Civil Society Engagement in the Committee on World Food Security: Between Opportunities of Democratization, Risks of Co-Optation and Tendencies of Double Movements?

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The reformed Committee on World Food Security (CFS) has been hailed as the most inclusive international and intergovernmental platform for different stakeholders to deliberate on issues related to food security, agricultural development and nutrition. Many civil society organizations (CSOs) were enthusiastic about what they perceived to be an incredible chance to make their voice heard and to push for reforms of the global governance of food systems.

Five years after the 2009 reform, much of the initial enthusiasm has evaporated, as CSOs are disappointed with one of the most important documents approved by the CFS: the *Principles for Responsible Investment in Agriculture and Food Systems* (CFS-RAI). Although it has itself approved the RAI, the Civil Society Mechanism claimed that the document is “not useful” to support struggles on the ground. Food sovereignty, agro-ecology, and a more inclusive approach to trade regulation are some of the issues missing according to CSOs.

Their criticism is striking, as civil society organizations themselves, allied with some G77 governments, asked to have the RAI principles negotiated within the CFS and struggled for years to have the future CFS-RAI recognized as the only legitimate guidance instrument on agro-investment. Many of those who gave in to civil society demands did not understand – or sympathise with – negative civil society reactions to the final version of the RAI. For example, during the 41st session of the CFS in 2014, the Chair H.E. Gerda Verburg asked the...

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CFS Civil Society Mechanism (CSM) to remind itself of the fact that it had been part of the “collective wisdom” that led to the elaboration of the principles.

However, civil society organizations have also had several success stories to tell, in regard to the 2012 Voluntary Guidelines on the Responsible Governance of Tenure, the 2014 Principles for Responsible Investment in Agriculture and Food Systems, and, not least, their place in the global governance framework. Those that have been frequently highlighted by academia⁵ and practitioners⁶ include the demand for a more participatory negotiation and the successful struggle for a human rights based approach to food security and agricultural investment.

How can we make sense of the fact that civil society organizations have been able to constantly push forth parts of their agenda – democratization, human rights based approaches, empowerment of women and youth – whereas demands for paradigmatic change in production relations were rarely taken into account in final documents? This paper enquires into this apparent paradox and assesses how this deadlock is linked to risks and opportunities for CSOs in the CFS.

To explain this phenomenon, this study first analyses the governance structure of the CFS and discusses aspects of both democratization and structural imbalances of power, which empower or constrain civil society. Next, the abovementioned successes and challenges of CSOs in the CFS are recapitulated. Finally, these outcomes are interpreted with the help of three different frameworks: a liberal, a critical and a Polanyian approach. The study finds that both liberal and neo-Gramscian models, that explain outcomes by antagonism of interests and differences in power, have only partially satisfactory explanatory power. The Polanyian approach, claiming that outcomes depend on spontaneous societal reactions in which CSOs have “amplifying” or “deamplifying” functions as in regard to the use of different solutions, is therefore considered as an interesting approach.

I have used primary sources such as interviews, analyses of fieldwork within the CFS, as well as CSO publications, and draw on previous research for my Master’s Thesis. Furthermore, I have compared CSO positions in detail with outcomes of CFS negotiations on large-scale land acquisitions and food security. However, rather than focusing on smaller and specific points, I have attempted to interpret recurrent patterns. I acknowledge that “civil society” is not a

homogenous actor and that frictions may exist within the CFS itself. Nonetheless, many organizations share common objectives like trade or tenure regime reform.

1. The Reformed Committee on World Food Security: Between Democratization and Perpetuated Asymmetric Power Relations

The CFS was born out of a complex situation. The global food crisis had eroded faith in the Washington Consensus paradigm that free trade, deregulation and liberalization would eventually be sufficient to promote food security and growth in developing countries, which was illustrated by the World Bank’s World Development Report 2008. More than thirty governments decided to temporarily impose export bans on agricultural commodities.

Simultaneously, a new wave of large-scale land acquisitions risked to cause serious harm to local communities. In this special context, even journals reputed for being of “laissez-faire” orientation such as the Economist openly condemned “Outsourcing’s Third Wave”. More generally, the management of globalization came under fire as the financial crisis exploded, some announcing nothing less than the “demise” of neoliberalism. Calls were made by various stakeholders for new instruments and fora to deal with new challenges.

The Food and Agriculture Organization of the United Nations (FAO) would have been the natural candidate to deal with these matters. The organization was indeed amongst the first to warn of the consequences of soaring food prices. However, FAO faced external criticism at

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that time and had just received the recommendations of the external evaluation on its work\textsuperscript{13}, which asked for structural reforms. Furthermore, FAO risked seeing its competences reduced as the UN Secretary General created the High Level Task Force of Action to tackle the global food crisis in 2008.

