approach Wakker Dier took to improving the lives of animals in factory farming. In the months before Wakker Dier had sent letters to several of them had demanding that they would stop using the plofkip. With none of the businesses yielding to these requests Wakker Dier started a naming and shaming campaign in order to increase pressure on those corporations.

The Wakker Dier naming and shaming campaign stood in stark contrast to an initiative launched by the Platform Duurzame Veteelt (Platform Sustainable Livestock farming). Just two year earlier, the platform published a plea for sustainable livestock farming that called for an end to the ‘organized irresponsibility’ (Platform Duurzame Veehouderij 2010b) and pinpointed the Dutch government – not retailers and food producers - as the primary actor responsible for improving farming practices. While the platform also made some use of the media to get public attention and support for their initiative, their primary aim was to get access to political actors to have them take appropriate policy-measures in order to improve the plight of animals.

The fact that Dutch citizens were confronted with two entirely different campaigns addressing the same issue brings up interesting questions about the way NGOs and social movements pick their lobbying targets. How can we understand the choice of the platform for a rather conventional political lobby that used media-attention in order to get access to the minister for agriculture in the hope that she would adopt legislation? Why did Wakker Dier not invest any effort in addressing political actors, but instead engage in a highly sophisticated naming and shaming campaign? What can we say about the relative effectiveness of both campaigns and what does this say about the capacity of different actors to set regulatory standards in food governance?

While there is abundant scholarship that either examines the tactics of NGOs versus governments or vis à vis corporations, there is relatively little work that examines under what conditions they either choose to lobby governments or target corporations. Rather than seeing political and corporate ‘venues’ as distinct and unconnected lobbying routes, this paper seeks to highlight the strategic choices NGOs have to make when addressing regulatory issues affecting the market.

In answering these questions I will combine insights on the way opportunity structures affect the action repertoire of social movements with the analytical perspectives offered by the governance literature.
Whilst most studies treat the state and the market as separate domains of movement activity, the comparative case study undertaken here enables us to investigate the reasons underlying the radically different choices the two NGOs undertook in addressing the issue of factory farming.

I argue that the key to evaluating these choices lies in a differential assessment of the governance capacity of the state versus the market. The perceived governance capacity of the state vis à vis the market is an important determinant of the opportunity structures NGOs face. Along with other factors such as an organization’s resources and identity, it is this assessment that helps explains the different choices. Through a detailed overview and comparison of the two lobbying campaigns I show that the Platform deliberately argued in favour of holding the Dutch government responsible for making the necessary regulatory changes, while Wakker Dier’s assessment of the regulatory constellation led to the precisely the opposite conclusion of seeing the market as the most effective agent of change in improving factory farming.

In the theoretical section of this paper I will first connect the literature on opportunity structures to the governance literature, in order to map the potential action repertoire that is available to activists. I show how processes of market liberalization and internationalization have reduced the capacity of domestic governments for regulatory policy-making, whilst at the same time the market has witnessed the emergence of all kinds of private governance arrangements that have increased their capacity to do so.

I will then provide a process analysis of the two respective campaigns and highlight the choices of the activists as well as the responses of their targets. The analysis shows that both groups had a completely different assessment as to who should be held responsible for making the necessary changes in factory farming. The existence of these two opposite strategies and the fact that none of them were really successful in achieving the desired changes, is reflective of the current complexity that surrounds regulation in many policy domains, including that of food governance.

2. OPPORTUNITY STRUCTURES AND THE CHOICE OF CAMPAIGN TARGETS

In Western Europe concerns about the negative effects of modern livestock farming are on the increase in many countries. One important cause of this is the occurrence of several large skill animal disease scandals. Starting with the BSE crisis in the 1980’s several European countries experienced recurrent outbreaks of several other diseases, such as the Footh and Mouth disease, Avian Flu, and Q-fever. Because such outbreaks necessitated the killing of thousands of animals, it put into spotlight the downsides of intensive factory farming. Massive killing of animals in specific farms is by now a common approach to curtailing these diseases, and time and again leads to media-attention covering such interventions.
The recurrent emergence of epidemic diseases has also constituted a focal point for addressing concerns about animal welfare in factory farming. In the Netherlands a wide range of activist groups and more conventional NGOs have been calling attention to the these issues, ranging from the Animal Liberation Front, that released animals being held captive in the fur industry or pharmaceutical research to the Society for the Protection of Animals (Dierenbescherming) that focuses on more mundane problems such as the fate of pet animals being aborted by people going on holiday.

In terms of the public’s receptivity to such campaigns the Netherlands probably stands out as one of the most fertile grounds. Between 1980 and 2006 the number of members of environmental and green NGOs increased fourfold and by now 20% of the Dutch adult citizens is member of at least one of such an organization (SCP 2008, 68-69). Half of the organizations in the top ten of these groups in terms of members concern organizations that are specifically devote to animal welfare issues: Dierenbescherming, - with its 150 years the grand old lady in the world of animal protection -, International Fund for Animal Welfare, Vogelbescherming (birds), Stichting AAP (apes) and the World Society for the Protection of Animals (Vroeghe Vogels 2013). All these organizations have around 150,000 members, whilst the total membership of the more than hundred environmental groups amounts to no less than 3.5 million. On top of this in 2004 the Party for the Animals succeeded in winning two seats in the Dutch parliament, making the Netherlands the only country in the world that hosts two parliamentarians that devote most of their attention to animal welfare and other environmental issues. Dutch society then is full of NGOs, activist groups, platforms, initiatives, think-tanks and agencies that deal with all kinds of issues relating to animal welfare and related environmental issues, such as factory farming, the problem of overfishing, pet abuse in domestic homes and bullfighting in Spain.

