

# Voluntary standards, expert knowledge and the governance of sustainability networks

STEFANO PONTE\* AND EMMANUELLE CHEYNS†

\**Department of Business and Politics, Copenhagen Business School, Steen Blichers Vej 22, 2000 Frederiksberg, Denmark  
sp.dbp@cbs.dk*

†*Centre de coopération internationale en recherche agronomique pour le développement (CIRAD) and Unité Mixte de Recherche Marchés, organisations, institutions, stratégies, acteurs (UMR MOISA), 73 rue Jean François Breton, TA C-99 / 15, 34398 Montpellier Cedex 5, France  
emmanuelle.cheyns@cirad.fr*

**Abstract** *Products certified according to their environmental and social sustainability are becoming an important feature of production, trade and consumption in the agro-food sector. ‘Sustainability networks’ are behind the emergence and growth of these new product forms, often evolving into multi-stakeholder initiatives that establish and manage base codes, standards, certifications and labels. As sustainability moves into the mainstream, understanding the governance of these networks is essential because they partly reshape the structure and characteristics of commodity flows. In this article, we examine the role of expert knowledge and process management in governing two multi-stakeholder initiatives (the Marine Stewardship Council and the Roundtable for Sustainable Palm Oil) and in shaping their distributional effects. We find that the ability of developing countries, especially small-scale actors within them, to shape standard setting and management to their advantage depends not only on overcoming important structural differences in endowments and access to resources, but also on more subtle games. These include promoting the enrolment of one expert group or kind of expert knowledge over another, using specific formats of negotiation, and legitimating particular modes of engagement over others.*

**Keywords** SUSTAINABILITY NETWORKS, GOVERNANCE, EXPERT KNOWLEDGE, STANDARDS AND CERTIFICATION, FISH, PALM OIL

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Contemporary governance of commodity production, trade and consumption takes place through a complex system of international and national regulation, which overlaps emerging private and hybrid forms. While national governments and

international organizations were traditionally in charge of such regulation, for the past two to three decades private sector actors, such as branded processors, international traders and especially retailers, have played an increasingly powerful role (Clapp and Fuchs 2009; Gibbon and Ponte 2005; Oosterveer 2007). New mechanisms of governance have also emerged, including private, industry and multi-stakeholder standards and labels (Bernstein 2011; Cadman 2011; Cashore 2002; Gale and Haward 2011; Gulbrandsen 2010; Henson and Reardon 2005; Pattberg 2007; Tamm Hallström and Boström 2010). Overall, the governance of commodity production, trade and consumption is becoming more fluid and prone to constant reconfigurations as it attempts to adapt to new commercial opportunities (Cooke et al. 2008), changes in consumption patterns and consumer valorization of different kinds of quality content. As quality content increasingly includes ‘credence’ attributes that cannot easily be measured or observed, a certification, auditing and accreditation industry has developed to assure consumers that such credence claims are truthful (Hatanaka et al. 2005; Loconto and Busch 2010; Mutersbaugh 2005).

While products certified because of their environmental and social sustainability started as a small niche, in several sectors (particularly agriculture and food) they have grown considerably to gain important market shares. The development of multi-stakeholder initiatives to establish base codes and labels is moving sustainability issues further into mainstream markets (Fransen and Kolk 2007; Utting 2002). This is a recent phenomenon, having started only two decades ago, but with a clear acceleration in the past ten years. It is also becoming a global phenomenon in terms of both geographic coverage and number of certified products. As sustainability moves into the mainstream, it is essential to understand the governance dynamics of ‘sustainability networks’ because they partly reshape the structure and characteristics of commodity flows.

A ‘sustainability network’ is an assemblage of actors, objects, procedures and relations coalescing around addressing or managing social and/or environmental aspects of commodity production, processing, exchange and consumption. Sustainability networks can take an institutional form (such as a multi-stakeholder initiative, an industry association or a formal alliance of standard-setting bodies) but they can also be more informal (as a temporary network built around an issue-specific campaign, a loose coalition of interested parties, or a network built around sustainability conference circuits). Sustainability networks can revolve around one or more products, a variety of verification systems (self-monitoring or industry-monitoring codes of conduct, third-party and fourth-party certification systems) and can result in different communication devices (a label affixed on the final product, ‘name and shame’ lists or corporate social responsibility reporting). In this article, we focus on a subset of these sustainability networks, those leading to, and operating around, multi-stakeholder initiatives.

Multi-stakeholder initiatives arise when several groups, usually business associations and NGOs but sometimes also government representatives, work together to draw up rules to induce more responsible business behaviour (Fransen and Kolk 2007). They are ‘voluntary’ and engage in setting negotiated standards against which

results and/or performance are measured. Standards are norms selected as a model by which to judge and compare people, products or actions, and which provide a common language to evaluators, the evaluated and their audiences.<sup>1</sup> Standards, operated as tools of simplification, unification and specification (Ewald 1990), address technical, metrological and compatibility issues. They also govern the conduct of people and institutions (including governments) within an increasing number of domains of contemporary economies (Brunsson and Jacobsson 2000; Busch 2011; Cadman 2011; Higgins and Larner 2010a; Lampland and Star 2009; Pattberg 2007; Tamm Hallström and Boström 2010; Thévenot 1997, 2009; Timmermans and Epstein 2010; Vestergaard 2009).