Against this backdrop, FAO decided in 2008 to reform the Committee on Food Security (CFS), originally created in 1974 to deal with the first global post-war food crisis. This reform has generated important opportunities for civil society organizations, which will be discussed in the following sub-chapter. However, as will be analysed subsequently, it is important to bear in mind that the reformed CFS does not abolish imbalances of power.

\textit{a) An Exemplary Case of the Deliberate Democratization of Multilateral Organizations}

The reform of the CFS, decided at its 35\textsuperscript{th} session in 2009, created a new governance structure. This reform aimed to enhance multi-stakeholder deliberation via an innovative system of inclusive, or progressive, multilateralism in which more power is granted to non-governmental actors. The new governance architecture differentiates between three categories – “members” (governments member to the CFS), “participants” (private sector, civil society organizations, international organizations, and financial institutions), and “observers” (regional organizations, local CSOs which are not participants). Participants have the right to intervene at any stage in the deliberative process, whereas voting is reserved to members only\textsuperscript{14}. Civil society organizations are entitled to coordinate themselves within a Civil Society Mechanism (CSM) sponsored by FAO\textsuperscript{15}, which is a major departure from previous institutional arrangements\textsuperscript{16}.

Decision-making within the CFS was tacitly agreed to be based on consensus among all participants, which grants “participants” considerable leverage throughout the process. Although this practice is a distinct feature of the reformed CFS, it is worth mentioning that it is less revolutionary than it may seem at first sight: rather, it should be considered as an


institutionalization of good practice that had been experimented in the early 2000s, during the negotiation of the *FAO Voluntary Guidelines on the Progressive Realization of the Right to Food*\(^\text{17}\). Thus, this institutionalization itself should be considered as victory for civil society organizations, which had proven to be worthy, relevant and organized negotiators in the past.

Several scholars have highlighted the revolutionary nature of the CFS in regard to civil society inclusion, stressing the democratization of the global governance system of food and agriculture\(^\text{18}\). From an international relations perspective, the reform of the CFS is indeed nothing less than the direct implementation of projects aiming at the “deliberate democratization of multilateral organizations”\(^\text{19}\), which takes into account changes in the global political figuration. The process must be set in a larger context of the expansion of “supplementary democracy,” a practice which consists of “adding institutions and players […] that promote broader civic participation and accountability” to the existing governance architecture.\(^\text{20}\) Supplementary democracy itself is the result of a general dynamic change of political reality, corresponding to the inclusion of evermore non-state actors into governance structures, itself correlatively linked to the relative decline of state power\(^\text{21}\).

\(b\) The Limits of Democratization: Asymmetric Relative Power in a Complex Figuration

Although there should be no doubt that the reformed CFS represents a new stage of democratization of the global governance architecture, it is necessary to underline the institutionalized imbalances of power within the Committee. This point has received less attention in the public debate, but should not be underestimated. The two most important barriers for civil society organizations are the final decision-making process and the financing of the CFS.

The institutionalization of the participant-member divide represents, as outlined above, a progress from former governance frameworks for civil society. However, governments still retain the last word, as voting is reserved to “members” only. Even though decision-making may be formally based on “consensus”, the relative power of members in the complex

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\(^\text{17}\) Ibid.


“figuration”\(^{22}\) of the CFS gives the latter the “capacity to compel” participants to their will to a certain extent. Civil society organizations thus need strong allies among member states that can shift the balance of power in the figuration to their favour.

The European Union, highly active in the CFS\(^{23}\), may be such an ally. The EU has been crucial in determining the governance architecture of the CFS\(^{24}\), and many of its member States like France already have intensive contact with CSOs during the elaborative process of the national position on CFS documents. On the other hand, the need for alliances and compromise also requires civil society organizations to make concessions on other points that may be of great importance to advance paradigmatic change.

Both the external financing of the CFS, regional consultations on important documents, and the Civil Society Mechanism (CSM) itself should be considered as potentially weakening the autonomy of civil society organizations. For example, the regional consultations on the Voluntary Guidelines were mainly financed by European governments, without whom this inclusive process would not have been possible\(^{25}\). The CSM itself is financed by “participating governments” on a yearly basis\(^{26}\).

“Process legitimacy”\(^{27}\) is crucial for governments seeking to advance their objectives in a multilateral framework. However, one should bear in mind that there is no such thing as a “free meal”: governments which pay the high bill for regional consultation processes etc., expect in return that civil society behaves “constructively” and accepts the rules of the game. Civil society is aware of this risk of unbalanced interdependence\(^{28}\). However, it would need more autonomous financing, or long-term governmental sponsoring that States are not yet willing to grant, to overcome this situation of a highly “unequal equilibrium of power”\(^{29}\).


\(^{23}\) For example, out of 454 propositions made to amend the first draft of the Voluntary Guidelines on the Responsible Governance of Tenure, the EU accounts for 135 against 59 for the USA and 51 for the IPC, the civil society platform.


