

Civil society action against transnational corporations: implications for health promotion

Julia Anaf^{1,*}, Fran Baum¹, Matthew Fisher¹, and Sharon Friel²

¹Southgate Institute for Health, Society and Equity, Faculty of Medicine, Nursing and Health Sciences, Flinders University, Sturt Rd, Bedford Park, South Australia 5042, Australia and ²School of Regulation and Global Governance (RegNet), College of Asia and the Pacific, Menzies Centre for Health Policy, The Australian National University, Canberra, ACT 0200, Australia

*Corresponding author. E-mail: julia.anaf@flinders.edu.au

Summary

Transnational corporations (TNCs) shape population health both positively and negatively through their national and international social, political and economic power and influence; and are a vital commercial determinant of health. Individual and group advocacy and activism in response to corporate products, practices or policy influences can mediate negative health impacts. This paper discusses the unequal power relations existing between TNCs that promote their own financial interests, and activists and advocates who support population and environmental health by challenging corporate power. It draws on interview data from 19 respondents who informed 2 health impact assessments conducted on TNCs; 1 from the fast food industry, and 1 from the extractive industries sector. It reveals the types of strategies that civil society organizations (CSOs) have used to encourage TNCs to act in more health promoting ways. It discusses the extent to which these strategies have been effective, and how TNCs have used their power to respond to civil society action. The paper highlights the rewards, and the very real challenges faced by CSOs trying to change TNC practices related to health, within a neoliberal policy environment. It aims to provide evidence for socially oriented actors to inform their advocacy for changes in public policy or corporate practices that can contribute to improving population health and equity and tackling commercial determinants of health.

Key words: health promotion, civil society, transnational corporations, activism

INTRODUCTION

The ability of TNCs to shape population health is receiving greater attention as they wield increasing social, political and economic power and influence globally and nationally (Korten, 2006). In 2018, of the world's largest 100 economies, 29 were countries and 71 were corporations (Oxfam, 2018). TNCs affect population health by shaping the lived environment; directly through products and practices, and indirectly through policy influence. Thus, individual and group advocacy

and activism responding to TNC's products, practices or policy influence can mediate negative health impacts. This was recognized in the Ottawa Charter for Health Promotion which promotes advocacy as a key strategy towards better health outcomes (World Health Organisation, 1986). TNCs are recognized as commercial determinants of health, and regulating their activities is now a crucial task for health promotion (Baum and Sanders, 2011; Kickbusch *et al.*, 2016). In this paper, we examine the power relations that exist between

TNCs, which promote their own interests, and activists and advocates who support population and environmental health. The paper seeks to convey the opportunities and challenges recounted by some who have sought to challenge negative aspects of TNC operations. It also aims to provide evidence for socially oriented actors to inform their advocacy and calls for changes in public policy or TNC practices to improve health and equity outcomes (Freudenberg and Galea, 2007).

The paper is based on two studies on the health impacts of individual TNCs. One of these examined impacts of a fast food TNC in Australia (Anaf et al., 2017) and the other the impacts of an extractive industry TNC in Australia and Southern Africa (Anaf et al., 2019). TNC products and practices in these two sectors can affect health directly through unhealthy products, employment conditions, environmental impacts, social impacts or effects on health behaviours; and indirectly by influencing government policy or public opinion (Anaf et al., 2017, 2019).

Corporate uses of power to protect perceived interests

TNCs exercise power in variety of ways to protect their perceived interests (Lima and Galea, 2018). For example, TNCs consistently lobby governments against using regulation to protect population health from damaging products or practices (Baum et al., 2016; Kickbusch et al., 2016). TNCs may also engage scientists to influence research favourably, use public relations as ‘education’ (Paul and Steinbrecher, 2003), discredit critics (Madeley 1999), and manufacture doubt about scientific evidence concerning their products (Oreskes and Conway, 2010). Some TNCs target children and other vulnerable populations when promoting unhealthy products (Wiist, 2010), or use corporate social responsibility (CSR) and philanthropy to promote their brand and avoid regulation (Fiaschi and Guilani, 2011). Using litigation to silence critics (Earthrights International, 2018), and tax havens which limit government fiscal capacity (Henn, 2013), are other documented practices. Through their historic involvement in international business, TNCs can also influence international relations and trade agreements (Friel, 2013). Pertinent to this paper, TNC ‘front groups’ and industry representative groups subvert the work of civil society actors who seek to change harmful corporate practices (Bohme et al., 2005).