By introducing a common language and means of communication, standards not only define constraints but also enable interaction. At the same time, choosing to adopt one language, set of procedures or metrology over others can lead to the exclusion of some groups of actors. Standards are set and managed within a system of norms, conventions and values that are revisable and negotiable, rather than absolute (Henman and Dean 2010; Ponte and Gibbon 2005). Standard setting and revision involve classification and categorization, exclusion and inclusion thresholds, definition of measurement devices and intervals, and a choice of what kind of experts and expert knowledge to enrol. Knowledge, however, is not simply a recipient that actors provide; it is also generated through interaction. Therefore, managing the *process* of setting and revising standards is in itself an essential element of governing sustainability networks. Certification systems also involve degrees of adaptation to local circumstances and, in the best cases, inclusion of local knowledge (Lockie et al. 2006). In other words, sustainability networks perform interactive ‘boundary work’ through standards setting and management – work that needs maintenance and produces new identities, knowledge, subjectivities and forms of social organization (Higgins and Larner 2010b). Therefore, when examining the governance of sustainability networks, it is necessary to analyse process management and to expand the range of key actors beyond those found in corporations, governments, NGOs and civil society to include expert groups and epistemic communities.

In this article, we focus on three aspects of sustainability networks. We ask:

- How did sustainability networks arise, what interests do they represent and what compromises underlie them?
- What strategic decisions come from negotiation processes and from setting and managing standards? Which interested parties set these standards? What processes and negotiation techniques do they use, and which expert groups and kinds of expert knowledge do they enrol?
- How are inclusion and exclusion in commodity production and trade reconfigured and what distributional effects result from the distinctions between North and South,<sup>2</sup> and between the weaker agents (smallholders, local communities) and the more powerful players (industry, international NGOs)?

In the next section, we review the main issues arising from the literature on standards and private authority and provide an analytical framework for our two case studies. In the section after that, we focus on the first case study, ‘sustainable fish’. Over the past three decades, fish has become a globally traded commodity. Annual export values increased from US\$ 15 billion to over US\$ 93 billion between 1980 and 2008 (FAO 2010). Almost half these exports currently originate from developing countries. Alongside the development of a global market for fish, a variety of sustainability networks has emerged that highlights the danger of over-exploitation of fish stocks around the world and the impact of intensive fishing on the overall aquatic environment. The perceived failure of public authorities to control fishing behaviour has resulted in an increasing use of voluntary standards and certification systems in the governance of sustainability in capture fisheries (namely those that exclude aquaculture). One of these sustainability networks, which WWF and Unilever headed, led to the establishment of the Marine Stewardship Council (MSC) label and certification system. The MSC has grown considerably in the past decade and has become the dominant sustainability network in capture fisheries.

We then go on to examine the second case study on ‘sustainable palm oil’. Globally, palm oil is the most traded vegetable oil (30 million tonnes in 2007/8), ahead of soy oil (11 million tonnes) (Dronne and Forslund 2009). Malaysia and Indonesia account for 85 per cent of the global production of palm oil. Although oil palm planting began to expand in the 1960s, it accelerated dramatically in the 1990s. This led to NGOs mounting media campaigns to highlight the impact that the expansion of oil palm cultivation was having on deforestation, loss of biodiversity and local communities in Southeast Asia. These campaigns targeted Europe-based importers, processors, retailers and investment banks and led to some of these actors developing their own purchasing guidelines. In 2002, some of these companies responded favourably to a WWF proposal to create a multi-stakeholder ‘roundtable’ that would facilitate the global harmonization of company guidelines, secure long-term supply and hedge reputational risk. In 2003, WWF, Unilever and other companies launched the ‘Roundtable on Sustainable Palm Oil’ (RSPO), a private multi-stakeholder initiative that led to the creation of a third-party certified voluntary standard on ‘sustainable palm oil’. The RSPO was the first of a series of roundtables that unfolded in the 2000s on a variety of commodities.<sup>3</sup>

### **Analytical framework**

Multi-stakeholder initiatives are specific and institutionalized forms of private authority that have emerged because the use of bounded jurisdiction to address global problems revealed three perceived governmental weaknesses. First, international agreement formation is a complex and time-consuming process requiring consensus building and thus is prone to deadlock. Second, while powerful states can deliberate or recommend actions within ‘exclusive clubs’ (such as the G-20), these tend to function effectively only when participation is limited or when facing imminent catastrophe. When participation is too limited, exclusive clubs suffer from a

representation and legitimization deficit (Vestergaard 2011): when widened, however, efficiency tends to decrease (Hüllse and Kerwer 2007). Third, inter-governmental governance has legitimization problems of its own (Bernstein 2011; Brassett and Tsingou 2011; Seabrooke 2007).

