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**The Power of Advocacy in Bridging the Ideological Divide:  
The Campaign for Human Rights and Corporate Responsibility in the Cocoa Industry  
2001-2014**

A Dissertation Presented

by

**Robin Ann DeLuca-Acconi**

to

The Graduate School in Partial Fulfillment of the

Requirements for the Degree of

**Doctor of Philosophy in Social Welfare**

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2015

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## **Abstract of the Dissertation**

The Power of Advocacy in Bridging the Ideological Divide:  
The Campaign for Human Rights and Corporate Responsibility in the Cocoa Industry  
2001-2014

by

**Robin Ann DeLuca-Acconi**

**Doctor of Philosophy**

in

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A cornerstone of social work's mission is to advocate for practices that create social justice. This study encourages social workers to broaden their advocacy efforts into the global arena and educate them about Transnational Advocacy Networks (TANs) that are fighting for equitable globalization policies.

This longitudinal case study (2001-2014) explores the public debate surrounding human rights abuses in the cocoa industry. Qualitative framing analysis is employed to explore the stakeholders' discourse surrounding both the causes of and solutions to the Worst Forms of Child Labor (WFCL). This study analyzes press releases from human rights activists, the cocoa industry, and the media in order to recount the debate's history. Throughout the campaign, the

TANs and cocoa companies conflicted over how to improve the Harkin-Engel Protocol and other policies designed to eradicate the WFCL. This study chronicles the TANs' strategies and rhetoric used throughout the campaign against the WFCL. Findings include that intense early movement agitation, the practice of "naming and shaming," mobilizing stockholder activists and strong resonant frames led to positive changes in the cocoa industry. This study recounts the cocoa industry's reaction from denial of the problem to eventual acceptance of human rights as a corporate norm. Stakeholders ultimately transcended the conflict caused by contrasting ideological differences and created corporate social responsibility policies. It is essential for varied stakeholders to come together and bridge ideological divides in an effort to solve complex societal issues.

This study encourages social workers to advocate for change in prevailing inequitable globalization policies. Social workers can play a vital role in envisioning a just world, and through partnering with advocacy networks, be architects of that world's creation.

## **Dedication Page**

To Louis Acconi. You have been my never-ending source of support and understanding. You lifted me to higher levels and have helped me truly believe in myself. Thank you for being my partner, enabling me to live my passion and purpose. You are my light.

To Pop. Thank you for your support and adoration. I miss you. I would like to believe in some way that you will be standing beside me on my graduation day.

To those on the front line in the struggle for social justice and human rights, I applaud your tenacity to keep pushing for real and systemic change.

For those forced to work under intolerable circumstances, may the world wake up and begin to value human life and dignity over the bottom line and profit margin. I, for one, shall continue to advocate for your rights until that day comes.

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## List of Abbreviations

|         |   |
|---------|---|
| ADM     | Archer Daniel Midland                                   |
| CLCCG   | Child Labor Coordinating Group                          |
| CRC     | Convention on the Rights of Children                    |
| CMA     | Chocolate Manufacturers Association                     |
| CSR     | Corporate Social Responsibility                         |
| ESAF    | Enhanced Structural Adjustment Facility                 |
| FLO     | Fair Trade Labor Organization                           |
| FN      | Forces Nouvelles  |
| ICA     | International Cocoa Agreement                           |
| ICI     | International Cocoa Initiative                          |
| IITA    | Institute of Tropical Agriculture                       |
| ILRF    | International Labor Rights Form/ Fund                   |
| ILO     | International Labor Organization                        |
| IMF     | International Monetary Fund                             |
| LAMPERS | Louisiana Municipal Police Employees' Retirement System |
| LDC     | Lesser Developed Country                                |
| NGO     | Non-Governmental Organization                           |
| SAA     | Structural Adjustment Agreement                         |
| STAN    | Shareholder Transnational Advocacy Network              |
| TAN     | Transnational Advocacy Network                          |
| USAID   | United States Agency for International Development      |
| USDOL   | United States Department of Labor                       |
| WFCL    | Worst Forms of Child Labor                              |
| WCF     | World Cocoa Foundation                                  |
| WTO     | World Trade Organization                                |

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## **Chapter 1- Introduction**

“The majority of farmers in West Africa do not have access to the type of infrastructure that is needed to take part in a Fair Trade supply chain” (M&M/ Mars, 2002).

“Until you agree to offer a Fair Trade price for your cocoa, the sweetness of your chocolate will be ruined because the cocoa producers -whose work is so central to M&M/Mars’ business - will continue to face bitter hardships” (Global Exchange, 2002).

In 2011, Mars announced “Fair Trade International Agreement”

“One can view social movement actors as engaged in a symbolic contest over which meaning will prevail” (Gamson, 1992, p. 66).

### **Statement of Research Interest**

Social workers engaged in collective movement advocacy efforts must persuade policy makers to implement policy recommendations that best serve those most marginalized in our society. Discourse is designed to alter public beliefs about the problem in a manner that is in line with the social movement’s goals. Stakeholders on both side of an issue express ideological positions through a rhetorical process of framing both the issue at hand and proposed solutions. Supporters, as well as the opposition, have an opportunity to either “align themselves with or challenge the substance of the specific frame being propounded” (Frye, 2007, p.18). Often the debate and clash over issues occurs in the public sphere with each stakeholder attempting to garner the support of the public. This process of debating and framing issues in the public sphere results in the social construction of problems and reality (Dahan & Gittens, 2010).

This is an empirical case study of the cocoa industry from 2001-2014, in which the debate over child slavery and human rights abuses played out in the public arena. This study examines the diagnostic, prognostic and motivational frames espoused by varied stakeholders



who attempt to persuade audiences that their version of reality is indeed the truth. Transnational Advocacy Networks (TANs) were integral to advocating for policy that could eradicate labor abuses in the cocoa industry. The TANs' policy recommendations often conflicted with the recommendations of the cocoa industry. This study examines the relationship between ideology and prevailing hegemony and the impact of both on policy recommendations. It traces the TANs campaign and the journey of the cocoa corporations to the creation of corporate social responsibility policies. Social workers can strengthen advocacy skills by incorporating the campaign's effective discursive and movement strategies.

## **Historical Context**

### **1.1 Background: The Emergence of the Collective Action Movement Addressing Human Rights Infractions in the Cocoa Industry**

In September of 2000, the BBC's Channel 4 broadcast a documentary about child slavery on cocoa plantations located in the Western African nations of Ghana and Côte d'Ivoire. The documentary, entitled *Slavery: A Global Investigation*, brought the issue of child slavery to the forefront of the media's attention (Grossman-Green & Bayer, 2009). The documentary was a catalyst for the modern social justice movement designed to eradicate forced and child labor in the cocoa industry. In January 2001, U.S. Representative Eliot Engel (D-N.Y.) and Senator Tom Harkin (D-Iowa) responded to mounting public pressure following the media blitz of the documentary by adding a rider to the 2001 agriculture bill, HR 2330. Agriculture, Rural Development and Food and Drug Administrations Appropriations, FY2002 (Engel, 2001). The amendment "allocates \$250,000 to the Food and Drug Administration to develop a label for

chocolate products that indicates that no child slave labor was used in the growing and harvesting of cocoa” (H.Amdt. 142, HR 2330. Agriculture, Rural Development and Food and Drug Administration’s Appropriations). The amendment passed on June 28, 2001, by a vote of 291 to 115 (H. Amdt. 142, Congress.gov). and the final bill, as amended, passed the House of Representatives July 11, 2001, 414 to 16 (HR2330, Congress.gov).

In the summer of 2001, the amendment to *HR 2330* that would impose a “slave free” label on chocolate, came under review in the Senate (Dahan & Gittens, 2010, p. 245). The Chocolate Manufacturers Association (CMA) responded by hiring former senators Bob Dole (R-KS) and George Mitchell (D-ME) to lobby Congress to omit the rider. The intense lobbying was effective. By the time the bill reached the Senate on October 25, 2001, Congressman Engel’s amendment had been removed.

Simultaneously, Sumana Chatterjee and Sudarsan Raghavan, investigative reporters for Knight Ridder Newspapers, traveled to West Africa. They documented the problem of child slavery they encountered in the cocoa fields in a series of articles entitled *A Taste of Slavery*, published June 24, 2001. What ensued next was public controversy over whether child slavery even existed in the cocoa fields, with the cocoa industry claiming that the reports were not true or exaggerated (Off, 2006). The statements of the cocoa industry did not lessen consumer calls for accountability in the chocolate industry. Public outcry continued to grow, and the human rights organizations intensified the campaign to change the labor practices of the cocoa industry (Dahan & Gittens, 2010).

The intensified campaign resulted in a compromise amongst major stakeholders. In place of legislation mandating the “slave free” label, Congress, the CMA, and the World Cocoa

Foundation (WCF), along with representatives from NGOs, human rights organizations and trade unions, agreed upon a protocol on September 19, 2001 (Harkin-Engel Protocol, 2001). Entitled *Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor*, the document is more commonly referred to as the *Harkin-Engel Protocol*, the *Cocoa Protocol* or simply the *Protocol* (ICI, 2001). The Harkin-Engel Protocol was voluntary; the chocolate companies agreed to scale back on the Worst Forms of Child Labor (WFCL) until WFCL no longer existed in the chocolate industry (Parenti, 2008).

After the Protocol passed, the debate continued over who was responsible for the conditions on the cocoa farms in West Africa as well the root causes of child slavery. Over more than a decade, a public policy dispute about how to ameliorate the WFCL has taken place between varied stakeholders. Each stakeholder frames the issue in a differing manner, and this translates into conflicting policy recommendations.

## **1.2 Statement of Purpose and Significance for Social Work**

Many policies and programs have been designed to ameliorate the WFCL in the cocoa industry. Prior to the adoption of these policies, strong public debate ensued as stakeholders “framed” the problem of WFCL with contrasting views and offered varied solutions.

This study examines the framing practices of the many stakeholders involved in eliminating the WFCL. The stakeholders include Transnational Advocacy Networks (TANs), cocoa corporations, the United States government, the governments of the Côte d’Ivoire and Ghana.

Social workers are often among the stakeholders involved in collective action movements in the work toward social justice. The movement to transform the labor practices of the cocoa industry offers a unique insight into the process of a social justice campaign. This study documents the ways that the TANs not only framed their messages, but were able to counter-frame the messages of the cocoa industry and keep them accountable for their promises to the children of West Africa. One of my purposes is to help social workers become skilled in framing their positions in a way that resonates with stakeholders and policy makers. The TANs held the cocoa industry responsible for the workers throughout their supply chain, and were able to move toward effective policy change.

The goal of social workers involved in a collective action movement TAN is to ensure that their message resonates with the public and translates into social policy (Abramovitz, 2010). Policy documents contain certain frames that influence the direction of action. For this reason, it is essential that social workers are skilled in framing issues in a way that reflects their diagnosis and preferred solution to a problem. My study traces the progression of the stakeholders' frames and the trajectory policies designed to ameliorate WFCL. It is important that social workers acquire the skills to advocate and frame their positions in a way that translates into effective policy that protects the disenfranchised.

One cornerstone of the social work profession's mission is to advocate for practices that create conditions for social justice. According to the Committee on Social Work Education's (CSWE, 2008) Educational Policy and Accreditation Standards (1.2 Achievement of Purposes), two objectives of social work education include "preparing social workers to alleviate poverty, oppression, and other forms of social injustice and preparing social workers to

recognize the global context of social work practice” (p. 5). This study intends to prepare social workers about to broaden their scope into the global area and educate them about TANs who are fighting for just globalization policies in the developing world. Social workers can then create real change for suffering people, like those on the cocoa fields of Western Africa. Our world is becoming ever more interconnected, and social workers can play a significant role in the conversation surrounding some of globalization’s ill effects.

Globalization policies have created inequities that have risen to a point not previously seen in history. According to a study conducted by the United Nations (as cited in Stark, 2010), the distribution of global wealth is such that “the richest two percent of adult individuals in the world own over half of the global wealth” while “the assets of the world’s richest three individuals exceeded the combined Gross National Products of *all* of the least developed countries, with a population totaling 600 million people” (p. 2). Social workers can be on the forefront of advocating for alternative policies that change these statistics and create a more equitable and just world by becoming a part of a global advocacy community. By emphasizing the benefit of becoming part of a transnational advocacy network, my study intends to show social workers they do not have to take on the momentous endeavor of global policy change alone. There are many organizations outside social welfare organizations that are working together, and are successful in implementing policy change.

The global context of social work includes taking a critical view of current international policies. According to the International Federation of Social Workers’ Statement of Principles (4.2.4 Social Justice). “Social workers have a duty to bring to the attention of their employers, policy makers, politicians and the general public situations where resources are inadequate or

where distribution of resources, policies and practices are oppressive, unfair or harmful” (p. 2). Social workers can play an essential role in creating global systemic changes. For this to take place, social workers need to question and critique current policies, and propose alternative policies. My study illustrates how activists questioned the current policies of the cocoa companies and presented alternative methods of doing business. Social workers are vital to envisioning a just and equitable world and are the architects laying the groundwork of that world’s creation. Social workers can make change when they view issues from an international social justice perspective, and join together with others who are also working toward change. In this way, the next generation of social workers can begin the process of transforming global society.

This study adds to the repertoire of social worker skills needed to advocate for policy change. One of this study’s goals of this study is not only to inform social workers about becoming a part of a larger Transnational Advocacy Network but to educate them about effective framing and discursive practices. Pyles (2009), pointed out that framing is “arguably one of the most important skills that practitioners and educators can develop and nurture” (p. 85). It is critical for social workers to acquire discursive skills so that they may “critically reframe disempowering media messages and false assumptions about institutions and economic policies” (p. 85). Identifying the framing and discursive practices that lead to policy formation will add to the body of knowledge that may inform social workers advocating for future policy change.

This study adds to these interventions and the collection of tools that social workers have in order to challenge the dominant discourse of neo-liberal ideology. Social worker have often “critiqued economic globalization and written about the impacts of neo-liberal ideologies on

social welfare extensively, yet there has been little in the U.S. literature focusing on liberation practice interventions such as that engaged in by global economic justice activists” (Pyles, 2009, p. 85). As a part of a TAN, social workers can “break the frame” of prevailing hegemonic discourse and lead the discussion about inequality caused by globalization practices (Pyles, 2009). Social workers can then learn to frame their positions in a manner that leads to policy rooted in social justice.

### **1.3 Addressing the Gap in Literature**

Collective action movements attempt to change the status quo by changing the dominant discourse through *issue framing*. Issues are framed in a strategic attempt to influence policy creation. Framing analysis is one way to investigate the advocacy process of a collective action movement (Benford & Snow, 2000). The process of “counter-framing” occurs as other players attempt to frame the issue and solutions from their ideological belief system, which may be in contrast to a collective action movement.

My study expands on the work by Dahan & Gittens (2010) entitled *Business and the Public Affairs of Slavery: A Discursive Approach of an Ethical Public Issue*. This empirical case study centered on the ethical dimension of public issues, highlighting the framing and counter framing practices in the cocoa industry. Dahan & Gittens (2010) found two competing frames, the *Fair Trade* versus the counter frame, the *Responsible Business* frame.

In their study, Dahan & Gittens (2010) found that the diagnostic component of the *Fair Trade* frame focused on the idea that forced child labor was the result of the market fluctuations and unfair pricing structures. The *Responsible Business* frame diagnosed the reason for child

labor as a family custom, and in the prognostic frame identified that child labor was a part of complex factors, including poor infrastructure in West African nations. The *Fair Trade* prognostic frame acknowledges the failure of West African governments to enforce labor laws, but adds that a system of fairer pricing needs to occur, and that there is a failure on the part of the cocoa industry to protect those in the product chain (p. 238). In addition, the activists contended that the only way to end child slavery is to guarantee fair prices, stating that “the multinational chocolate corporations continue to lack transparency and a real commitment to change their business practices” (p. 240).

Dahan & Gittens (2010) did not study how the frames and ensuing policy changed over time. Gruszczynski & Micheals (2012) discovered that with the exception of Baumgartner et al (2008), few studies examine frames and policy change longitudinally. Most studies over the past two decades have “largely been a story of how frames change, or effect change, prior to either enactment of new legislation” (Kingdon, 2010, p. 360). Researchers have noted a dearth of research examining frames and messages crafted by social movements over time (Frye, 2007). This study addresses the gap in literature as it is longitudinal investigation into policies and framing practices of various stakeholders who are working to curtail the WFCL. It is important to consider the temporal nature of frames as they change, but “unsuccessful frames do not cease to exist but rather taper off in their usage while new framing attempts take their place” (Gruszczynsk & Micheals, 2012, p. 376). Waller & Conroy (2011) conducted a study of Nike and its framing strategies but found that before their study “there is no extended analysis of a corporate rhetoric’s use of framing (or counter-framing)” (p.90.). My study intends to contribute to the analysis of corporate framing strategies.



Dahan & Gittens did not point out which specific human right organizations are working to end slave labor in the cocoa industry. Transnational Advocacy Networks are a key player in problem definition and norm diffusion, bringing issues to the attention of powerful governments and multi-national corporations (Carpenter, 2007). However, few studies that examine when and how TANs emerge (Shawki, 2011). In Chapter 4, I identify those organizations in the TAN starting with organizations that signed onto the Protocol. This Chapter analyzes the TANs' frames longitudinally to see if there were any changes over time since the Protocol was signed.

Dahan & Gittens did not analyze the frames that ended up in the policies designed to curtail the incidence of forced labor in the cocoa industry. Little research linking transnational advocacy networks to policy enactment or change (Shawki, 2011). The historical processes that lead to policy formulation are often overlooked; nevertheless, they are an integral part of policy development (Exworthy, 2008). I determined the frames that were included in policy documents in an attempt to discern the connection and interplay between framing and policy. Frames contained in a policy will affect the policy's development, outcome and consequences. Interventions are justified, depending on frames are incorporated into the policy (Juhola et al, 2011).

#### **1.4 Research Questions**

The following research questions emerged from my research on collective action framing analysis and TANs:

RQ1: Who are the members of the Transnational Advocacy Network working to end forced and child labor in the cocoa industry in addition to those who signed onto the Protocol?

RQ2: Which frames have been employed by the TANs and the cocoa industry? How do my findings compare with those of Dahan & Gittens (2010)?

RQ3: Have the frames evolved and changed in the 13 + years since the Protocol was created?

RQ4: Which, if any, frames were adopted into the following policies: Harkin-Engel Protocol; subsequent amendments to the Protocol; and Corporate Social Responsibility Policies of the cocoa companies who signed onto the Protocol? What is the connection between frames included in these policies and the frames from RQ2?

## **Chapter 2- Research Design and Methodology**

In this study, I use collective action framing analysis as a way to examine the interplay between multiple stakeholders' frames and subsequent policy aimed at ameliorating human rights abuses in the cocoa industry. Framing analysis lends itself to a qualitative inquiry in which there is no pre-conceived hypothesis. This study is a qualitative design, which is inductive by nature. Themes and concepts emerge from the data in an effort to discover a new body of theoretical knowledge (Bottorff, 2014). I chose a qualitative research design as this study takes a social constructionist view of social problems; problems can exist only when a stakeholder believes that an injustice has taken place (Coburn, 2006). Frequently a qualitative researcher takes the point of view that reality is created and subjective, not fixed and objective (Charmaz, 2006).

### **2.1 The Social Construct of Ideology and Framing Practices**

When human rights activists frame an issue, they use ideology as their basis. The framing of that ideology becomes a cornerstone of the movement's identity and "thus collective action frames are action-oriented sets of beliefs and meanings that inspire and legitimate the activities of the social movement organization" (Bedford & Snow, 2005, p. 614). Ideology can be considered a social construct, and framing is the mechanism used to persuade stakeholders to believe in a collective action movement's truth (Gillan, 2008). This is consistent with a constructionist framework, one which stresses the intersubjective process of ideas that lead to norm diffusion (Joachim, 2003). Framing theory posits that stakeholders construct discourse

though “selection, emphasis, labeling and categorization though which information is presented to audiences” (Sikanku, 2013).

A social movement produces a message that is often outside prevailing ideology. That prevailing ideology is frequently based in the hegemonic belief system of the era. Hegemony is “a system of attitudes and beliefs, permeating both popular consciousness and the ideology of elites, that reinforces existing social arrangements and convinces the dominated classes that the existing order is inevitable” (Klocke, 2004 p. 241). Hegemonic beliefs permeate our institutions and as such, the prevailing power relations continue to be reproduced (Maney et al, 2005, p. 6). For example, prevailing hegemony contends that neoliberal theory should serve as the basis for trade policy. Frames can serve as a contrasting device to hegemony, reinterpreting the world “to mobilize potential adherents and constituents to garner bystander support and to demobilize antagonists” (Snow & Bedford, 1988, p. 198). When stakeholders draw from hegemonic beliefs and values, they construct frames that support their ideology. Conversely, frames can present counter- ideologies, which are “developed and proffered as an antidote” (Snow & Benford, 2005 p.209).

When a collective action movement attempts to challenge dominant hegemony, the frames created aim at a transformation of belief systems (Abramovitz, 2010, p 229). However, framing and ideology are distinct from one another, with frames serving the purpose to accent and amplify “elements of existing beliefs and values, most of which are associated with existing ideology” (Snow & Benford, 2005, p. 209). Both sides use an “interpretive process” to “construct strategies of action” consistent with their ideological stances (Parkhurst, 2012, p. 32).

Ideology is the base of values that collective action movements use when crafting a frame. Most importantly, as Snow & Benford (2005) point out, “framing in contrast to ideology, is an empirically observable activity”... “rooted in and constituted by group-based social interaction, which is readily available for first-hand observation, examination and analysis” (p 210).

According to Snow & Benford (2005) there is a “characteristic, interactive, constructionist feature of framing” (p. 210). Collective action movements use frames to motivate stakeholders to act in a way that is aligned with how they interpret and define reality. Hilgartner & Bosk (1998) maintain that “within each substantive area, different ways of framing the situation may compete to be accepted as an authoritative version of reality” (p. 58). Powerful stakeholders, such as corporations, can frame a problem to that alter society’s views on an issue. Rauch et al, (2007) showed that the social construction occurs when “social actors who produce interpretations of the world” (p.133). The interaction of framing and re-framing that takes place among all stakeholders is an “an ongoing process of reality construction” (Ladd, 2011, p. 349).

Once stakeholders possess a shared reality of what is occurring and why it has occurred, they can create policy. Ideology forms the basis of political decision making, and evidence is presented during policy formation through framing (Parkhurst, 2012). Oliver & Johnson (2000) maintain that analyzing the relationship among ideology, frames and framing processes will lead to “a sounder body of ideational theory that is better able to speak to the ways in which ideas influence politics and political action” (p. 16).

With ideological divides, each side uses framing as a technique to illustrate the validity of its policy positions. An interactive process occurs when activists first frame an issue in a certain

manner and then convince stakeholders to follow a certain direction of policy formation (Kang & Jang, 2013). The particular frame, based on a specific ideology, influences the way a movement pursues policy change (Steensland, 2008). It is important for a collective action movement to frame its positions in a way that leads stakeholders to understand societal issues from the movement's point of view. Collective action movements can make political changes in their direction when their frames resonates with policy makers. Those engaged in collective action movements create societal truths in the way they frame issues for the public sphere (Kwan, 2006). Dahan and Gittens (2010) view ethical public issues as a “social construct shaped by conscious actors trying to further their interests” (p. 228). Therefore, problems have different and varied policy solutions, depending on the interpretation and diagnosis of the stakeholder.

## **2.2 Conceptual Framework - Collective Action Framing**

Collective action frames and framing processes have been identified as central to the success of a social movement directed at policy change (McCammon et al, 2007). Although the concept of framing has been studied in many fields, the preponderance of studies has occurred in the field of sociology (Benford & Snow, 2000). Sociological framing research originated with the work of Goffman (1974) in *Frame Analysis: An Essay on the Organization of the Experience*. Goffman defined a frame as a cognitive structure used to interpret and make sense of one's reality, a “schemata of interpretation” (Dahan & Gittens, 2010, p. 229). Benford & Snow (1988) expanded upon Goffman's work into the arena of collective action. They viewed framing as a conscious and creative process, and applied it to research on social movements. Benford & Snow's (2000) research has shown that there is:

[A] pronounced proliferation of scholarship on collective action frames and framing processes in relation to social movements within the past decade and a half, so much so in fact, that framing processes have come to be regarded, alongside resource mobilization and political opportunity processes as a central dynamic in understanding the character and course of social movements (p. 612).

Resource mobilization and political opportunity process models continue to inform research, but they fail to take into consideration how “culture, ideology, and meaning construction came to bear on the emergence and development of social movements” (Hewitt, 2009, p. 24). Framing remedies this deficit of knowledge and has emerged as an important strategy in analyzing social movements (Benford & Snow, 2000; McCammon et al, 2007; Hewitt 2009).

Frame analysis has proven to be “a potentially rich approach to analyzing public relations controversies” when attempting to hold corporations accountable for human rights infractions (Waller & Conroy, 2011, abstract). Dahan & Gittens (2010) also found that framing analysis is an appropriate tool for public debates that “become morally charged” (p. 231). The cocoa industry is an empirical case study in which activists have attempted to hold companies responsible for labor abuses in a long-standing ethical public debate.

**2.2.1 Components of collective action framing.** Defining the problem at hand is the first important step when attempting to remedy a societal ill. When activists engage in collective action framing, they employ *diagnostic framing*. First they identify the problem and then they attribute blame (Sandberg, 2006). Collective action movements use the diagnostic frame to initially focus the public on an issue and then use the frame to influence public opinion (Cress & Snow, 2000). The way stakeholders diagnose an issue is significant. How they diagnose the issue will cause them to concentrate on one “aspect of the problem, and not others” and to point to

“certain individuals or groups as responsible for the problem, and thus identify those responsible for change” (Coburn, 2006 p. 347). This “attributional component” of a diagnostic frame occurs when an organization identifies the root cause of a problem and attributes blame for the problem (Benford & Snow, 2000).

*Prognostic framing* is the next core task for a social movement when creating a collective action frame (Snow & Bedford, 1988). Prognostic frames result when stakeholders offer solutions to societal problems that are consistent with the way they have been diagnostically framed. Prognostic framing is involved with recommendations for resolution to societal problems (Sandburg, 2006). A collective action movement will use a prognostic frame to define goals and ways to achieve objectives essential to the mission (Cress & Snow, 2000).

The last element of collective action framing is *motivational framing*. In this last framing task, advocacy groups attempt to provide the motivation and supply a “call to arms” needed to engage in “ameliorative collection action, including the construction of appropriate vocabularies of motive” (Benford & Snow, 2000, p. 617). When constructing a motivational frame, activists should “connect and align” both the prognostic and diagnostic frame into a coherent action plan (Barnett, 2005). At this time, the collective action movement attempts to motivate and convince stakeholders to solve the problem at hand (Dahan & Gittens, 2010).

In the case of the cocoa industry, Dahan & Gittens (2010) found that the *Fair Trade* frame cited statistics from the International Institute of Tropical Agriculture (IITA), which reported that over 284,000 children worked on cocoa farms in slave-like and hazardous conditions in West African nations to show motivational severity. The following illustrated motivational urgency; “It is inconceivable that in the 21st century that slavery is allowed to



exist” (p. 238). As far as motivational efficacy, the TANs utilizing the *Fair Trade* frame maintained that fair trade is an alternative to the “ill effects of free trade” and stressed the fact that the passing of the Protocol “shows how consumers of the world can have a positive impact on such exploitation” (p. 239). TANs showed motivational propriety by asserting that “being an informed citizen isn’t just about knowing where to get the best deal, it is also about knowing how to buy the things we want without hurting others” (p. 239).

According to Dahan & Gittens (2010), cocoa companies framed motivational severity by stating that their disbeliefs in the reports shown in the Channel 4 broadcast. The cocoa companies illustrated the framing component of motivational urgency by the assertion that the Ivory Coast government implemented and enforced a series of laws and policies designed to curb the abusive labor practices. The cocoa industry showed its motivational efficacy by maintaining that the industry “has adopted the broader, more holistic approach that will reach the majority of farmers and help improve the overall economic, social, and environmental conditions related to cocoa production” (p. 240). In the motivational proprietary component of the *Responsible Business* frame, the cocoa companies echoed other stakeholder concerns that child trafficking and slavery were unacceptable.

Benford & Snow (2000) found that collective action frames differ in their scope and influence, may be flexible or rigid, and may be inclusive or exclusive of various ideas or themes. Frames will either limit the influence to a particular group or problem or be considered a *master frame*, one “functioning as a kind of master algorithm that colors and constrains the orientation and activities of other movements” (p. 618). Varied social movements adopt the master frames of other collective movements when then have been shown to make a political impact

(Abramovitz, 2010). Benford and Snow make the distinction between master frames and organizational frames, as the latter refers to frames that apply to one group or movement; while a master frame is “broad enough in interpretive scope, inclusivity, flexibility, and cultural resonance to function as master frames” (p. 619). Master frames contain the discourse of many organizations, and these discursive elements often persist throughout the history of the movement (McCammon et al, 2007).

In their study on the framing of the U.S. Women’s Jury Movements, McCammon et al, (2007) identify two master frames used as rationales for the support of women on juries. These master frames are the *similarity* frame and the *difference* frame of men and women. The *similarity* master frame maintains that men and women have similar needs and rights and that denying a woman the opportunity to sit on a jury when men are able to, is an unjust denial of these rights. The *difference* master frame stresses not the unfairness to women, but rather the fact that men and women are different and that a woman’s perspective is an essential element to the judicial process.

Gamson et al (1983), suggests that a common master frame, often found in the diagnostic framing stage, is the “injustice frame” in which movements attempt to win support by having the public empathize with an injustice that has occurred to a group or individual (Benford & Snow, 2000). Other master frames include the *environmental justice* frame, *rights* frames, *choice* frames and *democracy* frames (Benford & Snow, 2000). The master frames of *global economic justice*, *global inequality* and *corporate power and greed* are used in attempt to re-frame the dominant hegemonic discourse of capitalism and globalization. The reframing attempts to link multinational corporate profits to the violation of workers’ rights in the global economy

(Pyles, 2009). Often a stakeholder will employ a master frame to link the identified problem to an adverse impact on larger society (Dahan & Gittens, 2010). Other common master frames include *choice*, *rights*, and *return to democracy* (Abramovitz, 2010, p. 230).

It is essential that a frame resonates with the intended audience. Benford & Snow (2000) maintain that the resonance of a frame varies due to its *credibility* and *salience*. The extent of a frame's *credibility* will be determined by the *consistency of the frame*, the *empirical credibility* and the *credibility of those who are making the claims*. The dimensions of *centrality*, *commensurability* and *narrative fidelity* are the cornerstones of *salience*. Centrality is concerned with how the values and ideas of the targeted audience connect to those beliefs of the movement. The extent to which a frame can connect with the everyday experience of an audience is a measure of its commensurability. According to Benford & Snow (2000), "the more experientially commensurate the framings, the greater the salience and the greater the probability of [collective movement] mobilization" (p. 621). Finally, the *narrative fidelity* or *cultural resonance* is the extent to which the frame is salient to the prevailing cultural ideology and "dominant assumptions" (p. 622). The challenge of any TAN is to "align" the frame in a way that has cultural resonance when often the ideas they are espousing compete with the frames of other stakeholders (Joachim, 2003).

Maney et al (2005) found that policy makers need to craft frames that resonant highly with the public to pass new policy initiatives. Maney et al (2005) developed a typology "inclusive of factors important to mobilizing consensus and action" (p. 2). The typology included the aforementioned dimensions of resonance from Benford and Snow (2000), as well as four new dimensions of *identity appeal*, *moral authority*, *emotional consonance* and *threat salience*.

*Identity appeal* is the degree to which a frame activates the “collective identities held by potential supporters” (p. 3). *Moral authority* is concerned with a frame’s ability to connect its claims to a “revered external sources of ethical guidance.” This is done in an effort to divert “attention away from the fallibility and possibly self-interested motives of those supporting the policy” (p. 3). The *emotional consonance* of a frame uses stakeholders’ emotions to increase support for policy proposals. *Threat salience* elicits fear in an effort to obtain support for the frame.

Maney et al (2005) found that the strength of a frame’s resonance can be further analyzed in respect to the hegemony. They found three ways that activists respond to hegemony’s dominant messaging: to harness, strengthen or challenge hegemony. Power holders use frames to *strengthen hegemony*, which leads to policy prescriptions that maintain the existing status quo. In contrast, those who *challenge hegemony* “attempt to limit the resonance of pro-establishment framing by casting aspersions upon the dominant symbolic repertoire”(p. 7). When challenging hegemony, activists may experience ridicule from those who reject what may seem a radical idea. Instead, advocacy organization may choose to *harness hegemony*. Activists may “use ideas from the dominant symbolic repertoire to support their oppositional claims.... try to feed off of the surging potency of widely circulating and institutionally sanctioned ideas” (p. 7). Maney et al (2005) found that activists may use a “hybrid” of both harnessing and challenging hegemony in order to increase the resonance of the frame. Dahan & Gittens (2010) did not examine each stakeholders’ underlying ideology or relationship to hegemony. I am interested in both of ideology and relationship to hegemony and how this impacts policy.

### 2.2.3 Framing analysis as a tool for policy analysis

Framing analysis has been used as a tool of policy analysis in a number of substantive social issues, including but not limited to: trade and globalization (Fiss & Hirsch, 2005; Rauch et al, 2007; Tengblaf & Ohlsson, 2009; Sanberg, 2006; Labonté & Gagnon, 2010), the environment (Kang & Jang, 2013; Hall & White, 2008; Tzoumis, 2001; Juhola et al, 2011; Ladd, 2011; Gruszczynski & Micheals, 2012), healthcare (Adams et al, 2008; Jerit, 2008; Kwan, 2006), education (Stevens, 2008; Coburn, 2006), poverty and homelessness (Noy, 2009; Steensland, 2008), voting rights (McCammom et al, 2007), and abortion (Ferree et al, 2002; Gerrity, 2009).

Adams et al (2008) studied the frames that were included in gay men's health policy. They examined whose voices contributed to the framing of the problem and what was found in the final policy documents. They found two alternative frames in the policies, namely the *biomedical* and *biopsychosocial*. They discovered that depending on the frame used in the policy, the health recommendations varied. Using the *biomedical* frame resulted in clinical treatment directed at improving physical health and physical outcomes. A policy from the *biomedical* frame caused inequitable relationships between the doctor and patient, the doctor being dominant. The relationship between the doctor and the patient was an essential component of care under the *biomedical* frame. The *biopsychosocial* frame resulted in patients who were considered partners in their health and whose actions were “(at least as) important as the actions of health professionals” (p. 115); and doctors were “seen as able to play a role wider than the clinical function – for example, in creating particular (supportive) social environments” (p. 117).

Kang & Jang (2013) studied environmental policy in South Korea, namely how stakeholders framed the disposal of radioactive waste. Environmentalists framed the issue around the danger of nuclear energy while the government framed radiation as being safe. Juhola et al found that “for 20 years the main frames in the policy process slowly shifted from safety issues to level of risk and degree of economic incentive” and concluded that in the future, policy studies should pay “special attention to framing” (p. 57). They used diagnostic framing to show that “policy is constructed through the exchanges of ideas and values among participants” and “good governance allows social actors to define and interpret policy problems and solutions in different ways” (p. 57).

Labonté & Gagnon (2010) used framing to analyze policies related to “global health diplomacy.” They studied the way in which various frames increase a policy’s capacity to advance equity in global health. They discovered six frames within international health policies: *security frame*; *development frame*; *global public goods frame*; *trade frame*; *human rights frame*; and the *moral reasoning frame*. Labonté & Gagnon found that even when states are highly committed to health as a part of the foreign policy, states will use the *security frame* when making decisions. The *development*, *human rights* and *moral reason* frames are used less often in policy documents and, therefore, are less likely to be a part of practice. They concluded that global health diplomats need to “strengthen the force of some of their arguments, notably with respect to trade (its economic limitations) but primarily in the introducing human rights and ethical norms into foreign policy debate” (p.16).

This study employs framing analysis in order to determine which human rights and norms are involved in the debate over labor in the cocoa industry, and the way these debates have translated into policy.

## **2.3 Methodology**

### **2.3.1 Data collection**

For RQ1: I determined which organizations that are a part of a Transnational Advocacy Network by searching press releases from the *PR Newswire*. I identified which organizations are working to end forced and child labor in the cocoa industry by examining which organizations have written press releases to that end. The *PR Newswire* contains a “complete text of press releases from U.S. companies, government agencies, industry associations, labor unions, university and colleges, human rights groups, and other organizations, thus offering a wide range of sources” and is “particularly appropriate for an analysis of frames since these releases are especially designed for dissemination to the media and are stored in the original unedited form” (Fiss & Hirsch, 2005, p. 34). The search included the terms *child labor; cocoa industry; advocacy* and *human rights organizations, cocoa;* and *Harkin-Engel Protocol*. I then examined the websites of human rights organizations that sent out the press releases to discover additional official statements. The search resulted in 196 press releases, and statements. I also examined the websites of organizations to ascertain themes and frames. (See references for main sources used and cited in study). I used the human rights organizational websites to ascertain other groups who had joined the campaign against WFCL. In this way I was able to document growth of the

network. In total, there are 271 organizations. Please see Appendix A for a list of organizations in the TANs.

For RQ2; I utilized official websites as well as the *PR Newswire* to acquire press releases from the U.S. Department of Labor, Senator Harkin and Representative Engel, and the Cocoa Manufactures who signed onto the Protocol. For media accounts, in addition to the *PR Newswire*, I searched articles in the Lexis/Nexis Database suggested by the Stony Brook University librarians as the most comprehensive way to access news articles. Rauch et al (2007) utilized the Lexis/Nexis database for their study on journalistic framing on democratic globalization. The search began with the *New York Times*, the *Wall Street Journal* and the *Washington Post* as “these are arguably the most important newspaper articles in the United States and are known for their agenda-setting influence.” (Fiss & Hirsch, 2005, p. 34). The *New York Times* is also world-renowned for its “global leadership and news gathering capacity.” (Rauch et al, 2007 p.135). I broadened the search to include other media organizations (see bibliography for complete list of media accounts).

The data collected comes from documents produced between September 2000 and April 2014. I began with the BBC documentary, *Slavery: A Global Investigation* that spurred the piece *A Taste of Slavery*, written by Sudarsan Raghavan and Sumana Chatterjee. The BBC documentary and Knight Ridder story have been widely accepted as the investigative pieces which brought the issue of slave labor in the cocoa industry to the attention of the U.S. government and ultimately lead to the creation of the Harkin-Engel Protocol. I ended with documents released by April 1 2014, however some CSR documents were found in 2015.



As I did with the TANS, I searched the websites of the cocoa companies in addition to the PR releases. The search terms included the names of all of the cocoa companies who signed onto the Protocol; the World Cocoa Foundation; the Chocolate Manufacturers Association as well as the trade publications such as the *Confectionary News*. I obtained 134 documents including press releases, organizational statements and interviews from the cocoa industry, including trade publications such as *Confectionary News* (See references section for main sources cited and used in study). I analyzed 72 media accounts obtained from Lexis/Nexis Database. There were eighteen official statements from Senator Harkin and Congressman Engel on their websites, five congressional hearings and reports were on Congress.gov.; three statements from the United States Department of Labor and U.S. Agency for International Development website; and three reports from the official site of Payson Center for International Development and Technology Transfer at Tulane University.

While conducting my search, I noticed two other stakeholders took part in this public debate as a part of the TANS, financial and investment organizations. The financial and investment organizations included socially responsible investment companies such as Everence and Praxis Mutual Funds. Please consult bibliography for complete list and see Chapter 4 for a complete discussion on shareholder advocacy. There were also two press releases from Bloomberg News. Six statements and ten reports were analyzed from the multi-stakeholder organizations Child Labor Coordinating Group and the International Cocoa Initiative which came about as a result of the Harkin-Engel Protocol and the ensuing 2010 Framework.

For RQ3 The frames used by the Transnational Advocacy Network are compared to framing practices used by the cocoa industry and other stakeholders to find variations in

diagnostic, prognostic and motivational frames over time utilizing the documents described above.

For RQ4 The policy document utilized include:

- Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, herein referred to as the “Harkin-Engel Protocol” or simply “The Protocol”.
- Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol and Framework of Action to Support Implementation of the Harkin- Engel Protocol.
- Corporate Social Responsibility policies of the Cocoa Manufacturers who signed the Harkin-Engel Protocol. These include Guittard Chocolate Company, M&M/ Mars, World’s Finest, Acher Daniels, Nestlé, Blommer, Hershey and Barry Callebaut AG, obtained from company websites.

### **2.3.2 The Framing Matrix for Data Analysis**

When conducting a frame analysis, collective action researchers commonly use a “signature matrix,” first proposed by Gamson & Lasch in 1983 (Anderson & Macri, 2009). This signature matrix is helpful in organizing and analyzing textual data and discourse (Creed et al, 2002). The matrix utilizes “metaphors, exemplars, catchphrases, depictions, visual images, roots, consequences and appeals to principles” (Creed et al, 2002). After the data is inserted into the matrix, the next step is use the typology theorized by Snow and Benford (1988). This includes using the results from the framing matrix to uncover the three core framing tasks identified by Snow and Benford (1988): diagnostic framing, prognostic framing and motivational framing.

I used Gamson & Lasch’s matrix and Benford & Snow’s typology to analyze my data as it has been shown to lead to a comprehensive and empirically strong framing analysis (Creed et al, 2002, p. 40). In fact, Gamson & Lasch’s matrix and Snow & Benford’s typology have been

used in many substantive studies on collective action framing. Creed et al (2002) employed this technique when they analyzed the primary frames in Socially Responsible Investing (SRI) texts. They examined the controversy over what constitutes socially responsible investing. Creed et al (2002) showed that using the frame matrix for frame analysis can assist with sorting out underlying logics, situating frames in context and identifying implicit ideologies as well as subjugated voices (p. 34). On one side of the issue was Genesis Social Fund Management, who uses an anti-gay filter to make sure that investments do not include companies that provide benefits to domestic partners or have anti-discrimination policies for the LGBT population. Creed et al identified Genesis' frame as The *marketplace of values*. The *marketplace* frame maintain that not accepting diverse values in SRI will impact the industry negatively and that rejecting the values of a group is unjust, arguing that the values of the investors need to be taken into account. Conversely, leaders in the SRI movement maintain in the *social justice* frame that socially responsible investing should be non-discriminatory and that society will suffer when investors are prejudicial and people are denied their basic human rights. Those espousing the social justice frame claim that SRI should be a tool for making a positive impact on all of society and protecting those whose voices are traditionally silenced or subjugated, as in the LBGT population

Gamson & Lasch's matrix has been used in research in the framing of other collective action movements. In examining the framing of the public health issue of obesity, Kwan (2006) used the matrix to identify the *medical* frame, (obesity is a medical issue), the *market choice* frame (individuals are free to make their own choices) and the *social justice* frame (the term obesity is discriminatory). Anderson & Macri (2009) made use of the matrix when examining

student learning in the age of standards and discover one master frame, the *whole child*. They identified six core frames: *measurable academic achievement*, *preparation for post secondary*, *well-rounded education*, *faith/values education* and *social identity*.