Civil society responses to TNC practices

In response to TNC practices, a range of actions has been developed by civil society actors. The power of civil society is the capacity to organize to affect positive

change [(Turner, 2005), p. 6]. There is a strong historical case for the importance of civil society engagement in achieving social change, locally, nationally and globally. Precedents include legal reform, institutional development and cultural change (Sanders et al., 2018). CSOs are potentially significant mechanisms for mediating adverse TNC impacts on health (Wiist, 2010).

CSOs take many forms and operate within or across jurisdictions. They may be legally constituted organizations such as trade unions or non-government organizations (NGOs), or more informal groups of citizens. CSOs organize around shared goals to either achieve positive, or resist negative, change (Scott, 1981). TNCs may be targets for CSO activities through both confrontation and direct engagement (de Bakker et al., 2013). Strategies may include product boycotts, shareholder activism, public protest or awareness-raising activities, disruption of company activities, legal action or lobbying governments to restrict TNC activities and/or impose appropriate penalties (Reed, 2002).

Activities often involve ‘grass roots’ action (Turner, 2005), or mobilizing members of a community to address an issue of common concern. This type of activity has grown globally, driven by a range of factors including greater openness to political activity, and new norms regarding human rights and social justice (Green, 2016).

In this paper we draw on findings from two studies of TNC health impacts to explore how CSOs have sought to address adverse health or health-related impacts of TNCs in the food and extractive industry sectors in Australia. We examine the corporate responses to these strategies, and the effects of these responses on civil society actors. We are unaware of studies of such activism seen through a health lens; hence the need for this study. The specific questions we seek to answer in the paper are:

1. What kinds of strategies have CSOs used to influence TNC activities in Australia?
2. To what extent have these strategies been effective and how have targeted TNCs used their power to respond?
3. What are the health impacts, and opportunities and challenges of CSO activism against the activities of a TNC?
4. What are the implications of CSO activism for health promotion advocacy and practice?

MATERIALS

We conducted 19 semi-structured interviews with Australian respondents who had an understanding of

Box 1: Summary of groups and key strategic activities

This summary includes the 19 respondents and their key strategic activities. Three respondents were from unions, 3 from NGOs and 13 were community-based campaigners or advocates.

Unions:

- Global and local political engagement
- Attending and addressing Rio Tinto's AGMs globally
- Building the union base
- Training workers in work, health and safety procedures

NGOs:

- Informing the public about unhealthy food and marketing it to young people
- Seeking to influence the regulatory framework on unhealthy food
- Undertaking long-term campaigns against environmental impacts of extractive industries

Community campaigners:

- Using a diverse range of 'on the ground' and 'online' campaigns
- Lobbying councils and governments and challenging planning laws
- Taking legal action

the operations and products of 2 specific TNCs. The first project focused on McDonald's Australia, and the second on Rio Tinto. McDonald's is a large global fast food corporation which sells ultra-processed products in over 900 outlets across Australia. Rio Tinto is a global extractive TNC undertaking mining and allied operations, including in Australia (Anaf *et al.*, 2017, 2019). Both studies adapted existing health impact assessment (HIA) methods to assess corporate activities (Harris *et al.*, 2007).

Data identifying potential health impacts were sourced through document analysis, media analysis, and semi-structured interviews and mapped against a corporate HIA (CHIA) framework (Baum *et al.*, 2016). This three-part framework includes international, national and local regulatory structures; corporate political and business practices, products and marketing; and the impacts on daily living relating to workforce, social, environmental and economic conditions, and consumers' health-related behaviours (Baum *et al.*, 2016). The research on the CHIA findings has been reported elsewhere (Anaf *et al.*, 2017, 2018, 2019).

The interview schedules in each study sought to elicit responses mainly concerned with corporate health impacts. However, answers to more nuanced questions served to highlight different expressions of CSOs' actions and forms of agency employed to address these impacts. For example, questions also sought to identify respondents' particular concerns, and strategies employed or reported on, their effectiveness, and any corporate reactions.

This paper focuses on ways in which these two TNCs were challenged by CSOs in different campaigns or initiatives by including the views of respondents who were personally involved in the reported activities.

