

# Managerial rationality and power reconfiguration in the multi-stakeholder initiatives for agricultural commodities: the case of the Roundtable for Sustainable Palm Oil (RSPO)<sup>1</sup>.

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## Introduction

According to several observers, the emergence and proliferation of certification devices aimed at establishing social and environmental good practices in a given sector of activity represent one of the main institutional and political innovations of recent years (Cashore, Auld and Newsome, 2004). There is very little doubt that these initiatives, for the most implemented in the name of sustainable development, represent an essential component of its political dimension.

In certain respects, they may appear as a form of privatisation of public policies (Graz and Nölke, 2007; Fouilleux, 2009) insofar as they essentially rely on non-state actors (firms and NGOs) which cooperate to produce rules and establish mechanisms to control their application. From this standpoint, their development marks a break with the methods of producing norms which, throughout “the long twentieth century” (Arrighi, 1994, Daviron, 2008), were the prerogative of the public authorities.

At the heart of these new forms of transnational authority we observe what certain authors have referred to as the “NGO-Industry Complex” (Gereffi, Garcia-Johnson, Sasser, 2001). While this new coupling illustrates the increasingly important role of non-state actors in global policy, the relationship between the latter and the public authorities is nevertheless more complex than the traditional *doxa* concerning the withdrawal of the state might lead us to believe. In large part, the transfer of normative competences to the private sector was encouraged and organised by the states themselves – within the framework of liberalisation policies –, by international organisations (see in particular the role played by the OECD in disseminating private standards) or by communities of states (such as the European Union). Moreover, the European Union has made the exportation of these normative mechanisms one of the vectors of expanding its international influence (Laidi, 2008). Even more explicitly, however, it is the United Nations, through the initiatives<sup>2</sup> launched by the former Secretary

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<sup>2</sup> The first example is the launch in 1999 of the “*Global Compact*” through which Kofi Annan urged the international business sectors to “reconcile market powers with the authority of universal ideals”. The *Global Compact* listed a series of principles covering the fields of human rights, social rights and the environment and acting as guidelines for the development of responsible economic practices. In 2002, at the World Summit on Sustainable Development in Johannesburg, the United Nations launched the “*type-2 partnerships*” to institutionalise collaboration between non-state operators for the implementation of a form of private governance of the environment.

General Kofi Annan, which has contributed to the international legitimisation of the “NGO-Industry Complex” as a vector of the international socialization of sustainable development.

The certification devices introduced in the name of sustainable development in such sectors of activity as the agri-food, forestry, textiles and mining industries etc. present some common characteristics in addition to the simple fact of being designed within the framework of a partnership between firms and NGOs.

First, these initiatives give rise to methods of governance aimed at encouraging the involvement of parties beyond the economic operators in the value chain. An important part of their operations involves developing and refining the procedures of participation, dialogue and deliberation, thus making the procedural dimension one of their major characteristics.

Second, they are built around a political rationality geared towards solving a specific problem which initially confronts the parties directly concerned. The procedure governing the construction of the partnership therefore involves both the exploration of the means of solving the problem and the consensual establishment of rules. This “pragmatic” approach to problem-solving and the desire for consensus are central to the political rationality of these initiatives which we will re-examine later in this article. It should nevertheless be noted that this approach gives rise to a fragmentation of the means of solving problems (and thus the proliferation of certification initiatives) whereas the problems are often the same (solving the environmental and social problems linked to the expansion of predatory agricultural, mining or industrial activities). For example, instead of envisaging a common standard governing agro-industrial activities, we witness a proliferation of standards applying to agricultural products (coffee, tea, bananas, sugar cane, soy, palm oil etc.) despite the fact that some of the actors in the value chains (in particular the agri-food industries, the distributors, the banks which finance these activities) and the international NGOs involved are often the same.

Third, in addition to solving the problems for which they are designed, these certification initiatives also attempt to become institutionalised and to impose themselves as regulatory instruments. To this end, they endeavour to enrol as many actors from the industries as possible (in particular producers). It is then possible to mobilise the parties directly concerned by means of mechanisms for defining principles and criteria (governing the methods of responsible production) founded on learning, the gradual adoption of standards and adaptation to the national contexts as a transition phase to the full and comprehensive application of generic standards. A final common characteristic of these initiatives is that they are founded on the authority of the “markets” as the final arbiter of “good practices” (Cashore, 2002). The need to distinguish virtuous firms from the others explains the important role accorded to the procedures of traceability, control and certification. The credibility of the certification also relies on the fact that it is produced by an independent third party acting as an agent of trust for the end consumer.

In light of these characteristics, the certification initiatives are designated as private instruments of transnational governance<sup>3</sup>. To document the conditions of their emergence and their current proliferation, recent studies have looked beyond the simplistic functionalist explanation, which sees these private initiatives as an institutional response born of the need for regulation in a context of the globalisation of economic activities and the inability of states to rise to the challenge.

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<sup>3</sup> The designations vary depending on the modulation that authors wish to give the study of these initiatives: “non-state market driven governance systems” (Bernstein and Cashore, 2007); “transnational private governance” (Graz and Nölke, 2007); “transnational rule making organization” (Dingwerth and Pattberg, 2009).

