Different perspectives on the effective institutionalisation of sustainability product labelling: the role of legitimacy

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Abstract

In line with recent trends away from traditional state regulation towards new forms of governance the last decades have seen an increased implementation of product labelling schemes to facilitate more sustainable production and consumption. These schemes differ substantially in their degree of insittuionalsiaiton and according effectiveness in facilitating behavioural changes in the production and consumption system. So far there are no comparative studies investigating the causalities behind such differences across different sets of product labelling schemes. Drawing from different theoretical perspectives on insitutionalisation processes and the concept of legitmacy as their main vehicle this study attempts to fill this gap. It bases on four case studies of existing labelling scheme (Fair Trade, Marine Stewardship Council, EU energy- and EU ecolabel) each of them drawing from an extensive literature review and in depth interviews with advocates of different actor groups. The study shows that an effective institutionalisation of product labelling schemes depends on a complex and often inherently conflicting construction of legitimacy between the labelling organisation and various other actors within the production and consumption system.

Introduction

"The major cause of the continued deterioration of the global environment is the unsustainable pattern of production and consumption, particularly in industrialized countries, which is a matter of grave concern, aggravating poverty and imbalances" (United Nations 1992:19). Since this declaration in 1992 by the United Nations various instruments have been introduced to facilitate a shift towards more sustainable production and consumption. This shift faces major challenges, for example related to the uncertainties regarding causes of global environmental change, its impacts and the interlinkages of various causes and response options (Biermann 2007); the long-term, open-ended nature of the challenge and its response options; and the functional and spatial interdependencies between different natural and social subsystems.

A growing number of scholars (e.g. Micheletti et al. 2006; Ostrom 1999) have voiced their concern about the capacity of the state and the international state-system to tackle such challenges and enable a move towards more sustainable consumption and production (Dellas et al. 2011). For some partly related to, for others accompanying, these limitations of governmental policy making has been an increased ideological shift (Biermann & Pattberg 20083) towards deliberative democracy and the elevation of the global marketplace as an arena for policy making (Bernstein 2005). The latter many see as part of a neoliberal trend towards "a political philosophy of free markets and less government" (Klooster 2010, p 118). For Klooster (2010: 118) such a trend implies a rollback period

of traditional forms of state regulation and a subsequent roll-out period of neoliberalization attempts to re-stabilize and re-regulate the system with a patchwork of regulatory institutions and bodies, frequently including public–private cooperation, multi-stakeholder, and/or non-governmental organisations, voluntaristic (often market) mechanisms, and reliance on the social responsibilities of rational economic individuals and ethical corporations.

While scholars like Klooster (2010) criticise such neoliberal trends, many others argue that a patchwork of steering approaches dealing with multiple actors on multiple levels is crucial to meet the above outlined challenges a move towards sustainable development faces (e.g. van Zeijl-Rozema et al. 2008). Biermann (2007: 329) advocates for a move towards "earth system governance" which he defines as "the sum of the formal and informal rule systems and actor-networks at all levels of human society that are set up in order to influence the coevolution of human and natural systems in a way that secures the sustainable development of human society". For Biermann(2007: 329) "earth system governance is […] marked by participation of myriad public and private non-state actors at all levels of decision-making, ranging from networks of experts, environmentalists and multinational corporations to agencies set up by governments".

As a part of this trend towards new forms of governance various actors, including governmental bodies, businesses and non governmental organisations (NGOs), have implemented product information schemes to communicate the social and/or environmental attributes of products. These schemes differ substantially in their degree of institutionalisation and effectiveness in inducing and facilitating behavioural changes across the production and consumption system. This dimension of effectiveness can be referred to as the "outcome" of a scheme, which may be seen as the main link between a schemes output (principles, norms, rules constituting the scheme itself) and its impact (biophysical influence on the environment or social systems) (Underdal 2002, p 6). So far there are no comparative studies investigating the causalities behind such differences across different sets of product labels. Using institutional theory and the concept of legitimacy as an analytical and explanatory framework this study attempts to fill this gap. The study is based on four case studies of existing labelling scheme (Fair Trade, Marine Stewardship Council (MSC), EU energy- and EU ecolabel) each of them drawing from an extensive literature review and in depth interviews with advocates of different societal actor groups.

The article first gives an overview about the instrument of product labelling including the different terminologies used in relation to different types of product labelling schemes. The subsequent section discusses the institutionalisation of product labelling schemes from four theoretical perspectives (rational, sociological, network and discourse new institutionalism). The paper then introduces legitimacy as an important vehicle for institutionalisation processes and an effective outcome. Again four theoretical perspectives are used to better understand the construction of legitimacy. The last section discusses how the legitimacy of the four labelling schemes studied has been constructed around a set of aspects. It also shows the complexities and inherent conflicts of this process.

The instrument of product labelling

Terminology and overview

The term product information scheme is used in this paper as an umbrella term including the standardisation[1] of certain processes certified by a more or less independent institution as well as labelling schemes. While information about the standardisation of processes and its certification does not necessarily need to be delivered with a product, product labelling implies the communication of such product information on or with the product.

The focus of this paper is product labelling, which usually builds on some form of standardisation and certification process. The typical general steps of a labelling process are: conception of the scheme, criteria or standard setting, (more or less) independent assessment of processes against these criteria or standards, certification of the results of the assessment, controlling of the continuous adherence with the standard and communication of the results with or on the product. These steps can take different characteristics and involve various actors.

Usually labelling schemes go further than loose coalitions between different actors directly or indirectly interested in the scheme. Many labelling schemes have "become a permanent activity which requires resources, administration, and enduring, rule-based participation between parties" and some form of formal organisation (Boström & Klintman 2008, p 134) of the just described steps. While for some labelling scheme this organisation is driven by public authorities others are privately driven or act as some form of hybrid organisation.

In an attempt to classify the variety of existing labels, the United States Environmental Protection Agency (EPA) distinguishes between first party and third party verified labels (United States Environmental Protection Agency 1998). Via first party labels, businesses themselves usually highlight positive attributes, either of their products or of their company. Next to first party labels products increasingly display labels that are verified by an independent third party, in many cases some form of NGO (Upham et al. 2011a). Voluntary third party labels are typically positive or neutral and the EPA classifies them as 'report cards', 'single-attribute certification', or 'seal-of-approval programmes' (United States Environmental Protection Agency 1998, p 10). EPA defines report cards as a type of information disclosure label using a standardized format to categorize and quantify various impacts that a product has on the environment. Single-attribute certification programmes certify that the claims made for a single-attribute of a product (e.g. 'recycled') meet the definition specified by the respective programme. Seal-of-approval programmes, like MSC or the Fair Trade label, certify and award the use of a logo to products that the labelling scheme judges to be less environmentally or socially harmful than comparable products. Decisions are based on a set of award criteria or standards. A subcategory of seal of approval labels are ISO type I (so far only eco-) labels which review and tighten their criteria on a regular basis. Prominent examples include the EU ecolabel or the German Blue Angel. Next to voluntary third party verified schemes there are also mandatory labelling schemes. Mandatory schemes can take different forms, for example as information disclosure labels (e.g. the EU energy label), single attribute certification or hazard information or warnings.