RESULTS

Our research results are structured to include the types of groups represented, their main concerns, and insights into strategies employed; corporate use of power in response; and participants' opportunities, challenges and personal stresses arising from confronting TNC power. We interviewed people in Australia from three broad groups: union representatives, NGO members and local community advocates or activists, as summarized in Box 1. The following sections describe in more detail these groups' main foci and insights into their strategies.

Unions

The three union members focused on improved wages and conditions for mining workers; an important health issue due to growing numbers of casual mining contractors experiencing poorer working conditions and job insecurity (IndustriaLL Union, n.d.). Identified strategies include political engagement, making representations to, and protesting and picketing at, Rio Tinto's AGMs. Another strategy was:

...educating our workers on campaigning to become good health and safety representatives, representing their fellow workers to change the reality of safety on a mine site to save lives.

One union representative focused exclusively on bolstering union membership, as the extractive industries sector is experiencing more precarious forms of employment (IndustriaLL Union, 2016). Another respondent explained taking action to bring matters relating to employment and industrial relations to the appropriate jurisdiction of the Federal Court of Australia:

We're fighting this issue of what constitutes a casual employee. We've been successful in a whole range of applications to the Federal Court and elsewhere. Nearly all of these contractors, employees of contractors, and employees of labour hire companies, are designated by their employer as casual employees. But they're in fact not casual employees.

One respondent highlighted the need for increased collaboration between unions, NGOs and civil society activists to counter the power of TNCs, but that this will involve unions adopting a broader focus than advocating only for improved wages and conditions:

So that's a real problem when you have diverse groups, all who have a problem with one central character, Rio Tinto; about getting them to understand that their problem is our problem.

CSOs, including unions, potentially use a mix of confrontation and direct engagement (de Bakker *et al.*, 2013). One union representative argued that direct engagement was more effective than confrontation:

It is more about making sure that we are seen to be professional, level headed, we really conduct ourselves in a modern union sense... we try and work with the companies to resolve issues rather than butt our heads against them.

Non-government organizations

This section discusses some issues that NGOs were seeking to address, and some of their strategies. Key strategies were informing the public about unhealthy food and its marketing to young people, seeking to influence regulation and campaigning on environmental impacts of extractive industries. For example, one respondent demonstrated how NGO strategies are informed by an awareness that food environments and corporate marketing strategies are determinants of food-related health problems:

...our food and drink choices are in large part driven by the environments that we live in and less by individual choice... The bit that I wish we could change is an understanding that what looks like a free choice is actually a directed choice, just directed by different things.

Community campaigners

Local activists and advocates engaged in activities against the operations of both TNCs. Campaigners against McDonald's particularly sought to curb outlet expansion, using 'on the ground' as well as on-line platforms and social media, legal action and reframing corporate strategies. Campaigners against Rio Tinto operations were particularly focused on challenging environmental laws within the context of coal mining impacts on social, environmental and economic conditions in local communities.

Community respondents were active in three Australian states in different campaigns opposing new McDonald's outlet construction, using on-the-ground strategies including letterbox campaigns, car bumper stickers, protest signs erected in 60 private front gardens, and shop window posters. One campaign spokesperson gave 30 'anti-McDonald's' talks across the country. Information meetings were held for residents who did not use social media or email. A door-knock campaign reached every home in one country town, and campaign materials were displayed in the Australian Museum of Democracy. A medical specialist concerned with obesity campaigned against a new McDonald's outlet. One respondent spoke about organizing the collective strategy of sending 6000 individual letters of objection to a local council; arguing that part of this strategy was to:

... be legal, reasonable, realistic, persistent. I think the main thing is to recognise that the planning laws are the planning laws, they are there to protect everyone including McDonald's or any other business's reasonable right to exist; that not liking the idea is not sufficient reason. You have to have a mature and responsible response to the proposal.

Attracting favourable media attention is critical (Cammaerts, 2007), and McDonald's campaigners in one state engaged in high-profile street marches:

We were hoping to get two or three hundred people. In fact we got 3000 people; it was beyond our wildest expectations. Police had to get extra cars in to maintain us on the right side of the road and it ended up being on the front page of the Age and it was featured in the Sydney Morning Herald.