Multi-stakeholder initiatives are built around the formulation and management of standards. While adopting a broad definition of standards, in this article we differentiate between standards set by a public authority (and thus embedded in regulation) and those that are voluntary (not based on the sovereign authority of the state and thus not requiring state sanction in case of non-compliance). Both are relevant to understanding the governance of sustainability networks. At the same time, the two categories are porous and overlapping. Voluntary standards can and have been embedded in regulation. Existing regulations have provided input into the formation of voluntary standards; standards are sometimes legally recognized as risk mitigation devices (especially in food safety); 'proper' regulation is itself increasingly the object of standards and standardization (Vestergaard 2009); and states respond in very different ways to the voluntary features proposed by standard initiatives (Cashore et al. 2004; Gale and Haward 2011).

The literature approaches standards from a variety of perspectives. One focus is on the material construction of standards and their material effects. *Institutionalist* perspectives focus much of their effort on identifying sources of private authority and specifically on how standards and the organizations that drive them achieve legitimacy. One of the main tenets of these studies (Brunnson and Jacobsson 2000; Jacobsson 2000; Tamm Hallström 2004) is that standard setting organizations build rule-making authority and legitimacy through expertise so that standards can actually be seen as 'expert knowledge stored in the form of rules' (Jacobsson 2000: 41). From this perspective, expertise is a kind of knowledge that claims to be correct and that embodies practical advice; specialists produce it and only specialists can challenge it (Jacobsson 2000). It covers both content and procedures (Jacobsson 2000: 48). Experts are not influential because they can present arguments that persuade, but rather because they can avoid argument (Hüllse and Kerwer 2007). Institutional approaches focus on *what* knowledge is used to create standards and to provide them with legitimacy. However, recent contributions also attempt to understand *how* that happens (Tamm Hallström and Boström 2010).

Contributions within *political economy* examine standards from a variety of angles within a materialist field. These can be in terms of their content, coverage and proliferation; their governance, adoption and issues related to conformity; the costs and benefits of compliance; the dynamics of negotiation, content setting, certification procedures and accreditation; and how standards arise from (or shape) value chain restructuring, inclusion/exclusion dynamics and welfare outcomes. Many authors (see Gibbon et al. 2010; Nadvi 2008) place their attention on the outcomes of certification in developing countries and on weaker players.

Other standards literature examines the discursive, ideational and normative dimensions of standards. *Actor-network* perspectives have been particularly engaged in understanding how actors (scientists, managers and so on) deploy materials and

techniques to enrol other actors, to extend the range of application of standards beyond localized spaces and to apply, adapt and ‘translate’ standards locally (Higgins and Larner 2010a; Lampland and Star 2009; Timmermans and Berg 1997). From such a perspective, standards entail ‘acting at a distance’ (Latour 1987) and are one of the ways of governing through the application of calculative devices (Busch 2011; Callon 1986; Loconto and Busch 2010). *Governmentality* approaches see standards as technologies for governing conduct (Djama et al. 2011; Higgins and Larner 2010a; Ponte et al. 2011; Vestergaard 2009) in which standards construct fields of visibility that reconstitute the social domains of the knowable and governable. From a governmentality perspective, standards, underpinned by rationalities for the organization and governing of social life, aspire to shape conduct (Henman and Dean 2010; Miller and O’Leary 1987). *Convention theory* is useful for understanding the ‘normative work’ behind standard formation and management (Ponte 2008, drawing on Boltanski and Thévenot 2006; Ponte and Gibbon 2005). The related sociology of ‘*regimes of engagement*’ (Thévenot 2006, 2007) is employed to understand the ways in which actors ‘engage’ in standard-making processes and what elements enable them to make themselves heard (Cheyns 2011; Richard-Ferroudji 2008; Silva Castañeda 2012, Thévenot 1997, 2009).

The standards literature is itself nested in a larger debate on the putative advance of ‘private authority’ in governing economic, social and environmental phenomena (Cutler et al. 1999; Hall and Biersteker 2002a; Rittberger and Nettesheim 2008). The extent to which private authority has led to a wholesale retreat of the state or to a reconfiguration of public and private spheres is a contentious issue (Büthe 2010; Cadman 2011; Clapp and Fuchs 2009; Hall and Biersteker 2002a; Pattberg 2007). While there is broad recognition that private authority is on the rise, it may actually apply to areas the state never regulated in the first place. When private authority addresses transnational problems it can actually enhance state capacity by allowing the state to escape innate constraints and to focus more effectively on other areas of regulation. In a variety of ways, private authority also often actively interacts with public authority, thus making it difficult to disentangle the two (Büthe 2010; Cashore et al. 2004).

The literature on private authority seeks to identify emerging structures and sources of international political and rule-making authority. Authority purports to ‘exist when an individual or organization has decision-making power over particular issues and is regarded as exercising that power legitimately’ (Cutler et al. 1999: 5). This literature, spanning political science, international relations and international political economy, looks at the reconfiguration of governing and the legitimacy of different forms of global economic and environmental governance (Cadman 2011; Cashore 2002; Clapp and Fuchs 2009; Hall and Biersteker 2002b; Levy and Newell 2005; Rittberger and Nettesheim 2008).