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[1] Standard setting can be defined "as the act of agreeing on regulative rules, which, although being voluntary in nature, require some degree of compliance to qualify as private regulation" (Pattberg 2005: 359).

The institutionalisation of product labelling schemes from four theoretical perspectives

Institutional theory highlights the importance of institutions in the form of rules and practices that specify "what is normal, what must be expected, what can be relied upon, and what makes sense in the community" (March & Olsen 2006, p 8). Referring to Weber, March and Olsen argue that "institutions give order to social relations, reduce flexibility and variability in behaviour, and restrict the possibilities of a one-sided pursuit of self interest or drives" (Weber & Roth 2007 cited in March & Olsen 2006, p 7). By implementing product labelling schemes actors, be that governmental organisations, NGOs or businesses, arguably aim to do just that – offering a frame of reference to orient behaviour and social relations of other actors in the production and consumption system. Following Weber's terminology product labelling schemes can be understood as providing order ("Ordnung"), which Weber defines as action acting upon or following ("sich orientieren an") an assignable ("angebbar") maxim (Weber 1922). Using recent political science language, labelling schemes can be seen as representing a form of governance that has emerged "in response to a demand for steering mechanisms to guide societies towards outcomes that are socially beneficial and away from outcomes that are harmful" (Young 2008, p 14).

Institutional orders or governance mechanisms vary in their degree of prevalence (Weber 1922, pp part 1, I, §5). While some orders might be only loosely agreed and exist in competition with other orders, others are "highly institutionalised" (or prevail to speak in Weber's terms) and built into society either through the force of law or by being taken for granted (Meyer & Rowan 1977, p 347). For Meyer and Rowan highly institutionalised orders (or myths to use Meyer and Rowan's terminology) are beyond the discretion of any individual participant or organisation reducing rational decision making to a minimum. Such taken for granted status can also be achieved by organisations which then become "simply unquestioned by affected parties" (Koppell 2008, p 184) submerging the possibility of dissent (Suchman 1995). For Koppel (2008: 184) taken for grantedness can be seen as "the Holy grail" for global governance institutions.

The question is however how such institutionalisation of taken for granted status is brought about, with institutionalisation understood as "the process by which social processes, obligations, or actualities come to take on rule like status in social thought and action" (Meyer & Rowan 1977, p 341). The following paragraphs discuss this process of institutionalisation of product labelling schemes in the light of four theoretical perspectives: rational, sociological, network and constructivist/discourse institutionalism.

Institutionalisation from a rational perspective

Rational institutionalism mainly bases on rational decision making theory assuming rational actors who calculate strategically to maximize pay-offs for themselves in line with their interests and preferences. These preferences are understood as fixed and exogenous to their membership in a particular group (Schmidt 2006; Young 2008).

The role of institutions within this conceptualisation is to govern the ways in which units can cooperate or compete and provide a dependable framework that enables more efficient behaviour and economic exchange (DiMaggio & Powell 2008; Coriat & Weinstin 2010; Davis & North 1970). For rational institutionalists such frameworks are needed because human behaviour is characterised by limited rationality with respect to a complex environment. Especially the complexity of most markets (or other economic environments) is considered to surpass individual mental processing power imposing a heavy burden of unlimited choice in conditions of uncertainty and absence of full information (Harvey 2010). In regard to product labelling rational accounts usually base on theories of informational economics (e.g. Akerlof 1970; Nelson 1970; Darby & Karni 1973) assuming that one of the main conditions for rational choices is information. As more sustainably produced products are

generally trust goods[2], large information asymmetries exist between suppliers and consumers. Producers can use such asymmetries to provide false information resulting in a lack of appropriate information for the consumer to transform environmental or social concern into action (Blake 1999, p 260). To correct this market failure labelling schemes can be introduced that either deliver the information consumers need to evaluate products themselves (as happens for example through parts of the EU energy label) or display an evaluation of the social and/or environmental performance of a product by a more or less independent panel of experts (e.g. in the case of the EU ecolabel). With the help of both forms, individual consumers are supposed to overcome information deficits, be enabled to make more sustainable consumption decisions and in doing so pull the production chain towards more sustainable behaviours (see e.g. Nevelling 2000; Landmann 1997 for such models).

Following a rational understanding of both consumer and producer behaviour institutions are seen as the result of "purposive actions by instrumentally oriented individuals" (DiMaggio & Powell 2008, p 8) that only arise and persists when they confer benefits greater than the costs incurred in creating and sustaining them (for example costs of negotiation, execution and enforcement) (DiMaggio & Powell 2008). Accordingly, in the case of product labelling, their institutionalisation is contingent on actors seeing them as a functional solution to problems in a specific sector. Without such external incentives, firms and other organisations are unlikely to invest in voluntary governance initiatives (Knorringa et al. 2011). Similarly on a consumer level support of product labelling schemes depends on incentivising consumers in choosing a particularly labelled product.

Critique of rationality – institutionalisation form a sociological perspective

Rational accounts have been criticised on various grounds. Organisational or sociological institutionalists charge that rational choice institutionalism systematically neglected the importance of norms, cultural scripts, cognitive frames, and meaning systems (Campbell & Pedersen 2001). Even though more sociologists accounts appreciate that "individuals face choices all the time" (DiMaggio & Powell 2008, p 10) they highlight that while doing these choices individuals "seek guidance from the experience of others in comparable situations and by reference to standards of obligation" (DiMaggio & Powell 2008, p 10). Mainly focussing on organisational behaviour Meyer and Rowan highlight the importance of "highly rationalized myths" (Meyer & Rowan 1977, p 343). Myths can be overarching rules in society that act as prescriptions identifying various social purposes, cognitive frames and meaning systems, definitions in which domains organisations emerge, but also certain elements of formal structures, a particularly effective practice or principle of organisation.

Especially in conditions of environmental uncertainty "actors, often confused about what the most rational or cost-effective strategy should be, adopt whatever culturally appropriate [...] practices and models they find around them" (Campbell & Pedersen 2001, p 12). Meyer and Rowan (1977) and DiMaggio and Powell (2008) refer to this process as isomorphism which increases organisations survival prospects and success "independent of the immediate efficacy of the acquired practices and procedures" (Meyer & Rowan 1977, p 340).

Similar arguments can be made on an individual consumer level with individual purchase decisions largely following dominant societal norms.

In regard to the process of institutionalisation sociological accounts refer less to actors but to a rather passive process of modelling appropriate behaviour and diffusion across actor groups. Initiators of change are political-cultural shifts—in particular the emergence of new models of

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[2] In the case of trust goods consumers cannot evaluate the attributes of a product, neither before or after purchase. They have to trust the information about these attributes (Darby & Karni 1973).

appropriate political, organizational, or economic behaviour—(Campbell & Pedersen 2001). Especially in older versions of sociological institutionalism organisations and individuals are understood to only reflect and never transform institutions.