This campaign opposed a McDonald's outlet in a scenic tourist area. Although it ultimately failed, local campaigners continued their protests by picketing the outlet:

Even to this day we have protesters on the opposite side of the road; we do that regularly, about three times a week... Now we know that it's annoying McDonald's because the police came and visited us and said 'We'd like you to move on because the tooting is annoying the manager of McDonald's and we said 'Well, that's bad luck unless we're breaking the law; are we?' 'No you're not' so the tooting continues to this day.

On-line platforms and social media strategies

Electronic advances have created new opportunities to disrupt TNC activities (Bandura, 2002). An effective strategy for McDonald's campaigners was using social media including Facebook, Twitter, other on-line platforms, electronic direct mail for messaging the community, and several Change.org campaigns. Campaign material and 'flash mobs' were uploaded to Youtube (Change Org Burger Off Campaign, 2013), and online crowd funding raised funds to send activists to the USA to meet the CEO of McDonald's global operations. As a campaign organizer explained:

We started a change.org petition which eventually got up to 105 000 signatures and that was a great thing for the media to report on... We picked a date when we knew that the [McDonald's] board was meeting in Chicago. We thought we'd send one person with the petition... We worked out that would cost about \$3000... We achieved that \$3000 in 55 minutes and we went on to raise \$43 000. That allowed us to take extra people to Chicago and for a media campaign in the States.

Social media also attracted high profile global campaigners including Corporate Accountability International and the Sum of Us group, and campaigners from the famous UK 'Mc Libel' case against McDonald's filed in 1997. A wide range of celebrities also offered support, including a world renowned chef, a popular singer, a 'lifestyle' celebrity, and the director of an award winning movie critiquing McDonald's products (Spurlock, 2004).

Other direct action strategies

Other direct action strategies included a 'sit in' on the roof of a demolition site for a proposed new outlet, and planting a community garden:

A couple of people... thought 'well, bugger it, we're going to plant a garden anyway as a form of protest about this beautiful site that's going to be bulldozed but we'll, with our kids, plant a garden as a symbolic gesture'. The word got around through social media and within about two or three hours there were literally hundreds

of people and they were bringing in plants and soil and sleepers and stakes and decorations...

One community respondent told of attending Rio Tinto AGMs to protest or gain representation. This action highlighted the power imbalance between corporations and the wider community; including the ways TNCs manage the risk of public protest through the use of subsidiary companies to distance themselves from responsibility:

Basically these people come from all over the world. It's like a conga line of people who are saying that their communities are destroyed, their environments destroyed, and invariably Rio Tinto says, 'That's our joint venture partner. We don't have any control over that'. They always have a get-out clause. The mighty dollar comes first and it doesn't matter about the environment or our health.

Taking legal action

Legal action was another strategy employed against both corporations. One McDonald's campaign attracted pro-bono legal advice from a high-profile human rights lawyer, and a major law firm. A community activist against Rio Tinto coal mining spoke of taking legal action, but also how the nexus between corporate interests and public policy can promote TNCs while undermining communities:

You can go and appeal the decision by the Planning Assessment Commission only on the basis that they erred at law, and that's pretty hard to do, because mostly the law on the side of the mining companies in our view.

Reframing corporate strategies

The concept of 'framing' figures prominently in the literature; ensuring that the issues are presented in ways which highlight the logic and justice of campaign demands (Sanders *et al.*, 2018). McDonald's activists deemed it important to remain peaceful, but also 'behave like a corporation'. They adopted counter-tactics to McDonald's strategies, reframing messages and influencing corporate reputation. Reputational damage is a key issue defended against by corporations (López-Quesada, 2017), but creative campaigns attract interest due to their novelty (Sanders *et al.*, 2018). One local campaigner explained:

We're dealing against a corporation that has budgets that we could never match, but we have to play their

game so we need to have logos, we need to have fonts, we need to have designs. So a few graphic designers got together and gave the campaign a look and feel so if anybody saw anything from us they knew it was from our campaign. Our posters and leaflets all looked the same. . . One of the things that we did is have a version of the McDonald's logo with a red cross through it.

Our findings show that activists adopted a diverse range of activities as innovative responses to corporate power.