\(^{25}\) Germany, Finland and Spain were among the main financers. See von Bernstorff. 2012. Op.cit. France has been one of the main sponsors of the CFS High Level Panel of Experts.


\(^{28}\) This became especially clear in interviews conducted with CSO members supporting the work of the CFS.

2. Civil Society Engagement Within the CFS: An Inventory of Past Achievements

Given the risks and opportunities for civil society within the reformed CFS, it seems logical to assume that there have been both success stories and less pleasant outcomes for civil society organizations. So, what have civil society organizations achieved within the reformed Committee on World Food Security so far?

The increased volatility of primary commodity prices and the debate around large-scale land acquisitions have provided civil society organizations with a historic window of opportunity to initiate paradigmatic change and unite behind a common project. Transnational social movements had acquired strong coordinate capacities after ten years of networking and found a “common interpretation of reality” by framing irresponsible agricultural investment as “land grabbing”. According to a common CSO analysis, “land grabbing” is a consequence of Washington Consensus policies, causing dispossession, human rights violations, and food production for the rich at the expense of the poor. CSOs had become, once more, “norm entrepreneurs”, advocating for a halt on large-scale land deals, and asking for nothing less than to “democratize power and production” by means such as food and land sovereignty.

Out of the various demands of civil society organizations, it seems useful to assess the success of three different groups of demands that are particularly salient: a) the democratization of decision-making at global scale, b) the use of a human rights based approach and advocacy for land tenure systems protective of the vulnerable, c) paradigmatic change in the political economy, i.e. in regard to production relations. The claim of this chapter is that civil society organizations had some success in realizing a) and b), but had considerable difficulties in advancing their agenda in regard to c).

a) The Democratization of Decision-Making at Global Scale: A Success in Regard to Soft Law Initiatives

One of the main struggles of civil society organizations has been to establish themselves as unavoidable actors to be taken into account in the negotiation of soft law instruments. An illustrative example is their coordinated action against the Principles for Responsible Agricultural Investment that Protects Rights, Livelihoods and Resources (PRAI), that were elaborated jointly by the FAO, IFAD, UNCTAD and the World Bank in late 2009\(^\text{35}\). Some of the criticism must be clearly placed in a larger context of hostilities of civil society organizations against the World Bank\(^\text{36}\). CSOs would have also preferred an instrument anchored in human rights language and which addresses public investment. However, the most important grief against the PRAI was that civil society considered that it had not been sufficiently integrated into the elaborative process\(^\text{37}\).

Civil society lobbied for a renegotiation of the RAI Principles in the CFS, which many organizations perceived as a governance space where paradigmatic change could be promoted\(^\text{38}\). Once civil society had obtained what it wanted – new principles elaborated in the CFS and a chapter on agricultural investment in the Voluntary Guidelines under negotiation\(^\text{39}\) – they launched a coordinated attack to discredit the PRAI. By systematically referring to the different degrees of “process legitimacy”, civil society (rather successfully) attempted to delegitimize the PRAI\(^\text{40}\). Civil society had proven that their slogan “nothing about us without us” (in the forum of our choice)\(^\text{41}\) had become true – at least in regard to soft law instruments.


\(^{37}\) The agencies involved in the elaboration of the PRAI actually held several consultations with civil society participation in 2009 and 2010. Thus, to claim that CSOs had not been consulted does miss the point. Rather, civil society preferred to negotiate the principles in a forum in which they considered to have more power.


\(^{41}\) CSM. 2014. Civil Society at CFS. Contributions and Assessments of the Civil Society Mechanism (CSM) on the 41\(^{\text{st}}\) session of the UN Committee on World Food Security (CFS). CSM: Rome.
b) Problem-Solving Tools: Human Rights Language and Land Tenure Systems

Since the elaboration of the *Voluntary Guidelines on the Progressive Realization of the Right to Food in the Context of National Food Security*[^42^], civil society organizations and scholars close to rural movements have highlighted a permanent victory of CSOs, each time important guidelines and principles had been developed[^43^]. Achievements that have been regularly stressed are the inclusion of a human rights based approach, increased focus on gender equality and youth empowerment. Civil society has been eager to have references to human rights in voluntary guidelines as they consider that the former may give more teeth to the latter and help rural communities to back their claims[^44^]. Other important victories include the recognition of workers’ rights in the CFS-RAI.

On the other hand, civil society has also been able to push forth (parts) of its agenda in regard to land tenure systems. The notion of the “legitimate” tenure rights holder, one of the major innovations of the Voluntary Guidelines on the Responsible Governance of Tenure, can be considered as a milestone in promoting the protection of vulnerable people’s control of land as it goes beyond the standard of “legal tenure rights”. The clear condemnation of expropriations for private purpose is also a major departure from other guidelines[^45^]. The Voluntary Guidelines have also brought the issue of land reform back on the table of global governance[^46^], which had been one of the major struggles of civil society within and outside FAO[^47^]. Finally, CSOs have also been able to include a paragraph in the Voluntary Guidelines on the extraterritorial obligation of States that promote tenure investment abroad. Some countries like France have already applied this provision[^48^].


