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La Vía Campesina and the UN Committee on World Food Security: Affected publics and institutional dynamics in the nascent transnational public sphere

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Abstract The emergence of the transnational as a site and object of governance has triggered concern amongst both affected publics subject to these effects, and scholars keen to locate the democratic potentials therein. Increasingly, public sphere theory is being promoted as a lens for interrogating the democratic potential of the transnational. However the project of transposing public sphere theory from its Westphalian origins to the transnational has been frustrated by a lack of empirical examples in which the properties of a transnational public sphere can be easily identified. In this article, examining the encounter between La Vía Campesina and the UN Committee on World Food Security, I argue for the existence of a nascent transnational public sphere in the specific domain of transnational food and agricultural policy-making. The existence of this concrete example, I argue, defends public sphere theory's transnational turn against either the charge of utopianism, or the need to suspend some of the framework's core conditions in order to accommodate the 'actually possible'. It also allows us to advance public sphere theory's empirical research agenda, and in this article I introduce an analytical framework to take this further.

Keywords Transnational Public Sphere, La Vía Campesina, Committee on World Food Security, Requisites of Effective Participation

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research that concretely support social movement struggles. Public sphere theory and food sovereignty are important references for his work.

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1. Introduction

The emergence of the transnational as a site and object of governance has triggered concern amongst both scholars seeking to interrogate the democratic potentials within such developments, and affected publics subject to their effects.¹ Fundamental to this collective unease is an awareness that global governance arrangements have proliferated outside of anything resembling 'citizen' engagement, leading to serious shortfalls in their legitimacy. Attempting to think through and act upon this 'democratic deficit', scholars have undertaken a number of key tasks. These include interrogating the normative basis of global governance arrangements; envisioning institutional innovations capable of remedying the democratic deficit; and, conducting empirical analysis of pre-existing arrangements in relation to both.²

¹ Donatella della Porta et al. (eds), *Globalization From Below: Transnational Activists and Protest Networks* (London: University of Minnesota Press, 2006); Jan A. Scholte, (ed.), *Building Global Democracy: Civil Society and Accountable Global Governance* (Cambridge: Cambridge University Press, 2011); P. Nanz and J. Steffek, 'Global Governance, Participation and the Public Sphere', *Government and Opposition*, 39:2 (2004), pp. 314-335.

² E.g. David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Cambridge: Polity Press, 1995); Heikki Patomäki and Teivo Teivainen, *A Possible World: Democratic Transformations of Global Institutions* (London: Zed Books, 2004); G. W. Brown, 'Safeguarding deliberative global governance: the case of The Global Fund to Fight AIDS, Tuberculosis and Malaria', *Review of International Studies*, 36:02 (2010), 511-530; M. Bexell, J. Tallberg and A. Uhlin. 'Democracy in Global Governance: The Promises and Pitfalls of Transnational Actors', *Global Governance*, 16 (2010), 81-101; J. Dryzek, A. Bächtiger, and K. Milewicz, 'Towards a Deliberative Global Citizens' Assembly', *Global Policy* 2:1 (2011), 33-43; Scholte (ed.) (2011); J. Brassett and E. Tsingou, 'The politics of legitimate global governance', *Review of International Political Economy*, 18:1 (2011), 1-16; Daniele Archibugi, et al. (eds) *Global Democracy: Normative and Empirical Perspectives* (Cambridge: Cambridge University Press: 2012).

In recent years the idea of the 'public sphere' has started to provide critical traction for scholars exploring the democratic potential of the transnational. Public sphere theory is focused upon the extent to which those affected by political decision-making, or affected publics, have historically been and are currently able to critically contest and influence the direction of political decision-making through discourse in the context of the Westphalian state.³ In part as a response to the undermining of the state as the locus of democratic participation by the emergence of transnational issues, actors, relations, and governance (e.g. international finance, environmental and ecological degradation, trade), the theoretical framework has been transposed to the transnational. Public sphere theorists and those working within its framework have started to ask, in other words, whether it might be possible and under what conditions we could start speaking of 'transnational public spheres'.⁴

However, the project of transposing the idea of the public sphere from its Westphalian origins to the transnational has not been without challenges. One major stumbling block is the difficulty, despite the framework's apparent methodological utility⁵, of identifying concrete examples in which the properties

³ Jürgen Habermas, 'The Structural Transformation of the Public Sphere', trans. Thomas Burger (Cambridge: Polity Press, 1989); Jürgen Habermas, 'Between Facts and Norms', trans. William Rehg. (Cambridge: Polity Press, 1996); N. Fraser, 'Special section: Transnational public sphere: Transnationalizing the public sphere: On the legitimacy and efficacy of public opinion in a post-Westphalian World', *Theory Culture & Society*, 24:7 (2007), pp. 7–30.

⁴ Fraser (2007); M. Castells, 'The New Public Sphere: Global Civil Society, Communication Networks and Global Governance', *The ANNALS of the American Academy of Political and Social Science*, 616 (2008), pp. 78-93; R. Higgot and E. Erman. 'Deliberative global governance and the question of legitimacy: what can we learn from the WTO?', *Review of International Studies*, 36:2 (2010), pp. 449-470; R. Germain, 'Financial governance and transnational deliberative democracy', *Review of International Studies*, 36:2 (2010), pp. 493 – 509; J. Bohman, 'Democratizing The Global Order: From Communicative Freedom to Communicative Power', *Review of International Studies*, 36:02 (2010), pp. 431-447; Kate Nash, (ed.) *Transnationalizing the Public Sphere: Nancy Fraser et al*, (Cambridge: Polity Press, 2014). For an earlier discussion of these dynamics see also Nicholas Garnham, 'The Media and the Public Sphere', in Craig Calhoun (ed.) *Habermas and the Public Sphere* (London: Massachusetts Institute of Technology, 1992), pp. 359-376.

⁵ For example a number of key studies, whilst not attempting to apply public sphere theory in a comprehensive way to an analysis of transnational political dynamics, have used the framework as a methodological reference point in their analyses of civil society, and its interactions with global governance. E.g. Mary Kaldor, *Global Civil Society: An Answer to War* (London: Zed Books, 2003); Jens Steffek and Patrizia Nanz, 'Emergent Patterns of Civil Society Participation in Global and European Governance', in Jens Steffek, Claudia Kissling and Patrizia Nanz (eds), *Civil Society Participation in European and Global Governance: A Cure for the Democratic Deficit?*

of either nascent or existing transnational public spheres can be easily recognised.⁶ This has two important consequences. On the one hand, it renders those seeking to transpose public sphere theory to the transnational susceptible to the charge of utopianism, of promoting a political project with perhaps little or no chance of realisation.⁷ And on the other, it encourages a tendency to apply the theory in a partial way, modifying or suspending some of its normative content so as to accommodate the 'actually possible'.⁸ A development that, in the eyes of prominent contributors to public sphere debates such as Nancy Fraser, forfeits the theory's critical theoretical mission.⁹

In this article I contribute to the public sphere theory's transnational turn by doing two things. Firstly, I identify a concrete case study that provides exactly what seems missing from this recent scholarship: an actual example of a nascent, transnational public sphere. As I demonstrate, this nascent transnational public sphere pivots on the encounter between two important entities. On the one hand, a global social movement, La Vía Campesina, and on the other, a UN policy-making body, the United Nations Committee on World Food Security (CFS). By providing a case study that demonstrates that it is possible to transnationalise public sphere theory in a way that doesn't require suspension of its core conditions, this case study, I argue, defends both those seeking to do this from the charge of utopianism, and the framework itself from the notion that it can only be usefully applied to the transnational by surrendering some of its critical theoretical potential.