The literature on social movements has been helpful in analyzing campaign tactics these groups engage in when addressing these issues. With original work emphasizing the relevance of grievances and resources in driving the activities of groups, subsequent scholarship developed the notion of political opportunity structures to explain the tactics these groups employ. Whilst the first wave of scholarship thus emphasized the relevance of internal movement characteristics, the second wave looked at the relevant of the external environment for a group’s tactics (Schurman 2004: 246).

The concept of political opportunity structure can be defined as “the set of characteristics of a given institution that determines the relative ability of outside groups to influence decision-making within that institution” (Princen and Kerremans, 2008: 1130). With the original focus of social movement scholarship on groups addressing the state, opportunity structures originally referred to the differential ways in which state structures are organized and the impact of these on the campaign strategies of groups. In a comparative analysis of the anti-nuclear movement in four European countries Kitschelt distinguishes between two dimensions: the openness of states to challenges from outsiders and the capacity of them to deliver the policies demanded by these groups (Kitschelt 1986). The combination of these two dimensions accounts for different types of structures groups face and hence explains their action repertoire.
For a very long time analyses invoking opportunity structures tended to solely focus on the state as a possible target of movement activity. In reality of course corporations have always been one of the potential targets for social movements. A historical analysis of social movement activities between 1960-1990 in the US shows that the state is indeed the most frequently targeted actor but that groups targeted corporations in 18% of cases (Walker et al. 2008: 53), (see also Van Dyke et al. 2005). Vogel finds the roots of this movement in the burgeoning criticism of corporate behavior that emerged in the 1960s as part of the civil rights movement and protests against the war in Vietnam. The 1970s witnessed new waves targeting issues as diverse as the position of women and environmental concerns. Hence, in 1978 he concludes that a ‘growing number of interest groups and individuals are taking their criticisms of corporate conduct directly to the firm’ (Vogel 1978, 3).³

Given these realities a recent wave of scholarship is connecting the concept of opportunity structures to the existence of markets along states as possible targets of movement activity. Hence, sociologists have pleaded for incorporating the firm as a possible target of social movements (Van Dyke et al. 2005; Davis et al. 2008) and the potential of such movements to bring about social change via the market (King and Pearce 2010). Movements have used these opportunities to press for market based solutions, using a similar arrays of campaign tools that they use when targeting the state, ranging from conventional lobbying tactics all the way to violent activities aimed at disrupting protest (Walker et al. 2008). On the receiving side we have accordingly witnessed the emergence of a steady stream of studies of corporate behavior looking into the interactions between lobby-groups and businesses (Hond and Bakker 2007; de Bakker et al. 2013; G. A. de Bakker and den Hond 2008; van Huijstee and Glasbergen 2010). There is by now a wealth of categorizations classifying the types of strategies NGOs use when trying to get corporations to change their behavior (Kneip 2013), with most of them employing some type of distinction between collaborative and confrontational strategies.

In explaining these strategies several scholars refer to favorable opportunity structures as one of the factors. In an attempt to explain the success of the anti-GMO lobby in Europe Schurman refers to the favorable ‘industry opportunity structure’ of GMO cultivation that enabled activists to launch their campaigns (Schurman 2004) whilst Auld talks about ‘market opportunity structures’ in order to make sense of the way certification programs are the result of pressure from movements (Auld 2013).

While these studies provides us with useful insights on how movements operate once they have decided to target either the state or the market, there is little work that examines the more fundamental choice groups face when having to choose their targets in the first place. Many issues in the domain of environmental policy, including those relating to animal welfare allow for singling out a wide variety of actors as the ones responsible or capable at acting. It is precisely this perceived capability to act that serves as a crucial component of a movement’s assessment of the viability of challenging either the state or the market. In the next section I therefore elaborate on this concept and the way recent developments have affected the potential of states versus markets to provide for solutions to social problems.
2.1 Changes in the governance capacity of states versus markets

Knill and Lehmkuhl define governance capacity as ‘the formal and factual capability of public and private actors to define the content of public goods and to shape the social economic and political processes by which these goods are provided’ (Knill and Lehmkuhl 2002: 43). Rather than seeing the state and market as strictly separated domains, such a governance approach allows for a more nuanced assessment of the potential of the public versus the private sector to deliver such public goods. If we take as a starting point the ideal typical constellation of the Westphalian nation-state as a constellation where the public sector had a high capacity and the private sector a low capacity (Scharpf 1998), various alternative constellations have arisen in the past decades in which the private sector has assumed a greater role. To this Steurer adds the relevance of civil society as a third actor contributing to these arrangements (Steurer 2013).

Returning to the diminished capacity of domestic governments to regulate markets, many authors point out that the increased commitment to free trade has limited the capacity to adopt legislation that would constitute competition barriers. Such rules in any case forbid the adoption of process standards that act as barriers to trade, making it impossible for governments to simply close the borders for meat that does not adhere to certain animal welfare standards (Vogel 2010: 73; Bartley 2007: 321, 327) Hence, under WTO and EU rules EU member states would not be able to close the borders for chicken that would not meet certain standards.

