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Activism through the courts: How Dutch media framed the climate change litigation case of Milieudefensie et al. vs Shell

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**European Politics and Society:
Václav Havel Joint Master Programme**

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Activism through the courts:

How Dutch media framed the climate change
litigation case of *Milieudefensie et al. vs Shell*

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Abstract

Climate activists increasingly turn to courts for enforcing climate action. Scholars argue that climate cases can generate more media coverage, through this help informing and raising awareness about the urgency of the climate crisis. Despite this, studies have paid relatively little attention to the role of framing in the presentation of climate cases in the media. This study uses an inductive-deductive research design (N=165) to investigate how four Dutch newspapers framed the landmark ruling of *Milieudefensie et al. vs Shell*, in order to understand if conflicting frames exist, and to uncover whether left-leaning and right-leaning newspaper frame the case differently. By first using an inductive frame analysis, this study identified one frame supportive of the climate case, and three counter-frames that argue against climate action through the courts. In the deductive frame analysis it was found that left-leaning newspapers used the supportive frame more frequently, whereas right-leaning newspapers more often conveyed messages critical of the climate case. The counter-frames that were most often used in right-leaning newspapers obscured the urgency of the climate crisis, instead focusing on the economic costs, arguing that the case is undemocratic or using the rhetoric that consumers are responsible for creating the energy demand. The findings align with previous research which shows the influence of the media in creating an ideological left-right divide in climate perceptions, in which right-leaning individuals are found to be more climate sceptic. The key role the media has to communicate the need for policy response to combat dangerous climate change, stresses the importance of further understanding the role of media framing in (de)legitimising activism through the courts.

Keywords

Climate change litigation; Frames; Media framing; Climate change narratives

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After some time being stuck deciding on my methodology, and the overall research aim of my thesis, stumbling upon the research by van Gorp et al. (2021) on COP21 communications opened my eyes to new possibilities. The combination of inductive-deductive research designs in this work, immediately put an end to my indecisiveness about either inductively or deductively analysing frames. A special thanks must also be given to Dr. Broad, for providing me with feedback on my methodology during the period I was in between supervisors, and for Dr. David for providing me with a safety net in case necessary.

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1. Introduction

“We took on one of the largest companies in the world. What was considered impossible 5 years ago, has become reality today. Even the biggest polluters are not immune to the green transition” - Milieudéfensie (2021, p. 0).

On the 26th of May 2021, Milieudéfensie (Friends of the Earth Netherlands) celebrated their victory in what they called a ‘revolutionary ruling’ and ‘landslide victory for climate justice’ (Milieudéfensie 2021, 7-9). The District Court of the Hague made a historic judgement in the case of *Milieudéfensie et al. vs Shell*, by ordering the big oil company to reduce its carbon dioxide emissions by 45 percent in 2030, compared to their 2019 levels (District Court of the Hague, 2021). In this ruling, the Court decided that Shell owed a ‘duty of care’ to the more than 17,000 co-plaintiffs of the case for reducing emissions. Instead of the courts ordering Shell to compensate for the damage done, the case’s revolutionary character lies in the fact that Shell has to adjust its climate policy to *prevent* further damage being done. Milieudéfensie (2021, 6) describes this a ‘historic tipping point’, and an unprecedented step in holding a company legally responsible for its individual contribution to global greenhouse gas emissions and the dangerous climate change it causes. The success of the case sets a precedent for future cases against high-emitting companies, and functions as concrete warning to other polluters (Setzer and Higham 2021, 31).

Geert Wilders, leader of right-wing populist party PVV (‘Party for Freedom’), did not share the view that the case against Shell was a cause for celebration. Two days after the judgement, Wilders asked a set of parliamentary questions to the Dutch state secretary of the Ministry of Economic Affairs and Climate Policy, Stef Blok. This included asking whether the state secretary ‘shared the view that it is insane that Milieudéfensie, a state subsidised activist climate club, wants to dictate climate policy through the judiciary’ (kamervragen II 2021, 3). Moreover, he stated that the judiciary had turned into ‘a deluded climate activist’, asked what is understood as ‘dangerous climate change’, and called the climate policy a conjugation of assumptions and doomsday scenarios (ibid: 1).

This sceptical response to the case against Shell is in line with recent evidence from Lockwood and Lockwood (2022, 12) suggesting that ‘right-wing populist parties and

their supporters are hostile to climate and low-carbon energy policies’, and findings by Santos and Feygina (2017) who highlight a ‘left-right divide in climate change attitudes’, with right-wing individuals being far more climate sceptic than left-wing individuals. Moreover, the literature suggests that since the late 2000s an increase in scepticism about climate change has appeared amongst the populus in Western countries (Capstick et al. 2015, 23-29). Scholars argue that a process of politicisation of climate change is a possible contributor to this increase in climate. Fisher et al. (2022, 5) state that ‘climate change has become politicised at a mass level in Western Europe’. This politicisation of climate change can be attributed to the growing tendency to argue against climate policy by the so-called ‘conservative counter-movement’, with media and right-wing think tanks possibly spreading the narrative (Capstick et al. 2015, 84-87).

Over the last decade, courts have witnessed an upsurge in climate-related cases, in which climate activists turn to courts to catalyse action on climate change (Setzer and Higham 2022, 1). The case of Milieudefensie against Shell is part of this growing body of climate change litigation (CCL). CCL, however, is not only considered important for its ability to enforce legal change, but can also wield power by generating media coverage, shaping public discourse (Nosek 2017, 733), or influencing political debate (Wonneberger and Vliegthart 2021, 710). Moreover, it is argued that CCL is emerging as a novel tool for communicating the urgency of climate change, and can be used as a vehicle ‘to tell compelling climate stories’ (Nosek 2017, 803). Although recent findings by Wonneberger and Vliegthart (2021) support the theory that media attention for climate litigation cases leads to greater levels of media attention for the broader discussion about climate policies and climate change in general, there is little research on the type of media attention that CCL receives. Whether, and how, the media presents CCL differently is of importance, and gaining in-depth knowledge on this is at the core of this research.

Framing theory provides a useful theoretical basis for this. Focusing on *how* an issue is framed is important in understanding its potential to influence the perception of the audience on that particular issue (Nosek 2017, 757). Frames have the power to ‘call attention to some aspects of reality while obscuring other elements, which might lead audiences to have different reactions’ (Entman 1993, 55). Moreover, Peel and Osofsky (2015, 721) argue that frames have the ability to bridge partisans, whilst ‘incompatible

frames can entrench partisan differences and make it impossible to reach any kind of consensus'. Although their study looked at the Republican/Democrat divide concerning energy and climate policy in the United States, recent findings suggest that the ideological left-right divide as found in the US also applies to the majority of Western European countries (Fisher et al., 2022; Santos and Feygina, 2017; McCright and Dunlap, 2015). On top of that, scholars argue (Hofhuis and Van Schaik 2019, 9) that 'climate change policy in the low lands has become a divisive issue', and right-wing populist parties are found to convey sceptic narratives surrounding climate change through the media (Lockwood and Lockwood, 2022; Lockwood, 2018). These findings underscore the importance of understanding how left-leaning versus right-leaning newspapers framed the litigation case against Shell in the Netherlands.

1.1. Research question

The majority of research focuses on climate change litigation from a legal perspective (Wonneberger and Vliegthart 2021, 700). But as highlighted by many scholars, including Wentz et al. (2022, 3) in their study on research priorities for climate litigation: 'the importance of litigation goes beyond final court decisions'. This study seeks to contribute to the existing body of research through a socio-political perspective, by focusing on the wider consequences of the *Milieudefensie et al. vs Shell* case. This thesis will compare the framing of more left-leaning Dutch newspapers (De Volkskrant and Trouw) to more right-leaning Dutch newspapers (Elsevier Weekblad and De Telegraaf) in order to gain a deeper understanding of the way in which framing on the climate case might differ. In turn, this can teach us more about the possible influence of these narratives on the wider public's perception of the case. Through framing theory, this research aims to answer the following research question:

How is the climate change litigation case of Milieudefensie et al. vs Shell framed by left-leaning and right-leaning media in the Netherlands?

In order to answer the RQ, the question is separated into two sub questions:

- RQ1: How do Dutch newspapers frame the climate change litigation case of Milieudefensie et al. vs Shell?

- RQ2: How does the framing of the climate change litigation case of Milieudefensie et al. vs Shell differ between left-leaning and right-leaning newspapers?

This research follows both an inductive and deductive qualitative content analysis approach. The research scope is a period of four years, from the public announcement by Milieudefensie of their case against Shell on April 4, 2018, up to four years later, on April 4, 2022. This way, the time frame includes significant moments in the timeline of the case, which could wield more coverage in the litigation case, e.g. the days in court, the verdict by the District court of the Hague, and Shell's decision to appeal (Milieudefensie, n.d.).

To answer RQ1, this research applies the inductive 'frame analysis package' technique as set out by van Gorp (2007, 72) to the discussion of the *Milieudefensie et al. vs Shell* case in Dutch newspapers. With the use of ATLAS.ti and Strauss and Corbin's (1990) method of open coding, axial coding, and selective coding, frames will be identified. The identified frame typologies in turn allows for answering RQ2, by deductively analysing the prevalence of frames in left-leaning versus right-leaning newspapers in the Netherlands.

1.2. Gaps in research

Although the role of the media in framing climate change has been widely studied, climate change litigation in particular is understudied from this perspective. With the power of CCL to generate media coverage, it must be considered whether the framing in the media differs. This research therefore explores the literature around the role of framing in climate change litigation and climate change narratives more broadly, and attempts to contribute to a more fine-grained understanding of societal dynamics in the media coverage of climate cases.

Despite the growing scholarly interest in CCL, Setzer & Vanhala (2019) find that analyses of the legal proceedings, from a juridical standpoint, continue to prevail in such research. Outside of the legal effects of CCL, gaining insights on the way in which litigation efforts can shape the policy agenda and political discourse remains important. Climate cases can have direct influence on regulation and policy making, and indirect effects on public discourse (Wonneberger and Vliegthart 2021, 710). Although research suggests that climate litigation leads to more media attention,

insufficient knowledge exists on the type of media attention that such cases receive (Nosek, 2017; Villavicencio Calzadilla, 2019). It is important to understand *how* issues are presented to the wider public, as this can have a profound impact on the audience's perception of climate change.

There is a gap between the current scientific consensus on anthropogenic climate change and how the public understands it (Carter, 2018). The public generally perceives climate risks as less immediate and tangible risks, due to the media's influence on issue framing and portrayal. Although research on climate change litigation suggests that the media's story-telling role can help bridge the differences people might feel towards the risk of climate change, the different ways in which the media portrays climate cases is understudied. The argument that CCL generates more media coverage glosses over the different frames in which media coverage can take place. This is especially relevant with research increasingly suggesting that right-leaning individuals are more climate sceptic, and that right-wing populist parties are hostile to climate policy, and use the media to spread their narrative (Lockwood and Lockwood, 2022). Considering the urgent need to address climate change challenges, it is important to gain a deeper understanding of the framing of climate cases by different types of newspapers, as this can influence the public's perception, and in turn, their political mobilisation on the issue.

On top of this, the majority of research on climate change perceptions focuses on the US, where a partisan divide and climate scepticism are considered very strong. Understandably so, scholars are interested in gaining deeper understanding of the drivers of climate scepticism in the United States, which continuously scores significantly higher on this measure than the rest of the globe (Dunlap et al., 2016). This is not to say that studying the framing of climate change outside of the US context is less important. On the contrary; recent findings suggest this left-right ideological divide as found in the US, also prevails within Western European countries (Fisher et al., 2022). More specifically, the politicisation of climate change by the so-called counter-movement, and signs of a left-right divide in the Netherlands towards anthropogenic climate change, combined with right-wing populist parties' denial of the climate crisis, makes it incredibly relevant to study the context of the Netherlands.

Moreover, the Netherlands is home to two landmark rulings in climate change litigation, *Urgenda vs the Netherlands* and *Milieudefensie et al. vs Shell*. Relatively little is known about the indirect effects of these cases, that is, their possible influences beyond the immediate court decisions. This research adds to the increasing interest among scholars in analysing the indirect impacts of CCL, and the possible effects it has not only on the law, but also on socio-political aspects going beyond it (Peel and Markey-Towler, 2021). This study contributes to the body of knowledge by providing an in-depth socio-political perspective on CCL, and the way in which different newspapers in the Netherlands frame the *Milieudefensie et al. vs Shell* case, and whether the left-right divide persists in media framing.

2. Literature review

In order to compare the different ways in which the climate change litigation case against *Shell* could be framed by right-leaning and left-leaning Dutch newspapers, it is important to review the academic debates relevant to this research. To start, CCL will be defined. Second, climate change narratives and the left-right divide will be discussed. This is followed by an overview of framing theory, and how it can provide in-depth understanding of different narratives in newspapers. Then, the literature review will explore different types of framing that have been related to CCL.

2.1. Defining Climate Change Litigation

To understand the framing of the climate change litigation case of *Milieudefensie et al. vs Shell*, this form of litigation must first be conceptualised. Setzer and Higham (2022, 2) delineate climate litigation ‘to include cases before judicial and quasi-judicial bodies that involve material issues of climate change, science, policy, or law’, and have visualised the different levels of climate litigation involving the private sector as can be seen in figure 1. Through these concentric circles a conceptual understanding and scope of CCL in the private sector can be established. For this research, the focus is on the case of *Milieudefensie et al. vs Shell*. Climate change can be viewed as the central issue of this case, and is part of a growing body of litigation against the ‘Carbon Majors’, which concerns a list of the 90 Oil, Coal and Gas producers that were argued by Heede (2014) to be responsible for 63% of cumulative industrial carbon emissions. The case against a big polluter like Shell is considered to set a precedence for future cases against

Carbon Majors. An expected increase in lawsuits is found to be gradually materialising (Setzer and Higham 2022, 13).