A first group of works emphasises the impetus provided by multinational companies which develop proactive strategies with a view to avoiding or neutralising the contestation of the social movements (Braithwaite and Drahos, 2000, Haufler, 2003) or to transforming the symbolic capital of reputation into a competitive advantage (Potoski and Prakash, 2005; Funchs and Vogelmann, 2007). In light of this approach focusing on institutional emergence as a means of solving market problems, another perspective tends to emphasise the weight of political dynamics in devising these private instruments of regulation (Bartley, 2007). In the field of social sciences<sup>4</sup>, these approaches echo the works of Karl Polanyi (1983) on the social and political embeddedness of the market and their reworking by the American proponents of the “New Economic Sociology” (Granovetter, 1985; Fligstein, 1996). The works resulting from this approach emphasise the increasing role and political clout of the social movements which tend to adopt the structure of an international civil society. Their capacity for organisation and mobilisation (in particular through the development of communication networks) and their slow development from a role of contestation, enabled them to accompany the mutation of certain non-governmental organisations into genuine political entrepreneurs (Keck and Sikkink, 1998; Fiorini, 2000). To a certain extent, by incorporating moral, social justice and environmental concerns, the NGOs contribute to a political embeddedness of the market.

Without calling into question the principle of a social and political setting of the market, we nevertheless feel that this approach aimed at opposing the attitudes of non-state actors and defining the certification initiatives as figures of compromise between antagonist world visions, is founded on the assumption of an insurmountable divide between firms and NGOs. However, in the push towards the “professionalization” of numerous international NGOs, certain aspects are singularly overlooked, in particular concerning the adoption of managerial and accounting practices which are equally as good as those of the firms and the development of recruitment profiles from the same schools making the interchangeability of the careers of militants and corporate executives or even top civil servants in ministerial cabinets possible (Dezalay and Garth 2005). One of the main consequences for our analysis is that, more often than we might like to believe, the representatives of multinational companies and international NGOs share a common repertoire facilitating dialogue. Some of these NGOs – in particular those which are most engaged in promoting certification initiatives as the main instrument for disseminating the principles of sustainable development – therefore share the corporate belief in the self-regulating capacity of the market.

Distancing itself somewhat from these approaches, the aim of this text is to suggest focal points for the analysis of how, in the name of sustainable development, the partnerships between international NGOs and multinational firms govern the international circulation of political rationalities and specific technologies of government. Our hypothesis is that these political rationalities are based on a managerial repertoire.

### **Managerialism as a technology of government**

The term “managerialism” has emerged in recent years to designate this collection of knowledge and practices initially intended for corporate management and systematically aiming to increase the efficiency of collective action irrespective of the object or the entity concerned (Townley 2002). The main characteristic of managerialism is therefore a set of

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<sup>4</sup> For the analyses of the political dimensions of the emergence of the certification initiatives based on a disciplinary referential in the field of international political economics, I refer to the comprehensive introduction to the work coordinated by Graz and Nölke (2007).

techniques which, when implemented, are supposed to be universal in nature and can be adopted by any organisation.

In a managerialised organisation, the management itself becomes the central objective, the most important question. Instrumental rationality becomes necessary. The organisation has clear goals distinct from the means which will be selected according to their efficiency. On this basis, regular evaluations will allow the action to be improved constantly. Furthermore, the managerialised organisation views itself and others as actors endowed with *agency*. As Aghamanoukjan et al (2007: 6) underlined, “*In fact, instrumental and agency are two sides of the same coin: active, autonomous and responsible agents only become imaginable in a rationalized world, where the agency that was originally located in transcendental authority or natural forces becomes relocated in modern actors*”.

One of the major events of the past twenty five years lies in the extension of the scopes of application of corporate management. As a result, we have witnessed a migration of its constituent rationalities and practices towards the public sector, the non-profit sector and international NGOs. The British “New Public Management” and its famous slogan “Economy, Efficiency, Effectiveness” is a striking illustration of this dissemination of managerialism (Ferlie 1996; Pollitt and Bouackaert, 2004; Le Gales and Scott 2008). New Public Management is located far beyond recurrent state reform projects: it takes it as axiomatic that the technologies of private corporate management are the most efficient solutions to the problems raised by administrative management (Dardot and Laval, 2009).

As illustrated by Boltanski and Chiapello (1999), this dissemination of a managerial model prioritising the autonomy, initiative and responsibility of individuals with a view to improving individual and collective performances results from a dual transformation: on the one hand that of capitalism itself, as characterised by the decline of the hierarchical models of Fordist organisation to be replaced by new forms of networked labour organisation; and on the other hand that of the management techniques which evolve and re-appropriate the repertoire of intellectual and social criticism from the prior organisation of labour, considered to be somewhat alienating. These ideological changes in management help us to understand its dissemination, in particular within organisations founded on philosophies of action and cultures hostile towards hierarchy. They contribute to documenting the conditions which may have facilitated the connections between the corporate world and the NGOs.

Nevertheless, the main limitation of the analyses of Boltanski and Chiapello is that they emphasise the ideological changes in management to the detriment of an analysis of the specific effects of the instruments implemented.

At this level, the works of Michel Foucault on *governmentality* and *technologies of power* remain among the most interesting.

As we know, the notion of governmentality highlights in particular a radical transformation in the forms of exercising power which is reflected in the relations between the forms of knowledge, the balance of power and the processes of subjectivisation (Foucault, 2001; 2004a). Foucault illustrates how political rationalities emerging from the second half of the 18<sup>th</sup> century were founded on systems of knowledge and government measures which subsequently applied to the notion of “population”, described as a set of resources and needs. Through this notion of governmentality, he then analysed the rise of liberalism and neo-liberalism as methods of government situated beyond the “Reason of State” which had prevailed until then, founded on knowledge and techniques aimed at limiting the

governmental action and adjusting it to the “natural” market mechanisms (Foucault, 2004 b). This development was accompanied by new disciplinary conceptions which would replace the traditional forms of authority based on hierarchical command, by techniques of orienting individuals, thereby enabling their conduct to be governed at a distance (Miller & Rose, 1990; Lascoumes, 2004).