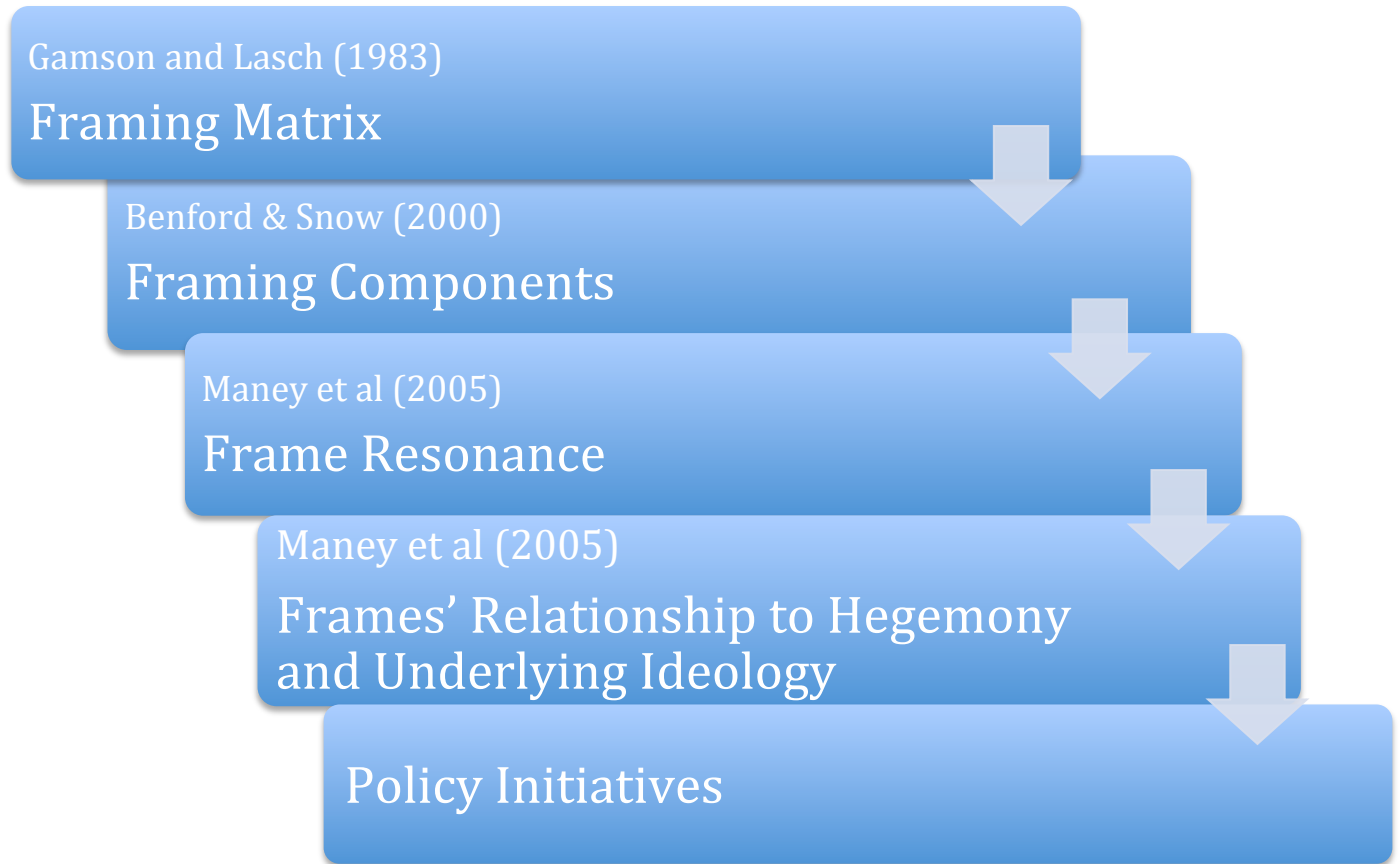
Dahan & Gittens (2010) have also found that the matrix complements the diagnostic, prognostic and motivational components of framing (p. 232). In their study, they used the signature matrix as suggested by Creed et al (2002). I employed this matrix for frame analysis to examine both sides the issue. I analyzed the stakeholders' discourse and how the frames are used in an attempt to spur the movement against child labor in the cocoa industry. I was also interested in examining the resonance of the frames, so I followed the typology proposed by Maney et al (2005). Once I analyzed the discursive elements that led me to classify the frames of the stakeholders, I looked at the strength of the frame's resonance. I analyzed the frames for components of: *centrality*, *commensurability*, *narrative fidelity*, *identity appeal*, *moral authority*, *emotional consonance* and *threat salience* (see Appendix D). Since I am interested in the way that the TANs questioned and want to change prevailing neo-liberal policy, I then examined whether the various stakeholders harnessed, strengthened or sustained hegemony (see Appendix B).

### **2.3.2 Computer- Assisted Qualitative Data Analysis**

To assist me with the large amount of data, I employed NVIVO, a computer- assisted qualitative data analysis software (CAQDAS). CAQDAS is effective for assisting the researcher conducting framing analysis and enhancing its methodology (Koenig, n.d). NVIVO has been utilized in various studies that conducted framing analysis, and the program has proved successful in its ability to code a large number of documents (Maney et al, 2005). I divided the

documents into the major stakeholder categories: Transnational Advocacy Network, Senator Harkin and Representative Engel, the media, financial news and cocoa industry. Each stakeholder category was subdivided into specific organizations. NVIVO has a section to sort data or “nodes.” The nodes created were those of Gamson and Lasch’s (1983) signature matrix, namely catchphrases, depictions, visual images, consequences and exemplars leading me to label the frame of the each stakeholder. After that I identified the frames of each stakeholder, and labeled them as the *fair trade*, *fair globalization*, *responsible cocoa*, *multi-stakeholder collaboration* and *responsible government*. NVivo “supports analytical modeling of relationships between codes across the documents.” (Maney et al, 2005, p. 10). After labeling each frame, I looked at aspects of frame resonance and the relationship to hegemony as recommended by Maney et al (2005). I used NVIVO’s organizational functions to classify the framing strategies utilized by each stakeholder. I also looked at the underlying ideological positions of each stakeholders since, as mentioned earlier, ideological positions are expressed in the frame. I then reexamined the stakeholders’ relationship to hegemony. Finally, each framing strategy and component was broken down into temporal periods, the first time is 2001-2005; the second 2006-2010; and the third is 2011-2014 (See Appendices).

**Figure 1 Methodology**



## **Chapter 3-Policies Designed to Ameliorate the WFCL**

### **3.1 WFCL in the Cocoa Industry**

The West African nations of Ghana and Côte d'Ivoire produce the majority of chocolate for the global community, over 70% of the total international supply (Salaam-Blyther, Hanrahan, & Cook, 2005). Labor rights activists sometimes refer to chocolate from West Africa as “blood chocolate” due to the extensive amount of child slave labor used in the cultivation process and the fact that income from cocoa exports has helped “fuel the fighting” of the civil war in the Côte d'Ivoire (Parenti, 2008). Research from the human rights organization, Global Witness (2007) found that profits from the cocoa trade financed armed conflict for the government-controlled south against the rebel-held north (Forces Nouvelles). Ironically, the Forces Nouvelles (FN) has also used the cocoa trade to fund its side of the conflict. The FN has implemented a “parallel tax system” which has “enabled them to survive as a movement” (p. 5). Human rights violations abound as there has been a “pattern of intimidation against those who have attempted to expose its abuses: journalists, auditors and independent investigators have been threatened and attacked” (p. 4).

Activists claim that the majority of the global chocolate supply has not only helped to fund a civil war, but relies upon a labor supply that consists of forced and child labor. According to a report released in 2002 from the International Institute of Tropical Agriculture (IITA), over 284,000 children work on cocoa farms in slave-like and hazardous conditions in West African

nations. The IITA report found that “more than 60% of children working in cocoa farming are below the age of 14” (Salaam-Blyther, Hanrahan & Cook, 2005). The IITA survey only quantified the number of children working under *hazardous* conditions, not the total number of children who were working (Salaam-Blyther et al, 2005). The IITA survey has come under scrutiny from human rights organizations who claim that those numbers are too conservative and flawed due to poor methodology, and that the numbers are much larger than those found in the report (Off, 2006). A report from the Payson Center for International Development and Technology Transfer at Tulane University, commissioned by the U.S. Department of Labor, found an “estimated total of 819,921 children in the Côte d’Ivoire and 997,357 children in Ghana who worked on cocoa-related activities in the 12 months previous to the 2008/09 survey data collection” (Payson Center, 2011, p.27).

There are concerns that some of the child laborers in the cocoa industry have been illegally trafficked. The IITA report discovered that 12,500 children did not have relatives in the region, an indicator of child trafficking (Global Exchange, 2007). The survey found that of those children who had migrated from another area, at least 58% were “living with households ethnically different from their own,” which is another indicator of child trafficking (IITA, 2002). “Intermediaries” are people who find laborers to work on farms; they often recruit children for work. Children recruited by intermediaries are more likely to be involved in dangerous and exploitative activities. It was found that intermediaries recruited approximately 41% of the children in the Côte d’Ivoire cocoa industry and 29% of child laborers in Nigeria (Salaam-Blyther et al, 2005).



### **3.2 Theories and Ideological Considerations for the Worst Forms of Child Labor**

Failed states and government corruption have often been cited as the reasons for human rights infractions occurring in the Côte d'Ivoire and Ghana. Several studies have linked human rights infractions to neoliberal economic reforms (Abouharb & Cingranelli, 2006; Boyle & Kim, 2005; Blowfield, 2003; Hafner-Burton & Tsutsui, 2005; Stark 2010). Neoliberal economic reforms are often a part of international trade agreements. It is crucial to look into the effects of neoliberalism; it is the dominant ideology of international institutions such as the World Bank and IMF; neoliberal reforms are a stipulation whenever a state obtains a World Bank or IMF loan (Hafner-Burton & Tsutsui, 2005). The process of “globalization and transnational actors including international financial institutions affect the human rights practices of government” (p. 257).

Neoliberalism is an ideology whose adherents believe that the “free market,” with no restrictions or barriers from government is the way to increase a nation’s economy. This “liberalization” of the market can be reframed as limited governmental control of such markets, and can also be referred to as laissez-faire conservatism (Blau & Abramovitz, 2010). Adam Smith’s theory of classical economics maintains that economic choices based on self-interest ultimately work for the good of all (Eisler, 2007). The “invisible hand” of the market will lead to outcomes where we all benefit (Blau & Abramovitz, 2010). This ideological belief in the market then creates policies emphasizing privatization and trade “unhampered by national borders or interests” that “will cure all of our ills” (Eisler, 2007 p.10). The policy trajectory of neoliberal ideology includes a deregulation on business (Frank, 2004). “Free” trade agreements have produced gains for businesses as corporations dismantle regulatory systems while simultaneously

attacking labor as a way to increase corporate profits (Perelman, 2007). According to Baker (2010), although businesses claim that the free market system is responsible for profits, corporations change the rules so the market “redistributes income upward” (para. 15).

This laissez-faire ideology is a guiding principle for international trade policies. The neoliberal ideology that drives free-market trade agreements is the basis of policies that originate from the International Monetary Fund, the World Bank and the World Trade Organization (Stark, 2010). These organizations support neoliberal policies on trade as a means to development. Human rights activists see neoliberal policies as a “self-serving ideology of the developed states because in reality rich countries have cost poor countries three times more in trade restrictions than they give in total development aid” (Stark, 2010, p 6). The World Bank and the IMF require that as a part of a structural adjustment agreement (SAA), loan recipients open their economies to liberalization (Abouharb & Cingranelli, 2006). The SAAs require governments to promote fiscal austerity by privatizing industries and cutting spending on social programs (Frezzo & Araghi, 2009). Cuts in social programs come at the expense of the poverty-stricken people who can least afford to lose government entitlements (Abouharb & Cingranelli, 2006). The World Bank has a stated objective to increase human rights compliance by facilitating economic growth. There is a correlation between economic prosperity and respect for human rights (Aaronson & Zimmerman, 2008). Human rights organizations point out that paradoxically, the SAAs that the World Bank mandates place “too much emphasis on an institution of a freer market and too little emphasis on allowing the other human freedoms necessary for rapid economic growth to take root and grow” (Abouharb & Cingranelli, 2006). This has been backed by research that shows “achieving the goal of neoliberal economic

reforms-trade openness- results in less successful implementation of most child's rights outcomes" (Boyle & Kim, 2009 p.455). Abouharb & Cingranelli (2006) found that the structural adjustment agreements that are a part of neoliberal reforms "worsen government respect for physical integrity rights" (p. 233).

### **3.2.1 Neoliberalism in the Cocoa Industry.**

Ghana has obtained five IMF programs and entered into a Structural Adjustment facility loan in 1988 (Ghana Ministry, n.d.) The IMF implemented meters for Ghana's water supply, "steeply" raising the price of water for the poor. Ghana is currently seeking to take out an additional IMF loan in order to "tide Ghana over" during this latest recession (Toynbee, 2009). One path to economic austerity are cuts to education and fees for educational services. The World Bank has, in the past, recommended implementing fees for school to offset the high cost of education (Boyle & Kim, 2009). There is a link between high levels of national debt and less schooling, leading SAAs to increase income inequality and impact children's rights (Mutangadura et al, 2002 in Boyle & Kim 2009). In the Côte d'Ivoire, cuts in education and health programs have caused "social discontent" which culminated in protest strikes and an army mutiny (Global Witness, 2007).

Human rights activists assert that neoliberal reforms have been cited as reasons for not only a decrease in access to education for children in these West African countries, but as a reason for the increase in forced labor and forced child labor particularly in the cocoa industry. In the 1980s, Houphouet-Boigny, former president of the Côte d'Ivoire, had a policy of subsidizing cocoa prices through the cocoa boards. Farmers were guaranteed a fixed price for their crops, thereby protecting them from the market's uncertainty (Tiffen, 2002). The global

recession of the 1980s caused cocoa prices to drop, which in turn led the Ivorian government to borrow money from foreign countries (Glennon, 2011). The recession, in combination with a history of political corruption, launched the Côte d'Ivoire into massive debt. In 1990, in order to prevent a deep financial crisis, the government of the Côte d'Ivoire received a loan from the IMF and entered into an SAA. This led to economic austerity, liberalization of the cocoa market and dissolution of the cocoa boards (Glennon, 2011). Although the cocoa boards were far from perfect, they created a safety net from the market's fluctuations, and after the push for free-market reforms took place, the farmers found themselves ill-prepared to deal with changes occurring around them (Tiffen, 2002). Presently, farmers continue to voice their discontent about the low prices for cocoa crops and the lack of governmental assistance since the cocoa industry's liberalization (Global Witness, 2007). Human Rights organizations maintain that the deregulation of cocoa and other agricultural commodities in Western Africa left the small farmers at the mercy of market forces. According to the IITA (2002), farmers do not have enough income to make ends meet and are inundated with debt from the market's fall below production costs. These debts have a direct impact upon child labor and child trafficking as children are often held from their families until family debts have been repaid, a practice referred to as "debt bondage" (IITA, 2002). Often activists frame neoliberal ideology and free-trade policy in terms of power relations. Research has found that there is a tension in the free-market ideology between those with much economic power and those with little economic power, leading to inequality and the infringement of basic human rights (Jacobs & Soss, 2010). Human rights activists, questioning prevailing hegemony, point to a power differential within international law, that is directly influenced by neoliberal ideology and has supported the global

arena's wealthy elite (Stark, 2010). Wealthy states set the trade agenda, forcing lesser developed countries (LDCs) to be open to the "free market" while the wealthy countries protect their industries by limiting imports (LeMare, 2007). Fischer (2009), found that wealthy states set the World Trade Organization's agenda at the expense of less developed states, "perpetuating structural inequalities and dependency in the international trading system"(p. 987). This is evident in an agreement where LDCs accepted new rules on intellectual property in exchange for a reduction of quotas and subsidies (Stark, 2010). The industrialized countries left the quotas in place for ten years and did not reduce the agricultural subsidies, resulting in a loss \$1.2 billion to Africa (Stark, 2010). According to Escobar (1995 as cited in Stark 2010), although trade policies and development promise:

[A] kingdom of abundance, the discourse and strategy of development has produced the opposite: massive underdevelopment and impoverishment, untold exploitation and oppression, the debt crisis, the Sahelian famine, increasing poverty, malnutrition and violence (p. 4).

Human rights experts highlight how this power differential emerged in 2001, when the government of the Côte d'Ivoire attempted to increase export tariffs as a way to generate increased income. The exporters would not export cocoa until the tariffs decreased, which resulted in increased profits for the export companies but left residents of the Côte d'Ivoire deep in poverty, thereby perpetuating the reliance on the use of forced and child labor (Global Exchange, 2007).

Cocoa exporters have a concentration of ownership with a few brands dominating the wealth. The brands include Cadbury-Schweppes, Nestlé, Mars, Hershey and Philip Morris-Jacobs-Suchard, with the U.S. market estimated at 5.6 billion dollars a year (Tiffen, 2002). Two

American companies, Cargill and ADM, lead the cocoa exporters (Global Exchange, 2007). Although exporters continue to make excessive profits, human rights activists emphasize that farmers and their families continue to live in poverty. In the campaign against the cocoa industry, the juxtaposition of a starving farmer alongside the millionaire Hershey CEO, highlights corporate greed. In early 2010, the Hershey company reported a 54% jump in profits, which resulted in CEO David J. West making eight million dollars because of what the corporation called “improved supply-chain efficiencies” (Robbins, 2007). According to labor rights experts, “improved supply-chain efficiencies” include the use of child labor. Human Rights activists maintain that if the price of cocoa went up, more cocoa farmers would rise above poverty (Global Exchange, 2007; ILRF 2010b). According to these activists, the need for forced labor and the worst forms of child labor would substantially decrease if revenues increased for the farmers. Labor rights organizations question hegemony and the policies of international financial institutions that benefit from low market prices to put profits in the hands of a few multi-national agro-business corporations. This occurs while keeping farmers in abject poverty and forcing them to turn to forced and child labor (Global Exchange, 2005). Cocoa corporations maintain that the issue is poor governance and a cultural tradition of child labor. The striking variation in the stakeholders framing of the issue of WFCL is the basis of study for this investigation. I am also interested in understanding how the varied frames of the stakeholders have translated into policies designed to eliminate child and forced slave labor. It is therefore important to have an overview of the policies which are currently in place. In addition it is useful to have an understanding of the international laws that form the basis of the policies that I am discussing in this study.

### **3.3 Human Rights Treaties signed by Ghana and the Côte d'Ivoire**

The governments of Ghana and the Côte d'Ivoire have entered into many different human rights agreements. For the sake of this paper, I will go into detail about the International Labor Organization's (ILO) Conventions 29, 105 and 182 as they are the basis for the Harkin-Engel Protocol. These conventions represent the cornerstone of international law when it comes to the issues of forced labor and child labor in the cocoa industry.

**The CRC/ ILO Conventions 29,105 and 182.** The United Nations' 1989 Convention on the Rights of the Child (CRC) first recognized and documented children's rights as a separate subset of human rights. The CRC is noteworthy since it covers both the civil, social, economic and cultural rights of children detailed in 40 "substantive" sections (Boyle & Kim, 2009). The United Nations General Assembly adopted the CRC on November 20 1989, and entered it into force on September 20 1990 (University of Michigan, n.d.). Ghana was the first country to ratify the CRC on February 5 1990 and Côte d'Ivoire ratified it in February of 1991 (University of Michigan, n.d.).

The International Labor Organization (ILO) is an agency of the United Nations that is "responsible for drawing up and overseeing international labor standards...that brings together representatives of governments, employers, and workers to jointly shape policies and programmes promoting Decent Work for all (ILO, nd.) The Convention Concerning Forced or Compulsory Labour (ILO 29 adopted in 1932) and the Abolition of Forced Labor (Convention 105 adopted in 1957) prohibit the use of forced and bonded labor The definitions of forced labor come from the International Labor Convention 29. Forced labor is "all work or service which is enacted from any person under the menace of any penalty and for which the said person has not

offered himself voluntarily and includes indentured labor.” (ILO Convention 29). In regard to children, the voluntary nature of the work is irrelevant (ILO Convention 29; Payson Center, 2009). The government of the Côte d’Ivoire signed onto ILO 29 in 1960, the year it gained independence from France, and ILO 105 in 1961 (University of Michigan, n.d.). Ghana signed onto ILO Convention 29 in 1957 and ILO 105 in 1958 ostensibly prohibiting forced or compulsory labor in both countries (University of Michigan, n.d.).

The ILO Convention 182 identified four types of the Worst Forms of Child Labor (WFCL) as follows:

- (a) All forms of slavery or practices similar to slavery such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- (b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- (c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.
- (d) Work which by its nature or the circumstance in which it is carried out is likely to harm the health safety or morals of children.” (Payson Center, 2007 Appendix 9).



The ILO Convention 182 defines the rights of children to be free from the above forms of child labor. The definition of “hazardous work” includes the application of pesticides and use of equipment such as machetes that can cause undue and irreparable harm (Salaam-Blyther, Hanrahan et al, 2005). This convention was adopted by the ILO on June 17, 1999 and went into effect on November 19, 2000. The Government of Ghana signed on in June of 2000 (Ghana.gov; n.d.) The Côte d’Ivoire signed in Feb 2003 (University of Michigan, n.d.).

Detailed in the section below, Harkin-Engel Protocol was signed on September 19 2001. It was witnessed by representatives from the Government Côte d’Ivoire. The Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol was witnessed by Senator Harkin, Representative Engel, the ILO, the U.S. Department of Labor, the Government of Côte d’Ivoire, the Government of Ghana, and the International Chocolate and Cocoa Industry (Ghana Statement).

### **3.4 The Harkin-Engel Protocol**

The overarching goal of the Protocol is that all cocoa and their derivative products should be “grown and processed in a manner that complies with the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.” (Harkin-Engel Protocol, 2001). (See section 3.1.1 for further details of ILO 182) The Protocol was signed on September 19, 2001 by the following: Senator Tom Harkin; Senator Herbert Kohl; Congressman Eliot Engel; Ambassador of the Côte D’Ivoire, Youssoufou Bamba; representatives from Guittard Chocolate Company; M&M/ Mars; World’s Finest; Acher Daniels; Nestlé; Blommer; Hershey; Barry Callebaut AG; the Chocolate Manufacturers Association; the

World Cocoa Foundation; Free the Slaves; The Child Labor Coalition; The International Programme for the Elimination of Child Labor (IPEC) of the International Labor Organization (ILO) and the National Consumer's League. These industry and government leaders agreed to concentrate on eliminating the *Worst* Forms of Child Labor, as defined by the ILO. The Protocol attempts to eliminate the WFCL by ensuring that each stakeholder is responsible for creating a "multi-sectoral infrastructure" that is committed to "credible and effective problem-solving" (ICI, 2001). It does this by forming advisory groups, joint foundations, and by ultimately having each of the major stakeholders sign a memorandum of cooperation. The objectives of the protocol are as follows:

*Article 1- Public Statement of Need for and Terms of an Action Plan:* The industry will acknowledge the problem of the worst forms of child labor in a "highly-public way," and in doing so will commit the industry to the protocol.

*Article 2- Formation of Multi-Sectoral Advisory Groups:* By October 2001, a multi-sectoral advisory group will be formed to investigate West African labor practices. This will be done in order to formulate appropriate interventions to stop the WFCL.

*Article 3- Signed Joint Statement on Child Labor to be Witnesses at the ILO:* By December 2001, a statement will be signed by all major stakeholders that they "recognize as a matter of urgency" the need to end the WFCL in the cocoa industry.

*Article 4- Memorandum of Cooperation:* By 2002, there will be an action plan including ways to enforce the standards to eliminate WFCL and establish an independent means to monitor and report publicly the compliance with the standards

*Article 5: Establishment of a Joint Foundation:* By July 2002, there will be an international non-profit foundation bringing together all major stakeholders to oversee the efforts to eliminate the WFCL.

*Article 6- Building Toward Credible Standards:* By December 2001, there will be a baseline survey to “investigate child labor practices in West Africa.” After analyzing the results of the surveys, there will be standards of public certification that cocoa and its products have been grown without any of the WFCL by June 2005 (Harkin-Engel Protocol, 2001).

### **3.5 Payson Center for International Development at Tulane University**

For the years immediately after the Protocol was signed, there were some funding of NGOs several international conferences; however, progress of the goals and objectives of the Protocol was limited (Payson Center, 2011). In 2005, Senator Harkin and Congressman Engel accepted a three-year extension and reduced the goal to only certify 50% of the cocoa supply chains in Ghana and Côte d'Ivoire (Dahan & Gittens, 2010). Senator Harkin and Congressman Engel received funding from the Department of Labor to appoint an university based research team to monitor the Protocol (Payson Center, 2010). In 2006, the Department of Labor granted an independent contract to provide oversight of the Harkin-Engel Protocol to the Payson Center for International Development at Tulane University (Payson Center, 2011). The final report from Payson Center released on September 30, 2010, found that “overall, implementation of the Protocol has been uneven and remains incomplete,” and “the majority of children exposed to the worst forms of child labor remains unreached by the remediation activities currently in place”

(Payson Center, 2010, p 17). The final Payson Center report summarizes the progress of the objectives of the Protocol as follows:

Incomplete Industry Deliverable as per the Harkin-Engel Protocol  
Article 1:

While Industry has acknowledged the existence of the issue, it has yet to commit significant resources (or define what significant resources are) in view of the need for sensitization and remediation activities to reach 100% of the cocoa sector in both countries.

Article 2:

While a multi-sectoral advisory group created by Industry has researched labor practices, such a group has yet to scientifically formulate “appropriate remedies for the elimination of [WFCL]” which would need to be validated by stakeholders.

Article 3:

While a Joint Statement on Child Labor was issued by Industry and witnessed by the ILO, it did not identify positive developmental alternatives for children removed from WFCL in the cocoa sector as required by the Protocol or identify mechanism(s) to deliver such services.

Article 4:

While a Memorandum of Cooperation (MOC) among major stakeholders was signed, significant components of Article 4 remain incomplete, being: “Action to enforce the internationally-recognized and mutually agreed standards” and “Independent means of monitoring and public reporting on compliance with those standards.”

Article 5:

While the joint international foundation was established – the International Cocoa Initiative (ICI) – it has yet to serve as a “clearinghouse on best practices to eliminate [WFCL],” it has only reached a small percentage of overall cocoa growing area in each country and it has yet to demonstrate the aggregate impact of its efforts.

Article 6:

Industry has yet to “develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification.” As of March 2011, these figures stand at 3,463 (69.26%) cocoa growing communities that remain to be reached in Ghana and an estimated 3,608 (96.21%) that would remain to be reached with remediation activities in the Côte d’Ivoire” (Payson Center, 2011 pp 46- 47).

**3.6 Declaration of Joint Action and a Framework of Action to Support Implementation of the Harkin-Engel Protocol.**

Since the Protocol’s objectives were not met, a new declaration was created. It was signed by Senator Harkin, Representative Engel, the governments of Côte D’Ivoire and Ghana and representatives of the International Cocoa Chocolate Industry. In September 2010, the aforementioned parties signed this “Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol” and a “Framework of Action to Support Implementation of the Harkin Engel Protocol” (Payson Center, 2011). According the Declaration and Framework state the following:

By 2020, the worst forms of child labor as defined by ILO Convention 182 in the cocoa sectors of Côte d'Ivoire and Ghana will be reduced by 70 percent in aggregate through joint efforts by key stakeholders to provide and support remediation services for children removed from the worst forms of child labor, including education and vocational training, protective measures to address issues of occupational safety and health related to cocoa production, and livelihood services for the households of children in cocoa growing communities; the establishment and implementation of a credible and transparent sector-wide monitoring system across cocoa growing regions in the two countries; and the promotion of respect for core labor standards (p. 1).

The Declaration and Framework were seen as important developments by the authors of the Payson Center at Tulane's report; nevertheless, there are concerns:

It is unclear how exactly the specific initiatives will lead to a WFCL reduction of 70% by 2020. In other words, what empirical ground is there that the envisioned action will actually have the hypothesized effect on reducing WFCL? (Payson Center, 2011 p 15).

The stakeholders have framed their reaction the Payson Center report about the Protocol Declaration and Framework. One way corporations demonstrate and frame the argument that they are responsible citizens is through maintaining that they have Corporate Responsibility Policies.

### **3.7 Corporate Social Responsibility Policies**

The concept of corporate social responsibility (CSR) dates back to the 1940s (Waller and Conaway, 2011). Theories of CSR hold that businesses are accountable to not only their stockholders, but to their consumer base, employees, governments and the wider community (Maloni and Brown, 2006). CSR extends the traditional responsibility of corporations from economic and legal into the ethical and philanthropic realms (Waller & Conaway, 2011; Maloni

& Brown, 2006). Research has found that approximately 80% of Americans cited that the CSR rating of a business influences whether or not they would buy a product and 70% would boycott a business with a poor reputation (Waller & Conaway, 2011). Research has also found that companies with “higher sustainability ratings outperform their counterparts who score lower on sustainability practices,” showing that there is a shift in the “expectations that the public has of the role business should play in society” (Hollender, 2004, p.113). In the case of the cocoa industry, consumer pressure has led a few of the leading companies, including Mars, Nestlé, Kraft, and Cargill, to begin to source their cocoa that has been certified as being free of WFCL (Payson Center, 2011).

The prominent discourse surrounding CSR focuses on “to whom and for what” business is responsible (Whelan, Moon et al., 2009). Most theories about CSR emphasize the ethical duty of organizations to conduct themselves in a manner that respects human rights (Kolstad, 2009). However, as of now, no legal framework exists that can force a corporation to act in an ethical manner (Aaronson 2005). The current debate surrounding multinational corporations is whether voluntary CSR is enough, or if there needs to be an intensified push toward mandatory socially responsible guidelines for multi-national industries (Dahan and Gittens, 2010). If a company does not take it upon themselves to become socially responsible, sometimes outside pressure from a powerful stakeholder is necessary (Maloni & Brown, 2006).

The cocoa manufacturers who signed onto the Protocol are as follows: Guittard Chocolate Company, M&M/ Mars, World’s Finest, Acher Daniels, Nestlé, Blommer, Hershey and Barry Callebaut AG. Each of these companies presently has corporate responsibility policies. I will be investigating how their corporate responsibility policies have evolved through the years,

both proactively and as a response to criticisms of subpar industry compliance with their own CSR policies as well as the Protocol. Human rights activists maintain that the Hershey corporation has continually refused to identify the source of its cocoa (Global Exchange, Green America, ILRF, Oasis, 2010). Although Hershey points out the company has made donations to children's programs in West Africa, there are "no policies in place to ensure that cocoa in its products is not produced with forced, trafficked or child labor" (Global Exchange, Green America & Oasis, 2010). Human rights activists maintain that the commitment to corporate social responsibility of some of the chocolate companies is not strong enough to make the Protocol effective. They ascertain that the Protocol can become a "powerful stakeholder" to put pressure on cocoa companies to increase their social responsibility (Maloni & Brown, 2006). These activists agree that the chocolate industry has had long enough to enforce voluntary guidelines for ethical sourcing and argue that due to the fact that Protocol deadlines were all missed the Protocol needs to be mandatory (ILRF, 2010 a). I am interested in investigating how cocoa companies who signed the Protocol have handled this criticism, framed their position and how they have responded for calls for a mandatory policy, and if there has been a change in their CSR policies since 2001.



## **Chapter 4: Framing Strategies- Transnational Advocacy Networks**

### **An Introduction to Transnational Advocacy Networks**

The nation-state has historically been the center of creating and enforcing laws and policy. Therefore, domestic governments have long been the object of human rights campaigns directed at societal change (McAteer & Pulver, 2009). As technology and free trade agreements blur the boundary of borders, the power of governments to create and enforce human rights policies has diminished (Keck & Sikkink, 1998). Global economic processes have directed advocacy efforts not only to home states but toward international governments and increasingly non-state actors such as multi-national corporations. (McAteer& Pulver, 2009). Human rights activists connect target multinational corporate policies and corporations in an effort to alleviate global capitalism's negative consequences (Abramovitz, 2010). Activists from various human rights organizations have joined with international NGOs, professional organizations and civil society so that they might increase their power in an attempt to challenge the power of the large consortium of international players.

In their seminal work, *Activists Beyond Borders: Advocacy Networks in International Politics*, Keck and Sikkink (1998) labeled this network of organizations as Transnational Advocacy Networks (TANs). TANs are a network of state and non-state actors working internationally who are bound together by a common cause, have a shared value system and are involved in exchanging both information and services (p 89). Keck and Sikkink (1998) define the acronym TANs as follows:

Transnational-beyond national borders into global arena  
Advocacy-"plead the causes of others or defend a cause or

proposition. Networks -“form of organization characterized by voluntary, reciprocal and horizontal patterns of communication and exchange.” When visionaries in the group “proposed strategies for political action around apparently intractable problems, the potential was transformed into an action network.” (p. 91).

The organizations included in a TAN may include

[I]nternational and domestic NGOs, research and advocacy organizations, local social movements, foundations, the media, churches, trade unions, consumer organizations, intellectuals, parts of regional and international governmental organizations, parts of the executive and/or parliamentary branches of governments. (p. 92).

According to Keck and Sikkink (1999), TANs most likely emerge when the ability to make change in a domestic state is too complex or if there is an intractable conflict. When domestic activists find themselves in a position where they do not have enough power to change the policies of their own governments, they look for assistance from the international human rights community. Typically, this takes the form of activists from developing nations connecting with activists from industrialized countries. The international network then puts pressure on the governments to make policy change. Keck and Sikkink (1999) identify this as the “boomerang pattern” of influence; domestic actors send out a message that they are in need for assistance, and their international allies exert pressure on those nation states or corporations to make needed policy change. There is a symbiotic relationship as organizations in the global north are able to show that they are allies working with those in the global south and not colonial powers attempting to change indigenous practices. Those in the global south are able to gain access to a larger pool of resources (Keck and Sikkink, 1998).

#### **4.1 Transnational Advocacy Networks and the “Resource Curse” of Cocoa**

Conventional thought might lead one to reason that an abundance of natural resources promotes economic growth and stability. In fact, in most cases the opposite is true, a phenomenon often referred to as the “paradox of plenty” or the “resource curse.” Countries with a wealth of natural resources have shown to perform worse performance on economic indicators, have more governance problems, and exhibit slower growth during the last 25 years with a higher level of corruption than countries that do not possess an abundance of raw materials (Stiglitz, 2012). Resource- rich states have a higher rate of authoritarian regimes, a lower rate of democratic rule and higher levels of civil conflict and political violence than resource- poor nations (Rundra & Jensen, 2011). The “resource curse” causes an unequal distribution of wealth with vast inequities between the rich and the poor resulting in a high poverty rate for the majority of the population (Wexler, 2010). Although the term “resource curse” is most commonly used to describe natural resources such as oil and gas, the term has also been used to describe other “highly valued export commodities” that are in abundance in developing countries but are absent from and consumed by industrialized nations (Rundra & Jensen, 2011).

Transnational Advocacy Networks are on the forefront of bringing to light human rights infractions that occur due to the “resource curse.” TANs are instrumental in designing a variety of different programs, and policies are orchestrated to prevent internal conflict and human rights violations. The most effective TAN campaigns have been centered on “those involving bodily harm to vulnerable individuals” as it appears “more likely to translate transnationally” (Keck and Sikkink, 1999, p. 98-99). The proliferating literature in global governance points has placed

TANs on the forefront of impacting policy and program formulation (Keck and Sikkink 1998, Khagram, Riker and Sikkink, 2002; Carpenter, 2007; Shawki, 2010).

Although most of the past literature blames local governmental corruption and poor governance, burgeoning research cites trade agreements and the power of multinational corporations as causes of the resource curse (DiMuzio, 2010). Opening the world markets for free trade and globalization has been blamed for producing and intensifying resource curses (Wexler, 2010). McAteer and Pulver (2009) expanded the TANs framework identified by Keck and Sikkink into the corporate arena, describing the dynamics of networks specifically targeting multi-national corporations. When indigenous peoples find themselves with little power to change the practices of the corporations that are extracting resources or commodities, corporate-focused TANS emerge (McAteer and Pulver, 2009).

Cocoa was chosen because cocoa is part of an industry that has had a transnational advocacy network established to labor rights infractions involved in the cultivation of the resource, and has a multi-stakeholder policy designed to curtail these violations. In addition, cocoa is: a highly-valued commodity that is extracted from or grown in the developing world; unable to be grown or found in the “Global North”; consumed in large quantities by the industrialized world and has had human rights infractions, conflict and labor exploitation linked to its extraction, cultivation and trade.

## **4.2 Transnational Advocacy Networks in the Cocoa Industry**

I have identified 271 human rights organizations and NGOs in the Transnational Advocacy Network. Please see the Appendix A for the list of these organizations. Keck and Sikkink (1999) identified the media as a part of the Transnational Advocacy Network. The media's frames are used in the section alongside those of the TANs. The media articles I obtained did frame the issue of child labor with the same frames as the human rights organizations. (Please see section 4.2 for a further discussion.)

### **The Framing Practices Employed by Transnational Advocacy Networks**

#### **4.2.1 Period 1- 2001-2004**

One of the first modern reports of slavery in the cocoa industry occurred in 2000. Brian Woods and Kate Blewett teamed up with Kevin Bales from *Free the Slaves* to create an exposé of child slavery in the carpet, domestic help and cotton industries (Off, 2006). When the film crew landed in Côte d'Ivoire, the documentary's focus quickly switched from the cotton to the cocoa sector. Blewett elaborated in an interview: "We literally walked onto plantations and found slave after slave" (Off, 2006 p.134). In September 2000, the BBC News aired the documentary *Slavery: A Global Investigation*. This documentary shows the first stark imagery and metaphors to create framing devices utilized by TAN throughout their campaign against child labor. In the documentary, the boys declare to the interviewer "when people eat chocolate, they are eating my flesh." (Sapoznik, 2010).

On April 12, 2001, the BBC followed up the documentary with the article "Mali's Children in Chocolate Slavery." This was one of the first modern articles to hold the cocoa

companies responsible. This marks the beginning of the TAN establishing itself as a moral authority and characterizing the cocoa industry as immoral and corrupt. A TAN may use the strategies of establishing moral authority and poor depictions other stakeholders in an effort to increase the resonance of their frame (Maney et al, 2005).

After the BBC articles, Sumana Chatterjee and Sudarsan Raghavan, two reporters for Knight Ridder Newspapers published a series of investigative articles entitled “A Taste of Slavery,” beginning June 24, 2001. These articles depict young boys who were trafficked and then sold as slaves to cocoa farmers (Parenti, 2008). The authors interviewed these young victims of trafficking and forced labor in one of “the most explosive series yet on child exploitation in cocoa” (Off, 2006). Chatterjee and Raghavan would go on to win several awards for journalistic excellence, while sparking the movement to end slavery in the cocoa industry (Schlatter, 2002).

In part one, “How Your Chocolate May Be Tainted,” Chatterjee and Raghavan introduce 18 boys who were enslaved on a cocoa farm in the Côte d’Ivoire. The article describes in detail the harsh conditions the boys endured. “The beatings were a part of my life,” Aly said. “Anytime they loaded you with bags and you fell while carrying them, nobody helped you. Instead, they beat you and beat you until you picked it up again” (Para. 20). The description of brutality continues in part two of “Life on a Slave Farm” : “He was sick, he had [excrement] in his pants. He was lying on the ground, covered with cacao leaves because they were sure he was dying. He was almost dead. . . . He had been severely beaten” (Para. 3). Such stark and visual imagery are framing devices designed to elicit feelings of outrage and create a sense of urgency;

these framing components have been designed to spur the audience to take action due to the desperation of those in the cocoa fields (Benford & Snow, 2000).

In “Lured by a Promise of Money,” Chatterjee and Raghavan give an overview of child trafficking in the cocoa industry. They explain that what started as a custom of apprenticeship, where children from poor families could gain valuable farming skills from abroad and then bring these skills back to the family took a wrong turn and slave trading became a kind of “perversion of a traditional practice, which is now becoming a very visible problem” (para. 12).

“Two Boys, Two Years, No Pay” describes the plight of children working on the farm who have never been paid for their work. Threatened with beatings if they left, the children also know that if they leave, they will lose the pay that they earned for the past two years. Framing the owners as corrupt and uncaring, is another way that authors attempt to engender an empathetic response from the audience. This is done in an effort to create an emotional reaction that may lead to action on behalf of the abused boys.

In the final article in the series, “Why Slavery Still Exists: Those Along the Chocolate Chain Put Blame on Someone Else,” Chatterjee and Raghavan illustrate that remedying the problem of slavery is difficult because everyone in the supply chain blames another:

Farmers who use slaves blame the people responsible for the price of cocoa. Middlemen who deal with farmers say they don't see any slavery. Ivory Coast government officials who enforce slavery laws say it's foreigners who are selling and using slaves in their country. Cocoa suppliers say they can't be responsible because they don't control the farms. Chocolate companies say they rely on their suppliers to provide cocoa untainted by slave labor. The trade associations blame Ivory Coast's unstable political situation. And consumers don't have an inkling that their favorite chocolate treats may be tainted by slave labor (para. 3).

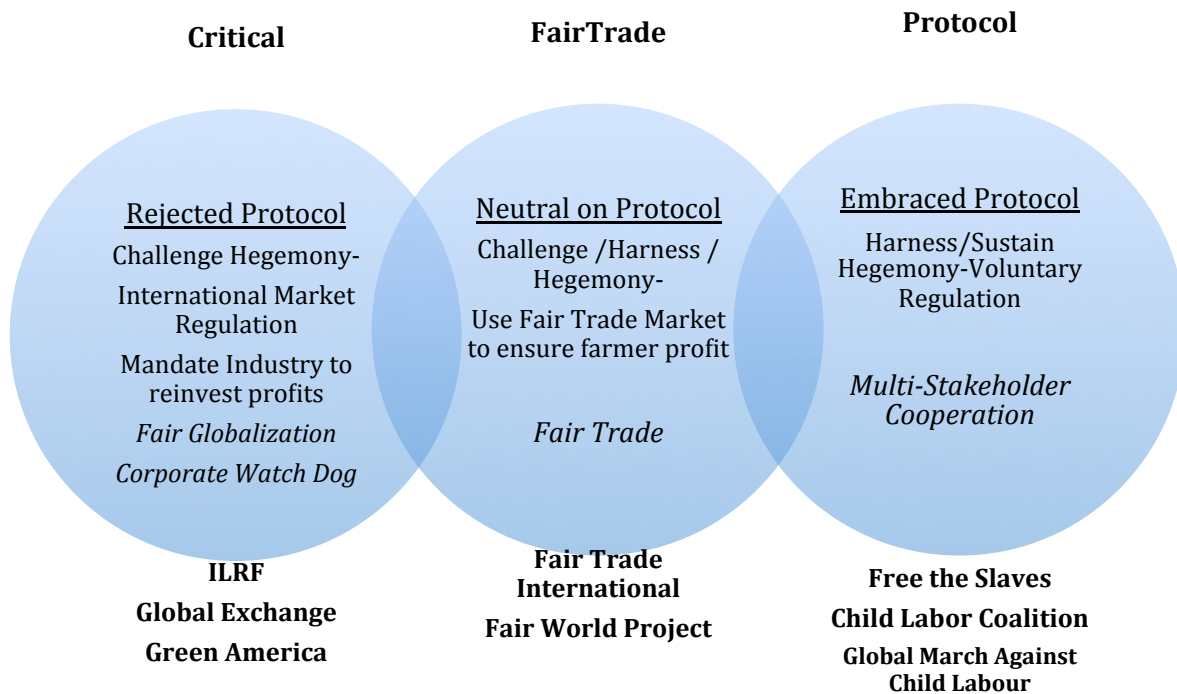
This article represents one of the first times the industry has been framed as not taking responsibility for its supply chain. This is a common theme throughout the campaign against WFCL in the cocoa industry. The articles highlight the reactions of several human rights groups, who would come together to form several transnational advocacy networks to lead this campaign. This also marks the start of activists awakening consumers to their responsibility for the children in the cocoa fields. Activists utilized guilt to create *emotional consonance*, a component of frame resonance defined in Chapter 2 (see Appendix D). Activists highlighted the BBC report that said: “People who are drinking cocoa or coffee are drinking their blood,” he said. “It is the blood of young children carrying 6 kg of cocoa sacks so heavy that they have wounds all over their shoulders. It's really pitiful to see” (Raghavan & Chatterjee, 2001 para 5). Activists attempted to *engender an empathetic response* from consumers and highlight their connection to, and responsibility for, the children on the cocoa fields “If we put a stop to child trafficking the prices of certain things - cotton shirts, coffee, candy bars - will rise. The reality is if your products are this cheap, it's because of this situation.....Every time one closes his eyes and buys a product made by children, then he is also responsible. He becomes an accomplice” (para. 26).