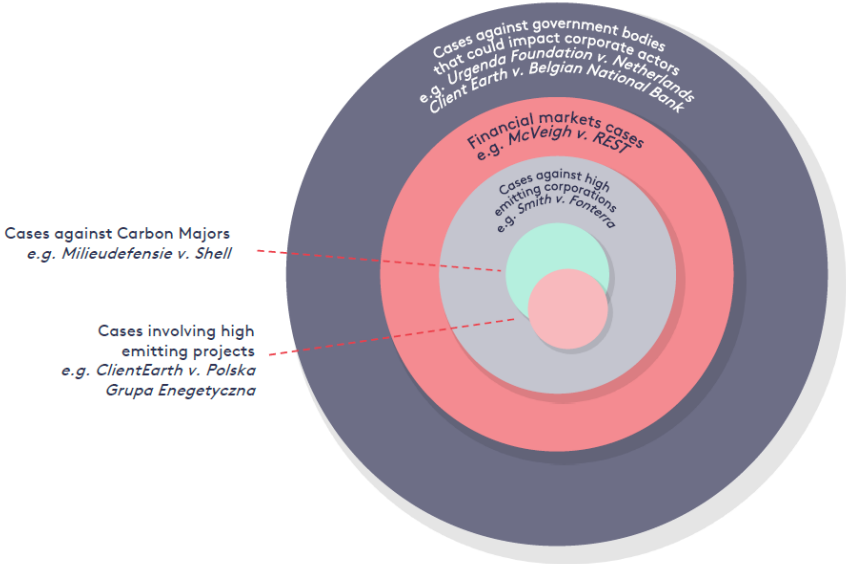


Figure 1. (Setzer and Higham 2022, 13)

2.2. Climate change narratives

Scholars argue that the threat of climate change seems less immediate and tangible than other risks, a condition that is said to provide the public with cognitive barriers to engagement with climate change (Villavicencio Calzadilla 2019, 232). Litigation presents a distinctive chance to address this issue in the current social and political climate. Media narratives are considered important in shaping the perception of the public on climate change (Nosek 2017, 743). Newspaper coverage is often linked with ‘issue salience’ and citizens’ concern with issues like climate change (Capstick et al. 2015, 11). As argued by Hunter (2007, 4), the story-telling quality of climate-related cases ‘makes climate change more tangible and more immediate, which significantly changes the tone of the climate debate’.

Villavicencio Calzadilla (2019, 244) argues that ‘CCL is emerging as a novel tool’ for fostering action and communicating the urgency of climate change outside the courtroom. In her study on climate change litigation, she compares three climate cases: *Urgenda vs the Netherlands* (District Court of the Hague, 2018), *Leghari vs Pakistan* (Lahore High Court, 2015), and *Lliuya vs RWE* (2015). The study aims to gain

understanding on the role of these three cases in communicating the complexity and urgency of climate change. Whereas international conferences and negotiations often focus on abstract language and scientific issues, e.g. rising temperatures or sea levels, CCL focuses on telling stories about the urgency and threat of climate change on human life. Important here is that CCL is presented to non-experts, requiring the usage of comprehensible language for the explanation of the complex issues surrounding climate change. She argues that media attention for climate change cases can inform and raise awareness on climate change issues to the public, ‘motivating social and political action’ (ibid: 244).

Similarly, Wonneberger and Vliegthart (2021) are interested in the salience that litigation cases receive by the media, and the potential agenda-setting effects on the political debate. By looking at the *Urgenda vs the Netherlands* (2018) case, they confirmed their hypotheses that 1) media attention for the Urgenda case led to an increase in parliamentary attention for the case, but not vice versa and 2) that attention in the media sparked more attention for climate policies and climate change in general. This confirmed the expectation that the media ‘leads the tango’ (ibid: 710).

This quantitative study, however, does not gain in-depth contextual understanding of the type of media and political attention the case received. As stated by Wood (2004, 69), ‘quantitative data cannot provide substantial insight into the texture and meaning of experiences’. Rather, the study by Wonneberger and Vliegthart (2021) confirms that CCL functioned as a facilitator of media and political attention within the Netherlands, but the overall impact of the case is still obscured. Nosek (2017, 757) emphasises that ‘*how* an issue is presented can profoundly impact how an audience perceives that issue’. Understanding *how* the media portrays climate change cases is therefore an important step in gaining more insights on its potential impact on people's perceptions on climate change issues.

This is especially relevant as a gap has been found between the climate change perceptions among scientists and those of the wider public. A broad-ranging 2016 study by Cook et al. (2016, 6) found a consensus amongst scientists about anthropogenic climate change of ninety to one hundred percent, that is, that human activity (e.g. burning fossil fuels such as coal, oil, and natural gas) is the dominant driver of the current changes to the climate and the environment (Carter 2018). Pearce et al. (2017) suggest that this quantification of scientific consensus as carried out in

this study is an attempt to better inform a misinformed public about climate change. Despite this, public perceptions on anthropogenic climate change seem to be less harmonious (Hofhuis and Van Schaik, 2019). This gap between scientific consensus and public perceptions will be discussed by reviewing existing theories on the ideological divide in climate change perceptions, which is at the core of this study.

2.3. Climate change: a divisive issue?

Scholars note an ideological divide in climate perceptions amongst the public (Fisher et al., 2022; Capstick et al., 2015; Santon and Feygina 2017). Ideology can be understood through the concept of political ideology, and concerns the set of opinions, ideas, and values that influence an individual's view of the world (Dawson, 2001). This set of ideas and opinions also shape one's attitude towards climate change, with the vast majority of findings suggesting a 'left-right divide' in climate change attitudes (Capstick et al., 2015). In Western Europe, research has evidenced that those positioning themselves on the left of the political spectrum, are more likely to believe and care about climate change, whilst right-wing individuals are likely to be more climate sceptic (Fisher et al., 2022; Santos and Feygina, 2017).

This is in line with findings in the Netherlands. Scholars argue of a 'polarisation of the debate', with climate change policy having become a divisive issue (Hofhuis and van Schaik 2019, 9). Climate journalist Jelmer Mommers (2020) stated that scepticism around climate change is also prevalent in the Netherlands. Moreover, the EIB 2021-2022 EIB Climate Survey (European Investment Bank, 2021) found a significant gap in climate perceptions between Dutch groups with left-leaning versus right-leaning political views. Left-leaning people in the Netherlands showed 22% more support for renewables than their right-leaning counterparts. On top of this, 19% of right-leaning Dutch people said to be 'sceptical about humans being the main cause of the climate crisis', compared to only 3% amongst the left-leaning group. This suggests that the perceptions in the Netherlands on anthropogenic climate change differ between left-leaning and right-leaning groups.

The literature suggests that a process of politicisation of climate change is a possible contributor to climate scepticism (Smith and Leiserowitz, 2012; Whitmarsh, 2011). This politicisation of climate change can be attributed to the growing tendency to argue against climate policy by the so-called 'conservative counter-movement' (Capstick et al. 2015, 46). Right-wing think tanks and media outlets are argued to be key players in

this challenge to climate policy, especially prevalent within the US and Anglophone countries. A more recent study on the OECD countries by Lockwood and Lockwood (2022, 12) highlights the idea of this counter-movement, and finds that ‘right-wing populist parties and their supporters are hostile to climate and low-carbon energy policies’. Although the influence of right-wing populist parties when entering government is found to be mitigated by EU membership and a proportional representation system, findings do suggest a politicisation of climate change by right-wing populist parties in the Netherlands.

This can be made tangible when looking at two Dutch parties that are defined as radical-right populist parties (Smeeke et al. 2021, 94), namely the FVD (Forum for Democracy) and PVV (Party for Freedom). The FVD states on their website that there is no such thing as a climate crisis, as ‘the climate is always changing’, and calls for cancelling the Paris Agreement (UNFCCC, 2016) and putting a direct stop to the current Dutch climate policy (Forum voor Democratie, n.d.) . Similarly, PVV argues in their election programme of 2021-2025 (Verkiezingsprogramma PVV, 35) for a stop to ‘pointless’ and ‘unaffordable’ climate policy. They state that humans are only responsible for a small percentage of all CO₂ in the atmosphere, suggesting that ‘it is therefore an illusion that humans can substantially influence the climate’.

This sceptical tone has also been used by Geert Wilders, leader of the PVV, in his response to the outcome of the case against Shell. With a set of seventeen parliamentary questions to the Dutch state secretary of the Ministry of Economic Affairs and Climate Policy, he asked whether Blok agreed that climate policy is a political and not judicial matter, and that the decision by the District Court of the Hague therefore is a political judgement (kamervragen II, 2021). He stated that the judicial branch has emerged as an ‘out-of-control climate activist’, and described Milieudefensie as a state funded activist club that is trying to dictate climate policy. Given that scepticism by populist parties about climate change is expressed through the media, support in societies for policies on climate change is argued to have become more challenging (Hart, 2011).

The media is said to be ‘the nexus of policies and the public’ and is considered important in the spreading of climate change narratives (van Gorp et al. 2019, 521). The literature has consistently highlighted the importance of the media in promoting a particular version of social reality when discussing climate change. The divisiveness

of climate change policy in the Netherlands (Hofhuis and Van Schaik, 2019), and the increasing politicisation of climate change by right-wing populist parties (Lockwood and Lockwood, 2022), in which the media plays an important role in spreading this narrative (Capstick et al., 2015), underscores the relevance of studying different frames used by left-wing and right-wing newspapers in the Netherlands. The role of climate litigation in telling compelling stories (Hunter, 2007), stimulating both social and political action (Villavicencio Calzadilla, 2019), wielding media coverage (Wonneberger and Vliegthart, 2021), and arguably being able to change the tone of the climate debate (Hunter, 2007), makes it interesting to analyse whether the divisiveness in the framing of climate change still holds when looking at media representations of CCL. Theory on framing plays a crucial role in understanding the influence of media narratives on the attitudes of the public towards CCL, and will be further highlighted in the next chapter (Nosek, 2017).

2.4. Framing theory

Erving Goffman (1974, 21) introduced the social sciences to the term ‘framing’ with his 1974 book *Frame Analysis*, in which the idea of the frame was conceptualised as the culturally determined definitions of reality that are meaning-making instruments ‘to locate, perceive, identify, and label’ information. Robert Entman (1993, 52) states that framing is the process: ‘*to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described*’. In simple terms, *how* an issue is described can have serious consequences on the perception of an audience on that same issue. Framing ‘provides a means of describing the power of communication to direct individual cognitions towards a prescribed interpretation of a situation or object’ (Jasperson et al. 1998, 206). Frames can thus guide the way in which individuals understand the world, and through this shape their opinion.

Important aspects of framing are *selection* and *salience*. *Selection* concerns the process in which some aspects of realities are called attention to, whilst omitting other elements, and through this potentially causing audiences to have varied reactions (Entman 1993, 55). Following Entman’s (2007, 166) definition, bias occurs when reporting with some regularity creates a skewed picture to support the interest of certain groups. Bias through framing occurs when there are consistent patterns in

framing messaging that emphasise one side's influence on a conflict. *Salience*, on the other hand, is conceptualised by Fiske and Taylor (1991) as making information stand out so that the audience can notice, understand, and remember it more easily. High salience increases the likelihood that people will pay attention to a certain issue, understand its meaning, and remember it.

2.5. Framing and climate change litigation

Through framing theory, we can understand how CCL can be used as a vehicle to shift public perceptions, e.g. who holds responsibility for the health risks of climate change, or who should act to address them. Climate litigation is found to be especially effective when it frames involuntary imposed consequences of dangerous climate change for certain groups, e.g. children and future generations (Nosek 2017, 803). Capstick et al. (2015) argue this can potentially increase the likelihood that public discourse will steer towards demanding intervention by both the government and industry members (such as the fossil fuel industry).

With the gap between scientific consensus and public perceptions on anthropogenic climate change, it is important to understand how the climate case of *Milieudefensie et al. vs Shell* is framed, as it profoundly affects the public's awareness and perception of the case (Hart, 2011). With climate activists increasingly turning to courts to catalyse action on climate change, this in turn may lead to differences in the frames used by the news outlets. Van Gorp (2007, 14) highlights that: 'there is an interaction between the journalist's (un)conscious selection of a frame as a result of the individual belief system, and the influence of additional factors inside and outside the media organisation'.

Amongst the power of climate litigation is its ability to generate media coverage. Media is widely acknowledged as being a vital player in the communication of the importance of climate change and the necessity for policy response (Cooper, 2011). Important here is that: 'How climate change is framed profoundly affects how the public perceives the phenomenon' (Nosek 2017, 757). Using framing as a method to study media representation of climate change is not new. Some scholars have built upon the work of Semetko and Valkenburg (2000), who identified the recurrence of five news frames, namely: conflict, human interest, attribution of responsibility, and morality. E.g. Dirikx and Gelders (2010) in their analysis of climate change coverage in Dutch and French media, or Pandey and Kurian (2017) in their comparative study of media

framing of climate change in China, the US, India, and the UK. Counter-frames that oppose the problematic nature of global warming have also been widely studied, and are argued to be used as means to challenge mitigation efforts. McCright and Dunlap (2000) found three counter-frames in their analysis of the conservative movement in the US, namely the scientific uncertainty frame (doubting or weakening scientific evidence), the anti-regulation frame (arguing against climate legislation by emphasising the negative effects), and the benefit frame (the warming of the planet better the quality of life, agriculture, and health).