[^45^]: According to IFC Performance Standard 5 for example, forced evictions should be avoided, but may be permissible if there should be no feasible alternative.


As outlined above, civil society has been able to extend the democratization process of global governance and to include problem-solving tools in the work of the CFS. However, it is important to highlight that both the Voluntary Guidelines and the CFS-RAI fall short of many of those paradigmatic changes advocated by civil society organizations that would possibly transform power structures in the political economy. Major relevant issues in this regard are the voluntary nature of the existing guidelines and principles, radical decommodification of land as well as a total stop of large-scale land acquisitions, and a restructuring of the international trade regime.

The biggest long-term struggle is the establishment of a binding, international regime. Civil society has been rather critical of the PRAI not least because of its “voluntary” character⁴⁹. However, despite civil society demands, the Voluntary Guidelines and the CFS-RAI are voluntary and not legally binding, which has been highlighted by governments on several occasions⁵⁰.

Civil society has found a partially satisfactory answer to this challenge - the “fight over interpretation”⁵¹ - using “discourse as strategy resource”⁵² and trying to reshape reality. Scholars and practitioners sharing a common objective have thus claimed that despite their voluntary nature, the Guidelines may be considered as binding because of a) their being grounded in human rights conventions, and b) their huge stakeholder legitimacy⁵³. Following this interpretation, some stated that countries would be “obliged to apply the Voluntary Guidelines to their own situations once the ink was dry on the paper”⁵⁴. This strategy may bear some fruits in the future and may be legitimate as countries approved the guidelines and are thus morally bound to apply the principles. But it also risks a stalemate, if governments should resist this strategy by referring to the introductory sentence of the Guidelines: “These

Guidelines are voluntary. [...] They] should be interpreted and applied in accordance with national legal systems and their institutions.\(^{55}\).

Civil society also asked for principles that would deeply alter power relations and the status of land itself. Among the most important points that were put forth were:\(^{56}\) radical de-commodification of land, mandatory de-concentration of land ownership, a stop of large-scale land acquisitions (which many CSOs refer to as “land grabbing”) and a right to land. These principles have not been retained in the final version of the Voluntary Guidelines. Although redistributive land reforms are considered in the VGGT, the adjective used (“States may consider”) may possibly be stronger, and there is no priority about the nature of reform itself.\(^{57}\)

The last point that is of paramount importance for many civil society organizations is a revision of the international trade regime. Although the main forum for trade issues on a global scale is the World Trade Organization, some civil society organizations hoped to be able to impact on the global trade regime within the CFS. This has not been possible. For example, the final version of the CFS-RAI does not give any preference to food production for local markets versus global markets\(^{58}\), although earlier drafts expressed a preference for investment that increases food supply for local and national markets.\(^{59}\) This is less than civil society had expected, and arguably less than the provisions laid out in the PRAI.\(^{60}\) A representative of ROPPA (Network of Farmers' and Agricultural Producers' Organisations of West Africa) expressed his frustration during the 41\(^{st}\) Session of the CFS and wondered: “for some reason, we are not allowed to talk and seriously discuss about trade in the CFS.”


\(^{56}\) For example during the regional consultations for the Voluntary Guidelines. See: FAO. 2010. “FAO Voluntary Guidelines on Responsible Governance of Tenure of Land and Other Natural Resources: Regional Assessments”.

\(^{57}\) In FAO. 2012. Op.Cit., Chapter 15, market-based land reforms are mentioned alongside more classic redistributive reforms that civil society prefer.

\(^{58}\) CFS. 2014. *Principles for Responsible Investment in Agriculture and Food Systems*. Principle 1.1: “Responsible investment in agriculture and food systems contributes to food security and nutrition, particularly for the most vulnerable, at the household, local, national, regional, or global level...”


\(^{60}\) PRAI Principle 2 contains specific provisions on food production destined solely for export and addresses concerns that large-scale land transfers may reduce food supply at national levels. See : FAO, IFAD, World Bank and UNCTAD. 2010. Op.cit.
3. Three Hypotheses to Explain Mixed Results

As outlined in the previous chapter, civil society organizations have been able to consequently push forth some parts of their agenda in the CFS, while they have been blocked in regard to others. This chapter seeks to analyse this phenomenon and to find a valid interpretative model with sufficient explanatory power. Building on relevant International Relations and International Political Economy theories, it is possible to put forth three hypotheses. According to a first, liberal and positivist hypothesis, outcomes mainly depend on the right negotiation strategy and bargaining power of CSOs. While this theoretical framework acknowledges the importance of agency, a second, neo-Gramscian hypothesis, would suggest that outcomes depend mainly on structure, i.e. power and dominant forces in the global world order. As both hypotheses are found to be insufficient, a third hypothesis, using a Polanyian framework, will analyse outcomes as results of spontaneous societal reactions and “double movements”\(^{61}\), in which CSOs have “amplifying” or “deamplifying” functions as in regard to the use of different solutions.

a) A Positivist Approach: Bargaining and Negotiation Strategies as Explanation for Civil Society Achievements?