Secondly, other types of legislation that would be legally feasible in the light of WTO and EU rules, might be limited in their effectiveness, precisely because of the existence of open borders. Adopting domestic legislation would be undesirable because it may bring down the competitiveness of domestic players vis à vis players in other countries. This would for example be the case if governments would ‘goldplate’ EU legislation by adopting standards that go beyond the minimum welfare requirements laid down at EU level. While it is legally possible to apply higher norms for the way animals are kept within one’s own member state, significant increases in prices might lead to food producers and retailers substituting Dutch meat with cheaper meat that they would import from other countries. Soon enough domestic manufacturers would be driven out of business, unless there would be a sizable demand from consumers for these higher standard variants. If not spill out effects would make these domestic measures ineffective (Scharpf 1998).

All in all then the governance capacity of domestic governments has been reduced over the last decades. And whilst it is true that organizations may have responded to these challenges by addressing these new supranational and international regulators (Princen and Kerremans 2008), the feasibility of doing so is limited in several respects. Such shifts require international and concerted action and pose new demands on the skills and resources of groups to access these new fora. Targeting the EU or the WTO is complicated both in terms of mobilizing public opinion as well as in getting such multi-member state fora move in the same direction.
Whilst the governance capacity of domestic governments has been on the decline, those of the private sector seemed to have increased over the past decades. Irrespective of the precise label used, all these arrangements imply the voluntary adoption of standards that are higher than those required by public legislation. As Vogel notes ‘their legitimacy, governance and implementation is not rooted in public authority’ (Vogel 2010: 69), (p. 69). Accordingly we have witnessed the emergence of what has come to be known as private regulation (Bartley 2007), (global) civil regulation (Vogel 2010), or private politics (Baron 2003).

In almost all cases such standards have emerged as a result of pressures from a wide variety of civil society organizations (social movements, lobby groups, NGOs), stimulating firms to show a greater commitment to human, animal or ecological welfare than those prescribed by the laws of the land. Fair trade coffee for example really gained ground after it the creation of the Max Havelaar label in 1988 by Dutch NGO Solidaridad (Jaffee 2007: 13). Another example concerns the emergence of the MSC label which came about as the result of a collaboration between WWF and Unilever (Gulbrandsen 2009). The result is a highly differentiated set of governance arrangements such as public-private partnerships, private certification and company specific performance standards – each of them with different roles of the state and civil society in these arrangements (Auld et al. 2008: 418).

Turning to the institutional context that determines the capacity of private governance, Knill and Lehmkuhl point out that this increases with the strength and the degree of organization of private actors. Sectors that are better organized and more concentrated will find it easier to engage in collective, private regulation than sectors that are more fragmented. Markets with a relatively small amount of key players or with clearly dominant market leaders would be more likely to adopt certain sector wide policies than those that are strongly fragmented. Effective governance would also be facilitated if certain sectors would be organized through umbrella associations that would facilitate the adoption of such standards.

Public problem solving hence is a result of the combined capacity of the public and private sectors to adopt governance arrangements. In terms of ideal-types it runs all the way from the classic well known constellation of interventionist regulation – with a strong state and weak private governance capacity to the private self-regulation discussed above where public actors have low and private actors high regulatory capacity. In reality of course, these ideal-types hardly exist: we witness various combinations of levels of private and public governance capacity, depending upon the problem at hand.

If public and private actors dispose of varying governance capacities, depending upon the problem at hand and the institutional context in which they operate, we should expect pressure groups to take into account these capacities when devising lobbying strategies in order to effectuate policy changes. If we allow for the possibility that both governments and markets may act as alternative providers of public goods, NGOs should be expected to engage in a comprehensive analysis of the opportunities provided by these two sectors in order to achieve their results. Accordingly Auld argues that the relative openness of different points of influence is the first factor that determines an NGOs strategy. In evaluating campaigning tactics NGO will evaluate the openness of the public sector vis à vis that of the private
sector. In the words of Baron: ‘The choice between public and private politics is strategic’ (Baron 2003: 34).

Below I analyze these strategic choices primarily from the vantage point of the input and output dimension of opportunity structures that Kitschelt developed. While it is true that later work in sociology has expanded the definition of opportunity structures to include a host of other factors, I contend that the basic distinction between the perceived openness of a system and its capacity to tackle these problems are the key variables in determining an organization’s choice for lobbying actors in either the state or the market. Later definitions of (political) opportunity structures have been expanded to such an extent that the concept encompasses factors that can hardly be termed structural anymore (Rootes 1999). As a result the concept ‘easily becomes becomes a catch-all concept, upon which a whole range of structural, political and ad-hoc factors can be loaded’ (Princen and Kerremans 2008: 1143).

What is important however is that - despite the description of factual trends above - a movement’s reading of the openness and capacity of actors remains a subjective endeavor. It is the result of a complex combination of a movement’s assessment of the effectiveness of targeting different actors. A primary factor in this is the extent to which a movement believes such actors are capable in making the desired policy changes. As King and Pearce argue “Markets may provide political opportunities for change when the opportunity structure of the state is perceived to be closed” (2010: 252 my italics). Such perceptions may differ between groups and are dependent upon their readings of the governance arrangements that regulate certain sectors and the ensuing capability of actors to make such changes. While the one group may feel the state does not offer opportunities for change, the other group may come to different conclusions regarding this.