Corporate responses to civil society actions

Participants reported that corporate responses to civil society actions included litigation, and adopting CSR and philanthropic initiatives. The use of litigation again highlighted power and resource disparity, as one McDonald's protestor noted:

They sued eight members of our community. Some of them had trespassed onto the property and actually set up camp on the rooftop of [a demolition site]. Some of them were only up there for five minutes to take photos, about ten camped up there for days and days. . . It was very interesting to see that they picked people who they thought they could actually get money from.

One campaigner highlighted strategic litigation:

They [McDonald's] actually put a great deal of their effort not so much into the initial application, but to the Land and Environment Court process which is very expensive and so they're well-resourced to deal with. . . If the council loses, and councils are usually pretty cash-strapped, the council will be responsible for McDonald's costs. So it's a very clever way of getting what they want.

Another respondent spoke of the perceived unfair power differences between corporations and civil society actors in accessing legal remedies:

This is where it feels like a big David and Goliath battle, because they have got powerful lawyers and deep pockets, and they'll keep pushing, pushing. . . They have the money to keep fighting. . . We feel we're severely disadvantaged by that. . . It's an incredibly unfair situation. . . a classic 'David versus Goliath'.

A community activist against Rio Tinto coal mining explained that, in matters of litigation between civil society activists and TNCs, existing legal structures promote corporate ahead of public interests:

In this battle along the way over the past eight years, we actually ended up in the Land and Environment Court where we won our case hands down. They [Rio Tinto] got thrown out of court. . . They appealed so we went to the Supreme Court of Appeal where we won again. So then after that win, the government changed the goal post to suit Rio Tinto. . . they took away our right of merit appeal. . . Even though we were winners in court, we were losers.

Another corporate response is to discredit critics (Madeley, 1999), and one respondent explained:

McDonald's are able to discredit particular campaigns. They might say 'you don't have any research evidence to back that up', or 'you don't have enough people involved', or 'you've got the wrong people' . . .

Corporations engage in CSR for both political and economic reasons; including to avoid binding regulations, enhance corporate reputation, advance new markets and profits, and maintain power (Droppert and Bennett, 2015). A union representative highlighted how Rio Tinto employed CSR initiatives for image management:

What they hold higher than anything else is their public image. . . So if there's any chance that an issue might have some negative media or a negative image on the company they're very careful about that. They spend money to make sure that they get the best publicity possible for the money they spend.

Corporate philanthropy can be another tool to undermine civil society and maintain corporate power (Hogarth et al., 2018). A coal mining activist highlighted its use; ostensibly to support the local government and wider community:

As far as communities go. . . they throw money at them. . . The local footy club doesn't believe they can ever get support or guernseys for their kids unless Rio or one of the mining companies gives them some money. . . It certainly has done the trick with the council [but] It doesn't all come to [named town] and the community. The thing is there's going to be no community left because it's so white-anted anyway that a lot of the facilities—there's no improving them—because it's sort of like lipstick on a corpse. It's a dying town.

One NGO representative described how corporate philanthropy effectively buys off sections of communities:

Wherever there's an opportunity for material gain within local communities you observe how structures emerge around those. They [Rio Tinto] have got a certain amount of largesse to dispense and there will be a response to that. ... That's nothing more than people behaving as human beings do, but it does impact on the underlying structures of power and culture.

A major issue cited by an NGO representative is that mining companies engage in strategies to avoid, minimize, or delay mine rehabilitation. One respondent explained difficulties faced by traditional Indigenous owners/advocates:

The traditional owners who do want to see change and agitate - some of them have tried for years and they die. People don't live long and they get worn out and they die... The blokes that I've been working with for that period, most of them are dead. With a 17 year lifespan gap the younger generation then are probably not necessarily going to take up the cudgel because they've lived all their life without that land [used for mining then not fully rehabilitated].

Our findings highlight the difference between the food corporation's 'active' strategies against civil society, and the extractive industry TNC's sometimes 'passive' or 'do nothing' strategy until people capitulate. Each strategy is enabled in its own way by unequal power relations between TNCs and civil society; bolstered by the legal frameworks under which they operate (Wiist, 2010).

Civil society actors response to power imbalances

Our research highlighted the dynamics of unequal power relationships implicit in CSO activism against TNCs. It revealed both personal and collective sacrifices and successes; recounted mainly by community activists. One local McDonald's campaigner argued that despite experiencing stress and despondency from unequal power relations, it was critical to persevere:

It gets back to the David versus Goliath issue; they've got a well-oiled machine, they're dealing with local people from various backgrounds. So the process is very stressful, but we all have the common goal. We know that our lives are going to be more stressful if we don't do something about it and try and prevent it [a new outlet] from happening.