In this paper, it is most particularly his approach to the problems of power and his concept of “technology of power” which command our attention. Foucault rejects an essentialist, legal or negative concept of power. In his opinion, these new types of power *“in no way have the primordial function of prohibiting, preventing or saying “you must not”. The original, essential and permanent function of these powers (...) is, in reality, to produce efficiency and aptitude among the producers of a product”* (2001: 1006). Consequently, these *“mechanisms of power must be considered as techniques, i.e. as procedures which have been invented and perfected and are constantly evolving. There is a genuine technology of power or, even better, of powers which have their own history”* (2001: 1008).

Managerialism understood in this perspective is a technology of power which aims to manage conduct, and its dissemination in the sphere of public administration is simply an avatar of the broader process of “governmentalising the state” demonstrated by Foucault (2004 a: 112). We also purposely adopt the notion of “device” (in French “dispositif”) to designate the institution which we will analyse in this article. As G. Agamben (2007: 28) recalls with reference to Foucault’s usages, the notion of device refers to *“a set of practices, knowledge, measures and institutions” the aim of which is to manage, govern, control and guide – in what claims to be a useful sense – the behaviour, acts and thoughts of people”*.

Among the technologies of government disseminated by new management, auditing procedures play a particular role and have been the subject of numerous works continuing the now famous study of M. Power (1997). The audit has become the archetype of an instrument conveying an implicit theorisation of the world imposing on all sectors the management rationalities of the field of accounting within which it was conceived (Strathern, 2000). In a previous document, we extended these analyses to present a study of the first audits conducted in the production units applying for RSPO certification (Djama & Verwilghen, 2009). At the same time, we provide an analysis of the managerial techniques implemented to accompany the definition of the RSPO standard and to organise the interactions between the stakeholders participating in the process<sup>5</sup>.

We will attempt to demonstrate that these managerial techniques aim not so much to facilitate debate as to neutralise controversies.

## **Institutionalising palm oil certification**

In 2001, the Swiss office of the WWF (formerly the World Wildlife Fund, now the World Wide Fund for Nature) commissioned a consultant to identify opportunities for developing partnerships with industrialists with a view to implementing sustainable criteria in the production of palm oil. This consultant, a former professor of management in a Dutch university, left higher education to create a consultancy firm specialising in the construction of partnerships for sustainable development bringing together NGOs and firms, in particular in the agri-food sector.

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<sup>5</sup> For a rather similar approach of managerialism in multi-stakeholder initiatives, see also Cheyns (2009).

The palm oil production chain has for a number of years been called into question by non-governmental organisations which criticise its negative externalities, primarily its expansion to the detriment of the primary forests of South-East Asia, the erosion of biodiversity, the threats to endangered species such as orang-utans, whose habitats have been destroyed, and the expropriation by plantation firms of communities living on land coveted by these companies.

The vast majority of palm oil (more than 80% of production) is produced by two countries in South-East Asia: Indonesia and Malaysia. Palm oil is a strategic raw material in the agri-food industry. It is estimated that almost half of all processed food products contain palm oil. Thanks to its yield per hectare and its inherent properties which facilitate its transformation or its incorporation in various food solutions, it has become the most widely produced vegetable oil in the world, accounting for 30% of the edible oil market. The European market represents approximately 16% of consumption compared to about 55% on the Asian markets. Moreover, the applications of palm oil go beyond the food industry as it is also used in cosmetics, while a new opportunity is developing in relation to the production of biofuels. Due to the rise in world food demand, the growth of solvent markets (in particular in Asia and Eastern Europe) and potential opportunities in the biofuel sector, all the actors in the value chain forecast strong growth in production (about twice the current production by 2020 according to estimations), implying increased pressure on resources and the environment. The WWF initiative was founded on this diagnostic of probable growth in world palm oil demand in an attempt, together with other actors in the value chain, to identify the means of limiting the environmental and social impacts.

Following the request from the WWF, the consultant organised an initial meeting in London in 2002, during which the representatives of the downstream industries (distributors, processors and users of palm oil), private and European development banks, consultancy firms specialising in the environment and the WWF (the only conservationist NGO present) sketched the outlines of a collaboration aimed at promoting sustainable development in this sector.

Examined in detail, this initial contact meeting defined the guiding principles of the future “initiative on sustainable palm oil”: promoting “practical”, “viable” and “controllable” sustainability criteria and expressing a “pragmatic” solution based on commercial imperatives. These standards had to be developed through an approach involving all the stakeholders and designed to encourage a common understanding of the sustainability criteria among them. The principle of organising a multi-stakeholder roundtable to define a sustainable production standard for palm oil was adopted.

A first concern was nevertheless voiced at this inaugural meeting: the meeting only included the European components of the industry (distribution and consumer industries) together with the banks, while no representative of the producers was present. The participants felt it important to bridge this gap between the producers and the other players in the chain which also reflected a geographical North-South divide, giving the impression that the initiative was governed by European interests.