Institutionalisation from a network perspective

While rational perspectives tend to focus on the micro level, sociological perspectives focus on the macro level highlighting the role of overarching societal norms. A third perspective focuses on the meso level highlighting the importance of relationships and mutual dependencies between actors. Some refer to this perspective as "network institutionalism" (Ansell 2006, p 76) interpreting institutions as networks, understood as "a stable recurrent pattern of behavioural interaction or exchange between individuals or organizations"(Ansell 2006, p 76). Networks can take different forms. They can be a set of solidaristic relationships between individuals, groups, of organizations or "merely patterns of interaction or connection" (Ansell 2006, p 77). They can also consist of interdependencies which might motivate actors to engage in exchange relationships or even create strong norms of mutual obligation and reciprocity (Ansell 2006).

On an organisational level this concept of exchange dependencies is also described in Pfeffer and Salancik's (2003) theory of resource dependency. Pfeffer and Salancik (2003) argue that to ensure their survival organisations require resources. Such resources are partly controlled by other actors (individuals, other organisations or group), which provides these other actors with control over that particular organisation. Pfeffer and Salancik (2003: 259) speak of the "social control of organisations". As a consequence organisations need to interact with and depend on their social environment or context.

Applying such a meso perspective on the individual consumer level one might refer to theories of practice. According for example to Empacher (2007) during the majority of consumption decisions consumers do not intentionally choose between different purchase options but consume as an integral part of everyday life on the basis of habits and routines. By individually and voluntarily choosing certain consumption habits and practices and bringing them "into a more or less coherent whole" (Wallenborn 2007, pp 64–65) individuals display their social affiliation to particular social groups and lifestyles and position themselves in society. While individual consumers do have a degree of choice which lifestyle or group they strive to be affiliated with (although it can be argued that also this choice is shaped by the institutional environment), institutional environments determine what kind of practices are considered appropriate within a particular societal group. Randles and Warde (2006: 227) describe practices as modes of conduct that are "collectively shared […], historically established […], normatively regulated […] but imprecisely described". At this point institutions of civil society, such as the church, academia and education, and the media but also governmental actors play a central role in ideological reproduction through the projection of a particular set of interests and appropriate practices (Levy & Newell 2002).

The following section outlines the various relationships on consumer as well as producer level within which labelling schemes can become institutionalised and used to orient behaviour. Compared to rational accounts, which often apply a narrow interpretation of markets focussing on the bilateral transaction between producers and consumers (Coriat & Weinstin 2010), a more systematic understanding of the market is introduced. This implies seeing the market as bringing into play a multiplicity of actors with dynamic exchange relationships with each other. Rather than a bilateral relation between producer and consumer, markets are seen as a "coordinating phase between production and consumption" (Harvey 2010, p 4) connected by shifting systems of distribution and retailing (Fine & Leopold 1995, p 4). In addition markets are "situated alongside - indeed articulated with - non-market forms of exchange for goods and services" (Harvey 2010). To avoid confusion

instead of using the term market the subsequent sections will therefore refer to production and consumption systems.

The role of non governmental organisations

During the last decades NGOs have become powerful players in the international arena increasingly fulfilling "public roles that within in a traditional state are usually performed by governmental authorities" (Vedder 2008, p 13). In many institutional environments NGOs have developed moral authority[3] which they can use to influence "the opinions, policies, and practices of national and international governmental authorities, business enterprises, social groups, and the general public" (Vedder 2008, p 5).This often happens via intermediate actors such as consumers. Even if consumers stick with conventional shopping behaviour they can play latent roles by being mentally prepared to discriminate among products because of concerns related to sustainability issues (Boström & Klintman 2008). NGOs can use this preparedness by drawing attention to particular issues such as child labour, deforestation or the depletion of the ocean; promoting consumer reflections but also giving concrete advice about how to change practices in order to decrease environmental or social impacts (Boström & Klintman 2008). Labelling schemes can be used within this process by offering a simple and easy to communicate solution.

Next to influencing the consumer NGOs can use these dynamics to pressure businesses to adapt certain production processes. Such pressure can take the form of negatively highlighting businesses that do not adapt certain production practices as well as abdicating from negative publicity or even raising positive publicity for businesses that do so. Similar to its use during consumer communication labelling schemes can facilitate this process by offering an easy to communicate solution.

Another very significant mechanism, used not only by NGOs but also profit seeking entities, is the public ranking of organisations against sustainability criteria. This is done for example in the financial sector where investors increasingly use such rankings for their investments into businesses but also increasingly for non commercial entities. In the UK the charity organisation people & planet for example ranks universities on their green and ethical performance. Such organisations often use the adherence with certain product labelling schemes in their ranking procedures. Among the criteria of people & planet for example is the support of the Fair Trade scheme (People & Planet 2011)

The role of media and public opinion leaders

A crucial dimension influencing societal demand for more sustainably produced products often utilized by NGOs as intermediate actor, is the media. Similar to NGOs, media actors can relate their influence to existing labelling schemes by drawing attention to the existence of certain labelling schemes, negatively highlighting businesses who do not participate in a certain labelling scheme or positively highlighting businesses that do so. The MSC for example has been supported by a consistent media interest involving celebrity chefs and other opinion leaders in the UK (Howes 2008). Yet the MSC has also experienced the negative influence of media. After the publication of two reports evaluating the MSC certification of various fisheries the Guardian wrote the "Marine Stewardship Council lacks credibility and will collapse unless drastically reformed" (Brown 2004). Similarly a report by the Adam Smith Institute criticising the Fair Trade scheme was picked up in a Guardian report titling "Not so fair trade" (Chambers 12.12.09).

The role of other civil societal organisations

Next to NGOs other civic organisations such as churches, schools or universities can play an important role not only by changing their own procurement practices but also actively promoting the

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[3] A comprehensive overview of the legitimacy of NGOs authoritative position can be found with Vedder (2007).

use of product labelling schemes. The Fair Trade scheme for example has found major support among various civic organisations ranging from universities, over the Youth Hostel Association to the Salvation Army (Jones 2 March, 2004; Wilkinson 2007).

The role of governmental organisations

The role of governments in shaping societal demand for more sustainable products is manifold reaching from direct regulation of production practices, over public procurement demand, to shaping demand of individual consumers and other actors. Labelling schemes can be used as a vehicle to demand more sustainable products within all of these processes.

Public Procurement

When individual end consumer demand has been quite low, procurement bodies are increasingly seen as an important source of strategic demand (Lohse & Wulf-Schnabel 2000; Searle et al. 2004; Rubik et al. 2008). Especially public procurement can take a pioneering role not only to raise respective demand but also to set examples of best practice to influence the procurement policies of other actors (Allison & Carter 2000). Labelling schemes can facilitate such processes by providing their standards as a basis for public procurement policies. Local governments in Europe, and recently the USA, for example have enrolled in so-called Fair Trade town campaigns stimulating demand for Fair Trade products especially on the side of public procurement chains (Dendler In progress).

Shaping broader demand

Like NGOs governmental organisations can use labelling schemes as a vehicle in their communication with end consumers. Examples can be found on the website of the British government highlighting the benefits of product labels such as the MSC or the EU ecolabel.[4]

Combination with direct regulation

In recent years product labelling has also increasingly been combined with direct regulation. Examples are the use of labelling standards as a guide for setting minimum standards (Sustainable Consumption Roundtable 2006), as has been the case with the EU energy label, or relating fiscal measures to the adherence with certain labelling schemes. While these initiatives relate to governmentally driven labelling schemes the recent UK biofuel regulation shows that governmental regulation gets also increasingly linked with private product labelling schemes (Upham et al. 2011b).