An NGO respondent also highlighted the power imbalance between civil society and corporations, especially

when corporations are supported by the state. This nexus has led to policies designed to silence dissent, with activists increasingly subject to gagging clauses and other constraints by governments (Hamilton and Maddison, 2007; Heath and Burdon, 2017).

One community activist described the personal toll from campaigning against McDonald's, experiencing defeat, but still taking a stand several years later through peaceful picketing:

I think we are a very stubborn community and we love our town and they have hurt us. They've damaged the community in so many ways through their actions that those scars aren't going to go away any time soon, or be forgotten.

The same sentiments were shared by a community activist campaigning against Rio Tinto coal mining operations:

They've destroyed the social fabric of the town... I just think that we are pretty much living in some sort of banana republic run by overseas interests and it's just heartbreaking... We feel a sense of loss and a sense of frustration... You feel the loss of time and effort, and energy and health, the environment and opportunities. You sort of feel like your future has been stolen.

However, another interviewee highlighted the positive power of collective agency, especially the potential for causing reputational damage, when presenting a petition from 105 000 people to McDonald's' CEO in Chicago:

We were the little mouse that roared, standing up to the bully and of course we played on that, you know; that David versus Goliath thing, and everyone likes to back the underdog and this is a little community that's, you know, fighting for its home.

Another activist concurred:

They [McDonald's] came away from this looking really bad...the biggest public relations disaster in Australia for that year...Seen as corporate bullies you know- playing to that David and Goliath scenario. [They were] easy prey for criticism because of what they were doing, on top of the whole democracy issue, and peoples' love of the [named region] and their passion.

Activist campaigns against powerful corporations can therefore be both highly rewarding and emotionally fraught (Maddison and Scalma, 2006). One activist

reflected on a successful campaign against a planning application:

I think 'take them on', just don't be put off by their size and their name; sometimes the little person can win. I mean initially we really didn't think we stood a chance... Just five or six local people taking on McDonald's you think you know the outcome but it didn't work out that way.

Ultimately this success was short-lived when a subsequent application by McDonald's was approved.

One coal mining activist described devastating psychological impacts from unsuccessful campaigns characterized by unequal power relations:

We know we are in the right, but the dealings of these multinational companies- they're so powerful with the government and you get that feeling that you just don't matter. You feel like collateral damage basically... We feel very, very, sad for the people that are left here because they're sitting on frozen assets [homes]... your greatest asset in life is worthless because why? Rio Tinto.

Mining interests have often collided with those of Indigenous populations (Behrendt and Strelein, 2001). One community respondent explained how Indigenous people protesting in a campaign against Rio Tinto were forcibly removed:

There was an incident where there were about ten to a dozen of us up on this verge just peacefully sitting there with a few signs. Police were called by Rio Tinto because they wanted to have a blast in the mine and they considered us to be too close... There's whole lots of implications of the influence of the mine and their business with the police. Thankfully, the good thing that came out of that is the police realised how they were being used by the mine as well... as security [services].

Some activists are 'accidental' or even 'reluctant' campaigners and most are not activists by disposition; nor do they have any formal training (Burnside, 2016). One 'reluctant' activist against a planned McDonald's outlet highlighted how conflicting emotions can come into play:

I guess I'm someone who can stand up and there's plenty of people in this street and this area that can't... You know there's a lot of old people in our street, there's sick people, there's people who are so busy with work they don't have the time to put into it. So I guess I've just been a reluctant person who has come forward. Look,

to be honest it has been so hard; it has been difficult and stressful for the community. But I do want to say one thing which I think is a major positive. It is that I now know all my neighbours... Never before have I ever felt such a sense of community and belonging in my local area.

Another respondent explained:

We're not professional protesters or anything like that. A lot of people stepped up who would never think about questioning the law... but you see that these people are protesting, and talking to police, and confronting, and joining hands, and not moving, and being in a non-violent protest. These people would never have done anything like that before but they're being driven to it... because they see everything they love being lost for what? A big hole in the ground. Then there's the question of climate change and they see no future for their families.