However, this case study offers more than a *defensive* contribution to public sphere theory's transnational turn. By delineating a field of transnational

(Basingstoke: Palgrave MacMillan, 2008); Jan Aart Scholte, 'Global Governance, Accountability and Civil Society', in Jan Aart Scholte (ed.) *Building Global Democracy: Civil Society and Accountable Global Governance* (Cambridge: Cambridge University Press, 2011).

⁶ Kate Nash for example states that 'At the global scale there is clearly nothing that resembles [...] a global public sphere judged in terms of Habermas's theory of democracy.' Kate Nash, 'Towards Transnational Democratization', in Kate Nash, (ed.) *Transnationalizing the Public Sphere: Nancy Fraser et al* (Cambridge: Polity Press, 2014), p. 66.

⁷ Nash (2014) p. 61; Nick Couldry, 'What and Where is the Transnationalized Public Sphere?', in Kate Nash (ed.) *Transnationalizing the Public Sphere: Nancy Fraser et al.* Cambridge: Polity Press, 2014), p. 44; Kenneth Baynes, 'Nancy Fraser et al., *Transnationalizing the Public Sphere*, Kate Nash (ed.), Polity, 2014', Notre Dame Philosophical Reviews, 2015 available at <https://ndpr.nd.edu/news/55751-transnationalizing-the-public-sphere/> accessed 1 May 2016.

⁸ Nash (2014) p. 74.

⁹ Nancy Fraser, 'Publicity, Subjection, Critique' in Kate Nash (ed.) *Transnationalizing the Public Sphere: Nancy Fraser et al.* (Cambridge: Polity Press, 2014). pp. 129-156.

relations embodying public sphere theory's normative and empirical properties, the case study helps to *advance* this ongoing effort from a fairly abstract discussion over the conceptual and normative foundations of any potential transnational public sphere, to the development of an empirical research agenda, something that public sphere theory has found difficult to establish at both the transnational, and national levels.¹⁰ This consists of an empirical analysis of the degree to which the potentials I identify in this article are indeed being realised or not, and the second undertaking of this article is to provide an analytical framework to take this forward.

The structure of this article is as follows. In Part 2, following this introduction I layout the properties of public sphere theory as I see them. This overview captures some key moments in the theory's development, including the consequences, outlined above, of a lack of empirical examples for ongoing efforts to transpose the concept of public sphere to the transnational. In Part 3 I introduce the case study. This pivots on the relationship between two central elements: Firstly, an affected public – the global social movement La Vía Campesina - mobilising at the transnational to discursively contest transnational food and agricultural policy-making, at the same time as discursive contestation has emerged as a significant property of transnational food and agricultural policy-making more generally. And secondly, a transnational policy-making body – the UN Committee on World Food Security (CFS) – that recognises the *formal* right of La Vía Campesina (and other affected publics) to participate in its work, and by so doing promises to articulate the 'communication flows' emanating from this affected public with the aspiration for efficacious political authority at transnational. Drawing explicitly from the normative standards and interpretive concepts of public sphere theory I demonstrate how these dynamics signal the existence of a nascent transnational public sphere, with the CFS promising to provide its institutional component. In Part 4, building upon the insight that the case study I present in Part 3 advances the empirical research agenda of public sphere theory's transnational turn, I introduce an analytical framework with which to take this forward. This focuses upon a longstanding concern within public sphere theory: the degree to which the properties of discursive arenas (in this instance, the CFS) empower the participation of some and disempower others. In the Conclusion I recapitulate the contribution of this article, and add some additional reflections on the critical theoretical contribution of public sphere theory to this case study.

¹⁰ Hein-Anton Van Der Heijden, *Social Movements, Public Spheres and the European Politics of the Environment* (Basingstoke: Palgrave MacMillan, 2010), p. 200.

2. Public sphere theory – an overview

Public sphere theory is a normative (critical) theoretical framework that directs analytical attention to a range of empirical dynamics, the ‘political’ significance of which is identified within the framework’s concern with the critical, discursive participation of affected publics within processes of political decision-making. The public sphere itself can be thought of as the ‘field of discursive relations’ - the spaces, arenas, and processes through which this articulation is achieved, and wherein some form of public, critical rationality prevails.¹¹

In Habermas’s *The Structural Transformation of the Public Sphere* (hereafter: *STPS*) for example, considered the key work in public sphere theory, he argues for the existence of a specific, liberal bourgeois public sphere that came into existence in various western European states the 18th century. This emerged in part as a result of the extension of state regulatory authority over private affairs (economic activity), which meant that the exercise of such authority became a matter of public concern, particular amongst the newly emergent class of the bourgeoisie, whose critical sensibilities were being activated by new cultural forms.¹² According to Habermas, facilitated by cultural developments such as the emergence of the press, coffee houses, and reading societies, the bourgeois public sphere sought to subject political authority to critical rational debate, embodying a novel, inclusive form of politics in which power gave way to the ‘force of the better argument’.¹³ Unfortunately however the bourgeois public sphere didn’t last long, being very quickly undermined by changes in the nature of the state-society relationship, and the displacement of critical-rational culture by a culture of mere ‘consumption’.¹⁴

Although critics have contested the historical accuracy and normative desirability of the account of the bourgeois public sphere outlined in *STPS*, they have tended to do so within a broad commitment to the standard of legitimate politics that it outlines. Thus, whilst many have questioned and indeed disproved the actual degree of inclusivity claimed by Habermas for the liberal bourgeois

¹¹ Craig Calhoun, ‘Introduction’, in Craig Calhoun, (ed.), *Habermas and the Public Sphere*, (Cambridge (MA): Massachusetts Institute of Technology, 1992), p.37.

¹² Habermas (1989) p. 49.

¹³ Habermas (1989) p. 36.

¹⁴ Habermas (1989).

public sphere (which in practice was *built* upon the exclusion of non-white property owning males, such as women, the working classes, and non-whites) they have done so in a way that reinforces the norm that those affected by political decision-making ought to be able to participate in its shaping.¹⁵ And whilst the standard of critical-rational debate promoted by Habermas, both in *STPS* and beyond, has been critiqued for being both overly formalistic and too skewed towards the participatory preferences of elites, that critique has often been made within a commitment to the preservation of rationality and critique in public and political life.¹⁶

Certainly, since *STPS*, Habermas continued to evolve his thinking within the context of a stable normative commitment to the importance of inclusive, discursive rationality in political life. One particularly important revision to his earlier conception of the public sphere in *STPS* was his incorporation of his idea of 'communicative rationality', and its closely allied concept of 'communicative freedom'. These ideas are based on Habermas's claim, 'building on 'speech act theory as proposed by J. L. Austin and J. R. Searle' that everyday speech contains certain 'validity claims', claims to truth, sincerity, normative rightness, that are 'counterfactually presupposed' in everyday interaction, but which can be contested, leading to their modification or displacement.¹⁷ Transposed to the political, this idea stresses the regulatory role of norms in political (administrative and legislative) decision-making, the significance of contestation over these norms, and indeed that 'controversies in the broader public sphere primarily ignite around the normative aspects of the problems most at issue.'¹⁸

¹⁵ Joan Landes, *Women and the Public Sphere in the Age of the French Revolution* (Ithaca, NY: Cornell University Press, 1988); Fraser (1990); Geoff Eley, 'Nations, publics, and political cultures: Placing Habermas in the nineteenth century', in Craig Calhoun (ed.), *Habermas and the Public Sphere* (London: Massachusetts Institute of Technology, 1992), pp. 289–339; Lisa McLaughlin, 'Feminism and the political economy of transnational public space', in Nick Crossley and John Michael Roberts (eds), *After Habermas: New Perspectives on the Public Sphere*, (Oxford: Blackwell Publishing, 2004); C. Calhoun, 'The Public Sphere in the Field of Power', *Social Science History*, 34:3 (2010), pp. 301-335.