While acknowledging the important contributions of the literature on private authority and legitimacy to a better understanding of multi-stakeholder initiatives, in this article we seek to approach the subject from a different angle. Our angle is less concerned with the multiple, overlapping and changing forms of legitimacy and more

with how structural, process and knowledge management factors interact in shaping the governance of sustainability networks and with what distributional outcomes. To do so, we cut across three existing approaches to standards and private authority. First, we have a governmentality-inspired interest in expert groups and expert knowledge and their role in shaping the governing of conduct. Second, we share a political economy preoccupation with the structural features of standard management and its distributional effects. And, third, we draw from the theory of 'regimes of engagement' (Thévenot 2006, 2007) to highlight what kinds of norms and conventions set the social domains of the knowable and acceptable in standard setting and management.<sup>4</sup> Thévenot argues that people can engage with their environment in a number of different ways, ranging from the most public to the most familiar forms. He highlights three regimes of engagement. The first ('justifiable engagement') aims to qualify a common good and involves a 'moral subject' in a pluralist perspective (Boltanski and Thévenot 2006). In the second ('functional and strategic engagement'), 'stakeholders' dominate the environment through asserting their interests. In the third regime ('familiar engagement'), people operate by maintaining personalized attachments and relations (Thévenot 2006, 2007).

Our approach translates into a parallel, three-part organization of the two case studies that follow. In the first part, we highlight the structural features, brief history and development of the two selected multi-stakeholder initiatives (MSC and RSPO). In the second, we discuss how expert knowledge and process management shape the governance of these networks. In the third, we look at the distributional effects of governing sustainability networks. Given the space limitations, we shall not engage in a detailed exposition of these aspects here, but rather focus on key features and on highlighting similarities and differences. For more detailed analyses of the two case studies, see Ponte (2008, 2012) and Cheyns (2011).<sup>5</sup>

## **Governing sustainable fish**

### *Background*

The Marine Stewardship Council (MSC) is the largest and most important market-based initiative attempting to govern capture fisheries (Auld and Gulbrandsen 2010; Gale and Haward 2011; Gulbrandsen 2009, 2010; Ponte 2008). It started in 1995, when WWF began discussions with Unilever on how to tackle sustainability in capture fisheries. WWF's entry point was one of conservation. Unilever was at that time the world's largest frozen fish buyer and processor and was concerned about being unable to source fish in the future for its dominant frozen food business. In 1996, the director general of WWF and the chairperson of Unilever agreed to collaborate in the creation of a new organization called the Marine Stewardship Council (MSC), an initiative the Forestry Stewardship Council (FSC) established in 1993, also under WWF influence, partially inspired. Assisted by a giant public relations firm, WWF and Unilever took the idea on a tour of eight workshops. They convened two drafting workshops in 1996 and 1997, with participants from what Sutton and Wimpee (2008: 408) called the 'who's who of fisheries science and

management' (see also Auld and Gulbrandsen 2010; Gale and Haward 2011; Gulbrandsen 2009; Tamm Hallström and Boström 2010). The MSC was formally established as an NGO in London in 1997 under the chairmanship of John Gummer, a conservative MP and former UK fisheries and environmental minister. In 1999, the MSC severed its ties with the WWF and Unilever and in 2000 certified its first two fisheries.

Despite the development of other seafood ecolabels, the MSC has become by far the most dominant player in the field, giving it a near monopoly in the 'sustainable fish' market. At the time of writing (mid-2011), supporting the MSC head office in London are two regional offices in the USA and Australia, plus local offices in France, Germany, Japan, the Netherlands, Scotland, South Africa, Spain and Sweden. More than 100 fisheries are now certified, with as many undergoing assessment and another 40 to 50 under confidential pre-assessment (MSC 2011). Certified fisheries and fisheries under assessment supply more than seven million metric tonnes of fish, representing 12 per cent of the world's total wild harvest for human consumption (MSC 2011). More than 10,000 products now bear the MSC label in over 70 countries. Their estimated retail value is US\$ 2.2 billion (MSC 2011), which is an increase of more than 70 per cent over the previous year. At the retail level, in addition to early adopters such as Sainsbury in the UK, Whole Foods in the USA, and Migros and Coop in Switzerland, the most important developments have been commitments to cooperate in various ways by Wal-Mart, Carrefour, Target, the Dutch Retail Association, Marks & Spencer, Aldi, Lidl and Metro. The major foodservice companies and restaurant chains are increasingly using MSC fish products (MSC 2010).

#### *Expert knowledge, process management and the governance of the MSC*

Two key factors have allowed the MSC to grow quickly and to monopolize private authority in governing sustainable fish. These are, first, the development of a specific governance structure and, second, the strategic use of fishery management, marketing, processing and chain of custody expert knowledge at the expense of socio-economic issues and the specific needs of fisheries (especially artisanal fisheries) in developing countries (Ponte 2008, 2012). Even though the MSC had been fashioned after the FSC, the latter is an open-member organization, while the MSC structure is more corporate. A General Assembly, with voting power divided equally between North and South, governs the FSC (Tamm Hallström and Boström 2010). It elects the Board of Directors, which is accountable to FSC members. Although established as a foundation, the MSC has evolved into a multi-stakeholder organization. Its managerial structure was designed to insulate the Board of Trustees (whose members are nominated, not elected) from the political influence of civil society actors (Gale and Haward 2011; Tamm Hallström and Boström 2010).