In subsequent weeks, contact was made with the Malaysian Palm Oil Association (MPOA) which represented the main Malaysian palm oil-producing conglomerates, which are the world leaders in production. While the initiative undertaken by the WWF and the European industrialists was a private sector affair with a “business to business” rationale, the close and paradoxical ties maintained by the Malaysian conglomerates with the public authorities without doubt played a key role in the development of the RSPO. The rise of the palm oil

industry in Malaysia during the 1970s and the 1980s was indeed inextricably linked to the policy of economic nationalism at the heart of the “New Economic Policy” programme (NEP) which accompanied the industrial modernisation of the country. During this period, the Malaysian state bought up and merged most of the foreign plantation firms established in the country, before organising their gradual transfer to a Malaysian economic elite (Jomo & al. 2004; Gustafsson, 2007). While some of the conglomerates have since been privatised, the largest companies are still controlled by public capital and the links of patronage which remain between the political and industrial spheres in this strategic economic sector (Gomez, 2002) give an idea of the role of Malaysian public authorities in an initiative which does not explicitly include the states. It would seem certain that the Malaysian authorities gave political support to the RSPO initiative.

Despite the reluctance of certain factions hostile to the idea of dialogue with the NGOs, the representatives of the MPOA bought into the initiative. Their motivation can be traced to the competitive rationales governing the vegetable oil sector. During the 1980s, Malaysian palm oil producers had had to develop advocacy, defence and lobbying procedures in an industrial and commercial conflict pitting them against American (USA) soy industrialists. This conflict was reflected in particular by an American anti-palm oil campaign founded on health and danger considerations concerning palm oils. At a time when palm oil production was experiencing great difficulty in establishing itself on the world vegetable oils markets, the risk of a new boycott incited by the campaigns of environmental NGOs had to be neutralised. For some, the introduction of a standard certifying the sustainable production of palm oil even seemed to provide a competitive advantage over soy production which was stigmatised by the NGOs due to the expansion of crops based on genetically modified seeds<sup>6</sup>.

The mobilisation of the MPOA facilitated the enrolment of Indonesian professional organisations (in particular the GAPKI, the Indonesian equivalent of MPOA) and representatives of the planters in South-East Asia and other production regions.

At the beginning of 2003, the organising committee of the first RSPO was created comprising the WWF, the European industrialists from the first meeting and the MPOA. The Dutch consultant initially mandated by the WWF was entrusted with the role of facilitating the meeting while the consultancy firm Proforest, specialising in sustainable resource management and also present at the inaugural meeting in London in 2002, was appointed as the expert to present the main elements of the criteria to be taken into consideration for sustainable palm oil production and to chair the technical discussions.

In August 2003, less than two years after the WWF initiative, the first Roundtable for Sustainable Palm Oil (RSPO) was organised in Kuala Lumpur, Malaysia. For the first time, this roundtable brought together the stakeholders<sup>7</sup> in an attempt to qualify sustainable palm oil.

This first roundtable resulted in a reiteration of the objectives of the roundtable, approved by all the parties concerned:

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<sup>6</sup> Interview MRC (former manager of MPOA) Kuala Lumpur, 13<sup>th</sup> August 2009.

<sup>7</sup> We nevertheless note the absence of Malaysian NGOs (with the exception of WWF Malaysia) in the process. Unlike the *Reformasi* implemented in post-Suharto Indonesia which facilitated the development of social movements, the birth of the Malaysian social movement was severely restricted by the omnipotence of an authoritarian state and was placed under the threat of exclusion laws, a throw-back to the years of anti-communist counter-insurrectionary fighting in the 1950s.

*“The goal is to promote the growth and use of sustainably produced palm oil through co-operation within the palm oil chain and open dialogue with its stakeholders. This is a platform for pragmatic co-operation to contribute to the expansion of sustainably produced palm oil”.*

Forty participants agreed to a joint declaration to implement and promote a sustainable standard for the production of palm oil.

At the start of 2004, the RSPO adopted the status of an association in Swiss law with its head office in Zurich, a secretariat in Malaysia and a liaison office in Indonesia. A governance mechanism was established, coordinated by an Executive Board comprising 16 member elected for two years and representing the stakeholders.

<b>Sector</b>	<b>Number of seats</b>
Oil palm growers	4 <sup>8</sup>
Palm oil processors and/or traders	2
Consumer goods manufacturers	2
Retailers	2
Banks / investors	2
Environmental / nature conservation NGO's	2
Social / development NGOs	2

The Executive Board examines the dossiers, implements the orientations decided in the plenary meetings, organises the working groups and manages the finances. The orientations of the programme are adopted in the plenary meetings during an annual general assembly to which all members are invited. These members have the opportunity – prior to the general meeting – to submit a motion on which a vote will be held.

Since the first roundtable in 2003 (RT1), six annual roundtables and five general meetings have been organised to date.

RT2 in 2004 launched the process of defining the principles and criteria; RT3 in 2005 adopted the principles and criteria and implemented a two-year pilot phase for their empirical validation following tests with volunteer firms; RT4 and 5 (2006 and 2007) implemented the procedures for the control and audit of the principles and criteria by a third party and undertook discussions both on how to take account of smallholders and on the adaptation of the generic principles and criteria to the national contexts; RT 6 (2008) validated the sustainable palm oil certification mechanisms. To date, 11 RSPO certificates have been issued to companies.

In this light, the RSPO initiative would appear to be a success story or an example of the institutionalisation of a certification mechanism, as described by Bernstein and Cashore (2007). In the space of a few years, the RSPO has succeeded in instituting a complete regulation cycle, from the establishment of the rules to the definition of the control and traceability procedures for the products certified.

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<sup>8</sup> The college of producers is divided into four components: a seat for the Malaysian planters, a seat for the Indonesian planters, a seat for the planters from the “rest of the world” and a seat for the representatives of the smallholders.