¹⁶ S. D. Stryker, 'Communicative Action in History', *European Journal of Social Theory*, 3:2 (2000), pp. 215-234; Nick Crossley, 'On Systematically distorted communication: Bourdieu and the Socio-Analysis of Publics', in Nick Crossley and John Michael Roberts (eds) *After Habermas: New Perspectives on the Public Sphere* (Oxford: Blackwell Publishing, 2004).

¹⁷ T. Risse. 'Let's Argue!': Communicative Action in World Politics', *International Organization* 54:1 (2000), pp. 9-10; Jürgen Habermas, *The Theory of Communication Action: Reason and Rationalization of Society*, (Cambridge: Polity Press, 1984); Habermas (1996) p. 4.

¹⁸ Habermas (1996), p. 357.

Public sphere theory then is the site of ongoing revision and contestation, within an overarching normative commitment to some key positions. Along with Habermas's substantial developments, undertaken in dialogue and debate with his critics, these revisions have introduced powerful new ideas to the overall framework of public sphere theory.¹⁹

Perhaps the most significant of recent developments in public sphere theory is its shift to the transnational. The context for this is provided by the undermining of the Westphalian state as the locus of democratic participation by the emergence of transnational governance and policy issues. The lack of meaningful participation opportunities for affected publics in such transnational governance processes is regarded as equally problematic. Thus the idea of a 'transnational public sphere' has become a referent for a range of scholars who, in different ways, have sought to interrogate the possibilities for ordinary citizens to discursively influence policy-making and governance activities at the transnational. Such scholars have focused upon: the role and limits of the media and internet in contributing to the realisation of a transnational public sphere;²⁰ the question of where might we turn to locate the discursive arenas capable of hosting processes of transnational public opinion formation;²¹ how to generate or establish the shared ideational or cultural resources through which a transnational public might be meaningfully realised²²; whom ought to be regarded as the protagonists within the transnational public sphere and by what principles of inclusion do we recognise them;²³ and how might transnational institutions and processes of policy-making and governance be transformed so that they can fulfil the institutional requirements of the public sphere.²⁴

The project of transposing public sphere theory from its Westphalian origins to a transnational frame, however, has been challenged by the lack of empirical

¹⁹ John Michael Roberts and Nick Crossley, 'Introduction', in Crossley and Roberts (2004).

²⁰ McLaughlin (2004); Fraser (2007); Castells (2008); Couldry (2014); B. Cammaerts and L. Van Audenhove, L. 'Online Political Debate, Unbounded Citizenship, and the Problematic Nature of a Transnational Public Sphere', *Political communication*, 22: 2 (2005), pp.147-162.

²¹ Fraser (2007); J. Conway and J. Singh, 'Is the World Social Forum a Transnational Public Sphere?: Nancy Fraser, Critical Theory and the Containment of Radical Possibility', *Theory, Culture & Society*, 26:5 (2009), pp. 61-84.

²² Fraser (2007); Bohman (2010).

²³ Fraser, 'On the legitimacy and efficacy of public opinion in a post-Westphalian world'; Fraser, 'Publicity, subjection, critique: a reply to my critics'; Higgot and Erman, 'Deliberative global governance and the question of legitimacy'; Nash, 'Towards transnational democratization?'

²⁴ Fraser (2007); Germain (2010); Bohman (2010).

examples in which the properties of any such transnationally located public sphere could be easily identified. This lack of empirical examples has two important consequences. Firstly, it leaves those advocating the public sphere as a viable frame for organising democratic politics at the transnational susceptible to the charge of utopianism. This is the view that questions whether the gap between the Habermasian conception of the public sphere and the realities of transnational politics is too great for its transposition to the transnational to be viable or even useful.²⁵ Whilst broadly accepting the democratic challenge posed by the emergence of the transnational as both a site and object of governance activity, those holding this view propose that it would be more plausible and beneficial instead to shift the gaze of inquiry back down to the national level (to explore the transnationalisation of domestic public spheres), or, to suspend some of public sphere theory's normative conditions in an attempt to locate democratic potential within the 'actually possible'.²⁶ However, the problem here, comes the response, is that this very seriously undermines public sphere theory's critical-theoretical potential.²⁷ This refers to its value as a normative reference from which to evaluate and, indeed, transform the world.²⁸ Thus public sphere theory's transnational turn seems to have come to something of a fork in the road, confronted with the dangers of utopianism, on one side, or a loss of critical theoretical potential on the other. Recent developments in the field of transnational food and agricultural policy-making demonstrate however that it is possible to apply public sphere theory to the transnational in a way that is neither utopian, nor that diminishes the framework's critical theoretical potential.

3. Affected publics and institutional possibilities in the nascent transnational public sphere

i. Contestation and institutional fragmentation in transnational food and agricultural policy-making

²⁵ Nash (2014); Couldry (2014).

²⁶ Nash (2014) p 74; Couldry (2014).

²⁷ Fraser, 'Publicity, subjection, critique: a reply to my critics'.

²⁸ Nash (2014) p. 60; Angela Crack, *Global Communication and Transnational Public Spheres* (Basingstoke: Palgrave MacMillan, 2008) p.197.

Contemporary food and agricultural policy-making is an intensely contested field. By this I mean that a wide range of actors, in a wide range of locations, compete to shape both the ends of food policy-making and the means by which these ends are attained. One way of tracking this contestation is through historical accounts provided by food policy scholars of the post-war evolution of food and agricultural policy. Typically, these accounts are divided into three to four key periods that chart the transition from a post-war productionist 'consensus', through an era of neoliberalism, to the present day when food and agricultural policy is taxed by a wide range of issues and challenges (e.g. poverty reduction, human rights, ecological sustainability, biodiversity management) but there exists little agreement on how to address them. This means that the 'optimism' of the early post-war period has given way, via 'confusion', to a situation of 'competing and contested policy options'.²⁹ Indeed, invoking a resonance with Habermas's thinking on the public sphere³⁰, these new issues or 'fundamentals'³¹, it is argued, breach conventional or 'accepted' frameworks for thinking about food policy (e.g., food security, and productivist or narrowly economic approaches), necessitating in their place a new normativity for food and agricultural policy-making, variously conceived as 'ecological public health'³² or the 'food policy new'.³³

The competition over the direction of food policy is signaled from another quarter by the growing emphasis given to the attainment of 'discursive power' by some of the most powerful actors in the food system: Transnational Corporations (TNCs). This speaks to their growing attempts to augment the 'structural' and 'instrumental' influence that they exert over food policy by participating within and shaping its discursive formulation.³⁴ Such behavior is evidenced, for example, in initiatives undertaken by agribusiness TNCs through

²⁹ Tim Lang, David Barling and Martin Caraher, *Food Policy: Integrating Health, Environment and Society*, (Oxford: Oxford University Press, 2009), pp. 42-44.