Despite this abundance of research on the framing of climate change in the media, media framing of climate change litigation has not yet been explored. Research by Hilson (2018) did investigate the role of ‘time framing’, but the unit of analysis was the climate change litigation cases itself, not the media coverage it generated. Similarly, Nosek (2017) extensively analysed the role of framing in climate change litigation, and how litigation could be used to tell compelling climate stories. Yet again, the unit of analysis was the litigation case and not the media attention it received. Despite the consistent emphasis on CCL’s power to garner media coverage and rally the public around the climate change debate, media attention can also lead to increased politicisation of climate change narratives by right-leaning media sources, potentially contributing to increased climate scepticism (Capstick et al., 2015).

The potential consequences of seeding scepticism about anthropogenic climate change in the media can reinforce doubts about scientific evidence, the degree of the climate threat, and reduce the trust in climate scientists (Oreskes, 2019; Pandey and Kurian, 2017). This is contradictory to CCL’s role in legitimising scientific findings and communicating the urgency in a more accessible way (Peel and Osofsky, 2015; Averill, 2007). Moreover, disputing the human drivers of climate change, also changes the debate concerning who holds the responsibility for (fighting) climate change. For this reason, analysing the framing of litigation by the media is highly relevant to gain a deeper understanding of the role of climate change litigation beyond the courts. In the next section, literature related to CCL and framing will be reviewed, in order to gain more insights on potential media framing of climate change litigation.

2.5.1. The Carbon Majors as responsibility frame

The concept of the Carbon Majors was coined by Richard Heede (2014) in 2013 as part of the Climate Accountability Institute’s (CAI) Carbon Major Database. It concerns the

quantification of the historical contribution of CO₂ and CH₄ emissions of energy and cement companies, on which Shell ranks number seven in the 1965-2018 dataset (CAI, 2020). Since then the terminology is widely used to enhance the understanding of their role in causing dangerous climate change (Setzer and Higham 2022, 36). This role can be understood through two vital aspects. First, the lion's share of GHG is increasingly attributed to the Carbon Majors (Ekwurzel et al., 2017). Namely 63% of cumulative worldwide emissions between 1751-2010 of industrial CO₂ and methane is argued by Heede (2014) to be the product of the 90 Carbon Majors. Second, recently published studies show that these companies were aware of the substantial contribution of both the production and their products to climate change, and its impacts on the environment (Frumhoff et al., 2015).

This matters, as the framing of climate change as an intentionally imposed risk on its innocent victims is argued to enable climate advocates to increase the salience of their climate change narrative (Nosek 2017, 739; Averill, 2007). The framing of these risks as intentionally created by Carbon Majors also functions as a vehicle to put both blame and responsibility for these risks in the hands of big polluters. Markowitz and Shariff (2012, 244) argue this to be 'a highly motivating cue for corrective action'.

Lawrence (2004, 59) researched policy debates around obesity in the United States, and emphasises the influence of (re)framing on public perceptions of policy response. She discusses four frames for assigning blame for health risks, namely by presenting them as acquired deliberately, putting everyone at risk, arising from the environment, and being real in their consequences. These findings on the risks of obesity to one's health can be related to health risks resulting from dangerous climate change. This approach is not new, as Nosek (2017, 761) applies findings of both the tobacco and obesity industries to her understanding of climate change litigation narratives.

2.5.2. Human rights framing

The idea of health risks posing universal risks to individuals, has similarities with what Peel and Osofsky (2018) labelled a 'human rights turn' in climate change litigation. Within research on CCL a consensus seems to be found on the growing use of human rights based claims by litigants, which has led to an increased interest in these rights-based avenues from scholars (Peel and Osofsky 2020; Setzer and Higham, 2022; Setzer and Vanhala, 2019; Wewerinke-Singh, 2019). The use of these claims is considered an important tool for communicating and raising awareness of the urgency of climate

change, and its threat to human life (Villavicencio Calzadilla, 2019). In this way, Peel and Osofsky (2018) argue the largest benefit of the rights turn to be its role and indirect effects in steering and reframing the climate debate more towards the impacts the climate crisis has on people. This reframing can be understood through its emphasis on the existential threat of climate change on human existence.

In the *Milieudéfensie et al. vs Shell* case, human rights played a key role in the verdict. As said by the claimants lawyer, Roger Cox:

“The judgement against Shell shows that there is recourse to human rights law to stop the expansion of oil and gas. The ruling in the Shell case is based on a recognition that human rights must be respected and protected. The right to life, health and wellbeing and other human rights, such as the right to food and drinking water, can only be enjoyed if the earth remains habitable. And this brings with it the imperative to stop global warming” (Milieudéfensie 2021,55).

2.5.3. Individual responsibility framing

On the other side of the coin of responsibility, is ‘that we are all to blame’ (Supran and Oreskes 2021, 696). Literature suggests this to be a dominant public narrative about climate change, argued to be the result of ‘fossil fuel industry propaganda’ steering the debate away from their own contribution (Carvalho, 2007; McCright and Dunlap, 2015). This is done by reframing it towards individual responsibility around climate change. Supran and Oreskes (2021) analysed the rhetoric used by ExxonMobil in their communications, and found a downplaying of the seriousness and reality of climate change, a normalisation of the argument that fossil fuels are still needed, and a steering away from their responsibility by privileging individual responsibility. They found that a switch had occurred in the communication style of the Carbon Major, from scientific uncertainty towards socioeconomic threat and fossil fuel saviour frames.

2.5.4. Framing in economic terms

The centrality of economics in the framing of climate change is consistently emphasised (Peel and Osofsky, 2015). The positive framing stresses that the economic benefits are real, tangible, and significant. Transitional steps would be designated as cost-effective and easy to implement, rather than difficult to achieve (Nosek 2017, 762). This framing focuses on the economic opportunities of the green transition and has

been found to be used by climate activists and politicians as arguments for climate change mitigation (Nisbet, 2009).

Instead of focussing on the economic benefits, Stecula en Merkley (2019) found that climate change frames often focus on the economic costs. Similarly, the socioeconomic threat frame as identified by Supran and Oreskes (2021, 702) argues that binding climate policies ‘are alarmist and threaten prosperity’. Geert Wilders uses a similar frame in his parliamentary questions in response to the outcome of the climate case against Shell. He asked whether the verdict will affect the overall business climate and competitiveness of the Netherlands, and the employment at Shell in particular. Furthermore, Wilders asked ‘how many jobs will potentially be lost’ and what the consequences would be for the gas prices (kamervragen II, 2021).

2.5.5. Legitimacy framing

Amongst the counter arguments provided by Shell is that the claims made by Milieudefensie et al. require the court to make decisions which exceed the law-making function of the court. This framing by Shell disputes the legitimacy of the court to decide on this matter, and is part of a wider debate in scientific discourse on ‘judicial constraints’ in climate litigation. In the appeal of *Urgenda vs The Netherlands* (2018), the Dutch government used a similar argument. They stated that the trias politica prohibits judges from engaging with core questions related to climate policy (Kuh 2019, 674). This questioning of the legitimacy of judicial climate engagement can be used to delegitimize climate litigation cases.

The District Court of the Hague (2021), however, debunked Shell’s claim by stating that deciding on the alleged legal obligations of Shell is pre-eminently a task of the court. Similarly, Kuh (2019, 734) argues that ‘courts possess strong claims to democratic legitimacy in the climate litigation cases as a result of their institutional capacity to weigh intergenerational harms and responsibly assess scientific claims’. In his argument for judicial engagement with climate policy, both democratic legitimacy and institutional competence play an important role.

3. Methodology

The gap between scientific consensus and public perceptions on anthropogenic climate change is partially attributed to media narratives surrounding climate change. Although the literature suggests that climate change litigation can legitimise scientific findings and generate media coverage, the framing of litigation cases in the media, and whether the type of frames used differ, has not yet been studied (Peel and Osofsky, 2015; Averill, 2007). This is especially relevant with the vast majority of findings suggesting a ‘left-right divide’ in climate change attitudes, with the media playing a role in reinforcing this division (Capstick et al., 2015). This study therefore seeks to contribute to this gap through a qualitative news frame analysis, in order to unpack the following research question: *How is the climate change litigation case of Milieudefensie et al. vs Shell framed by left-leaning and right-leaning media in the Netherlands?* The value of a qualitative approach can be highlighted by Wood (2004, 69), stating that ‘qualitative methods are valuable when we wish not to count or measure phenomena but to understand the character of experience, particularly how people perceive and make sense of their communication experience’.

In order to answer the RQ, the question is separated into two sub questions:

- RQ1: How do Dutch newspapers frame the climate change litigation case of Milieudefensie et al. vs Shell?
- RQ2: How does the framing of the climate change litigation case of Milieudefensie et al. vs Shell differ between left-leaning and right-leaning newspapers?

3.1. Case selection: Zooming in on the climate case

Before delving into the methods used for answering the research questions of this research, this section will briefly outline the case by Milieudefensie et al. against Shell. Milieudefensie (Friends of the Earth Netherlands) began preparing their case against Shell in 2016, but did not go public with the case until they sent an official letter to the Shell Group in 2018. In 2019, they joined forces with six other NGOs (ActionAid Netherlands, BothEnds, Fossielvrij NL, Jongeren Milieu Actief, Waddenvereniging, and Greenpeace) and over 17,379 individual claimants to take legal action against Shell

for their role in contributing to potentially dangerous climate change in the Netherlands, where their headquarters were located at the time (Milieudedefensie 2021, 5).

Milieudedefensie argued that Shell had an obligation to *prevent* harmful climate change through its corporate policy, and based this claim on the ‘unwritten standard of care’ that is enshrined within Dutch law. In simple terms, this meant that it is unlawful to act in conflict with what is generally accepted on the basis of unwritten law. So-called *Kelderluik* (Higher Court, 1965) criteria are used for the interpretation of this Dutch civil code. Namely the right to life, and the right to respect for private and family life.

Soft law, as endorsed on the website of the Shell group, was also used. E.g. the OECD Guidelines for Multinational Enterprises, the UN Guiding Principles on Businesses and Human Rights (Urbaser v Argentina 2016, 1199) which states that businesses ‘must respect and protect human rights, as well as prevent, mitigate, and accept responsibility for the adverse human rights impacts directly linked to their activities’, and the UN Global Compact. Milieudedefensie grounded an obligation for Shell to reduce its emissions in the IPCC report (2018), and the IEA’s (2017) Net Zero emissions according to the 2050 scenario.

National treaties were also incorporated. One example is the Dutch Corporate Governance code (2016), which focuses on promoting good governance. It also seeks to regulate the triad between the board of managers, the supervisory board, and shareholders’ annual general meetings. In its opinion, the District Court of the Hague (2021) included the responsibility of the permanent role of fossil fuels as acknowledged by the IPCC (2018), the IEA (2017), and the goals of the Paris Agreement (UNFCCC, 2016), that requires a worldwide change in consumption patterns, and includes that consensus that protection against the impacts of dangerous climate change falls within the human rights rubric and thus must be respected by energy companies.

On 26 May 2021, the District Court in the Hague decided that Shell should:

“both directly and via the companies and legal entities it commonly includes in its consolidated annual accounts and with which it jointly forms the Shell group, to limit or cause to be limited the aggregate annual volume of all CO₂ emissions into the atmosphere (Scope 1, 2 and 3) due to the business operations and sold energy-carrying products of the Shell group to such an extent that this volume will have

reduced by at least net 45% at end 2030, relative to 2019 levels” (District Court of the Hague, 2021).

3.2. Medium

For the structure of this methodology, the straightforward steps by Linström and Marais (2012) for a qualitative news frame analysis will be followed. The first step is to choose a medium. For the comparison of frames in the media, the focus will be on newspapers. McNair (2000, 136) argues that newspapers, compared to television or radio, are capable of communicating more complex ideas. Newspapers are widely used as a medium to study the framing of climate change in the media. E.g. Stecula and Merkley (2019) studied different frames in news coverage of climate change over time, for which they analysed a set of daily newspapers to understand the role of news media outlets in shaping public attitudes towards climate change.

3.3. Time frame

Second, a time frame must be determined. Taking into consideration the important dates for the *Milieudéfensie et al. vs Shell* case, the determined time frame is a period of four years: from April 4, 2018 up to April 4, 2022. This means the time frame includes significant moments in the timeline of the case, e.g. the public announcement by Milieudéfensie of their case against Shell on April 4, 2018, the days in court on the first, third, fifteenth and seventeenth of December 2020, the judgement of the District Court of the Hague on May 26, 2021, and Shell’s announcement to appeal the judge’s decision on July 20, 2021 (Milieudéfensie, n.d.).

3.4. Data selection

Third, a sample must be drawn in order to understand how Dutch newspapers differ in their framing. Although Dutch media is considered relatively pluriform, a distinction can be made between more left and right-leaning newspapers by considering the political preference of the newspaper's audience, the self-identification of newspapers, and previous literature. Newspapers with a less clearly defined political bent, or those viewed as centre-right or centre-left on the spectrum will be left out of the sample, as this research wants to gain an understanding of the left-right divide in climate perceptions. Regional newspapers are also excluded from the analysis, as the focus is

on the national media narratives in the Netherlands, and regional newspapers reach a smaller segment of the Dutch population than national ones.