In the next two sections I will first describe the campaigns the Platform and Wakker Dier, and subsequently analyze them in terms of their reading of the openness as well as the capacity of the two domains to tackle the issues of animal welfare.

3. IMPROVING FACTORY FARMING

3.1 FINDING CLOSED POLITICAL DOORS: THE PLEA FOR SUSTAINABLE LIVESTOCK FARMING

The plea for sustainable livestock farming started on Wednesday 28 April 2010 with the publication of an op-ed article in NRC/Handelsblad, a national newspaper that is widely read by key-decisionmakers in politics and business. The article headlined ‘the meat-industry has to stop’ constituted a comprehensive challenge to the current system of producing meat, being harmful to both ‘animals, people and society’ (Platform Duurzame Veehouderij 2010a). The campaign was initiated and coordinated by Roos Vonk, a professor of psychology with a keen interest in issues relating to animal welfare. The plea was
signed by more than hundred tenured professors coming from many different disciplines and a wide range of Dutch universities. The op-ed piece was an excerpt of a much longer document that was posted on a dedicated website, that would act as a virtual campaign hub in the months to come. The website allowed visitors to declare their support and kept track of the state of events following the initial plea (www.duurzameveeteelt.nl).

As could be expected with a campaign that was started by academics, the long version of the plea stands out as a thoroughly researched document (Platform Duurzame Veehouderij 2010b). It called for a paradigm-change that would do away with the profit driven nature of the current meat-industry. With no less than 62 footnotes in its 12 pages it provides a comprehensive analysis of all the negative side-effects that come with the current system of factory farming. The review highlights the lack of attention to animal welfare, the environmental impacts ranging from the pollution of soil by excess manure to the impact of meat consumption on greenhouse gas emissions, the health risks for farmers and the population at large, and the lack of long term financial viability for the meat sector.

The diagnosis is followed by ten recommendations that are both substantive and procedural in nature. The very first recommendation calls upon ‘government not the market to initiate change’ as the past ten years has shown that these changes are not realized when leaving it up to the consumer or the market’ (Platform Duurzame Veehouderij 2010b: 10). The second one states that the consumption of animal protein should be reduced by 33% through a variety of government-led initiatives. Other recommendations call upon the inclusion of animal welfare in the constitution, giving the responsibility for the use of pharmaceuticals back from the sector, to the Ministry of Health as well as restricting the development of large-scale farms through zoning restrictions. The Dutch government should be leading in calling for changes at the level of EU policy making and it should take a wide range of measures that would lead to a reduction in the production and consumption of meat.

3.1.1 Process
The initial kick-off of the campaign looked very promising. Roos Vonk appeared on a major new program on Dutch TV the same night to explain the initiative. In subsequent days other newspapers made mention of the initiative. The next week several of Vonk’s co-initiators appeared on radio and TV to further explain the goals of the project. All this generated a lot of traffic to the campaign’s website. In no more than three weeks an additional 500 academics signed the manifest, as well as 12.500 ordinary citizens (Omroep Gelderland, 2010).

The campaign also generated a fast response of the Minister for Agriculture, Gerda Verburg. She reacted to the plea on TV in the same program in which Roos Vonk was interviewed. She showed the journalist around a new type of farming laying-hens, that according to her exemplified the many changes that were being made already. According to Verburg – who grew up on a farm herself - the critics should get out of the city and ‘visit the countryside to witness the revolution in farming that is already going on’ (NOVA 2010).

In addition two weeks later she wrote an elaborate response to the op-ed in the same newspaper (Verburg 2010). First Verburg castigated the pamphleteers for troubling the discussion by using
‘incorrect facts and the selective use of half-truths’. Secondly, according to her the meat-sector was already on the right track, with many initiatives being underway to further improve the situation. Thirdly she disagreed on the responsibilities of different actors in this process. According to Verburg, the initiators grossly overestimated the role of the government in today’s society. Instead the market itself would be the key to the change, with the government acting as a facilitator to connect different players.

With an agenda that clearly focused on getting the government to change policies Vonk and her initiators started attempts to get in touch with representatives of the Ministry of Agriculture. Vonk wrote a letter to the new minister of agriculture, Henk Bleker who had replaced Verburg following the fall of the cabinet Verburg was a member of. Bleker seemed to be somewhat more responsive to the initiative than his predecessor, and initially arranged for a meeting with one of his civil servants for a preparatory talk. According to notes made by Vonk, the civil servant first pointed out that trade rules make it impossible to forbid the importation of ‘bad meat’, making the implementation of only national rules hardly effective (Vonk 2010). Moreover, problems might arise with respect to the adoption of national rules, for example because of WTO agreements that would consider these to constitute trade barriers. Rules of the World Trade Organization would make it impossible to introduce a ‘meat tax’. About the recommendation to make the Dutch take the lead in the EU, the civil servant replied that the Dutch were already doing so, but that Spain and Italy were usually blocking such moves. Taking measures unilaterally would however hamper the competitiveness of Dutch farming.