The role of the supply chain

For Gereffi et al (2005) the two most important feature of the contemporary economy are "the globalization of production and trade, which have fuelled the growth of industrial capabilities in a wide range of developing countries, and the vertical disintegration of transnational corporations, which are redefining their core competencies to focus on innovation and product strategy, marketing, and the highest value-added segments of manufacturing and services, while reducing their direct ownership over 'non-core' functions such as generic services and volume production (Gereffi et al. 2005). According to Gedeffi et al. within such supply chains "key agents" tend to delegate, manage and enforce a production process in accordance with their standards (Gereffi 1994). Ponte and Gibbon refer at this point to "lead" companies, who inhibit a functional position that enables them to "shape who does what along the chain (and at what price, using what standards, to which specifications and delivering at what time)" (Ponte & Gibbon 2005, p 5). While in producer driven supply chains lead or key companies are often large manufacturers holding

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[4] See http://www.direct.gov.uk/en/Environmentandgreenerliving/Greenerhomeandgarden/Greenerlabelsandclaims/index.htm.

technological and production information, in buyer driven supply chains large retailers or branded companies possessing and translating market information tend to fulfill this function (Gereffi 1994).

In many sectors there has been an increased trend towards buyer driven supply chains (Ponte & Gibbon 2005) with especially retailers increasing in power. By moderating and directing between the production and consumption side retailers influence which goods, information and values reach the customer and vice versa (Hansen 1988). During the last decade or so retail companies have further expanded this influence through vertically integration (Iles 2007) and concentration. Especially food retailing in industrialised as well as middle income countries has become increasingly oligopolistic "with a relative handful of retailers often now controlling access to enormous numbers of consumers" (Kumar 1996:92).

Because of this powerful position, even though they may not be directly responsible for the environmental or social impact of the industry, societal pressure to align with certain sustainability practices is often considerably higher for lead companies, particularly consumer facing ones operating in buyer driven supply chains. Especially NGOs often explicitly target such corporations. "In this way, NGOs have discovered a powerful gateway into global commodity chains that allows their influence to ripple outwards from the targeted node, incentivising actors to change their practices throughout the network" (Bloomfield 2010, p 7).

Meeting such demands can be difficult however. The above described economic developments with increasingly differentiated goods produced across global geographic spaces and firms have lead to ever more complex supply chain relations and laid the groundwork for a variety of supply chain management forms[5], "situated between arm's length markets, on the one hand, and large vertically integrated corporations, on the other" (Gereffi et al. 2005, pp 78–79). According to Burt and Sparks implementing more sustainable practices necessitates a shift from dyadic relationships only with the next member of the channel towards a managed network of aligned members usually based upon information sharing, trust and long term collaboration (Burt & Sparks 2003). Using standards and criteria, most labelling schemes are based on, can facilitate such a shift by offering supply chain actors their criteria as a guide and cutting across the chain to coordinate and harmonize product quality (Eberle 2001; van Wijk et al. 2008). As this happens and information becomes embedded and codified in criteria and standards, there is less need for repeated interactions and the building of the 'personalized' relationships, which enables more hands off forms of coordination (Gereffi et al. 2005; Ponte & Gibbon 2005). "In a sense, we can say that trust becomes institutionalized in the label or code of conduct, rather than by reference to a specific firm" (Ponte & Gibbon 2005, p 15). Next to facilitating communication efforts along the supply chain signing up to a labelling scheme also enable businesses to, in a sense 'outsource', other management mechanisms. This includes processes such as life cycle analysis, monitoring, consumer education or marketing efforts. Lastly, aligning practices with certain labelling criteria can function not only as a vehicle for lead companies to ensure that they meet societal demand but also publicly symbolise these efforts.

Institutionalisation from a discourse/constructivist perspective

The last sections have shown the different drivers rational, sociological and network perspectives emphasize in relation to the institutionalisation of product labelling schemes. While rational accounts point to the importance of individual self interests, sociological accounts focus on societal norms. By using network institutionalist insights a more systematic understanding of the market was introduced showing that for the institutionalisation of product labelling schemes not only producers

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[5] Gereffi et al refer in this later work to 'governance as coordination'. To avoid confusion with governance as described above however, the term supply chain management is preferred here.

and consumers are relevant audiences but also other societal actors such as NGOs, media, civil societal organisations, governmental organisations and retailers.

A constant criticism these conceptualisations, especially rational and sociological ones, face however is their supposed incapacity to explain processes of institutional change (see e.g. Blyth 2003). In response to these limitations a fourth version of new institutionalism, referred to as "constructivist" (Hay 2006), ideational or "discursive' institutionalism" (Schmidt & Radaelli 2004, p 192) has recently attained greater prominence. At the core of this theory is the notion of ideas. Constructivist institutionalists see institutions as "codified systems of idea[s] and the practices they sustain" (Hay 2006, p 66). These ideas are considered to be not only "cognitive filters through which actors come to interpret environmental signals" but also exert an independent path dependent effect on the development of institutions and ideas themselves (Hay 2006, p 65).

According to Hay (2006) established ideas become codified through processes of normalization and institutional embedding and can also become contested, challenged and replaced. Schmidt (2006) relates this process of change of ideas and institutionalisation to the notion of discourses. Discourses, in the discourse institutionalist understanding, not only reflect a set of ideas bringing rules, values and practices (Schmidt 2006) through which actors arrive at ethical judgements as well as appraisals of their self interested cost-benefit calculations (Suchman 1995) and relevant exchange relations but can also serve to re-frame such ideas (Schmidt 2006). Discourse institutionalists argue that this reframing process does not happen in an actor passive way. Instead, discourses can be used by entrepreneurial actors to produce new ideas in an interactive process that can result in both intended and unintended consequences (Schmidt & Radaelli 2004; Schmidt 2006) creating paths for future changes (Hay 2006). Schmidt thereby distinguishes between a 'coordinative' and a 'communicative' phase of discourses partly referring to Finnemore and Sikkings concept of a norm life cycle.[6]

During the coordinative phase ideas are generated (Schmidt 2006). Finnemore and Sikking refer here to norm emergence. They relate this initial phase to the active building by particular agents, who they call "norm entrepreneurs" (Finnemore & Sikking 1998, p 895). Describing a slightly different, although, largely compatible model of institutional change, Greenwood et al (2002) highlight that such actors can disturb the socially constructed consensus in meaning systems (norms) by introducing new ideas and thus the possibility of change. According to Finnemore and Sikking (1998: 914), norm entrepreneurs use framing mechanisms to call attention to issues or even ''create'' issues. Through persuasion norm entrepreneurs also "seek to change the utility functions of other players to reflect some new normative commitment" (Finnemore & Sikking 1998, p 914). In the context of product labelling entrepreneurial activity mainly relates to the set up of a labelling scheme by single organisations or coalitions of different organisations who then try to persuade their audience to support and adapt the ordering mechanisms these schemes provide.

While Finnemore and Sikking (1998) see the motivations for such entrepreneurial activity in empathy, altruism, and ideational commitment, it can be argued that, at least for the case of product labelling, institutionally conditioned self interests can play an important role as well. For example firms might use the set up of a labelling scheme or support of an early stage labelling scheme for creating a responsibility image to create value (Knorringa et al. 2011) or to enhance their supply chain management.