At the same time, membership of the RSPO continues to grow – the sign of increasing success, in particular with the planters and industrialists. Finally, the RSPO still faces no competition from an alternative standard.

This rapid institutionalisation of the RSPO can be explained by a combination of factors, including the type of organisation of the value chain – in particular the relatively limited number of industrial operators and the geographical concentration of the production zones, the high level of guidance given to the planters in the professional organisations and the considerable economic and political weight of the conglomerates which dominate the sector etc.

In the following pages, we will focus on another dimension which helps to explain the changes experienced by the RSPO, resulting both from the guidance provided by a small consortium of industrialists, NGOs and technical experts and from the emphasis placed on managerial rationality which prioritises the dissemination of a common vision of sustainable development, in an attempt to identify consensual points while neutralising disputes.

## **Managerial rationalities in establishing the standard**

Roughly speaking, the multi-stakeholder initiatives present themselves as forums for negotiation bringing together individuals and groups of operators defending a number of different – or even opposing – interests, but demonstrating a common will to solve a problem. Their legitimacy lies on a dual internal and external remit (Bäckstrand, 2006): internal insofar as they are based on procedures aimed at guaranteeing a strong representation of the parties concerned, transparency of discussion and forms of accountability; and external in that they effectively contribute to solving the problem for which they were created. A positive vision of these initiatives highlights the role of dispute or the confrontation of points of view in exploring a complex phenomenon and as a decision-making aid (Callon, Lascoumes & Barthes, 2001).

While the RSPO enjoys a growing membership of stakeholders (including NGOs), the analysis of the process also highlights other aspects, in particular the dominant role of a small consortium of NGOs, firms and consultants in formatting the debates, imposing a vision and governing the process, despite the rhetoric supporting inclusion and participation.

### **Producing meaning**

The principles and criteria which represent the architecture of the RSPO standard were not established *ex-nihilo* or within the framework of the “Criteria Working Group” (CWG) which was created in the wake of the first roundtable. The process called on the experiences and expertise capitalised on by a small group of operators who initiated the process.

As early as 1998, the firm Unilever defined indicators of sustainable palm oil production which it would test through pilot projects on its plantations or through a number of its suppliers. At the same time, it informed the actors in the value chain of its approaches, in particular the MPOA in Malaysia. This dialogue between Unilever and MPOA on the indicators of sustainability would facilitate the inclusion of the latter in the organisation of the first roundtable in 2003.

Elsewhere, at the start of new millennium, the Swiss retailer Migros also developed a programme for defining the criteria for the sustainability of palm oil which it intended to

impose on its suppliers. In order to implement this programme and give it legitimacy, Migros armed itself with the expertise of the WWF – to establish the criteria – and of ProForest – to monitor the implementation and inspect the suppliers.

The criteria defined by the WWF and ProForest on behalf of Migros were based on the experiences that these two organisations had gained from the “Forest Stewardship Council”, the pioneer of forestry certification, adapting them to the technical operating conditions of the palm oil plantations. The Migros standard established the basic principles which would be adopted by the RSPO (transparency, compliance with the laws, agricultural good practices, environmental and social criteria). It also defined an action plan based on generic criteria to formulate mechanisms for adapting to the local contexts and encourage learning to help accompany the measures ensuring the respect of the standards on the part of suppliers which did not comply with the criteria.

During the inaugural meeting held in London in September 2002, Unilever, Migros, the WWF and ProForest shared feedback from their respective programmes with the other participants. Because it had enjoyed the technical expertise of the WWF and ProForest, the standard developed by Migros commanded considerable attention, in particular because its criteria took account of the thorny problem of forests conversion.

The feedback from the Migros standard led the participants to anticipate and rank the questions to be dealt with in a multi-stakeholder roundtable: how to tackle the links between the expansion of palm oil and deforestation, the two elements at the heart of the conflicts between NGOs and industry? How to develop standards which take account of biodiversity? Which certification and traceability mechanisms should be adopted? How should the roles be shared between the actors in the value chain?

These questions were examined by this small group of RSPO initiators before the first roundtables were organised.

As a result, even if the success of the RSPO initiative remained highly uncertain at this phase, it would appear with hindsight that this inaugural meeting held in London in 2002 in the absence of the producers and the NGOs from the South, sketched the outlines of both the RSPO standard and the strategy facilitating its dissemination among the stake-holders. The objectives of the roundtable, the questions to be tackled and even the solution to be provided (through the Migros standard) had already been defined. All that remained was to concentrate the majority of the efforts on the procedures and the methodologies for coordinating and managing the groups. It is here that the knowhow of the consultants came into play, all the more so as the WWF-Unilever-Migros consortium which initiated the procedure all agreed that the questions on the agenda should give rise to a moderate discussion between the parties concerned with a view to obtaining a minimum consensus.

### **Governing by consensus**

The preamble to a document on the method of developing the RSPO standard prepared by the consultancy firm ProForest<sup>9</sup> states that:

*“The development of standards is a complex and specialist task and should be coordinated by a facilitator. The facilitator should ideally have experience of facilitation together with a credible understanding of oil palm and direct experience of developing criteria for natural resource management.”*

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<sup>9</sup> ProForest. “Discussion paper on the development of criteria to define sustainable palm oil.” Final draft, 22<sup>nd</sup> February 2004 (p.6)

Organising and coordinating the roundtables and establishing the standards is based on the engineering of facilitation promoted by consultants whose main competence lies in their ability to encourage dialogue between the stakeholders. More precisely, the facilitation work of the experts in the RSPO process consisted of establishing the technical frameworks of the debate and translating the orientation of the programme among the stakeholders. From the very outset of the initiative, we have witnessed the role of intermediary played by these consultants in the procedure – through the task of identifying the industrial partners entrusted by the WWF to a consultant or the involvement of the consultancy firm ProForest. The latter – ProForest – was to play a pivotal role in producing the RSPO standard. ProForest is a consultancy firm founded in 2000 with its head office in Oxford. It specialises in the implementation of sustainable development strategy and the “responsible” management of natural resources, in particular in the forestry and agri-food sectors as well as in the field of conservation.