Despite the rather negative reaction to all the proposals being made, the new minister of agriculture invited the initiators to think along with the department in exploring options to get to a more sustainable agriculture in 2023. Vonk forwarded this request to all the academic signatories and asked them on the strategy to pursue as well as on the expertise people were able to offer in helping to think along (Vonk 2011a). In April 2011 Vonk and two colleagues finally had their meeting with the minister. The outcomes of the talk were disappointing. The minister refused to discuss the recommendations that are made in the manifesto, nor did he want to undertake a full cost-benefit analysis of the intensive livestock farming industry. Instead he suggested the initiators join a ‘social dialogue on factory-farms’ that would start that same summer. The minister invited the academic signatories to take part in this dialogue by submitting themes that are relevant for consideration. Vonk called upon all the signatories to do so and in May 2011 the social dialogue started. A month later Vonk sent another email to all the signatories in which she deplores the difficulties of generating real change. ‘Working on this initiative has taught me that the vested interests are strong and the resistance to change insurmountable. But maybe we can achieve something if we join forces. […] Who knows that in the end our voices will finally succeed in getting through the thick walls of The Hague [the government’s seat HL] and be realized that the current way of factory farming is unacceptable in a civilized country’ (Vonk 2011b).

This then provided the end to the initiatives attempt’s to change factory farming. On its website the initiators stated that the talks did not generate any results and that ‘despite repeated attempts the department did not respond to our plea’ (www.duurzameveeteelt.nl). As one of the possible explanations for the lack of responsiveness Vonk notes the fact that both Verburg and Bleker belong to the Christian Democratic party, a party well known for its strong connections with farm interests. One of
the options then is to ‘wait for a new government that excludes the CDA supplying the minister for agriculture’ (www.duurzameveeteelt.nl).

3.2 TARGETING THE FOOD SECTOR: THE PLOFKIP CAMPAIGN

Wakker Dier is an animal welfare NGO that was founded in 1997 with a view to addressing malpractices in the meat-industry. The direct reason for its inception was the swine fever epidemic in the Netherlands, leading to a massive forced slaying of all affected pigs (Wakker Dier 2012, 68). In subsequent years the organization has sought to address issues such as the plight of battery-caged laying hens, the castration of piglets and the transportation of livestock across Europe. The organization wants to improve the well-being and legal status of commercial farm animals and to stimulate livestock farming that is in line with the criteria that are used for organic farming.

While in the first ten years it sought to address animal welfare issues through generating free publicity, it changed its strategy in 2007 by seeking to professionalize the organization and acquire significant funding in order to be a more effective campaign-organization. By 2012 - the year the Plofkip campaign started - the organization generated an annual revenue of almost 2 million euros, generated through donations of 30,000 supporters. While Wakker Dier also receives some money from charities such as the Postcode Loterij, a lottery charity, these individual donors account for 80% of all the revenues (Wakker Dier 2012, 71).

The organization is formally registered as a foundation and hence operates without a member base, but its activities are scrutinized by a board. It employs 8 FTE who primarily devote themselves to organizing their campaigns, and maintaining links with supporters. The organization operates in a highly transparent fashion and was awarded the annual transparency price for charities in 2012. Its extensive annual reports feature comprehensive overviews of the organization, its finances, goals and achievements and include extensive risk and SWOT assessments of the strategies that are pursued.

The plofkip campaign fits in Wakker Dier’s long term campaign strategy that lists four types of activities in declining order of importance. It gives highest priority to generating publicity by running advertisements and other campaigns that highlight the problems in the meat industry. Company campaigning is the second most important goal and consists of the direct targeting of retailers and food-producers to ask them to change their practices when it comes to the use of meat coming from factory-farms.

3.1.2 Process
The first round of the plofkip-campaign consisted of sending letters to the major purveyors of factory-farm chickens. Wakker Dier demanded these producers and retailers to switch to using broilers that would at least meet the lowest standard of the ‘Better Life’ certification scheme (www.beterleven.nl). This scheme has been developed by the Dierenbescherming and allows producers to get their meat certified according to different levels of animal welfare – ranging from one to three stars. Whilst initially
companies seemed to be reluctant, in April Unilever announced that it would slowly phase out the plofkip from its product. Being one of the world’s largest food producers of A-brands the Unilever announcement generated a lot of free publicity as well as set in motion a domino-effect that led other companies to also announce they would stop using the plofkip. Wakker Dier would start making use made use of the well known ‘naming, shaming, faming’ – formula in dealing with the companies it targeted. Wakker Dier praised those companies that did change their practices in public, while it would engage in naming and shaming those that did not want to yield to its demands.