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[6] The following section refers to the institutionalisation of norms. Orders labelling schemes provide are thereby considered as a particular form of societal norm.

If successful, the new frames resonate with broader public understandings and are adopted as new ways of talking about and understanding issues. Schmidt refers here to the communicative phase understood as a "mass process of public persuasion" (Schmidt 2006, p 18) and Greenwood et al (2002: 60) to "diffusion". In the case of product labelling, support can reach from silent acceptance of a labelling scheme to active use of the scheme to stage demand or supply in the different ways described on page 6ff. As many labelling schemes are multi-actor organisations support can go even one step further as actors can become actively involved in the organisational structures of a labelling scheme. Dismissal of support can reach from passive ignorance to active opposition.

Ideally support processes reach a tipping point where a critical mass of relevant actors adopt the norm (or the order provided by the labelling scheme) resulting in a redefinition of appropriate behaviour (Finnemore & Sikking 1998, pp 895–905). A second stage of what Schmidt (2006) calls communicative phase is what Finnemore and Sikking (1998) refer to as norm cascade.

The third stage is norm internalization, which occurs when norms (or the order provided by the labelling scheme) acquire a taken-for-granted quality and are no longer a matter of broad public debate. Conformance with these norms becomes almost automatic (Finnemore & Sikking 1998).

In building this model of institutional change discourse/constructivist institutionalists combine sociological structure-centred with rational actor-centred understandings bridging "the gap between […] structure and agency" (Schmidt & Radaelli 2004, p 192). From rational accounts discourse institutionalists take the assumption that actors are strategic, seeking to realize goals (Hay 2006). Unlike in rational institutionalist' conceptualisations however, goals and preferences are considered to be a complex, contingent, and constantly changing social construction involving multiple dimensions (Hay 2006). Similar to sociological accounts, discourse/constructivist institutionalists highlight the normative context as an important dimension defining which desirable interests are appropriately pursued. Next to the normative context discourse/constructivist institutionalists also appreciate structural contexts such as access to strategic resource, which might be unevenly distributed and affect the ability of actors to transform contexts in which they find themselves (Hay 2006). This structural context not only shapes individual action but also discourses on a more general level as they affect "where discourse matters, by establishing who talks to whom about what, where and when" (Schmidt 2006, p 19). Some scholars also highlight the existence of a material reality understood as the setting which allows only for a certain range of responses (Schmidt 2006). Another important argument discourse/constructivist institutionalists make is that actors perception of these contexts as well as their desires, preferences, and motivations are not contextually given facts but reflect a normative (indeed moral, ethical, and political) orientation (Hay 2006). Here the ideas, actors contribute to changing, come into play "in a second sense" as they provide the "cognitive filters through which actors come to interpret environmental signals" during their contribution to ideational change (Hay 2006, p 65). From this argument a different understanding to sociological accounts follows: although actors interests and preferences are seen as a social construction, this construction cannot be simply derived from the institutional setting or serve as proxies for material factors and actors cannot be seen as simply substitutable (Hay 2006). Lastly, even though not explicitly highlighted by Hay or Schmidt one can include exchange relations as another important dimension shaping individual interests.

The concept of legitimacy

Combining the just outlined four theoretical perspectives, the institutionalisation of product labelling scheme can be summarised as a discursive process between the strategic conduct of entrepreneurial actors who set up a labelling scheme introducing a new order and other actors in the production and consumption system who can support this new order to a greater or lesser degree. Actors' strategies

thereby need to be seen in their institutional context including dominant societal norms, existing exchange relations and broader societal structures that not only frame individual interests but also the discursive process on a more general level. In addition individual perception of these contexts has to be taken into account reflecting an individual normative orientation.

What has remained rather open so far is the question what determines to what degree entrepreneurial activity resonates with broader public support. Both Finnemore and Sikking (1998) and Greenwood et al (2002) point to the concept of legitimacy at this point. However, neither of them detail their understandings of the concept. The following section expands on that gap using the four theoretical perspectives introduced above.

Legitimacy from a sociological perspective

For Weber, following an 'Ordnung' can only prevail ('gelten') if acting upon this maxim happens because these maxims are seen as exemplary ("vorbildlich") and/or authoritative ("verbindlich") (Weber 1922). Weber defines authority as the chance to find compliance with a specific set of instructions among a definite group of actors (Weber 1922). A prominent argument within the governance and organisational literature is that the chances for compliance with orders but also the general support of an organisation increase as actors are convinced that doing so is "the right thing to do" (Suchman 1995, p 579) from some form of normative perspective[7], often referred to as moral or normative legitimacy (see e.g. Suchman 1995; Risse 2004; Schaller 2007). Beetham (1991) argues that people's consent to the legitimacy of an institution and the power relations that come with it introduces a subjectively binding force and a normative commitment on the part of those engaging. From this perspective, legitimacy can be seen as the recognized right to hold and use power and the lynchpin between brute force (instead of the consent of the governed, it then relies purely on coercion) and authority (Biermann et al. 2009).

Legitimacy from a rational perspective

Many authors argue that next to normative evaluations and the logic of appropriateness, actors' support is also driven by self interest calculations and the logic of consequence (Underdal 2008). Findings from the case studies support such arguments with interviewees repeatedly highlighting individual interests as an important motivator for the support of product labelling schemes.

To what extent self interest dimensions should be included within a legitimacy framework is debated however. Suchmann (1995) for example includes pragmatic legitimacy in his framework which for him bases on self interest calculations of an organization's most immediate audiences. Other scholars (e.g. Gulbrandsen 2010) have followed this path including Cashore (2002) who applied Suchmann's legitimacy framework to non state market driven forms of governance, and private certification in particular.

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[7] While a communitarian or relativist interpretation would assume that such norms are dependent on a specific culture or community, more absolute accounts assume that next to (or alternative to) community specific norms there is some form of overarching ethical framework. The approval of an overarching ethical framework not only allows to argue that such a framework influences legitimacy perceptions and constructions but also that it is possible to evaluate institutions against such a framework in a prescriptive sense in order to avoid leaving the determination of legitimacy to "unmonitored peer pressure" (Sayer 1997, p 476). While the need for evaluations of governance instruments against some absolute framework is appreciated and could be seen as an essential part of an effectiveness study, it seems more of a task of disciplines such as moral and political philosophy. Focus of this study will therefore remain a descriptive approach to the normative dimension.

Weber (1922) on the other hand, while appreciating self interest as an important dimension influencing the support for an order, refers to legitimacy separately from following an order based on self interest. Also Risse (2004) and Koppel (2008) advocate treating self interest separately from legitimacy arguments. Koppel (2008) refers to the example of totalitarian regimes to justify this standpoint. He argues that while, given the direct consequences of rejecting the regime's authority, the population's calculation of self-interest in such societies clearly leads to acceptance such behaviour does not render the regime legitimate.

While such notes of caution are clearly appreciated they seem more a question of terminology rather than content. In line with Suchmann's approach the following discussion includes both, moral and pragmatic dimensions within one legitimacy framework.