Another local activist explained the difficulty of dealing with the corporation as a legal entity:

Opposition towards the company in general is pointless because they are a moving target; there is no McDonald's person, it's McDonald's the organisation and so you don't hurt anyone if you attack McDonald's.

DISCUSSION

Our research findings support the Ottawa Charter's claim that advocacy is a key health promotion strategy, but in the context of CSOs addressing the negative TNC impacts that this involves both opportunities and challenges (World Health Organisation, 1986). For example, our research highlighted how community activists against McDonald's operations experienced stress and dependency due to unequal power relations, as well as negative impacts on their mental well-being due to stress and anxiety from loss of perceived control (Anaf et al., 2017). Community activists against aspects of Rio Tinto operations spoke of a loss of time, effort and good health; and a damaged environment. However, as well as challenges there were opportunities for some strategic successes, and positive feelings of solidarity based on shared values and commitments. The findings indicate that the representative nature of CSOs can offer advantages in taking action against TNCs; being seen to represent 'ordinary people' whether as workers, citizens with shared interests, or a local community; and being seen as the underdog 'David' taking on the corporate 'Goliath'.

Perceived TNC impacts on health can be a powerful value base to mount opposition. TNCs are vulnerable if they feel their public image is threatened. These advantages can be maximized if groups can find ways to appeal to public support and maintain internal solidarity. Our findings suggest the need for increased collaboration between unions, NGOs and activist groups based on shared appreciation of, and concern for, TNC's health impacts. Although our findings are only based on CSO actions against two TNCs, they indicate a range of innovative strategies whereby CSOs can be important vehicles for addressing TNC health impacts.

However, our research also showed the power differentials are very real, as TNCs have large resources to employ. Legal frameworks may benefit corporations ahead of public health, and governments may be disinclined to interfere and/or strengthen regulatory structures; due to corporate power (Wilks, 2013). CSO activism against TNCs can therefore be rewarding, but can also present risks within a broader neo-liberal policy environment hostile to criticism. CSOs have been stymied in recent decades by a systematic government strategy designed to silence opposition to government policy and to control public opinion (Hamilton and Maddison, 2007). This has involved the withdrawal, and/or threat of withdrawal, of government funding to 'dissenting' organizations, and led to silencing of, or self-censorship by, CSOs active in the public arenas highlighted by this research (Probono Australia, 2017).

As our findings show TNCs often anticipate and react to activism with a series of aggressive and sophisticated strategies including law suits (Earthrights International, 2018), and by engaging in CSR and philanthropic initiatives to defray reputational damage (The Democracy Center, 2011). Corporations also promote behavioural change policies ahead of regulatory responses; underpinned by a simple but powerful political logic to avoid conflict with corporate donors or invite complaints about a 'nanny state' (Baum and Fisher, 2014).

Health promotion through behavioural change can be made more effective and sustainable if strong policy frameworks empower people to make healthy lifestyle decisions (Laverack, 2017). However, activists in the McDonald's project showed how easily this is thwarted when they attempted to stop the growing number of fast food outlets and thus help to address structural causes of health damaging behaviours. Those fighting against the negative impacts of Rio Tinto operations noted how difficult it is when governments are captive to powerful mining interests.

Our research showed the power of TNCs to shape health and environmental outcomes, and how health promotion strategies, including medical intervention and behavioural change, are therefore necessary but insufficient to address structural power. TNCs have both localized and global reach and it is necessary to think globally in response (Baum, 2015); drawing on a range of governance tools, including effective binding instruments and voluntary codes. It is also necessary to ensure effective medium to longer term governance (Lee, 2006). The aim and value of our research was providing a snapshot of episodic actions that are part of much broader global responses to TNC operations. It is here that institutional forms of activism including the role of unions and larger NGOs is essential.

Our research also highlighted both similarities and differences in the issues raised for communities by the operations of fast food and extractive corporations. However, a limitation of this research is that it is an exploratory study based on data from one country and two industry sectors; with further research needed.

CONCLUSION

Action by civil society against the negative health impacts of TNCs is crucial for health promotion. Our research on the challenges facing civil society actors who campaign to promote health reveals the need for governments to support rather than impede their initiatives.

ETHICS APPROVAL

Ethics approval was received from the Flinders University Social and Behavioural Research Ethics Committee (SBREC) for both projects (approval numbers 6785 and 7745).

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