The most common and elaborate interpretation used so far to explain the successes and limits of civil society participation in the CFS is close to positivist political science models analysing negotiation strategies. According to this interpretation, bargaining processes, the capacity to build alliances and the participant-member divide explain most of the outcomes of the CFS\(^{62}\). For example, it is assumed that due to the consensual decision making process, every stakeholder needs to make concessions. Theories predict indeed that having the right bargaining strategy can have a tremendous impact on the outcome of a negotiation\(^{63}\).

This interpretation can be particularly useful to explain for example why it has not been possible to have a binding regulatory framework or guidelines “against land grabbing”, as demanded by CSOs. The agenda setting process is particularly relevant. For example, Thomas Schelling noted that the agenda setting itself, or – in this case – the setting of a “restrictive


agenda”, which prevents that certain issues may be raised during a negotiation, is “by no means neutral” to the outcome of the negotiation64.

Governments made use of this technique, by making clear that the process was not about developing “guidelines against land grabbing” or on revising WTO agreements. This, in turn, left civil society organizations and allied governments from the radical left with an either-take-it-or-leave-it offer, which hampered their capacity to propose solutions going beyond risk mitigation measures in regard to investment in land. The power to determine the agenda is thus a means to structure the debate to come.

Conversely, according to this interpretation, civil society has been able to push forth its agenda in regard to human rights, gender or youth empowerment, because it was able to find powerful allies such as the European Union, which was one of the most important partners of civil society in advocating for a human rights based approach in the Voluntary Guidelines on the Responsible Governance of Tenure65. A point that has been often overlooked is that due to the capacity of the EU to ally with both civil society organizations and powerful States such as the USA or Canada on different occasions66, it is the EU was able to have most of its strategic interests in the final outcomes. Conversely, this interpretative framework also explains the success of the strategy of a few governments to water down references to the principle of Free, Prior and Informed Consent for indigenous peoples has led to a softening of language in regard to this principle in both the Voluntary Guidelines and the RAI.

Although the analysis of bargaining strategy is a very useful exercise, this analytical framework cannot provide a satisfying answer as to why civil society was able to ally with powerful States in some cases whereas in others it was apparently not able to do so. There is a need to explore the nature of these cases and to explain political, societal and economic interests at stake. For example, the political scientist model has only limited explanatory capacity in assessing why civil society organizations have been able to continuously integrate the “right to food” in relevant guidelines and documents but failed to renegotiate the international trade regime or to integrate food sovereignty into guidelines and principles.

66 This may be explained by the fact that “EU common positions agreed through a process of internal coordination [have] already been softened and moderated by intra- EU bargaining”. Kissack, Robert. 2010. Pursuing Effective Multilateralism. Op.cit., p. 61.
Liberal-positivist political scientists may be tempted to resolve this puzzle by referring to “path dependence”, the capacity of norms to fit into existing international legal frameworks. Now it is true that the right to food is grounded on the Universal Declaration of Human Rights, Article 25 and on Article 11 of the International Covenant on Economic, Social and Cultural Rights 1966. However, “path dependence” is an unsatisfactory explanation, as “food sovereignty” might well be said to be grounded on the UN General Assembly Resolution 1803 on “Permanent sovereignty over natural resources.”

b) A Critical Approach: A Risk of “Co-Optation” into Hegemony?

If path dependence and negotiation strategies cannot totally explain the success of some norms over others in the CFS, what else may explain this phenomenon? Critical scholars have worked on the emergence of norms and sought to put them in a larger context of political and economic structures. For example, neo-Gramscian theories assume that world order consists of ideas, institutions and material capabilities that interact with each other. Economic power, institutions and ideas are intrinsically linked – if all are in harmony, these scholars refer to this situation as hegemony. According to neo-Gramscians, neoliberalism has lost its hegemonic appeal following the global economic crisis and is now in a “crisis of leadership.”

From this perspective, the CFS is an institution that either reflects hegemony, that is a “battleground of opposing social forces”, or that is anti-hegemonic. Powerful CSOs like Via Campesina, FIAN or ROPPA are self-proclaimed opponents to neoliberalism and may thus be classified as potentially anti-hegemonic. A Neo-Gramscian perspective would assess in how far norms promoted by the CFS reflect the anti-hegemonic agenda of these organizations.