Wakker Dier used the full repertoire of publicity forms, from advertisements castigating a retailer like Jumbo for still selling plofkips (see figure 2), to radio commercials where a voice would whisper things like: ‘psst, do you know that McDonalds is still using the plofkip for its McNuggets, if I were you I would not go there’. In 2012 Wakker Dier issued 64 press releases, 10 radio commercials, one tv-ad, a newspaper campaign and 70 e-mail letters. whilst in 2013 it published 50 press-releases, 4 radio commercials, 3 tv commercials and 74 email-letters, most of them devoted to the plofkip (p. 11)

3.2.2 Results
Since 2011 Wakker Dier uses a so-called CHAMP (Charity Assesment Method of Performance) model in order to assess the impact of its campaigns. The model which was specifically developed for charities in close consultation with the PwC accountancy firm distinguishes five different levels: 5) input 4)activities 3)output 2) impact on target groups and 1) impact on animals and society. The model seems to be inspired by the output/outcome steering that the public sector embraced as a result of the emergence of New Public Management philosophy at the end of the 1980s. The ultimate goal and final level of the Champ model is to reduce the number of livestock in Dutch farming to improve the welfare of animals that are still used in livestock farming. As a long term goal Wakker Dier wants to see a decrease in meat consumption in the Netherlands of 25 % by 2030, whilst all livestock should by then at least have the 1-star level of animal welfare (2013: 25).

Wakker Dier wanted the plofkip campaign to effectuate an increase in the total number of livestock held under the 1 star welfare scheme from 3% in 2012 to 10 % in 2015 (Wakker Dier 2012: 28). This goal could only be achieved if all supermarkets would decide to ban all plofkip from their assortment and if people would reduce their consumption of meat and increasingly would switch to better farmed meat. Accordingly the level 2 goals consist of measuring the number of companies that would ban the plofkip as well as an increase in the number of vegetarians and flexitarians amongst Dutch consumers. These changes should result from the exposure (level 3) Wakker Dier succeeded in generating through its campaigns (level 2). After the first year of the campaign Wakker Dier itself expressed mixed feelings about the results so far. It acknowledged that it had succeeded in getting companies to change, but it was frustrated that none of the big retailers had decided to adopt an outright ban (2012: 55).

In terms of publicity the campaign was a big success however. The term plofkip – which was invented by culinary journalist Wouter Klootwijk as early as 2004 - clearly gained traction as a result of Wakker Dier’s campaign. Until 2012 it was only used by Klootwijk and fellow culinary writers in recipes and food related articles where they would advocate their readers to invest a bit more and buy a more tasty chicken. But after Wakker Dier made it the spearhead of its campaign the number of references to the
term exploded, as figure 1 shows.  

![Graph showing number of references to plofkip in national newspapers (Source Lexis Nexis)](image)

**Figure 1 Number of references to plofkip in national newspapers (Source Lexis Nexis)**

Still, all this media-attention did not generate significant changes. As a result of the unsatisfactory effects so far, *Wakker Dier* decided to also in 2013 continue its focus on the *plofkip* as the lever for its campaigns. Despite spending all its company campaigning budget on the *plofkip*, results were still somewhat disappointing. The major problem still revolved around the unwillingness of the big retailers to adopt an outright ban. What happened instead was that the poultry producers joined hands with the retailers and announced that it would make the switch to a better way of broiler keeping in the years to come. *Wakker Dier* dismissed the plans as insufficient and asked its supporters to come up with an appropriate name for this attempt. Another problem was that supermarkets kept on advertising meat for rock bottom prices to get customers in their stores. *Wakker Dier* noted that the number of advertisement using *plofkip* for this in fact increased in 2013 (*Wakker Dier* 2013: 45). Also it noted that its campaigns did not affect all the export related production of meat (*Wakker Dier* 2013: 45).

Still in terms of the higher level goals, there was some reason for optimism: Dutch consumers ate 2 kg less meat in 2012 compared to 2013 and the share of meat with an animal welfare certificate rose from 8 to 10 percent (*Wakker Dier* 2013: 45). *Wakker Dier* acknowledged that it was difficult to assess the extent to which these trends were a direct result of their campaigns. Also when it came to public awareness of the organization and its support for its goals, it noted an increase.

4. **COMPARING THE CAMPAIGNS**

The review above makes clear that the campaigns to address the one and same problem of factory farming differed to a considerable extent. In this section I focus in particular on the activists assessment of the two critical dimensions of the opportunity structure – openness and output-capacity - and the
responses of their targets with respect to that. Table 1 summarizes the core features of the campaign and the organizations.

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Table 1 Core features of campaign and campaign organizations

4.1 The Platform's campaign and opportunities

The Platform staged a campaign that essentially sought access to policy-makers in the hope that this would lead to changes in public regulation concerning animal welfare standards. The choice for targeting the government as the responsible actor seems to derive from the fact that they built upon earlier analyses of government commissioned think-tanks that essentially concluded the same. The simple fact that nothing had changed so far, did not lead them to change course, but instead to again appeal to the government to make the changes that those think-tanks recommended. The analysis is comprehensive and based upon rational and scientific arguments. In the TV-interview Vonk stresses the apolitical nature of the initiative, because it is based upon scientific research and the signatories are coming from academia and not being connected to any interest group or political party (NOVA 2010). In some sense then Vonk invokes arguments of the general interest and appeals to the government as the one responsible for looking after the general interest to take appropriate measures.

In practice Vonk and her colleagues soon enough discover that the government is not as open to these demands as they would expect. As is the case in many European countries agricultural interests are embedded in an iron triangle involving the agricultural directorates, producer interests and members of parliament with a farm background. Initially then, the initiators happened to be confronted with a closed opportunity structure, the more so because exactly at the time when launching the initiative they were faced with a Christian Democratic Minister for Agriculture, a party that is known for its strong links with farm interests. The allegiance of minister Gerda Verburg to farmers is best characterized by her
statement in the TV-item that ‘If I would only listen to campaigners, there would be no farmer left anymore’ (NOVA 2010). The agricultural triangle exemplifies the existence of ‘formal and factual formal and factual institutional veto points that affect the opportunities for national governments to initiate and push through institutional reforms against social and political resistance’ (Knill and Lehmkuhl 2002: 47).