The BBC and Knight Ridder articles created public outrage and pressure eventually resulted in the creation of the Protocol. (Refer to section 3.4 for detailed account of the Protocol). Representatives from several human rights organizations and NGOs signed onto the Protocol including Free the Slaves, The Child Labor Coalition, The International Labor Organization (ILO) and National Consumer's League. (Harkin-Engel Protocol, 2001).



Dahan & Gittens (2010) classified the frame of human rights groups as the *Fair Trade* frame. I also discovered a network that could be considered to have *Fair Trade* as its frame. However I observed three separate groups of transnational advocacy organizations, guided by overlapping yet sometimes varied ideology. Benford (2013) found that “frame disputes erupt within a movement organization (intraorganizational dispute) and/or between representatives of two or more SMOs within a social movement (interorganizational dispute)” (p. 231). In this case, the disputes were interorganizational. Organizations, guided by varied world views, supported diverse interventions for WFCL. The TANs’ ideology impacted the diagnostic and prognostic component of the frame and impacted policy recommendations. This is consistent with findings of Parkhurst (2012), who found the ideological basis for a frame impacts the manner in which evidence is presented during policy formation. The roles of advocacy networks is to question prevailing hegemony and create alternative policies (Hertel, 2006). I noticed that TANs had diverse world views, which altered their framing and influenced policy recommendations. As noted in Chapter 2, Maney et al (2005) found that there that stakeholders dealt with prevailing hegemony in three ways, namely to *Challenge Hegemony*, *Harness Hegemony* or *Sustain Hegemony*. I identified three different groups of networks. As identified in Figure 2 and the Appendices, I have referred to the TANs as the *Protocol TAN*, *Fair Trade TAN* and *Critical TAN*.

**Figure 2 Transnational Advocacy Networks**



The organizations who signed on to the Protocol, the “Protocol TAN” can be said to *harness hegemony*, as they looked to enhance “the resonance and potency of their framing among those with worldviews rooted in the dominant culture” (Maney et al, 2005 p. 2). The world view of this organization includes an ideological position of voluntary industry regulation. This TAN uses the cocoa industry as an exemplar, a framing device shown in Appendix C. According to Kevin Bales from Free the Slaves, “If other industries acted with such social and moral responsibility, we would be much nearer to freedom for the 27 million bonded worldwide” (Off, 2006). The TAN cites the collaborative nature of the Protocol as another example of an exemplary practice to rectify WFCL:

The Protocol marked the first time in the 250-year history of the anti-slavery movement that a global industry took responsibility

for the slavery in its supply chain. Brokered by Free the Slaves, the Protocol brought together actors all along the product supply chain to work together: chocolate companies, several non-governmental organizations, organized labor, the International Labor Organization, Senator Harkin and Representative Engel, and the governments of Côte d'Ivoire and Ghana (Free the Slaves, n.d., para. 2).

The Protocol TAN includes the group of organizations that signed onto the Protocol and is most closely aligned with the industry. They did not engage in diagnostic framing at this time, offering the Protocol as a way to collaborate and discover what is most needed in the cocoa industry. I have labeled the Protocol TAN's frame as the *Multi-Stakeholder Collaboration*, as its messages often include the importance of all parties working together.

Other human rights organizations called for regulations well beyond the Protocol. These organizations challenged prevailing neo-liberal hegemony and globalization policies. The International Labor Rights Forum (ILRF) led the group that looked to challenge hegemony. The ILRF was one of the first organizations to publicly criticize the Protocol. They released a statement entitled "Statement on Industry Protocol Regarding the Use of Child Labor in West African Cocoa Farms" in which they engaged in diagnostic framing by maintaining that forced child labor was the result of the unfair compensation to farmers: "The industry-led initiative fails to call for concrete steps to ensure that farmers are getting a fair price for their product, which significantly impacts the use of child labor" (ILRF, 2002 para 2).

Founded in 1986, the ILRF is a human rights organization that advocates for workers globally by holding multi-national corporations accountable for labor rights violations in their supply chains. They look to advance policies and trade laws that protect workers and strengthen workers' ability to advocate for their rights (ILRF, n.d.). I have called the group lead by the

ILRF the “Critical TAN,” as this group takes a critical position on globalization policies, with the ideological basis of state and global regulation. Critical theory maintains that a mentality of domination is the basis of the neo-liberal capitalist system, where a small number of individuals own the means of production. The remaining masses of people have nothing to sell but their labor, which they in turn sell for wages to the owners of capital (Payne, 2005). Oppression is defined as an exploitative relationship between people who are defined by their place in the hierarchy in the means of production (Freire, 1971). The Critical TAN frame the issue in way that highlights the exploitive relationship not only between the cocoa farmers and the cocoa manufacturers, but between the Global North and Global South. The Critical TAN diagnostic frame includes inequitable trade laws; “International trade agreements anchored by the U.S. cement a model of development for countries in the Global South that favors wealthy elite over workers who lack access to capital” (ILRF, n.d.).

I have entitled the frame of the Critical TAN *Fair Globalization* (See Figure 2). The ILRF framed the problem of WFCL in critical terms when they published “The World Bank and IMF Policies in Côte d’Ivoire: Impact on Child Labor in the Cocoa Industry.” In this 2004 document, the ILRF traced the consequences of IMF involvement in the Côte d’Ivoire beginning in 1989. ILRF highlighted that Côte d’Ivoire entered into six World Bank loans from 1989-1993 and an Enhanced Structural Adjustment Facility (ESAF) loan in 1994. As a result of entering into the ESAF loan, Côte d’Ivoire had to reduce government expenditures and increase privatization. According to the ILRF, this liberalization of the cocoa sector resulted in “high economic instability, increased agriculture poverty, and widespread child labor practices.” (p. 2). The consequences of reducing governmental expenditures was a decline in the quality of

education of the national health system. Currency devaluation resulted in a decreased standard of living and purchasing power of the poor, as well as an increased debt burden (p. 2). The ILRF concluded that:

Liberalization of the cocoa industry, a key commodity sector, produced disastrous results at a time when world commodity prices were falling. Adjustments with fiscal policies did not help the situation, particularly when public expenditures such as education and health budgets were cut. Currency devaluation further worsened the living standards of the poor. These ill-advised policies have altogether fueled the abusive practice of child labor on cocoa farms in Côte d'Ivoire (p. 8).

Other organizations joined with in their critique of neo-liberal policies. Oxfam senior advisor, Max Lawson stated, “The IMF is too brutal...demanding balanced books within one or two years. The only way to make such a deep cut is in social spending: teacher’s salaries are the main item” (Tonybee, 2009 para 10). This was the beginning of the critical TAN which framed the problem of child labor as the result of policies that emanated from the IMF and the World Bank, low wages for farmers and inequitable trade laws. Transnational advocacy networks strive to bring about normative change and offer a solution counter to dominant ideological practices (Park, 2005).

Global Exchange, an “international human rights organization dedicated to promoting social, economic and environmental justice around the world,” was a part of the critical transnational advocacy network. Founded in 1988, Global Exchange was the vision of four friends who wanted “to fight a worldview based on greed, domination, and unvarnished worship of power” (Global Exchange Cocoa Report, n.d para 1). In 2002, they published “While Chocolate Lovers Smile, Child Cocoa Workers Cry Abusive Child Labor in the Cocoa Industry:

How Corporations and International Financial Institutions Are Causing It, and How Fair Trade Can Solve It”. In this document, Global Exchange added to the literature that diagnosed the problem of WFCL as emanating from international neo-liberal policy:

The Ivory Coast provides a particularly stark example of the ill effects of IMF and World Bank policies. After taking IMF loans, the Ivory Coast adopted a number of SAPs that devastated its cocoa sector: pressure to speed up trade liberalization, the abolition of government-run price stabilization systems, and deregulation of foreign control of domestic industries.....Before its involvement with the IMF and World Bank, the Ivory Coast operated a Stabilization Fund (CAISTAB, as it was called) that set export prices for the crop year and guaranteed producers a stable income. Until the 1980s, the system was a success, offering farmers stable and relatively high prices. The system began to flounder when the World Bank urged the government to liberalize the cocoa sector in the second half of the 1980s (Toler, & Schweisguth, 2002).

At this point, a third transnational advocacy network emerged. This group is a diverse collection of organizations that diagnostically framed the cause of WFCL as low prices for farmers but did not challenge neoliberal globalization practices. This group criticized the Protocol for not addressing poor compensation as the root cause of poverty in the cocoa industry. I have referred to this third category of TAN as the “Fair Trade TAN” (See Figure 2). Media articles and press releases included headlines such as “Farmers need higher cocoa prices” (Dadson, 2001) and “The bondage of poverty that produces chocolate” (Onishi, 2001). The media articles fell into this category. At this time, movement organizers linked such diverse organizations as American Postal Workers Union, Guatemala Human Rights Commission USA, West Africa Rainforest Network and Youth for Environmental Sanity (YES). This provides an example of *frame bridging* which occurs when varied organizations come together and frame an

issue in the same manner. Gerhards & Rucht (1992) found that they were able to “convince people to participate in collective protest, and thus achieve action” mobilization in the West German anti-globalization movement (p. 559). Organizers of this West German movement were able to bridge the frames of such varied organizations as the environmental, labor rights, peace and women’s rights groups. They linked organizations who protested Ronald Reagan’s visit in 1987 and those who campaigned against the World Bank and IMF by “developing a common frame of meaning to interpret the issue at stake” (p. 559). In the case of the cocoa industry, Global Exchange brought 220 varied organizations together and authored a letter to M&M Mars. The letter critiqued the Protocol and diagnostically framed the problem of WFCL as the result of low cocoa prices and low compensation to farmers:

We are aware that this past year that M&M/Mars, along with other members of the Chocolate Manufacturers Association and the World Cocoa Foundation agreed to take steps to eliminate child slavery and work towards enforcement of ILO conventions by releasing a Protocol and Joint Statement. This is a positive development. However, it does nothing to correct the low world cocoa prices that are a root cause of slave labor practices. Solutions to the current crisis must include ensuring that farmers are paid a fair price for their harvest (Toler et al, 2003, p. 23).

This coalition included environmental organizations who were interested in sustainability and labor rights organizations. These organizations were able to bridge seemingly different missions to jointly offered a remedy to WFCL: Fair Trade. At this point, a prognostic frame was introduced. As stated in Chapter 2, the goal of a prognostic frame is to offer recommendations to the way that the societal issue was diagnosed. The Critical TAN alongside the Fair Trade TAN proposed the Fair Trade system as a solution that could be utilized to curb the use of child labor:

The Fair Trade system corrects market imbalances by guaranteeing a minimum price for small farmers' harvests. Your Protocol states that "effective solutions to address these violations must include action by appropriate parties to improve overall labor standards and access to education." Only when cocoa producers are paid such a fair and stable income will they have the resources to feed their families and keep their children in school (Global Exchange, 2002, para 4).

In April 2002 M&M /Mars responded to the letter indicating that fair trade was not a viable option: "The majority of West Africa cocoa farmers, however, do not have access to the type of infrastructure (i.e. Co-ops) that is necessary to take part in a fair trade supply chain."

Global Exchange engaged in counter-framing when they responded on July 18, 2002, that indeed Fair Trade was a real choice "the truth is that the Fair Trade system already involves over 42,000 farmers organized from 8 countries in West Africa and Latin America." In this letter, Global Exchange continued, "until you agree to offer a Fair Trade price for your cocoa, the sweetness of your chocolate will be ruined because the cocoa producers -whose work is so central to M&M/Mars' business - will continue to face bitter hardships" (Toler et al, 2003 p. 24).

The cocoa TANs began to use the word "bitter" when referring to the impact of practices of the industry (see Appendix C). "Bitter" alongside "guilty pleasure," contrasted to the "sweetness" of chocolate. They used these catchphrases metaphorically to equate chocolate to the pain of child laborers. The Critical TAN employed additional catchphrases, including "torture" and "human trafficking," in contrast to "labor" and referred to the cocoa companies as "wildly profitable," identifying the "complicity of the chocolate corporations" by linking together corporations with greed and apathy. I expanded the upon framing matrix by adding *depictions of other stakeholders* as a framing device (Appendix C). I believe it is important to



examine not only the way an organization depicts themselves, but how they depict the other stakeholders. The Critical TAN depicts the cocoa industry as greedy, unscrupulous, and irresponsible, introducing the frame of the *Untrustworthy and Immoral Industry*. Media accounts during this time period also invoked the *untrustworthy industry* frame (Edwards, 2001; Fernandez, 2001; Philadelphia Inquirer, 2001). This stands in contrast to the the Protocol TAN who depicts the industry as compromising and collaborative: “By signing the Protocol the chocolate industry took the crucial step of accepting moral, social, and financial responsibility for their raw materials, wherever they were produced” (Anti-Slavery International, 2004, p. 56). The Protocol TAN regards the mainstream industry as an exemplar in contrast to the Fair Trade and Critical TANs who view Fair Trade companies as the exemplar of corporate responsibility.

Article 5 of the Protocol calls for the establishment of a joint foundation through the formation of an international non-profit foundation. The goal was to bring together all major stakeholders to oversee the efforts to eliminate the WFCL (International Cocoa Initiative, n.d.). The International Cocoa Initiative (ICI) was formed in 2002 to meet this goal. The mission of the ICI is to protect children “in cocoa-growing communities. ICI works with the cocoa industry, civil society and national governments in cocoa-producing countries to ensure a better future for children and contribute to the elimination of child labour” (ICI, n.d). The members of the ICI include: Association of the Chocolate, Biscuit and Confectionery Industries of the EU (CAOBISCO), Chocolate Manufacturers Association of the USA (CMA) and the National Confectioners Association (NCA), Confectionery Manufacturers Association of Canada (CMAC), International Confectionery Association (ICA), Cocoa Merchants Association of America (CMAA) ,The Federation of Cocoa Commerce, Ltd. (FCC) ,European Cocoa

Association (ECA) ,World Cocoa Foundation (WCF) (Anti-Slavery International, 2004). The NGOs in the ICI include: Child Labor Coalition, Free the Slaves , Global March Against Child Labour, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations (IUF) and National Consumers League. The ICI is overseen by the International Labour Organization (ILO) (Anti-Slavery International, 2004).

The Critical TAN characterized the ICI as nothing more than another ineffective organization and used this opportunity to emphasize its diagnostic frame of low cocoa prices and prognostic frame of Fair Trade cocoa (ILRF, n.d). In contrast, the Protocol TAN had a neutral stance on the ICI, stating “The International Cocoa Initiative (ICI) was established in July 2002 with the aim of eliminating abusive child labour practices in cocoa farming” in the section entitled “Industry Action since 2001” (Anti-Slavery International , 2004).

As summarized in Chapter one, the International Institute of Tropical Agriculture (IITA) published its report about child labor in the cocoa industry in 2002. The statistics showed that hundreds of thousands of children worked in hazardous conditions; however, the survey has come under scrutiny for poor methodology and underestimating the number of children working (Off, 2006). The Protocol TAN again took a neutral stance on the IITA report, pointing out that it is “unlikely that the survey can be said to either prove or disprove the level of trafficking used in the recruitment of permanent and temporary labour for cocoa farms in West Africa” (Anti-Slavery International, 2004 para 3). In comparison, the Critical TAN had real concerns about the study. The ILRF found that all of the interviewees were children with familial connections to the farm and concluded that, therefore, the numbers of trafficked children are not accurate. In addition, surveys occurred during off- peak harvest season, when the need for forced labor is at

the lowest level. Global Exchange concluded that, “One cannot help but wonder how large of an iceberg of abusive child labor lies under the tip exposed by the IITA study” (Toler & Schweisguth, 2003). The ILRF conducted its own inquiry, sending its own investigator to Côte d’Ivoire in May 2002 and April and November 2003 (International Labor Rights Fund v. United States, Ct. Int.’l Trade, No. 04-005432/1/05). The ILRF found that the farmers purchased children from “labor brokers,” and these children are unable to leave until the end of season. This is a stark contrast to the IITA report, which cited that only 29% were forced to stay (Toler & Schweisguth, 2003). The ILRF discovered that villagers were well aware of the trafficking that occurs while the IITA “reported that village leaders viewed trafficking as low in prevalence” (Toler & Schweisguth, 2003). The ILRF concluded “This investigation made clear that all cocoa beans from Ivory Coast are suspect of being produced by forced labor or child labor, unless companies can prove otherwise” (International Labor Rights Fund v. United States, Ct. Int.’l Trade, No. 04-005432/1/05). The ILRF is attempting to increase the and potency of their frame by exhibiting *empirical credibility* (see Appendix D). Empirical credibility is demonstrated when stakeholders frame their issues to include reliable evidence of their claims, and data comes from a credible source that can be substantiated (Benford & Snow, 2000). The ILRF and the other organizations in the Critical TAN are attempting to increase empirical credibility by pointing out the methodological flaws in the IITA study and conducting a study that addresses those shortcomings. The TAN aims to create a frame that resonates more strongly with the public than a competing frame. As the cocoa corporations used the IITA data to assert that the original claims of WFCL were exaggerated, the Critical TAN used its own data to show that those claims were indeed accurate. The Critical TAN also attempted to strengthen their frame’s resonance by

critiquing the credibility of the cocoa corporations when they point out that the corporations downplayed the issue of WFCL by utilizing data from the methodically- flawed IITA study. The TAN attempted to show their moral authority when in comparison they utilized “sound” data. They pointed out that Fair Trade standards held producers to a higher standard than those in the Protocol, again establishing a moral hierarchy. The TAN pointed out that Fair Trade co-ops must adhere to ILO Convention III, ILO Conventions 29, 105 and 138 on child labor and forced labor. In addition, Fair Trade co-ops must adhere to ILO Plantation Convention 110, and ILO Convention 100 on equal remuneration. Therefore, workers must receive a fair wage “greater than or equal to the national minimum wage/region.” In addition, workers are given the right to collective bargaining (Toler & Schweisguth, 2003).

Fair Trade was framed and characterized as being the answer to many of the problems in the cocoa industry, creating an identity for consumers who purchase fair trade chocolate as “ethical consumers,” who are “voting with their wallets” (Oxfam, 2004). This exemplifies another component of frame resonance, namely *identity appeal*. Identity appeal is an important part of a movement’s strategy to create a sense of identity among potential supporters (Maney et al, 2005). “Market research has been indicating for some time now: consumers are increasingly concerned about where their products come from, as well as the social and environmental impact of those products.” (Transfair USA, 2004). Both the Fair Trade and Fair Globalization frames aim to create the identity of consumers who are responsible and protect those who are laboring for products they consume: “Fair Trade Certification assures consumers that the chocolate and cocoa products we consume are derived under fair labor and wage conditions, offering a product that satisfies consumers’ desire for socially responsible products.” (Toler & Schweisguth, 2003

p.18). The challenge of any TAN is to “align” the frame in a way that has cultural resonance when the ideas they are espousing compete with the frames of other stakeholders (Joachim, 2003). A TAN accomplishes this by constructing a frame that has *narrative fidelity*; the frame tells a story to and for the target audience. In this case, narrative fidelity is created through telling the story of the consumer’s power to make change. In period one, the Fair Trade chocolate industry was not as robust as the Fair Trade coffee industry. The TANs illustrate that consumers made change in the Fair Trade coffee campaign. It is an exemplar of success in consumer movements and proof of consumer power:

As a result of consumers’ requests for Fair Trade coffee, more than 160 companies now offer Fair Trade Certified coffee and it is available at more than 10,000 retail locations....Students at more than 150 college campuses have successfully lobbied their dining services to offer some kind of Fair Trade coffee. All of this has been achieved not through government regulation, but by grassroots advocacy by everyday coffee drinkers.....These shifts in the Fair Trade coffee market are clear evidence that informed consumers will act, and that their actions, no matter how simple they may seem, have powerful effects on corporate practices (Toler & Schweisguth, 2003 p. 20).

The *Fair Trade* frame harnesses the hegemonic belief that businesses can offer solutions to societal issues. The narrative appeal of its frame is that consumers can make a change and businesses can continue to profit. The narrative of the powerful consumer creating the identity of the responsible consumer is a common theme. In this way, TANs show how consumers can change the lives of those around the globe, thus adding hope and empowerment to the emotional consonance of the frame: “Thanks to Fair Trade, our income has grown tremendously over the past few years. In real terms, this means healthy children who can stay in school, instead

of having to go to work in the fields.” Sabino Brenes, a farmer with COOCAFE, a Fair Trade coffee cooperative based in Costa Rica (Transfair USA, 2004 para 10).

At this point in the first time period, the Critical TAN offered additional solutions beyond Fair Trade in its prognostic frame. Among the policy solutions were: debt cancelation and lower interest rates from the IMF and World Bank; reinstating state-run marketing boards and social spending; strengthening the International Cocoa Agreements (ICA); and supporting crop diversification and production of food for domestic consumption and enforcing U.S. legislation on child labor. (Section 307 of the Tariff Act of 1930 19 U.S.C. § 1307 ;1997) (ILRF, 2001 & Global Exchange, 2002). The Critical TAN did not only use frame their beliefs in press releases and policy briefs; they also took legal action in order to hold the U.S. Government accountable for enforcing the Tariff Law of 1930.

One of the roles of a transnational advocacy network is to hold governments responsible; by doing so, they play a large role in diffusing human right norms (Keck and Sikkink 1998, Risse et al 1998). On October 28th, 2004 the ILRF, Global Exchange and the Fair Trade Network filed a lawsuit in the United States Court of International Trade against President George W. Bush, Tom Ridge, Secretary U.S. Department of Homeland Security, Robert C. Bonner, Commissioner Customs and Border Protection Department of Homeland Security, Micheal J. Garcia Assistant Secretary of the Bureau of Immigration and Customs Enforcement Department of Homeland Security and the United States Department of Homeland Security for:

[T]heir failure and refusal to 1) investigate, as required by 19 C.F.R. § 12.42, credible allegations that cocoa imported to the United States from Ivory Coast is produced in part by forced child labor; to 2) require cocoa importers to show that their imports are not the product of forced child labor; and to 3) prohibit the

importation of merchandise that is shown to be the product of forced child labor as required by 19 U.S.C. § 1307 (1997), commonly known as the Tariff Act of 1930. (*International Labor Rights Fund v. United States, Ct. Int'l Trade, No. 04-005432/1/05*).

When framing the accounts of this lawsuit, the Critical TAN created an identity for themselves as “watchdogs” of the government and industry, holding them responsible to abide by national as well as international law. In turn, they created an identity for consumers as not only the “responsible consumer” but a narrative of the “responsible citizen” or even “activist” who has the power to hold their government accountable, encouraging audiences to write letters and call members of Congress. Media accounts reinforced this role ( see Edwards 2001a; Edwards 2001b; Sulon, 2001; Greenhouse, 2002). Websites from Equal Exchange and Global Exchange contain links to voice support for children in the cocoa industry “Click on these links to share your views with Sen. Harkin, Rep. Engel, and the Chocolate Manufacturers of America.” (Equal Exchange, n.d).

The Protocol TAN created an identity for consumers that also harnessed hope and empowerment. They highlighted the consumer’s ability to trust the mainstream industry working together with human rights organizations, noting that “The Protocol was unique--a treaty not between countries, but between the whole chocolate industry and *consumers*, labor unions and human rights groups. (Free the Slaves, n.d. para 4) [Italics added].

Although the prognostic frames may have varied among the TANs, all of the TANs agreed that there was a duty to stop the WFCL in the cocoa industry. The last component of a stakeholder’s narrative is motivational framing, wherein the objective is to motivate the audience to take action (Benford & Snow, 2000). My findings of the motivational framing of the TAN

concur with those of Dahan & Gittens (2010); namely, there was a motivational duty of all parties working to eliminate WFCL, including consumers. Motivational urgency can be seen in the statements from Anti-Slavery International (2004): “In West Africa the trafficking of young people is extensive, and the involvement of organised crime groups in this traffic across the world, is an issue of concern” (p. 63). “Child and slave labour are repugnant, and the idea that these crimes feed into the chocolate we enjoy brings a sharp reaction. The fundamental outrage felt when slavery is discovered calls for an immediate and clear response.” (p. 48). Motivational severity of the situation is expressed when the TAN cites statistics from the IITA report, which concurs with the findings of Dahan & Gittens (2010). I also discovered that the Critical TAN cited the statistics from the ILFR report to further dramatize the severity of the WFCL. The Critical and Fair Trade TANs use the stark visual imagery of children with scars from whip marks, holding large bags of cocoa pods and using machetes, and cite the BBC and the Knight Ridder reports in an to spur the audience to action. *A negative consequence frame* aims to invoke adverse emotions in stakeholders (Waller & Conroy, 2011). The negative consequence frame highlights “criminal corporate greed and indifference to human suffering clearly lead to ruthless exploitation of poor, powerless workers in underdeveloped nations” (Waller & Conaway 2011 p. 95). In this case it is the indifference of the cocoa industry that leads to the consequence of WFCL. In contrast, Anti-Slavery International (2004), whom I had classified as one of the members of the Protocol TAN, had images of African boys sitting on top of cocoa pods. The fully clothed boys were teens as opposed to children and did not have any scars on their bodies. This could be an attempt to depict child workers without disturbing the audience.



This first time period was punctuated by attempts from all three TANs to craft a message that resonates with audiences. They put forth their solution to the problem of the WFCL and either supported or criticized the Protocol. The next period began with TANs closely monitoring the first major deadline of labeling standards and public certification “that cocoa and its products have been grown without any of the WFCL by June 2005.” (Engel & Harkin, 2005).

#### **4.2.2 Period 2: 2005-2009**

Article 6 of the Protocol stated that the cocoa industry would implement a monitoring and certification system by July 1, 2005. Industry leaders made it known to Congressman Engel and Senator Harkin that this objective would not be completed by the deadline. Harkin and Engel accepted a three-year extension, including an agreement to reduce from 100% to 50% the number of farms to be inspected and certified “slave free”.

**The Payson Center for International Development at Tulane University.** When cocoa industry failed to establish a system for monitoring and certification, Senator Harkin and Congressman Engel sought funding from the Department of Labor (DOL) to evaluate the industry’s progress on the Protocol’s other objectives (Engel & Harkin, 2008). The Payson Center for International Development at Tulane University received a four million dollar grant in November 2006 “to serve as an oversight body to give an impartial assessment” of the Protocol (Harkin & Engel, 2008). The research team’s responsibility was to submit an annual report about the Protocol’s progress and provide systematic and detailed evidence of the WFCL in the cocoa industry in Ghana and the Côte d’Ivoire (Payson Center, 2010). The researchers at the Payson Center (2007) proclaimed “Our conclusions, after slightly more than 12 months of work on the

processes described in the Harkin-Engel Protocol, are that the results are mixed and that additional time and research are required before a comprehensive assessment can be completed” (p. 59). The researchers expressed that the WFCL lacked an “operational definition” and that “as such, systems should be in place to measure progress in incremental steps” (p. 60).

In his report in *Fortune* magazine, Christian Parenti (2008) acknowledged the progress cited in the Payson report, but highlighted the ill effects of cocoa industry on children: “While industry and governments in West Africa have made initial steps, such as establishing task forces on child labor, conditions on the ground remain bad: Children still work in cocoa production, regularly miss school, perform dangerous tasks and suffer injury and sickness” (Parenti, 2008). Parenti had traveled to the Côte d’Ivoire in October 2007 to investigate the Protocol’s progress. On February 14, 2008, Parenti spoke in NPR interview alongside William Guyton, a representative of the World Cocoa Foundation. Parenti reported he discovered that the “International Cocoa Initiative has one employee, who shares an office in the basement of a law firm, and that the many claims of collaboration with local NGOs and development projects did not pan out. They were unable to show us anything.” William Guyton pointed out that barriers to achieving the goals of the Protocol were “difficulties with infrastructure, roads and access to education and health.” Parenti countered “the large cocoa companies do nothing to redevelop, like pave roads or build schools. They make no effort to redistribute wealth. And that’s the fundamental fact.” When asked about the low price of cocoa, William Guyton replied that the price was set by the “commodity exchanges in New York and London.” The interview clearly showed the contrasting ideological arguments made by The World Cocoa Foundation, working within the neoliberal market-based system, and Christian Parenti advocating for mandatory

regulation and fair trade pricing. In addition, the interview highlighted Parenti's mistrust of the industry and the claims that they were engaged in programs through the International Cocoa Initiative.

The Fair Trade and Critical TAN took the opportunity to strengthen their depiction of the cocoa industry as greedy and unwilling to make any needed changes when they cited investigative articles, like those written by Parenti. This was done alongside the missed Protocol deadlines and the results from the Payson Center to enhance empirical credibility. The TANs used the "dominant symbolic repertoire" of corporate greed. Maney et al (2005) define a "dominant symbolic repertoire" as "enduring norms, beliefs, language, visual images, narrations and collective identities circulating widely among the general public" (p. 5). Dominant symbolic repertoire is often used in an attempt to increase the frame's resonance with its targeted audience. Corporate social responsibility, as well as corporate greed, can both be considered dominant symbolic repertoire, depending upon the audience's beliefs and ideology (Visser, 2011). The TANs often drew heavily upon the corporate greed narrative as a counter frame to the *Socially Responsible Business* frame espoused by the industry. This strategy was clearly an attempt to increase the narrative's resonance to mobilize support for fair trade and fair globalization: "What's holding back progress on illegal child labor is nothing more than the industry's unwillingness to support real solutions and exchange a small portion of its massive profits to ensure a sufficient return for farmers and workers" (Global Exchange, 2005). The Critical and the Fair Trade TANs began to use phrases like "broken promises" (Global Exchange, 2007), "unfulfilled promises," and "broken commitments" (ILRF, 2006; Fair Trade USA, n.d) to describe the untrustworthy industry. Press releases and articles written during this time period

introduced these catchphrases to underscore insufficient progress and lack of accountability to the Protocol (Green America, 2005; Global Exchange 2005; Sweatfree Communities, 2008). As in the previous period, the TANs used the metaphor of “bitter chocolate” tainted by child labor, and argued that it was “tasted” even worse now that the industry had broken its promises (ILRF, 2006). Jamie Guzzi of Global Exchange claimed “Americans do not want to eat chocolate that was made with illegal child labor or slave labor. No chocolate can taste good that was made under such condition.” (ILRF, 2005) (see Appendix C).

The Critical and Fair Trade TAN took the opportunity of the missed deadlines to not only reinforce the narrative of corporate greed but to emphasize that the cocoa companies need someone to watch over them prompting me to add the frame *corporate watchdog*. Although the TANs took on the role of holding the industry accountable in the period one, in period two they solidify this identity, offering questions for the cocoa industry and demanding answers (ILRF, 2006; Abrams, 2005; Dochat, 2006). A frame is a social movement’s representation of both protagonists and antagonists. In this case, the TANs represented themselves as enforcers of the Protocol, thus appealing to the principles of justice and the need for corporations to abide by their agreements. Activists who create an identity often reinforce this identity in the public sphere, making a comparison to a competing frame (Gardner 2003). The Protocol’s missed deadlines gave the TANs a chance to frame the *corporate watchdog* identity in public, juxtaposing it against the industry’s *responsible business* identity. Oliver & Johnson (2003) found that “frame has its greatest power when one frame is contrasted with another” (p. 8). The TANs assert moral authority via the *watchdog* frame, demonstrating *they* sent investigators to

monitor the progress of the Protocol, thereby drawing a distinction between human rights organizations and the industry.

The Critical TAN took legal action to ensure the accountability of the industry. The 2004 lawsuit that the ILRF filed in the U.S Court of International Trade was dismissed in 2005. The court found that cocoa was exempted from prohibited goods “for which domestic production was insufficient to meet domestic demand” (Humbert 2009, p. 321). The ILRF & Global Exchange continued legal recourse on behalf of the children in the cocoa fields. On July 14, 2005, the ILRF brought a lawsuit against Nestlé, Archer Daniels Midland, and Cargill on behalf of the trafficked children of Mali. (John Doe I; John Doe II; John Doe III, individually and on behalf of proposed class members; Global Exchange, v. Nestlé , INC.; Archer Daniels Midland Company; Cargill Incorporated Company; Cargill Cocoa, No. 10-56739). The case, brought against the companies in a California federal district court maintained that “three plaintiffs were taken from their homes at 14, beaten, threatened with torture and forced to work up to 14 hours a day, six days a week, with only meager meals as compensation” (ILRF, 2005 para 13). Global Exchange used the opportunity to point out the industry’s failure to abide the Protocol’s terms. They maintained the suit was “filed in the wake of the chocolate industry’s missed July 1 federal deadline to develop standards for monitoring and certifying African suppliers, an attempt to keep tabs on the labor practices of cocoa farming operations” (Global Exchange, 2005). In press releases, the Critical TAN attempts to use moral outrage by shaming the companies named in the lawsuit with titles such as: *Nestlé Taken to Court for Trafficking, Torture, and Beatings of Child Laborers on West African Cocoa Farms & The 14 Worst Corporate Evildoers*. (Global Exchange 2005; ILRF,

2005). In addition to moral outrage, the Critical TAN continued to draw on the dominant symbolic repertoire of corporate greed:

As part of the ongoing litigation, Nestlé’s lawyers filed a brief which argued that their Code of Conduct was simply “aspirational” and entails no responsibility for the company to actually follow through with their commitments to eliminate child labor, despite the fact that the practice is illegal under international law. It would cost Nestlé approximately *US \$0.002 per candy bar to switch to Fair Trade cocoa* (ILRF, n.d italics added).

[This case was dismissed in September 2010. However The ILRF appealed and in December 2013, a federal appeals court overturned the 2010 ruling. In September 2014, the found that the ILRF & Global Exchange do “have standing to bring their Alien Tort case because of the universal prohibition against slavery” (Business and Human Rights Resource Center, 2014).]

The Critical TAN based its frame on an ideological belief in state and global protectionism and challenged the hegemonic belief of non-regulation of the market. They called on the U.S. government to “step in and end the use of illegal child labor by the U.S. chocolate industry” (Global Exchange, 2005; ILRF, 2005). The TAN also questioned the Protocol’s voluntary regulation and called for an international system of global standards (ILRF, 2006; Oxfam, 2007). Otherwise, the rights of the poor are “left to the goodwill of companies, with no means of redress if their rights are violated” (Amnesty International, 2007, para. 10). Organizations instead called for “global enforceable standards to ensure that all companies comply with their human rights responsibilities” (Amnesty International, 2007, para. 11).

The Critical TAN continued to frame their empirical credibility by pointing out the flaws in the Protocol, and offered additional components to improve the Protocol, including a minimum age which would comply with ILO Convention No.183 (ILRF, 2006). Organizations

in both the Fair Trade and Critical TAN emphasized the Protocol's largest flaw, that it did not address cocoa prices reinforcing the diagnostic frame of poor farmer compensation (Parenti, 2008; ILRF, 2006; Green America n.d.; Global Witness, 2007). The Fairtrade Foundation described the certification aspect of the Protocol as a "band aid policy.... attempting to address the problem of child labor without addressing the underlying cause which is low cocoa prices" (IRIN, 2008).

On October 4, 2007, a group of organizations from both the Critical and Fair Trade TAN created their own policy document to counter the Protocol. The document, entitled "Commitment to Ethical Cocoa Sourcing: Abolishing Unfair Labor Practices and Addressing Their Root Causes," was signed by 59 organizations. In this document, the organizations continued the diagnostic framing of WFCL as poor compensation to farmers and offered prognostic remedies including:

- 1) Provide transparency in the cocoa supply chain to farm level.
- 2) Commit to sourcing exclusively from farms and cooperatives which respect the core ILO labor standards, and pay a price adequate for those producers to meet these standards.
- 3) Pay farmers a fair and adequate price for the cocoa we purchase.
- 4) Implement – or maintain – as the case may be, the following structural practices so as to ensure farmers a consistently better price
- 5) Support the drafting and enforcement of national and international laws that prohibit human trafficking, debt bondage and the other worst forms of child labor (in accordance with ILO Convention 182).

6) Commit to 100% Fair Trade Certified sourcing of cocoa or to financing the rehabilitation, reintegration and education of children who have been exploited by the worst forms of child labor.(Equal Exchange, 2007 pp 2-3).

This document translates the diagnostic and prognostic frames of the Critical TAN and Fair Trade TAN into a policy, thus serving as a exemplar policy model. One of the stated objectives of the organizations in both the Fair Trade and Critical TAN is to create policies that look to end child labor, and they have created this document as a way to counter the Protocol's flaws. In period one, Fair Trade businesses were identified as "exemplars" of social responsibility. The TAN now used the "Ethical Cocoa Sourcing" document as a "model policy" in contrast to the frame of the *ineffective Protocol*. This is in contrast to the *innovative and collaborative Protocol* frame from the Protocol TAN who acknowledged that progress was slow but continued to emphasize the frame of collaboration between industry and other stakeholders: "Business and anti-slavery groups can work together, bringing many more resources to ending slavery. By 2007 some \$12 million had flowed from the chocolate industry to anti-slavery work, money that would not have arrived without the Cocoa Protocol" (Free the Slaves, 2008).

The frame of the *ineffective Protocol* vs. *innovative and collaborative Protocol* is another example of a *frame dispute* between the TANs. In frame disputes "rhetoric is deployed and has a persuasive force" where "strategic manipulation of symbols to alter perceptions of reality and subsequent action" (Frye, 2007 p. 16). In the case of the dispute over the Protocol, the Fair Trade and Critical TANs employed rhetoric designed to engage other stakeholders to continually pressure the industry to make changes to the Protocol. A struggle emerged when the Protocol TAN maintained that the Protocol's objectives were an avenue for successful change



while the other TANS claimed that there was a need for better policy options like those found in “Ethical Cocoa Sourcing.” The Protocol TAN, along with the industry cited Côte D’Ivoire’s civil war which began in 2002, as one of the reasons the industry failed to reach the Protocol deadline (Off, 2006). Activists repudiated this excuse, and instead used the opportunity to reinforce the need for effective policy in the world’s cocoa- growing (Parenti, 2008).

**“Blood Chocolate”.** The “Forces Nouvelles,” (FN) soldiers from the rebel-controlled northern region of the Côte d’Ivoire attempted a coup in September of 2002 (Parenti, 2008). The southern region was mostly Christian and of Ivoirian descent; while the Forces Nouvelles were of Malian ancestry and reportedly objected to the “discriminatory policies” of the government (Off, 2006 p 165). In its June 2007 report, “Hot Chocolate: How Cocoa Fueled the Conflict in the Côte D’Ivoire,” Global Witness Global reported that the “fighting officially ended in May-July 2003, and no attacks by government forces or the FN have been reported since November 2004” (p. 13). By 2005, the war had reached a standstill “more inconvenient than it was violent” (Off, 2006 p. 194). From the vantage point of the activists, the war did not free the industry from responsibility to the Protocol; instead, they began to make a case that the cocoa trade funded the conflict. The activists continued to frame the industry as “untrustworthy” critiquing corporate credibility to increase the resonance of their frame. The TANS engaged in what Maney et al (2005) refer to as “pretext framing.” This “involves disputing power-holders’ asserted reasons for their policies while also insinuating other, less laudable motives” (p. 11). The TANS disputed that the reason for Protocol non-compliance was the war and instead characterized the industry’s motive as greed. The TANS maintained the industry still had a duty to abide by the Protocol. Articles and press releases emphasized the importance of tracing the cocoa supply chain,

*especially* because the industry is working in an area of conflict and pointed out that the industry had a duty to make sure the source of their profits did not benefit armed militias (Global Exchange, 2005; Bartholdson & Valentin, 2006; Global Witness, 2007; Morbitzer, n.d.). The industry had a responsibility to make sure that the products that they profited from were not funding conflict (ILRF, 2006).

Global Witness (2007) categorized cocoa as a conflict resource maintaining that their “report provides yet another example of a natural resource contributing to and fueling conflict.” The well-known term “blood diamond” was used in successful human rights campaigns as a phrase to connect the diamond trade to the bloody war in Sierra Leone. There were connections made to the diamond industry in articles from this time period, referring to chocolate as “blood chocolate.” (Lambert, 2007; Slave Free Chocolate.org, n.d.). Parenti (2008) wrote “like diamonds and timber, cocoa became a so-called conflict resource... blood chocolate was providing fast cash for armed groups and creating misery for common people” (para 7). This is an example of *frame extension*, in which a stakeholder links a frame from one campaign to another to increase the chance of resonance with the targeted audience (Anderson & Macri, 2009). In this case activists linked together the cocoa industry and the diamond under a *Fair Globalization* frame, advocating regulation and oversight of industries involved in the cultivation of conflict-resources. Global Witness called upon the international community “to address the issue of conflict resources more systematically, not simply on a resource-by-resource or country-by-country basis” (p. 5). In June 2008 Global Witness submitted written testimony to the Senate Judiciary Committee’s Subcommittee on Human Rights and International Law. The testimony entitled *The U.S. Role in Addressing Complicity of Companies in Human Rights Abuses in*

*Conflict Areas* included cocoa in the list of conflict resources. The frame of the *untrustworthy industry and immoral industry* was invoked when pointing out the failures of the industry, linking those failures to the funding of the civil war:

Global Witness investigations in Ivory Coast earlier this year found that the Forces Nouvelles rebels are continuing raise revenue from the trade in cocoa passing through the territory they control. The economic agendas of Forces Nouvelles commanders are a serious impediment to meaningful reintegration of the two halves of the country as mandated by the March 2007 Ougadougou peace agreement. Much of the chocolate consumed in the U.S. comes directly from Ivory Coast, meaning that corporations are still not doing a proper job of due diligence (p. 3).

The report further documented that “the home state, including countries such as the United States, needs to intervene and assume a proactive and reactive role in ensuring that their companies neither perpetuate nor are complicit in human rights abuses arising by virtue of operations in these areas” (p. 3). Global Witness challenging neoliberal hegemony called for regulation concluding that “The United States should lead the call for targeted policy approaches at the international level to support the implementation of regulation” (p. 3). and “should require that companies operating in or buying from conflict areas conduct due diligence in their supply chain to ensure that they do not commit or contribute to human rights abuses” (p. 6).

Linking together the diamond and cocoa industries as conflict resources enabled the Critical TAN to make additional policy recommendations to improve the Protocol, namely advocating for process certification versus product certification. Product certification refers to “the attributes of the actual product itself (e.g. is the battery AA or AAA?, is the maple syrup Grade A or Grade B?),” compared to process certification, which “is a description of the process by which the product was made” (ILRF, 2008). The diamond industry uses process certification

under “the Kimberly process, an international process to ensure that diamond trade does not support violent conflict, and certifies shipments of diamonds as conflict-free” (ILRF, 2008). The TAN maintained in the *ineffective Protocol* that one of the Protocol’s defects is a lack of a credible certification process. They enhanced *empirical credibility* when they offered a proven solution from the diamond industry: “Another established model that may have provided guidance for cocoa verification is the Kimberly process oversight established by the Clean Diamond Act” (ILRF, 2008).

In addition to providing recommendations for improvement of the Protocol, the TANs began a campaign of “naming and shaming; a popular strategy to enforce international human rights norms and laws” (Hafter-Burton, 2008 abstract). Activists publicize the human rights infractions of offending organizations and then advocate for substantive policy change (Hafter-Burton, 2008). Shaming creates “moral leverage” which activists use to pressure companies into making change in their business practices (Dahan & Gittens, 2010 p. 231). Transnational advocacy networks will often use shaming when faced with organizations that are reticent to make normative change (Park, 2005). The TANs began a campaign of “naming and shaming” against the largest cocoa companies they felt were most reticent to make any real change: Hershey.

**Raise the Bar, Hershey!** In 2006 Global Exchange, ILRF, Green America and Oasis joined together to form the *Raise the Bar, Hershey!* coalition: “The thought was: if this industry giant could start sourcing Fair Trade certified cocoa, other large chocolate companies would follow.” (Global Exchange, 2013).