³⁰ By capturing the degree to which contestation over norms has become a key feature of contemporary food and agricultural policy-making.

³¹ T. Lang, 'Crisis? What Crisis? The Normality of the Current Food Crisis', *Journal of Agrarian Change*, 10:1 (2010), pp. 87-97

³² D. Barling, T. Lang, and M. Caraher, 'Joined Up Food Policy? The Trials of Governance, Public Policy and the Food System', *Social Policy and Administration*, 36:6 (2002), pp. 556-574; Lang et al. (2009).

³³ S. Maxwell, and R. Slater, 'Food Policy Old and New', *Development Policy Review*, 21:5/6 (2003), pp. 531-553.

³⁴ Jennifer Clapp and Doris Fuchs, 'Agri-food corporations, global governance, and sustainability: A framework for analysis' in Jennifer Claps and Doris Fuchs (eds), *Corporate Power in Agri-food Governance*, (London: The MIT Press, 2009), pp. 8-10.

the World Economic Forum (WEF), including the publication of the report *Realizing a New Vision for Agriculture: A Roadmap for Stakeholders* and the convening of the Global Agenda Council on Food Security (GACFS).³⁵ The GACFS was founded in 2008, when the World Economic Forum created the Network of Global Agenda Councils, each of which focuses 'on the foremost topics in the global arena', and seeks to convene 'relevant thought leaders from academia, government, business and other fields'. The policy orientation of the GACFS is made explicit in its stated intent 'to capture the best [pro-market] knowledge on each key issue and integrate it into global collaboration and decision-making processes.'³⁶

To a significant extent the emergence of the global social movement La Vía Campesina is both illustrative and constitutive of the contestation in 21st century transnational food policy-making. La Vía Campesina was launched in October 1993, and in its own words brings together 'peasants, small and medium-size farmers, landless people, women farmers, indigenous people, migrants and agricultural workers' to defend small-scale sustainable agriculture and promote 'social justice and dignity'.³⁷ It has membership in over 80 countries, and counts over 200 million small-scale and peasant food producers amongst its ranks. Supported by 'exchanges and dialogue' between farming organisations in different regions in preceding decades, the emergence of La Vía Campesina reflects the development of a collective awareness amongst farming peoples North and South that despite their diverse locations, many of the challenges they faced (adverse political and market conditions) were shared. These challenges were from their perspective the result of a transnationalised neoliberalism and modernisation agenda, which the imminent establishment of the World Trade

³⁵ The initiative *Realizing a New Vision for Agriculture: A Roadmap for Stakeholders* was 'championed' by 17 agribusiness TNCs with massive market presences in seeds, food retail, fertilizers, and processing sectors: Archer Daniel Midlands, BASF, Bunge, Cargill, The Coca-Cola Company, DuPont, General Mills, Kraft Foods, Metro, Monsanto Company, Nestlé, PepsiCo, SABMiller, Syngenta, Unilever, Wal-Mart Stores, and Yara International. WEF (World Economic Forum), 'Realizing a New Vision for Agriculture: A Roadmap for Stakeholders', (2010), p.3. available at: {<http://www.weforum.org/reports/realizing-new-vision-agriculture-roadmap-stakeholders>} accessed 1 August 2011.

³⁶ WEF (World Economic Forum), 'Global Agenda Councils' WEF Website, available at: {<http://www.weforum.org/community/global-agenda-councils>} accessed 9 November 2011.

³⁷ La Vía Campesina, 'What is La Vía Campesina?' La Vía Campesina Website, available at: {<http://viacampesina.org/en/index.php/organisation-mainmenu-44/what-is-la-via-campesinainmenu-45>} accessed 17 November 2013.

Organisation threatened to extend even further. Thus farming peoples in North and South recognised the need for a global presence to contest these dynamics.³⁸

According to its intellectuals, the main purpose of La Vía Campesina therefore is to be the 'voice' of 'the peasant movement' in the 'global debates on agrarian policy'.³⁹ In order to achieve this goal La Vía Campesina, often in conjunction with its allies such as those within the International Planning Committee for Food Sovereignty (IPC)⁴⁰ and beyond, undertakes a number of different types of activities. These include mobilisations and demonstrations before the meetings of international food and agriculturally relevant bodies, such as the WTO; speaking at the podium in meetings of United Nations (UN) bodies, such as the General Assembly, or the Food and Agricultural Organization of the UN; and convening autonomous spaces of civil society deliberation. Amongst this last group of activities we can count the movement's four to five yearly International Conferences, the most recent of which was held 9-13th June 2013, in Jakarta, Indonesia, which are attended by hundred of delegates representing small-scale, peasant- and family-farmers arriving from most regions of the world. And also important in this regard are the movement's collaborations with its allies,

³⁸ Annette Desmarais, *La Vía Campesina: Globalization and the Power of Peasants*, (London: Pluto Press, 2007); M.E. Martínez-Torres and P. M. Rosset, 'La Vía Campesina: The Birth and Evolution of a Transnational Social Movement', *Journal of Peasant Studies*, 37:1 (2010), pp. 149-175; A. Desmarais, and P. Nicholson, 'La Vía Campesina: An Historical and Political Analysis', in *La Vía Campesina, La Vía Campesina's Open Book: Celebrating 20 Years of Struggle and Hope*, La Vía Campesina Website (2013), available at: {<http://viacampesina.org/en/index.php/publications-mainmenu-30/1409-la-via-campesina-s-open-book-celebrating-20-years-of-struggle-and-hope>} accessed on 2 February 2015.

³⁹ Paul Nicholson, Basque farmer, founding member of La Vía Campesina and four-term member of its International Coordinating Committee, quoted in Desmarais (2007) p.77. Though of course the 'meanings' of La Vía Campesina are many and varied, and extend beyond this particular orientation to include, amongst others, constituting an arena of encounter for rural peoples around the world from diverse cultures and world visions, and providing a solidarity network for anti-systemic and reformist struggles the world over (Desmarais (2007); Martínez-Torres and Rosset (2010); Desmarais and Nicholson (2013)).

⁴⁰ The IPC is a transnational civil society network working on a food sovereignty platform and committed to the political protagonism of food producer and other rural and food insecure social movements. For an overview see Nora McKeon, *The UN and Civil Society*, (London: Zed Books, 2009a). For discussion of the IPC's engagement within the CFS see also Nora McKeon, *Food Security Governance: Empowering Communities, Regulating Corporations*, (London: Routledge, 2015), and L. Colombo and A. Onorati, *Food. Riots and Rights*, IIED, FIRAB, and Crocevia (2013) available at: {www.firab.it/site/wp-content/uploads/2013/09/foodrights_aw.pdf} accessed on 1 Jan 2015.

through for example providing logistical and personnel support, in the creation of international civil society fora and meetings. These include the *Nyéléni 2007 – Forum for food sovereignty*, held 23–27 February 2007 in Sélingué, Mali, and the *People’s food sovereignty civil society forum*, held in Rome, Italy, 13–17 November 2009, the later of these two events being timed to coincide with the World Food Summit held at the Food and Agricultural Organization of the United Nations (FAO) at the same time.⁴¹