Legitimacy from a network perspective

The main insight network perspectives offer in relation to the concept of legitimacy is the importance of the various relationships actors find themselves in, which influence their perception of moral and pragmatic legitimacy. Mainly focusing on the pragmatic dimension Suchmann refers here to the notion of exchange legitimacy. Also in regard to pragmatic dimensions mainly on an organizational level Pfeffer and Salancik (2003) argue that actors are in a constant dynamic sequence of action and reaction. On the one hand organisations try to avoid dependency and being controlled by other actors seeking stability and certainty in their own resource exchange. On the other hand social actors seeking control over organisation try to increase their control (Pfeffer & Salancik 2003). As outlined on page6ff there are various exchange relations across the production and consumption system within which actors can utilize labelling schemes to increase or decrease control.

Legitimacy from a discursive perspective

The last sections have argued that societal support for the order a product labelling scheme provides is determined by normative values (moral legitimacy) as well as self interests (pragmatic legitimacy) influenced by the various relationships actors find themselves in (exchange legitimacy).[8] Following a discursive perspective the attention now has to shift from rather passive legitimacy perceptions to the interactive process and the role of entrepreneurial actors in constructing such perceptions. In his work on organisational legitimacy Suchmann (1995) has discussed various strategies organisations (in this case the labelling organisation) can utilise to increase their perceived legitimacy:

a) Efforts to conform the organisations own structures to the dictates of pre-existing audiences within the organisation's current environment

    a. to ensure pragmatic legitimacy (this implies that the organisation tries to meet substantive needs of various audiences and/or offer decision making access).

    b. to ensure moral legitimacy through

        i. embedding structures within already existing legitimate institutions through co-optation;

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[8] As outlined above next to societal norms and exchange relations overall structures including material realities are an important additional dimensions constructing not only individual interests but also framing the overall discourse. In addition discourse institutionalists point to individual perception of these contexts that reflect an individual orientation. To avoid for this discussion to become too broad however, the following sections focus on the role of societal norms and exchange relations leaving the role of overarching structural contexts as well as individual orientations and values out of the scope.

    ii. symbolising the conformity with societal ideals and that the organisation "labors on the side of the angels" (Suchman 1995, p 588);

    iii. conforming to established models and standards through mimetic processes[9];

    iv. formalization, through the codification of informal procedures and bringing them under official control;

    v. professionalisation by linking activities to external definitions of authority and competence.

b) Efforts to select among multiple environments in pursuit of an audience that will support current practices.

    a. In regard to pragmatic legitimacy selection implies the selection of audiences that value the sort of exchange the scheme offers and including those actors that are credible to key audiences yet wont demand dramatic structural changes.

    b. In regard to moral legitimacy Suchmann highlights the existence of a range of moral criteria whose relative weighting depends on the goal the organisation sets itself and the activities it is engaged in.

c) Efforts to manipulate environmental structures by creating new audiences and new legitimating beliefs:

    a. In regard to pragmatic legitimacy manipulation implies persuasion of particular exchange partners by highlighting positive influence on exchanges possibilities for influence.

    b. In regard to moral legitimacy Suchmann highlights the importance of accumulating and communicating a record of success. As moral values are influenced by general discourses manipulating moral legitimacy often necessitates collective action.

Both network and constructivist institutional theories also highlight that influencing legitimacy perceptions is not a one way process. In fact if above strategies result in perceptions of legitimacy and according support of a labelling scheme by certain actors, such support has further influence on other actors. Firstly, actors' support of a labelling scheme can influence various exchange relations and self interest calculations. If for example a large scale retailer supports a particular labelling scheme this influences their relations with their suppliers and the strategic calculations of these suppliers. Another example is the support of a scheme by governmental actors which can influence public support relations between firms and governments. Next to ensuring commitment and influencing exchange relations and self interest calculations, a demonstratable expression of consent based on legitimacy also has a publicly symbolic or declaratory force for the broader discursive constructions of societal norms (Beetham 1991). As outlined above if NGOs for example consider a particular labelling scheme as legitimate that not only results in their support of the scheme but also sends a message to other actors in the production and consumption system. Finnemore and Sikking (1998) point here especially to the important role of transnational advocacy networks often used by NGOs.

According to Greenwood et al (2002: 60-61) as new ideas (in this case new orders introduced by labelling schemes) become objectified," gaining social consensus concerning their pragmatic value they diffuse even further". If more actors support a scheme because they perceive it as legitimate

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[9] According to DiMaggio and Powel (2008) mimetic process can happen unintentionally through employee migration or explicitly for example through hiring consulting firms or trade associations.

this can change the institutional environment that influences pragmatic, moral and exchange legitimacy perceptions and constructions. Ultimately a tipping point can be reached where a critical mass of relevant actors adopt the norm resulting in a redefinition of appropriate behaviour (Finnemore & Sikking 1998). Labelling schemes might become associated with the identity of a modern organisation, fashionable, or the pre-eminent way of meeting expectations about appropriate behaviour from relevant audiences (Gulbrandsen 2010).

After the tipping point the dynamics are characterised by socialisation and imitation (Finnemore & Sikking 1998) and a combination of pressure for conformity, desire to enhance legitimation and self-esteem (Finnemore & Sikking 1998). For example supply chains producers and service providers are often driven "by fears about a loss of market shares rather than the hope of increasing their market share" (Jordan et al. 2006, p 176). As a result, once a critical mass of businesses has applied a label within a certain market segment, the remaining companies find themselves under considerable market pressure to seek the label for their competing products. The breakthrough in terms of sales of certified Fair Trade products in the US, for example, came when Starbucks made their commitment and shortly after other speciality-coffee companies followed (Barrientos et al. 2007; Fridell 2009). In the UK Sainsburys became the first retailer selling Fair Trade products in 1996. A major push happened in 2000 with the involvement of the co-op retailer who started selling Fair Trade bananas and the first own brand, Fair Trade certified chocolate bar. By the end of 2002 all major supermarkets in the UK sold at least one Fair Trade item (Barrientos & Smith 2007).

Increased support of a labelling scheme also changes the legitimacy demands placed on the labelling organisation. To ensure their continuous support labelling organisations need to adapt to these changes with the above described strategies. Suchmann (1995: 594) therefore highlights the importance of "enhancing the organisation stability to recognize audience reactions and foresee emerging challenges though monitoring cultural environments and changing interest."

Ultimately, if the labelling scheme acquires continuous support based on continuous perceptions of legitimacy a labelling scheme might become internalized and achieve taken-for-granted quality where conformance becomes almost automatic (Finnemore & Sikking 1998).

In sum, institutionalisation can be seen as a "historical record" (Koppell 2008, p 182) of legitimacy construction and perception based on pragmatic, exchange and moral dimensions. In that sense support of a labelling scheme (at least partly driven) by self interest can ultimately contribute to a larger scale change of societal norms which changes practices in a much more fundamental way than restructuring incentives for organisations (Gulbrandsen 2010). Finnemore and Sikking (1998) make a similar point highlighting that through persuasion action can become social structure.