Overall, a selection of four newspapers was made: *De Volkskrant*, *Trouw*, *Elsevier-Weekblad (EW)*, and *De Telegraaf*. For the left-leaning newspapers, *De Volkskrant* and newspaper *Trouw* are chosen, both viewed as left-wing newspapers (Aaldering et al., 2018), and found by research from Maurice de Hond for Peil.nl (Mirck, 2019) to be favoured by voters of the left-wing parties PvdA and Groenlinks. For the sample of right-leaning newspapers, *Elsevier-Weekblad (EW Magazine)* and *de Telegraaf* are included. *EW Magazine* describes itself as a ‘right-leaning opinion paper’ that puts contemporary issues and debate into question (Elsevier, 2010). Similarly, *de Telegraaf* is politically viewed as right-wing, with findings suggesting that readers of this newspaper mostly vote for right-wing populist parties FvD and PVV (Mirck, 2019).

A potential bias must be addressed in the choice of newspapers, in which the left-leaning newspapers are considered ‘quality newspapers’ that are more focused on higher educated Dutch citizens, whereas *de Telegraaf* and *EW* have a more ‘popular’ format and high circulation, focused on reaching all layers of society (Bakker and Scholten, 2017). Popular newspapers should not be mistaken as tabloids, as the Netherlands does not have a tabloid culture in the way the United Kingdom or Germany has (Koopmans and Statham, 2010). The ‘popular’ format means that right-leaning newspapers could use more sensational language, whereas the left-leaning newspapers are described to be more on the ‘sober and serious end’ of the spectrum (Bijsmans 2017, 77). Despite potential differences in reporting, it is important to analyse newspapers that reach a large and diverse segment of the population, to better understand how media framing can shape public discourse.

The articles will be gathered through the newspaper database *LexisNexis*, where a selection is made based on the aforementioned newspapers, and time period (04/04/2018-04/04/2022). The following search terms were used: “Klimaatzaak Shell”; “Rechtszaak Shell”; “Klimaatuitspraak Shell”; “Klimaatzaak Milieudefensie”; “Rechtszaak Milieudefensie”. Both the online and offline versions of the newspapers were included. The online version of *EW Magazine* was not available on *LexisNexis*, and were therefore downloaded from their online website, using the same search terms and time period. The total number of articles that came out of the search term were scanned, to make sure all articles included in the sample discuss the climate change

litigation case of *Milieudefensie et al. vs Shell*, and checking whether no double articles appear by including the offline and online version of the newspapers, leading to a total of 165 newspaper articles as visible in Table 1. The unit of analysis is individual news articles as found in the selected newspapers and time period.

Table 1. Data selection	
<i>Newspaper</i>	<i>N of articles</i>
De Volkskrant (De VK)	49
Trouw	51
<i>Total left</i>	<i>100</i>
Elsevier Weekblad (EW)	20
De Telegraaf (De TG)	45
<i>Total right</i>	<i>65</i>
Total newspapers	165

3.5. Inductive frame analysis

To answer the first research question, the analysis follows an inductive qualitative content analysis, using the climate change litigation case of *Milieudefensie et al. vs Shell* as case study. This is done by ‘inductively drawing up an inventory of frames on the basis of media content, public discourse, and a literature review’ (Van Gorp 2007, p. 72). Semetko and Valkenburg (2000, 94) argue that this allows for the detection of ‘the many possible ways in which an issue can be framed’, which is especially helpful as the framing of CCL in the media has not yet been studied, and only loosely defined notions have been advanced through the analysis of the relevant literature. Taking a deductive approach, consisting of employing already predefined frames, could result in the overlooking of some new frames, with such risk being significant in this particular study due to the novelty of the subject matter (i.e. an insufficient knowledge of the framing of CCL in the media).

For the next steps by Linström and Marais (2012) on finding frames, van Gorps’ (2007, 72) method of ‘frame package analysis’ will be used. This method is often used in studies on climate change communication, e.g. by Supran and Oreskes (2021) in their

analysis of ExxonMobil's climate change communications, in which they found a switch from the Carbon Major's communicating style from a 'Scientific Uncertainty frame', to 'Socioeconomic Threat' and 'Fossil Fuel Savior' frames. Similarly, van Gorp, Pan, and Opgenhaffen (2019, 523,524) used an inductive frame package analysis to first identify which frames were embedded in the framing of COP21 in British, American, and Chinese news media, followed by a deductive frame analysis to explore the prevalence of said identified frames. Frame packages are considered valuable by van Gorp (2007, 65) as they suggest a 'definition, an explanation, a problematization, and an evaluation of the event' resulting in a number of logical conclusions. In this way 'the media provide the public not only with information on the event itself but also on how it should be interpreted' (ibid).

In van Gorp's (2007) definition, frame packages are integrated structures of framing devices and reasoning devices. Framing devices are the elements in a text that can activate 'cognitive schemata', such as catchphrases, metaphors, hyperbole, depictions, and visuals, whereas reasoning devices are the logical chains of causal reasoning, such as causes, consequences, solutions, and moral evaluations (Entman, 1993). Van Gorp's method for frame package analysis includes the three-step coding scheme by Strauss and Corbin (1990) for the identification of frame packages and the assembling of these packages into a 'frame matrix'. These three steps are open coding (empirical indicators), axial coding (arrange coded devices around axes of meaning), and selective coding (enter the axial codes into a frame matrix). Following van Gorp et al. (2019) 'these phases were run in parallel until no additional text fragment was found that could not be placed within any of the defined frames'.

ATLAS.ti is used to support the coding process and to organise the resulting frames. In the results, the identified frame packages can be found for means of transparency. In Table 2, an empty frame package matrix is exemplified. In this format the framing and reasoning devices of each identified frame package will be summarised. On the basis of recurring themes within the framing devices, a distinction will be made between different types of discourse that can be viewed as subthemes of the overarching frame. These will be coded as subcategories to the overarching themes in the process of arranging the codes around axes of meaning (axial coding).

Table 2. Empty frame package

Reasoning devices	Description	
Problem	
Cause	...	
Moral evaluation	
Solutions	
Framing devices	Discourse	Example/description
Catchphrases
Visual images		
Exemplars		
Depictions		
Metaphors		
Example discourse quotations		
Example discourse 1.	Quote ...	
Example discourse 2.	Quote...	

3.6. Deductive frame analysis

To answer the second research question, focused around the differences between left-leaning and right-leaning newspapers, this thesis used a deductive approach. The combination of inductive-deductive is a standard approach for scholars, as is the case in van Gorp et al. (2021) their analysis of COP21 communications. This research design is argued to allow for effectively analysing complex issues. The frame typology as identified through the inductive frame package analysis, will serve as basis for the coding scheme. For means of transparency, the coding of the deductive frame analysis is added to the appendix. The focus will be on the article more broadly, rather than focusing on the framing of specific aspects within the article, with only the primary frame of the articles being coded. If more than one frame occurs, the headline will determine the primary frame of the article. This is because headlines are good indicators of the primary frame as they convey the main message of an article. All frames will be dummy coded, meaning 1 = present, 0 = absent. Because the case selection resulted in more left-wing than right-wing articles, percentages are included for a balanced comparison.

4. Findings

This chapter will present the findings of the analysis. The chapter is separated into two parts on the basis of the two sub-questions to the research question, and their accompanying methods. In the first section, the four identified frames resulting from the inductive frame package analysis will be discussed, followed by a comparison of commonalities and differences within the frames. The second part will display the findings of the deductive frame package analysis, in order to understand whether differences in the prevalence of frames exists between left-leaning and right-leaning newspapers.

4.1. Identified frames

- *How do Dutch newspapers frame the climate change litigation case of Milieudefensie et al. vs Shell?*

As shown in Table 3, a total of four frames were identified through the inductive frame package analysis of newspaper coverage of the climate change litigation case of *Milieudefensie et al. vs Shell*. These four frames are named F1) *Last Resort* F2) *Undemocratic* F3) *Carbon Lock-in* and F4) *Ordinary Man*.

	Identified frames	
	Frame	Counter-frame
Starting point: the climate case against Shell	F1 Last Resort	F2 Undemocratic F3 Carbon Lock-in F4 Ordinary Man

Before delving into the frame packages of each identified frame more deeply, a short description of the four frames will be given. The first frame, named the *Last Resort*, presents the case against Shell as a ‘last resort’ to fight the dangerous climate change caused by large polluters like Shell, important here is both the urgency of the climate crisis, and the inaction of the government. Second, the *Undemocratic* frame argues against the climate case, describing it to be alarmist and illegitimate as the political

system should be the one deciding on climate policy, not the judiciary. This framing also stresses the undemocratic nature of advocacy groups like Milieudefensie acting in the ‘public interest’. Third, the *Carbon Lock-in* frame focuses on discourse surrounding the collective responsibility to combat climate change, in which the solution is posed as working with Shell, rather than against it. The emphasis in this framing is on the dependency on fossil fuels, and argues that green energy cannot meet the consumer demand for energy. In this way, the frame shifts the responsibility from Shell as producer of energy, to the consumers of the produced energy. Fourth, the *Ordinary Man* frame focuses on the economic and societal costs of the climate case, centred around the loss of competitiveness, and jobs. Important discourse is the us vs. them framing in which the ‘ordinary man’ ends up bearing such costs.

4.1.1. The Last Resort frame

The first identified frame package is presented in Table 4, and is named the *Last Resort* frame. This framing defines the climate change litigation case against Shell as a necessary course of action to solve the problems caused by the polluting effects of the production of oil and gas by Shell. Taking Shell to court to enforce climate action is framed as a ‘last resort’ to protect people from dangerous climate change, with the moral evaluation being that Shell holds the responsibility to protect human rights, as enshrined by the Paris Agreement (UNFCCC, 2016). Important discourse in the framing devices of the Last Resort frame are the inaction of the government, the urgency of the climate crisis, the democratic nature of enforcing action through the court, and the responsibility Shell holds for causing dangerous climate change. The case is framed with optimistic future prospects, argued to potentially cause a domino effect of progress featuring green innovation, bolder climate policies, and an accelerated green transition, with fear of litigation being an important driver of this change.

Table 4. The Last Resort Frame

Reasoning devices	Description
Problem	Shell is knowingly contributing to dangerous climate change
Cause	The large polluting effects of the continuing oil and gas drilling that leads to the emissions of GHG and methane
Moral evaluation	Shell is responsible for protecting human rights
Solutions	Taking Shell to court to enforce climate action

Framing devices	Discourse	Example/description
Catchphrases & lexical choices	Government inaction	'frustrated citizens' 'seeing is believing' 'too little is happening'
	Climate crisis	'now or never' 'environmental problems affect us all' 'crisis already felt' 'future generations' 'people over profit'
	Democratic	'independent and competent judges' 'protecting rights of minorities' 'democratic route'
	Responsibility	'big polluters' 'harmful' 'Shell knew about risks'
	Progress domino	'other oil companies' 'fear of litigation' 'sharpen climate policies' 'speed up the process'
Exemplars/depictions	Democratic	Quotations of experts in the field (e.g. Laura Henderson)
	Climate crisis	Examples of floodings, heatwaves, etc.

Example discourse quotations

Government inaction	"Because if there is a lesson to be learned from the government's climate policy, it is that of 'seeing, before believing'. Their policy is characterised by stagnation, with responsibilities being passed on, frustrations rising among administrators and citizens and, on balance, too little happening."
Climate crisis	"That may sound rather serious, but look at the facts and you will see that it is true, says Burgers. "The climate crisis is already taking lives. Floods in Limburg, Belgium and Germany have claimed victims. Heat waves are becoming fatal to humans. That's how concrete the risk is."
Democratic	"Judges have an important function by granting a voice to those who would otherwise not be heard, argues Laura Henderson."
Responsibility	"Indeed, a company cannot be blamed for wanting to make a profit, but it can be blamed for knowingly damaging the world on such a large scale with its move towards profit."
Progress domino	"The latter is an unmissable shot across the bow that should be taken seriously. After successful lawsuits against Shell (by Milieudefensie) and the state (by Urgenda), environmental organisations consider themselves likely to enforce compliance with environmental standards through the courts."

The responsibility of Shell for causing dangerous climate change is a vital framing device in this frame. The anthropogenic nature of climate change is undeniably supported within this frame. The following quote exemplars the overall picture of responsibility that is drawn within this frame: *'Who causes the most greenhouse gases? Who has the most resources to reduce emissions? And how much did you know about the climate problem? That brings him to Shell, and not the next-door neighbour'* (Trouw, 24 December 2021). As visible, the framing advocates against the individualising of responsibility, and holds Shell responsible for protecting individuals from the climate change it causes, stating that *'the bill cannot just be passed on to citizens'* (De Telegraaf, 3 December 2020). Responding to the transferring of Shell's responsibility to consumers, the argument is made that Shell determines what choices consumers can make, and that Shell *'keeps society oil-addicted'* (Trouw, 17 December 2020). In addition, the following is said about pointing the finger to consumers: *'No consumer asks for pollution. We ask to move around, to cook, to be provided for. There is really no one who thinks: I'm going to pour my pollution over the world'* (Trouw, 28 May 2021).