La Vía Campesina then is internationally active in a range of different ways in seeking to create spaces for autonomous civil society deliberation and channel the outcomes of those deliberations into international policy arenas. As we shall see, increasingly this activity takes the form of extended participation in formal policy processes. The framework for La Vía Campesina’s deliberations and interventions is provided by the ‘food sovereignty’ framework, defined as ‘the right of peoples to healthy and culturally appropriate food produced through sustainable methods and their right to define their own food and agriculture systems.’⁴² Food sovereignty has been variously described as, a *call*, a *concept*, a *vision* a *slogan*, a *policy framework*, a *manifesto*, and a *political project*.⁴³ The primary sense is which I want to present it here however is as a policy-oriented, discursive intervention affirming the *ends* that food and agricultural policy-making and governance should be pursuing, and the *means* through which those ends ought to be attained. In terms of ends, for example, food sovereignty asserts the importance of food and agriculture for expressing cultural identity, fostering health, securing the political autonomy of communities and nations, and

⁴¹ The aspirations of the Forum organisers to create an autonomous discursive arena through which to try to influence transnational food policy-making is captured very clearly in the invitation letter that went out to delegates, and which stated their intention for the Forum to be ‘an autonomous and self-organized space which aims at debating and articulating processes and proposals on Agriculture, Fisheries and Food Policies as an input to the action of the social movements and to the Intergovernmental Summit.’ International Steering Committee for the People’s Food Sovereignty Forum, ‘Invitation Letter to the People’s Forum for Food Sovereignty 2009: Social Movements/NGOs/CSOs Parallel Event to the World Food Summit on Food Security’, (Hard copy acquired by the author during the forum, 2009).

⁴² La Vía Campesina (2013).

⁴³ Michel Pimbert, ‘Towards Food Sovereignty’, (London: IIED, 2009); R. Patel, ‘Food Sovereignty’, *Journal of Peasant Studies* 36:3, (2009), pp. 663–706; Martínez-Torres, and Rosset, (2010); Hannah Wittman, Annette Desmarais and Nettie Wiebe, ‘The Origins and Potential of Food Sovereignty’, in Hannah Wittman, Annette Desmarais and Nettie Wiebe (eds), *Food Sovereignty: Reconnecting Food, Nature and Community*, (Oakland, CA: Food First Book, 2010); H. Bernstein, ‘Food Sovereignty: A Skeptical View’, *Food Sovereignty: A Critical Dialogue*, International Institute of Social Studies (ISS), The Hague, The Netherlands, 24th January 2014.

preserving the environment. In order to secure those ends food sovereignty contemplates a range of different practices and interventions (e.g. inclusive food decision-making; locally oriented, agroecological food production; state support for both) and has specific things to say about the rights to be enjoyed and duties owed by different food system actors. Thus, *peoples* have the right to participate in food policy-making, peasants have the right to be protected by human rights instruments, and governments have the responsibility to manage the food system. TNCs, on the other hand, do not have the right to appropriate control of natural resources, or to impose genetically modified organisms (GMOs) upon either farmers or consumers.⁴⁴

Seen as an intervention into the 'global agrarian debate', therefore, food sovereignty implicitly contests many of the assumptions and conclusions present within more institutionally sanctioned policy framings, such as the food security framework, or the economic approaches adopted by the World Bank and other institutional actors. These often reduce food and agriculture to a purely economic function, enabling an apparently unproblematic comparison between farming, on the one hand, and 'off farm employment' and 'urban jobs' (i.e. working in a factory), on the other.⁴⁵ Food sovereignty then implicitly and explicitly contests the *normative frameworks* within which food policy-making is situated, seeking to valorise the specificity of food and agriculture by expanding recognition of the range of ends that food and agriculture needs to serve.⁴⁶

⁴⁴ For important analyses of La Vía Campesina's development of innovative rights and responsibilities frameworks see H. Wittman, 'Reworking the metabolic rift: La Vía Campesina, Agrarian Citizenship and Food Sovereignty', *Journal of Peasant Studies*, 36: 4 (2009), pp. 805-826; H. Wittman, 'Reframing Agrarian citizenship: Land, life and Power in Brazil', *Journal of Rural Studies*, 25:1 (2009), pp.120 - 130; P. Claeys, 'From Food Sovereignty to Peasants' Rights: an Overview of Via Campesina's Struggle for New Human Rights', in *La Vía Campesina, La Vía Campesina's Open Book*, (2013) available at:

{<http://viacampesina.org/en/index.php/publications-mainmenu-30/1409-la-via-campesina-s-open-book-celebrating-20-years-of-struggle-and-hope>} accessed 28 January 2015; and P. Claeys, 'The Creation of New Rights by the Food Sovereignty Movement: The Challenge of Institutionalizing Subversion', *Sociology*, 46:5 (2012), pp. 844-860.

⁴⁵ Cf. World Bank, 'World Development Report 2008: Agriculture for Development', (Washington: World Bank, 2007); C. Peter Timmer, 'Food Policy in the Era of Supermarkets: What's different?', in Ellen B. McCullough, Prabhu L. Pingali, P.B. and Kostas G. Stamoulis, (eds.), 'The Transformation of Agri-food Systems: Globalization, Supply Chains and Smallholder Farmers' (London: Earthscan, 2008), p. 81.

⁴⁶ The publication of the International Assessment of Agricultural Science and Technology for Development (IAASTD) in 2009 also communicates the contested nature of 21st century food and agricultural policy-making. Recognising that agriculture faced many urgent social and economic problems, IAASTD underscored that 'business as usual' was not an option and was the first global

Indeed, in the emergence and activities of La Vía Campesina we can discern many of the attributes that are associated with the existence of public spheres. Firstly, we have an *affected public*, smallscale food producers, who have mobilised from the grassroots upwards (or the periphery inwards) seeking to participate in the 'global debates on agrarian policy', precisely at the same time as discursive contestation has become a feature of transnational food and agricultural policy-making more generally.⁴⁷ An important part of this mobilisation involves the creation of autonomous discursive arenas, including the movement itself, the purpose of which is to enable deliberation and encounter amongst groups for whom collective deliberation opportunities would otherwise not be forthcoming. This aspiration has led to La Vía Campesina being conceptualised as a 'new citizenship' space.⁴⁸ It is also apparent that the movement and its arenas embody the attributes of a 'subaltern counterpublic', defined by Fraser as 'parallel discursive arenas where members of subordinated social groups invent and circulate counterdiscourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs.'⁴⁹

The 'counterdiscourse' here is of course food sovereignty, the emergence of which is emblematic of a second key attribute associated with public spheres:

level assessment to recognised the virtues of the type of smallscale agriculture promoted within food sovereignty. The result of an intergovernmental, multi-agency cooperation involving institutions such as the World Bank, the Food and Agricultural Organization of the United Nations, and the United Nations Environmental Programme, the IAASTD report communicated that even at the institutional core of international food and agricultural coordination, radical departures from mainstream thinking were possible. Pimbert (2008), p. 4-5. See also: International Assessment of Agricultural Science, Technology and Development, 'Agriculture at a crossroads: Synthesis report, 2009' available at {[http://www.agassessment.org/reports/iaastd/en/agriculture%20at%20a%20crossroads_synthesis%20report%20\(english\).pdf](http://www.agassessment.org/reports/iaastd/en/agriculture%20at%20a%20crossroads_synthesis%20report%20(english).pdf)} accessed 4 June 2010.