The last paragraphs have shown the relational character of the institutionalisation of authority suggesting that the effective institutionalisation of labelling schemes based on legitimacy is derived through complex and dynamic social interactions. The construction of legitimacy is not only about influencing passive perception of moral and pragmatic legitimacy that determines to what extent actors allow for their behaviour to be steered but to involve audiences in the construction of the legitimacy and according institutionalisation of a scheme. This audience includes next to producers and consumers also other societal actors such as NGOs, media, civil societal and governmental organisations, or retailer. During this process it might be argued that active construction and perception plays a decreasing role.

The just described processes are extremely dynamic not only in terms of changes in actor relations but also larger scale changes of institutional structures setting the frame of these processes. Next to being highly dynamic legitimacy construction processes are highly competitive as there are various

schemes competing for institutionalisation processes at the same time (Dowling & Pfeffer 1975; Finnemore & Sikking 1998). Lastly, they are inherently conflicting and controversial. Different audience groups place different, and partly opposing, legitimacy demands. Also, support by certain actors does not necessarily need to result in positive influence on the legitimacy perceptions of other actors. In fact, in many cases, it can be the other way around. Examples include the support of labelling schemes by large scale corporations which can negatively influence moral legitimacy perceptions of NGOs or consumers.

The following section discusses the different dimensions of this dynamic and conflictual process of legitimacy construction for both, legally enforced and voluntary labelling schemes.

The legitimacy construction of product labelling schemes

For Weber authority over many people usually (but not always) needs a set of people (Verwaltungsstab) that are appointed to administer instructions and reliably obey (Weber 1922, pp part 1, III, 1., §1). While for some labelling schemes this organisation is driven by public authorities that can use their legitimacy for hierarchical steering modes, most labelling schemes depend at least to a certain extent on non hierarchical steering and/or are privately driven or act as some form of hybrid organisation.

Legitimacy of hierarchical labelling schemes

Some labelling schemes are publicly authorised and base their authority on the hierarchical position of the state. In the case of the EU energy label for example, the use of a labelling scheme for communication and the alignment of certain producer and retailer practices with its rules have been legally enforced. In a modern context the legitimacy of the authoritative position of the state is often related to a complex interplay of democratic representation and other processes such as separation of power and free press.[10]

Legitimacy of non hierarchical steering modes

As discussed on page 6ff from a network perspective aligning the production with certain standards and communicating this alignment with the product is only one of the many dynamics relevant for an effective institutionalisation of a product labelling scheme. In most product labelling cases, steering other crucial behaviours, such as the societal demand for energy efficient labelled products, has to be based on non hierarchical modes. In addition, many labelling schemes are driven outside the governmental sphere for example by NGOs or businesses or operate as hybrid organisations including actors that belong to more than one of these spheres. These actors often represent organisations themselves making labelling schemes often a form of meta organisation that structures the collaborative work between multiple organisations from different actor groups (Boström & Klintman 2008).

The more voluntary and distant from state regulation, the more labelling schemes need to base their authority on non state regulation based legitimacy constructions (Schaller 2007; Buchanan & Keohane 2008; Beetham 1991; Cutler 2002; Borras & Conzelmann 2007). The following section outlines important aspects of this construction between labelling organisations and their audiences based on pragmatic, exchange and moral legitimacy dimensions. The case studies thereby give illustrations of the complexities and conflicts related to this construction. How these complexities and conflicts evolve determine thereby not only the labelling schemes overall constitution but also

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[10] A more extensive discussion can be found for example in Barker (1990).

their degree of institutionalisation and according effectiveness in inducing and facilitating behavioural changes across the production and consumption system.

Understandability

While 'understandability' is usually not included in existing legitimacy frameworks the case studies have shown that the ability of actors to comprehend the structure of a labelling scheme and what it stands for is a fundamental basic requirement for any form of support. A prominent selection strategy to increase understandability has been the selection of audiences that can ensure the understandability of the labelling scheme on consumer side. This includes consumer NGOs as well as retailers who can assist consumers during purchase decisions. The EU energy label for example has had comparatively large support among such actors ensuring its understandability. Recent changes in the labelling designs however now majorly threaten this support.

Understandability refers not only to the content and the design of the information that is conveyed via a product label but also how this information has been produced. The EU ecolabel for example has found repeated criticism for a too complex and bureaucratic structure resulting in repeated attempts for simplification through various conformity strategies.

Consequential legitimacy

Next to understandability a crucial legitimacy criterion is the evaluation of the impacts of product labelling schemes, often referred to as consequential (Suchmann 1995) legitimacy. Consequential legitimacy has two main dimensions to it. First it relates to the consequences labelling schemes officially aim for. This can be for example more sustainable fisheries, fairer labour standards or the reduction of negative environmental impacts. Second, consequential legitimacy can relate to schemes actual ability to fulfil these aims (Borras 2007). The evaluation can take place either in terms of the general contribution to societal welfare or against stakeholders' perception of a positive consequence for their individual self interests.

Existing labelling organisations have tried to influence consequential legitimacy through various strategies. Among the most prominent is the demonstration of beneficial impacts for individual actors as well as greater society through the submission evaluation studies.

A problem many labelling schemes face however is the great variation in individual interests as well as perceptions of greater societal welfare across different actor groups. Consumer facing retailers and manufacturers for example might support a labelling scheme, hoping that the particular scheme could become part of consumers practice and tie the consumer to their particular business. Such interests can in fact become detrimental for labelling scheme operating across different companies as these schemes are unable to offer such benefits. Another motivation for support can be a potential improvement of relationships with actors that shape broader societal demand (e.g. NGOs, media or governments). Next to reducing dependencies on customers, NGOs and governments, businesses in a lead position might also be motivated by the hope of a reduction of dependencies on the rest of the supply chain. In fact, labelling and standardisation processes have been repeatedly accused of resulting in the marginalisation especially of small scale producers. While such consequences might be considered positive by large scale retailers or manufacturers they can threaten the consequential legitimacy of a scheme in the eye of other actor groups. The MSC for example has been repeatedly threatened by accusations of eco imperialisms for favouring large industrialised, centralized, and company-owned fishing operations from the developed world (O'Riordan 1996) over small scale fisheries from developing countries.

These conflicts also demonstrate the high degree of disagreement on positive consequence in regard to societal welfare. Usually there is not one definite interpretation of a positive societal impact but

interpretations vary across different actors. In addition, many impacts in the realm of sustainable consumption and production are inherently difficult to measure.

Another challenge that has become apparent in most case studies is the close relation between consequences and the support a labelling scheme achieves, with the latter mainly depending on the schemes legitimacy. This can result in a vicious circle where a lack of positive consequence decreases a schemes legitimacy which further decreases its consequential legitimacy and so forth. A selection strategy used by many labelling organisations to avoid such a vicious circle and achieve large scale modifications on the supply side is trying to ensure the support and legitimacy from businesses holding the "lead" position (see discussion above). As just outlined however, the involvement of such corporations can have various consequences that can threaten the legitimacy perception of other actors. In the US coffee sector some Alternative Trade Organisations for example, gave up their Far Trade certification in reaction to the involvement of corporations like Starbucks, Procter and Gamble, Nestle or Chiquita (Raynolds & Murray 2007).

Procedural legitimacy

According to Suchman (1995) the more difficult a clear measurement of a positive consequence the more important becomes procedural legitimacy understood as the belief in the validity of the procedure the scheme is based on (Risse 2004).