Shell, on the other hand, is argued to be drilling towards a climate disaster, and should come to terms with the environmental measures necessary to protect people and planet. References to the Carbon Majors are frequently made to establish the responsibility Shell has, e.g. *'One hundred companies around the world account for more than 70 percent of global emissions, Shell being one of them'* (Trouw, 28 May 2021). Reducing the extraction of oil and gas is said to be a necessary course of action to reduce these global emissions of GHG.

Fundamental to this frame is that Shell not only contributes to dangerous climate change, but does this *knowingly*. Shell is said to have known of the harmful consequences of their fossil fuel production since the 1980s, also exemplified by the documentary 'Climate of Concern' created by Shell in 1991, in which the potential of catastrophic consequences of climate change were displayed. Despite knowing the climate risks, Shell continued on the same trajectory. This discourse is emphasised frequently, e.g. *'To say that Shell knew about the dangers of oil and gas extraction for the climate is an understatement'* (de Volkskrant, 17 April 2018). On top of this, the frame argues that Shell actively worked against the green transition, describing Shell as: *'a polished lobbying machine that is throwing sand, buckets of sand, into the*

transition mill' (de Telegraaf, 2 December 2020). Explanatory of Shell's decision making process is the discourse of putting profit over people: '*Indeed, a company cannot be blamed for wanting to make a profit, but it can be blamed for knowingly damaging the world on such a large scale with its move towards profit*' (Trouw, 21 April 2018).

In the discourse on climate change, depictions are used to make the urgency of the climate crisis more tangible, such as floodings, heat waves, and wildfires. Catchphrases surrounding this urgency are used to legitimise the need for enforcing action, e.g. '*now or never*', the '*crisis already felt*', and the emphasis on protecting future generations. The inaction by the government, in which '*too little is happening*' is leading to '*frustrated citizens*', and creates the necessity for Shell to be taken to court to protect the rights of minorities, future generations, and humankind from the consequences of climate change.

Discourse emphasising the case against Shell to be democratic is frequently used, e.g. the decision about '*the true nature of Shell*' is to be made by the judges, who are described to be '*independent and competent*' exemplifying that: '*Since 1919, it has been left to the courts to answer the question of what obligations a company has*' (De Telegraaf, 30 May 2021). The titles of articles display this framing of democratic legitimacy, e.g. '*The law as a lifeline for climate and nature*' (Trouw, 26 March 2022) or '*The case against Shell is legally sound*' (Trouw, 14 April 2018). In the discussion concerning competencies of judges to make decisions about the obligations of a company, this frame takes a clear stance. Stating that: '*The judge was not in the wrong seat*' (Trouw, 3 December 2020) and '*In a democratic state, an important task of the judge under the rule of law is also to protect the rights of minorities*' (Trouw, 14 April 2018). In order to solidify these arguments, interviews and quotes of experts in the field, such as climate lawyers, and professors in law are added, stressing that: '*Every citizen and organisation is free to go to court if they feel their rights have been harmed, and that is a great virtue in the Netherlands*' (Trouw, 3 December 2020).

4.1.2. The Undemocratic frame

Second, the *Undemocratic* frame presented in Table 5, views the climate case against Shell as the problem, rather than it being the solution to the problem as is the case in the Last Resort frame. The Undemocratic frame criticises the climate case against Shell

for being undemocratic and illegitimate, in which judges have become self-appointed climate activists, sitting down ‘on the political seat’, and are painted as having broken with the separation of powers (mostly referred to as the ‘trias politica’). Important discourse in this framing is that of injustice, the case going against the public interest, scare mongering, and the Rule of Law. This framing has an alarmist nature, with a strong reliance on metaphors and hyperbole, and gives voice to contrarian climate lawyers (e.g. Lucas Bergkamp), and more often quotes Shell than Milieudefensie.

Table 5. The Undemocratic Frame

Reasoning devices	Description	
Problem	The climate case against Shell is undemocratic	
Cause	Whether a company is allowed to do something has to be decided by the political system, not by the judiciary	
Moral evaluation	Advocacy groups going to court do not act in the ‘public interest’	
Solutions	Let the government handle climate policy	
Framing devices	Discourse	Example/description
Catchphrases & lexical choices	Injustice	‘one-sided climate justice’ ‘force’ ‘unjust’
	Fear mongering	‘climate-alarmist propaganda’ ‘climate-totalitarianism’ ‘global socialist regulation of multinationals’
	Public interest	‘Citizen not heard’
	Rule of Law	‘political verdict’ ‘Judge sat down on the politicians chair’ ‘judicial activism’
	Doubt mongering	‘Shell is not hurting us all’ ‘Doom scenarios’
Visual images Exemplars/depiction	Doubt mongering	Interviews with Shell, Contrarian climate lawyers
Example discourse quotations		
Injustice	“Normal citizens and companies have been thrown under the bus through the judges’ verdict.”	
Fear mongering	“With the unjust verdict by the judge in the Hague we have come a step closer to climate-totalitarianism.” “The ruling shows how impressed the judge has become with the relentless flow of climate-alarmist propaganda.”	
Public interest	“The advocacy groups are not democratically chosen. Nor do they have to take responsibility for the welfare of the people. Moreover, they are not required to weigh in wider interests when taking their positions: they focus on one interest!”	
Rule of Law	“With this latest intervention by the judiciary, a number of democratic institutions become redundant in the climate	

Doubt mongering

debate: the government, the Second Chamber, and the First Chamber.”

“It is incorrect that Shell would be causing us all suffering by the extraction and selling of fuel.”

Central to this frame’s problem definition and causal attribution is the discourse of injustice, arguing that the case is going against the ‘public interest’ and the Rule of Law. The word (in)justice is frequently used, stating that: *‘Normal citizens and companies have been thrown under the bus through the judges’ verdict’* (de Telegraaf, 2 March 2022). The climate case is described as *‘unjust’* and *‘one-sided climate justice’*, in which advocacy groups are acting in the alleged public interest, and judges are deciding on political matters.

Recurring themes are that advocacy groups are not democratically chosen, nor serve the interest of the public, and that citizens were not heard in the climate case against Shell. About the relationship between Milieudefensie and the judiciary is said *‘Hand in hand with the judge, climate activist hope to impose their wishes upon the Netherlands’* (de Telegraaf, 26 May 2021). Milieudefensie is frequently mentioned to be state subsidised, with one article in De Telegraaf (2 March, 2022) saying: *‘and the citizen is not heard, but they get to pay the pepped-up bill of these subsidised power grabs’*. Metaphors are often used which highlight the undemocratic nature of the verdict, stating that the judges *‘sat down on the politicians chair’*, that judges are doing climate politics, and *‘should keep their hands to themselves’* (EW, 9 September 2021). Catchphrases are also used to support this framing, such as the verdict being a *‘political verdict’* or a form of *‘judicial activism’*.

Fear and doubt mongering are fundamental to this framing, to promote the debate about the undemocratic nature of the climate case against Shell. The discourse of fear mongering is mostly centred around the proposed threat to the rule of law, exemplified by the following article titles: *‘Climate verdict jeopardises rule of law’* (de Telegraaf, 5 June 2021) or *‘trias politica under threat’* (EW, 9 September 2021). Another example of fear mongering can be found in an interview in De Telegraaf with the director of Milieudefensie, Donald Pols. The interviewer responds to Pols’ statement to accelerate the process of the green transition through the climate case: *‘You almost want a global socialist regulation of multinationals’* (de Telegraaf, 1 December 2020). Hyperbole is

also continuously used within fear mongering discourse, calling the climate case: ‘*climate alarmist propaganda*’, and ‘*climate-totalitarianism*’. Another example of this is: ‘*with the verdict against Shell, the judge has now become a self-appointed climate legislator*’ (de Telegraaf, 5 June 2021).

In addition, the doubt mongering discourse further helps delegitimising the climate case against Shell. This is done by questioning whether Shell’s activities can be considered harmful, whether climate change is dangerous, and talking of ‘doom scenarios’. This can be exemplified by the following title: ‘*Judges have become true climate activists, basing their judgement on all sorts of doom scenarios*’ or the following quotation: ‘*It is incorrect that Shell would be causing us all suffering with the extraction and selling of fuel*’ (de Telegraaf, 23 July 2021). In this way, the frame not only argues that the climate case is undemocratic, but also reframes it as unnecessary.

4.1.3. The Carbon Lock-in frame

The third identified frame package, presented in Table 6, is the *Carbon Lock-in* frame, which similarly to the Undemocratic frame posits the climate case as the problem. Rather than arguing it to be undemocratic, it displays the climate case against Shell as pointless, arguing that it will not reach the intended objective of solving climate change related issues. Important discourse in this framing is that of energy dependency, collective responsibility, consumer demand, doubt mongering, and the Prisoner’s dilemma.

Table 6. The Carbon Lock-in Frame

Reasoning devices	Description	
Problem	The climate case against Shell is pointless	
Cause	We are dependent on oil and gas, insofar as green energy is not able to meet consumer demands	
Moral evaluation	The case will not benefit the climate	
Solutions	Work with, not against Shell	
Framing devices	Discourse	Example/description
Catchphrases & lexical choices	Energy dependency	‘the lights cannot turn off’ ‘we need oil and gas’
	Collective responsibility	‘we are all responsible’ ‘collective responsibility’
	Consumer demand	‘energy demand’ ‘the users’

	Doubt mongering	‘emissions do not reduce’ ‘does not solve the problems’ ‘it does not help the climate’ ‘unrealistic’ ‘pointless’ ‘Shell is too powerful’
	If not Shell, than worse	‘oil cowboys’ ‘the gap must be filled’ ‘private oil’
Visual images Exemplars/depictions	Prisoner’s dilemma	‘surrounding countries’ Statistics on energy, economists, scientists in the energy field

Example discourse quotations

Energy dependency	"Dear Royal Oil, we will need you for a long time. You don't also believe that solar and wind alone can meet our energy needs, do you?"
Collective responsibility	"We are all responsible."
Consumer demand	"Shell is not the creator of climate problems, the users are." "The ruling also raises questions about the responsibility of suppliers and customers. For it is not the case that Shell is endlessly peddling oil and gas: citizens and companies ('the society') are eagerly taking it."
Doubt mongering	"It is total arbitrariness to sue one oil company. Should the court force Shell to emit 45 per cent less greenhouse gas by 2030, another oil company will still supply the same amount of fossil fuel. CO2 emissions will not go down, the climate will not benefit."
If not Shell, than worse	"Should Shell really sell the huge fields of oil, the likely buyers will be smaller, private oil companies. Usually hardly controlled and much nastier cowboys than oil majors like Shell, recent reports in the New York Times showed."
Prisoner’s dilemma	"Curtailing nitrogen in the Netherlands does not yet mean the problem is solved. It can also blow over to the Netherlands from surrounding countries."

Fundamental to this framing is the dependency on oil and gas, emphasizing that renewable energy is not capable of meeting the consumers demand for energy. The proposed solution is working with, rather than against Shell, stressing the collective responsibility to solve the climate crisis, for which *‘we are all responsible’*. This argument that we are all responsible, is contradicted within this frame by the frequently used argument that consumers are responsible for creating the demand for energy. Through this, responsibility is individualised, focusing on the needs, demands, and energy use of individuals. Despite the collective responsibility statements, Shell is

not framed as responsible through its production of oil and gas, rather, the frame consistently removes the role of Shell in contributing to climate change, even insofar as stating that: *'Shell is not the creator of climate problems, the users are'* (De Telegraaf, 5 April 2018).

Key here is seeding doubt about the climate case, from the desired aims, to the chosen culprit. Rather than seeding doubt about anthropogenic climate change, the responsibility from Shell is transferred to the consumers, whilst emphasising the collective responsibility to solve the climate crisis. On top of this, the case is portrayed as unrealistic, pointless, and not benefiting the general state of the climate, nor reducing emissions. Overall, the Carbon Lock-in framing dismisses the responsibility of Shell for contributing to climate change, instead framing it as an inevitable risk resulting from the consumers' need to keep their car running.

Important in this frame is that non-fossil fuel alternatives are said to be insufficient, arguing against the ability of solar, wind, or other forms of renewable energy to meet the current demand. This can be exemplified by the following quotation: *'Completely switching back to green energy is not at all possible, De Boer argues. The demand for energy is rising faster than the construction of wind farms. You can't turn off that tap at all'* (de Telegraaf, 5 April 2018). As visible in this quotation, catchphrases play an important role in this framing. Other examples of dismissing renewable alternatives can be found in the following two quotes from an article in de Telegraaf (3 December 2020): *'You don't also believe that solar and wind alone can meet our energy needs, do you?'* and *'Is there already a good alternative then?'*

Interesting in this framing, is that the users of energy are framed responsible for the climate crisis, whilst at the same time green solutions to this energy demand are dismissed. Moreover, any attempt at transitioning to greener energy, is made redundant through the energy dependency, and the prisoner's dilemma discourse, e.g. *'Singling out energy companies will not solve the problems'* (de Telegraaf, 5 April 2018). Other examples of this are: *'Curtailing nitrogen in the Netherlands does not yet mean the problem is solved. It can also blow over to the Netherlands from surrounding countries'* (de Telegraaf, 31 May 2012) and *'How we are going to get greenhouse gas restrictions on Putin's Russia and Mohammed bin Salman's Saudi Arabia (MBS), no one knows'* (de Telegraaf, 15 June 2021). Overall, the Carbon Lock-in framing dismisses the responsibility of Shell for contributing to climate change,

instead framing it as an inevitable risk resulting from the consumers' needs to keep their car running. Together with the dismissal of alternatives, and the Prisoners dilemma, the frame creates a vicious cycle in which nothing ever changes: a self-perpetuating Carbon lock-in.