Following early criticism, in 2000 the MSC revised its governance structure. Alongside the Board of Trustees, its executive decision-making body, it created two further groups (the Technical Advisory Board and the Stakeholder Council), which report to the Board of Trustees. The MSC thus moved towards a governance structure



that is now more common among multi-stakeholder initiatives but without altering its top-down nature – the Board of Trustees is neither elected nor accountable to the Stakeholder Council. As Auld and Gulbrandsen (2010: 98) highlighted, the MSC also uses ‘transparency and stakeholder consultation instrumentally, informing stakeholders of its activities and drawing on their expertise when needed to make fisheries assessments credible’. This instrumental use of *procedural* transparency couples with selective use of *outcome* transparency. While the MSC posts a wealth of information on its assessment and reassessment processes on its website, far less is available on the actual impact of MSC certification on sustainability (although this may be changing as MSC now needs to comply with the new ISEAL impacts code).

As of July 2011, the Technical Advisory Board (which advises the Board of Trustees on technical, scientific and quasi-judicial issues) has 13 members. More than half of these (seven) are fishery assessment and/or management scientists; the remaining six are experts on chain of custody, certification and fish processing – no economists or other social scientists are members. The Stakeholder Council has 34 members who represent specific interests that fall into two categories. The ‘public interest’ category has 16 members, many from environmental groups but also a few donor representatives, academics and policy makers. The ‘commercial and socio-economic category’ has 18 members, all of whom are from companies and industrial associations. Until 2010, there had also been a third category, ‘developing world’, which has been dismantled and its four members moved to the ‘public interest’ category. The dominance of fishery management scientists, experts in marketing, processing and chain of custody/logistics has allowed the MSC to establish a Northern agenda. The dominant balance between moderate environmentalism and techno-commercial imperatives has resulted in a standard that is devoid of socio-economic and labour issues and that works against the interests of developing country fisheries (especially artisanal ones).

#### *Distributional effects and inclusion/exclusion dynamics*

Despite its commercial success and the increased number of certified fisheries, one area in which progress has been slow in the MSC is in the certification of fisheries in developing countries and, within these, particularly in artisanal fisheries and fisheries in ‘low-income’ countries. Especially in its early years of operation, the MSC paid insufficient attention to the needs of developing countries. It invited representatives from these countries to only one consultative meeting, in London. Of the eight workshops held to present the initiative to various fishery industries, only one took place in the South, namely in South Africa – an ‘upper-middle-income’ country in which several large-scale industrial fisheries already operated.

As a result, in the late 1990s the MSC attracted a spate of criticism about the perceived lack of consultation with representatives from developing country fisheries, and about the high cost in financial and human resources of achieving certification in developing countries, especially for artisanal fisheries (Constance and Bonanno 2000; Gale and Haward 2011). While this undermined the MSC’s legitimacy among the

organizers of fishing communities in developing countries, the MSC and other supporters of the initiative responded to the criticism with assurances that it was holding workshops and consultations around the world. The MSC also claimed to be field-testing its certification system in a number of different settings, including artisanal fisheries and fisheries in the developing world. It assured its critics that because the scheme was voluntary, it would not be imposed on anyone and that it would be non-discriminatory. Finally, the MSC insisted that its standard was not going to work against the interests of small-scale fishing communities (Ponte 2008).

Yet, as of July 2011, only three MSC-certified fisheries are located in developing countries – South African hake, Patagonian scallops and the tiny Vietnam Ben Tre clam fishery, the first and only certified fishery in a low-income country and the only certified artisanal fishery in a developing country. The list of fisheries *undergoing* certification in developing countries include two in Argentina, one in Argentina and Uruguay, one in Chile, three in Mexico, one in Surinam, one in Fiji, two in the Maldives, and the PNA Western and Central Pacific skipjack tuna fishery. While this list has grown in the past few years, it includes only two fisheries in a low-income country. Most of the fisheries undergoing certification in developing countries have large-scale industrial features. Some 60 per cent of all MSC certifications occurred between July 2009 and June 2011, but none of these was in a developing country; in fact, Canadian and Nordic fisheries account for many of them. This is ironic given that the Nordic industrial fisheries and their governments opposed the establishment and growth of the MSC in the 1990s and early 2000s (Gulbrandsen 2009, 2010).