The *Reverse Trick or Treat* was one of the first campaigns from the Raise the Bar Hershey! coalition. Global Exchange alongside other organizations from the Critical and Fair Trade TAN, distributed kits to youth groups and schools. These kits included post cards and pieces of Fair Trade chocolate, donated from the Massachusetts-based fair trade company Equal Exchange. When children went “trick or treating,” they gave the Equal Exchange chocolate and post card back to the adult giving out the Halloween candy. The post cards stated “THANK YOU for the candy you are generously sharing tonight. Like Halloween, chocolate should be a source of joy to all children, including those in countries where cocoa is grown. Unfortunately, this is not the case today” (Equal Exchange, n.d.). The post card went on to describe the problem of child labor in the cocoa industry that persists “despite years of promises from the major chocolate manufacturers, too little has been done to tackle the problem of forced child on many farms that supply the cocoa. Moreover, at the bottom of the chain, cocoa farmers have been left in poverty year after year.” (Equal Exchange, n.d.). On the postcard, the *Reverse Trick or Treat* campaign offered a solution to farmer’s poverty and child labor, employing the prognostic frame of *Fair Trade*. The cards provided informational links about Fair Trade and links to Fair Trade companies. The TAN used press releases about the *Reverse Trick or Treat* program to the industry’s failure to meet Protocol’s deadlines: “This Halloween is the first since the industry’s failure to meet the July 1, 2008 self-imposed deadline of the 2001 Harkin-Engel Protocol to end abusive child labor in cocoa production” (Co-op America 2008).

In creating the *Reverse Trick or Treat* program, the TANs identified a new demographic of constituents to help their cause: children. They created an *identity* for children as powerful individuals themselves, those who do not need an adult to make social change: “Through

providing children with an opportunity to have their voices heard, hundreds of thousands of households in the U.S. are getting the message that child labor and forced labor will not be tolerated by our kids” (Global Exchange, n.d para 2.). Children were empowered to deliver the message of social change to adults. In this campaign, the TANs attempted to *engender an empathetic response*, this time from children, linking the experience of children in the U.S. to those on the other side of the world: “It is unthinkable that our children are eating chocolate made with illegal child labor or slave labor, especially when a viable solution, Fair Trade Certified(TM) chocolate, exists right now” (Co-Op America, 2008a para 5). The *Reverse Trick or Treat* campaign depicted children toiling on the cocoa fields in contrast to the “sweet pleasure” of chocolate portrayed by the cocoa industry on Halloween chocolate. The campaign encouraged children to write letters to cocoa companies, particularly Hershey. This is a powerful strategy on the part of the Critical and Fair Trade TAN, attempting to illustrate to a corporate giant that one large part of their targeted demographic was holding them accountable for their business practices. The Unitarian Universalist Congregation of Erie was one of the many youth groups who participated in the *Reverse Trick or Treat* campaign. The effort was designed to empower children to become “global citizens” who wrote letters to “Hershey and Mars, encouraging those candy makers to use at least some fair trade chocolate” (Massing, 2009 para 4).

In another example of *frame bridging*, diverse organizations joined together in the *Reverse Trick or Treat* campaign. The New York State United Teachers (NYSUT) linked the union movement to overall social justice and labor causes. Lee Cutler, Secretary General of NYUST at the time, called the *Reverse Trick or Treat* campaign “wonderful because it gives us

the opportunity to both bring our union work into our classrooms, and to involve our students and our communities in a truly worthwhile social justice cause, particularly with regard to child labor.” (NYSUT, 2009, para 3). Other organizations participating in the *Reverse Trick or Treat* campaign included: Americans for Informed Democracy, Fair Trade Federation, International Labor Rights Forum, Oasis, Slow Food, Unitarian Universalist Service Committee, United Students for Fair Trade, and United Methodist Committee on Relief (Co-op America, 2008).

In the *Reverse Trick or Treat* campaign, the Fair Trade TAN continued to call on adults to also make change, asking them to embrace their power and reinforce the identity of the *moral and responsible consumer* who purchases Fair Trade: “As Americans, we can play a role in creating a more responsible chocolate market by choosing Fair Trade Certified chocolate year round” (Co-op America, 2008b para 3).

**“Chocolate Company Scorecard 2009: The Sweet and the Bitter”.** Cadbury released a statement proclaiming they were the “first major confectionery brand to offer Fairtrade chocolate through its commitment to ethical sourcing standards” (Cadbury, 2009). However, the Fair Trade certification would only be available to products from the U.K. In 1998, Hershey bought the rights to Cadbury’s U.S. cocoa business (Raise the Bar Hershey!, 2012a). Some U.S companies began to partner with third-party certification agencies, although at this time none of those in the U.S. was Fair Trade. (ILRF, 2008). Kraft Foods began to certify cocoa produced in the Côte d’Ivoire through the Rainforest Alliance. Nestlé and Mars joined with the Dutch company UTZ to become a part of the *Good Inside Cocoa Programme*. (Eyre, 2008). Nestlé announced that the cocoa sourced for their Kit Kat Bars would be Fair Trade, however only in the U.K. and Ireland (Nestlé, 2009). The ILRF (2008) found that Starbucks had implemented a new “COCOA

standard, an overall sustainability standard for cocoa growing with a strong labor standards component” (p. 3). Although some considered the new certification standards as a step forward, the ILRF adhered to the frames of the *untrustworthy and immoral industry* and *ineffective Protocol*:

It is important to keep in mind that while each of these initiatives does, at least, create the possibility for adequate supply chain monitoring of labor standards, addressing the ‘consumer question,’ none of these programs were developed under the auspices of the ‘protocol’ and representatives of the chocolate industry have continued to maintain, as late as May 2008, that it would not be desirable for individual chocolate companies to undertake monitoring within their own supply chains (p.7).

The 2008 *Joint Statement from U.S. Senator Tom Harkin, Representative Eliot Engel and the Chocolate and Cocoa Industry on the Implementation of the Harkin- Engel Protocol* declared that the independent verification that was supposed to be completed by July 1st, would not be completed until the end of the year. This additional extension to the original deadline of July 1st 2005 came under criticism from the Critical TAN. (ILRF, 2008; Co-op America & Global Exchange, 2008). The ILRF (2008) used the latest critique of the Protocol and results from the Payson Center study to counter some of the claims made by the World Cocoa Foundation (WCF). The WCF began sourcing cocoa from other regions that had not previously exported cocoa as a way to end child labor (p.14). The ILRF criticized this move as one in which “the cultivation of cocoa and other commodity crops, whether by smallholders or on larger farms or plantations, is historically rooted in a system of colonial exploitation” (p. 14). Invoking the specter of colonialism is a powerful way to cast judgment against the WCF. The ILRF criticized the WCF for seeking to create new cocoa markets instead of changing business practices that



could alleviate WFCL. Activists cite the “engine of transnational hyper-capitalism” as a driving factor in causing the misery of post-colonial Africa (Mullins & Rothe, 2008 p. 97). The ILRF continued to challenge hegemony making recommendations to the World Bank that would reverse previous neoliberal policies: “The World Bank and other international financial institutions should reverse policy and publicly support the efforts of developing country governments to regulate commodity prices, and should support and fund government efforts to implement the Education for All initiative.” (p 18). The ILRF, continuing to invoke the frame of the *responsible consumer* made recommendations to “reward companies with ethical integrity in supply chains” (p. 18).

One way that the TANs attempted to make it easy to make ethical choices and become a responsible consumer was to release score cards and report cards. In celebration of Valentine’s day, Raise the Bar Hershey! issued a scorecard rating the cocoa companies using the catchphrases of “bitter” and “sweetest” (Raise the Bar Hershey! ,2009). On the first page were the “bitter” companies included Hershey, M&M Mars and Nestlé. On page two, Raise the Bar Hershey! rated Godiva, Ghiradelli/Lindt, Starbucks, Dagoba and Endangered Species Chocolate as “semi-sweet.” The final list on page three were companies that were the “*sweetest of the bunch – they are the most committed to sustainability and improving the livelihoods of cocoa farmers globally.*” The list of the “sweetest” included Equal Exchange, Sweet Earth Chocolate and Divine Chocolate.

The scorecard is a powerful tool, filled with moral judgments and statements, contrasting the “soulless” companies with the ones that are making a difference in this world. It made recommendations for consumers to look to the companies that signed the “Commitment to

Ethical Cocoa Sourcing: Abolishing Unfair Labor Practices and Addressing Their Root Causes.” This is a way for the Critical and Fair Trade TAN to illustrate to consumers that there are “moral” choices, to look to the “Ethical Cocoa Sourcing” policy and to continue the *narrative and identity* of the “conscious consumer.” Framing in terms of moral choices activates what Gamson (1992) referred to as the *collective action injustice* master frame (Benford & Snow, 2000; Waller & Conroy, 2011). The goal of an injustice frame is to generate outrage against the immoral offender of human rights abuses (Waller & Conroy, 2011). The TANs were clearly attempting to generate animosity against the cocoa companies, thus adding moral indignation to the *emotional consonance* of the frame. Discursive elements of the injustice frame, coupled with the images of children working in the cocoa fields, are powerful tools in the effort to stigmatize the cocoa industry. The TANs created a narrative that questioned the values of profit when juxtaposed against the value of a child’s life, calling into doubt the fundamentals of a profit-driven economy. The identity of the untrustworthy corporation holding “values that clearly have produced the injustice” is intended to arouse the public to “direct its indignation into some sort of punitive action” (Waller & Conroy, 2011, p. 96). The TANs encouraged consumers to write letters to the cocoa companies and the media and to share this information with friends: “Send a message to these cocoa importers and suppliers, demanding that they stop using child slave labor and toxic chemicals and that they pay their farmers a fair living wage” (ILRF, n.d.). They point out that there is another way to do business, namely in the manner of the Equal Exchange and Divine Chocolate companies.

**Shareholder Activists.** The Critical TAN attempted to bring shareholders into its campaign for supply chain transparency. Bama Athreya, a representative of Global Exchange,

presented a proposal to Hershey shareholders that the company obtain more information about its supply chain as it is the only way “to fairly determine the best steps both to protect Hershey’s reputation, and to end abusive child labor.” The ILRF highlighted the risk to companies seen as immoral or untrustworthy, insinuating that there would be a real loss to the reputation of Hershey (ILRF, 2009b). To prove this risk to Hershey’s reputation, Ms. Athreya pointed to media reports that served as an “example of the continued public and media attention to this problem.” She cited an article from *Forbes* magazine entitled “Slave Chocolate?”, which “directly names Hershey Company as a possible downstream user of slave labor-harvested cocoa.” She also pointed to a story in *Food and Wine* magazine, which documents the lawsuit against cocoa importers and a *New York Times* article that describes a consumer purchasing Fair Trade chocolate after learning that the Ivory Coast uses slave labor for cultivating cocoa.

The Hershey company stated its objection to shareholders, asserting their role as a part of the Protocol proved they were doing their due diligence. Richard H. Lenny, President and CEO of Hershey, said that they are taking a “broad-based holistic approach,” citing “multiple efforts to increase the awareness of labor practices in West Africa” (Dochat, 2006 para. 6.). Ms. Athreya used Mr. Lenny’s response as an opportunity to invoke the frame of the *ineffective Protocol*, to suggest to Hershey shareholders that joint initiatives may not be sufficient. Global Exchange was attempting to transform shareholders into change agents, hoping to have shareholders advocate for new norms of corporate social responsibility. Sjöström (2010) found that shareholders can influence corporate behavior as well as “generate long-term influence on more widely-shared norms about how the corporate sector at large ought to handle working conditions” (p. 179). Shareholders rejected the proposal, by a vote of 709.6 million shares

against to 13.4 million shares in favor of the resolution (Dochat, 2006). Bama Athreya stated that Global Exchange expected the defeat, but she said she was glad to have the opportunity to discuss the importance of supply chain transparency and to “impress upon shareholders and Hershey the need to be aware of child labor conditions on West African cocoa farms” (Dochat, 2006, para. 5). Global Exchange and the Critical TAN continued their attempts to turn shareholders into “shareholder activists” and had success in the next time period.

#### **4.2.3 Period 3 2010-2014**

Sustainalytics, “an award-winning global responsible investment research firm specialized in environmental, social and governance (ESG) research and analysis,” released a report in 2010 entitled *Bitter Harvest: Child labour in the cocoa supply chain*. *Bitter Harvest* reported that subsequent to the 2010 World Cocoa Foundation Partnership meeting in the Netherlands, the “Norges Bank Investment Management and APG Asset Management, two of the largest pension fund managers in the world, issued a joint statement calling on the chocolate industry to take greater initiative and set concrete targets to eliminate child labour in their supply chains” (Sustainalytics, 2010). Investors use reports from Sustainalytics “to integrate environmental, social and governance factors into their investment processes” (n.d. para. 1). *Bitter Harvest* cited data regarding child slave labor and highlighted the Protocol’s failures. The statistics emanated from reports published by organizations in the Fair Trade and Critical TANs, namely the ILFR, Oxfam, Fair Trade Labeling Organizations International, UTZ Certified and the Rainforest Alliance. The *Bitter Harvest* report invoked the *Fair Trade* frame, making recommendations to purchase Fair Trade chocolate, and encouraged investors in the cocoa

industry to “engage with companies and push for best practices” (p. 9). Additional suggestions included: disclosing timelines for purchasing certified sustainable cocoa; implementing traceability systems and capacity building programs at the farm level to stimulate sustainable agriculture; providing long-term financial support to producers and regularly publishing progress reports (p. 9). Sustainalytics’ recommendations echoed those of the activists, thus making shareholders members of the transnational advocacy network. This is consistent with the findings of McAteer & Pulver (2009), who discovered that “shareholder advocacy has given rise to a particular instantiation of corporate-focused TANs, the shareholder transnational advocacy network” (p. 4). The “STAN” contains diverse actors in the investment community, including “shareholders, pension funds, religious communities, and socially responsible investment firms” (p. 5). In the United States, a Louisiana pension system became part of this newly formed STAN and began to hold Hershey accountable for its supply chain.

In 2012, the Louisiana Municipal Police Employees’ Retirement System (LAMPERS) filed a lawsuit in what was called “the beginning of what could be a major shareholder challenge to the business practices of Hershey the largest chocolate producer in North America.” (Grant & Eisenhofer, 2012, para. 1). The public pension fund hired the corporate governance law firm Grant & Eisenhofer, who filed the complaint in Delaware’s Chancery Court seeking a court order that Hershey disclose its cocoa suppliers to shareholders. In a press release, Jay Eisenhofer Esq., invoked the *untrustworthy corporation* frame, first created by the transnational advocacy networks, questioning morality and the ethics of making a profit from child labor:

That one of the world’s leading confectioners whose primary market is children could exploit child laborers to meet its bottom

line is an outrage.....Rather than open its records to scrutiny, Hershey over the past decade has thrown up multiple roadblocks to reasonable examination of its conduct regarding serious questions about illegal child slave labor and trafficking in its supply chain (para. 5).

Like the Critical and Fair Trade TAN, Grant & Eisenhofer employed an injustice frame to generate hostility against Hershey. The lawyers pointed out the juxtaposition of marketing to children while at the same time making profit from child labor. The identity of the shareholder as a *corporate watchdog* was created, and moral indignation added to the *emotional consonance* of their frame.

Mr. Eisenhofer added, “Speaking as a father whose children just returned from trick-or-treating with a cornucopia of candy, much of it made by Hershey, it’s a shock to the conscience that Hershey would be less than forthcoming about the use of illegal child labor in bringing its products to market. Shareholders believe such conduct is not what Milton Hershey and his wife, who were well-known for philanthropy for disadvantaged children, would envision for the company” (para. 6).

LAMPERS also framed the Protocol as “ineffective”: “Plaintiffs argue that the Harkin-Engel Protocol has done little to eliminate child labor law violations from the West African cocoa trade” (para. 7). Shareholders in the pension company cited the the statistics found in the Payson Center’s report that found there was still substantial evidence of human trafficking (para. 7).

Hershey shareholders were now a part of a STAN, utilizing many of the same frames as both the Critical and Fair Trade transnational advocacy network. The shareholders evolved into shareholder activists, thus achieving the goal set forth by Global Exchange when Bama Athreya presented the proposal of supply chain transparency to Hershey shareholders. Sjöström (2010) identified the roles that shareholders can adopt when attempting to be a change agent for

corporate social responsibility. Sjöström (2010) based these roles, including *norm entrepreneurs*, *norm promoters* and *norm carriers*, on the norm life cycle model of Finnemore and Sikkink (1998). The first stage, *norm emergence*, occurs when norm entrepreneurs “actively seek to persuade other actors that a new norm is superior to the existing standard of appropriateness” (Sjöström, 2010, p. 181). In stage two, *norm cascading* occurs when norm promoters adopt the norm and persuade others to do the same. Finally, *norm internalization* occurs when the norm carriers sustain the norm and “consciously or unconsciously take part in reproducing the norm” (p. 181). The final stage is marked by a stability of the norm; therefore, carriers take on a more passive role in the diffusion process. Alongside Norges Bank Investment Management and APG Asset Management, LAMPERS became part of a larger cocoa shareholder transnational advocacy network. LAMPERS was the first group of Hershey shareholders that attempted to socialize the chocolate company into new norms of socially responsible corporate behavior, thereby assuming the role of norm entrepreneurs. Since the signing of the Protocol, the Hershey company had not released the source of its cocoa, making it impossible to prove a supply chain free of WFCL. LAMPERS claimed that the first step to cleaning up the supply chain was to identify the source of the cocoa. LAMPERS was attempting to transform the norms that make it acceptable to conceal cocoa sourcing details into responsible corporate behavior of supply chain transparency.

In the norm internalization stage, the LAMPERS case became a catalyst for change with shareholders taking on the role of norm entrepreneurs. The second stage, norm cascading, occurred with shareholders becoming norm promoters, “supporting norm entrepreneurs through their efforts of socializing additional actors into accepting the norm” (Sjöström, 2010, p.181).

Praxis, a mutual fund company, began working alongside Everence, “a faith-based, member-owned, financial services organization” to assist Hershey shareholders to help change corporate practices (Everence, n.d.). In a 2013 press release, Praxis promoted the shareholder activist role: “Active shareholders play a critical role in helping companies focus on important social, environmental and governance concerns—which is why Praxis and Everence continue to engage chocolate companies on the issue of child labor.” (para. 6). Alongside Sustainalytics, Praxis and Everence became central actors in the larger cocoa STAN. Shareholders and investment companies took on the role of norm promoters as they endeavored to socialize Hershey into accepting new norms: “Praxis has co-led shareholders in working with Hershey—one of the world’s largest chocolatiers—to shape new solutions to this long-standing problem” (para. 3). This press release implies that Hershey was responding positively to shareholder activists and that they were open to change. However, as the Critical TAN points out, the Hershey corporation continually has refused to identify the source of its cocoa, further reinforcing the *untrustworthy and immoral industry* frame (Global Exchange, Green America, ILRF & Oasis, 2010). Research has found that when corporations react to shareholder activists in an affirmative manner, “it is only a symbolic gesture rather than a substantive change in corporate policies” (Rehbein, Logsdon & Van Buren, 2013, p.138). Empirical studies have verified that there is frequently opposition from corporations to investor activists, with corporations resistant to any real change in existing practice (Bloom & Hillman, 2007 & Reid & Toffel, 2009). Sjöström (2010) found that the “norm propagated by shareholders is far from accepted” as most corporations meet shareholder norm entrepreneurs and norm promoters with resistance (p. 186). Indeed, the Hershey corporation reacted to the LAMPERS lawsuit with objection; its lawyers proclaimed



“that courts shouldn’t give ‘licenses for fishing expeditions’ to investors seeking ammunition for suits against companies” (Feeley, 2014).

In 2014, Santo reported in *Blommerg News* that the court granted LAMPERS the right to pursue the Hershey files. The court rejected a magistrate’s report recommending dismissal, “finding that shareholder Louisiana Municipal Police Employees’ Retirement System had presented sufficient facts for the court to infer that some wrongdoing may have occurred” (Santo 2014, para. 1). Hershey released a statement that pointed to a goal for a certification system in place by 2020, illustrating the *responsible corporation* frame. In the court ruling, The Honorable J. Travis Laster responded and invoked the *untrustworthy* frame:

If I call up, you know, my daughter’s school and I say, “Can you confirm for me that there’s no one on the payroll with a criminal record?” and they say to me, “We’re not going to do that now, but we hope to be able to do so in 2020,” I’m going to draw the inference that they can’t do it right now and there’s probably someone at the school with a criminal record (*Louisiana Municipal Police Employee’s Retirement System v. The Hershey Company, Civil Action : No. 7996-ML, p. 8*).

As shareholder and investor activists put continued pressure on Hershey to internalize norms of social responsibility, the Critical and Fair Trade TANs began questioning the authenticity of any Corporate Social Responsibility (CSR) statements made by the cocoa corporation.

**Real Corporate Social Responsibility.** The Hershey Corporation released its first corporate social responsibility report in 2009. In response, Green America, Global Exchange, ILRF and Oasis authored a report entitled “*TIME TO RAISE THE BAR--Hershey: The Real Corporate Responsibility Report.*” This report continued to use the diagnostic frame of low wages to

farmers as the cause of WFCL, and the prognostic frame of the necessity of a living wage. Living wage is defined as “a price that exceeds the costs of production and that allows farmers to meet the basic human needs of their families and workers, including adequate nutrition, shelter, medical care and primary education” (Global Exchange, 2010). Fair Trade was once again identified as way to obtain a living wage. The report invoked the *untrustworthy and immoral corporation* frame, pointing out that cocoa famers “live in poverty, while major chocolate corporations continue to amass large profits,” disclosing that in 2009, CEO David West had a compensation package of \$8,004,029 (p. 5). The *Real Corporate Responsibility* report debunked the claims that the Hershey corporation made in their first CSR report, maintaining that the Hershey company was an “Untrustworthy Corporation” accusing them of “Greenwashing”. They pointed out that although Hershey claims to be socially responsible, no real information is available, and no policies are in place to assist children. (p.19).

The *Real Corporate Responsibility Report* included many documents that the Critical and Fair Trade TANs had used throughout their campaign. The report spoke about the lawsuit filed on behalf of the Malian children and a chocolate “report card.” The report card ranked several chocolate companies on certification progress, and Hershey came in dead last. The *Real Corporate Responsibility Report* made recommendations that Hershey follow the same guidelines as the exemplar Fair Trade companies in the *Commitment to Ethical Cocoa Sourcing: Abolishing Unfair Labor Practices and Addressing Their Root Causes*. The report pointed out that the “Hershey Company is not on the list of signatories” (p. 15). Raise the Bar Hershey! engaged in a campaign of shaming, this time pitting Hershey against its competitors. The report chart included a chart from Sustainalytics which showed Hershey far behind the industry in

terms of “monitoring programs, certified cocoa procurement, disclosure performance and quantitative targets” (p. 13). Citing the Sustainalytics report, the *Real Corporate Responsibility Report*, directed its recommendations to shareholders. The report framed the argument in terms of moral authority and attempted to engender a sense of guilt among shareholders. It critically questioned the structure of a system that profits on the backs of children. A year later, *Still Time to Raise the Bar--2011* was published, continuing to show Hershey as the industry laggard.

Although the campaign to remove the WFCL targeted the entire cocoa industry, changing the practices of Hershey became the focus of the Critical and Fair Trade TANS in the United States. The Raise the Bar Hershey! coalition engaged in an intense campaign of naming and shaming. In addition to releasing the *Real Responsibility Report*, the coalition staged a rally outside of the Hershey store in Times Square, NYC (Raise the Bar Hershey!, 2012) and collected over 100,000 petition signatures (Raise the Bar Hershey!, 2011). Raise the Bar Hershey! threatened to place an ad entitled “Hershey’s Chocolate: Kissed by Child Labor,” outside the Lucas Oil Stadium during the 2012 Super Bowl (ILFR, 2012). The coalition held many public events including those encouraging children to make Fair Trade s’mores in the *We Want More from Our S’mores!* campaign (Global Exchange, 2011).

The Raise the Bar Hershey! coalition also distributed, free of charge, the documentary *Dark Side of Chocolate*. In 2010, Danish journalist Miki Mistrati traveled to West Africa to investigate the cocoa industry. He created the documentary the *Dark Side of Chocolate*, which revealed hidden footage of children being trafficked and beaten in the cocoa industry. The film shames the entire industry, invoking the *untrustworthy and immoral industry* frame. It highlights the power differential between cocoa farmer and multi-national corporations. Press releases

describe the film as one that exposes the hypocrisy of an industry built on a confectionary pleasure for one group that causes undue suffering to another. The film contains common themes that the TAN used throughout their campaigns including eliciting guilt from observers in an effort to spur them to action. The *Dark Side of Chocolate* frames the Protocol as “ineffective” pointing out that the Protocol was signed almost ten years before the filming, yet WFCL still persists. The film challenges hegemonic discourse by questioning a capitalistic system that exploits the poor. A reviewer summed this position by stating: “Another example of slaves in poor countries, making the first-world corporations rich, and powerful to the point of them being untouchable. I’m ashamed of the human race” (Mistrati, M & U. Romano, R (2010). The documentary primarily targets Nestlè, whose executives refused to be interviewed for the film. The *Dark Side of Chocolate* concludes with Mistrati showing the film on a large screen outside of Nestlè’s headquarters in Vevey, Switzerland and the police forcing him to cease showing the movie. Although Nestlè was highlighted throughout the film, the entire cocoa industry is incriminated.

Filmmaker Roberto Romano granted reproduction and distribution rights to Global Exchange one of the founding organizations of the Raise the Bar Hershey! coalition. Global Exchange disseminated the *Dark Side of Chocolate* along with a screening guide and action kit, to organizations as well as thousands of individuals, schools, congregations, and universities. The “screening host toolkit” included suggestions for action. The toolkit requested individuals sign a petition to Hershey that demanded an end to child and forced labor in its supply chain; join the Raise the Bar Hershey! listserv to stay informed about how to help the campaign; pledge to buy Fair Trade certified cocoa products; commit to telling at least five people about the *Dark*

*Side of Chocolate*; distribute an informational flyer about child labor in the cocoa industry; and or donate to Global Exchange's Fair Trade and the Raise the Bar! campaign (Global Exchange, n.d). Raise the Bar Hershey! continued to invoke the *responsible and ethical consumer* and reinforce the identity of "consumer power." Press releases at this time include such titles as: *Consumers fight back: "Brand Jamming" contest to tweak Hershey for child labor abuses; Consumers use smart phone codes in supermarkets to campaign against child labor in Hershey's bars* and *Costumed activists to give Hershey more than 100,000 signatures demanding a commitment to child labor-free cocoa by Halloween*. Consumers were framed as an integral stakeholder in the campaign against WFCL. Whole Foods' decision to drop Hershey's Scharffen Berger Chocolates, highlighted the identity of the power of an ethical consumer (Green America, 2012; Raise the Bar Hershey!, 2012 a). The visibility of consumer power to make change in a market such as Whole Foods lead to increased visibility and additional organizations taking part in the campaign. The Raise the Bar Hershey! coalition added more organizational members including the Teamsters and the Organic Consumer's Organization (ILRF, 2011). The growing campaign continued to point out the flaws in the Protocol, using data from the Final Report from the Payson Center for International Development at Tulane University. As noted in Chapter 3, the final report, released on September 30, 2010, found that "overall, implementation of the Protocol has been uneven and remains incomplete" and "the majority of children exposed to the worst forms of child labor remains unreached by the remediation activities currently in place" (Payson Center, 2010, p. 17). Raise the Bar! linked its campaign to the final report from Payson. In doing so, they increased the *empirical credibility* of the prognostic frame of a *clean supply chain*.

In this third time period, the Raise the Bar Hershey! campaign, alongside other organizations in the transnational advocacy network, framed *motivational urgency* by highlighting that ten years after signing the Protocol, the cocoa industry still utilized child and slave labor. The TANs used the ten- year mark of the Protocol's passage to call for intensified regulation of the industry. The fact that the WFCL still existed after ten years strengthened the *corporate watchdog* frame.

The *CNN Freedom Project* joined the transnational advocacy network, intensifying the corporate watchdog frame and the pressure on the cocoa industry. In 2012, CNN David McKenzie traveled to the Côte D'Ivoire to investigate the Protocol's progress. *Chocolate's Child Slaves* was released on January 9, 2012. The documentary contained many of the frames of the Fair Trade TAN. The documentary questioned the effectiveness of the Protocol, and the effectiveness of the ICI's programs. *Chocolate Child Slaves* pointed to the industry's tendency to highlight the progress made with the ICI. However David McKenzie found that there was no progress found in his investigation, noting that none of the farmers that CNN spoke to said they had ever been reached by the International Cocoa Initiative, the government or chocolate companies about child trafficking (CNN Freedom Project, 2012b para. 14). The documentary employed the *immoral and untrustworthy industry* frame, highlighting the impact of ten years of broken promises upon children in the cocoa fields. "Contrary to the promises of action, CNN's investigation could only find promises. And those promises are empty to children like Abdul and Yacou" (CNN Freedom Project 2012b, para. 33) .

The *10 Campaign* coalition also emerged to redress the failings of the cocoa industry which had not fulfilled its "promises to eliminate the Worst Forms of Child Labour in West

Africa's cocoa sector" (10 Campaign, 2011, p. 1). The *10 Campaign* is a collective of international organizations including: *STOP THE TRAFFIK* (United Kingdom, the Netherlands, Belgium, Australia and Canada); *The International Labor Rights Forum* (United States of America); *Südwind Research Institute* (Germany); *World Vision* (Australia); *The Berne Declaration* (Switzerland); *Stop Child Labour – School is the best place to work* (the Netherlands, Czech Republic, Italy and Denmark); Confédération Syndicale Burkinabé (Burkina Faso); *Fairfood International*; *FNV Bondgenoten* (Netherlands) and various individuals with extensive experience in sustainable cocoa (p. 21). Throughout the briefing document, the familiar frame of the immoral and untrustworthy industry became the most salient, the discourse centering on judgment and motives of the industry. The *10 Campaign* attributed the Protocol's lack of effectiveness to incomplete implementation by the cocoa industry. The *10 Campaign Briefing Document* highlighted *The Framework of Action to Support Implementation of the Harkin-Engel Protocol*, released in 2010. The briefing document noted that the Framework "categorically reaffirms the need to implement the Harkin-Engel Protocol;" however, the notable difference "is that while the 2001 Harkin-Engel Protocol sought to *eliminate* WFCL by 2005, the 2010 Joint Declaration seeks to *reduce* WFCL by 70% by 2020" (p. 11). The *10 Campaign* insisted that the Protocol and ensuing Joint Declaration will not end WFCL and FAL, without a fundamental transformation in the industry. Their outlined plan of action consisted of many of the same recommendations made by the Critical TAN, including product certification, child labor monitoring, farmer training, community sensitization, investment in education and the creation of co-ops. Throughout the briefing, the *10 Campaign* focused on the fact that the Community Action Plan (CAP) programs, created under the auspices of the Protocol, were

underfunded. They cited Payson's report as evidence that the industry needs to substantially increase its contribution to the programs: "In sum, as of 2010 the Industry had spent only 23.8% of the money it would have needed to – just to live up to its own minimal commitments under the Harkin-Engel framework" (p. 11). The campaign called for a mandatory joint fund that would remunerate the ICI (the International Cocoa Initiative) \$75 million needed to cover the CAP projects, plus \$50 million to fulfill the remaining commitments of the Protocol and the 2010 Framework to reduce WFCL by 2020 (p. 5). They challenged prevailing hegemonic discourse of unfettered market and voluntary regulation and instead called for governmental intervention. "Clear and strong legislation is urgently needed as the status quo is simply not acceptable: why should children toil, at the expense of their health, education and sometimes their lives, for an industry so immensely profitable?" (p. 3). The industry would be forced to contribute a "standardized and consistent contribution formula, annually dedicate .001% of all profits" to the joint fund. *The 10 Campaign* emphasized the need to create a "proper regulatory environment" through the creation and enforcement of laws and policies to ensure "human rights abuses in the highly profitable cocoa sector" are not occurring. The frame of *fair globalization* was evident throughout the *10 Campaign* document, as one of the principal goal was a regulatory global framework that protected children and farmers from multinational corporate greed. The cocoa companies continued to sustain the hegemonic belief that voluntary initiatives, as well as improving the farmers' yields, were the foremost solutions to ameliorating the WFCL. The *10 Campaign* came together during a time of substantial increase in corporate commitment to obtain certified cocoa. However, the *10 Campaign* questioned the cocoa industry's motives and subsequent follow-through of stated commitments.



The Raise the Bar, Hershey! coalition also questioned the follow-through of Hershey's new commitment to source certified cocoa: "Thank you, Hershey! Please keep your promise to address child labor in your supply chain" (Raise the Bar Hershey!, n.d. para. 1). In January 2012, Hershey announced that by the end of 2012, the company would independently source certified cocoa for its Bliss and Dagoba lines. In press releases, both the Critical and Fair Trade TANS reinforced the narrative and identity of consumer power: "Hershey responded to consumer pressure with a significant improvement in cocoa sourcing transparency. It's been empowering to watch this group of concerned organizations and individuals use Change.org's tools to fight for changes at the Hershey Company" (Green America, 2012, para. 5). Raise the Bar Hershey! connected intense consumer pressure and their threat to advertise at the Super Bowl as a reason that Hershey began to change its sourcing practices, as the announcement was made just a few days before the ad was scheduled to run. The statement that Hershey would begin to source certified cocoa was welcome. The TANS continued their campaign and put additional pressure on Hershey source 100% Fair Trade and clean up *the entire* supply chain (Raise the Bar Hershey!, 2012). In October 2012, Hershey publicized that it would source 100% certified cocoa by the end of 2020 (Hershey, 2012). Though happy to frame this announcement as a victory, organizers still asserted that the work was far from over: "We also recognize there is much more work to be done to fight child labor and other abuses in the cocoa industry" (ILRF, 2012, para. 6). Raise the Bar Hershey! maintained the *corporate watchdog* frame and encouraged the public to send letters to CEO John Bilbrey and other Hershey executives, inquiring about details of Hershey's certification program. Raise the Bar Hershey! continued to advocate for Fair Trade certification. The coalition, expressing both *motivational urgency and severity*, requested

“an aggressive time line, certifying progressively more cocoa each year, demonstrating by product line and percent of product certified each year” (para 4). Campaign documents and press releases urged Hershey to move as quickly as possible as “eight years is forever in the life of a child” (Raise the Bar Hershey!, 2012, para. 10; *10 Campaign*, 2011). Raise the Bar Hershey! employed the prognostic frame of *clean supply chain* when it asked how and when Hershey would report to the public and inquired if Hershey would provide “complete transparency on how it is meeting its transition goals” (para. 11). Shortly after this latest round of petitions, Hershey answered the call and released a statement about *how* it would reach its proposed benchmarks toward these 2020 goals. On March 21 2013, Hershey released its *21st Century Cocoa Plan*:

Hershey has already committed to source cocoa through three of the world’s most recognized cocoa certifying organizations: UTZ, Fairtrade USA and Rainforest Alliance....The company is on track to source at least 10 percent of its total global cocoa purchases from certified sources in 2013, the first year of its 2020 commitment. Hershey also announced benchmarks for reaching 100 percent by 2020. The company has committed to scaling its certified cocoa purchases at the following rate; At least 10 percent by the end of 2013; 40 to 50 percent by the end of 2016; 100 percent by 2020 (Hershey, 2013c para 5).

Hershey was the last major signatory of the Harkin-Engel Protocol to commit to sourcing certified cocoa. In 2009, Barry Callebaut and Cargill procured UTZ certification, with Cargill creating the first UTZ certified cocoa co-ops in the Côte D’Ivoire (UTZ, 2009). By 2010, Blommer Chocolate, Kraft Foods and Mars were using Rain Forest Alliance Certification (Raise the Bar Hershey! 2011). Green & Black, Cadbury and Nestlé committed to utilizing Fair Trade as a certification for some of their chocolate bars and UTZ certification for the remainder of their

product lines. However, the work of the TANs is far from over. The next stage is now keeping the companies accountable to their promises. For now, the activists are taking a deep breath and then getting back to work: “There isn’t an end to the movement, but if we want to stay engaged we have to celebrate the victories, even as partial as they are when we achieve them.....We have to celebrate our victories when we can and then get up and keep on working” (Global Exchange, 2013 para 19).

## **Chapter 5: Policy Suggestions for Protocol**

From the vantage point of the transnational activists, there are several changes that need to be made in order for the Protocol and the subsequent 2010 Framework to be effective. According to activists, one of the reasons that the Protocol has not achieved its objectives is due to global economic forces. Economic processes have been cited as a main reason for the decoupling of policy from actual practice (Hafner-Burton & Tsutsui, 2005). Abouharb & Cingranelli (2006) suggested that it is essential to examine these “transnational causal forces” when examining the reasons that human rights infractions occur even when treaties and agreements are signed.

### **5.1 Fair Trade as an Alternative to Neoliberal Policy**

One of the most frequent criticisms of the Protocol is that it does not address the economic root causes of WFCL and FAL (Neil, 2011). In the diagnostic frame, the Critical TAN cited that global neoliberal reforms are the reason for the increase in poverty for farmers (ILRF 2008; Global Exchange 2007; Glennon, 2011; Tiffen 2002). The Critical TAN has an empirical basis for their claims, as several studies have linked human rights infractions to neoliberal economic reforms (Abouharb & Cingranelli 2006; Boyle & Kim, 2005; Blowfield, 2003; Hafner-Burton & Tsutsui 2005; Stark 2010). The Critical and Fair Trade TAN promoted Fair Trade as an alternative to neoliberal ideology.

The Critical TAN maintained that using Fair Trade standards can rectify disparities created by dominant hegemonic practices such as free-trade. Indeed the Fair Trade movement evolved to address the structural inequalities caused by free trade practices. Fair Trade began as

a mechanism to assist small-scale farmers in the developing world deal with a market forces beyond their control (Fisher, 2009). It emerged as an alternative development model that emphasizes social justice and sustainability of the environment, in contrast to laissez-faire ideology.

At the onset, the Fair Trade movement critiqued conventional globalization policies, striving to make international trade more equitable (Fisher, 2009). The *fair globalization* frame espoused by the Critical TAN is also critical of globalization policies. The TANs emphasized practices that would tackle the chasm between the poor of the Global South and rich of the Global North. The TANs often express a “collective expression of discontent” in response to a power structure has “appropriated an unfair share of societal status, privilege, wealth or power” to corporations over the farmers (Abramovitz, 2010 p. 216). In order to rectify this disparity, Fair Trade policies emerged with the philosophy that people are more important than the profit margin (Fisher, 2009). The Critical TAN embraced the philosophy of people before profit, enhancing their moral authority over the immoral and untrustworthy cocoa industry. The Critical TAN often cited Fair Trade cocoa companies such as Equal Exchange as exemplar businesses that are attempting to equalize power between producer and corporation. Fair Trade is a “particular type of trading relationship that challenges the norms of global capitalism” (LeMare, 2007 p. 70). The Critical TAN pointed out that the Fair Trade movement seeks to change the balance of power that so often is skewed in the direction of rich agribusinesses and multinational corporations. It attempts to distribute more power to the farmer/ producers and the consumers with less power given to the larger companies (LeMare, 2007).

Fair Trade has evolved in order to provide certain farmers with a way to equalize interactions with corporations, and give farmers an alternative to multinational corporations (Fisher, 2009). The Critical TAN highlighted the ability for Fair Trade to challenge an unjust international capitalist system, while the Fair Trade TAN focused on Fair Trade as an avenue to assist producers in the global economy. For the critical TANS, the Fair Trade movement began as a development program from the outside, and it has in turn begun to empower the farmers to advocate and create their own workers' movement (Equal Exchange, 2004). For those more in the middle of the ideological spectrum, such as the Fair Trade TANS, Fair Trade is a way not to challenge or overturn global capitalism, but correct its excesses (Haight, 2001).

### **5.1.2 Fair Trade Standards to Increase the Protocol's Effectiveness**

Fairtrade Labeling Organizations International (FLO) establishes Fair Trade standards. It uses "a multi-stakeholder process involving producers, workers, mission-based companies, conventional traders, Labeling Initiatives (like TransFair USA), and independent consultants specializing in Fair Trade and labor issues" (Transfair USA, 2004). FLO is responsible for monitoring the standards of Fair Trade throughout the supply chain to ensure the integrity of the Fair Trade label. Farmers must adhere to certain standards and recommendations in order to obtain Fair Trade certification from one of the members of FLO.

The Final Payson Center Report (2011) recommended using FLO Fair Trade standards and certification as a way to combat WFCL and increase the Protocol's effectiveness. The TANS used the Payson report to enhance *empirical credibility*, substantiating the efficacy of using Fair Trade standards. The TANS highlighted the potential benefit of using Fair Trade standards and pointed out that the Payson report illustrated the benefits that Fair Trade has on the community.

The Payson report (2011) states that “FLO’s approach encourages producer organizations to address the root causes of the underlying development problems in the community and work with members, including children, to resolve them.” (p 57).

**Worker-Based Cooperatives.** Fair Trade certification policies require the formation of worker-based cooperatives, leading to the stated “mechanism of internal collective democracy.” Co-ops are established to serve individual needs as opposed to maximizing profit (Hazen, 2010). Often co-ops can be seen as having a “triple bottom line,” with goals to maximize sustainability of the environment, social development as well as economic growth (Carroll & Buchholtz, 2006). The Critical TAN highlighted the benefits of co-ops and the ability of co-ops to transfer power to the farmer. Co-ops have shared membership of the organization, creating more mutual responsibility and accountability than traditionally owned companies. The “member-owners” answer to each other as opposed to stockholders, which reduces the risk to “fraudulent, deceptive and damaging behavior.” (Hazen, 2010). The Critical and Fair Trade TAN used co-ops as an exemplar way of doing business, one that does not profit off the backs of children. *The Commitment to Ethical Cocoa Sourcing* policy highlighted co-ops and companies, such as Equal Exchange and the Divine Chocolate Company that were truly socially responsible. The TANS often used this policy to counter-frame the *responsible business* claims made by the multinational cocoa corporations. The Critical TAN challenged the hegemonic belief that business must be only concerned with profit, and offered an alternative in the cooperative structure. From Equal Exchange (2004):

A worker cooperative is an alternative for-profit structure based upon standard democratic principles. It is not designed to maximize profits, nor returns to investors, but rather to bring to the

workplace many of the rights and responsibilities that we hold as citizens in our communities. These principles include one-person/one-vote equality; open access to information (i.e., open-book management); free speech; and the equitable distribution of resources (such as income.) (para 4.)

**Guarantee a Living Wage.** As noted previously, the Fair Trade and Critical TAN continuously pointed out that farmers required a living wage to lift them out of poverty. The TANs cited the fact that Fair Trade producers receive a higher price for their crops, but in return they must not use forced or child labor (Blowfield 2003). Fair Trade certification prohibits the use of child and slave labor, and proponents argue that Fair Trade reduces the need for child labor due to above market sales (Salaam-Blyther et al, 2005). The Fair Trade and Critical TAN were proponents of Fair Trade certification in comparison to other third party certification schemes such as UTZ certified and Rainforest certification. The minimum price that a Fair Trade farmer receives is \$2300 per metric ton for organic cocoa and \$2000 for non-organic cocoa (Fair Trade International, 2010). If this is below the current market price, the Fair Trade premium adds \$200 per metric ton (\$300 for organic) to the average world farm-gate prices. (Fair Trade International, 2010). In comparison, In 2012, Fair trade certified cocoa had a guaranteed premium of \$200 US dollars per Metric Ton (MT) versus UTZ, certification that received \$151 per MT (Nieburg, 2013). In the *fair globalization* frame, the Critical TAN advocated for international industry regulation of pricing in contrast to the prevailing practice of an unregulated market. Researchers agree with the TANs that if the farm-gate price of cocoa went up, more cocoa farmers would rise above poverty (Salaam-Blyther et al, 2005; ILO, 2008; ILRF, 2010 b). The need for child labor would substantially decrease if the revenue increased for the farmers in



the way that profits have soared for the cocoa corporations (Salaam-Blyther et al, 2005; ILRF, 2010 a).