⁴⁷ Whilst certainly the largest and drawing membership from the widest geographical spread, La Vía Campesina is not the only transnationally active agrarian social movement. Others – also present in the Committee on World Food Security - include, from Central Africa the *Plate forme Sous Régionale des Organisations Paysannes d'Afrique Centrale* (PROPAC), from West Africa the *Réseau des Organisations Paysannes et de Producteurs de l'Afrique de l'Ouest* (ROPPA); and from Asia the *Asian Peasants Coalition* (APC). For an overview see S. M. Borras Jr, M. Edelman, and C. Kay, 'Transnational Agrarian Movements Confronting Globalization', *Journal of Agrarian Change*, 8:2/3 (2008), pp.169-204.

⁴⁸ Saturnino M. Borras Jr. and Jennifer C. Franco, 'Transnational Agrarian Movements struggling for land and citizenship rights', IDS Working Paper, 323, (Brighton: Institute of Development Studies, 2009), p. 38.

⁴⁹ Fraser (1990) p. 67.

competition over the normative direction of political decision-making. Recalling Habermas's assertion that 'controversies in the broader public sphere primarily ignite around the normative aspects of the problems most at issue'⁵⁰ and both food sovereignty's implicit and explicit contestation of the normative basis of food and agricultural policy-making, and its articulation by an affected public at the periphery suggest a nascent transnational public sphere being provoked, and indeed, constituted, by La Vía Campesina, and others.

The recognition that La Vía Campesina can be regarded as a constitutional element of a nascent transnational public sphere should perhaps come as no surprise, considering the role that social movements have played historically in terms of expanding both the range of issues under discussion within 'official' public spheres, and the number of those participating in their discussion.⁵¹ The transnational mobilisation of La Vía Campesina, therefore, and the various types of activities the movement undertakes can be seen as an extension to the transnational of the historic role undertaken by social movements within *national* public spheres.⁵²

However, it is important to note that the aspiration to create a public sphere alone is not evidence that one actually does or could exist, particularly when we recall Fraser's insistence that the articulation of the discursive arenas of the public sphere with political authority is absolutely central to its 'critical force and political point'.⁵³ In *STPS*, for instance, Habermas argues that a key stage in the development of the bourgeois public sphere, at least in the UK context, was the transformation of the medieval assembly of estates into a modern parliament capable of and willing to respond to the newly emergent discursive arenas of the bourgeois. Indeed, it was through this process of linking that the public sphere was finally able to fulfill its *political* function as 'an organ for the self-articulation of civil society with state authority corresponding to its needs.'⁵⁴ In *Between Facts and Norms*, within which Habermas shifted from the historical analysis of *STPS* to present the public sphere as part of an overall 'methodological fiction',⁵⁵ Habermas sees the articulation of the wider public sphere of the 'informal public'

⁵⁰ Habermas (1996) p. 357.

⁵¹ Calhoun (1992) p. 37; Eley, 'Nations, publics, and political cultures'; Moishe Postone, 'Political Theory and Historical Analysis', in Craig Calhoun, (ed.) (1992); Calhoun (2010) p. 2013.

⁵² Social movements such as La Vía Campesina, therefore, are not just participants *within*, but are actually *constitutive of* the transnational public sphere (cf. Castells, 2008).

⁵³ Fraser (2007) p. 8.

⁵⁴ Habermas (1989) p. 74.

⁵⁵ Habermas (1996) p. 326.

with the 'formal public' of institutionalized decision-making as occurring, at least in part, via:

[C]ommunication flows that start at the periphery and pass through the sluices of democratic and constitutional procedures situated at the entrance to the parliamentary complex or the courts (and, if necessary, at the exit of the implementing administration as well).⁵⁶

As we might expect, given the development of transnational institutions and governance processes outside of anything resembling 'citizen engagement', we can find very few examples of mechanisms and processes that exist to systematically articulate the working of these institutions and processes with 'communication flows' emanating from wider publics.⁵⁷ Those working explicitly within the framework of transnational public sphere theory, therefore, have both invoked the need for, and examined, potential mechanisms and principles of articulation to remedy this.⁵⁸ It is important to note, moreover, that to fulfil the political authority component of the public sphere, such institutions or 'public powers' need to do more than simply articulate with wider, affected publics. They also have to *translate* that communicative interaction into 'binding laws and then into administrative power', on the one hand, and possess the *capacity* to regulate against the violation, and towards the realisation, of this public's aspirations, on the other.⁵⁹

In the specific domain of food and agriculture, however, the possibility of articulating discursive arenas, such as those being constituted by La Vía Campesina and their allies, with authoritative policy-making and governance at the transnational is complicated by the fragmentation that exists therein.⁶⁰ For

⁵⁶ Habermas (1996) p. 356, referencing Bernhard Peters, *Die Integration Moderner Gesellschaften*, (Frankfurt am Main, 1993).

⁵⁷ For instance, Scholte observes that 'the contemporary growth in influence of global governance processes has not been accompanied by a corresponding development of formal accountability mechanisms which link these agencies directly to the publics they affect.' (Scholte, 2011: 25). See also: McKeon (2009a).

⁵⁸ Nanz and Steffek (2004); Fraser (2007); Bohman (2010).

⁵⁹ What Fraser has called the 'efficacy condition' (2007) p. 23.

⁶⁰ Jessica Duncan, *Global Food Security Governance: Civil Society Engagement in the Reformed Committee on World Food Security*, (London: Routledge, 2015), p. 9; Matias E. Margulis. 'Global Food Security Governance: The Committee on World Food Security, Comprehensive Framework for Action and the G8/G20', in: Rosemary Rayfuse (ed.) *The Challenge of Food Security: International Policy and Regulatory Frameworks* (Cheltenham, UK: Edward Elgar: 2010), p. 232. McKeon (2015) p. 204.

example, when in 1990 the no longer existing World Food Council surveyed UN agencies working on hunger and malnourishment issues, it identified 'well over 30 multilateral institutions' at work in this area.⁶¹ More recently, the 20 bodies participating in the UN Secretary-General's High Level Task Force (HLTF) convened in response to the 2007/2008 'food price crisis', and the importance given to the need for 'coordination' in the post-food price crisis agenda, again, underscores the fragmentation that exists in this domain.⁶²

These headline facts communicate that the articulation of affected publics with authoritative transnational food and agricultural policy-making is not a simple matter. Multiple entities, addressing different issues (e.g. trade, food aid, agricultural finance, nutrition, development, food safety) coupled with other transnationalised dynamics with regulatory effects on local and national food systems (e.g. investment flows, private standard-setting/retail standards, philanthropic/donor initiatives) present both countries and non-state actors alike seeking to engage with and influence these processes with a disorienting array of options and demands. Of course, the challenges posed by this terrain weigh disproportionately upon the resource poor, which leaves richer actors enjoying the advantage of being able to 'shift the debate across a range of policy-making arenas'.⁶³ Indeed, La Vía Campesina have themselves keenly felt the sharp edge of this challenge, and the attainment therefore of a single, authoritative food and agricultural arena at the global level, so as to enable their effective participation, has been a strategic priority for them for some years.⁶⁴ The reform of the UN Committee on World Food Security in 2009 has arguably made a fundamentally important step towards that goal.

⁶¹ D. John Shaw, *World food security: A history since 1945* (Basingstoke: Palgrave MacMillan, 2007) p.206.