While its failure to certify fisheries in developing countries could have damaged the MSC's legitimacy as *the* source of private authority in governing 'sustainable fish', in practice it managed to increase the buy-in from all major fish buyers and retailers. It did so through a combination of minimal but sufficient reforms to its governance structure. It fine-tuned its managerial and 'scientific' approach to certification. It subtly promoted certain fields of knowledge over others. It made expeditious certifications and it highlighted side projects that paid lip service to the needs of disadvantaged fisheries, especially artisanal fisheries in low-income countries (see Ponte 2012 for details). This has resulted in a peculiar configuration of the sustainable fish market. Half of the total global exports of fish originate from developing countries and yet the large majority of MSC-certified fish is captured in Northern industrial fisheries. This means that, while the market for fish in general has indeed become more global over the past three decades, the market for sustainable fish remains a Northern affair.

## **Governing sustainable palm oil networks**

### *Background*

The 'Roundtable on Sustainable Palm Oil' (RSPO) is the most important and visible sustainability network in the palm oil industry. It emerged because of increasing environmental concern about the impact of oil palm expansion on deforestation and biodiversity in Asia. Following campaigns by the WWF and Greenpeace (Wakker

2000), in 2002 WWF Switzerland and one of its consultants started to mobilize actors in the European palm oil industry with a view to creating a roundtable to discuss sustainability issues.

The initiative first began to take shape when around twenty people, all of whom were members of one or another European organization, attended an initial preparatory meeting in London in 2002.<sup>6</sup> At an early stage, Unilever made its participation in the initiative conditional on the involvement of large Asian (and Southern) producer organizations (Nikoloyuk et al. 2010). Thus, when the first proper 'roundtable' annual meeting took place in Kuala Lumpur in 2003, the influential Malaysian Palm Oil Association (MPOA) figured as a member of the organizing committee.

In 2004, the RSPO registered as a non-profit organization in Switzerland with a secretariat based in Kuala Lumpur. So far, it is the only voluntary third-party certification for sustainable palm oil recognized in the international market. Many Asian producers are RSPO members. At present, 12 per cent of global palm oil production is RSPO certified; 6 per cent of global production is traded as RSPO-certified.<sup>7</sup> Growth in the volume of certified palm oil in the trade has been slower than expected for a variety of reasons, but partly because important and growing markets in Pakistan, India and China are not interested in buying RSPO-certified palm oil for the time being. The number of participants at the RSPO's annual roundtables has increased from 200 in 2003 to 900 in 2011. The number of ordinary members (with a voting right in the General Assembly) has also increased from 55 in 2004 to 569 in 2011. The first palm oil companies gained certification in 2008. Currently, 29 companies (and 135 mills) are certified,<sup>8</sup> of which the large majority are Asian industrial groups.

Ordinary RSPO members are organized in seven categories<sup>9</sup> of stakeholders, each represented on the Executive Board (of 16 elected members) and in various working groups. The categories are growers, processors and traders, manufacturers of consumer goods, retailers, banks and investors, NGOs in environmental and nature conservation, and social or developmental NGOs. This structure has allowed heterogeneous groups of stakeholders to express their positions and interests in specific and specialized domains of expertise. One would have expected that so many diverse positions would have made it difficult to arrive at a common definition of 'sustainability'. Instead, NGOs and industry came to a quick consensus, leading to the adoption of the 'principles and criteria' of sustainable palm oil as early as 2005. Leading participants in the RSPO share a common belief in 'market and industrial' virtues (Boltanski and Thévenot 2006) that facilitate a 'business-environment' compromise. This is where growing market demand and profit are a 'natural given', where the intensification of large-scale oil palm monoculture goes hand in hand with the protection of forests, and where industry's support is seen as a vector for development and poverty reduction (Cheyns 2011; Schouten and Glasbergen 2011). This compromise, which consolidates existing industrial models of production, was agreed in the early preparatory meeting in 2002 and, through a 'consensual' and technical process, confirmed in 2005 without substantial changes.

*Expert knowledge, process management and the governance of the RSPO*

Concentration and convergence of expert knowledge and specific process management based on ‘expediency’, ‘pragmatism’ and technical rationality were two key factors in the quick development of the RSPO and in reaching a consensus on the content of sustainability. A small number of key actors involved in the initial stages in 2002/3 still occupy vital governance positions in the RSPO. Since the first General Assembly of 2004, one representative from Unilever and one from the WWF have led the Executive Board as president and vice-president respectively. The WWF and Proforest, a research and consulting firm, occupied key positions in the process that led to the establishment of the principles and criteria. Other key initial players (MPOA, Aarhus, Migros) maintained strategic positions as Executive Board members, in running the workshops or in the preparation of annual roundtables. The first draft of the principles and criteria, elaborated by Proforest in 2004, drew inspiration from the already existing guidelines that Unilever, Migros and Pacific Rim (Wilmar) developed.