Her successor, Henk Bleker – himself a hobby-farmer – seems to provide somewhat more of an opening, and turns out to be an excellent example of the ability of governments to absorb and channel competing demands. The fact that Bleker offered the platform to actively engage in the dialogue on the future of megafarms provides an excellent illustration of Walker’s et al’s claim that ‘democratic states maintain their legitimacy in part by balancing the demands of competing interests rather than simply offering concessions to any given challenging group’ (Walker et al. 2008: 42). By offering them a government backed platform to engage in a wider dialogue on the future of factory farming, Baker engages in what Walker and all classify as ‘facilitation’ (Walker et al. 2008: 42). Still he does not make any concessions with respect to offering concrete policy changes.

Turning to the perceived capacity of the government to institute these changes, Vonk and her co-activists run up against all the familiar arguments that have been given in the theoretical section. The responses of Bleker’s civil servants to the 10 recommendations of the pamphlet in all instances highlight the limited capacity of national governments to make policies that are subject to international regulatory regimes. Time and again his civil servants point out that the Dutch government can not do these things on its own, because it is either legally impossible, or economically undesirable. All in all then the responses point to the inability to take any drastic measures at national level as they either would be impossible according to EU and international trade rules, whilst those that would be acceptable would generate prohibitive costs to the domestic industry.

The result is a campaign that is characterized by an overestimation of the openness of politics to the demands as well as of the capacity of politics to achieve the desired changes.

4.2 Wakker Dier’s campaign and opportunities

Wakker Dier’s campaign is not only different in terms of its target but also in the style it employs to get its message across. While the platform chose for publishing an op-ed in a newspaper targeting key decision-makers and opinion leaders in order to get their issue on the political agenda, Wakker Dier needed to create a sizable amount of public awareness as part of their naming and shaming strategy. Such a strategy only succeeds if there is a clear, concrete symbol that effectively represents the dire situation in factory farming. The plafkip provided that symbol and functioned as a synecdoche – ‘the smaller part of a policy problem that is used to represent the whole’ (Stone 2012: 159). The appeal to the public is emotional: by employing clear pictures and movies that show the miserable conditions broiler chickens are in. This is a good example of the use of so-called persuasive tactics where the media is used to inform the public as well as create a negative image of corporate practices, which threatens the legitimacy and reputation of these businesses (King and Pearce 2010: 255).
Wakker Dier’s choice for such a strategy stems from a radically different assessment of the openness of the political system. According to *Wakker Dier* ‘[T]he political arena is very complex, there are many parties involved in it and the legislative process is slow and uncertain. In addition EU-law and WTO-treaties increase the complexity’ (*Wakker Dier* 2011: 11) In a later report they state that ‘we see only a limited role for politics in our strategy. At this stage a better life for animals is mainly a business-related concern. The government could stimulate new consumption patterns. In addition it should implement existing legislation much more stricter’ (*Wakker Dier* 2013: 40). As a result the government is only featured in the residual category of Wakker Dier’s overview of important stakeholders.

At the same time Wakker Dier’s assessment of the output-capacity of the market is much more optimistic. A somewhat longer quote from their annual report reveals their viewpoint:

‘Contrary to politics, businesses can act much faster and achieve better results, that is, if stimulated in the right fashion. But this requires diagnosing which part of the chain can bring about change in this gigantic business domain’ […] While there are tens of thousands of farms, only five retail purveyors decide which products will be offered in the Dutch supermarkets. A handful of managers thus decides which type of meat we eat. They decide what farmers need to produce for what price. The consumer can choose, but only from the products that are actually offered. And who is going to buy animal friendly meat, when there are *plofkippen* available for rock bottom prices?. […] This is why *Wakker Dier* targets supermarkets and A-brands’ (*Wakker Dier* 2013: 26-27).

This then not only explains Wakker Dier’s choice for the market but also for targeting A-brands and retailers as the focal points of their media campaigns. It is there where most of the power in the food chain is located. It is also there where it is possible to literally label the villains of the food industry, because it allows for referring to specific brands and supermarket formulas in advertisements, creating the possibility for effective naming and shaming campaigns.