The founders of ProForest were heavily involved in developing the criteria for the FSC forestry certification. In the palm oil sector, ProForest obtained an initial appraisal by conducting the supplier audits for Migros. The director of ProForest was present at the inaugural meeting held in London in 2002 which launched the RSPO process.

In 2003, the organising committee of the first roundtable<sup>10</sup> commissioned two studies from ProForest, one concerning the debates on the relations between deforestation and the expansion of the palm oil plantations (the issue) and the other concerning the mechanisms for establishing the sustainable palm oil production standards (the solutions). In preparing these documents, ProForest relied on its own experience in the forestry sector, the Migros criteria and the audits it conducted on behalf of Migros. It also collected the information and opinions of a network of actors in the agri-food industries<sup>11</sup>.

For the parties who commissioned this study, ProForest presented a dual profile of neutrality: on the one hand, this consultancy firm was supposed to have no industrial interests in the palm oil sector while on the other hand, its technical expertise enabled it to provide “objective” information enabling the heatedness to be removed from the debates.

The dialogue between industry and the NGOs was, in practice, organised through the intervention of these consultancy firms whose members were generally from the environmental conservation sphere, sometimes with a militant past, and were encouraged by the rise of the sustainable development market to convert to industrial compromise and the identification of “practical solutions”.

During RT1 (August 2003), ProForest chaired two discussion groups, one dealing with the links between deforestation and the expansion of the palm oil plantations and the other examining the definition of the sustainability of palm oil production. From February to March 2004, it circulated a document<sup>12</sup> among the members of the temporary RSPO board presenting a first draft of the standard (i.e. the principles and criteria)<sup>13</sup> and a methodology for pursuing their development in a multi-stakeholder framework. A discussion ensued between ProForest

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<sup>10</sup> The organising committee consisted of the WWF (only NGO), the firms Anglia Oils, Migros, Sainsbury, Unilever, Golden Hope and the MPOA.

<sup>11</sup> ProForest relied in part on the appraisals produced by the *Sustainable Agriculture Initiative*, created in 2002 by the firms Danone, Nestlé and Unilever and which includes twenty firms. The aim of this network is to conduct research and promote the dissemination of agricultural good practices.

<sup>12</sup> ProForest “*Discussion paper on the development of criteria to define sustainable palm oil*” (op.cit. 2004).

<sup>13</sup> The terms “standard”, “principles and criteria” and “criteria” appear to be interchangeable in the usage of the RSPO participants. In their “*Discussion paper*” (op.cit., 2004) ProForest used the term standard, but a proposed correction was introduced by one of the parties who read the first draft and suggested replacing the term “standard” by “criteria”.

and the members of the board concerning the composition and operating principles of a *Criteria Working Group* (CWG) responsible for discussing the criteria proposed by ProForest. It was agreed that the CWG would consist of 25 members including representatives of all the parties concerned. One of the key points concerned the decision-making process within this CWG. ProForest emphasised the need for decisions taken by consensus in order to facilitate the acceptance of the decision by all stakeholders<sup>14</sup>.

In practice, the main orientations of ProForest – both with regard to the approach and the content of the proposed standard – were approved by the interim Executive Board and the CWG. The latter was formally created in September 2004 with 25 members selected by the interim Executive Board to reflect the representation of the stakeholders:

- 10 representatives of the producers
- 5 representatives of the industries and investors
- 5 representatives of the environmental NGOs
- 5 representatives of the social NGOs

The mission of the CWG was to define the principles and criteria over a period of 12 months in accordance with a “transparent” and “public” procedure.

With this in mind, two physical meetings of the members were scheduled together with a public consultation phase<sup>15</sup>.

The format of this deliberative procedure – in particular the very limited time allocated to the CWG to define the standard – neutralised controversies and encouraged the participants to concentrate on the points of the proposal formulated by the technical consultant who produced the information and who also “facilitated” and “chaired” the discussion. For the stakeholders, it was less a case of debating than evaluating the operability of the criteria presented to them and the incorporation of the interests they represented.

As one participant in the CWG summed up:

*“We globally approved the proposals of ProForest. Our task was to work towards a consensus. If we hadn’t succeeded in obtaining a consensus, we would have voted. I don’t know how we did it, but we always avoided the vote.”*<sup>16</sup>

Consensus here is a crucial element of managerial dynamics at work in the RSPO. It was the main mechanism facilitating the ownership of the standard and the construction of the NGO-Industry Complex. It was made possible by the mobilisation of neutral intermediaries – neutral in that they appeared to have no links to any of the parties concerned and the credibility of which lay both in their past history, which made them aware of the social and environmental objectives, and in their expertise, which enabled them to make these objectives operational as criteria which could be handled by the plantation administrators.

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<sup>14</sup> “Decisions of the Criteria Working Group should be made by consensus. Although this is perhaps the most difficult and time-consuming system, it is a process that leads to greater ownership of decisions by all stakeholders.” (op.cit., 7)

<sup>15</sup> The first meeting of the CWG was held in October 2004 prior to the opening of RT2 in Jakarta (Indonesia). The second meeting was held from 15<sup>th</sup> to 18<sup>th</sup> February 2005 in Malaysia. Between these two meetings, the members of the group communicated by e-mail.