**Reinvestment in the Community.** Throughout the campaign, the Critical and Fair Trade TANs maintained that it was possible to create a new reality for cocoa farmer. The new reality consists of a solid infrastructure and development projects that could eventually benefit the entire community. In accordance with Fair Trade guidelines, farmers are required to invest a part of their profits into the community (Tiffen, 2002). The Critical and Fair Trade TANs point to the fact that the policies advocated by Fair Trade not only reduce the incidence of child and forced labor, but create communities where children may have a chance to thrive. Fair Trade has been linked to increased food consumption, lower child mortality rates and better living conditions (Becchetti & Constantino, 2008). It has been shown to bring in a higher income, have positive impacts on women (Imhof & Lee, 2007), create more sustainable livelihoods, and create a greater capacity to organize (Utting, 2008). The greater ability for community reinvestment will lift the entire community to a better standard of living (Ruben, 2008).

**Transparent and Clean Supply Chain.** When the TANs invoked the *clean supply chain* frame, they emphasized that Fair Trade certification was a way to achieve transparency. The TANs cited Fair trade standards that promote transparency of the trade process, making certain good working conditions, environmental care, social policies and fair wages exist throughout the supply chain. The Fair Trade system is able to provide third-party verification of the absence of child labor with the cocoa producers that are certified “Fair Trade.” The diagnostic frame of a *transparent supply chain* was one of the tenets of the Critical TANs campaign. In their prognostic frame, the Critical and Fair Trade TAN cited Fair Trade as a way to ensure supply

chain is free is of WFCL. One of the tenets of Fair Trade is a shortened supply chain. Below is a comparison of the Fair Trade supply chain compared to a conventional supply chain:

### **Fair Trade**

Producer/ farmer → Fair Trade distributor→ Store or cafe→ Consumer

### **Conventional Supply Chain**

Producer/farmer→Middleman/ buyer→Processor→Exporter→US Broker→  
Multinational corporation→Distributor→Store or Cafe→Consumer

(Green America, n.d.)

In traditional supply chains, such as those of Mars, Nestlé and Hershey, the farmer receives an average of 3% of the chocolate profits as opposed to 20% in a Fair Trade supply chain (People and Planet, n.d.) . The Fair Trade and Critical TAN pointed out that Fair Trade cocoa has a shorter supply chain and the shorter the chain, the higher the profit for the farmer/producers. This means they are less likely they to turn to illegal activity such as forced or child labor (Tiffen, 2002).

Farberman (1975) identified the fact that a longer supply chain can lead to an increase in illegal activity was identified by. He determined that a “criminogenic market structure” exists when those in power design a framework in which workers at the “lower level” are forced to resort to illegal means in order to make a profit and survive (p 438). He found that those who are more powerful determine policy “which creates a market structure that causes lower level dependent industry participants to engage in patterns of illegal activity.’ (p 456). The final Payson report (2011) confirmed the findings of Farberman (1975); namely, the longer the supply chain, the more difficult it is to trace and to guarantee labor standards are met. The 2011 Payson

report found that when companies create shorter supply chains and better supply chain traceability, it is easier to “enable the enforcement of standards at the producer level,” this “is a requirement of product certification” (p.17).

## **5.2 Application of Fair Trade Policies in Ghana & Côte D’Ivoire.**

### **5.2.1 The Divine Chocolate Company in Ghana**

The TANs advocated using the tenets of Fair Trade standards as outlined above. The TANs countering the early claims of the cocoa industry that Fair Trade could only be successful in a developed environment with proper infrastructure by pointing *Divine Chocolate Company* as an exemplar Fair Trade company in Ghana. *Divine Chocolate* is actually creating solid infrastructure, leading to positive development for the community.

In 1993, when Ghana’s government liberalized the cocoa industry, a group of farmers led by Nana Frimpong Abrebrese began a Fair Trade co-op called Kuapa Kokoo, which means “good cocoa farming.” There was a need to build a “small farmers’ response to liberalization” (Tiffen, 2002). Kuapa Kokoo’s vision is “to become a leading, caring, efficient and the most globally recognized cooperative in cocoa production and marketing” with its mission to be “able to mobilize quality cocoa and cocoa products to improve the members’ livelihoods and satisfy customers” (Divine Chocolate, n.d.). This Fair Trade co-op invests premiums into schools and helps with the development of the children in their villages. Owner/ producers have set up internal controls and monitoring systems in order ensure that they are in compliance with Fair Trade certification systems. Kuapa Kokoo is the only farmers’ organization in the world with a majority equity stake in a chocolate brand, Divine Chocolate, Ltd (UK) and Divine Chocolate,

Inc (USA). “Farmers work with dedicated professionals to run the 5th largest trading operation in Ghana in direct competition with multi-national corporations” (Kuapa Kokoo, n.d.).

### **5.2.2 Kavokiva and *ECOOKIM* in the Côte D’Ivoire**

*Kavokiva* operates in the Daloa, a region of the Côte D’Ivoire, with little to no infrastructure including no electricity, little healthcare, and an illiteracy rate as high as 95%. (Fair Trade International, 2012) . Kavokia’s mission includes “improving the social and economic position of its members by supporting the production and marketing of their cocoa and coffee” (para 4). Kavokiva is viewed as on “of the leading cooperative in Côte d’Ivoire and is a source of inspiration and motivation for many cooperatives that want to join Fairtrade” (para 7). In 2004, Kavokiva became Fair Trade certified and began investing its premiums into healthcare, education and child protection. Projects in Daloa funded by Fair Trade premiums include the construction of a health center, the purchase of an ambulance, free health insurance with affordable medicines for all members, as well as the distribution of school fees, and building temporary classrooms for children who have no access to schools.

In 2011 farmers from the Côte D’Ivoire, came together to work with *ECOOKIM*, an organization that acts a a local buyer for their Fair Trade cocoa. ECOOKIM works with the micro- financing organizations, *Alterfin, Fefisol, ResponsAbility, Shared Interest, and Advans* which allows smallholder farmers to access finance for the first time (ECCOKIM, n.d.). ECCOKIM has assisted the community by providing: farm equipment, training in agricultural techniques for quality control, and training in business management and the philosophy of the cooperative movement (para.6). The social premium has been spent on construction of a school,

assisting members with the cost of healthcare, transporting members to a hospital as well as support for funeral costs (para.7). According to members of ECCOKIM, the “Fair Trade market represents real hope for the business and organizational development of member co-operatives and the economic development of their communities” (para 20).

Kuapa Kokoo, Kavokiva and ECOOKIM all use an alternative trade model that attempts to distribute more power to the farmer/ producers with less power given to the companies (LeMare, 2007). This is evident in Divine Chocolate’s company statement: “We are proud of our democratic character and how this irrevocably changes the traditional relationship between farmer and buyer” (Kuapa Kokoo’s statement on hazardous labor, p 2). The Fair Trade system has given the co-ops an alternative to dealing with large corporations such as Nestlé and Conagra (Fisher, 2009). There is a democratic organization of labor in the co-ops, allowing them to become more empowered and self-reliant. The industry’s position at the onset of the campaign was that Fair Trade is not a viable option for small farmers. The TANs counter-framed this argument and cited the recommendations for Fair Trade from the final Payson report (2011) and pointed out the success of co-ops in Ghana and Côte D’Ivoire.

### **5.3 Beyond Fair Trade Standards**

#### **5.3.1 Increase the Number and Funding of Organizations Combatting WFCL**

This recommendation was highlighted by the *10 Campaign* and the final Payson Center report. The prognostic frame of the Critical TAN suggested that the International Cocoa Initiative, created under the auspices of the Protocol, needs to be fully funded.

The final Payson Center report found that although the Protocol was far from achieving its objectives, it was a “catalyst for action,” citing the creation of the International Cocoa Initiative (ICI) (p.7). However, by 2010, the ICI had only covered 2.29% of the cocoa producers in the Côte d’Ivoire and 3% of cocoa growers in Ghana (Payson Center, 2011 p. 18). The ICI and the government of Ghana have made substantial progress in the last year; but the final report states “to date, industry and the government of Ghana would still have to reach an estimated 3,463 (69.26%) cocoa growing communities with remediation activities in Ghana. In Côte d’Ivoire, industry and the government would still have to reach an estimated 3,608 communities (96.21%) with remediation activities” (Payson Center, 2011 p. 33).

As stated in Chapter 4, policy recommendations from the Critical TAN include using revenue from the cocoa industry to help fund organizations that are working on the ground to combat WFCL. The TAN’s position is that the investment in the ICI is less than what is necessary to make change and diffuse human rights norms. The Critical TAN cited the Payson report as a way to increase the empirical credibility of the claim that an increased amount in funding is the key to combat child labor (Payson, 2010). From 2001-2009, Ghana and the Côte d’Ivoire received only \$4.3 million and \$1.2 million from the industry while governments provided four times those amounts (Payson Center, 2010). In the *immoral and untrustworthy industry* frame, the TANs pointed out that “big manufacturers are capturing the vast majority of profits from the nearly \$100 billion global chocolate industry” (Stone, 2014). International NGOs and labor-rights involved in the TAN assert that the industry has an obligation to reinvest some of these profits to fund the NGOs and organizations created by the ICI that are fighting child trafficking and slave labor (ILRF, 2010 b). The suggestion to improve the impact of the

Protocol by increasing funding to NGOs in West Africa has the support of Representative Engel. He has said publicly that “if we are to make real progress in eliminating the worst forms of child labor and forced labor in the cocoa industry, I believe that the ICI must now substantially scale up its efforts in both Ghana and Côte d’Ivoire.” (Engel, 2008).

The prognostic frame of increasing funding and the amount of NGOs is supported by academic research. Hafner-Burton & Tsutsui (2005) conducted a statistical analysis on governmental repression that occurred between 1976 and 1999. Hafner-Burton & Tsutsui (2005) found a gap between formal treaty ratification and practice. States formalize their commitments to human rights policies even as they continue to violate human rights. A process is then set in motion that “paradoxically” gives NGOs, INGOs and civil society the power to exert pressure to conform on norm-violating states. The findings suggest that signing treaties is an “empty promise” that does not lead to the practice of supporting human rights; rather, it is the linkage to civil society that leads to increased human rights protection. This linkage to civil society organizations, NGOs and INGOs occurs precisely because the treaty is signed. Hafner-Burton & Tsutsui’s concluded the “norms that are codified in these treaties are spread through INGOs strategically leverage the human rights legal regime to pressure governments to change their human rights behavior” (p 1399). Boyle & Kim (2009) also found that the increase in Child Right’s NGOs increased the amount of positive outcomes for children’s rights.

The linkage to NGOs has been well documented not only for the nation-state, but also in the case of corporate compliance with human rights policies. Emerging social movement dynamics embed corporations in a field of social justice action that was once only reserved for governments. Corporations are increasingly the focus of campaigns to diffuse human rights

norms codified in policy. McAteer & Pulver (2009) discovered that “local activists [who] link with domestic and international NGOs and other groups to exert leverage over corporate behavior” (p.25). Throughout the cocoa campaign, the linkage between West African NGOs and transnational advocacy networks pressured the cocoa corporations to abide by the Protocol’s terms. The TANs lobbied for increased funding for the NGOs. There is some indication that the architects of the Protocol heeded this recommendation when they created the 2010 Framework of Action. The industry was included as a financial partner, who was “committed to provide new financial support for new or expanded interventions” (The Framework of Joint Action Supporting Implementation of the Harkin-Engel Protocol, 2010 p. 2). Section six of the Framework reads “The international chocolate and cocoa industry commits 7 million dollars over 5 years, and further pledges to explore the possibility to committing an additional 3 million dollars for remediation activities” (The Framework of Joint Action Supporting Implementation of the Harkin-Engel Protocol, 2010). The *10 Campaign* notes this is a positive step forward since in the original Protocol there was no mention of financial obligations on the part of the industry. However, the TAN maintains that the seven million dollars over the course of five years will not be enough to fully fund the Protocol and Framework’s objectives. As noted in Chapter 4, the recommendation from the *10 Campaign* is a mandatory fund where the cocoa industry contributes 001% of all profits (See Appendix F).

### **5.3.2 Mandate and Monitor the Protocol; Provide Enforcement Mechanisms**

The *10 Campaign* and Critical TAN highlight the fact that the Protocol does not require corporations to participate, and there are no legal ramifications for non-compliance. The injustice



of protecting corporation's rights and leaving human rights to an system of voluntary agreements is highlighted in the *fair globalization* frame: "A fundamental inequity is at work when commercial interests and property rights are protected by enforceable agreements, while adherence to internationally recognized human rights norms remains largely voluntary" (Collingsworth, 2002). According to the *untrustworthy and immoral industry* frame, this leads to a situation where the industry continues "benefiting from slave and forced labor by simply paying lip service the issue while putting the blame for the situation on other factors" (Dahan & Gittens, 2010 p. 244). The *10 Campaign* and the larger Critical TAN suggest that participation in the Protocol should be made mandatory for any manufacturer that imports cocoa from West Africa. If the Protocol was a legal requirement for cocoa manufactures, victims of WFCL or FAL could hold a corporation "liable for importing, trading or processing cocoa which was supplied by the victim" (10 Campaign, 2011 p. 4). As noted in Chapter 4, the ILRF has filed a lawsuit on behalf of Malawian trafficked victims', however, this lawsuits cites legislation outside the purview of the Protocol, which has no enforcement mechanisms.

The Critical and Fair Trade TAN have framed themselves as being a *corporate watchdog*, and they extend this frame to include the need for outside third party monitoring. In contrast to industry monitoring the Protocol, the TAN recommended third party farm audits that would provide independent verification of the absence of WFCL and FAL at the primary production level (10 Campaign, 2011). There has been a proposal from the ILFR that the International Labor Organization (ILO) conduct the third party audits and monitor the Protocol's progress.

Historically, the ILO's ability to take on multi-national corporations has been weak. The ILRF (2008) has identified a few cases to illustrate the ILO's lack of power in previous

circumstances. In 1975, the UN created the Commission on Transnational Corporations with the mission to enforce accountability and create a code for multi-national corporations. The codes would have “acted as early correctors of the forced child labor problem in cocoa production” (p 9). In the 1980s, the Commission had no funds, and under strong pressure from the U.S., dismantled. In a similar situation, U.S. lobbyists put pressure on the U.S. government to withdraw support from the UN conference on Trade and Development (UNCTAD), which would have established “sensible development-oriented policies for the trade in commodities”(ILRF, 2008 p. 9). Without U.S. support, the UNCTAD subsequently failed. In the *Fair Globalization* frame, the Critical TAN point to cases such as the UNCTAD as an illustration of the unilateral power that corporate lobbyists have upon the trade policies of the world lead to an unequal trading relationships. The Critical TAN challenge the prevailing hegemony by recommending regulation of the industry. The industry countered this frame in the *responsible cocoa* frame, where they promoted the hegemonic belief that industry regulation is effective.

Although policy makers have been unable to pass binding legislation in the cocoa industry, they have moved forward in creating a governance structure to monitor the 2010 Framework of Action. The Child Labor Cocoa Coordinating Group (CLCCG) was created in order monitor and evaluate the Framework of Action’s progress. In 2012, the U.S. Department of Labor contracted the Payson Center to continue its monitoring of the Protocol’s progress by serving as an investigative agent to the CLCCG (Payson, 2012).

### 5.3.3 Enforce current Tariffs and Trade Laws

The Critical TAN has suggested that a way to increase the Protocol's effectiveness is to enforce existing trade agreements that prohibit the worst forms of child labor. The option of discontinuing trade often comes up in the academic literature. It is discounted for widespread concern that discontinuing trade with West African countries will increase poverty, and cause an increase in child labor and trafficking (Salaam-Blyther et al, 2005; ILRF, 2008). In the *Fair Globalization* frame, the Critical TAN utilized trade law to illustrate the failings of the U.S. to hold multi-national corporations accountable for human rights infractions. As mentioned in Chapter 4, the ILRF filed a lawsuit against the U.S. Customs Service to oblige the industry to enforce the 1930 Tariff Act as amended (Salaam-Blyther et al, 2005) The Tariff of 1930 was amended in 2000 to prohibit the import of goods made with "forced or indentured child labor" (Salaam-Blyther et al, 2005) The Critical TAN cited the Tariff of 1930 as amended in the lawsuit to require "cocoa importers to show that their imports are not the product of forced child labor" (Global Exchange, 2005). Section 307 of the Tariff Act of 1930 was amended in 2000 to "explicitly state that the statute applied to goods made with forced or indentured child labor" (Public Law 106-200 in Salaam-Blyther et al, 2005).

In the 2004 lawsuit, the Critical TAN challenged the hegemonic idea that unfettered free trade is beneficial for all parties, pointing out the power differential that occurs between multi-nationals and slave-laborers. Although the lawsuit was dismissed, the Critical TAN continues to cite this case to highlight the need to challenge the current rules of the WTO. Changing the rules of the WTO to include human rights protection requires a redefinition and reframing of the current policies of globalization and trade. As highlighted in Chapter 4, the Critical TAN's

criticisms of the Protocol, are embedded in a larger conversation concerning international trade laws that do not have mandated human rights protections. The ILRF has claimed that they lack a “viable tool to enforce labor rights directly” (Collingsworth, 2002). Alternatively, the ILRF employs “traditional methods of research, reporting, policy development and persuasion to advance the rights and interests of workers” (Collingsworth, 2002). This translates into a continued campaign to improve the Protocol so that the workers in the cocoa fields are protected from human rights infractions. In the *fair globalization* frame, human rights protections should become a normative aspect of trade policy development and implementation.

The cocoa industry had its own diagnosis of the child labor issue as well as policy prescriptions based upon its frames.

## Chapter 6: The Framing Practices Employed by Cocoa Corporations

### 6.1 Period 1 (2001-2004)

The industry's initial reaction to the reports of child and slave labor was to downplay the extent of the problem and deny the reports from the BBC and Knight Ridder papers. A press release from the Biscuit, Cake, Chocolate and Confectionery Alliance (BCCCA) stated: "We do not believe that the farms visited by the programme are in the least representative of cocoa farming in the Ivory Coast, although the claims cannot be ignored" (BBC, 2001). According to Larry Graham, president of both the National Confectioners Association and the Chocolate Manufacturers Association of Vienna; "Everyone we have talked to in the country who has worked there years and years has never seen this practice" (Chatterjee & Raghavan, 2001, para. 14). In interviews with the media, the cocoa industry asserted that it had absolutely no knowledge of any forced labor practices that have occurred on the cocoa farms (Fernandez, 2001). Nestlé stated "We are confident that while illegal practices may exist they are limited in scale and confined to particular areas" (Jeffery & Stafford, 2001, para. 2). Mars declared that any forced labor in cocoa production in the Côte D'Ivoire "was probably only in isolated pockets" (Jeffery & Stafford, 2001, para. 3).

The debate continued throughout early 2001, and the industry began to acknowledge the possibility of a problem. Cocoa companies initially framed the problem in terms of the Ivorian government's obligation to enforce existing laws and to take action for what was occurring in the cocoa fields. According to the BCCCA, its representatives made regular trips to the Ivory Coast. The *governmental obligation* frame asserted that the industry should not be accountable for the

lack of West African governmental law enforcement. This also marks the first time that the industry used the *lack of control* frame, asserting that it could not control the supply chain. According to Willy Geraerts, director of corporate quality for Barry Callebaut, “When the cocoa comes to us, it is such a long chain, and before it gets to us, controlled by middlemen along the way. I don’t think that any company today... can give this guarantee” (Raghavan & Chatterjee, 2001d). The industry denied knowledge of any slavery practices and asserted that it was impossible to know about practices on small cocoa farms (Lobe, 2001, p. 2; Philadelphia Inquirer, 2001). This is consistent with reactions in other industries accused of engaging in unethical business practices, particularly in the garment industry. The initial strategy of an industry accused of wrongdoing along the supply chain is to reject claims that it bears “any direct responsibility for conditions and practices in the factories” that are so far away from corporate headquarters (Waller & Conaway, 2011, p. 93).

A few weeks after the report by Chatterjee & Raghavan, the cocoa industry began to acknowledge the problem, although it maintained that the extent of the problem was not known (Dahan & Gittens, 2010). The industry began frame itself as a responsible industry. I have called this frame the *responsible cocoa* frame. This concurs with Dahan & Gitten’s findings of the *responsible business* frame. The industry stated; “If any evidence of these abhorrent practices is revealed, we will inform the appropriate authorities and insist they take the necessary preventative action” (Chatterjee & Raghavan, 2001 para. 15). The cocoa companies stressed that they were not the cause of the problem itself; rather they were framing themselves as responsible corporate citizens for contacting authorities. In fact, the industry’s first reaction was to identify the other stakeholders who *were* responsible for child labor. The initial diagnostic frame was that

a corrupt Ivorian government and immoral, unskilled farmers caused child labor. This provided the counter- frame to the TANs, who diagnosed the cause of WFCL as low cocoa prices (Chatterjee & Raghavan, 2001; Dahan & Gittens, 2010).

The cocoa industry's discursive practices downplayed the severity of the problem, calling it an "unacceptable labor practice" (Toler, & Schweisguth, 2003) in contrast to "slavery." When reports framed problem the as "child slavery," the industry counter-framed the issue as a "family tradition" of "child work." They maintained that this work was essential to the development of rural communities, accusing activists of overreacting to what is a "normal practice" (Cowell, 2002; Chocolate Manufacturers Association, 2001). According to the National Confectioner's Association (2001), "In West Africa... children help out on the family farm, much as they do in many other countries, for many other crops. The involvement of younger family members in farming tasks is one of the first steps in transitioning responsibility for the family farm, years later" (n.d., para. 6).

In reaction to the rider on HR 2330, the industry maintained that certifying cocoa would only punish the farmers in Western Africa and push them further into poverty (Off, 2006). Susan Smith, a spokesperson for the Chocolate Manufacturers Association (CMA) stated that labeling "would hurt the people it is intended to help". As mentioned in Chapter 1, the industry hired Bob Dole (R-KS) and George Mitchell (D-ME) in a lobbying effort to remove this rider. As a compromise, the industry agreed to a multi-sectoral approach to solving the problem of child labor in the cocoa fields.

In a June 2001 press release, the CMA invoked the frame of the *responsible cocoa* industry, asserting they already had programs on the ground to help farmers. The "Sustainable

Cocoa Program” was designed to “help farmers use better tree crop practices and generate much-needed income.” The CMA launched an “initiative to address West African labor issues.” According to the CMA, the investigation was designed to ascertain the extent of the child labor issue and it was “prompted by a British television report raising the issue of child trafficking in West Africa” (para. 4). The industry announced that it would “significantly fund” a study to ascertain the problem’s magnitude. This is an interesting framing of the issue as the industry was not really prompted to action by the BBC report; rather, it was from the threat of labeling legislation, as evidenced by the early 2001 press releases. It is also noteworthy that the majority of the funding for the ITTA report came from the United States Department of Labor (Off, 2006).

Representatives from the cocoa industry signed the Harkin-Engel Protocol on September 19, 2001. Continuing the frame of responsible *cocoa*, the National Confectioner’s Association (2001) stated “the industry is committed on a long-term basis, beyond the Protocol, to responsible cocoa farming” (para. 5). The cocoa industry used the Protocol to increase the narrative fidelity of the *responsible cocoa* frame, asserting that the collaboration was an indication of the willingness to work well with other stakeholders (Dochat, 2006). The cocoa companies highlighted the voluntary nature of the Protocol to increase the resonance of the frame by *engendering a positive response* to the companies. The cocoa companies used the signing of the Protocol as a marketing tool to illustrate its commitment to the children of the cocoa fields (Off, 2006). The Protocol also *strengthened hegemony*, highlighting the fact that there is no need for governmental regulation, that the industry was able to regulate itself. One way that those in power garner support for their policies is to frame in a way that “skillfully draws from the



dominant symbolic repertoire” (Maney et al, pg. 6). In this case, the cocoa industry tapped into the collection of hegemonic beliefs in the market and a corporation’s ability to regulate on their own. The cocoa industry was then able to use hegemony to increase the resonance of the *responsible cocoa* frame; the industry was caring and committed enough to solve the issue without governmental interference.

The diagnostic component of the *responsible cocoa* frame maintains that in contrast to the TAN’s frame that low prices are the core reason for forced labor, many factors contribute to low cocoa prices. In reaction to the letter from Global Exchange requesting that Mars source Fair Trade cocoa, the corporation reinforced that “unacceptable labor practices are not simply a function of low cocoa prices, but are the results of a complex set of factors facing the populations of West Africa” (Toler & Schweisguth, 2003,). The industry cited factors such as HIV/AIDS, malaria and lack of infrastructure that impacts such basic needs as clean drinking water (National Confectioner’s Association, n.d.).

In 2002, the International Institute of Tropical Agriculture (IITA) was commissioned by the U.S. Government and ILO to conduct a comprehensive survey of conditions in the cocoa fields. Contributing to the *responsible cocoa* frame, the cocoa manufacturers continued to highlighted the fact that they were funding the study (Dochat, 2001). As summarized in Chapter 1, human rights activists use the statistics from this report to prove the extent of the problem of child labor in the cocoa industry, often citing the statistic that 284,000 children were working in the cocoa fields. However, since the IITA report found lower numbers, than those in the initial media reports, the cocoa industry used the same information to show that the BBC and Knight Ridder reports were exaggerated. Enza Tedesco, a reporter for *Dow Jones* reported in her article

“Sigh of Relief for Chocolate” that “some market participants say they are completely exonerated” (Off, 2006, p. 153).

There is an interesting contrast in which the TANS used the IITA report to boost the *empirical credibility* of their frame by citing the sheer numbers found, while the cocoa industry used that same report to boost its *empirical credibility* by stating that the same IITA report “found that the vast majority of farmers are honest, farming cocoa responsibly.” (Chocolate Manufacturers Association, 2005, p. 9). Although the industry originally lauded the fact that it “significantly funded” the IITA study on its own initiative, manufacturers also pointed out that the study’s credibility was due to the fact that it was funded by “multiple stakeholders” (Chocolate Manufacturers Association, 2002). The industry stated that most farms were not engaging in WFCL as a counter-frame to the *motivational severity* posited by the TANS, who used the numbers of the IITA report to stress the severity of the situation. The TANS also used the IITA report to create *motivational urgency*; there was an urgent need for a response. Larry Graham, the president of the National Confectioners’ Association, countered by claiming that laws were in place to end child labor and that the Ivorian government was “tightening the country’s borders and repatriating hundreds of under-aged workers” (Dahan & Gittens 2010, p 241).

The industry acknowledged that the IITA report “did find other areas of concern issues with safe working practices, use of pesticides, children attending school vs. working on their family farm.” Taking direction from this report, the cocoa industry diagnostically framed one of the reasons for child labor as a lack of access to education. Falling back on the *governmental obligation* frame, the industry reinforced the fact that child labor resulted from failure of

Western African governments to provide adequate infrastructure. In an interview a cocoa industry representative stated, “The fact that the kids don’t go to school is not because they’re being kept at home working. It’s because they have no schools” (Off, 2006 p. 153).

After the signing of the Protocol and press releases about the IITA report, the industry began to release statements highlighting pilot programs created to “strengthen cocoa farming communities” while addressing labor issues. A November 2002 press release reported that the programs would “reach tens of thousands of farming families” (Chocolate Manufacturers’ Association, 2002, para. 1).

It is interesting to note that during this first time period, I did not find any press releases from individual cocoa companies. Comments were found in interviews with the media, and press releases came from the World Cocoa Foundation (WCF), Chocolate Manufacturers’ Association (CMA), and National Confectioner’s Association (NCA). Other statements were found in the TAN’s press releases, such as the response to the Global Exchange letter. Off (2006) found a similar result; the cocoa companies preferred to defer all comments to the trade organizations and representatives (p. 155).

## **6.2 Period 2 (2005-2009)**

As the first deadline for the Protocol approached, the industry began to release statements that it was “firmly committed” to meeting the Protocol’s deadlines, asserting that “efforts are moving ahead to ensure cocoa is grown responsibly, including completing development of certification standards for cocoa farming labor practices” (Chocolate Manufacturers’ Association, 2005, para. 1). In February 2005, the CMA released a statement of its plan to reach

the July 2005 deadline, citing examples of progress, including a large-scale test of a cocoa farm labor monitoring program; an ILO-directed program to identify and help at-risk children on cocoa farms; a program to boost farm family incomes and promote responsible labor practices. In addition, they discussed efforts to develop cocoa farmer cooperatives in the region and improve access to vocational education in cocoa farming villages. The CMA also highlighted the creation of the International Cocoa Initiative, a joint project of all stakeholders committed to rectifying the WFCL. As noted in Chapter 4, the Critical TAN claimed that the ICI's programs on the ground lacked any real impact; however, the cocoa industry cited its involvement in the ICI to increase the credibility of its responsible cocoa plan. This was the beginning of the industry's attempt to show its help to farmers in the field. Manufacturers were framing themselves as not only *responsible* but also *collaborative*. Statements appeared that highlighted industry partnerships and the positive role the connections had in the lives of the cocoa farmers. In an interview with Forbes (2006), Peter Brabeck-Letmathe, the CEO of Nestlé, highlighted the positive impact Nestlé, had on the farmers and possible deleterious effects if it stopped buying cocoa (Orr, 2006).

This second time period saw the industry continually responding to and counter-framing allegations of the *immoral industry* frame put forth by Senator Harkin and Representative Engel, as well as the TANs. When other stakeholders accused the industry of failing to remove children from abusive settings, the CMA (2005) counter-framed themselves as the *responsible cocoa* who “have repeatedly asked for information on these and any child who might be in an abusive labor situation” (para. 10). Similar to when the allegations of forced child labor first emerged in period one, the industry denied any knowledge knew of abusive practices. According

to the press release from CMA, no individuals had come forward with reliable details of child abuse and reports “remain little more than anecdotes” (para. 12). They reinforced that they were indeed a responsible and caring industry (CMA, 2005).

Senator Harkin and Representative Engel were not convinced that the industry was anything close to responsible. On February 14 2005, the senator and representative released a statement that discouraged Americans from buying chocolate on Valentine’s Day because “the chocolate you buy this Valentine’s Day for your loved ones is probably made with cocoa picked by child slaves in West Africa” (Engel & Harkin, 2005). Representative Engel stated, in an interview with NPR, that in a meeting with his and Senator Harkin’s staff, the industry had reported its inability to meet the deadlines. Representative Engel said “legislation might be needed to end this evil practice once and for all,” invoking the frame of the *immoral industry* (Stasio, 2005). In response to these allegations, Susan Smith of the CMA asserted that she was “puzzled and surprised by [Engel’s] statements” and that the industry has complied with all deadlines (Stasio, 2005, para. 18). She reiterated the steps that were taken to comply with the 2005 deadline. When confronted with Engel’s assertion that the industry was trying to pass off pilot programs as industry-wide programs, Susan Smith reiterated that the industry was meeting the deadline and was “committed to the children of West Africa and ensuring they are not harmed.” Throughout the interview, Susan Smith reinforced the *responsible cocoa* frame, and at one point she stated “perhaps reasonable people disagree and have different interpretations of things” (para. 21).

Smith’s statement about the “interpretations of things” is indicative of the industry’s attempt to counter-frame Engel’s *immoral industry* frame. Instead the industry focused on

questioning of the validity of Engel's interpretation of reality and Engel's view of the situation on the ground. This is consistent with Waller and Conaway (2011) who found that often "frames are designed to deliberately reconstitute selected aspects of reality surrounding deliberation of a public issue" (Waller & Conaway, 2011, p. 87). Often discourse in a public debate is used as a way to change the view of reality, and language is used as a powerful way to define social reality that is in line with the reality of the elite (Klocke, 2004).

In early 2005, the industry continued to reframe the debate and claim that the deadlines had been met. But by mid 2005 the cocoa industry began to admit that the deadlines would not be attainable and cited the Ivorian civil war as a reason. In June, the ICI released a statement that the civil war made a credible monitoring system impossible. Others in the industry echoed that statement. Peter Brabeck-Letmathe, the CEO of Nestlé, pointed to the civil war as a reason for the multiple human rights abuses occurring in the Côte d'Ivoire (Orr, 2006). In July 2005, the Chocolate Manufacturers Association issued a statement that the "political instability" in the Côte D'Ivoire made it impossible to fulfill the deadlines of the Protocol (Chocolate Manufacturers' Association, 2005; Orr, 2006).

On July 1, 2005, the CMA and the Chocolate, Biscuit and Confectionery Industries (CAOBISCO) released a joint statement, along with Senator Harkin and Representative Engel, entitled *Protocol Work Continues*. Throughout the statement, the industry used the *innovative and collaborative Protocol* frame, celebrating the groundbreaking and collaborative nature of the Protocol, in direct contrast to the critical TAN frame of the *ineffective Protocol*. The industry pointed out that voluntary certification as opposed to mandatory certification was effective in other industries, and would be effective in the cocoa industry (Engel & Harkin, 2005b.). The

industry reinforced its commitment to the Protocol and said “while we would like to be further along than we are in this effort, the building blocks are in place today for the development of a certification system which can be expanded” (CMA, 2005, para. 11). Interestingly, this press release included a statement that the programs put into place were indeed “pilot programs,” as was claimed by Representative Engel and disputed by Susan Smith. In an interview with *Fortune*, Hershey spokesperson, Kirk Saville reinforced that these pilot programs were working: “The protocol’s value is seen in measurable progress on the ground.....It has created greater community awareness of child welfare issues and increased incomes for family farms and access to education” (Parenti, 2008, p. 5).

The industry failed to have other stakeholders adopt the *responsible cocoa* frame. As noted in Chapter 3, the frames often translate into policy when the policy makers agree upon the reality of the situation. The extension to the 2005 deadline included the provision that the Payson Center at Tulane would begin monitoring the industry’s progress toward Protocol goals, rather than let the industry monitor and report progress on its own. The Protocol TANs, Harkin and Engel no longer gave the industry the power to monitor progress.

In statements and press releases during the second time period, the industry depicted other stakeholders as extremists and alarmists, who would cause the collapse of the cocoa market due to interference with trade laws and the market. The *radical activist* frame became the industry’s response to the TANs *immoral industry* frame. In contentious public policy debates, stakeholders often attack the reputations of those involved in the controversy (Rauch et al, 2007). There “is a process of reciprocal discrediting and denunciation as they attempt to marginalize and de-legitimize one another” (Knight & Greenburg, 2011, p. 327). In this case, the cocoa

industry and TANs were locked in an adversarial discourse, each side attacking the other's integrity. The industry strengthened hegemony and increased the resonance of its frame when depicting the TANs as radical. Those who would interfere with these structures could be responsible for the downturn of the global economy. In response to the 2005 lawsuit from ILRF and Global Exchange (described in detail in Chapter 4), Nestlé, Cargill and ADM issued a statement detailing a request for dismissal because there was no legal basis for such a suit. They argued that "If any purchaser of a good is liable for any wrongful act allegedly committed in the production of the good, such a theory would have breathtaking implications for the global economy" (Orr, 2005, para. 14). They were attempting to *appeal to principle* of global capitalism, where legal interference and corporate accountability to the supply chain could be disastrous.

Using fear is a common strategy to increase a frame's emotional resonance. *Threat salience* (discussed further in Chapter 3) is the "ability to create or heighten feelings of fear in targeted audiences and to use these feelings, in turn, to support its diagnostic and prognostic claim" (Maney et al, 2005, p. 4). The threat of a global economy's collapse due to radical activists can be used to support the prognostic frame of non-regulation in trade and the cocoa industry. The use of threat and fear of the unknown are common framing strategies of the elite (Klocke, 2004). Those with significant power and resources often assert that policies challenging the status quo are too risky (Knight and Greenburg, 2011). When the elite engage in *adversarial framing*, it is often enough to attack the normative basis of the opponent's argument (Knight and Greenburg, 2011). In this case, the cocoa industry called into question the normative ideas of the TAN's call for regulation of global trade. In addition to using dominant ideology to



impart fear, the industry used it to strengthen the resonance of its frame when asserting that market-based strategies could eliminate WFCL.

### **6.2.1 Using the Marketplace- *Farmer Training***

Interestingly, in the first time period the industry did not include increasing profits as a way to eradicate WFCL in its diagnostic frame. It began to incorporate the concept that farmers needed to increase their profits in this second time period (WCF, 2007). The diagnostic frame included increasing farmer profit and the prognostic frame of the industry was that *farmer training* was the way to do so. Working through the farmer education network of the *Sustainable Tree Crops Program* (STCP), classes were offered “to provide farmers with hands-on instruction in better farming techniques” (WCF, 2007, para. 3). The industry maintained that teaching farming strategies such as crop diversification would create more profit (National Confectioner’s Association, n.d, para. 9; Barry Callebaut, n.d, para. 5).

Companies stated that increasing the farmers’ skills would “increase farmer incomes and improve family livelihoods and well-being” (Barry Callebaut, n.d. para, 6). A major player joined the industry to train farmers so that they would increase profit. The Bill and Melinda Gates Foundation awarded the WCF a \$23 million dollar grant to “help farmers in West Africa improve production and obtain higher prices for their products” (Heim, 2009, para. 3). Richard Rogers from the Gates Foundation claimed that “commercial investment is necessary for the project to succeed. By having the private sector directly involved, farmers can have a clear understanding what the market demands” (Heim, 2009, para. 7). This statement from the Gates Foundation further strengthened the hegemonic belief that the market would help save the

farmers from poverty, if only they had an understanding of the market. The TANs countered the market-based intervention, stating that “unfair trade policies lie at the root of the problem” (Heim, 2009, para. 19). A statement from the Fair Trade Coalition asserted, “We hope that the foundation will also recognize that programs such as this one only have a chance of creating long-term benefits if they are partnered with more comprehensive reforms to the trade policies that are keeping many agricultural workers in poverty” (Heim, 2009, para. 20.). To counter these claims, the industry continued to release statements that highlighted the need for farmers’ participation in the marketplace.

When it came to the marketplace, the industry often framed itself as an intermediary “between the farmers and international markets in London” (Parenti, 2008, p. 7). The industry continually used the *lack of control* frame and asserted that they had no control over cocoa prices since prices were set by the markets in New York and London (Democracy NOW, 2008). The TANs countered with fact that “until 1999, there was a structure for ensuring minimum prices for farmers, and U.S. firms lobbied hard to eliminate that. And due to a debt crisis, [the minimum price] was eliminated. And since then, prices have gone through the floor” (Democracy NOW, 2008, para. 15). When the industry ignored any suggestions to increase the price of cocoa and instead suggested keeping farmers at the mercy of the market, they again tapped into the prevailing hegemony of neoliberal practices. The program from the Gates Foundation further reinforced the idea that the farmers needed to be skilled in the marketplace. Basing one’s message on dominant ideological thought increases resonance and makes it more likely to be accepted by a wide audience. Klocke, (2004) found that those in a position of power “whom share a general ideology with the capitalist class” often have a “privileged position within the

production of public discourse and dominant ideologies” (p. 20). The powerful cocoa industry created a public discourse embedded in dominant thought to increase their *narrative fidelity* with stakeholders. This public discourse included the *farmer training* frame which stressed that the more skilled in modern farming techniques, the more farmers would increase their profits. The industry used prevailing norms to galvanize targeted stakeholders into “action for ends that serve their ideological and material interests” (Klocke, 2004, p. 29). The interest consists of keeping the present structure in order to enable high corporate profits.

As the 2008 deadline began to loom closer, the industry once again faced criticism that the Protocol was ineffective, and it was not doing enough to improve conditions in the West African cocoa fields. The industry, asserting the *farmer training* frame, focused on the fact that, due to industry initiatives, farmers have been “more productive than they have been in the past” (WCF, 2008). In an interview with Democracy NOW, Bill Guyton from the WFC faced repeated questions inquiring why the industry did not increase wages to farmers. Mr. Guyton did not answer any of those questions; instead the statements sounded similar to those made when the original 2005 deadline was missed. He pointed to the “successful” programs that they had implemented through the ICI. Invoking the collaborative industry, the ICI, he stated “was created to work with the cocoa industry, civil society and labour unions and governments in collaborative efforts that seek to eliminate child labour and forced labour from cocoa production.” Mr. Guyton pointed out that through community-driven action, the ICI had worked on educating and sensitizing farmers about the dangers of engaging children in hazardous work. When faced with criticism that the first Payson report had found programs were not reaching enough children and that the Protocol was not meeting objectives, Bill Guyton disagreed. He

found that the Payson report was “very complimentary of what the program has done on the ground. It has reached many farmers, and we’ve seen improvements in incomes, as well as social and environmental conditions for those who have graduated” (Democracy NOW, 2008, para. 22). The industry pointed to statements from the ICI that asserted police officers were trained about child trafficking, and within six months of the initial training, police rescued 203 trafficked children (ICI, 2008). According to the ICI (2008), the pilot program work “demonstrated significant, measurable change in labor and other practices at the community level, an approach that is now being scaled up in over 250 communities in seven districts in Ghana and seven prefectures in Côte d’Ivoire” (ICI, 2008, p. 14). The TANs counter-framed that 250 was way too low to make an impact, and that the industry needed to increase funding to the ICI. Like the discussion with Susan Smith about the 2005 missed deadlines, the industry and other stakeholders disagreed on the findings and interpretation of the Payson report. The industry again chose to highlight its version of reality, that the ICI was successful and deadlines were being met. Focusing attention on their interpretation of reality is typical of those with powerful resources (Waller & Conaway, 2011, p. 87).

### **6.2.2 Farmer Sensitization**

Press releases during this time never addressed any increase in profit sharing; instead the prognostic frame *farmer sensitization* was created. This frame stressed the importance about educating farmers for the “need for safe, responsible labor practices... [which reduced] the number of children engaged in hazardous, unacceptable work” (WCF, 2007, para. 5). The industry asserted that farmers needed to be taught that child labor would not be tolerated. The

industry stated that if it knew of forced child labor practices, companies would terminate any contracts with involved suppliers, and the farmers were being educated about this fact. Steven Fairbairn, a spokesperson for Cargill, said “We require that all our direct suppliers of cocoa beans in West Africa sign a statement acknowledging that they understand that we are committed to the elimination of the worst forms of child labor in the cocoa supply chain. If suppliers are found to be employing such practices, their contracts are subject to termination” (Parenti, 2008). Cargill came under fire from other stakeholders since in practice they never discontinued working with any suppliers. Peter Brabeck-Letmathe of Nestlé, exhausted due to “years of protests connecting the Swiss multinational with forced child labor in Ivory Coast,” reinforced the fact Nestlé did not own any plantation and could not influence what occurred on the plantations (Orr, 2006, para. 7). Investigative reporters on the ground have verified this assertion. The cocoa exporters do not own the plantations and instead buy beans from middlemen called “pisteurs and treton” (Parenti, 2008, p. 5). The industry used the *lack of control* frame to release itself from liability. The TANs did not accept the fact that the industry does not own plantations and buys from middleman as an excuse to release it from its role in WFCL (ILRF, 2006). The industry response was to reassert its *lack of control* for what occurred on the ground.

Despite the criticism, the industry continued to invoke the *responsible cocoa* frame, showing its commitment to the Protocol and improving education. One diagnostic frame attributed the reason for WFCL to lack of educational access and the prognostic frame included increasing access to education. The National Confectioners Association issued a statement that it was dedicated to helping “exploited children” to improve “access to higher quality education”

(National Confectioners Association, 2008, para. 10). The *farmer sensitization* frame asserted that “sometimes, because of rigid beliefs or lack of resources, farmers don’t want to send all their children to school. But again, now with the sensitization programs, we have a sense that the situation is improving (ADM, n.d. p. 2).