⁶² See, for example: UNGA (United Nations General Assembly), 'Draft Resolution Referred to the High Level Plenary Meeting of the General Assembly by the General Assembly at its Sixty-Forth Session: Keeping the promise: United to achieve the Millennium Development Goals', United Nations General Assembly, Sixty Fifth Session, 17th October 2010, available at: {www.un.org/en/.../ZeroDraft OutcomeDocument_31May2010rev2.pdf} accessed 15 September 2011; EU-US Transatlantic Development Dialogue, 'Road map for cooperation in food security', available at: {ec.europa.eu/development/icenter/.../eu_us_roadmap_food_security_en.pdf} accessed 15 September 2011; G20, 'The G20 Seoul summit leaders' declaration, November 11-12, 2010', available at: {www.g20.org/ Documents2010/11/seoulsummit_declaration.pdf} accessed 15 September 2011.

⁶³ Lang et al. (2009) p. 87.

⁶⁴ J. Brem-Wilson, 'Towards Food Sovereignty: Interrogating Peasant Voice in the UN Committee on World Food Security', *Journal of Peasant Studies*, 42:1 (2015), p. 8.

ii. The reformed UN Committee on World Food Security

The UN Committee on World Food Security (CFS) was established in 1974 at the World Food Conference, and tasked with the responsibility of monitoring the hunger elimination commitments that governments made there. Whatever its track record in between, by the mid-2000s the CFS enjoyed something of a precarious status, and some envisaging its winding down, or at least, a significant reduction in its work load,⁶⁵ and some commentators even questioning whether the UN had any role to play in food security efforts more generally.⁶⁶ However, in October 2009 the CFS emerged from a relatively quick (six month) negotiation process with a blueprint for its reform that emphatically affirmed its status in the international food and agricultural institutional architecture, and outlined an organisational structure that UN Secretary-General Ban Ki-Moon subsequently hailed as a ‘model of multistakeholder governance – an example for all’.⁶⁷

The catalyst for this transformation was the 2007-2008 ‘food price crisis’. Involving food riots and social unrest in over 30 countries in response to sharp, sudden rises in the international prices of some key food staples (which made them inaccessible to certain populations). This event had the effect of propelling food security significantly up the agenda of global elites such as the G8, the G20, and the senior bureaucracy of the UN. As well as seizing the agenda of an international summit⁶⁸, and a raft of new funding pledges, one important consequence of this increased attention was the transformation of a simmering discontent with the performance of the international food security institutional architecture into a concrete process of reform. This led via a set of highly favourable circumstances to the revisioning of the CFS from a fairly irrelevant body at the margins of the UN system, to one that now aspired to be the ‘central

⁶⁵ IEE (Independent External Evaluation of the Food and Agriculture Organization of the United Nations), ‘FAO: The Challenge of Renewal: Report of the Independent External Evaluation of the Food and Agriculture Organization of the United Nations (FAO)’ 2009 www.fao.org/unfao/bodies/IEE-Working-Draft-Report/K0489E.pdf (accessed October 20, 2008), p. 178.

⁶⁶ E. Clay, ‘Book Review: The UN and Global Food Security’, *Development Policy Review*, 26: 2 (2008), p. 248.

⁶⁷ Ban Ki-Moon, ‘Secretary General Address to the 37th Committee on World Food Security’, YouTube, available at: <https://www.youtube.com/watch?v=5ycTZmuAeb4>, accessed 19 May 2015.

⁶⁸ The High-Level Conference on World Food Security: The Challenges of Climate Change and Bioenergy, 3rd to the 5th of June, 2008, The Food and Agricultural Organization of the United Nations, Rome.

United Nations political platform dealing with food security and nutrition'.⁶⁹ Three properties of the reformed CFS are particularly relevant.

The first feature of note in the reformed CFS is its inclusivity. The CFS is an intergovernmental committee. It was created by states, and states, predominantly via their diplomatic representation at the CFS's host institution, the Food and Agricultural Organization of the United Nations (FAO), are its principle actor. However, in part as a response to the number of different transnationally and otherwise located entities and actors who are relevant to food and agricultural policy-making, the CFS now extends formal participation rights, excluding decision-making authority reserved for states alone, to a wide range of actors. These include representatives of International Financial Institutions, such as the World Bank; representatives of agricultural research centres; those from the private sector; and representatives of other UN bodies with a specific mandate in food and agriculture. Crucially, the CFS now also aspires to meaningfully include those 'most affected by food security', and identifies 11 civil society constituencies whose inclusion in its work should be a matter of 'particular attention'.⁷⁰ These are: 'smallholder family farmers, artisanal fisherfolk, herders/pastoralists, landless, urban poor, agricultural and food workers, women, youth, consumers, Indigenous Peoples, and International NGOs whose mandates and activities are concentrated in the areas of concern to the Committee'.⁷¹ The extension of formal participation rights in an intergovernmental committee to representatives of small-scale food producers and other marginalised constituencies is, of course, 'unprecedented' in the history of UN-civil society relations.⁷²

The second feature of note is the CFS's aspirations to become a site of policy debate. This aspiration is signalled within its reform blueprint both implicitly and explicitly. Implicitly, it follows from the focus of the CFS expressed via its roles upon promoting global level policy coherence and coordination.⁷³ Given both the current state of food and agricultural policy-making, characterised by 'competing and contested policy options'⁷⁴ and the range of actors now

⁶⁹ CFS (Committee on World Food Security), 'Reform of the Committee on World Security: Final version, October 2009', available at: {http://www.fao.org/unfao/bodies/cfs/cfs35/index_en.htm} accessed 19 December 2011), Paragraph 2.

⁷⁰ CFS (2009), Paragraph 11.ii.

⁷¹ CFS (2009), Paragraph 11.ii.

⁷² McKeon (2015) p. 107.

⁷³ CFS (2009) Paragraphs 5 i. ii. and iii.

⁷⁴ Lang et al. (2009) pp. 42-44.

permitted to participate in the CFS's work, it is to be expected that this journey towards coherence and coordination would be attended by no small measure of debate and contestation. Indeed, the reform blueprint communicates as much, and explicitly recognises the role of the CFS as a site of inclusive, global level policy debate.⁷⁵

And finally, the last key feature to note about the reformed CFS is its aspiration for political centrality. As noted, prior to its reform some observers assigned the CFS a precarious status. Indeed, in the context of the post-2007-2008 food price crisis and the concern this provoked amongst policy elites with reform of the international food security institutional architecture, there was an apparent attempt by some powerful states to shift the locus of international food security coordination from Rome (home of the FAO, the CFS, and three other UN entities with mandates in food and agriculture) to Washington, D.C., home of the Bretton Woods institutions and the International Food Policy Research Institute.⁷⁶ This possibility never materialised, however, and following its reform the CFS declared itself to be: [T]he central United Nations political platform dealing with food security and nutrition...'.⁷⁷ An aspiration that, in part, is why legal scholar and former Special Rapporteur on the Right to Food Olivier De Schutter has argued that the reformed CFS represents 'an innovative way to overcome the challenge of fragmentation in international law'.⁷⁸

Following its reform the UN Committee on World Food Security now manifests three important aspirations: to be inclusive, to be a site of policy debate, and to be politically central. It therefore promises to embody many of the properties sought by La Vía Campesina in the global governance of food and agriculture. This is not an accident, and reflects to some extent the high degree of influence that La Vía Campesina and their allies in the International Planning Committee

⁷⁵ 'The Plenary is the central body for decision-taking, *debate*, coordination, lesson-learning and convergence by all stakeholders at global level on issues pertaining to food security and nutrition CFS' (2009) Paragraph 20, emphasis added.