<sup>16</sup> Interview with JCJ, Bali (Indonesia), 16<sup>th</sup> November 2007.

Consensus is an instrument of government insofar as it does not result from debate or negotiation (unlike compromise), instead having the effect of neutralising debate. As the philosopher Jacques Rancière (2007, 8) reminds us:

*“What consensus really means is not the agreement of people among themselves but the agreement of meaning with meaning: the agreement between a sensitive regime of presenting matters and a means of interpreting their meaning. The consensus which governs us is a machine of power just as it is a machine of vision. It claims only to observe what everyone can see by reconciling two proposals concerning the state of the world: one says that we are finally at peace while the other presents the condition of this peace: the recognition that there is only what there is.”*

Consensus therefore becomes a means of imposing a reality to which, *in fine*, we all accept.

### **Subordinating science to the imperatives of management**

One of the means by which a minimum consensus is obtained involves deferring the inclusion of the most hotly disputed points. This means removing them from the process of defining the standard and dealing with them in specialised committees organised in accordance with a balanced representation of the stakeholders. The formation of these working groups or technical committees<sup>17</sup> is generally justified by the need to provide more data or scientific knowledge about the topic concerned. The plan therefore exists to increase the number of these specialised committees with a view to gradually developing or improving the standard.

For example, a technical committee on biodiversity (Biodiversity Technical Committee) was created in 2009 for a period of two years with a view to improving the principles and criteria relating to the conservation of biodiversity. The aim of the committee is to put forward proposals for improvement based on the feedback from the first audits conducted in the plantations applying for RSPO certification<sup>18</sup> as well as on the appraisals of the biodiversity administrative community (conservationist NGOs, private consultants, academics). The committee should also suggest research topics with a view to increasing knowledge on certain sensitive issues. The BTC is partially financed by a grant from the International Finance Corporation – an entity of the World Bank – through its “Biodiversity and Agricultural Commodities Programme”.

While formally independent, the BTC would appear to be placed under the aegis of the RSPO Secretariat which is responsible for coordinating it. Within its thirteen members, the community of “conservationists” would seem to be underrepresented (two members). The latter see the BTC as a club under the influence of the RSPO Secretariat (of which the current director is an executive in the MPOA), which co-opted the scientists invited to participate. Eminent Malaysian researchers were called on by the Secretariat of the RSPO to contribute to the committee’s works, but in practice only one agreed to participate and neither he nor the co-opted Malaysian scientists participated in the two committee meetings held in April 2009 (on the occasion of the launch of the BTC) and in June 2009.

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<sup>17</sup> Several working groups or technical committees were created as a continuation of the Criteria Working Group with a view to dealing with certain disputed points in greater detail, including: National Implementation and Interpretation of P&C; Smallholders Task Force; Verification Working Group; Biodiversity Technical Committee; HCV-RSPO Indonesia Working Group; Greenhouse Gas Working Group; New Plantings Working Group etc.

<sup>18</sup> The first RSPO audits were conducted in 2008.

Composition of the Biodiversity Technical Committee (sources: [www.rspo.org](http://www.rspo.org))

Members	College	Function / Institution	Training
Henri Barlow	Industry - Production	Dir. Sime Darby	DAF accountant
Dr.Gan Lian Tiong	Industry - Production	Dir Musim Mas	Management
Chew Jit Seng	Industry - Production	Genting Plantation	Management
Purwo Susanto	Industry - Production	Dir IPOC	Agronomy
Olivier Tichit	Industry - Production	Dir PT Tolan Tiga	Agronomy
Nobuo Nakanishi	Industry – Consum.	R&D	Master of Arts
Dr. Tom Maddox	Conservation	ZSL	Dr. in biology
Dr. Reza Azmi	Conservation	Dir Wild Asia	Ecology
Julie Flood	Administration UK	Dir CABI	Plant pathology
Catherine Cassagne	Financial - banking	IFC	HEC
Prof Yong Hoi Sen	Academic	Prof de Genetic UM	Genetic
Jutta Poetz	RSPO secretariat	Coordinator Biodiversity	Genetic
Sarala Aikanathan	RSPO secretariat	Communication	Biology

To escape what they perceived as the stranglehold of the Secretariat of the RSPO and its industrial interests on the process, a certain number of conservationist NGOs adopted a strategy of forum shifting, preferring to submit research projects directly in response to the calls for tender from the BACP, or to develop local alliances with voluntary firms to test biodiversity conservation strategies rather than committing to the BTC<sup>19</sup>. For their part, the coordinators of the BTC emphasised the fact that this committee is a forum open to all well-intentioned people providing an opportunity for dialogue which the “conservationists” refused to seize<sup>20</sup>.

Reading the minutes of the BTC meetings nevertheless gives an idea of the different expectations of the stakeholders as well as the orientations imposed by the industrialists, as illustrated in the following extract<sup>21</sup>:

*a conservationist: “suggests a review of existing papers/plans for riparian zones”  
the chairperson of the BTC, a former plantation manager answers: we have to consider “immediate action without the need for a review/framework approach and only methodologies/recipes/instructions on how to manage”.*

In the organisation of the RSPO, the technical committees are designed as forums for developing dispute, the production of data and the construction of suitable solutions based on the production of knowledge. In practice, as we can see, incorporating issues concerning the conservation of biodiversity is subject to the imperatives of producing “practical” and operational short-term solutions. Despite the references to scientific or technical rationalisation which represent one of the cornerstones of the legitimacy of standards, academic or scientific knowledge has no real place in these processes and gives rise to constant mistrust on the part of the industrialists.