‘Global’ rather than ‘local’ knowledge characterizes the expertise the RSPO valorizes (Cheyns 2011). For example, of the 17 environmental NGO members of the RSPO in 2012, only three are national or local NGOs located in the South. Practically everyone who occupies a seat on the Executive Board or in a working group, and who chairs or speaks at the plenary roundtable sessions is a representative of an international or Northern NGO, a bank, an international conglomerate or a large Asian or European industrial or trading group. The RSPO draws from individual competences in engineering, agronomy, biology and chemistry, coupled with professional experience in management and business, even among NGO representatives. This global expertise, based on hybrid competences that fall between managerial experience and the engineering sciences, is focused on ‘planning and strategic engagement’ (Thévenot 2006) and builds on a shared ‘managerial figure’ who valorizes the capacity to be mobile and ‘connectivist’ at a global scale (Boltanski and Chiapello 1999). Among NGO members, expert knowledge used at decisive moments is concentrated in the hands of four international and Northern NGOs that have limited knowledge of, and only indirect links with, local working and life conditions of smallholders and communities. The type of evidence accepted in debate is ‘industrial’ in nature in that it makes use of statistical data, graphs, histograms and macro-economic or macro-environmental variables. RSPO promotes operational, practical and rapid solutions and views academic research as too time-consuming for a business-to-business initiative (Djama et al. 2011). Finally, international NGOs and those familiar with the world of industry share a common language (based on technical jargon, indirect formulations and a high degree of caution) that facilitates interaction without open confrontation. The valorization of these forms of knowledge and procedure contributes to marginalize those in the social sciences or with local expertise that could bring socio-economic and local issues – such as migrant work, land conflicts and rights, and the living conditions of people affected by palm oil expansion – to the discussion table.

The use of technologies of debate that minimize controversies has been another important factor in the quick development of RSPO. The ‘principle, criteria and indicator’ method was used to facilitate a consensus-building process and to avoid major confrontations – leading to the depoliticization of the content of sustainability. Proforest played a major role in promoting a procedure based on holding technical and separate discussions among interest groups and diverting questions perceived as ‘too political’ or ‘controversial’, such as those pertaining to land rights, production models, or a common definition of sustainability (Cheyns 2011; Nikoloyuk et al. 2010; Schouten and Glasbergen 2011). ‘Open space technology’ and ‘world cafés’ were other specific tools used to debate in large assemblies (annual roundtables with about 600 to 900 participants) and illustrate the engagement that was expected from participants. Debates were organized in small groups operating in a ‘market place’ where different individual opinions and interests (such as individual preferences) could be listed in very short time frames and in forms that avoided the qualification of a common good (‘justifiable action’). Questions were technical, compartmentalized and specialized and the need for moral responsibility was relaxed to focus on the ‘here and now’.

#### *Distributional effects and inclusion/exclusion dynamics*

With 85 per cent of the global production of palm oil taking place in Malaysia and Indonesia, it is more important for an analysis of distributional effects to focus on the distinction between smallholders and large commercial farms than to concentrate on the geographical effects of its distribution. To address this issue, the RSPO has created new opportunities for local communities and smallholders to voice their concerns outside the realm of local government. Indirectly, it has also contributed to the emergence of hitherto unavailable forms of collective action, including setting up an independent union of palm oil smallholders in Indonesia. Yet, smallholders and local communities still find it difficult to get their voices across to the RSPO and its auditing process (see Silva Castaneda 2011, 2012). Many RSPO certificates delivered by auditors to grower companies have been formally contested by smallholders and local communities, who argued that land conflicts in their area were still unresolved. The RSPO has also been criticized for not being able to affect micro-processes in upstream and local production networks (McCarthy et al. 2012) and for failing to provide a stimulus for clear environmental benefits (Laurance et al. 2010).

Although smallholders supply 30 per cent of the global production of palm oil, they hold no key positions, are invariably absent from decisive moments in the RSPO process, and hardly ever get invitations to speak at the plenary sessions of the annual roundtables. The seat reserved for them on the Executive Board remained vacant for years before its allocation to a Malaysian governmental agency. They had no direct representation at the working group in charge of discussing RSPO principles and criteria. In fact, the call to be part of this working group came from initiator and co-opted networks and via a website. This liberal form of participation places the responsibility to participate on individuals rather than on the RSPO. In a context in which global expertise is promoted, the people who are locally involved in the

production of palm oil or who live in these areas have little influence in the RSPO; their expertise is seldom recognized because it is considered ‘too local’. The RSPO process led to the exclusion of anyone who sought to engage through his or her personal attachments (Cheyns 2011). Because ‘roundtable-speak’ promotes pluralized interaction without confrontation, the lived experiences and emotional statements of farmers, who embarrassed the other participants, were deemed out of place and not accorded any legitimacy. Conversely, smallholders who participated in the RSPO opposed the technical and strategic language used at the roundtable meetings and questioned the legitimacy of other participants who had no rooted attachments to production localities and who could not provide accounts based on their life histories.

Finally, by focusing on technical questions and negotiations, the RSPO process led to the exclusion of smallholders who wished to discuss principles of justice. Smallholders denounced the ‘industrial’ and ‘market’ compromise on sustainability that was framed by the NGO–industry coalition and the ‘neo-colonial’ system of contract farming. They requested a redefinition of sustainability that focused on ‘civic’ values (Boltanski and Thévenot 2006), such as independent farming and the equitable sharing of value. But these demands were brushed aside or not considered in the RSPO agenda. Leading participants disqualified smallholders by portraying them as ‘activists’ or as being ‘off topic’. However, being excluded from the standard setting process can have consequences in terms of market access. Smallholders are supposed to be able to conform to principles and criteria that are similar to those adopted for large-scale monoculture. If demand for certified palm oil were to increase, market access without penalty would depend on their capacity to adopt industrial production models, to enter into contracts with palm oil mills and to access the (selected) financial and technical assistance of companies, consulting firms, NGOs and donors.