Despite an intensive campaign that by now has been going on for more than two years, *Wakker Dier* still has not succeeded in getting any of the retailers to commit to banning the *plofkip* and agree to only sell chicken meeting at least the one-star certification level. Supermarkets have reacted to the challenges of *Wakker Dier* by claiming that they would in fact not be able to make such a transition because the supply chain does not have sufficient amounts of sustainable chicken on offer and by referring to the consumer’s unwillingness to pay much more for sustainable chicken than for ordinary chicken (*Jumbo* 2014). On a webpage specifically dedicated to questions about the *plofkip* Jumbo – the second largest retailer in the Netherlands – makes clear that it shares Wakker Dier’s commitment to a more sustainable food chain, but that they have too little concern for the impact on the environment, poultry-sector and purchasing power for consumers, if all ordinary broilers would be banned. Albert Heijn – the number one retailer in the Netherlands – does not discuss the issue of the *plofkip* as openly as Jumbo does. It attempted to deflect concerns by launching a new, more sustainable variety of broilers, the *Hollandse kip*. This type of broiler chicken resulted from the signing of a broiler agreement in 2013, where the poultry industry and retailers committed themselves to improving animal welfare, albeit not committing themselves to the standards needed to get the one star certification.
The responses of Jumbo and Albert Heijn show that Wakker Dier has been too optimistic about the willingness of these leading retailers to use their market power in order to effectuate market-based changes. While some developments are certainly promising, their refusal to engage in an outright ban of the plofkip is somewhat puzzling in terms of the results of similar campaigns that used retailers as a lever. The restricted use of GMOs in the EU for example came to a large extent about as a result of a similar naming and shaming campaign that targeted British supermarkets, that soon enough in turn committed themselves to not selling products containing GMOs (Schurman 2004). The relative concentration of market power in retailing and the strong organizational network of Dutch retailing provide for ideal typical conditions to agree on leveling up the quality of chicken sold (Knill and Lehmkuhl 2002). Still these organizational features have not been mobilized for a joint agreement on banning the plofkip from the shelves.

5. Conclusions
This paper has sought to explore the choices NGOs face when having to decide between targeting state actors versus corporate actors as part of their campaign strategies. While much research has been done on the way movements either devise strategies toward the state or the market, I pose the more fundamental question as to what makes an organization choose the one or the other domain. I argue that these choices are to a large extent the result of a subjective assessment of the opportunity structures the state and market offer. The comparative case study of the campaigns against factory farming show that the two groups involved had a completely different reading of the openness as well as the capacity of the state versus the market to effectuate the necessary changes.

While it is natural and logical to think that processes and globalization and internationalization have resulted in a leveling up of lobbying to international fora, the cases examined suggests that NGOs may as much to decide to keep focusing on the national level. Knill and Lehmkuhl point out that domestic actors may still meaningfully contribute to tackling social problems (Knill and Lehmkuhl 2002: 45). NGOs deliberately may choose the national, domestic forum because it is there where they see the most concrete possibilities for starting changes. As Freidberg points out just like supermarkets also NGOs need to ‘sell their ethical images to national and subnational markets’, because it is at that level that people’s ethical values about what constitutes a proper way of producing food are produced (Freidberg 2004: 522).

The fact that in this choice the Platform choose to target the government whilst Wakker Dier choose the corporate venue reflects the complex constellation of regulatory arrangements in modern democracies and in food governance in particular. There is by now such a variety of regulatory possibilities and opportunities that it is perfectly possible to see these contrasting assessments being made at the same time. The cases also show that it is this complexity that also provides little room for swift and conclusive results, both on the part of governments as on the part of corporations. While the Platform’s agenda was smartly incorporated in a larger moderated debate about the future of farming in the Netherlands and in the end sank without a trace, Wakker Dier’s successes are also still modest. At present it is relentlessly keeping up the pressure on the food sector to change its purchasing practices, in the hope that slowly but steadily the retail sector will succumb to the pressure to change practices. There is
absolutely no certainty that such a sustained campaign will in the end be succesfull. If indeed all types of attempts to change factory farming prove to be futile, the complexity of modern day food governance has as one of its unwanted side-effects that it becomes resilient to public pressures, whatever target movements may seek to select.

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1 The Dutch term ‘plofkip’ was coined by Wouter Klootwijk already in 2004 before being popularized by *Wakker Dier* through its campaigns. The Dutch term ‘plof’ refers to the ‘bang’ following an explosion, hence *plofkip* symbolizes the excessive speedy growth of these broilers that might metaphorically speaking lead to them exploding because of having to eat so much feed in such a short amount of time. A English synonym could be ‘booster broiler’, although that still does not capture the explosive nature of the process sufficiently.
2 In this paper I will use the terms NGOs, social movements, lobby-groups interchangeably. All of them refer to civil society organizations that in one way or another try to influence policy-making.

3 In an earlier article Vogel approvingly quotes Peter Bachrach who draws upon Easton’s classic definition of politics noting that the similarity between the United States Government and General Motors is that ‘they both authoritatively allocate values for the society’. Bachrach then continues by arguing that ‘General Motors and other giant private governments should be considered as part of the political sector in which democratic norms apply’. (Bachrach quoted in Vogel 1975, 15).

4 Apart from drawing attention to the problem of intensive-livestock farming, the term plofkip was modified to refer to any undesirable constellation that combined big numbers and speed. Hence the use of the term ‘plofclassrooms’ for too big classes in which children did not get the attention they needed, to ‘plofprofessors’ for academics that as a result of the publish or perish culture in academia would publish too many articles that were too similar. Secondly, journalists and commentators started talking about the ‘plofkip’-method as the new way to change corporate behavior. Although naming and shaming tactics have been one of the ingredients of the toolbox of NGOs for some time now, this campaign was perceived as being particularly effective and salient. One of the reasons might have been the rather confrontational style that Wakker Dier adopts, both in terms of explicitly pinpointing the villains as well as by clearly showing the living conditions of the broiler chickens. Wakker Dier’s TV commercial was nominated for in the annual contest for best commercials and achieved the second place in the finals.