<sup>19</sup> Interview R. Kuala Lumpur, 3<sup>rd</sup> November 2009; interview T. Kuala Lumpur, 3<sup>rd</sup> November 2009.

<sup>20</sup> Interview JP Kuala Lumpur, 2<sup>nd</sup> November 2009

<sup>21</sup> Minutes of the 2<sup>nd</sup> Biodiversity Technical Committee (BTC) meeting, 13<sup>th</sup> June, 2009, Jakarta.

From the preparation phase of the standards, the role of scientists in the process has been open to discussion: the consultants at ProForest suggested the possibility of appointing scientists or technical experts to help the stakeholders to develop the standard. This proposal immediately gave rise to fears and was opposed by certain initiators of the process who saw in the scientists' contribution the risk of criteria being produced which were neither "practical" nor "economically feasible"<sup>22</sup>.

These reactions are characteristic of a form of neo-liberal managerialism which, as M. Benassayag and I. del Rey (2007: 292) remind us, is founded on "*the dictatorship of the immediate resolution of problems. In this way, we gradually, and without realising it, remove everything from society which requires time, maturation and experience. Anything that cannot be implemented immediately and requires a minimum level of complexity to be taken into account is quite simply rejected.*"

## **Conclusion: the circulation of managerial techniques**

Numerous works rightly examine the legitimacy of transnational certification initiatives such as the RSPO, or test their democratic rhetoric or their capacity to find an effective solution to the problems they address.

By treating certification initiatives as technologies of government, the objective of this article was to study power strategies in a monographic perspective – in other words the correspondence between the finality of the stakeholders' conduct of conducts, and the means of achieving it. We have attempted to highlight three means guiding the RSPO certification initiative.

The first was the creation of a consortium bringing together European firms, a European NGO and a number of consultants to define the architecture of the standard and establish the operating rules of the initiative. The very nature of the consortium, combining industry and NGOs, was intended to signify that a pacification of the disputes concerning the production conditions of palm oil was possible.

The second means was the dissemination of the standards through a technology of consensus building.

The third means was founded on the management of disputed matters, through the implementation of procedures exploring the problems based on the production of knowledge while disqualifying the role of academic experts.

Throughout the process, a managerial rationality was brought into play emphasising the concepts of "operationality", "economic feasibility", "pragmatism" and "short-term solutions".

Thanks to its transnational scope, the RSPO initiative contributes to ensuring the circulation of this managerial rationality and imposes its dissemination on all stakeholders, including those which (like the NGOs) were previously aligned with a more militant than managerial set of values.

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<sup>22</sup> Cf. ProForest "*Discussion paper ...*" (op.cit. p. 6): ProForest suggest that: "The Roundtable may need to nominate academic and technical support candidates, ensure sufficient representation by all groups and to make sure that forming the Criteria Working Group is done with sufficient speed." Comment in reaction to this proposal: "need to be careful not to have too many academics as the proposed criteria must be as practical and economically feasible. The academic and the technical support groups should be involved in the R&D phase, on projects or gaps that are identified by the Criteria Working Group".

In return, the circulation of this rationality contributes to the connections of firms and NGOs. For both international NGOs and large firms exposed to reputational risk, the convergence mechanisms were initiated independently of the RSPO. The rationale of professionalising the major international NGOs was probably the result of the increasingly complex nature of their missions, with large budgets, teams of employees and volunteers deployed throughout the world and increasingly diversified forms of activism. NGO activities are no longer simply a matter of “political entrepreneurship”; they are also a question of managing projects and resources in the same way as firms do. Even recruitment methods have become more diversified, accelerating the transformation of militants into professionals with a university education making the profiles of both figures interchangeable.

Similarly, the sustainability market and the search for new motivations for their employees have forced many firms to undertake a restructuring process, creating dedicated departments or Corporate Social Responsibility projects.

In South-East Asia, where most of the palm oil production is concentrated, RSPO certification is a vector of organisational change within the plantation firms. Hence, the conclusions of the first application tests for the RSPO “principles & criteria” presented at RT5, held in Kuala Lumpur in November 2007, emphasised the need for a department dedicated to the RSPO standardisation monitoring and communication procedure. The implementation of social and environmental impact studies, the identification of high-value conservation zones within the plantations or their immediate surroundings, the increasing number of audits etc. have created new markets of expertise, while the competences required in these fields have essentially been developed and capitalised on by NGOs or consultancy firms, such as ProForest.

This results in the organisation of a genuine circulation of competences, from NGOs to firms, or the creation of consultancy firms at the joint initiative of the two entities. Several career paths of the members of the RSPO Executive Board illustrate this circulation of competences which contributes to fudging the boundaries between NGOs and industry irrespective of whether it is a question of the creation of a consultancy firm specialising in sustainable development as a subsidiary of a palm oil conglomerate bringing together a former representative of the WWF and a former representative of the planters within the Board; a palm oil conglomerate’s sustainable development policy chief joining a social enterprise specialising in conducting social and environmental audits; or the departure of an executive from Rabobank to work with the WWF.

These examples, if they were to multiply, give us reason to believe that these certification initiatives have reconfigured or pacified the balance of power governing the confrontation between the NGOs and industry in the palm oil sector. The conflict – and thus politics – has never actually ceased outside the framework of the initiative.



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