As outlined above, civil society has considered a human rights based approach (including women’s and youth rights) as possible starting point for paradigmatic change in the global political economy. However, neo-Gramscians argue that human rights are compatible with

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72 See e.g. Via Campesina. 2013. *Land is Life! La Via Campesina and the Struggle for Land*. Notebook No. 5.
neoliberalism and can be used to sustain the latter. A human rights based approach, then, may well be hegemonic if it contributes to effective problem-solving within the neoliberal framework (e.g. large-scale land acquisitions may increase food production and thus contribute to realize the right to food), and does not necessarily alter production relations. Conversely, norms proposed by radical CSOs like food sovereignty, a revision of the “new constitutionalism” of the international trade regime, or a radical “decommodification of land” have the potential to alter production relations and have not made their way through the deliberative process.

From a neo-Gramscian perspective, the CFS, then, is a forum that may promote hegemony: a system in the interest of the dominant social forces that also furthers the interest of subordinate groups, without however altering production relations. The risk from a neo-Gramscian perspective is that civil society may be “co-opted”, legitimizing principles that it had previously rejected in return for a suitable problem-solving approach.

Some neo-Gramscians have claimed that civil society inclusion in international organizations prevents change via “trasformismo”, the co-optation of potentially hostile elites. However, rather than being the result of a deliberate strategy, co-optation may occur despite the good intentions of everybody working to include civil society: the FAO, the CSM sponsors and, not least, civil society itself. If co-optation is a risk, neo-Gramscians would link it to the idea that “institutions [always] reflect the power relations prevailing at their point of origin and tend, at least initially, to encourage collective images consistent with these power relations”, although they may eventually “take on their own life” at a later stage. To overcome this challenge, civil society organizations have to work for change from within the CFS and to find ways to reject a “consensual document”, if they cannot agree with it.

Although it may be appealing, the neo-Gramscian model has major weaknesses, the biggest one being its excessive focus on class antagonism that would determine pro- or anti-capitalist

75 This has been the case of Bill Paterson: “the leaders of the opposition are welcomed into IOs and given positions that ensure they will not be able to activate change […] The institution, however, has sufficient elasticity to ensure that it can accommodate these individuals without allowing them to change the ruling class’s policies and processes.” Read: Paterson, Bill. 2009. “Trasformismo at the World Trade Organization.” In Gramsci and Global Politics Hegemony and Resistance, edited by Mark McNally and J. J Schwarzmantel, 42–57. London; New York: Routledge. p.47
77 Ibid. p. 130
positions. In the case of civil society engagement within the CFS, CSOs represent a wide range of constituencies with potentially diverging interests (landless workers versus better-off smallholders for example). CSOs were yet able to find a rather accommodating compromise during internal negotiations that arguably neither marginalize the interests of the landless nor those of better-off producers. Furthermore, if the CFS reflected only “hegemony”, it would indeed be easy to explain why trade and food sovereignty have been indeed kept off the agenda. However, neo-Gramscian models can hardly explain why redistributive land reform, permissible ceilings of land ownership and land transaction have been discussed – principles on these issues have even been enshrined in the Voluntary Guidelines on the Governance of Tenure.

For neo-Gramscian scholars, these should be puzzling conclusions, as both cases represent limitations to the free movement of capital and goods. Therefore, the neo-Gramscian framework provides only partially satisfactory answers to our initial question and may not seize risks and opportunities for civil society in all their complexity. An interpretation capable of taking this paradox into account would have to depart from class interests and to focus on interests concerning society as such. The next paragraphs will thus analyse the studied phenomenon using a Polanyian approach, which departs from “class” needs to take into account the interests of society.

c) A Polanyian Explanation: Land as Fictitious Commodity, Civil Society as Amplificatory Force

Karl Polanyi’s double movement theory has had a strong appeal to many heterodox economists – not least Joseph Stiglitz. For Polanyi, land, labour and money, are “fictitious commodities”, strictly speaking they are not commodities at all, because they are either not produced (like land) or not for sale (like labour). Hence, they may not be totally subordinated to the market, if society is not to be destroyed. For Polanyi, “labour and land are no other than the human beings themselves of which every society consists and the natural surroundings in which it exists. To include them in the market mechanism means to subordinate the substance of society itself to the laws of the market”\textsuperscript{78}. Subordination of “fictitious commodities” to the laws of the market engenders, according to Polanyi, a social crisis which in turn leads to a spontaneous societal reaction – a “double movement” – that may take various forms, from revolutionary to reactionary nature. Note that for Polanyi, change cannot always be stopped,

\textsuperscript{78} Polanyi, Karl. 1944. \textit{The Great Transformation}. New York; Toronto: Farrar & Rinehart, Inc. p. 73
but society may find solutions to ensure that economic improvement is socially bearable and that change well directed\(^{79}\).