4.1.4. The Ordinary Man frame

Fundamental to the fourth identified frame, as can be seen in Table 7, are the socioeconomic costs that the climate case against Shell are argued to have, costs for which the 'ordinary man' ('de gewone man') will have to foot the bills. Said about the case is: *'Let's stop this madness. If not, we will soon have made the Netherlands poorer, rather than cleaner'* (de Telegraaf, 23 July 2021). The verdict to order Shell to reduce emissions, is said to result in a competitive disadvantage for Shell, leaving a gap to be filled by other, less trustworthy, oil companies, often referred to as 'oil cowboys'. At the core of this framing is discourse centred around the economic consequences, from the high costs, and job losses, to a distortion of competition. These economic costs are said to be disregarded by Milieudefensie.

Table 7. The Ordinary Man Frame

Reasoning devices	Description	
Problem	Ordinary people will suffer from the socioeconomic consequences of the climate case against Shell	
Cause	The climate case against Shell leads to a distortion of competitiveness, resulting in a loss of jobs, stock value, and worse companies filling the gap, overall negatively impacting the economy and business climate in the Netherlands	
Moral evaluation	Shell is already doing enough for the climate	
Solutions	Continue with fossil fuel	
Framing devices	Discourse	Example/description
Catchphrases & lexical choices	Economic costs	'high cost' 'job losses' 'poorer'
	Business climate	'distortion of competition' 'competitiveness' 'green bomb under business climate' 'competitive disadvantage'
	Scapegoat Shell	'hatchet day approaches for Shell' 'screwed' 'besieged'
	Fear mongering	'should we fear' 'before you know it'
Visual images		

Exemplars/depiction	Numbers on employment, economic experts
Example discourse quotations	
Economic costs	"The proposed climate policy will drive up costs for citizens. Prices at the gas pump will rise, he explained. "Ultimately, the bill will fall on ordinary people. Left or right: they will be hit financially."
Business climate	"The ruling that Shell must reduce its CO2 emissions much faster has experts fearing new climate litigation and the departure of Shell's headquarters from the Netherlands. "This causes a worsening of the competitiveness," says energy specialist Jilles van den Beukel of The Hague Centre for Strategic Studies."
Scapegoat Shell	"Shell is hated in this country."
Fear mongering	"First the state was a victim, now it is private companies like Shell and before you know it, the 'carbon budget' is a reality."

Economic costs are at the core of this frame, with statements arguing against the desired aims of the climate change litigation case against Shell. Among which: *An even faster energy transition actually causes huge costs and other negative consequences*' (de Telegraaf, 2 March 2022) and *'By the utopian pursuit of CO2 reduction, ordinary citizens and businesses suffer from sky-high energy prices and the possible disappearance of jobs*' (ibid). The loss of jobs is oftentimes made tangible with numbers, e.g. *'Shell alone accounts for nine thousand jobs in the Netherlands. Across the industry as a whole, it involves almost 800,000 employees*' (de Telegraaf, 26 May 2021). These economic costs are said to be disregarded by Milieudefensie.

References to the ordinary man involve *'the car-loving reader'*, who will not invest in *'one of those electric road bikes'*. Another example is: *'ordinary people wouldn't have been able to pay for that anyway, as their money goes into hugely expensive renewable energy, 'getting off the gas' and the compulsory electric'* (de Telegraaf, 5 June 2021). This shows the prevalence of a certain us versus them framing, *'Will we soon not even be allowed to drive a petrol car?'* (EW, 9 September 2021). We and us are relating to normal citizens who are driving their cars, counting on employment, and the welfare of the nation's economy.

Interesting in the Ordinary Man frame, is the way in which Milieudefensie and Shell are portrayed. Milieudefensie is consistently said to be *'hunting'*, *'besieging'* and *'aiming its arrows'* at Shell and other companies in the private sector in order to achieve their *'environmental nonsense'*. Furthermore, climate change litigation is

described as: *‘the latest plague on oil executives and investors, are hordes of green activists who also own shares, and are now pursuing over 1,700 climate lawsuits, most of which target Big Oil and its customers’* (de Telegraaf, 26 May 2021).

Shell, on the other hand, is painted as the scapegoat, that has become the *‘the target of activists’*. Stating that: *‘hatchet day approaches for Shell’* (de Telegraaf, 13 January 2021) and *“Shell is hated in this country.”* In one article by de Telegraaf, Shell is included in the list of the fifteen scapegoats of 2021, about which is said that: *‘what the 15 ‘scapegoats’ have in common is that the anger they provoke is rarely really proportionate to their sin’* (EW, 18 December 2021). This suggests that the anger against Shell is disproportionate, frequently supported by examples of the green investments Shell has been making over the years, stating that *‘Shell is already taking its responsibility for the climate’* (de Telegraaf, 23 July 2021).

The consequences of climate change are overshadowed in this framing by the focus on the state of the economy. Milieudefensie is painted as the antagonist, whereas Shell is the protagonist that has provided the country with income, jobs, oil and gas, and has now fallen victim to these ‘climate clubs’, and is *‘the target of activists’*. Whether any party holds the responsibility to protect individuals from dangerous climate change is dismissed by the economic focus in this frame.

4.2. Commonalities and disparities

When looking at the overall themes in the four identified frames, a set of differences and commonalities can be found. This section will briefly explore where frames align, and where they oppose each other. In this way, gaining a deeper understanding of the frames, and their stance on the climate case against Shell.

Table 8.

Reasoning devices

<i>Frames</i>	Climate case as solution	Climate case as problem
Last Resort	✓	
Undemocratic		✓
Carbon Lock-in	✓	

Ordinary Man

✓

To start, there is a clear distinction between the first frame, and the three counter-frames as portrayed in Table 8. In the *Last Resort* frame, going to court is framed as viable solution to enforce Shell to mitigate the dangerous climate change the emissions through their fossil fuel production cause. In this framing, the reasoning devices are constructed with the climate case itself being the solution to the posed problem. In the other three frames this is the opposite way: the climate case itself is presented as the evil, and the road to enforce climate action should not be through the courts. In the reasoning devices of these three counter-frames, the problem is thus the climate case itself.

Table 9.
Framing of
climate change

Frames	Climate change framed as crisis	Climate change not framed as crisis
Last Resort	✓	
Undemocratic		✓
Carbon Lock-in	✓	
Ordinary Man		✓

The view of anthropogenic climate change and its dangers is another source of disagreement, as laid out in Table 9. The *Last Resort* frame undeniably agrees with the dangers of anthropogenic climate change, framing climate change as a ‘climate crisis’ that can already be felt in everyday life. This is made tangible with examples of floodings, heatwaves, and wildfires. Within the other three frames, there is no consensus on the dangers of climate change. Although the *Carbon Lock-in* frame talks of a climate crisis, the proposed solutions do not share the same degree of urgency as the meaning of the word ‘crisis’ would imply. Rather, the *Carbon Lock-in* frame creates a vicious cycle in which a green transition is far from found. Moreover, both the *Undemocratic* and *Ordinary Man* frame use fear and doubt mongering to dismiss the urgency of climate change. Whereas the *Last Resorts* frame talks of the harmful

consequences of Shell’s production, the Undemocratic frame states that Shell is not hurting us all, dismissing this as doom scenarios. In this way, it is disputing the dangers of climate change. The Ordinary Man frame leaves climate change out of question. Rather, it focuses solely on economic perspectives. Important in this framing is the use of an us vs. them framing to create a dichotomy between ordinary citizens and the ‘hordes of activists’.

Table 10.

Framing of responsibility

<i>Frames</i>	Responsibility
Last Resort	Shell
Undemocratic	Government
Carbon Lock-in	Energy users / collective responsibility
Ordinary Man	Milieudefensie

In addition, the theme of *responsibility* is an arena of struggle, as visible in Table 10. The *Last Resort* frame puts responsibility in the shoes of Shell, arguing its energy production through its GHG and methane emissions to have contributed to dangerous climate change. In the Undemocratic frame, the government holds responsibility for handling climate policy, whereas the Carbon-Lock in frame individualised responsibility, transferring it from Shell to its users. In the Ordinary Man frame, Milieudefensie is held accountable, not for causing dangerous climate change, but for disregarding the economic costs of their ‘*environmental nonsense*’. In all three counter-frames, the responsibility of Shell for contributing to climate change through their production is overlooked. In the Undemocratic frame, doubt and fear mongering dismiss the responsibility of Shell, instead emphasising the government to be the only climate legislator. In the Carbon Lock-in frame, the consumers that create the energy demand are culpable for emissions, whereas the Ordinary Man frame disregards emissions as a whole.

Lastly, the legitimacy of the case is disputed. All three counter-frames argue against the climate case against Shell. In the Ordinary Man frame, this is done through shifting blame back to Milieudefensie, arguing that the ‘climate club’ is besieging, hunting, and

pointing its arrows on private companies like Shell. In the case of the Carbon Lock-in frame, the climate case is portrayed as counterproductive. Not only through the energy dependency argument, but also as the desired outcome for reducing emissions, as this climate case is not regarded as a useful step in the overall efforts to combat climate change. Most strikingly, the Undemocratic frame directly opposes the framing devices in the Last Resort frame. Whereas the first calls the climate case unjust and one sided, the latter celebrates the decision for taking on the democratic route of judicial action to enforce climate action. Whereas the Undemocratic frame heavily relies on the metaphor that the judge ‘*sat down on the politicians chair*’, the Last Resort frame consistently stresses that ‘*the judge was not in the wrong seat*’.

4.3. Frame use

- *How does the framing of the climate change litigation case of Milieudefensie et al. vs Shell differ between left-leaning and right-leaning newspapers?*

Table 11 displays the outcome of the deductive frame package analysis of the framing of the climate case against Shell by Dutch newspapers. As can be seen in Table 11, a total of 165 news articles were analysed. The four identified frame packages served as basis for the coding scheme, in order to analyse the prevalence of frames within the news articles. To clarify, if a news article focused on discourse surrounding the dependency on energy, and the role consumers have in creating this demand, this would be coded as the *Carbon Lock-in* frame. Articles with a more generalised portrayal of the climate case (an objective overview of the facts and arguments) or those in which all frames occurred (balanced reporting), were coded as ‘informative’.

Only the primary frame of the articles were coded. If the article used discourse of more than one frame, the primary frame was decided upon by looking at the framing in the headline of the article. This is because headlines aim to attract readers to their story, whilst summarising the article in a few words. In this way, headlines convey the overarching arguments of the article, therefore being a good indicator of the primary frame. E.g., in one article in newspaper Trouw (6 April 2018), both the *Undemocratic* and *Carbon Lock-in* frame were found. On the basis of the headline: ‘*Judge is not a policymaker,*’ the *Undemocratic* frame was chosen as the primary frame.

Table 11.
Frame use by left
and right-leaning
newspapers
(N=165).

Frame	De VK	Trouw	<i>Left</i>	<i>% Left*</i>	EW	De TG	<i>Right</i>	<i>% Right**</i>	Total
F1. Last Resort	30	41	71	71%	2	4	6	9,2%	77
F2. Undemocratic	2	1	3	3%	3	7	10	15,4%	12
F3. Carbon Lock-in	4	1	5	5%	4	3	7	10,8%	12
F4. Ordinary Man	4	0	4	4%	9	12	21	32,3%	25
Informative	9	8	17	17%	2	19	21	32,3%	39
Total	49	51	100	100%	20	45	65	100%	165

*Percentage = (Part/Whole) x 100, proportion of frame occurrence in total (N=100) of left-leaning newspapers

**Percentage = (Part/Whole) x 100, proportion of frame occurrence in total (N=65) of right-leaning newspapers

As illustrated in Table 11, the aggregate figures show the percentage of frames occurring in left and right-leaning newspapers, calculated with the formula (part / whole) x 100. These findings show that left-leaning newspapers primarily used the *Last Resort* frame (71%), followed by the *Carbon Lock-in* frame (5%), *Ordinary Man* (4%), and the *Undemocratic* frame the least (3%). For the right-leaning newspapers the *Ordinary Man* frame (32,3%) was most frequently used, followed by the *Undemocratic* frame (13,9%), the *Carbon Lock-in* frame (10,8%) and lastly the *Last Resort* frame (9,2%). These findings show a stark difference between left and right-leaning newspapers in the prevalence of the frames used when discussing the climate case against Shell. Whereas the *Last Resort* frame was the most common in left-leaning newspapers, this frame was the most uncommon in the right-leaning newspapers. A similar pattern occurs the other way around. The *Ordinary Man* frame is the most commonly used by right-leaning newspapers, whereas it is the second least common in the left-leaning newspapers.

Table 12.

View on climate case

Frames	Support for climate case	Opposing climate case
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Last Resort	✓
Undemocratic	✓
Carbon Lock-in	✓
Ordinary Man	✓

As reiterated in Table 12, the *Last Resort* is the only identified frame that is supportive of the climate case, whereas the three counter-frames depict the climate case against Shell as the problem, rather than the solution. By combining the occurrence of the three counter-frames we can gain an understanding of the extent to which the newspapers frame the case in a supportive or unsupportive way. A total of 58,5% of right-leaning newspapers use a counter-frame when discussing the case against Shell, whereas this is the case in only 12% of the left-leaning newspapers. Over half of the analysed articles in the right-leaning newspapers thus frame the climate case against Shell as a problem, whereas less than one third of the left-leaning newspapers do this. At the same time, only 9,2% of the right-leaning newspapers use the supportive frame, *Last Resort*, compared to a staggering 71% by left-leaning newspapers. This portrays a significant difference in the way left versus right-leaning newspapers frame the case against Shell.