The industry also acknowledged that high rates of malaria and HIV were impacting the cocoa farmers. It developed a program with Family Health International, which was funded by the National Confectioners Association, designed to “educate cocoa farming communities on malaria and HIV prevention; promote safe practices, and provide supplies to boost prevention” (WCF, 2007). ADM stated that through the sensitization programs “more people now know it’s important to be aware of risks. And now, in these communities, HIV/AIDS is a matter openly discussed in village meetings, and this is a great change” (ADM, n.d, p. 2). The industry consistently pointed to the success of both farmer training and farmer sensitization programs when faced with condemnation from the TANs.

### **6.2.3 The Sweetness of Chocolate**

To deflect any criticism, the industry began to release its own corporate responsibility statements. In many statements of corporate responsibility, cocoa companies used catch phrases and images designed to elicit positive and sweet memories. Hershey spoke about how its “favorite milk chocolate bar” can “bring back childhood memories” (Hershey, 2009). The pleasure of chocolate was used in direct contrast to the “bitter” portrayal of chocolate by some of the TANs. The images used were those of smiling families and Hershey Kisses hugging laughing children, both in stark contrast to the TAN’s images of African children with whip marks on

their backs. Barry Callebaut spoke about Americans' "love affair with chocolate" (Barry Callebaut, 2008). Cargill showed pictures of Africans smiling as they worked in the cocoa fields, as well as smiling African mothers holding their children. The "Cargill Promise," report highlighted the fact that it was making a difference in the Côte d'Ivoire. The National Confectioners Association's Chocolate Council released a report highlighting the sustainability work of ADM, Barry Callebaut, Blommer Chocolate, Cargill, Guittard, Kraft, Mars, Nestlé and Hershey. The photos on the reports included pictures of smiling farmers alongside a cocoa harvest, children in school and adults attending training classes.

Using images is a powerful way to strengthen the resonance of a frame (Creed et al, 2002). The industry used its images to support the *responsible cocoa* frame in the same way that the TANs used images of abused children to support their *immoral industry* frame. The use of visual content intensifies the message that a stakeholder is trying to send (Rauch et al, 2007). Norton (2011) did a study on the jewelry industry's reaction to the human rights infractions that resulted from gold mining in the Democratic Republic of the Congo. He found that images of suffering in the Congo that were put forth by the *Enough! Project* was countered by positive images from the *Responsible Jewelry Council*. The council showed these positive images when they declared they were "developing a system for the industry that will one day trace gold to its source" (p. 333). In doing so, the council suggested that action to remedy human rights infractions was already occurring, and the images reinforced the message's resonance. This was similar to what occurred in the cocoa industry. The cocoa TANs attempted to engender an empathetic response among stakeholders by using images of suffering in the same way as the *Enough! Project*. The cocoa industry used pleasure as an emotion to reinforce their message

similar to the jewelry industry. The images of happy children and farmers alongside statements strengthen the *responsible cocoa* frame.

As described in Chapter 4, the TANs continually rejected the *responsible cocoa* frame. Throughout the later stages of the campaign, the industry had to do more than just show pictures of the pleasure of chocolate. By 2009, several companies began to join to certify their chocolate.

#### **6.2.4 The Beginning of Certification**

In 2009, the industry began to rely heavily on the *sustainability* frame. In April, Mars committed to certifying its entire cocoa line as “sustainably produced,” partnering with UTZ certified and Rainforest Alliance by 2020 (Mars, 2009). (See Table 2 for an overview of certification systems). In June, Blommer Chocolate Company announced it would carry a line of Rainforest Alliance Certified cocoa and ingredient chocolate products starting in 2010.

Cadbury was the first major company to announce that its products would be Fair trade in by the end of summer 2009. The company stated “This significant announcement of Cadbury Dairy Milk will result in the tripling of sales of cocoa under Fair Trade terms for cocoa farmers in Ghana” (Cadbury, 2009). The roll-out for Fair Trade cocoa would occur in conjunction with a UK-based Fair Trade company. It would only apply to chocolate sold in the “UK, Canada, Ireland, Japan, South Africa, Australia and New Zealand... because in 1988, Hershey purchased Cadbury’s U.S. chocolate business” (Raise the Bar, 2012a, para. 4)

In October 2009, Nestlé launched its *Cocoa Plan*, using UTZ certification system. By January 2010, the Kit Kat bar was certified Fair Trade in the UK and Ireland (Nestlé, n.d.). In October 2009, Barry Callebaut joined with UTZ as a member of its Certified Cocoa Program. In



this same month, Kraft Foods announced that, “beginning in France and Belgium, Côte d’Or 70% cocoa premium dark chocolate now contains at least 30% cocoa from Rainforest Alliance Certified.” In this press release Kraft reported it would expand its commitment to increase Rainforest Certified products by 2012 to include products in Sweden, Denmark, Finland, Austria, Switzerland, the United Kingdom, Germany, Spain, Hungary, Poland, Portugal, the Netherlands, Canada and the United States (Kraft, 2009). Kraft and Cargil were not signatories on the Protocol. I only include them as they the first companies to seek certification, interestingly outside the U.S. I also believe that they were a part of the critical mass needed to move the industry to clean up their supply chains.

The never-ending pressure of the TANs was one reason for the sharp increase in certification programs. The Payson reports were not positive on the progress of the Protocol, and this gave the TANs ammunition to show the industry was *untrustworthy*. Even though the certification programs were positive developments, the TANs, as well as Senator Harkin and Representative Engel kept pushing the industry to do more to eliminate WFCL.

### **6.3 Period 3 (2010-2014)**

As stated in Chapter 3, in September 2010, Senator Harkin, Representative Engel, the governments of Côte D’Ivoire and Ghana and representatives of the International Cocoa Chocolate Industry signed the *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol* and a *Framework of Action to Support Implementation of the Harkin-Engel Protocol*. The Framework stated that by 2020, WFCL would be reduced by 70 percent.

In a September 13, 2010, news release, the Department of Labor reported that the “international chocolate and cocoa industry pledged \$7 million to the new Framework of Action and Secretary (of Labor) Solis encouraged industry representatives to redouble the efforts to match the full \$10 million in new funding that is being provided by the U.S. Department of Labor ” (para. 4). The Declaration reads “The international chocolate and cocoa industry commits 7 million dollars over 5 years, and further pledges to explore the possibility to committing an additional 3 million dollars for remediation activities” (The Declaration of Joint Action Supporting Implementation of the Harkin-Engel Protocol, 2010). The fact that the industry was not fully funding the Framework had come under fire from the TANs. The TANs cited the Tulane report that found “as of 2010 Industry had spent only 23.8% of the money it would have needed to – just to live up to its own minimal commitments under the Harkin-Engel Framework” (10 Campaign, 2010, p.12).

I did not find any reaction to the request for an increase to fund the 2010 Framework. This is indicative of the industry’s evading any call for investing more of its profits. In 2010, CNN reporters asked industry representatives about the lack of Protocol's progress and the Framework. Signatories released statements framing themselves as *responsible cocoa*, reiterating their dedication to eliminating WFCL (CNN, 2010). Companies used the Framework to also strengthen the frame of the *collaborative company*, releasing statements promoting “renewed support in 2010” to achieve the Protocol’s objectives (Nestlé, 2010; WCF, 2012 United States Agency for International Development, 2011; Ugwu, 2011).

Dahan & Gittens (2010) labeled the cocoa industry frame as the responsible business frame. I have called it the *responsible cocoa*, frame and have added *sustainability* as well as *collaborative business and collaborative Protocol* frames.

In addition to the collaborative and responsible company, statements from the companies invoked this *collaborative Protocol* frame in period 3: Hershey claimed the success of the Protocol was due to “the involvement of communities, farmer organizations, industry and governments” (CNN, 2012). They stressed that “no single entity or initiative can solve this problem”; Nestlé maintained that they “are committed to do the hard work with governments and industry partners to achieve a permanent solution” (Nestlé, 2010a).

While using the *collaborative* and *responsible cocoa* frames, the industry utilized hope to increase the resonance of its frames. The industry’s statements focused on the positive developments that would take place because the new Framework was in place (NCA, 2012). The industry released a statement that the Framework would “improve the lives of cocoa farming communities in Côte d’Ivoire and Ghana” (NCA, 2012). The industry continued to frame itself in a positive light and engender positive emotions toward cocoa companies, thus increasing the resonance of the *responsible cocoa* frame. The industry showed all of the ways that companies have helped the farmers of Western Africa (CNN, 2012; NCA, 2012; WCF, 2012a, WCF, 2012b). In addition, the companies pointed out the ways their commitment to the Framework would improve their dedication. The National Confectionary Association (2012) emphasized programs that have “already made a difference to over a million vulnerable children in West Africa...[These] programs focus on increasing access to education (building schools, training teachers)” (NCA, para. 2).

The TANS continued to maintain that the industry was far from fulfilling any real commitments to the Protocol, and that “the industry brought out their publicity machines” and that the dedication to the Framework was nothing but a “PR exercise” (Ugwu, 2011, para. 10). Instead of directly addressing any criticism, the companies continued to release statements illustrating their commitment by using the *sustainability* frame. The ICI stated that “the fragile nature of the cacao tree makes it vulnerable to pests and disease: each year, farmers lose anywhere from 30 percent to nearly their entire cocoa crop” (ICI, 2011 p. 3). The industry continued to strengthen hegemony, maintaining that the market needed to become more sustainable to survive.

Companies released statements showing their desire to ensure this sustainable cocoa market. Ferrero declared it was committed to reaching the objective of sourcing 100% of cocoa “certified as sustainable” (Ferrero, 2010). Mars reported that its goal was to “build a sustainable and profitable cocoa sector” in the Côte D’Ivoire (Mars, 2010). The industry also linked the *sustainability* frame to the prognostic frame of *farmer training*. The ICI maintained that part of the reason that the cocoa industry was becoming unsustainable was due to the “limited knowledge of new, more efficient farming techniques” (ICI, 2011). The NCA (2012) stated that they were involved “improving agricultural practices to ensure better yields and therefore better income for farmers” (para. 2). The *sustainability* frame translated into an increase of companies using certification schemes based on environmental needs. Kraft Foods announced that its purchases of Rainforest Alliance cocoa increased by 55% in 2010 (Kraft, 2011). Nestlé announced its plan to purchase enough certified *Nestlé Cocoa Plan* beans to produce the entire line of everyday crunch bars (Nestlé , 2010). Mars proclaimed that it had met the “2011 goal of

purchasing 10 percent of its total cocoa supply as certified sustainable, and in 2012 it will exceed its original target of 20 percent” (Mars, 2012).

Certifications that respected labor standards began to increase by the end of the third period. As found in Chapter 4, Green & Black, Cadbury and Nestlé committed to utilizing Fair Trade as a certification for some of their chocolate bars and UTZ certification for the remainder of their product lines. Mars also began to use Fairtrade International “to include important labor and productivity standards” (Mars, 2012). Hershey released the statement that it would be “on track to source at least 10 percent of its total global cocoa purchases from certified sources in 2013, the first year of its 2020 commitment. They also announced benchmarks for reaching 100 percent by 2020” (Hershey, 2013). In fact, by the end of 2013, all of the signatories had released corporate social responsibility policies involving either Fair Trade or other certification programs. The following Chapter outlines each of the policies, the certification schemes and the frames contained within the reports.

## **Chapter 7- Cocoa Corporate Social Responsibility Policies**

### **7.1 Archer Daniels Midland (ADM)- “Socially & Environmentally Responsible Agriculture Practices”**

ADM’s first CSR report came out in 2011, for the fiscal year 2010. In 2010, ADM partnered with UTZ certified and received a grant to train cooperatives to obtain FLO certification. The report was a CSR for ADM’s entire agribusiness line; cocoa was only one of the crops addressed.

#### **7.1.1 Community Development**

ADM highlighted the “Opportunities Industrialization Centers International–Côte d’Ivoire (ICI-CI) to fund bridge and well construction projects in cocoa-farming communities.” Projects included “16 clean-water wells and eight small culvert bridges” (p. 7). In the NCA’s (2012) sustainability report, ADM highlighted additional CSR activities, including “\$125,000 for a computer lab at Lycée Mamie Fatai de Bingerville in Abidjan, Côte d’Ivoire. The donation includes 40 computers, 10 printers, soft-ware, licenses, backup power supply and installation costs” (p. 1).

#### **7.1.2 Farmer Training**

The prognostic frames of *farmer training and sensitization* were contained in the report, once again strengthening hegemony. David Loue, agricultural product manager for ADM, commented: “We need to have farmers focus on producing good cocoa, using good practices, so they can be more efficient. That’s how we will sustain the world’s cocoa supply” (p. 7).

### 7.1.3 Collaboration

A statement on ADM's website revealed the *collaborative* frame:

The World Cocoa Foundation's (WCF) African Cocoa Initiative (ACI) is aimed at strengthening local cocoa-related institutions in West Africa. This program follows a multi-year effort by the WCF and others partners, including the U.S. Agency for International Development (USAID), which educated thousands of cocoa farmers about labor standards, business practices and farming methods. The Cocoa Livelihoods Program—a partnership between ADM, the World Cocoa Foundation, the Bill & Melinda Gates Foundation, and several industry peers—is investing \$40 million to improve the livelihoods of approximately 200,000 cocoa farming families in Western Africa (para. 4).

Interestingly, ADM spoke about its partnerships and collaboration; however, the company does not mention the Proccotol in any of its CSR policy reports.

### 7.1.4 Responsible and Sustainable

ADM has released a CSR report on a yearly basis since 2011. The frames contained within the policy statements include all frames seen throughout the *responsible cocoa* campaign. The *sustainability* frame is the most frequent frame found in ADM's policies. ADM highlighted its commitment to a clean supply chain through the Socially & Environmentally Responsible Agriculture Practices (SERAP) Program. This program “rewards select West African cooperatives committed to implementing sustainable practices” (NCA, n.d, p. 1).

The 2014 report, found on ADM's website, reported that ADM had substantial success with sustainability goals:

60,000 Cocoa growers who participated in ADM's Socially and Environmentally Responsible Agricultural Practices program, or SERAP

\$29.2 million in premiums ADM provided to grower cooperatives from 2005 through Jan. 31, 2015, to promote sustainable cocoa cultivation and better living standards for cocoa farmers and their communities.

48,600 Côte d'Ivoire farmers participating in 400 ADM Cocoa Technical training program sustainability seminars from 2000 to 2014. The aim has been to teach cocoa growers about labor practices, farm safety, HIV/AIDS prevention, operational transparency, bean quality and environmental stewardship. (ADM, 2014, para 4).

In the most recent CSR report, retrieved online June 2105, ADM announced that they were “leaving a lasting legacy” as they had sold the “chocolate business to Cargill and the sale of our cocoa business to Olam International Limited. These transactions are expected to be complete later in 2015”. It remains to be seen how Cargill and Olam continue ADM’s corporate social responsibility policies

## **7.2 Barry Callebaut- “Horizons Cocoa - For a Better Life”**

Barry Callebaut released its first social responsibility report in 2011. The report focused on sustainability in the cocoa industry. Barry Callebaut invoked the *responsible cocoa* frame when it stated it was “committed to reporting transparently on its social and environmental performance. ” It increased the empirical credibility of its frame, highlighting that follows the guidelines of the Global Reporting Initiative, an independent sustainability-reporting agency.

### **7.2.1 Certification**

In December 2011, Barry Callebaut announced that they would pair with UTZ to certify its chocolate, and it has joined with Fair Trade International, although it did not say how much of the line would be certified.



### 7.2.3 Education

Barry Callebaut reinforced that they were committed to combatting child labor while supporting education. Barry Callebaut invoked the *child work* frame embedded in the *responsible cocoa* frame and said “While it is not unusual for all members of a family, including children, to help on a family-run cocoa farm, Barry Callebaut strongly condemns slavery, forced labor and any practices that exploit, endanger, or harm children” (2014, P.16). Barry Callebaut pointed out its contributions to child welfare in West Africa, namely:

- *Quality Partner Program*- child labor sensitization farmer training programs.
- Building “a number of” schools
- A project proposal that includes the construction of rural schools and community learning centers. These centers will train women with the agricultural and business skills to supply and manage a school food program (p. 16).

### 7.2.2 Sustainability and Farmer Training

Barry Callebaut’s established *Cocoa Horizons* in order to: “increase farm productivity, increase quality and improve family livelihood” (p.14). There are three aspects to *Cocoa Horizons* “Farmer Practices (agricultural training and yield enhancement techniques), Farmer Education (improving access to education and developing the next generation of cocoa farmers) and Farmer Health (improving access to clean water and basic health care)” (p.14).

### 7.2.3 Cooperatives

One of the suggestions of the TANs was to create cocoa coops in order to increase farmer income. Barry Callebaut stated that it worked with “cooperatives when possible because, when

well-run and managed, they offer cost-effective and efficient access to beans of the quality grade required for Barry Callebaut's customers, and they help support smallholder farmers" (p. 20).

#### **7.2.4 Looking Ahead**

Barry Callebaut framed itself as an *industry leader* that "strives to be the heart and engine of the chocolate industry"(p. 25). It reinforced that fact that it was dedicated to farmer empowerment as well as a transparent supply chain and the "long-term sustainability of farming communities and our industry as a whole"(p. 25). Barry Callebaut declared that it was committed to supporting cocoa farmers and highlighted the partnerships with the many stakeholders who were also dedicated to a *sustainable and responsible* cocoa industry.

### **7.3 Blommer Chocolate Company- "Sustainable Origins"**

Blommer did not release an official CSR report, rather, its corporate responsibility policies were posted on its website or issued as press releases.

#### **7.3.1 Certification**

Blommer was the first U.S. Company to seek certification. In 2009, it partnered with Rainforest Alliance. Blommer used the *responsible cocoa* frame to point out that it was the "leader in cocoa products that are certified by the Rainforest Alliance" (para. 4). The website states that it has partnered with Fair Trade USA as well as Fair Trade International.

#### **7.3.2 Sustainability and Farmer Training**

Blommer employs the overall *sustainability* frame, as well as the prognostic frame of *farmer training* throughout its corporate responsibility statements. The Blommer website states "more than 60,000 farmers are participating in our sustainability programs in which farmers have

experienced better crop yields and premium pricing through their participation...We believe cocoa farmers must be provided with the skills and knowledge they need to be more productive and profitable if they are to secure a better quality of life for their families and communities.”

Blommer illustrated a strong commitment to sustainable cocoa by stating it is a member of the *Processors Alliance for Cocoa Traceability and Sustainability (PACTS)*. The mission of PACTS is to improve the supply of high quality, fermented cocoa beans while improving the livelihood of the local farming community” (Blommer, n.d. para 3). Blommer focused on the fact that they were awarded the “coveted *Sustainable Standard-Setter* award” (para. 4.).

### **7.3.3 Collaborative Company**

The collaborative company frame was used frequently in Blommer’s corporate responsibility policies. It highlighted the programs in which it was able to collaborate with other organizations to increase the profitability of farmers and the industry. Blommer highlighted the *Cocoa Livelihoods Program* where it joined “the Bill and Melinda Gates foundation and other industry members to launch the Cocoa Livelihoods Program, a comprehensive \$40 million program targeted to reach 200,000 farmers in five Central and West African countries. The program has a goal of doubling the income of one-third of Africa’s cocoa farmers with small family farms through farmer training on sustainable production techniques and quality issues” (NCA, n.d.). The Blommer company stated it was “a founding member of the World Cocoa Foundation ...continuing to actively participate in the global programs.” Blommer also pointed to the *Côte d’Ivoire Alliance of Farmers, Olam International and Blommer Chocolate (CIFOB)* as another example of the way it has collaborated with other stakeholders. CIFOB helps West

African farmers revitalize “their cocoa farms and improve cocoa quality to improve farmer incomes” (Blommer, n.d.).

#### **7.4 Guittard- “A Sustainable Future”**

Utilizing the frame of responsible and sustainable cocoa, Guittard celebrated the fact its “craft is as much about making beautifully tasting chocolate as it is about supporting the people and preserving the places behind what we make.” There was no official CSR on the website, nor was one published. The website states that Guittard is “working to build relationships throughout our supply chain that will create and maintain long lasting success in our cocoa growing communities” (Guittard, n.d., para 4).

##### **7.4.1 Certification**

The Guittard website contained links to the Rainforest Alliance and Fair Trade USA. Guittard was listed as “partner” on both of these websites. The National Confectioner Associations stated that Guittard is “licensed by the Fairtrade Labeling Organization to improve profits for cocoa growing farmers and source cocoa beans that are Rainforest Alliance Certified” (NCA, n.d.). There is no information about how much or which of its chocolate products are certified.

##### **7.4.2 Childhood Education**

Invoking the *collaborative* and as well as the prognostic *childhood education* frame, Guittard showcased its involvement with the World Cocoa Foundation’s ECHO program which works on “expanding opportunities for youth and young adults through livelihoods, literacy and basic education” (WCF, n.d.).

### **7.4.3 Farmer Training**

To further illustrate neoliberal ideology as a strategy to increase farmer profit, Guittard focused on its participation in the Cocoa Livelihoods Program (CLP). The CLP funded by the Bill and Melinda Gates Foundation has the goals of improving “market efficiency and build capacity of farmers and farmer organizations; improve production and quality of cocoa at the farm level; improve farmers’ competitiveness on diversified farms” (NCF, n.d., para. 5).

### **7.5 Hershey- “21st Century Cocoa Plan”**

Hershey’s first CSR was released in 2010. Hershey framed itself as a caring corporation that built upon “Milton Hershey’s legacy of commitment to consumers, community and children” (Hershey, 2010 p. 1). Hershey illustrated its commitment to children by pointing out the fact that the Milton Hershey School provides free education, housing, and medical care to poverty-stricken children. Hershey claimed that the achievement of the school’s graduates is due to the success of the Hershey business model (Hershey, 2010, p. 7) Hershey focused on the fact that it has made a positive difference in the lives of many children.

When addressing it the issue of child labor, Hershey framed itself as the *collaborative company*, working with other companies and organizations “to increase farm-level incomes, build community sustainability and address the troubling issue of child labor in cocoa-producing regions” (Hershey, 2010, p. 23). Hershey highlighted its partnership with the Bill and Melinda Gates Foundation in order to train farmers on better production techniques, diversification and access to information about the market. The 2010 report did not offer any specific policies to address WFCL, but spoke about initiatives designed to do so. Hershey pointed to its participation

in the following initiatives to address child labor and other issues in the cocoa industry: Harkin-Engel Protocol, the Global Issues Group (as articulated in the Harkin-Engel Protocol) and the International Cocoa Initiative (ICI).

### **7.5.1 Sustainability/ Farmer Training**

Hershey framed itself as a *responsible company*, dedicated to a sustainable cocoa sector. In the 2011 CSR report, Hershey began to address sustainability. Suggestions from the 2011 report include improving planting material and crop diversification; emphasizing healthy soil; clean water and integrated pest management; and developing healthy, sustainable farms and communities. Hershey also stated that it had established farm schools and vocational training opportunities for underserved rural youth in cocoa-growing regions. Hershey pointed to its commitment to sustainability when they said “together with several other research and science organizations, [Hershey] provided funding for a team of scientists from Pennsylvania State University and 18 other institutions world-wide to decode the cocoa genome” (Hershey, 2011, p. 26). The goal of mapping the genome is to create a more disease-resistant and thus more profitable, crop.

In 2012, Hershey created the *Learn to Grow* program, which is in collaboration with Source Trust, a UK nonprofit organization. The goal of the *Learn to Grow* program is to “double productivity yield and farmer income over the next four years” (p. 27). Hershey used the diagnostic frame of *untrained farmers* when it pointed out that “farmers often have little or no access to knowledge of advanced agricultural practices or the technology and tools necessary to maintain healthy farmland and maximize crop productivity” (Hershey, 2011, p. 21). Hershey

utilized the prognostic frame of increasing the skills of farmers to address the need. Hershey did this by being an *innovative company*, pointing out that it launched a sustainability and farmer training program called *CocoaLink*: “It a first-of-its kind program that uses mobile technology to deliver practical—and critical—agricultural and social training to rural cocoa farmers” (Hershey, 2012 p. 27). *Cocoa Link* is designed to enable access to information that can increase both yields and incomes (p. 27). Farmers are given a mobile phone and they “can request and receive—at no charge—actionable information about good farming practices, farm safety, child and forced labor, family health, crop disease prevention, post-harvest production and crop marketing” (p. 21). Hershey’s diagnostic frame was that farmers needed training and education. From Hershey’s viewpoint, Cocoa Link was one way to eliminate WFCL; “the objective in raising both incomes and awareness of good labor practices is to ultimately reduce—if not eliminate—the participants’ dependence on child and forced labor.” In the 2011 report, Hershey claimed:

Over the past ten years, better farming practices have helped to increase school attendance in Ghana by 25%. These improvements are due, in large part, to significant investments by Hershey, its industry peers, the Ghanaian government and NGOs such as the Gates Foundation and the World Cocoa Foundation (p. 21).

### **7.5.2 Collaborative Company**

In 2011, Hershey partnered, alongside the other cocoa corporations, with the U.S. Department of Labor and the ILO’s International Program on the Elimination of Child Labor (IPEC). Hershey reported that “together, the eight companies will fund a \$2 million initiative” with the goal of eliminating WFCL. The TANs pointed out that this initiative was the result of the 2010 Framework of Action, and that the \$2 million dollar contribution from eight companies

was way below what was needed to fund any real change. The Payson Report confirmed the assertion that the Framework was underfunded.

### **7.5.3 Accountable Company- Responding to *Raise the Bar, Hershey!***

After the release of the 2010 and 2011 report, Hershey came under intense fire from the Raise the Bar, Hershey! coalition for being the only major signatory that did not to commit to certification. The coalition praised other companies for the steps that they had taken, and called out Hershey for not doing the same. Hershey made claims of charitable donations to the children of Western Africa. Raise the Bar, Hershey! (2011) accused Hershey of “greenwashing,” stating that Hershey “points to various charitable donations to children in the U.S. and programs in West Africa as examples of its social responsibility, yet has no policies in place to ensure that the cocoa used in its products is not produced with forced, trafficked, or child labor” (2011, p. 10). *Raise the Bar!* stated Hershey failed to offer any concrete solutions to WFCL, or commit to a transparent supply chain (Raise the Bar Hershey!, 2010). Hershey pointed to the multiple benefits from the *Cocoa Link* program (Hershey, 2010). Raise the Bar Hershey! pushed back on Hershey’s claims of school attendance increases or benefits from the program. In 2012, Hershey framed itself as a *responsible company* and released a statement that it would source 100% certified cocoa. As noted in Chapter 4, Raise the Bar! thanked Hershey, but then began an email and letter campaign designed to hold Hershey accountable to its promises. In the letters, Raise the Bar! asked Hershey for details including a timeline, which certification programs it would work with, and detail about how it would report its progress to the public. In response in 2013, Hershey released the 21<sup>st</sup> Century Cocoa Plan.



### **7.5.2 21<sup>st</sup> Century Cocoa Plan**

On March 13, 2013, Hershey released its 21<sup>st</sup> Century Cocoa plan committing “to source 100 percent third-party certified cocoa for all of its chocolate products worldwide by 2020.” (para. 6). Hershey committed to “sourcing cocoa through three of the world’s most recognized cocoa certifying organizations: UTZ, Fairtrade USA and Rainforest Alliance.” (para. 8). Hershey pointed out that as volume increases, it “will be working with other well-established certification organizations to expand their capacity to certify more cocoa farmers globally” (para 8).

Hershey framed itself as *accountable* and addressed the request of the TANs to report on progress in the 21<sup>st</sup> Century Cocoa Plan (2013) statement:

In the five months since announcing its 100 percent third-party certified cocoa commitment, Hershey has made substantial progress towards its 2020 goals. The company is on track to source at least 10 percent of its total global cocoa purchases from certified sources in 2013, the first year of its 2020 commitment. Hershey also announced benchmarks for reaching 100 percent by 2020. The company has committed to scaling its certified cocoa purchases at the following rate: At least 10 percent by the end of 2013; 40 to 50 percent by the end of 2016; 100 percent by 2020 (para 10).

### **7.5.5 Corporate Citizen**

In 2011 Hershey was at the center of a scandal in which “foreign students claimed they toiled under abusive conditions at a Pennsylvania plant handling Hershey candies” (Jamieson, 2012, para.1). Hershey claimed it did not employ the workers; rather, an outside staffing agency oversaw the Palmyra plant. By 2013, Hershey had put this scandal behind when the court agreed and found the staffing agency liable (Jamieson, 2012). Hershey continued to distance itself from the TANs criticism and alternatively framed itself as a *corporate citizen*.

Instead of making the headlines for nefarious reasons, Hershey began to collect accolades for its social responsibility. *Corporate Responsibility Magazine* rated Hershey as one of *American's Best Corporate Citizens*. Hershey was also named to the *Dow Jones Sustainability North American Index of the Civic 50* and received a top spot in *Newsweek's* Green Rankings (Hershey, 2013).

Hershey once again invoked the frame of the *corporate citizen* who was “dedicated to building on the legacy of founder Milton Hershey, delivering exceptional shareholder value, building a sustainable platform for global growth and strengthening the company’s global reputation” (Hershey, 2013, para. 10). The 2013 report highlighted the 21st Century Cocoa Strategy, which would benefit “thousands of cocoa farmers and their families through technology, farmer training, cocoa-seed nurseries, credit terms for farm inputs, village resource centers, malaria prevention, infrastructure projects, school construction and literacy and health programs” (p. 27). Hershey declared that it was dedicated to addressing the “multifaceted” challenge of child-labor abuse (p. 26). In the 2014 report, Hershey addressed the accountability concerns by stating that it was committed to sourcing “100 percent third-party-certified cocoa for all of its chocolate products worldwide by 2020 as a cornerstone of our strategy. By the end of 2013, we achieved 18 percent certified cocoa, nearly double our first-year goal” (p. 26).

Hershey had incorporated the suggestions of the TANS, namely a transparent supply chain, a way to address labor infractions and certification programs. Hershey had turned around its practices enough that for a short time the Raise the Bar Hershey! coalition was positive on the progress (Raise the Bar Hershey!, 2013). This assessment of Hershey lasted only until the Department of Labor’s Child Labor Cocoa Coordinating Group’s (CLCCG) report was released

in late 2013. The report found that once again, Hershey lagged behind the industry as far as financial commitment to initiatives to reduce WFCL:

Mars, Hershey's main competitor in the United States, has committed \$300 million to sustainable cocoa initiatives by 2021, or .1% of 2012 sales. Hershey, on the other hand, has committed only \$10 million by 2017, or .03% of its 2012 sales (Raise the Bar! 2013b).

Hershey counter framed itself as the *global corporate citizen* pointing to the 2014 CSR report and all of the awards it had won (Hershey, 2013). It addressed criticism from Raise the Bar, Hershey! by pointing out the many ways that it was giving back to society, and maintained it was *doing the right thing* (Hershey, 2014).

#### **7.5.4 Looking Forward: Doing the Right Thing For Society**

In the 2015 CSR, Hershey had a its first Human Rights section. This section addressed *Child Labor and Forced or Compulsory Labor*. Hershey also included a *Supplier Human Rights Assessment* and implemented a process for Human Rights grievance mechanisms (p. 84). The priorities of the 2015 CSR included: *Ethical Sourcing; Global Competitiveness; Supply Chain Transparency; Child Labor; Food Safety; Consumer Well Being; Safety and Wellness at Work* and *Ethics Compliance* (p.76).

In the 2015 report, Hershey strengthened the frame that was *doing the right thing for society*. Hershey showcased the many CSR awards it had won in 2014. This included that *Corporate Responsibility Magazine* "named Hershey CEO J. P. Bilbrey one of the 2014 Responsible CEO of the Year Award winners for notably exceeding standards in the areas of

employee relations, environmental impact, human rights, philanthropy and corporate responsibility practices” (p. 70). Other awards included:

- 2014 *Newsweek* Green Rankings
- 2015 World’s Most Ethical Companies
- “Best Places to Work for LGBT Equality” in the 2015 Human Rights Campaign Corporate Equality Index
- Dow Jones Sustainability World and North America Index, 2014
- Named to Civic 50 list as one of Americas most community-minded companies
- Target’s Good Trade Ethical Shopping (p. 71).

### **7.6 Mars- “Principles in Action”**

The privately-owned Mars corporation released its first CSR in 2010, for the fiscal year 2009. They have released reports in 2011, 2012, 2013 and the 2014, report is on the website. “Principles in Action” focused on the steps that Mars had taken to become a leader in the cocoa industry. The five principles are *Quality, Responsibility, Mutuality, Efficiency* and *Freedom*. Mars defines itself as a caring company, pointing out that in 1947, Forest E. Mars, Sr. documented his objective to build a business that would “create a mutuality of benefits for all stakeholders” (Mars, n.d., page 10). Mars touted the fact that it was committed to the founder’s vision of business as a beneficial member of society (Mars, 2009).

#### **7.6.1 Caring Leader in the Industry**

Mars frames itself as a leader in the industry highlight the fact it was the first global company committed to certifying 100% of its cocoa. The company stated that as a leader they continue to encourage other companies to also certify its cocoa. The 2011 CSR report states that

the “Mars five principles of Quality, Responsibility, Mutuality, Efficiency and Freedom are the foundation of our culture and our approach to business. They unite us across generations, geographies, languages and cultures” (p. 4). The 2012 CSR reported that Mars is committed to creating “lasting mutual benefits for all those involved in our business success by creating positive social impacts, minimizing our environmental impacts and creating economic value” (p. 6). The 2014 CSR declared, “We are currently the only major manufacturer to work with all three major certification organizations: UTZ, the Rainforest Alliance and Fairtrade International” (para. 1).

In the 2014 CSR report, Mars emphasized that was the first to create a website dedicated to social responsibility. The website is entitled [cocoasustainability.com](http://cocoasustainability.com). [Cocoasustainability.com](http://cocoasustainability.com) contains fifteen pages of press releases in substantive areas such as Fair Trade, (*Mars and Fairtrade extend partnership to certify cocoa for MARS® Bars*) and women’s empowerment (*Mars Chocolate Strengthens Efforts to Empower Women Cocoa Farmers*).

#### **7.6.1 Sustainability through Science-“Innovate with Mars.”**

Sustainability is the frame found throughout all CSR reports and is the cornerstone of Mars’ policies. In the 2012 CSR focused on the strength of its “Sustainability Leadership Team (SLT) and Sustainability Working Group that develops policies and practices” (p. 7).

Mars emphasized its investment in sustainability through “*science* to improve cocoa varieties, increase yields, improve resistance to pests and disease and increase water and nutrient” (Mars, 2011 p.13). Throughout all of the CSRs, Mars stresses the importance of finding ways to make sure that cocoa planting yielded “better-quality trees that produce more cocoa”

(2014, p. 14). In 2008, Mars partnered with IBM and the U.S. Department of Agriculture “to sequence, assemble and annotate the cocoa genome” (Mars, n.d). Mars framed itself as a caring company that would not patent the gene sequence because it saw the importance of sharing the information so that cocoa farmers would benefit. The genome information would be “made public through the Public Intellectual Property Resource for Agriculture (PIPRA), and the gene sequence will not ever be patented by Mars or any other entity” (Mars, n.d, para 13).

In addition to framing itself as a caring company, Mars showcased the collaboration of the Cocoa Genome Project. Participants in the genome project include: “IBM; the USDA Agricultural Research Service (both in Miami and Stoneville, Missouri); Clemson University Genomics Institute; Indiana University Center for Genomics and Bioinformatics; Hudson Alpha Institute for Biotechnology; the National Center for Genomic Research; the University of California, Davis; PIPRA; and Washington State University” (Mars, n.d. para 5).

### **7.6.2 Supply Chain Transparency**

Throughout its CSRs, Mars stated the importance of working throughout the supply chain in order to develop “strategies and targets for social and economic progress in all areas of our value chain” (Mars, 2011, p. 4). In the 2014 CSR, Mars continued to frame itself as a leader in the industry, the first to clean up the supply chain. Mars (2010) said it believes “We have a responsibility to ensure reliable supplies of our key ingredients in ways that improve the livelihoods of farming communities and limit impacts on natural resources” (p. 6).

### 7.6.3 Farmer Training/ Education

Mars utilized the prognostic frame of *farmer training* and connected it to the frame of *sustainability through science*. Mars heralded the creation of “research institutes to build producer *capabilities*” (2011, p. 13). In the 2014 report, Mars stated that it has “invested heavily in breakthrough science to benefit farmers, including mapping the genome and releasing the results into the public domain so they can be translated into more effective breeding and lead to healthier, more productive trees for farmers” (p. 10). Mars created Cocoa Development Centers (CDCs) and Village Cocoa Centers (VCCs) in Western Africa, which were designed to teach farmers about the “best practice in action” (2014). According to the 2013 CSR, Mars has “built 20 Cocoa Development Centers (CDCs) in partnership with international donor agencies and governments, with 35 more planned for 2014.” Mars showed the effectiveness of its programs, stating in the National Confectioner’s CSR that “Mars-supported farm rehabilitations have been shown to raise farmer income from under \$700 in annual profit to over \$3500” (NCA, n.d., p.16). Stressing the importance of industry collaboration in order to assist with farmer training, Mars suggested that the CDC model is one that can be easily replicated in cocoa growing areas around the world (Mars, n.d).

Mars invoked the *caring company* frame, proclaiming it was “putting the farmer first is the guiding principle” for its programs. It maintained that it was important to prioritize “cocoa farmers’ needs” so that they “can tackle the challenges facing the cocoa industry in a systematic and holistic way” (Mars, n.d).

#### 7.6.4 Corporate Global Citizen

Mars framed itself as a *responsible company* that was interested in doing business differently. In this way, the company framed itself as an exemplar in the industry, stating its goal was “to lead by example [aiming] to make a difference through our business performance” (Mars, 2013 p. 4). Mars had a similar frame to companies such as Divine Chocolate Company and Equal Exchange, namely that it was a *committed global citizen*. Mars does not challenge hegemony by suggesting that corporations equalize the relationship between farmer and manufacturer, but does speak about the importance of business’ role in creating a positive social impact. Mars stated, “it is our obligation to help address the challenges we share with society” (Mars, 2013 p. 4). Equal Exchange and Divine Chocolate formed their businesses to benefit the most needy. In contrast, Mars expressed that the reason to help assist with society’s challenges is it “recognizes that our business cannot endure for future generations without doing so” (Mars, 2013, p. 4). In the 2014 CSR, Mars said, “while demand is increasing, farm yields are declining- and unless our industry acts now, the situation is unsustainable” (p. 3). Although it is committed to corporate socially responsible policies, the company’s motives for doing so are, as stated, partly based in self-preservation. Although Mars did not form its company to benefit the most needy, it is framing itself as a company that it dedicating to doing so.

Mars addressed the controversy of child labor in a CNN interview by stating “We have always been and continue to be deeply concerned about the use of child labor in cocoa farming.

We do not accept the worst forms of child labor or trafficking in any form” (CNN, 2012 para 8). Mars showed its commitment to human rights when it pointed out its dedication to meeting the



ILO eight core labor standards for “human rights and labor conditions, including child labor” (Mars, 2011 p. 13).

By the 2014 report, Mars included a section about human rights policy. The human rights policy “will initially focus on two areas: our operations, where we have the most control; and sourcing, where we can have the greatest impact” (para 5). Mars human rights policy is designed to: “equip our associates with training and raise their awareness on human rights; identify and validate the effectiveness of our initiatives through our risk and impact assessments and remediate any adverse human rights impacts and mitigate risks” (para. 6).

Mars addresses the TAN’s accusation that some of the statements about human rights were merely a PR exercise and said that it was dedicated to making real improvements in the lives of the cocoa farmers. Mars uses “UN Guiding Principles on Human Rights” to guide creation of its human rights policy, thus increasing its empirical credibility. In 2014, Mars illustrated its commitment by stating that a multi-stakeholder group developed its human rights’ policies. Mars strengthened the integrity of its claims, framing itself as an *accountable company*, by forming a Global Public Policy Group. This group “ensures that Mars has globally consistent policies across the company.” Mars reinforced its commitment to the human rights policy by creating an organizational structure that includes “executive oversight and responsibility for the implementation of this policy.” In addition, the company stated, “at an operational level, this policy is implemented by Mars’ Human Rights Director, who reports to our Chief Sustainability Officer and advises the Global Leadership Team on human rights issues” (para. 10).

Mars included an overview of global human rights events, thus strengthening the *global citizen* frame. For example, Mars congratulated Kailash Satyarthi for winning the Nobel Peace

Prize in for his fight against child labor. Mars included a press release on its website that it would donate \$100,000 to fight the Ebola outbreak in West Africa.

Mars included “next steps,” showing its commitment to its human rights policy as well as accountability. The 2014 CSR declared: “We will work with stakeholders to continue to evolve our human rights approach, and will update this Policy as lessons are learned. We will also continue to report on our human rights progress and performance in our annual *Principles in Action Summary*” (para 10).

### **7.6.5 Empowering Women**

In the 2012 CSR report Mars stated that its future plans include the working with women and increasing gender equity. As a part of the Vision for Change (V4C) program, Mars partnered with Oxfam to conduct an impact assessment of gender equity in the largest cocoa-producing countries. Invoking both the *caring* and *global citizen* frame, Mars claimed that its long-term plan “is to develop common industry indicators for monitoring women’s economic and social wellbeing in the cocoa supply chain” (p.13). The impact assessment was conducted in 2013. Mars illustrated its commitment to ensuring a positive impact, while at the same time honoring the culture of Côte d’Ivoire, thus enhancing the *global citizen* frame:

Upon completion of the original gender assessment and the internal review, it was further noted that in order for Mars to carry out the recommended actions, it would be necessary to identify an individual or individuals with gender expertise within Côte d’Ivoire who possessed the local understanding of gender related issues and the capacity to work with Mars to carry out the required actions. A landscape analysis and capacity assessment of organizations having gender expertise within Côte d’Ivoire...The desire to include the information from the capacity assessment in its longer term gender response planning caused Mars to delay the

publication of the Action plan from our originally intended date of 30 April 2014 (Mars, 2014, para. 2)

While the action plan was being completed, Mars honored its pledge to women by supporting “25 women’s groups in cocoa communities to improve their household income and business practices (Mars, 2014 para. 4).

#### **7.6.6 Collaborative Company**

Mars framed itself as not only a caring but collaborative company in the 2011 report, stating it worked with the ILO and the World Cocoa Foundation’s Cocoa Action. The 2013 CSR reported it “invited experts from leading companies, certification organizations, nongovernmental organizations (NGOs) and social investment firms to a roundtable discussion to give us their perspectives on how our business can have a greater positive socioeconomic impact” (p. 9). It illustrated its commitment to collaboration by reinforcing that it worked with everyone throughout the industry “including competitors” (p. 10). Mars once again framed itself as not only collaborative but a leader in the industry “we have signed MoUs with cocoa suppliers Barry-Callebaut and ECOM to expand our programs in Côte d’Ivoire, and congratulated Ferrero and Hershey on becoming the second and third major manufacturers, respectively, to commit to 100 percent certified cocoa” (Mars, nd., para 12). Reinforcing the need for cooperation throughout the industry, “Mars understands that while it is important to be a leader in order to make a real impact companies need to work and find solutions together” (Godelnik, 2012 para. 9).

### 7.6.6 Certification

In 2009, Mars committed to purchasing 100% certified cocoa by 2020. In each CSR report, Mars reported on the benchmarks of certification. In the 2013 report Mars stated that it was “the world’s largest purchaser of certified cocoa” and this “exceeded our 20 percent global volume target” (para 4). In the 2014 report, Mars continued to use the *industry leader* frame when it declared that it is “currently the only major manufacturer to work with all three major certification organizations: UTZ, the Rainforest Alliance and Fairtrade International” (Mars, 2014, para. 12). Mars said that certification “is the best tool we have to reach as many farmers as possible around the world and provide them with the material support, organization and market access that will enable them to be successful” (Mars, 2014, para.. 14) Mars once again framed itself as a *collaborative leader*, stressing that “certification must bring the entire sector together in a pre-competitive effort to emphasize farmer benefit at origin over competitive advantage in the consumer market” (NCA, n.d., p. 14). Mars focused on its leadership role in bringing certified cocoa into the marketplace. It adopted the frame espoused by the TANs, namely, that the entire industry needs to certify Fair Trade in order to have the largest impact on farmers. In the 2014 report, Mars stated, “for certification to make the widespread and lasting difference that is required, many more manufacturers need to commit to certification” (para 5). Mars adopted the prognostic frame of the Fair Trade TAN into its CSR policy. Mars claimed that certification benefits both the farmers and cocoa companies: “ [Certification] is a mutually beneficial process [that] gives farmers a better organizational structure within which to work and improved access to markets to help them build viable farms and increase their income. In turn, we get a traceable, safe supply of quality, sustainably produced cocoa” (para. 4).