## Conclusion

Sustainability networks have become important in shaping production, trade and consumption in the agro-food sector. They do so through setting and managing international voluntary standards, and often take the institutional shape of multi-stakeholder initiatives. Sustainability networks are not instruments of deregulation *tout court*; they are part of a proliferation of practices and institutional forms that facilitate acting ‘at a distance’ and, simultaneously, discipline subjects (people, organizations and states) and promote self-regulation. Such standards rely on the ‘voluntary enrolment’ of private and public actors, build on practices of consensus making and normally operate through self-reporting, inspection, certification and accreditation. Standard setters and managers base the rulemaking they promote on specific techniques, process management tactics and the mobilization of specific expert knowledge. The case studies examined in this article on capture fish and palm oil suggest that existing analyses of input, process and output legitimacy are insufficient for a nuanced understanding of the role of private authority in economic governance. The MSC and RSPO strove to meet contemporary (but always changing) standards of legitimacy, but to a different degree and with different historical trajectories: yet, they

also subtly managed to offer advantages to early movers, specific interests, epistemic communities and the more influential actors.

Enrolling expert groups has a profound effect on the framing of negotiations, compromises and consensus in depoliticized domains. Sometimes, the sectoral or issue-specific knowledge imbued in the legitimacy of expertise is enrolled; at other times, it is process-management skills, as well as specific standard-making and management abilities. Thus, in addition to overcoming important structural differences in endowments and access to resources, the ability of developing countries (and especially the small-scale actors within them) to shape standard setting and management to their advantage is also contingent on more subtle games. Examples of these would include promoting the enrolment of one expert group or kind of expert knowledge over another, using specific formats of negotiation, and legitimating specific ‘modes of engagement’ instead of others (Thévenot 2006). Smaller/artisanal actors and their organizations in developing countries should be wary of strategic tools such as quick deliberative procedures that place time pressure on stakeholders, narrow identification of stakeholder categories, the elimination or minimization of residual categories of stakeholders, the prioritization of pragmatic and short-term solutions, and heavily managed forms of participation and ‘voicing’.

These techniques, strategies and processes are occurring in an increasing number of realms in commodity production, trade and consumption, and are reaching deeper aspects of these realms. Powerful players often use them subtly to the detriment of weaker actors. These observations indicate that sustainability networks are far less inclusive, transparent and participatory than they purport to be. On the one hand, this may make the standards they promote more likely to succeed in terms of wider adoption by business. On the other hand, such processes do not bode well for the achievement of ‘sustainability’.

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## **Notes**

1. This is a merger and reformulation of definitions of standards in Henman and Dean (2010: 79) and Loconto and Busch (2010: 508).
2. In this article, we use the terms ‘high-income economies’ (as calculated in the World Bank Atlas Method) and the (global) ‘North’ interchangeably. By ‘low income countries’ we mean countries the World Bank classified as ‘low-income’ and ‘lower-middle-income’ economies. By ‘developing countries’ or the (global) ‘South’ we mean the whole group of

- 'low-income', 'lower-middle-income' and 'upper-middle-income' economies as calculated in the World Bank Atlas Method.
3. Following RSPO were the Roundtable on Responsible Soy (RTRS) in 2005, the Better Sugar Cane Initiative (Bonsucro-BSCI) and the Better Cotton Initiative (BCI) in 2006, and the Roundtable on Sustainable Biofuels (RSB) in 2008. In parallel with these, from 2005 onwards, WWF promoted a number of Aquaculture Dialogues, now formalized in the Aquaculture Stewardship Council (ASC).
  4. Given that the empirical case studies were conducted separately and had different original research objectives, we shall only apply the 'regimes of engagement' approach to the palm oil case study.
  5. The material presented here results from two ongoing research projects. We based the research on MSC, which took place from 2004 onwards, on secondary data and documentation, interviews with MSC officers in London and a fieldwork-based case study of MSC certification in the South African hake industry. Research on RSPO also started in 2004 and involved secondary data collection, participant observation of six of the nine annual meetings of the roundtable to date, interviews with participants of the roundtables and non-participant organizations, and fieldwork in Indonesia in 2008 and 2009, including interviews with smallholders and representatives of local communities.
  6. Among others, the meeting was attended by representatives of business (Unilever, Aarhus United, Migros, Safeway, Sainsbury's, Marks and Spencer), banks (Rabobank, ABN-Amro Bank, CDC), Proforest and WWF Switzerland.
  7. RSPO Market update, January 2012 ([www.rspo.org](http://www.rspo.org)).
  8. Ibid.
  9. RSPO statutes ([www.rspo.org](http://www.rspo.org)).

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