The reaction to the new wave of large-scale land acquisitions has indeed been global, spontaneous, and transcended “class” interests. For example, national reforms limiting foreign acquisitions of land\(^{80}\) following the rush for land have taken various forms and represented different “class” interests. On a global scale, four institutions with diverging interests and very different histories in regard to economic policies have joined forces to promote a set of principles that clearly state that existing land rights have to be protected and respected\(^{81}\). The World Bank changed its discourse on redistributive land reform in an important publication, claiming that various approaches to land reform (market-based, expropriation, etc.) may be valuable in different contexts\(^{82}\).

The Voluntary Guidelines on the Responsible Governance of Tenure, then, are the expression of a global “double movement” that reflects different spontaneous reactions to a societal problem – the introduction and ensuing deregulation of land markets. Large-scale land acquisitions have not been prohibited and change not been stopped, but rather directed in a more sustainable direction, which may fulfil societal needs. Food, too, has been considered a fictitious commodity\(^{83}\), and various spontaneous societal reactions to maintain food security at national scale are reflected in the Voluntary Guidelines on the Progressive Realization of the Right to Food. Following this interpretation, civil society organizations have participated in this spontaneous reaction and were able to impact on the crucial decision on how this double movement would take form on national and global levels.

Although civil society has so far not been able to impact on the trade regime within the CFS, a Polanyian analysis would suggest that this may be possible, should a double movement take

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\(^{79}\) Ibid. pp. 37-38

\(^{80}\) See for example the case of Argentina and Brazil in: Perrone, Nicolás Marcelo. 2013. “Restrictions to Foreign Acquisitions of Agricultural Land in Argentina and Brazil.” Globalizations 10 (1): 205–9. More recently, South Africa and Australia have announced to pass reforms that will limit the amount of land that could possibly be sold to foreign investors. It is too early to make an in-depth assessment of the different interests at stake, but it seems that they transcend class interests, too.


place on a global scale, for “laissez-faire” trade systems may engender societal crises as well. However, given the elaborate system of trade agreements on a global scale and falling food prices since mid-2013, societal appetite for protective measures was arguable lacking. Civil society calls for a reform of trade regimes, then, reflects class interests (those of Southern small-scale food producers for whom more protectionist measures may make sense) but less so societal interests as long as these regimes further the interest of society as a whole. Had the negotiations taken place earlier, when food prices rose and many countries of the global South introduced protectionist measures, the outcome may have been different and led to a promotion of a new form of embedded liberalism. Thus, the timing of the CFS-RAI negotiation agenda was not the most convenient one for the civil society organizations.

Civil society organizations therefore have the capacity to “amplify” or “de-amplify” the importance that is granted to different solutions that may slow down change that is deemed undesirable from a societal perspective, or give it another, more sustainable direction. Although different social strata may for example join forces to stop the commodification of land, they may have different reasons to do so, and have very different preferences as in regard to possible alternative solutions. Civil society’s awareness of its “amplificatory” role is crucial in determining its strategy, and in pushing forth its agenda. Following this interpretation, the human rights based approach, is a “progressive” alternative to other, possibly less desirable (nationalistic) solutions to societal problems.

Conclusion:

This paper has discussed the risks and opportunities of the reformed Committee on World Food Security for civil society organizations. It proves that the CFS is an exemplary case of deliberate democratization of multilateral institutions and a major departure from previous institutional arrangements. However, the CFS does not abolish asymmetric power relations between governmental and non-governmental actors, and civil society needs strong allies among the former to push forth its agenda. This dependence, combined with financial uncertainties, may leave CSOs vulnerable to external pressure.

86 In this context, it is relevant to recall that the PRAI addressed issues of food production for export and proposed some solutions. See: FAO, IFAD, World Bank, UNCTAD. 2010. Op.cit.
Five years after the first session of the reformed CFS, CSOs can claim major achievements. First and foremost, civil society organizations have been able to establish themselves as unavoidable actors in the elaborative process of norms at a global scale. Secondly, they have insisted with success that the CFS should be the only mechanism in which new norms on food security and tenure rights should be created. Thirdly, civil society has been able to include major references to existing human rights instruments in both the Voluntary Guidelines and the Principles for Responsible Investment in Agriculture and Food Systems. Fourthly, CSOs have obtained guidelines on tenure rights that protect legitimate rights holders. Finally, they could include references to existing standards in the guidelines and principles that protect the most vulnerable (especially youth and women) from abusive practices.

However, civil society also lost out in regard to many claims that were of paramount importance for many organizations, for example a binding regime, radical “decommodification” and de-concentration of land ownership, a revision of the international trade regime, agro-ecology and food sovereignty. Civil society organizations have been especially frustrated that human rights were not given priority over WTO trade agreements in the CFS-RAI. As there seems to be a stalemate in regard to both those issues where civil society is permanently able to win and to those issues where it is never able to win, this study has tested three hypotheses to determine the limits of opportunity for civil society organizations.