Table 13.
Frame use by
newspapers
(N=165).

<i>Frame</i>	De VK	%*	Trouw	%*	EW	%*	De TG	%*	Total
F1. Last Resort	30	61,2%	41	80,4%	2	10%	4	8,9%	77
F2. Undemocratic	2	4,1%	1	2%	3	15%	7	15,6%	12
F3. Carbon Lock-in	4	8,2%	1	2%	4	20%	3	6,7%	12
F4. Ordinary Man	4	8,2%	0	0%	9	45%	12	26,7%	25
Informative	9	18,4%	8	15,7%	2	10%	19	42,2%	39
Total	49	100%	51	100%	20	100%	45	100%	165

*Percentage = (Part/Whole) x 100, proportion of frame occurrence in newspapers individually

In order to further gain insights on the difference in occurrence of frames between the newspapers, Table 13 displays the newspapers individually. Here, the large differences are further evidenced. To start, the *Last Resort* frame was used the most by newspaper Trouw (80,4%), followed by de Volkskrant (61,2%), and was significantly less used in de Telegraaf (21%), and Elsevier Weekblad (10%). These findings show that the *Last Resort* frame appeared 8 times as much in newspaper Trouw (left-leaning newspaper), compared to Elsevier Weekblad (right-leaning newspaper). It is also noticeable that no articles in left-leaning newspaper Trouw were found to employ the *Ordinary Man* frame, compared to almost half (45%) of the articles in right-leaning newspaper EW using this frame. Moreover, the *Undemocratic* frame is found a similar amount of times within the right-leaning newspapers, namely 15,6% of articles in de Telegraaf and 15% of articles in EW (15%), whereas it features in only 4,1% of the content in de Volkskrant and 2% in Trouw.

5. Discussion

Climate activists are increasingly turning to courts to catalyse climate action, with the expected increase in cases against the Carbon Majors slowly materialising. Lawsuits aimed at enforcing climate action have attracted a broad range of scholars, mostly interested in the legal consequences, but the indirect effects of CCL are receiving growing attention (Setzer and Higham, 2022). Beyond the courts, scholars argue that the media coverage that climate change litigation generates is an important tool for communicating the urgency of climate change (Villavicencio Calzadilla, 2019), influencing public and political discourse (Wonneberger and Vliegthart, 2021), and telling compelling climate stories (Nosek, 2017). Informing the public on the urgency of the climate crisis is of growing importance, with a gap having been found between the scientific consensus on anthropogenic climate change among scientists, and the lack of consensus amongst the populus (Carter, 2018). The media coverage that CCL generates could be a powerful tool to help legitimise scientific findings and overcome the ideological left-right divide in climate perceptions, in which right-wing individuals are found to be far more climate sceptic than left-wing individuals (Fisher et al., 2022). However, insufficient knowledge exists on the type of media attention climate change litigation receives. This study aims to contribute to a more fine-grained understanding

of the way the media frames CCL, and whether the left-right divide persists in the framing of climate change litigation by right-leaning and left-leaning newspapers. In this way, a deeper assessment of whether CCL contributes to a less polarised climate debate is provided.

5.1. Incompatible frames

The four identified frames of this research underscore the importance of understanding whether, and how, the media differs in portraying CCL. Namely, three out of four frames presented the climate case against Shell as a problem, rather than a solution, arguing it to be 1) undemocratic 2) useless, because consumers create the demand for energy or 3) leading to economic costs for which ordinary citizens will have to foot the bill. Only the *Last Resort* frame recognised the urgency to combat dangerous climate change, and legitimised going to court to catalyse climate action. Overall, the view on anthropogenic climate change, the theme of responsibility, and the legitimacy of the climate case portray the lack of consensus across the frames. It also sheds light on the power of framing to call attention to certain aspects of reality, whilst obscuring other elements of the issue (Entman, 1993). Such is the case in the *Ordinary Man* frame, in which the economic costs are called attention to, whilst the urgency of climate change is obscured by the economic focus of the frame.

Villavicencio Calzadilla (2019) argues that CCL can function as a tool to foster action and communicate the urgency of the climate crisis, but only the *Last Resort* frame conveys this message. Although newspaper coverage is often linked with citizens' concern with issues like climate change, two out of four frames did not frame climate change as a 'crisis'. In both the *Ordinary Man* and *Undemocratic* frame, no sense of urgency to combat climate change is displayed. Instead, discourse of doubt mongering is used to seed doubts about the dangers of climate change. These findings emphasise that the framing of climate change litigation can be a source of conflict, rather than a path to consensus, and could steer the debate away from the urgency of the climate crisis.

Although the *Last Resort* frame and *Carbon Lock-in* frame both recognise a 'climate crisis', the responsibility and need to act are framed in conflicting ways. The *Last Resort* framing displays climate change as an intentionally imposed risk, arguing that Shell is knowingly contributing to dangerous climate change. This (re)framing could

increase the salience of the climate change narrative as argued by Nosek (2017) and Averill (2007). In this way, putting blame and responsibility for the risks of climate change in the hands of big polluters, like Shell, can be a motivating cue for corrective action through the judiciary (Markowitz and Shariff, 2012).

The *Carbon Lock-in* frame, however, steers the responsibility away from Shell's contribution by individualising responsibility, a tactic often referred to by scholars as 'fossil fuel industry propaganda' (Carvalho, 2007; McCright and Dunlap, 2000, 2015). This frame uses similar rhetoric to the communication strategies of ExxonMobil, as per the findings by Supran and Oreskes (2021, 710), in which the dependency on fossil fuel is framed as inevitable and indefinite, the responsibility is steered towards the consumers, and the seriousness of climate change is downplayed. They argue that this framing obscures the role of disinformation campaigns, the pervasive marketing for the interests of the fossil fuel industry, and the anti-environmental lobby, arguing that this has 'served to establish and reinforce institutional, and behavioural carbon lock-ins, thereby undercutting consumer choice and agency' (Supran and Oreskes 2021, 713).

The influence of fossil fuel interest in the media framing of this climate case, in which Shell reframes itself as a neutral force, risks leaving the question of responsibility for the causation, and resolution, of dangerous climate change, unresolved. Instead of seeking solutions for the crisis, this framing steers the debate away from aversion of the problem, and rather keeps itself occupied with revitalising a debate on who is to blame. This individualising of responsibility can undermine climate action, by diverting attention away from companies and governments. This is problematic, as it is specifically governments and companies that have the resources and power to solve the challenges climate change poses. It is important to gain more understanding of the influence 'fossil fuel propaganda' wields on changing the tone of the debate.

A further key implication of these findings is the incompatibility of frames, which could result in polarisation in public perceptions of climate cases and the urgency of climate change more broadly. In order to help CCL reach its full potential to advance climate action beyond the courts, these findings underline the need to address how such cases are framed. Understanding the framing by the media can be a step towards finding solutions that bridge, rather than entrench, partisan divides. As stated by Nosek (2017)

small shifts in the framing of issues like climate change can profoundly impact the perceptions of the public on the topic. For instance, the *Undemocratic* frame frequently uses the argument that citizens are not heard in the case against Shell. Climate activists could take advantage of this knowledge by focussing on the active involvement of society, to make citizens feel more involved with climate action. Understanding how climate change litigation is framed can help find ways to advance climate activism, rather than undermining it.

5.2. Left-right divide in framing

The second important finding of this research shows the persistence of the left-right divide in the framing of the climate case against Shell, in which the left-leaning newspapers more frequently support the case, whereas the right-leaning newspapers use more frames countering the case against Shell. This could result in the audience of these different newspapers having very different perceptions on the case, and climate change more broadly. Especially the discourse of doubt and fear-mongering could fuel climate scepticism, and jeopardise public support for climate cases.

Peel and Osofsky (2015) argue that incompatible frames could make it impossible to reach any form of consensus, and possibly entrench partisan differences. The discrepancy between the most commonly used frames by the left-leaning newspapers (*Last Resort*) and the right-leaning newspapers (*Ordinary Man*) could further entrench the left-right divide. In the *Last Resort* frame Shell is the evil, and the climate case is necessary, whereas in the *Ordinary Man* frame Milieudefensie is the evil, and the case is unnecessary. The *Last Resort* frame argues that Shell should be held responsible for contributing to dangerous climate change, whereas the *Ordinary Man* frame shifts the blame to Milieudefensie for disregarding the economic costs that ordinary citizens will bear due to the climate case. Similarly, the *Last Resort* frame emphasises the urgency of the climate crisis, whereas the *Ordinary Man* frame talks of ‘environmental nonsense’. The incompatibility is further emphasised in the us versus them framing in the *Ordinary Man* frame, arguing ‘them’ to be those ‘hordes of activists’ that are ‘besieging’ private companies like Shell. This type of discourse makes it impossible to reach any form of consensus, and suggests a sense of disenchantment with climate activism by ‘ordinary people’; again emphasising the need for citizens to be involved, rather than disregarded by climate action.

5.3. Limitations and strengths

To overcome some of the limitations of qualitative research, the methods are clearly set out to allow for transparency and replicability. The inductive-deductive research design of van Gorp (2007; 2019) is considered an effective tool for the explorative study of complex issues. By first inductively identifying frames with the use of a frame matrix, the researcher can grasp the diverse interpretations in discourse. Deductively analysing frames in turn enables identifying the differences in framing use by newspapers, through this providing insights on certain social and political contexts (van Gorp et al. 2019, 529). Moreover, the large sample size allows for achieving theoretical saturation, at the same time allowing for a deep case-oriented analysis of discourse surrounding the climate case against Shell (Bryman 2016, 425).

Despite this, qualitative content analysis is always at risk of a certain degree of bias from the researcher, as the identification of frames is subject to interpretation. To reduce the subjectivity in the framing process, coding tool ATLAS.ti was used, together with coding methods grounded in theory from Strauss and Corbin (1990) and the predefined frame packages following van Gorp (2007; 2019) and Supran and Oreskes (2021). Moreover, some nuance in the Dutch newspaper articles can be lost in the translation to English, with the translation of metaphors being especially challenging. In an attempt to reduce this loss of nuance, AI translator DeepL is used. Additionally, a potential bias could derive from the choice of newspapers, with the left-leaning newspapers argued to be ‘quality newspapers’, whereas the right-leaning newspaper are argued to fit more under the category of ‘popular newspaper’. The left-leaning newspapers are considered more on the serious end of the spectrum and focused on higher educated Dutch citizens, whereas de Telegraaf is more focused on reaching all layers of society and can be more sensational (Bakker and Scholten, 2017).

5.4. Recommendations

The findings of this study could motivate future research. Interestingly, a relationship seems to exist between the arguments provided in court, and those present in the frames. The *Last Resort* frame echoes the argumentation provided by Milieudefensie in their case against Shell, whereas the other three counter-frames follow similar reasoning as the arguments provided by Shell. This pattern shows that left-leaning newspapers more frequently convey the message of Milieudefensie, whereas the right-

leaning newspapers more often follow the framing of the defence by Shell. This further emphasises the incompatibility of the framing used by the left versus right media outlets, in which they are oppositional in a similar manner as Milieudefensie and Shell were opponents in court. Future research could examine the possible relationship between the reasoning in court, and the extent to which the media conveys the message of one side of the debate.

A similar pattern exists when looking at the parliamentary questions posed by leader of the right-wing populist party PVV, Geert Wilders, and the discourse in the three-counter frames. Both Wilders and the *Ordinary Man* frame display Milieudefensie as a ‘subsidised’ climate club, questioning the consequences of the case for employment and gas prices. The same appears to be the case for the *Undemocratic* frame, in which Wilders talks of judges having become ‘deluded climate activists’, who are dictating climate policy. This is a similar rhetoric to the discourse in the *Undemocratic* frame. These findings open the avenue for agenda-setting research, to gain a deeper understanding of the ability of media framing of CCL to shape political debates. Wonneberger and Vliegthart (2021) found in their study on the Urgenda case (2015) that media attention for the climate case resulted in increased parliamentary attention for the case. Although they did not account for the type of media attention, this theory could be tested on the case against Shell. Especially with the hostility of right-wing-populist parties to climate policy, future research could delve into the agenda-setting effects of media framing on climate cases to further understand how it influences the tone of the climate debate.

Moreover, this study is limited to identifying and analysing the prevalence of frames in a set of four Dutch newspapers. Future research could examine framing in the media more widely, by incorporating television, radio, and/or social media. Second, this study does not look into potential changes over time. It would be interesting to understand how frames evolve, and whether the prevalence of frames differ before judges have made their verdict, and after. For this, longitudinal quantitative research could further contribute to our knowledge of media framing of climate change litigation, enabling us to understand the role of climate cases beyond the courts more deeply. This study is also limited to the case of *Milieudefensie et al. vs Shell*, which is part of the growing body of litigation against Carbon Majors. The role of media framing in presenting different types of climate cases, such as those against government bodies, can help

better understandings of the role of framing in shaping the debate around climate cases. With the prevalence of a left-right divide in the framing by Dutch newspapers, more research should investigate the interaction between journalists' (un)conscious selection of frames, resulting from factors inside and outside media organisations, together with their individual belief systems (van Gorp 2007, 14). The media has a key role in communicating the urgency of climate change and incentivising the need for policy response. The expected increase in climate cases against governments and Carbon Majors, and other forms of climate change litigation, makes it incredibly relevant to further examine the role media framing plays in (de)legitimising activism through the courts.