### **7.6.7 Top Rated Employer- “Careers that mean more.”**

Mars illustrated its commitment to not only the farmers of Western Africa, but to all employees in its company. It stated that the “aim is for Mars Associates’ total compensation to be in the top 25 percent compared with appropriate competitors in a relevant geography. We perform annual benchmarks to check this is the case, and use the results to adjust pay scales as necessary” (Mars, n.d, para 8).

Mars included press releases that showed it was, indeed, a top-rated employer. According to the website, Mars was identified as one of the top 25 best multinationals in terms of workplace culture; it ranked #85 on *FORTUNE Magazine’s* “100 Best Companies to Work For”. In 2015 and Mars was recognized as “One of the Top 15 U.S. Manufacturing & Production Employers” by *Great Rated* (Mars, 2014b para. 1).

### **7.6.8 Looking Forward**

With each CSR, Mars reported on previous year’s goals and added new ones, such as women’s empowerment and the human rights policy. The company presented data on what they had achieved and what it needed to work on for the following year. Each year it updated the progress and performance in the annual Principles in Action Summary. Mars actively changed its policies with other stakeholders and committed to updating “policy as lessons are learned” (Mars, 2011, p. 11). Mars invoked several frames of the TANs. This includes the prognostic frames of *Fair Trade*; *farmer training* as well as *supply chain transparency*.

## **7.7 Nestlé- “Creating Shared Value- The Nestlé Cocoa Plan”**

Nestlé released its first CSR report in 2006. However, the *Cocoa Plan*, which addressed labor issues relative to this study was released in 2009. The first Nestlé Cocoa Plan report focused mostly on helping farmers by rejuvenating farms in an effort to increase productivity (Nestlé , 2009). Sustainability frame was framed as an essential issue. Nestlé reported it needed to find a way to “ensure long-term supply” so that “farmers will consider their business attractive and profitable, and therefore maintain and enhance production” (Nestlé , 2011, p. 5). The Nestlé Cocoa Plan focuses on: (1) helping farmers to increase yields, reduce disease, respect the environment and produce a better quality crop which attracts higher prices; (2) increasing the investment in cocoa areas to 110 million to develop plant expertise ; (3) creating a transparent supply chain (4) improving access to education and (5) addressing all forms of exploitation of children, forced labour and its underlying causes (Nestlé , n.d. para 2-5). Nestlé incorporated the recommendations of a transparent supply chain, childhood education and farmer training.

### **7.7.1 Sustainability**

Sustainability is the cornerstone of the Nestlé Cocoa Plan. Throughout all the CSR reports from 2009 to present, Nestlé stressed the importance of training farmers and addressing the “declining quality and yields” that are “linked to old and dying cocoa plants” (Nestlé Cocoa Plan, n.d. para 4). Nestlé claimed it is dedicated to distributing disease resistant plants, training farmers and focusing on “plant science and sustainable production in Côte d’Ivoire” (para. 7). Nestlé, strengthening dominant hegemony, reinforced that the best way to lift farmers out of poverty is through improving the market. On the *Sustainable Cocoa* website, Nestlé stated that “

research into, and distribution of, cocoa plants has a major impact on the ability of cocoa farmers to grow more, higher-quality crops over the long term, and thus sustain a higher income” (para 4). It also pointed out that training in better agricultural practices was the best way to increase farmer profitability and that tackling issues such as low productivity and poor sourcing would lead to good quality and sustainable cocoa that ensured farmers could run profitable farms (Nestlé, 2012, p.158).

### **7.7.2 Collaborative Company**

Nestlé highlighted its partnership with other stakeholders to increase sustainability. It used this *collaborative company frame* throughout the CSRs. Nestlé stressed the importance of being open to varied points of view. The 2013 CSR claimed that Nestlé is engaging “in collective activities with partners and platforms at a global and a local level, which helps us to listen and learn from different opinions.” (p. 32).

Nestlé spoke about the importance of investing in plant and soil research. It pointed out that the dedication to sustainability was a collaborative endeavor showing that they were a *collaborative and responsible* company. Nestlé participates in the “Cocoa Livelihoods Program (partly funded by the Bill and Melinda Gates Foundation) and the IDH Fertilizer Initiative, and worked closer with the World Cocoa Foundation (WCF) through its Cocoa Link mobile technology service in Côte d’Ivoire” (Nestlé, 2013, p. 159).

In the *Rural Development Report* (2011), Nestlé reinforced the *collaborative and effective Protocol* frame, pointing out its commitment to the 2010 Framework and in “support of the principles of the 2001 Harkin Engel Protocol to achieve a significant reduction in the worst forms of child labour in cocoa-farming” (p. 100). The dedication to a multi-stakeholder policy to

eradicate WFCL was addressed in the both the 2009 and 2010 report. Nestlé stated that they were implementing “measures taken to contribute to the elimination of child labor” (Nestlé , 2009, p. 100). However, it came under criticism from the TANs that there were neither concrete steps nor a plan to address how it would eliminate child labor throughout its supply chain. By 2011, Nestlé had begun directly addressing the issue of child labor in detail. It proclaimed its dedication to eradicating child labor and that the first step was to clean up the supply chain. Supply chain transparency is a strategy advocated in the prognostic frame of the TANs from the beginning of the campaign against WFCL.

### **7.7.2 Certification**

In 2009, as a part of the Nestlé Cocoa plan, Nestlé began working with UTZ Certified. There were no commitments to the percentage of cocoa supply that would be cultivated using the UTZ certification. In 2011, Nestlé promised to certify some of its chocolate supply Fair Trade. The TANs criticized that the Nestlé Cocoa Plan only covered 20% of its cocoa supply, leaving 80% sourced through traditional channels and subject to WFCL. Nestlé responded by stating that it was the only company to work with the Fair Labor Association (FLA). By 2011, Nestlé made it a goal to achieve a clean supply chain, furthering its commitment to collaborating with the FLA. The suggestion to work with a Fair Trade labeling organization to ensure a clean supply chain was a suggestion made by the TANs, thus reducing earlier criticism that Nestlé was not monitoring its supply chain.

Nestlé acknowledged that there was indeed a child labor problem, and framed itself as a company who not only admitted it but was committed to eradicating WFCL. It released a



statement that “given the extent of child labor in the Ivory Coast, it is inevitable that farms supplying Nestlé used child labor” (Nieburg, 2011, para. 7). In the 2011 CSR, Nestlé invoked the caring, responsible and collaborative company frame and highlighted the extent of its commitment to the children of Western Africa.

### **7.7.3 Transparent Supply Chain**

The 2013 CSR included the The Nestlé Commitment on Child Labour in Agricultural Supply *Chains Policy* in the appendix. Nestlé reinforced responsible company frame and stressed it “is against all forms of exploitation of children, and is firmly committed to actions to eradicate child labour from its agricultural supply chains, in line with our commitments in the Nestlé Corporate Business Principles” (p. 1). Nestlé included an overview of the policy including oversight, responsibility, understanding and competence and transparency in an effort to improve its approach for commodities at high-risk for labor issues (p. 2). On the Cocoa Plan website, Nestlé cited that it was making substantial progress; 62,300 tons in 2013; 91,800 tons in 2014; and a minimum of 100,000 tons of chocolate in 2015 through the Nestlé Cocoa Plan. Nestlé stated that by 2014, it had sourced 30% of the total cocoa needs of the United States using the Cocoa Plan standards. In 2014, 35% of Nestlé total cocoa needs in Europe were sourced through the Cocoa Plan and “of this cocoa, 93% was certified by UTZ Certified and Fair Trade” (para. 1 & 2) In the 2014 Cocoa Plan report, Nestlé reported that it was using UTZ certification for 100% of the cocoa sourced for Canada, New Zealand, Australia and Japan (para. 5 & 6).

Nestlé stressed the importance of its collaboration with the FLA and ILO as a way to eradicate child labor from the supply chain. A 2011 November 27 press release entitled *Nestlé*

*becomes first food company to partner with the Fair Labor Association, framed Nestlé as a collaborative and caring leader in the industry:*

Building on our efforts under the Cocoa Plan, the FLA will send independent experts to locations where there is evidence of child labour to identify root causes and advise Nestlé on how to address them in sustainable and lasting ways...Where evidence is found of child labour in the cocoa supply chain, the FLA will identify the root causes and advise Nestlé how to address them. We are committed to working with the FLA and other stakeholders including the government in Côte d'Ivoire to address any problems identified (para 1).

The FLA monitoring report was released in 2014 and as expected there was evidence of child labor. Nestlé further showed its commitment to change and submitted a corrective action plan. Nestlé's corrective actions were in the FLA (2014) executive summary. The corrective action plan includes:

- Child Labor – Nestlé's Child Labor Monitoring and Remediation System (CLMRS) serving eight cooperatives in 2013, will be extended to 16 cooperatives in 2014.
- Health and Safety – Based on a health and safety risk analysis made at the cooperative level, CLMRS staff will be trained on developing and running a health and safety management system covering topics like safe chemical handling, use of personal protective equipment, first aid, accident procedures, and more.
- Grievance Procedures – Nestlé will include grievance procedures in its existing training activities, and will extend these trainings.
- Gender Disparities – Nestlé has published a response to the FLA's assessment of women's roles in its Ivory Coast supply chain. Nestlé's plan includes strategies for increasing the representation and recognition of women at the cooperative level, making training sessions more accessible to women.
- Non-discrimination – Nestlé will include a non-discrimination and non-retaliation provision in its illustrated code of conduct. (p. 3-4).

Nestlé indicated that as a result of the FLA's findings and in order to meet its commitment on eradication child labor, *KitKat* will only use sustainably sourced cocoa from the first quarter of 2016 (Nestlé, 2015). In a press release, Nestlé stated the “initiative, which coincides with *KitKat's* 80th birthday, is part of Nestlé's commitment to source 150,000 tonnes of sustainably produced cocoa by 2017 via the *Nestlé Cocoa Plan*” (2015 para. 5).

In addition to cleaning up the supply chain, Nestlé emphasized other initiatives that showed its commitment to corporate responsibility. Nestlé pointed out the extent of the commitment to the rights of all stakeholders. Nestlé framed itself as not only a caring, responsible and collaborative company, but as a global citizen.

#### **7.7.4 Global Citizen**

Starting with the 2013 CSR, Nestlé began to frame itself as a *global citizen*, dedicated to “Global principles [that help us] conduct our business with integrity and have a positive impact in the countries where we operate” (p. 45). Nestlé cited several international policies that were the basis of its global human rights framework, thus increasing the resonance of the global citizen's frame. Nestlé declared it maintains commitments to “adhere to a range of global principles, including the: United Nations Global Compact; UN Framework and Guiding Principles on Business and Human Rights; International Bill of Human Rights; Eight Core International Labour Organization Conventions; and World Health Organization's (WHO's) International Code of Marketing of Breast-milk Substitutes and the UN Millennium Development Goals (MDGs)” (Nestlé, 2013 p. 47).

Nestlé further increased the resonance of the *collaborative global citizen* frame when it pointed out its close working relationship with OXFAM. OXFAM's statement in the report was contained in the 2013 CSR report:

“OXFAM welcomes the steps that Nestlé is taking to improve the rights and opportunities of women in its cocoa supply chain. We also congratulate Nestlé on signing up to the UN women's empowerment principles, which broadens its commitment to empower women throughout its supply chains and operations.” - Judy Beals, Head of Behind the Brands campaign, Oxfam (p. 160).

Nestlé framed itself as not only a *responsible global corporate citizen*, but as the as a committed company as well. In the 2014 report, Nestlé declared that it received the highest score possible on the Oxfam “Behind the Brands” survey, which ranks “companies according to their policies in seven areas: transparency, farmers, women, agricultural workers, access to land, water and climate change” (p.10). Even though Nestlé received the highest score Nestlé “Oxfam said all the companies in the survey needed to show improvement” (p. 10). Nestlé committed itself to making the improvements that Oxfam deemed necessary. The recommendations include:

Ensuring the women in our supply chains receive appropriate support and doing even more for the small-scale farmers we work with. We support the efforts of Oxfam and other non-governmental organisations (NGOs) to make progress towards a sustainable food system, and support a co-operative approach by civil society, government and business (p 11).

**Global Education First.** In addition to working with Oxfam, Nestlé stressed its relationship with the UN. Nestlé strengthened the empirical credibility of the global citizen and collaborative frame when they stated:

[We are] committed to support the UN Secretary-General's Global Education First Initiative, which aims to boost child and youth education worldwide. We are doing so through the Nestlé Healthy Kids Global Programme, the World Cocoa Foundation Schools Project and through our collaboration with the International Federation of Red Cross and Red Crescent Societies, which is helping to improve water and sanitation facilities for school children, teachers and their communities in Côte d'Ivoire (Nestlé, 2013 p. 40).

Nestlé showed that it was committed to living up to its goals by reporting on its progress. In 2013, Nestlé highlighted that it built or refurbished 13 schools; in 2014, the goal was to build 10 schools and by 2015 to complete the school-building program to build 40 schools in four years. Nestlé assured stakeholders that progress will be updated yearly (Nestlé , 2013a, p. 12.)

Nestlé reinforced the importance of not only building schools but ensuring access to education and increasing school attendance. In the 2013 policy statement *The Nestlé Commitment on Child Labour in Agricultural Supply Chains* declared that it was their policy to transfer children from a working to an educational environment. Carrying out proactive and preventive programs designed to help children go to school would do this. Nestlé would terminate any contract with suppliers who violate its education policy (Nestlé , 2013a, p. 2).

### 7.7.5 Women's Empowerment

Nestlé framed itself as the *committed and collaborative company*, illustrating how it incorporated suggestion from human rights organizations into its CSR. In a September 20, 2011 press release, Nestlé reported that it “supports the United Nations’ *Every Woman Every Child* initiative that encourages governments, businesses and organisations to play a greater role in improving the health and wellbeing of women and children” (para. 5). In the 2013 CSR report, Nestlé took the recommendation from Oxfam to increase the resources and programs available to female farmers. Nestlé stated that it “impacted an estimated 130,000 women through initiatives such as the Nestlé Cocoa Plan in Côte d’Ivoire... We strive to empower women as economic agents and increase their ability to access markets on competitive and equitable terms” (p. 38).

The 2014 CSR report showcased the MYOWBU (My Own Business), a microfinance group funded by Nestlé in Western and Central Africa. In furthering the frame of *committed company*, and its dedication to women’s empowerment, Nestlé released a 2015 Progress Report on *Women in the Cocoa Supply Chain*. The pillars of Nestlé (2015) women’s empowerment policy include: “Promoting Equal Opportunities, Giving Women a Voice and Helping to Increase Women’s Income”. The 2015 *Women in the Cocoa Supply Chain* report gave a summary of progress including:

- Four cooperatives participated in gender awareness training following which each coop produced its own action plan.
- The number of cocoa plantlet nurseries led by women has increased from 3 per cent to 23 per cent.
- We have commissioned the FLA to run an in depth project with two women’s associations in order to strengthen the organisations so they better meet the needs of women.

- We are rolling out Income Generating Activities (IGA) for women to 16 cooperatives and plan to cover a further 45 in 2015. This activity is supported by a gender and IGA specialist recruited by our partner the International Cocoa Initiative (ICI) as well as staff from ANADER , the Côte d'Ivoire's Agence National de Développement Rural.
- We have established two Cassava nurseries which aim to provide higher –yielding varieties of this staple food to women farmers (para 3).

### 7.7.6 Creating Shared Value- Vision for the Future

In 2014, Nestlé co-organized the *Shared Value Forum* alongside the United Nation's Conference on Trade and Development (UNCTAD). Throughout the CSR summary report, Nestlé furthered the frame of *committed and responsible global citizen*, as well as the *collaborative corporation*. The goal of the forum was to “engage panelists and participants in a thoughtful discussion on how governments worldwide can work together with civil society and the private sector to accelerate sustainable development, and what these partnerships could look like” (p. 3). The four sessions of the forum included: *Creating Shared Value: Changing Role of Business; Nutrition and Health: From Individual Wellbeing to a Healthier Society; Sustainable Agriculture and Supply Chains: How to Meet Twice the Demand with Finite Resources by 2030?; Water Scarcity: Can We Solve It?*

The summary of each session included an overview of the issue and the way in which business can work with non-profits and NGOs to solve the societal issues that impact the global arena. In the *Shared Value* report, Nestlé framed business as a *remedy* as an opposed to the *cause* of societal ills. This strengthens the hegemonic concept that business does not need to be regulated; rather, it can regulate itself to meet the international needs. It also strengthens the

concept that the private rather than the public sector is the answer to solving the world's issues. In comparison to social entrepreneurship, Nestlé stressed that a business should still to create a profitable company. Paul Bulcke, CEO of Nestlé pointed out that the Creating Share Value was not about philanthropy; rather “Creating Shared Value is something that should wake up an awareness of the fundamental role of economic activity and society” (p. 9).

### **7.8 World's Finest- “Rooted in Shared Success”**

World's Finest Chocolate invoked the frames of *responsible and sustainable cocoa* throughout the CSR statement found on its website. According to World's Finest Chocolate, “*Rooted In Shared Success* is a unique Corporate Responsibility Program that is enriched not only with our sustainability efforts and fair business practices, but it also includes our continued commitment to the highest standards of social responsibility as well.” The prognostic frames of *certification, farmer training* and *childhood education* were seen throughout the CSR.

#### **7.8.1 Certification**

On its website, World's Finest Chocolate stated it purchases certified chocolate and that it has a strong partnership with Fair Trade USA. There was no indication as to when they began the relationship with Fair Trade USA or how much of the chocolate that they source is certified Fair Trade.

World's Finest Chocolate utilized the *collaborative company* frame, focusing on their partnership with the World Cocoa Foundation, Sustainable Tree Crops Program Initiative and the International Cocoa Initiative.



### **7.8.2 Farmer Training**

World's Finest Chocolate invokes the prognostic frame of farmer training when they highlight their efforts in its Farmer Field Schools "educate farmers on sustainability, agricultural education and community development" (World's Finest, n.d para.4).

### **7.8.3 Childhood Education**

The prognostic frame of *childhood education* is seen on the CSR website in the feature about *Echoes*. This is an "organization which trains teachers, establishes schools for children and aims to expand opportunities for youth living in cocoa growing communities" (para. 10).

In the CSR, World Finest showed that it was not only committed to farmers and children in the cocoa fields, but to the children of the United States. The company pointed out their involvement with Junior Achievement, Urban Prep High School, and food drives.

## **7.9 Frames incorporated into Cocoa Corporate Social Responsibility Reports**

By the beginning of 2015, all of the signatories had CSR reports in one form or another. They had all taken the some of the recommendations of the TANs namely, *promoting childhood education, farmer training, certification, a transparent supply chain and working closely with NGOs on the ground*. (See tables 7 and 8) In the following discussion and conclusion, I will summarize the process that occurred as well as considerations for the future.

Table 1 Overview Cocoa CSR

| <b>Cocoa Company</b>  | <b>ADM</b>  | <b>Blommer</b>   | <b>Barry-Callebaut</b>  | <b>Guittard</b>  |
|-----------------------|---|--|---|--|
| Name of Program       | <i>Socially &amp; Environmentally Responsible Agriculture Practices</i> | <i>Sustainable Origins</i>                                 | <i>Horizons Cocoa – For a Better Life</i>   | <i>A Sustainable Future</i>                              |
| Frame                 | Collaborative Company<br><br>Responsible Sustainable                    | Collaborative Company<br><br>Responsible Sustainable       | Child Work<br><br>Responsible Sustainable<br><br>Industry leader                    | Collaborative Company<br><br>Responsible Sustainable     |
| Programs and Policies | Community Development<br>Farmer Training.<br>Clean supply chain         | Community Development<br>Farmer Training.                  | Childhood education<br>Sustainability<br>Farmer Training<br>Cooperative development | Childhood education<br>Sustainability<br>Farmer Training |
| Certification         | 2010 UTZ certified<br>Fair Trade International                          | 2009 Rainforest Fair Trade USA<br>Fair Trade International | 2011 UTZ<br>Fair Trade International  | Rainforest Fair Trade USA                                |

Table 1 Overview Cocoa CSR

| <b>Cocoa Company</b>  | <b>Hershey</b>  | <b>Mars</b>  | <b>Nestle</b>  | <b>World's Finest</b>   |
|-----------------------|---|--|--|---|
| Name of Program       | <i>21st Century Cocoa Plan</i>  | <i>Principles in Action</i>  | <i>Creating Shared Value- The Nestlé Cocoa Plan</i>  | <i>Rooted in Shared Success</i>   |
| Frames                | Collaborative Company Responsible and Sustainable Accountable Corporate Citizen-<br>“Doing the Right thing for society” | Caring Leader Sustainability through Science Collaborative Company Responsible and Sustainable Corporate Global Citizen  | Sustainability Collaborative Company Responsible and Sustainable Collaborative & Responsible Corporate Global Citizen              | Responsible and Sustainable   |
| Programs and Policies | Transparent supply chain Sustainability initiatives Farmer Training “Cocoa Link” 2015- Supplier Human Rights Assessment | Transparent and clean supply chain Farmer Training/ Education Community development UN Guiding Principles on Human Rights as Policy Empowering Women-Vision for Change program | Transparent and clean supply chain Farmer Training/ Education Community development Sustainability initiatives Women’s Empowerment | Farmer Training/ Education Childhood education Transparent supply chain |
| Certification         | 2013-100% by 2020 UTZ certified Fairtrade USA Rainforest Alliance   | 2009-UTZ certified & Rainforest Alliance 2011-Fairtrade USA  | 2009- UTZ certified 2011-FLO & Fair Labor Association  | Fair Trade USA- no indication how much of line is certified             |

Table 2 Overview of Certification

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**Fair Trade International-** Certification Body: FLO-CERT

- A fair cost has been paid to small farmers.
- Fair Trade premium above the fair price- Goes towards the social, environmental or economic development of the local community.  
(Fair Trade Winds, 2015)

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**Fair Trade USA-**Certification Body: SCS Global Services (SCS)

- Fair Trade USA developed their own standards and compliance criteria.  
(Fair Trade Winds, 2015)
- Fair Trade USA label- 100% FTC Ingredients
- Fair Trade Cocoa label- 100% cocoa is Fair Trade Certified.
- Fair Trade USA Ingredient label -More than 20% FTC Ingredients.  
(Fair Trade USA, n.d.)

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**Fair For Life-** Certification Body: Institute for Marketecology (IMO) - Independent, third-party certifier specializing in international inspection and certification services for organic, ecological and social standards.

- Every step of production can be certified, including producers, manufacturers and traders
- Other certifiers simply certify the finished product or only a couple steps of the production. Fair for Life *certifies entire companies* (Fair Trade Winds, 2015)

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**Rainforest Alliance**

- Prohibit the use of forced labor, child labor, and discrimination.
- Protection of the right to organize not a critical criteria.
- No specific minimum floor price for cocoa beans. RA maintains that with higher quality and sustainable cocoa beans, farmers should be able to earn a higher price for their beans over time.
- Only 30% of the primary ingredient needs to be certified in order to earn an RA label.  
(Raise the Bar Hershey!, 2011 p.39)

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**UTZ Certified**

- Prohibits forced labor, child labor, and discrimination and protects the right to organize and bargain collectively; encourages “good Agricultural Practices and farming management, safe and healthy working conditions, abolition of child labor and protection of the environment” (UTZ Certified, n.d.)
  - *Price is solely based on negotiations between the buyers and farmers.* – UTZ states that guaranteeing farmers distorts market and discourages them from adopting good farming practices. (Nieburg, 2013 para 1).
  - Paying the legal minimum wage is required only after the first year of certification  
(Raise the Bar Hershey!, 2011 p.39)
-

## **Chapter 8- Conclusion and Discussion**

This study traced the historical process and documented the changes in the cocoa industry and the policies designed to eradicate WFCL. The research questions were answered and addressed in tables, the appendices and throughout the entire narrative of this study.

It has been almost 15 years since the signing of the Harkin-Engel Protocol. The industry symbolically illustrated its dedication to child and human rights by signing the Protocol. The Protocol was a catalyst for change but it was not until the cocoa companies started to internalize human rights norms that a real transformation occurred. It took some companies at least 8 years and others more than 12 to commit to certification programs that prohibit child labor and a transparent supply chain. By mid 2015, all of the major signatories had made a substantial move towards human rights compliance in their corporate responsibility policies. This study is an investigation into the outcome of policy as well as the process that occurred toward corporate human rights norm compliance. The journey proved to be long as the companies moved from denial through commitment and eventually compliance.

### **8.1 Conclusion**

#### **8.1.1 “Spiral Model”**

Social constructivists examine how social ideas are communicated and how these ideas influence and change behavior. In the realm of human rights, social constructivists describe the *process* in which norm-violating entities evolve to respect and even promote human rights. One of the purposes of this study was to examine the process of events that occurred since the signing of the Protocol. My findings are similar to a study by Risse, Ropp & Sikkink (1999). They

investigated the route to governmental human rights compliance. Their study traced the development through which “principled ideas become norms...that in turn influence the behavior and domestic structure of states” (p. 7). Risse et al (1999) called the process of socialization of human rights norms and state compliance the “Spiral Model.”

There are five stages in the spiral model. In phase one, states and governments violate human rights with impunity and face little opposition because little information is available to outside agencies (Risse et al, 1999). When human rights repression is discovered and brought to light by human rights organizations, governments inevitably deny violations and reject the validity of human rights. This leads to phase two, characterized by transnational forces denouncing and seeking to embarrass the repressive regime (Shor, 2008). In the third phase, oppressive states continue to seek legitimacy and employ “tactical concessions in order to get the international human rights community off their backs” (Risse & Ropp, 2013, p. 6). These concessions are made in answer to continued pressure and include such compromises as the release of prisoners. As domestic opposition to repressive practices grows, the country’s NGOs become linked to the international human rights advocacy groups. In this phase, the state accepts international human rights laws; however, the government denies that the cited practices violate this human rights law. In phase three NGOs and human rights advocacy groups employ “shaming” as a tool to push toward compliance (Risse, Ropp & Sikkink, 1999). In phase four, states enter into “prescriptive practice,” in which new international protocols are passed and the norms are then institutionalized into domestic law. The states “no longer denounce criticisms as interference in internal affairs and engage in a dialogue with their critics” (p. 29). This eventually transforms the behavior of the government, leading to the fifth and last phase, in

which the number of human rights violations decrease (Shor, 2008). States not only seek legitimacy by signing onto agreements, but the universal aspect of human rights creates a moral imperative to conform (Shor, 2008).

### **8.1.2 Spiral Model in the Cocoa Industry**

The cocoa companies went through a process that parallels what Risse et al (1999) found occurring with governmental human rights compliance. Deitelhoff & Wolf (2013) also discovered “socialization in the business sector displays surprising extensions of this [spiral] model regarding its phases and causal mechanisms” (p. 223). Based upon the findings in this study, there are additional phases that the cocoa corporations went through, and continue to go through, on the road to promoting full human rights in the industry.

#### **Phase One- Denial of Accountability**

In phase one of the spiral model, governments engage in human rights violations, yet deny that oppression is actually occurring. In comparison, corporations are “quietly complicit in human rights violations” (Deitelhoff & Wolf, 2013 p. 226). Once a corporation becomes the target of a transnational advocacy network campaign, it denies accountability for what occurs in the host country (p. 227). We can see evidence of phase one in the *lack of control and governmental obligation* frame identified in Chapter 4 during the first time period. Once the cocoa industry became a target of the TANs, the industry asserted it should not be held accountable for the lack of West African governmental law enforcement. In addition, the industry asserted that it could not control the supply chain. Deitelhoff & Wolf (2013) found similar denials in Nike’s reaction to the anti-sweatshop campaign, companies accused of abuses

in mining coltan in the Congo, and criticism against Shell's influence in Nigeria. In the Sudan, Tailisman Energy was accused of contributing to the "brutal civil war". The company vehemently denied any responsibility for the Sudanese war (Korbin, 2009, p. 349).

### **Phase Two- Tactical Concessions**

In the second stage, tactical concessions take place, which are the result of the pressure from the transnational advocacy network. Deitelhoff & Wolf (2013) found that in phase two, corporations show they are "ready to adapt to the human right's discourse by... highlighting their compliance with international human rights standards and... agreeing to activities addressing the specific problems at hand" (p. 230). In this phase, the industry signed the Protocol. In *the collaborative cocoa* frame, the industry asserted that signing the Protocol was a signal of its commitment to eradicating WFCL.

Companies often act out of financial self-interest and first sign onto a voluntary agreement as a way to show a public commitment to human rights (Dietelhoff & Wolf, 2013). In the tactical concession phase, organizations seek a perception of legitimacy by demonstrating a commitment to social norms and accepted standards (Shor, 2008). In the realm of human rights socialization for countries, researchers have found that states ratify treaties as a "symbolic gesture that the government is not a deviant actor" (Hafner-Burton & Tsutsui, 2005). In the corporate world, the same holds true. Corporations seen as human rights violators risk their reputations; they can't be seen as "deviant actors." If the chocolate companies did not sign onto the Protocol, the companies would have jeopardized their reputations in the industry. Deitelhoff & Wolf (2013) found that since norm-violating and norm-abiding companies are competitors in



the same market, they need to be seen as cooperative so as not to be at a “competitive disadvantage” (p. 227).

Hafner-Burton and Tsutsui (2005) have conceptualized that signing a human rights treaty is a “paradox of empty promises” in which initially governments sign onto human rights treaties as “window dressing,” while they continue to violate human rights. A decoupling occurs when a human rights treaty is signed, separating policy from actual practice (Hafner-Burton & Tsutsui, 2005). The same can be said for corporations; at first a corporation may sign onto a voluntary agreement in order to pacify critics, without any real commitment to change (Locke, 2013). A company can market itself as upholding human rights norms without having to actually change business practices. Public discourse is a powerful tool to keep organizations accountable to their word and hold them to the agreements they have made. Cardenas (2004) found that once “actors commit to normative language they gradually entrap themselves in higher levels of cooperation” (p. 216). Through the process of “self-entrapment,” stakeholders make a commitment in public and then are held to this commitment (Risse, 2000). This transpired in the cocoa industry; press releases in the first time period highlighted companies’ involvement in the Protocol as evidence that they were committed to eradicating WFCL. In the case of the cocoa industry, the tactical concession phase also enabled it to strengthen hegemony by showing that it was not in need of regulation; the industry could regulate itself. The first Payson report, however, found little to no compliance to the Protocol.

The Payson report was used as a way to “shame” the industry. Studies show that in phase two, concessions such as signing onto an agreement, do not placate activists; rather these concessions further serve to strengthen the momentum of the movement. (Risse et al, 2013). In

the early stages of the spiral model, the TANs had a high level of intensity, and released a majority (63%) of press releases to keep pressure on the corporations. (This number includes the Raise the Bar Hershey! press release that continued as Hershey remained in the early stages of the model). The TANs intensified their campaign in the *ineffective Protocol* frame, claiming that the companies had little to no compliance to the Protocol (see Chapter 4). The industry continued to maintain its commitment to eradicating WFCL. In fact, after the Protocol was updated in 2008 and the Framework was signed in 2010, the companies had begun to change their practices, but to different degrees and at different times.

### **Phases 3 and 4- Prescriptive Status and Norm Entrepreneurship**

The signatories of the Protocol had all reached phase two in the journey to human rights compliance. However, some companies had advanced to the third stage of prescriptive status while others remained in phase two. In the stage of prescriptive status, norms become part of the corporate culture and a company begins to “institutionalize its commitment to human rights within the company’s structure” (Deitelhoff & Wolf, 2013, p. 231). Nestlé, Mars and Blommer were the first companies to have human rights institutionalized into their corporate social responsibility structure as evidenced by their CSRs (see Chapter 7). They utilized the *responsible cocoa* frame. In the third stage, human rights standards became a part of CSRs, but the impact of the policies was limited due to inadequate funding.

The fourth stage in the corporate spiral model is *norm entrepreneurship*. Mars and Nestlé highlighted their leadership role in the *industry leader* and *global corporate citizen* frame. At this stage, corporations use frames to advance human rights discourse within an industry (Deiteloff & Wolf, 2013). Mars can be considered the first *norm entrepreneur*, advocating for change

throughout the cocoa industry. Norm entrepreneurs not only make change but call upon their competitors to comply as well (Deitelhoff & Wolf, 2013). Transnational corporations that endorse the validity of human rights norms provide an avenue for other companies to accept the legitimacy of standards (Kobrin, 2009; Risse, 2004). Since 2009, Mars has continually called upon other companies to clean up the supply chain and pursue Fair Trade certification. Mars has been a leader in addressing women's rights issues and sustainability. In an interview, Kevin Rabinovitch, Mars' global sustainability director, called upon business to change practices to combat climate change:

We have been unequivocally convinced by climate science that this is a real issue...Humanity is causing it. We should be setting a CO<sub>2</sub> reduction goal that bears a resemblance to what scientists say your CO<sub>2</sub> reduction goal should be (Gunther, 2012 para. 13).

Nestlé was the next company to begin to call upon industry to change practices. In the 2014 *Creating Shared Value Forum*, Nestlé, with the UNCTAD, brought together industry leaders, NGOs and other various stakeholders “to stimulate thinking about the increasingly important role of business in helping to address major socio-economic challenges such as population growth, food security, malnutrition and obesity, all in the context of limited natural resources and climate change” (Nestlé, 2014, p. 3). See Chapter 7 for more details.

### **Phase 5- Rule Consistent Behavior**

The other cocoa companies who signed onto the Protocol, advanced to the fifth stage of *rule consistent behavior* and began institutionalizing labor enforcement mechanisms by using third-party certification to ensure a supply chain free of WFCL. Hershey and Barry Callebaut lagged behind when it came to certifying their supply chains; both certified in 2012. Deitelhoff &

Wolf (2013) conceptualized norm entrepreneurship as the fourth stage in the corporate spiral model; however, they looked at one company in each industry. When looking at the cocoa industry as a whole, a different process occurred. Neither Hershey nor Barry Callebaut became a norm entrepreneur. Hershey found itself under continued attacks from the TANS, often the center of “shaming and blaming,” strategies often used when states do not comply with human rights’ treaties (Risse & Sikkink, 1999). Hershey’s actions were similar to that of a non-compliant state: engaging “in a dialogue with their critics, trying to legitimize their behavior by referring to the norm, apologize or promise and deliver compensation” (Risse et al, 1999, p. 30). The TANS kept the pressure on Hershey in the same manner that they did with Mars and Nestlé when those companies were in earlier stages. Raise the Bar Hershey! used naming and shaming and press releases to call on Hershey to make change. Raise the Bar! engaged in such practices as rallies, the Halloween and Super Bowl campaigns as well as lobbying shareholders as a means of continued agitation.

Hershey, alongside Barry Callebaut, did eventually reach prescriptive status, characterized by their commitment to certification in 2012. Neither company became a leader in the industry by becoming a norm entrepreneur, rather, both companies proceeded from the *prescriptive phase* to the expectation of *rule consistent behavior* found in stage five.

In the fifth stage of *rule consistent behavior*, Nestlé took the lead in institutionalizing its commitment to a clean supply chain when partnering with FLO to monitor labor practices and instituting changes upon FLO’s discovery of the use of child labor (see Chapter 7). Nestlé illustrated that its corporate behavior was consistent with the promises it had made in its CSR. From 2009, Mars committed to third-party certification to ensure compliance with its policies.

Corporations set and develop norms for other companies and will sometimes set procedures so that best practices are being followed (Deitelhoff & Wolf, 2013). What may have initially begun as a discursive capitulation to pressure from the TANs has evolved to corporations exhibiting norm-abiding behaviors. Cocoa companies may have started in 2001 giving “lip service” to eradicating WFCL, but by 2015 they had institutionalized these promises. By 2013, all of the major signatories were working with certification agencies to ensure that their practices were aligned their corporate responsibility reports, thus reaching the final stage of compliance.

The cocoa companies did not shift all of their ideological stances; for example they still supported voluntary vs. mandatory regulation. Each company still maintained that the best way to increase farmer income was through better training, increased yields and improved crop quality, and used UTZ certification for some of their crops. The UTZ certified price is based on negotiations between the buyer and farmer, does not guarantee a minimum price (see Table 2). However, the companies also transcended ideology and surprisingly adopted Fair Trade policies that are not neo-liberal in nature. To varied extents, all Protocol signatories are working with Fair Trade certification organizations that mandate a farm-gate, so farmers are not at the mercy at the market.

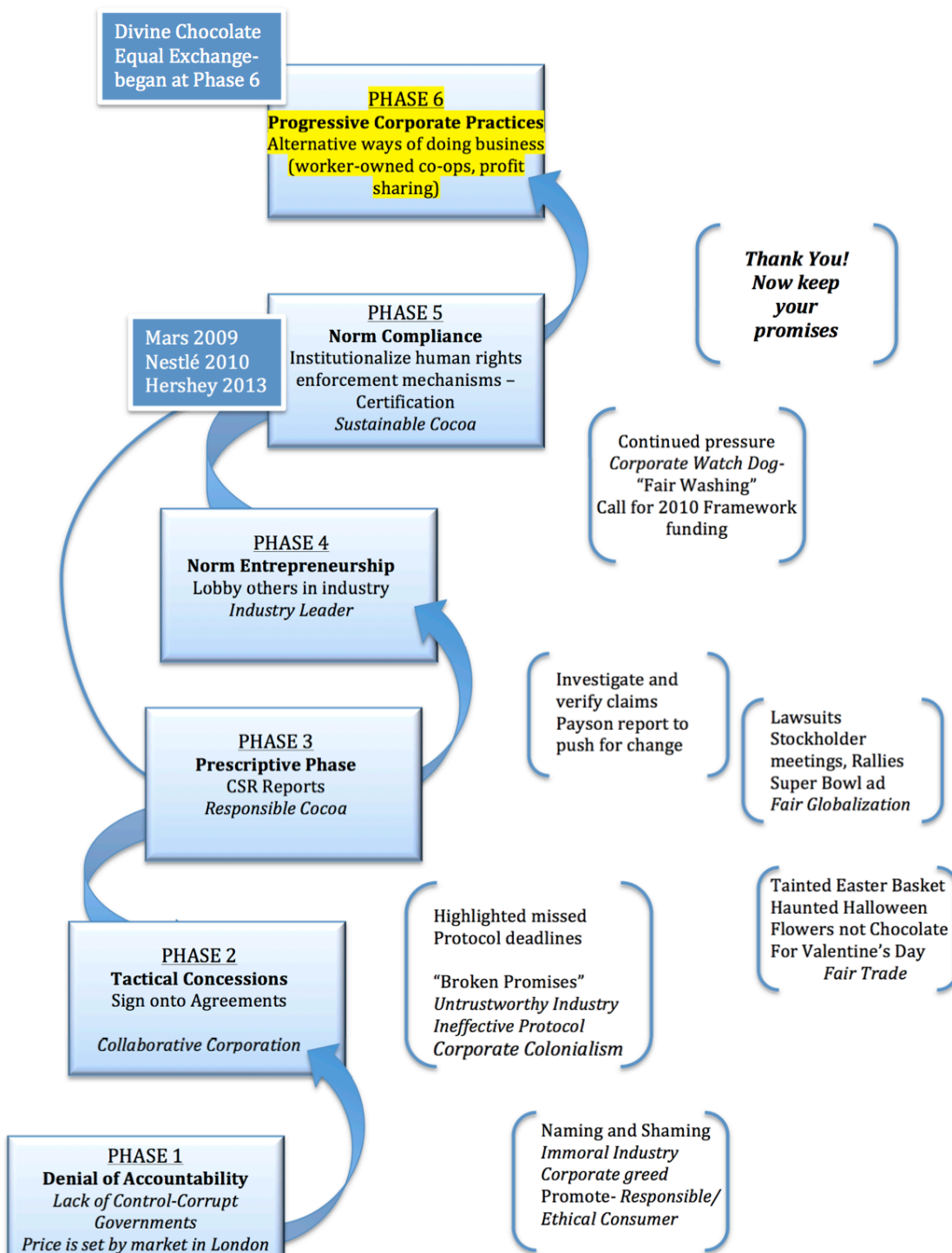
### **Phase 6- Progressive Corporate Practices**

My findings suggest that there is a sixth stage to the cocoa spiral model; *Progressive Corporate Practices*. This stage occurs when businesses begin to question the status quo and seek to conduct business for the good of society. They lobby for changes in trade laws and assist in advocacy campaigns alongside the TANs. Divine Chocolate and Equal Exchange are wonderful examples of companies that exist to help workers thrive and succeed, and are often on

the forefront for lobbying for systemic change. Mars and Nestlé are inching toward this stage, but still seem too firmly entrenched in the traditional corporate model.

Marshall (2013) found that activists “can catalyze the positive and lasting [corporate] change that would be slow or impossible to achieve otherwise” (para 2). My study concurs with this finding, early agitation on the part of the TANS and continued pressure throughout the process, led the industry to progress to the next stage in the model. It will be interesting to see if traditional corporate structure responds to pressure from the Critical TANS and incorporate more progressive practices. As society progresses, it will be interesting to see how corporations progress as well.

**Figure 3 Cocoa Corporate Spiral Model**



### **8.1.2 Limits of Voluntary Regulation**

The TANS continue to point out limitations to voluntary regulation of industry. Initially, any voluntary commitment or treaty struggles to be implemented due to the lack of any enforcement mechanism (Hafner-Burton & Tsutsui, 2005; Shor, 2008). The TANS often blamed the Protocol's voluntary aspect as a reason that it took companies a lengthy period of time to begin taking real action. However, voluntary regulation of private industry has increasingly become the method to ensure human rights in a global economy (Locke, 2013). In fact, one of the primary criticisms of the Protocol was that the voluntary nature offered no reason for the industry to comply (Neil, 2011). The Protocol and 2005 amendment were designed as a way to have the industry publically commit to eradicate the WFCL. As the Payson report maintained, the objectives did not specify the mechanisms to accomplish those goals. The 2010 Framework included the prognostic frames of the TANS including increasing the number of NGOs; increasing funding and oversight in the cocoa industry (See Appendix F). The incorporation of the TANS frames in the 2010 Framework was not enough to make change in the industry. Deitelhoff & Wolf (2013) found that "the absence of globalized political mechanisms capable of re-establishing the social boundaries of the market [leads to] transnational public pressure reflecting the need for new standards of appropriateness" (p. 238). It wasn't until the cocoa companies began to institutionalize labor rights enforcement mechanism that real change began to occur.

Cocoa companies no longer claim that labor and human rights practices are not their responsibility. Although industry has institutionalized human rights into both its local and global practices, the campaign of the Critical TANS has continued. The Deitelhoff & Wolf (2013)



model ends at compliance; however, advocacy needs to continue in order to advance to stage six of progressive practices and avoid a regression of business practices. Pressure is needed in order to assess the extent of and prevent “fair-washing.”