Many authors when discussing procedural legitimacy focus on the inclusiveness of the procedures referring to "input" (e.g. Borras and Conzelmann 2007) or ''throughput-legitimacy'' (Pratzsch 2009, p 5). According to Bernstein there is "an indisputable general normative trend" (Bernstein 2005, p 162) often associated with perceptions of independence, to democratize global governance schemes. This implies that "those who have to comply with the rules ought to have an input in rule-making processes" (Risse 2004, p 7). Many authors (e.g. Lebel & Lorek 2008; Gulbrandsen 2008; Boström 2006; Schrader 2004; Teufel et al. 2009; Frankl et al. 2005; Meidinger 2008; Biermann & Pattberg 2008) thereby highlight the importance of deliberation often referring to Habermas' theory of communicative action. Such deliberation "ideally requires that decisions rest on 'good arguments' made under conditions in which free and equal autonomous actors can challenge validity claims, seek a reasoned communicative consensus about their understandings of the situation and justifications for norms guiding their action, and are open to being persuaded" (Bernstein 2005, p 147). From such a normative ideal different procedural demands evolve such as responsiveness to societal demands and possibility of public debate, transparency and publicly available knowledge, monitoring and reporting mechanisms (Borras & Conzelmann 2007; Bernstein 2005).

From a more pragmatic point of view inclusiveness can result in several benefits for the effectiveness of a product labelling scheme. Firstly, the case studies have shown that actors on supply as well as demand side highlight the inclusion of their own interests as a major motivation to support a scheme. This supports Suchmann's (1995) suggestion that an important dimension of pragmatic legitimacy is the extent to which audiences see that an organisation is being responsive to their larger interests. Next to ensuring their support, the inclusion of important stakeholders enables to utilise their knowledge-, structural- and financial- resources. This can be, for example, knowledge about consumers or sustainability issues from NGOs, knowledge about supply chain structures and structural resources from business actors, or the involvement of state actors as funding body. Suchmann (1995) also highlights that the involvement of certain actors enables to monitor the multiple interests and dominating norms in the institutional environment as well as actively influencing these environments through these actors (Suchman 1995).

To increase their procedural legitimacy many labelling organisations have used conformity strategies by including multiple stakeholders in their decision making bodies and use deliberative processes for

standard setting and certification. Some schemes have thereby followed a mimetic path. The MSC for example retained a consulting firm to develop "an organisational blueprint" based on comparative studies of certification organisations (e.g. the Forest Stewardship Council) (Sutton & Whitfield 1996) as well as interviews with fishery stakeholders (Constance & Bonanno 2000).Other labelling organisations have used formalization by publishing extensive documents on their precise criteria development, decision making and certification structures etc. Also professionalization has shown to be important for example through relating parts of the labelling procedures to the international standardisation organisation or involving academic actors. Schemes like the MSC for example highlight the involvement of science in their decision making processes, usually referred to as involvement of experts from universities, NGOs, business and regulators with both scientific and industrial experience. These experts are involved as regular members but also in special panels to review cases of problematic scientization (Eden & Bear 2010).

However, finding a consensus can be difficult and time-consuming due to conflicting interests but also interpersonal barriers. On the one hand businesses actors for example tend to favour criteria that ensure that products remain marketable (look normal and are not too expensive) which often requires compromises in the environmental or social message (Boström & Klintman 2008). Groups like NGOs or civil societal organisations on the other hand often call for very rigorous standards focusing on environmental or social benefits. At this point trade-offs can evolve between processes crucial to resolve such conflicts in order to ensure procedural legitimacy and efficiency demands mainly related to consequential legitimacy. In practice, the key question is usually not to find an uncontested consensus but which interests are crucial to include and to what extent in order to maximize the support across the production and consumption system.

Knowledge legitimacy

Focussing on state legitimacy Barker highlights the importance of the belief in the "superior knowledge or skill of rulers" (Barker 1990, p 55), which seems particularly important in relation to complexities. For Barker a belief in superior knowledge or skills can take many forms from a rational appraisal of technical ability to "a deferential attribution of superiority" (Barker 1990, p 55). In the latter case this dimension can actually be seen as part of traditional or charismatic legitimacy.

Traditional legitimacy

According to Weber (1922) traditional legitimacy refers to the holiness of traditions that have always prevailed. Traditional legitimacy can also be seen as related to structural legitimacy. This means that some organisations in their overall structure are some kind of "repository of public confidence" because they are simply seen as "the right organisation for the job [...] This sense of rightness has more to do with emblems of organisational identity than with demonstrations of organisational competence" (Suchman 1995, p 581). The selection of governmental bodies as part of the organisational structures, as done for example by the EU ecolabel, can be seen as a strategy aiming to increase traditional legitimacy. Such strategies however can threaten the legitimacy perceptions of actors who might feel safer to participate and share information if a rule setting process is run outside state arenas (Boström & Klintman 2008).

Charismatic legitimacy

Weber also highlights the importance of the belief in the holiness or heroism or examplariness of a person and the 'Ordnung' he or she creates or manifests (Weber 1922, pp part 1, III, 1, §2). While individual leaders appear to be less important in the case of product labelling, the involvement of certain trusted organisations such as WWF has been highlighted by some actors as an important dimension of support.

Conclusion

In line with trends away from traditional state regulation recent years have seen an increased implementation of product labelling schemes to support more sustainable consumption and production. Such schemes can be seen as providing a form of order in a Weberian sense offering a frame of reference to orient behaviour and social relations of other actors in the production and consumption system. However, product labelling schemes majorly differ in their degree of institutionalisation and respective effectiveness in orienting actors' behaviour. To understand such differences four theoretical perspectives on the process of institutionalisation have been used: rational, sociological, network and discourse institutionalism. Combining all four perspectives the institutionalisation of product labelling scheme can be summarised as a discursive process between the strategic conduct of entrepreneurial actors who set up a labelling scheme thereby introducing a new order and other actors in the production and consumption system who can support this new order to a greater or lesser degree.

To understand what influences the extent to which entrepreneurial activity resonates with broader societal support determining the effectiveness of the institutionalisation process the concept of legitimacy has been introduced. Used within a sociological understanding legitimacy mainly relates to the accordance with dominant societal norms (moral legitimacy). Rational accounts on the other hand point to the importance of self interest driving societal support of labelling schemes and the orders they provide (pragmatic legitimacy). Lastly, the network perspective reminds that in understanding the construction of legitimacy the various relationships actors find themselves in, influencing their perception of moral and pragmatic legitimacy, have to be taken into consideration (exchange legitimacy). Bringing these three understandings together in a discursive perspective, legitimacy can be seen as an interactive construction between labelling organisation and other societal actors driven by a combination of societal norms, self interest and exchange relations.

Four case studies have been used to illustrate how the interactive construction of legitimacy has not only constituted existing labelling schemes but also determined their effectiveness in triggering behavioural changes. The legitimacy construction has thereby shown to cluster around a certain set of aspects, namely understandability, consequences, procedures, knowledge, traditions and charisma. In doing so major conflicts tend to arise especially in relation to diverging perceptions of interests and societal norms across different actor groups. It is these conflicts that appear to pose the main challenge for the effective institutionalisation of product labelling schemes.

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