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7. Appendix

The outcome of the deductive frame package analysis per newspapers, copied from Excel.

1. De Telegraaf

Source	Title	Frame title	Date	Op-ed?	Informative	Last Resort	Undemocratic	Carbon Lock-in	Ordinary Man
TG	Shell wint in hoger beroep'; Respondenten: Klimaatvonnis is concurrentievervalsing	Ordinary Man	23-07-2021	Stelling					1
TG	Shell raakt bestuurders voor schonere energie kwijt	Ordinary Man	08-12-2020	Informative	1				
TG	'Vonnis zaak Shell blijft staan'; Oud-rechter en voorzitter Ondernemingskamer Willems zet er een fles wijn op:	Last Resort	30-05-2021	Edwin van der Schoot; DFT Nieuws		1			
TG	Analyse: Shell kop van Jut bij historische klimaatzaak	Ordinary Man	25-05-2021	Edwin van der Schoot; DFT Nieuws		1			
TG	Analyse: vonnis tegen Shell opsteker Poetin, MBS en schaliecowboys	Ordinary Man	15-06-2021	Edwin van der Schoot; DFT Nieuws					1
TG	Belangengroepen verruilen het Malieveld voor de rechtszaal; Column Afshin Ellian	Undemocratic	31-06-2021	Afshin Ellian; opinion			1		
TG	Bezorgde burgers willen gehoord worden in klimaatzaak Shell	Undemocratic	02-03-2022	Edwin Timmer; DFT Nieuws			1		
TG	Bijltesdag voor Shell komt dichterbij	Ordinary Man	13-01-2021	Theo Besteman; DFT Nieuws					1
TG	Brief 2 'Vonnis Shell betekent banenverlies'; Brievencompetitie	Ordinary Man	28-05-2021	WATUZEGT					1
TG	Brieven	-	27-05-2021	WATUZEGT					1
TG	Brits ClientEarth kondigt klimaatzaak tegen Shell-bestuurders aan	-	15-03-2022	DFT Nieuws		1			
TG	Bye bye Neerlands trots van weleer	Ordinary Man	15-11-2021	Opinie					1
TG	Column: Shell is hard nodig voor beter klimaat	Carbon-Lock in	31-05-2021	Paul Koster; DFT Nieuws				1	
TG	De enige logica die ik ontdek bij rechters: klimaatbeleid is heilig in Nederland; In het Vizier	Undemocratic	09-06-2021	Edwin Timmer; Opinie			1		
TG	De gewone man gaat betalen	Ordinary Man	05-04-2018	BINNENLAND					1
TG	Groene bom onder vestigingsklimaat; Rechter: minder CO2 Shell	Ordinary Man	27-05-2021	Edwin Timmer; BINNENLAND					1
TG	Hoger beroep Shell is logisch, maar ook een gemiste kans; Analyse:	Last Resort	20-07-2021	Edwin van der Schoot; DFT Nieuws		1			
TG	Hoger beroep Shell ook een gemiste kans; olie- en gasreus legt zich niet neer bij uitspraak zaak milieudefensie	Last Resort	21-07-2021	FINANCIEEL	1				
TG	In het kort	-	01-12-2020	FINANCIEEL	1				
TG	Klimaatproces: Shell wijst op Biden, Jinping	-	02-12-2020	Edwin van der Schoot	1				
TG	Klimaatvonnis brengt rechtsstaat in gevaar	Undemocratic	05-06-2021	BINNENLAND			1		
TG	Links juicht om nederlaag Shell: 'Hulde voor milieustrijders'		26-05-2021	DFT Nieuws	1				
TG	Mes in megastallen met nieuw akkoord'; SER: boeren helpen bij beleid, politiek stelt regels	-	03-06-2021	FINANCIEEL		1			
TG	Milieubeweging richt vizier op Shell; Olie- en gasbedrijf hekelt 'oprekken van de wet'	Undemocratic	01-12-2020	Edwin van der Schoot; DFT Nieuws			1		
TG	Milieudefensie wil voorkomen dat Shell in hoger beroep gaat	-	24-06-2021	BINNENLAND	1				
TG	Nikkei sluit week licht lager af	-	27-08-2021	DFT Nieuws	1				
TG	No Headline In Original	-	29-05-2021	FINANCIEEL	1				

Trouw	Shell op ramkoers met wereldwijde klimaatdoelen'	Last Resort	1-12-2020	ANP/Redactie	1				
Trouw	Actiegroepen worden leidend in klimaataanpak	Last Resort	17-1-2022	Redactie Trouw		1			
Trouw	Advocaat Roger Cox van Milieudefensie is hoopvol gestemd: 'Het laatste IEA-rapport bevestigt ons gelijk'	Last Resort	26-05-2021	Frank Straver		1			
Trouw	Als wij geen olie pompen doet een ander het wel, zegt Shells advocaat in unieke klimaatzaak Milieudefensie	Shells advocaat	1-12-2020	Frank Straver	1				
Trouw	Bernard Wientjes: Ik heb alle grote chemiebedrijven wel aan de lijn gehad over de Shell-zaak	-	03-06-2021	Koos Schwartz		1			
Trouw	Controle visvangsten moet scherper	Last Resort	22-06-2021	Opinie		1			
Trouw	Data is de nieuwe tabak, kijk maar naar Facebook en Google	-	03-06-2021	Ilyaz Nasrullah		1			
Trouw	De staat heeft een klimaatplicht. Bedrijven als Shell hebben een klimaatplicht. En wij dan?	-	28-06-2021	Alexandra van Ditmars		1			
Trouw	De zaak tegen energiereus Shell laat zien wat er op het spel staat voor het milieu	Last Resort	03-12-2020	Redactie		1			
Trouw	Dit betekent de Shell-uitspraak voor andere bedrijven in Nederland	-	27-05-2021	Barbara Vollebregt		1			
Trouw	Een tien met een griffel voor Donald Pols van Milieudefensie	Last Resort	28-05-2021	Onno Havermans		1			
Trouw	Europese eis in de maak: grote bedrijven moeten klimaatverslag schrijven	Last Resort	28-01-2022	Frank Straver		1			
Trouw	Geïnspireerd door Urgenda en het Shell-vonnis bereiden activisten nu ook een klimaatzaak voor tegen ABP	Last Resort	28-05-2021	Frank Straver		1			
Trouw	Het klimaat duldt geen uitstel meer: stikstofkanon Tata Steel moet groener	Last Resort	06-09-2021	Redactie Trouw		1			
Trouw	Het recht als reddingsboei voor klimaat en natuur	Last Resort	26-03-2022	Frank Straver		1			
Trouw	Hij kan de rechter niet volgen, maar topman belooft toch 'krachtige' maatregelen om Shell snel groener te maken	-	06-06-2021	Koos Schwartz		1			
Trouw	Hoe kunnen activisten in coronatijd effectief alarm slaan over klimaat en milieu?	Last Resort	02-04-2021	Frank Straver		1			
Trouw	In de 1710 klimaatzaken blijft die tegen Shell uniek		17-12-2020	Esther Bijlo en Frank Straver		1			
Trouw	In hoger beroep zal het vonnis tegen Shell waarschijnlijk geen stand houden	-	17-08-2021	Gerrit de Boer	1				
Trouw	Kleine stapjes? We hebben een revolutie nodig	Last Resort	11-10-2018	Jessie Kroon		1			
Trouw	Klimaatrechtspraak	-	10-08-2021	Jurriën Hamer		1			
Trouw	Klimaatrechtszaak tegen Shell wel ndoig	Last Resort	21-04-2018	Marcella Klinker		1			
Trouw	Klimaatzaak tegen Shell is tegelijk publiekscampagne	-	05-04-2018	Frank Straver		1			
Trouw	Milieubeweging klaagt Shell aan	-	12-02-2019	Frank Straver		1			
Trouw	Milieudefensie bekijkt opties voor vervolg op succes tegen Shell	Last Resort?	28-05-2021	Redactie Trouw		1			
Trouw	Milieudefensie dreigt met rechtszaken tegen 29 grote vervuilers. Maken die een kans?	-	13-01-2022	Frank Straver	1				
Trouw	Milieudefensie eist binnen tien jaar bijna een halvering van CO2-uitstoot door Shell	-	30-11-2020	Frank Straver	1				
Trouw	Milieudefensie wil dat Shell afziet van hoger beroep in klimaatzaak	-	24-06-2021	Redactie Trouw	1				
Trouw	Na 'Urgenda' eist de rechter nu klimaatactie van Shell	-	26-05-2021	Frank Straver		1			
Trouw	Na het Shell-vonnis kan elke grote vervuiler aangepakt worden, denkt deze jurist	Last Resort	27-05-2021	Frank Straver		1			
Trouw	Naar de rechter voor een schoon milieu? Dat gaat steeds vaker gebeuren, denkt jurist Daphina Misiedjan (32)	Last Resort	15-04-2020	Frank Straver		1			
Trouw	Nederland is niet te klein om iets te doen voor het klimaat	Last Resort	09-08-2021	Donald Pols		1			
Trouw	Olievelden verkopen, lekken dicht, bos aanplanten: wat Shell kan doen om snel groener te worden	Last Resort	27-05-2012	Koos Schwartz		1			
Trouw	Rechter is geen beleidsmaker	Undemocratic	06-04-2018	Opinie				1	

EW	Shell verhuist hoofdkantoor naar Londen:					1					
EW	Klimaatuitspraak Shell wringt, maar stimuleert innovatie					TOTAL	0	2	3	4	9

4. De Volkskrant

Source	Title	Frame title	Date	Op-ed?		Informative	Last Resort	Undemocratic	Carbon Lock-in	Ordinary Man
Volkskrant	Shell maakt klimaat-knieval en vertrekt uit het eldorado van de olie-industrie		21-09-2021	Jonathan Witteman			1			
Volkskrant	Shell niet 'assertief' genoeg over klimaat		17-04-2018	Gerard Reijn			1			
Volkskrant	Shell officieel in beroep tegen uitspraak die bedrijf verplicht CO2-uitstoot te verminderen		21-03-2022	Bard van de Weijer		1				
Volkskrant	Shell omarmt niet het klimaatakkoord, maar juist de landen die het ondermijnen	Last Resort	12-11-2019	Donald Pols			1			
Volkskrant	Shell staat voor de rechter om aandeel in klimaatverandering. 'Er komt geen ander of beter moment meer'	Last Resort	1-12-2020	Gerard Reijn, Pieter Hotse Smit		1				
Volkskrant	Shell tekent beroep aan tegen veroordeling in klimaatzaak		20-07-2021	Marc van den Eerenbeemt		1				
Volkskrant	Shell wil elektrische rijder binnenhalen met verkoop van groene stroom		26-08-2021	Pieter Hotse Smit		1				
Volkskrant	Shell zegt klimaatvriendelijker te willen worden, maar fossiel blijft koning	Last Resort	11-02-2021	Bard van de Weijer			1			
Volkskrant	Shell		05-04-2018	Bert Wagendorp			1			
Volkskrant	Toch weer liever de huidige welvaart		28-03-2022	Opinie			1			
Volkskrant	Brieven		26-04-2019	lezersbrieven				1		
	Brief 2									1
Volkskrant	Vierde en laatste dag van klimaatzaak: wat kan Shell doen bij een veroordeling?		17-12-2020	Gerard Reijn, Pieter Hotse Smit		1				
Volkskrant	Voor juichen over het vonnis tegen Shell is het te vroeg		28-05-2021	Martin Sommer						1
Volkskrant	Wat beweegt een bedrijf als Shell om vast te houden aan fossiel? Het innovator's dilemma, waarschijnlijk		04-06-2021	Jasper van Kuijk			1			
Volkskrant	Wat is het gevolg als Shell wordt gestopt?		14-12-2020	Gerard Reijn, Pieter Hotse Smit			1			
Volkskrant	Opinie		01-06-2021						1	
	Opinie 2								1	
	Opinie 3								1	
	Opinie 4						1			
Volkskrant	'Klimaatgeld is prima, maar wel met harde voorwaarden'		4-10-2021	Bard van de Weijer, Wies de Gruitjer			1			
Volkskrant	Accountant zet streep door klimaatbelofte van Shell		08-04-2021	Bard van de Weijer			1			
Volkskrant	Bepaalt de rechter de koers van oliereus Shell? 'Als dat gebeurt moet het roer volledig om'		26-05-2021	Arnout le Clercq			1			
Volkskrant	Bij duurzaamheid moet Shell nog een tandje bijschakelen'		22-05-2018	Niels Waarloo			1			
Volkskrant	De fossiele fakkel blijft branden, ook al trekt Shell zich terug uit Texas	Carbon Lock-in	24-09-2021	Michael Persson					1	
Volkskrant	De kinderen die nog moeten komen, hebben gewonnen	Last Resort	26-05-2021	Sheila Sitalsing			1			
Volkskrant	De zaak-Shell: niet de overheid, maar de rechter temt de markt	Last Resort	28-05-2021	Koen Haegens			1			
Volkskrant	Dit schrijven buitenlandse media over de uitspraak tegen Shell		27-05-2021	Arnout le Clercq			1			
Volkskrant	Fossiele brandstoffen in de grond houden is de snelste weg naar de klimaatdoelen		26-05-2021	Ellen Holtmaat			1			
Volkskrant	Had Shell zich maar niet in gidsland Nederland moeten vestigen, grimlachte de concurrent		04-06-2021	Martin Sommer						1