The study thus finds that civil society depends on powerful allies who defend their cause. In the case of human rights and minority empowerment, the European Union is such an ally that helps civil society in pushing forth its agenda, whereas more radical claims are only backed by a handful of left-wing governments. This in turn raises the question whether all outcomes of CFS negotiations have to fit within the paradigm of liberal capitalism, which would mean that civil society cannot go any further than it already has. This hypothesis has some explanatory power, but only in regard to trade-related issues, not in regard to land.

Therefore, a third hypothesis was tested building on the work of Karl Polanyi, assuming that land is a “fictitious commodity” and that societal interest would lead to a “double movement” if it should be totally commodified. This hypothesis provided rather satisfactory answers and suggests that CFS outcomes are determined by overall societal rather than class interests. This means that, given their status within the CFS, civil society can impact on the shape of the double movement by “amplifying” or “de-amplifying” the weight that is given to different alternatives on the table on how to resolve a given societal crisis, especially if it uses
“windows of opportunity” and respects the considerations of the first hypothesis – finding strong allies who defend its cause. For CSOs, adopting a Polanyian perspective may of course have something fatalistic. Nonetheless, the CFS should be considered of incredible value for them, not only for past and possible future achievement, but also as a space in which CSOs can coordinate and develop alternative solutions that may impact on future problem-solving initiatives within the Committee.

However, it is definitely too early to provide any definite assessment on how civil society has navigated through the different risks and opportunities provided by the CFS. So far, it seems that CSOs are in a learning process and continuously acquire more skills in correctly assessing opportunities (such as participation in the democratization of global governance), risks and challenges (defying the international trade regime and existing investment treaties in the CFS). The right timing in regard to structural and cyclical and structural changes in the political economy will be crucial. It is also important to follow the next sessions of the CFS very closely to analyse whether recent trends will worsen and eventually lead to a re-emancipation of civil society in regard to the CFS, or whether the integrative process can be pursued and deepened. The progressive insertion of civil society into international organization brings many challenges and opportunities for all stakeholders – and there is yet no definitive answer as to the question how civil society will make use of this new institution in the long term.

Annex: PRAI, CFS-RAI and the Voluntary Guidelines – A Quick Overview

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<td>Regulate large-scale land acquisitions. Developed by FAO, IFAD, UNCTAD and the World Bank. Several consultations held until 2010, when it was decided that the CFS should develop new principles.</td>
<td>Promote equitable tenure systems that protect the poor and promote food security. Developed in the CFS.</td>
<td>Promote responsible agricultural investment, with a special focus on smallholder-sensitive business models and empowerment of women and youth. Developed in the CFS.</td>
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<td>Section</td>
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<td><strong>Food security</strong></td>
<td>Equal food supply should be ensured and no large-scale land acquisition should jeopardize national or local food security (Principle 2)</td>
<td>Refer to the Voluntary Guidelines on the Progressive Realization of the Right to Food</td>
<td>Investment in agriculture should contribute to food security. No preference for production for local, national or global markets.</td>
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<td><strong>Tenure Rights and transfer of tenure rights.</strong></td>
<td>All existing tenure rights are to be respected for large-scale land acquisitions, expropriation only for public purpose (Principle 1)</td>
<td>Same as PRAI, but introduces the notion of the “legitimate tenure rights” holder, which grants more security for marginalized communities and secondary rights holders (see especially 3.A and 11.5). Ch. 12 deals with FDI in land, suggests that States have more regulatory mechanisms regarding land transactions.</td>
<td>Refers to the VGGT in Art. 5. Therefore, the provisions of the VGGT also apply to the CFS-RAI.</td>
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<td><strong>Human Rights</strong></td>
<td>Refer to human rights (“responsible investors respect human rights”) in principle 5.</td>
<td>Major references to human rights throughout the guidelines, i.e. Ch. 3</td>
<td>Major references to human rights, e.g. indigenous peoples’ right to FPIC in Ch. 9</td>
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<td><strong>Worker’s rights</strong></td>
<td>Principle 5: Investors should respect ILO Fundamental Declaration</td>
<td>Not the centre of the VGGT, as the focus is on tenure systems</td>
<td>Major references to worker’s rights, including youth and women’s labour rights.</td>
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<td><strong>Trade</strong></td>
<td>Principle 2 (food security): governments can regulate export of food, e.g. by call options.</td>
<td>No specific provisions, but references to Voluntary Guidelines on the Right to Food.</td>
<td>No specific provisions, but States should respect existing WTO obligations.</td>
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<td><strong>Redistributive land reform</strong></td>
<td>Not of concern</td>
<td>Yes, different types of redistributive land reforms.</td>
<td>Not of concern.</td>
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