### **“Fair Washing”**

This study suggests another component to the corporate spiral model, “fair-washing”; the Fair Trade equivalent of “greenwashing.” Fair-washing occurs when a company’s CSR claims that it is engaged in responsible behavior, but those the claims are misleading (Hamann & Kapelus, 2004; Doherty, Davies & Tranchell, 2013). Not every company exhibits fair-washing behavior at the same time, if at all, so it is an offshoot of the spiral model, not a stage. In the case of the cocoa industry, many companies highlighted projects that were developed for West Africa. Raise the Bar Hershey! pointed out Hershey’s fair-washing its level of donations to the Empowering Cocoa Households program:

The [Tulane] report also says that just over 3,000 children were reached through the project—a small number of children and a small amount of funding in relation to the 1.8 million children who could benefit from intervention and the massive profits of these corporations (Raise the Bar, Hershey!, 2012 p.18).

The Payson Center continually found that the investment in the projects was far less than what was needed to make a real impact. The industry did not “commit significant resources” to eradicating WFCL, and the final Payson report (2011) found that “(69.26%) cocoa growing communities remain to be reached in Ghana and an estimated 3,608 (96.21%) remain to be reached with remediation activities in the Côte d’Ivoire” (pp. 46- 47). Since the final Payson report, Mars has committed to giving an increased amount of money to the initiatives on the

ground (Mars, 2013). Nestlé has continued to be committed to eradicating WFCL, employing monitoring systems with the FLO (Nestlé, 2014).

As late as 2014, Raise the Bar Hershey! criticized Hershey and Barry Callebaut's monetary contribution to the Framework. Hershey committed to \$105,000, and Barry Callebaut \$100,000 a year in order to fund the Framework of Action, compared to the \$904,000 commitment from Mars. Raise the Bar Hershey! (2014) once again invoked the *untrustworthy company* frame:

As two of the biggest chocolate companies in the world, Barry Callebaut and Hershey are just as responsible as their counterparts for the atrocious labor conditions of the cocoa sector. And yet, both have been miserly when it comes to the fight to remove children from the cocoa fields of West Africa (para. 9).

Fair Trade-USA has come under more intense scrutiny due to their affiliation with Hershey. The Fair World Project issued a press release entitled "Fair Trade-USA Undermines Fair Trade Principles and Producers to Accommodate Products Such as Hershey's "Greenwashed" Chocolate; Fair World Project Believes that Diluted Labeling Policy Hurts Farmers, Misleads Consumers, and Creates Market Disadvantage for Truly Committed Fair Trade Brands" (2013). Research supports the claim that standards are subject to co-option. Doherty et al (2013) found that if a company is not truly committed to Fair Trade standards, it is more likely to only fulfill the "minimum fair trade requirements" in order to get a label (p. 174). Fair Trade-USA requires that "just 20% fair trade contents" are necessary for a Fair Trade ingredient label (Fair Trade Project, 2013 para. 4). As such, a Hershey bar that contains only 20% cocoa and has "more sugar than cocoa" can earn a Fair Trade ingredient label (para. 5). The impact of mainstreaming on the Fair Trade movement is a subject for further research.

Activists have also expressed concerns about trusting Nestlé. By working with a brand notorious for aggressively marketing baby formula to the developing world, and claiming that water is a commodity, not a human right, advocates question whether they are they are “dancing with the devil” (Higgins, 2013).

The *10 Campaign* introduced a new frame, *corporate social accountability*, in response to fears of fair-washing occurring in the industry’s CSR: As “corporate social *responsibility*” has apparently failed in the case of the cocoa sector, we demand that there now be “corporate social *accountability*” to achieve ethical and sustainable cocoa sourcing (p.18).

Even after the final level in the spiral model, institutional compliance, takes place, activists need to continue to monitor an industry. The first certification scheme that most companies used is UTZ certified, which does not guarantee a minimum price for cocoa, the TANs continued to push for Fair Trade certification. Deitelhoff & Wolf (2013) found that the monitoring of transnational forces is essential due to the voluntary nature of corporate social responsibility. The emphasis on voluntary initiatives is more likely to lead a company to fair-wash (Hamann and Kapelus, 2004). Even though a socialization process has allowed the cocoa companies to institutionalize practices into their corporate structures, the work of the TANs needs to and will continue. The advocacy of the TANs continues to center on public regulation, measures that would mandate certain behavior from the industry and lobbying for 100% Fair Trade certification. As noted in Chapter 4, the recommendation from the *10 Campaign* is creating a mandatory fund to which the cocoa industry contributes .001% of all profits. The *corporate watchdog* frame remains evident. The TANs have noted that mandating certain behavior is necessary as they have questioned the motivation of the industry’s commitment to

CSR: “I’m afraid the answer lies in self-interest as much as corporate responsibility: Growing cocoa is becoming unsustainable. There’s a crisis brewing” (CNN and World Vision, 2014). .

## **8.2 Discussion**

### **8.1.3 Implications for Policy and Social Work**

Policy recommendations designed to eradicate the WFCL have been made throughout this study. Some recommendations come from the TANs and were in conflict with the cocoa companies. Ultimately, the cocoa companies did eventually incorporate policy suggestions from the TANs such as: creating a transparent supply chain, increasing access to education, seeking third party certification, and increasing farmer awareness and education. As stated in the previous section, and seen in Appendix F, the policy recommendations that were not incorporated into CSR policies or the 2010 Framework were those that most challenged dominant hegemony, such as mandatory regulation and mandatory contributions to fully fund NGOs working on the ground. UTZ and Rainforest Alliance; the first certification schemes used; prohibited forced and child labor, but did not mandate a minimum price. Eventually the signatories agreed to use Fair Trade for some, if not all of its cocoa. The *Fair Trade* frame was incorporated into the companies’ CSRs, which may seem counter-intuitive as it sets a minimum price as opposed to letting the market take over. This is either an ideological shift of cocoa companies who now embrace a more protectionist policy so that farmers are guaranteed living wage- or for more nefarious reasons. The Critical TANs have suggested that the reason for the increase in Fair Trade certification is that standards have been watered-down, or as suggested in the spiral model, that Fair Trade certification is used as a badge of legitimacy. In addition, the

TANs have proposed that the emphasis on sustainability is because of the fear that farmers will switch to a more lucrative crops like rubber or palm oil if the cocoa crops yields do not improve (*10 Campaign*, 2012; CNN and World Vision, 2014; Raise the Bar Hershey! 2014).

Either way, despite the underlying reasons, practices have shifted in the cocoa industry. Policy implications are intertwined with recommendations for social workers namely, to continue to advocate for policies that support those who are most at need in our society. Social workers need to make sure the diagnostic frame is based on empirical research so that solutions and the prognostic frame is incorporated into policy.

Social workers can find other organizations lobbying to make change and join with them throughout the advocacy journey. This journey begins at stage one, when a corporation or state denies culpability, and continues until evidence of human rights compliance and the process of norm diffusion is complete. Even then the job of social workers collaborating with a transnational advocacy network is not over. They need to continue to be vigilant watchdogs monitoring for “fair washing,” or regression to an earlier stage in the spiral model. Research concurs with the recommendation that even when corporations have institutionalized their human rights practices, it “should not blind us to its limits” and can “never permanently replace public regulation” (Deitelhoff & Wolf, 2014 p. 238). Because a current lack of international law governs human rights in the corporate world, a combination of public and private entities monitoring corporations will lead to the most successful outcomes (Korbin 2009; Locke, 2013). In the case of the cocoa industry, the Department of Labor contacted with the Payson center, a private agency, to oversee the Protocol’s progress. The results of the Payson report became as a tool to intensify the campaign against the cocoa industry. Social workers who advocate for

change in an industry need to also support initiatives that create public oversight. The TANs continue to work with governments and other organizations, monitoring the industry to keep it true to the promises made to those in the West African cocoa fields. The 2010 Framework created the Child Labor Cocoa Coordinating Group (CLCCG) to supervise the Framework's progress. The third-party oversight system by the Payson Center and the CLCCG tells me that multi-stakeholder groups have incorporated the *untrustworthy industry* frame into their policies; they do not trust the industry to self regulate.

There are also implications for teaching social work students. Direct instruction in crafting strong resonant frames is essential when teaching them about advocacy work. It is important to expand the teaching of critical and radical theory to include concrete examples of alternatives to prevailing ideology and hegemony. In this way future social work students can see that there are alternatives out there to the status quo. Using examples of international rights' issues to highlight global inequities can be used to awaken the global consciousness of social work students.

#### **8.1.4 Frame Resonance and Social Empathy**

The frames espoused by the TANs need to resonant with policy makers and society at large. The TANs crafted a message that Fair Trade was the best way to lift cocoa farmers out of poverty. In fact, the Fair Trade suggestion was incorporated into policy recommendations from the Payson Center (2009, 2010, 2011) as well as governmental reports (Sallam-Blyther et. al, 2005) that cited information from the TANs about the success of Fair Trade.

For social workers, this means it is essential to frame problems and solutions in a way that will reach policy makers. Deitelhoff & Wolf (2013) also found that successful framing strategy “depends heavily on the possibility of translating complex problems into neat story lines” (p. 229). A social movement must frame its messages in a way that not only elicits empathy but spurs stakeholders to mobilize into action (Norton, 2011). Social empathy is “defined as the ability to more deeply understand people by perceiving or experiencing their life situations and as a result gain insight into structural inequalities and disparities” (Segal, 2011, Abstract). Social workers can learn to render problems in a way that increases social empathy for those who are struggling in a globalized economy.

The reason the Fair Trade frame had a strong resonance is that it successfully elicited social empathy for the children in the cocoa fields while at the same time mobilized activists with a solution. Initial reports described adults and children in the cocoa fields; however, the issue became only about Worst Forms of *Child* Labor. The suffering of children is more likely to elicit outrage and a mobilization to action, and the TANs highlighted the issues of children. The TANs were instrumental in pointing out the structural inequities in the cocoa industry, contrasting the power and wealth of the companies with those of enslaved children. The TANs told powerful stories of children toiling in the cocoa fields to make profits for an *untrustworthy and immoral industry*. Framing an issue in a way that creates empathy can create policies that lead to social justice (Segal, 2011). The Fair Trade TANs were successful in *creating an identity of moral authority and increasing the emotional consonance* of their frame in a way that resonated with stakeholders (see Chapters 2, 4 and Appendix D for more details). I added *engendering an empathetic response* to Maney et al’s (2005) resonance table, as it is an

important component to increasing frame resonance. Both the Critical and Fair Trade TAN used empathy to appeal to targeted audiences. Social workers can benefit from crafting frames so that they resonant with the public and policy makers. The discourse should also create a sense of social empathy when advocating for social justice policies.

In addition, social workers need to also examine resonance in terms of *challenging hegemony*, *harnessing hegemony*, or a hybrid of both. A social worker's theoretical mindset will determine the manner in which (s)he frames an issue. For example, some social workers may feel most comfortable *harnessing hegemony*, using the status quo to make change. These social workers can find organizations that fit their beliefs, such as those found in the Protocol or Fair Trade TANs. Social workers that come from a critical mindset can *challenge hegemony* and continue to advocate for changes to neoliberal policies that has resulted in the current state of inequality found throughout our globalized world. I have found that when the frame being advocated is counter-hegemonic, as in the case of the Critical TANS, the frame's resonance has to be strong in order to counter the power of prevailing ideology. This is consistent with other research that shows a frame's resonance has to be strong in order to counter elite messages found in dominant repertoire (Klocke 2004; Maney et al, 2005). The TANs actually used prevailing hegemony as a tool to try to force the industry to make changes. They used one of the strongest tenets of capitalism, namely profits, to influence industry practices. As noted earlier, naming and shaming strategies are used to threaten the impact the profits of the companies. The companies that feared damage to their reputation began to make changes in their policies. Social workers should keep this in mind when advocating for change for corporations whose main goal is increasing profit.



For social workers with a critical mindset, it is important to join with TANs that can imagine alternatives to the present neoliberal reality. “Every system of domination generates its own distinctive set of opportunities for challenge and transformation, and neo-liberal globalization is no exception” (Evans, 2008 p. 298). The Critical TAN continues to invoke the *fair globalization* frame, questioning power in the cocoa industry and campaigning to change this power differential:

No matter how many schools are built or how many health centers are staffed, the balance of power in the cocoa supply chain will remain in the hands of cocoa exporters and chocolate brands unless cocoa farmers can be empowered to negotiate a decent price for their crops. Until then, farmers will continue to live in poverty (Raise the Bar, Hershey! 2014 para. 10).

It is crucial that not only does the power differential change, but also the thought system that contributed to creating the system. Otherwise “any movement for social justice that operates out of the dominant thought-structure is doomed to recreate a world that is hierarchical, that creates unequal power relationships, [and] treats certain groups and individuals as the *other*, who will be treated unjustly” (Brandwein, 1986, p.178). Whether the issue is child labor, human trafficking or another societal ill, it is essential for social workers to organize with “global-local alliances that do not replicate the power asymmetries of the current world order” (p. 297).

### **8.1.5 Limitations of this Study**

This study documents the history of changes throughout the cocoa industry, observing themes and events throughout the course of 13 years. There were many events that occurred politically in Western Africa that impacted cocoa farmers, however these events were not documented here, as it was beyond the scope of the study.

It is qualitative by nature, and therefore it requires additional research to verify the findings. Statistical and survey research can be utilized as a next step to further investigate frame resonance (Sikanku, 2013). Survey research can be used to ascertain which of these frames resonate with varied stakeholders.

Only one researcher coded and interpreted the data. Questions of intercoder reliability arise for framing analysis studies, namely whether the frame is “correct” (Creed et al, 2002 p. 47). However, this assumes a fixed or “objective” reality. The qualitative nature of this study assumes that, instead of a “right answer”, a framing analysis “peels away layers” of an issue in an interpretive process that uncovers the themes portrayed in public discourse (Creed et al, 2002 p. 48). Our interpretation of frames are impacted by what “we bring to the analysis” (Creed et al, 2002 p. 49). I was involved in the beginning of the TAN campaign. Comparing my frames to that of someone who was not involved can uncover the role of how the researcher’s experiences influences the framing analysis process. As the investigator’s worldview can impact the way that data is interpreted, a future study could have another coder read the data in order to compare their findings to those discovered in this investigation. This would not be done in an effort to see whose frame was the “truth”. Rather, it would lead to a rich discussion of the variations in frames and analysis of discourse.

As the focus of the study was to uncover themes found in discourse, only framing analysis was utilized in this study. There are other ways to study social movements. Political scientists, when investigating social collective movements, sometimes use resource mobilization and political opportunity process models (Hewitt, 2009). It would be interesting to apply other analysis of social movements alongside the framing analysis of the TANs.

In addition, the study was limited to certain stakeholders, while there were many more stakeholders involved in this campaign. The only cocoa corporations studied were the ones that signed onto the Protocol. Ghana and the Côte d'Ivoire are major stakeholders, however the campaign to hold these countries responsible was beyond the scope of this investigation. This study examined the TANS campaign to make change within the cocoa industry.

#### **8.1.6 Future Research Recommendations**

There are many opportunities for future research including conducting an in-depth organizational analysis of the Cocoa Transnational Advocacy Networks, their connections to each other as well as their organizational structure. Another suggestion is to conduct a comparative analysis of the cocoa TANS to other social movements TANS.

In addition, survey research into which frames resonate with a targeted audience, would be beneficial for helping social workers craft discourse in social movement campaigns. Further research into the politics of social empathy and its connection to policy would help increase the resonance of the frames espoused by social workers while working in a collective movement campaign.

A comparative policy analysis of the outcomes of voluntary regulation policies would be beneficial for creating successful public- private partnership programs. As it is important to envision an alternative to the status quo, a study of alternatives to neo-liberal globalization practices would be helpful to social workers working to make changes in dominant hegemonic policies.

Looking at the impact of mainstreaming on the Fair Trade standards will help social workers advocate for change in the movement. Social work activists can also know when to push back on corporations by conducting an in-depth study of “fair-washing” or “greenwashing” and when it is most likely to occur.

An investigation of Senator Harkin and Representative Engel’s journey through this process would assist social workers in knowing the best way to lobby and work with politicians. On an international level, it is important to conduct an analysis of the governmental actions of the governments of Ghana and Côte d’Ivoire and their efforts to end WFCL so that activists further their understanding of the connection between governmental action and human rights compliance.

Social workers use the tools of advocacy in many aspects of their practice, from working with individuals to working within organizations. Future studies could examine the impact of framing when advocating for individual clients. Clients often need a social worker’s assistance in obtaining services. Social workers would benefit from a study that investigates effective framing techniques when advocating for these services. Crafting a strong resonant frame is an essential tool in persuading others to provide assistance that would be most beneficial to a client.

It would be helpful to study the organizational change process that occurs when adopting human rights policy. In this way, social workers can understand the way that organizations internalize human rights norms. It would be interesting to discover if organizations have their own version of the spiral model. Is it similar to the corporate and governmental models? Social workers engaged in a generalist practice of working with individuals as well as with

organizational and policy change would benefit from using the most effective framing techniques for advocacy.

### **8.1.7 Final Thoughts**

I began on this journey in 2005 when I was appointed to the Civil and Human Rights Committee on Fair Trade for the New York State United Teachers (NYSUT). I was unaware at the time that NYSUT was one of the organizations working with Raise the Bar Hershey!. As a school social worker, I was interested in advocating for the rights of workers not only domestically but around the world. At the time, I had unknowingly become involved in the transnational advocacy network campaign to eradicate WFCL in the cocoa industry. It has been fascinating to watch the evolution from complete denial of responsibility to CSR policies that have the ability to change the lives of those in the cocoa industry. I have seen a real shift in policies and practices with Mars, Blommer, and even Nestlé. I am still leery of Hershey's true commitment level. I am confident that Raise the Bar Hershey! will continue its watchdog role, asking for partner organizations to participate in advocacy campaigns.

The policies of the cocoa companies only changed after years of lobbying on behalf of the children in the cocoa fields. Senator Harkin and Representative Engel's dedication to making change in the cocoa industry was herculean, to say the least. I have often wondered what would have happened had they not both continued to be re-elected. Together they tirelessly lobbied for change as the Protocol evolved from its original 2001 form into the 2008 compromise and

eventually into the 2010 Framework. They both continue to work with the Child Labor Cocoa Coordinating Group, updating all stakeholders on the Framework's progress.

As much as I believe that ideology is the basis for a lot of policy decisions, I also think that the current state of the world calls for a stretch beyond ideological divides and into a space of compromise and pragmatic policy solutions. This study has shown that it is possible. I would have never imagined, as I began this study, that every signatory, as well as other major cocoa importers like Cargill would certify the majority, if not all, its chocolate Fair Trade. I would have never believed that Oxfam would praise Nestlé for its work empowering women farmers.

The only way change occurs is by working together with those we (as social work activists) may view as the "enemy." As we bridge the ideological divides, we can simultaneously advocate for a change in the policies and practices that have created and continue to create inequality and suffering. We can cooperate with corporations while simultaneously acting as a watchdog to make sure they keep their promises. We can attempt to change mindsets that are embedded in a domination mentality. Fighting for human rights requires unrelenting vigilance and a commitment to change what may sometimes seem intractable problems. We can advocate for an alternative to the status quo and lobby for policies that eradicate systemic inequality embedded in neoliberal globalization policies. One can hope that transcending and bridging the divide will bring about a much-needed transformation in policy and practice. We can envision a better world and then work together to create that better world. Those suffering around us deserve nothing less.

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## Appendices

### Appendix A- List Of TANS

|   |  |   |
|---|--|---|
| 50 Years Is Enough!Network<br>10 Campaign                                       | America for an Informed<br>Democracy   | Buddhist Peace Fellowship   |
| AcadeMedia  | American Anti-Slavery<br>Group   | Burma Project   |
| Acadie ReligiousCommunity   | American Muslims for<br>Global Peace and Justice   | California Fair Trade<br>Campaign   |
| ACT UP Philadelphia   | American Postal Workers<br>Union, Miami Area, AFL-<br>CIO                                      | California Fair Trade<br>Coalition  |
| Action for Community &<br>Ecology in the Regions of<br>Central America (ACERCA) | Amherst Fair Trade<br>Partnership  | California Peace Action   |
| Action NOW!   | Amnesty International USA  | California Rural Legal<br>Assistance, Inc.                                  |
| Africa Action   | Anti-Slavery International   | Call To Action  |
| Africa Alive  | Arise for Social Justice   | Campaign for Labor Rights<br>(CLR)  |
| Africa Faith & Justice<br>Network   | Association of Concerned<br>Africa Scholars  | Campus Greens at UCSD   |
| African Immigrant &<br>Refugee Foundation                                       | Bay Area Burma Roundtable  | Campus Labor Action<br>Coalition, University of<br>California Santa Barbara |
| Agricultural Missions, Inc.   | Bay Area Fair Trade<br>Coalition   | Casa Maria Catholic Worker  |
| Aid Through Trade<br>Alabama Fair Trade<br>Coalition                            | Berne Declaration  | Catholic Migrant<br>Farmworker Network                                      |
| Alliance for Democracy,<br>Santa Cruz, CA                                       | Bicycle for Everyone's Earth   | Catholic Relief Services  |
| Alliance for Responsible<br>Trade (ART)   | Black Radical Congress   |   |
| Alliance for Sustainable Jobs<br>& the Environment (ASJE)                       | Border Agricultural Workers<br>Center (Centro de los<br>Trabajadores Agrícolas<br>Fronterizos) |   |
|   | Boreal Footprint Project   |   |



|   |  |   |
|---|--|---|
| CAUSA (Oregon's Immigrant Rights Coalition)                     | Congregation of St. Agnes  |   |
| Center for Economic Justice                                     | Consumers Against Food Engineering   | Ecumenical Program on Central America & the Caribbean (EPICA) |
| Center for International Policy                                 | Co-op America  | Edmonds Institute   |
| Center for Reflection, Education & Action                       | Corporate Agribusiness Research Project  | Educate for Justice   |
| Center for Third World Organizing                               | CorpWatch  | Ella Baker Center for Human Rights                            |
| Chicago Religious Leadership Network on Latin America           | CNN Freedom Project  | Equal Exchange  |
| Church of the Brethren  | Crafts Center  | Équiterre   |
| Church Women United   | Daily Acts   | Ethical Bean Coffee   |
| Choco-Revo  | Daughters of Mary and Joseph   | Ethix Ventures Inc.   |
| Citizen Works   | Dean's Beans Organic Coffee Company  | Fairfood International  |
| Citizens Action Coalition of Indiana                            | Democratizing the Global Economy Project (a project of the American Friends Service Committee) | Fair Trade Federation   |
| Coalition for a Humane Economy                                  | Development Gap  | Fair Trade LA   |
| Coalition of Immokalee Workers                                  | Dominican Sisters of San Rafael  | Fair Trade Labeling Organization                              |
| Committee in Solidarity with the People of El Salvador (CISPES) | Duke University Student Action with Farmworkers  | Fair Trade Manitoba   |
| Committee to Free Lori Berenson                                 | Earth Island Institute   | Fair Trade Resource Network (FTRN)                            |
| Community Alliance for Global Justice                           | Earth Ministry   | Fair Trade Towns  |
| Confédération Syndicale Burkinabé                               | Earth Rights Institute   | Fair Trade Judaica  |
|   | Ecology Center   | Farm Labor Organizing Committee (FLOC)                        |
|   |  | Farmworker Justice Fund, Inc.                                 |

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|---|---|---|
| Federation of Southern Cooperatives – Rural Training and Research | Guatemala Human Rights Commission USA   | JAMBO International Center  |
| Fellowship of Reconciliation, Seattle Area                        | Haiti Reborn  | Jeannette Rankin Peace Center   |
| FNV Bondgenoten   | Hawai'i Sustainable Lifestyle Network   | Jobs with Justice, New York   |
| Food Empowerment Project  | Heyyanka Foundation Courtemaiche  | JustAct   |
| Food & Water Watch  | Hotel Employees and Restaurant Employees International Union, AFL-CIO, CLC (HERE) | Kopali Organics   |
| Foreign Policy in Focus   | Human Rights Action Service   | Labor-Religion Coalition of New York State  |
| Free the Planet   | Institute for Agriculture & Trade Policy  | La Siembra Cooperative  |
| Free the Slaves   | Inter Religious Task Force on Central America                                     | Latin Organics Inc.   |
| Fresno County Green Party   | Intercommunity Justice & Peace Center   | Leicester Advocating Fair Trade   |
| Friends of the Earth  | Interfaith Center for Corporate Responsibility                                    | Los Angeles Leadership Academy  |
| General Board of Global Ministries - The United Methodist Church  | Interhemispheric Resource Center  | MAITRI- The Movement of Solidarity with the Poor of the Third World (Ruch Solidarnosci z Ubogimi Trzeciego Swiata MAITRI) |
| Global Economy Working Group, Church Council of Greater Seattle   | International Development Exchange  | Marin Interfaith Task Force on Central America  |
| Global Exchange   | International Forum on Globalization  | The Marquis Project   |
| Global Response   | International Labor Rights Fund (ILRF)  | Maryknoll Office for Global Concerns  |
| Global Witness  | International Longshore and Warehouse Union                                       | Maryland United for Peace and Justice   |
| Grassroots Globalization Network                                  | Ithaca Fine Chocolates  | Methodist Federation for Social Action  |
| Grassroots International  |   | Mexico Solidarity Network   |
| Greater Kansas City Fair Trade Coalition                          |   |   |
| Green Party of San Francisco                                      |   |   |
| Green America   |   |   |

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| Missionary Sisters - Our Lady of Africa Missouri Rural Crisis Center | Oxfam International                                | Resource Center for Non-Violence                                    |
| Missionaries of Africa   | Oxfam-Québec Fair Trade                            | Resource Center of the Americas                                     |
| MomentuM   | Pax Christi- Michigan                              | RESULTS Canada  |
| National Campus Greens   | Pax Christi- St. Gabriel                           | Rights Action   |
| National Family Farm Coalition                                       | Pax Christi- St. Louis University                  | Riptides  |
| National Labor Committee   | Pax Christi USA                                    | Robert F. Kennedy Memorial Center for Human Rights                  |
| Native Forest Network  | PCUN/Northwest Treeplanters and Farmworkers United | Ruckus Society  |
| New England Guatemalan Alliance                                      | PeaceWorks   | RUGMARK Foundation USA  |
| New York State Labor-Religion Coalition                              | Peninsula Peace and Justice Center                 | Rural Coalition/Coalición Rural                                     |
| NYSUT- New York State United Teachers                                | Pennsylvania Fair Trade Coalition                  | Rural TrainingResearch Center (Federation of Southern Cooperatives) |
| Nicaragua Center for Community Action                                | Pennsylvania State University Eco-Action           | Sacramentans for International Labor Rights                         |
| Nicaragua Network  | Pesticide Action Network North America             | Sacramento Activists for Democratic Trade                           |
| Northwest Labor and Employment Law Office                            | Power Shift  | Sacred Heart OFM Province Peace and Justice                         |
| Oasis/STOP THE TRAFFIK Belgium                                       | Progressive Jewish Alliance                        | San Jose Peace Center   |
| Office of Religious Life, Mount Holyoke College                      | Project Concern International                      | Santa Clara County Green Party                                      |
| Organic Consumers Association (OCA)                                  | Providence Coffee                                  | Santa Clarans for Fair Trade  |
| Our Developing World   | Public Citizen's Global Trade Watch                | Save the Children Canada  |
| Oxfam America  | Rainbow Churches and Beehive School                | Save the Redwoods & Boycott the Gap Campaign                        |
|  | Rainforest Action Network (RAN)                    |   |

|   |  |  |
|---|--|--|
| Seattle Burma Roundtable  | STOP THE TRAFFIK<br>Netherlands                                | Unitarian Universalist<br>Service Committee                        |
| Sexto Sol Center for<br>Community Action  | Stop Child Labour – School<br>is the best place to work        | Unitarian Universalist<br>Association of Congregations             |
| Sinitesa Foundation   | Student Action with<br>Farmworkers (SAF)                       | Unitarian Universalist<br>Service Committee                        |
| Sisters of Charity, BVM, The<br>Women’s Office  | Student Coalition for Global<br>Solidarity                     | Unitarian Universalists for a<br>Just Economic Community           |
| Sisters of the Holy Names<br>Justice & Peace Committee  | Students Transforming and<br>Resisting Corporations<br>(STARC) | Unitarian Universalist<br>Fellowship, Eau Claire, WI               |
| Slow Food   | Südwind Institut   | United Church of Christ<br>Justice and Witness<br>Ministries       |
| Society of African Missions,<br>Office of Justice and Peace                                   | Sweet Earth Organic<br>Chocolates                              | United Electrical, Radio &<br>Machine Workers of America           |
| Society of Missionaries of<br>Africa, North American<br>Province, Justice and Peace<br>Office | Tennessee Industrial Renewal<br>Network                        | United Farm Workers<br>Washington State                            |
| Scott Higgens   | Ten Thousand Villages/Dix<br>Mille Villages, Pointe Claire     | United for a Fair Economy  |
| Society of St. Ursula   | Ten Thousand Villages,<br>Vancouver East and West<br>End       | United Methodist Church,<br>General Board of Church and<br>Society |
| Songbird Foundation   | Texas Fair Trade Coalition                                     | United Methodist Women   |
| South (Alameda) County<br>Peace & Justice Coalition   | Tikkun Magazine  | United Students for Fair<br>Trade                                  |
| Southern California Fair<br>Trade Network   | TransAfrica Forum  | United Steelworkers of<br>America Local 1227                       |
| StanFair: Stanford Students<br>for Fair Trade   | TransFair Canada   | United University<br>Professionals                                 |
| STOP THE TRAFFIK<br>Australia   | United Students for Fair<br>Trade                              | Vassar College Amnesty<br>International                            |
| STOP THE TRAFFIK<br>International   |  |  |

Vassar College Student  
Activist Union

Washington DC Fair Trade  
Coalition

Washington Fair Trade  
Coalition

Washington Office on Africa

Washington Peace Center

Washington State Africa  
Network

West Africa Rainforest  
Network

Western Massachusetts  
Global Action Coalition

Western Michigan University  
Peace Center

Wisconsin Fair Trade  
Campaign

Witness for Peace South East  
Region

Witness for Peace Southwest

World Vision Australia/Don't  
Trade Lives

Women's EDGE

Women's International  
League for Peace and  
Freedom, US Section  
(WILPF)

World Neighbors

World Fair Trade  
Organization

Youth for Environmental  
Sanity

### Appendix B -Frames/ Relationship to Hegemony

|          | <b>Critical TAN</b>   | <b>Fair Trade TAN</b>                                | <b>Protocol TAN</b>    | <b>Cocoa Industry</b>   |
|----------|---|--|------------------------|---|
| Strategy | Challenge Hegemony  | Harness/Sustain Hegemony                             | Sustain Hegemony       | Sustain/Strengthen Hegemony                                   |
| Ideology | State and Global Regulation<br>Protectionism<br>Legal Enforcement of Agreements                   | Regulation of Cocoa market through Fair Trade        | Voluntary Agreements   | Neo-liberal<br>Voluntary Agreements<br>Market based solutions |
| Frames   |   |  |                        |   |
| Period 1 | Ineffective Protocol<br>Responsible/Ethical Consumer  | Ineffective Protocol<br>Responsible/Ethical Consumer | Collaborative Protocol | Responsible Cocoa<br>Responsible Business                     |
| Period 2 | Untrustworthy/<br>Immoral Industry<br>Shareholder Activists<br>Transparent/ Clean<br>Supply Chain | Transparent/ Clean<br>Supply Chain                   | Protocol<br>Progress   | Collaborative Industry<br>Effective Protocol                  |
| Period 3 | Fair Globalization<br>Corporate Watchdog  | Collaborative Policies                               | Collaborative Policies | Sustainable Cocoa<br>Corporate Global Citizen                 |

## Appendix C- Framing Matrix

### Critical/Fair Trade TANS

### Cocoa Companies

| Metaphors | Critical/Fair Trade TANS  | Cocoa Companies   |
|-----------|---|---|
|           | <p>Chocolate = Pain<br/>Consumer= Power</p> <p><i>Corporate practices= Broken promises</i></p> <p><u>TANS=Watchdog</u></p>  | <p>Chocolate = Pleasure<br/>Cocoa Industry= Responsible; Trustworthy<br/>Protocol=Collaboration<br/>Supply chain too long and complex to monitor<br/>Fair trade=not reasonable<br/><i>Companies =Real difference for farmers</i><br/><i>Fair Trade =Can be done</i><br/><u>Companies = Responsible Global Citizens</u></p>  |
|           | <p><b>Exemplars</b></p> <p>Consumers who buy ethically sourced goods.<br/>Corporations that value human life over profit.<br/><i>Companies who are sourcing Fair Trade</i><br/><u>Companies who are sourcing 100% Fair trade or another certification.</u></p>  | <p>Collaborative Companies</p> <p><i>Responsible</i><br/><u>Global Citizens</u></p>   |
|           | <p><b>Catchphrases</b></p> <p>“Bitter chocolate”<br/>“Guilty pleasure”<br/>“Eating chocolate you are eating my blood”<br/>“human trafficking”<br/>“Torture” “wildly profitable”<br/><i>“Broken Promises”</i><br/><i>“Broken Hearts”</i><br/><i>“Dark Side of Chocolate”</i><br/><u>“Corporate Social Accountability”</u><br/><u>“Dancing with the Devil”</u><br/><u>“Greenwashed chocolate”</u><br/><u>“Sustainability Cloak”</u></p> | <p>“Favorite milk chocolate bar”<br/>“Brings back childhood memories”<br/>“Sweet, pleasure”<br/>“Human transfers”<br/>“Child work”<br/>“Normal family practices”<br/>“Strong Global Economy”<br/>“Cooperation”<br/><i>“Protocol objectives met”</i><br/><i>“Industry helping farmers”</i><br/><i>“Responsible Cocoa”- “Trust us”</i><br/><u>“Sustainable Cocoa”</u></p> |
|           | <p><b>Depictions</b></p> <p>Morality; Human rights,<br/>Consumer &amp; corporate responsibility.<br/><i>Watch dog -Holding corporations accountable.</i><br/><u>Watch dog-Making sure corporations keep promises</u></p>  | <p>Global Economy, Companies doing the right thing.<br/><i>Companies benefit the farmers; helping them out</i><br/><u>Companies are changing the world for the better; making it more sustainable</u></p>   |

|   |   |  |
|---|---|--|
| <b>Depictions of other Stakeholders</b> | Cocoa greedy; corrupt; immoral.<br><i>Cocoa untrustworthy, promises not being kept</i><br><u>Cocoa needs watchdog</u> | Reports are exaggerated.. Can't control the supply chain and foreign countries.<br><i>TANs are extremists; will take down global economy</i><br><u>All stakeholders working together can change global economy</u> |
|---|---|--|

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|                      |   |   |
|----------------------|---|---|
| <b>Visual Images</b> | Children with whip marks. Children holding machetes, large bags.<br><i>Celebrating Fair Trade</i><br><i>Charts with companies' progress on Protocol.</i><br><i>Report cards with grades (periods 2 and 3)</i> | Dancing Hershey Kisses<br>Families hugging<br>Farmers smiling<br>Pictures of African schools; children with books |
|----------------------|---|---|

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|                     |  |   |
|---------------------|--|---|
| <b>Consequences</b> | Children and ultimately society suffers because of corporate greed and misguided policies. Trade policies and privatization hurt the most needy, create injustice (Critical)<br><i>Children continue to suffer due to lack of Protocol</i><br><i>Progress while profits are go sky high</i><br><u>Cocoa companies losing investors; stores threaten to pull inventory. Laws are being broken.</u><br><u>New policies will benefit children and society</u> | The global economy is strong and benefits all Farmers will suffer if we label "slave free"<br><i>Cooperation of Protocol will help farmers</i><br><u>Working will all stakeholders in human rights will help global society</u> |
|---------------------|--|---|

|                             |   |   |
|-----------------------------|---|---|
| <b>Appeals to Principle</b> | Caring, egalitarian, social justice.<br>Consumer responsibility<br>Fair globalization; Uphold laws and treaties<br><i>Honor protocol</i><br><u>Truth; Reliability; Accountability</u> | Capitalism; the market will help farmers out of poverty; skilled farmers will be able to help themselves<br>Voluntary commitment<br><u>Global capitalism; Human rights</u><br><u>Corporate social responsibility</u><br><u>Global corporate citizenship</u> |
|-----------------------------|---|---|

Index  
 Period 1 (2001-2004)  
*Period 2 (2005-2009)*  
Period 3 (2010-2014)



## Appendix D Frame Resonance

|  | Frame   | Resonance   |   |  |
|--|---|---|---|--|
| <b>Stakeholder/<br/>Frame</b>                    | Moral Authority   | Emotional Consonance  | Engendering<br>Empathetic<br>Response   | Identity Appeal  |
| Critical TAN/ Fair Globalization                 | Children's rights<br>Human rights<br>International Conventions & Treaties. U.S. laws<br>Moral imperative to protect | Guilt of consumer;<br>Righteousness<br>Empowerment;<br>Shaming of corporations<br>Hope- Fair Trade changes lives. | Interdependence of all of society. Understanding the blight of those in cocoa fields.<br><br>Empathize with children. | Protectors for those who have no voice.<br>Responsible consumers.<br>Social conscious. Fair globalization. |
| Fair Trade TAN/ Fair Trade                       | Children's rights<br>Moral imperative to protect  | Guilt<br>Empowerment<br>Hope- Fair Trade changes lives.   | Interdependence of all of society. Understanding the blight of those in cocoa fields.<br>Empathize with children.     | Protectors for those who have no voice.<br>Responsible consumers.<br>Social conscious.                     |
| Protocol TAN/ Multi-stakeholder Collaboration    | Cooperation between all stakeholders  | Hope- Collaboration will work   | Give us time to work together, everyone doing best  | Activists are cooperative; willing to work together  |
| Cocoa Industry/<br>Responsible Cocoa Sustainable | Industry has to protect cocoa market so farmers can survive   | Threat Salience- Fear<br>TANS will lead to downfall of economy<br>Things are getting better.<br>Hope              | Corporations care. working on ground collaborating. Empathize with companies doing everything they can.               | Corporations protect global economy.<br>Trustworthy corporations.  |

|   | <b>Frame</b>  | <b>Resonance</b>   |  |   |
|---|---|--|--|---|
| <b>Stakeholder/Frame</b>                      | Empirical Credibility   | Critique of other stakeholders' Credibility  | Experiential Commensurability  | Narrative Fidelity  |
| Critical TAN/ Fair Globalization              | BBC and media reports from ground ITTA report<br>Tulane Report.<br><i>The Dark Side of Chocolate</i><br>Multi-stakeholder reports | Corporations trying to pass blame, illegal activity; IMF/ World Bank need to take responsibility<br><br>Missed Protocol deadline; not making real change;<br><br>Some making change; others still holdout- question authenticity | Children <i>just like your own</i> trafficked and abused for a "treat"<br>Systemic impact of corporate greed and poor policies on all of us. Consumer; governments can change this<br><br>You do have power - continue to watch over corporations; change policies | Corporations need to have oversight and regulation should have legal action against them- U.S. enforce laws<br>Corporate Colonialism<br><br>Untrustworthy Corporations;<br><br>Corporate Accountability |
| Fair Trade TAN/ Fair Trade                    | Same as Critical TAN  | Corporations trying to pass blame, illegal activity<br>Missed Protocol deadline; not making real change;<br>Some making change;  | Same as Critical TAN   | Consumer power to make change   |
| Protocol/ Multi-stakeholder Collaboration     | Cooperation between all stakeholders  | Cocoa companies good example for other industries  | Think of times you needed to compromise- can achieve goals working together  | The Protocol has the capacity to make real changes  |
| Cocoa Industry/ Responsible Cocoa Sustainable | ITTA report- numbers were exaggerated   | TANs over reactive; will bring down global economy   | Global economy works; Chocolate is source of pleasure in your family   | Responsible Corporations willing to collaborate. working to help farmers; market will help farmers' profits rise; Company programs will make real changes   |

## Appendix E Framing Components

| Stakeholder            | Critical<br>TAN   | Fair Trade<br>TAN                                 | Protocol<br>TAN                                 | Cocoa Corporations   |
|------------------------|---|---|---|--|
| <b>Frame Component</b> | <b>Fair Globalization</b>   | <b>Fair Trade</b>                                 | <b>Multi-stakeholder<br/>Cooperation</b>        | <b>Responsible Cocoa</b>   |
| <b>Diagnostic</b>      | Low wages for farmers; instability in market. IMF and World Bank policies. Inequitable trade policies           | Low wages for farmers instability in market       | Low wages for farmers                           | Corrupt Governments<br>Not responsible for what goes on in supply chain<br>Complex factors- not only low wages; Tradition of child work. |
| <b>Period 2</b>        | Protocol not strong enough; need to be legal consequences   | Protocol not strong enough                        |   | Unskilled farmers; poor crop yields, poor farming techniques; uneducated farmers +   |
| <b>Period 3</b>        | Lack of corporate accountability  | There is progress. All signatories- Fair Trade    |   | Lack of sustainability in cocoa  |
| <b>Prognostic</b>      | Enforce child labor laws. change IMF and World bank policies. Create Fair trade coops and product certification | Enforce child labor laws. create Fair Trade coops | Collaboration between industry and stakeholders | Collaboration between industry and stakeholders<br>Protocol is answer.   |
| <b>Period 2</b>        | Hold corporations accountable by law. Make Protocol mandatory.  | Alter objectives of protocol                      |   | Farmer training, increased yields farmer education and training  |

|                              | <b>Critical TAN</b>  | <b>Fair Trade TAN</b>   | <b>Protocol TAN</b>   | <b>Cocoa Companies</b>  |
|------------------------------|--|---|---|---|
| <b>Period 3</b>              | Watch over corporations so they keep promises.<br>Keep pushing for change in Neoliberal policies | Continue to source Fair Trade in greater percentages                |   | Increase sustainability of cocoa  |
| <b>Motivational Severity</b> | Numbers of children in WFCL “outrageous”   | Numbers of children in WFCL “outrageous”                            |   | Most farms are not engaging in WFCL<br>There are processes in place to end child labor. |
| <b>Urgency</b>               | WFCL going on and needs to end now   |   |   |   |
| <b>Efficacy</b>              | Changing neoliberal policies has been proven to lift the poor.                                   | Fair Trade effective in other industries and locations              | Innovative Protocol has been proven to work in other industries | Innovative Protocol has been proven to work in other industries                         |
| <b>Duty</b>                  | Everyone has responsibility to stop WFCL   |   |   |   |
| <b>Period 2</b>              | Problem is continuing, not enough being done.  | Problem is continuing, not enough being done.                       |   | Industry is making a lot of progress in West Africa, problem is being addressed         |
| <b>Period 3</b>              | Children still suffering ten years later   | Problem still occurring but more corporations opting for Fair Trade |   | Companies working collaboratively to make real and lasting change                       |

## **Appendix F Policy Suggestions from TANs incorporated into 2010 Framework**

### **Overview of Policy Suggestions from Critical TANs**

- Debt Cancellation and lower interest rates
- Mandate Protocol/ Monitor Industry
- Reinstate State-Run Marketing Boards and increase social spending
- Enforcement of US legislation on child labor. (Section 307 of the Tariff Act of 1930 19 U.S.C. § 1307 (1997) ) ILRF, 2001
- Reform of Supply Chain Management
- Re-establish the ICA (International Cocoa Agreement)
- Investment in Trafficked Children's Communities of Origin
- (ILRF, 2006)
- Public Education
- Farmer Training
- Community Sensitization and Organizing
- Joint fund for implementation of the Protocol and provide rehabilitation and schooling to victims FAL.
- Create co-ops \*
- Use Fair Trade certification \*
- Transparency in Supply Chain \*
- Child labor monitoring \*
- Product and Process Certification \*

(\* Suggestions also from Fair Trade TAN)

### **Policies in 2010 Framework**

- *Removal of children from the WFCL; Rehabilitation*
- *Removal of workplace hazards and other steps necessary to bring safe labor conditions*
- *Increased access to schooling and vocational training and improvement in the quality of education*
- *Promotion of sustainable livelihoods for the households of children in cocoa growing*
- *Establishment and implementation of community-based child labor monitoring systems*
- *Continuation of nationally representative child labor surveys*

*Recommendations from the TANS*