⁷⁶ Josh Brem-Wilson, 'La Vía Campesina and the UN Committee on World Food Security: A Transnational Public Sphere?', PhD Thesis, 2012, available at: {https://bradscholars.brad.ac.uk/bitstream/handle/10454/5706/Jbremwilson_FINAL_PhDThesis.pdf?sequence=1}, p. 217.

⁷⁷ CFS (2009) Paragraph 2.

⁷⁸ O. De Schutter, 'The Reform of the Committee on World Food Security: The Quest for Coherence in Global Governance', CRIDHO Working Paper 2013/8, available at: {<http://cridho.uclouvain.be/documents/Working.Papers/CRIDHO-WP-2013-8-ODeSchutter-CFS-GolbalGovernance.pdf>} accessed 23 February 2015, p. 5.

for Food Sovereignty (IPS) were able to enjoy during the process of negotiating the vision for the CFS's reform. The opening for them in this process came in part as a result of many years investment of time and energy cultivating a presence before FAO (the CFS's host institution) and other Rome-based food entities such as the International Fund for Agricultural Development. When the IPC was formally invited to participate in the CFS reform discussions, this gave La Vía Campesina an opportunity to initially observe, but then become more active in the reform discussions as the process continued. To key La Vía Campesina personnel participating throughout its final stages, both the level of participation they enjoyed in the CFS reform process, and their influence over its outcome greatly exceeded their expectations at that time.⁷⁹ And following the adoption of the reform blueprint in October 2009 La Vía Campesina has continued to invest a high level of participation in the reformed CFS, being an active participant both in its intersessional work, and its annual plenary.⁸⁰

The presence of La Vía Campesina, and other transnational social movement actors⁸¹ in the its meetings and work means that the CFS promises to include smallscale food producers and other rural peoples in a policy arena that aspires for political centrality and in which the contested nature of contemporary food policy is implicitly and explicitly recognised. It promises, in other words, to articulate the 'communication flows' emanating from an affected public and its allies' subaltern counterpublics, with transnational public authority, and by so doing provide the *institutional component* of a transnational public sphere. The vehicle of that articulation is of course their direct participation, underpinned by a formal right of inclusion in the CFS's work.

There is of course a key distinction to be drawn between the promise contained in a text (the CFS reform blueprint) and the delivery of that promise in practice (the actual functioning of the CFS). To fulfil the institutional criteria of a transnational public sphere the CFS must deliver on its three key dimensions

⁷⁹ For a more comprehensive description of the CFS reform process and its immediate context see Brem-Wilson (2015) pp. 5-7, and Brem-Wilson (2012) pp. 203-222.

⁸⁰ For example, for the period 2015-2017 La Vía Campesina is one of six organisations representing civil society in the CFS's Advisory Group, and holds two of the four available slots available to representatives of smallholder farmers in the Coordination Committee of the Civil Society Mechanism. They also constitute one of the largest civil society delegations at the annual plenary.

⁸¹ E.g., from Central Africa the *Plate forme Sous Régionale des Organisations Paysannes d'Afrique Centrale* (PROPAC), from West Africa the *Réseau des Organisations Paysannes et de Producteurs de l'Afrique de l'Ouest* (ROPPA); and from Asia the *Asian Peasants Coalition* (APC).

simultaneously. It must become *meaningfully*: politically central, a site of policy debate, and inclusive. To be sure, none of these goals looked like it was ever going to come easy, and recent studies covering the post-reform period indicate that mixed progress is visible within each area.

For example, in terms of its aspirations for political centrality, various dynamics communicate that the CFS has undoubtedly established itself as a key forum for food security discussion at the global level. These include increased participation in its work by key states and regions, the private sector and International Financial Institutions such as the World Bank. They also include discursive recognition, at least, of the role of the CFS as a key site of global food security coordination from other global policy fora, including the UN General Assembly, the G20, G8, and UN Conference on Sustainable Development (Rio+20).⁸² Perhaps more importantly, there is now clear evidence that CFS policy instruments are influencing the behaviour of both state and non-state actors. The 'Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security' provide probably the best illustration of this. Adopted by the CFS in 2012, the *Guidelines* are already showing signs of impacting national legislative processes, have been recognised by the UK govt, for example, as providing a 'globally agreed standard' for land governance, and appear to be influencing outcomes at the ground level in their domain of influence (governance of land and natural resources).⁸³ This indicates then, that although falling short of the production of 'binding laws' and the exercise of 'administrative power', the CFS is making important progress in its pursuit of 'political centrality'. In the context of its emergence – the institutional fragmentation of transnational food and agricultural policy-making – this is important.

However, it is also the case that many global policy entities simultaneously duplicate, ignore, or even contradict the work of the CFS in their own activities⁸⁴,

⁸² McKeon (2015), p. 189; Duncan (2015), pp. 86, 222 & 226.

⁸³ Ruth Hall and Ian Scoones with Giles Henley, 'Strengthening Land Governance: Lessons from implementing the Voluntary Guidelines', LEGEND State of the Debate Report (London: UK Department for International Development, 2016); Land Reform Review Group, 'Land Reform Review Group Final Report - The Land of Scotland and the Common Good', (2014), Available at {www.gov.scot/Resource/0045/00451087.pdf} accessed 2nd August 2016.

⁸⁴ One such initiative is the 'New Alliance for Food Security and Nutrition'. Launched at the 2012 and 2013 G8 Summits in the US and UK, the New Alliance articulates corporations and donor countries with African countries to channel agricultural investment and promote policy change.

an outcome that in the eyes of some commentators clearly undermines the CFS's 'mandate and legitimacy'.⁸⁵ Intense resistance offered by some states to the CFS's attempts to expand its discussions into the area of international food and agricultural trade, the domain of the World Trade Organization, provides another pertinent illustration of the challenge facing the CFS as it aspires for 'political centrality'.⁸⁶

Similar variability is evident in the CFS's aspirations to operationalise 'policy debate'. There can be no doubt that since its reform the CFS has maintained a prominent place for inclusive, sometimes heated dialogue involving state and non-state actors in its work. This dialogical ethos is sometimes referred to by member states as the 'spirit' of the CFS, and provides an environment that denies traction to more conventional diplomatic carrot and stick approaches, particularly evident in those moments when traditionally powerful states fail to strong-arm other states into alignment with their positions using such means.⁸⁷ However, it is also the case that the CFS exhibits significant uncertainty about how best to realise its aspirations for policy debate. One example of this is the general lack of clarity in the reformed CFS about the relationship between policy debate and decision-making authority, formally the preserve of member states. This ambiguity means that on some occasions, reflecting a prevailing tendency towards consensus promotion characteristic of UN processes, decisions are taken 'up stream'⁸⁸ to restrict the terms of a CFS debate in a way that eliminates potentially contentious topics or positions before they get to the wider membership. Unevenness in the chairing and facilitation skills of state representatives (who chair CFS policy processes and negotiations) also affects

It has been heavily critiqued by civil society for a lack of transparency and inclusivity, and for prioritising the interests of corporations over smallscale food producers and the food insecure. See: Nora McKeon, 'The New Alliance for Food Security and Nutrition: A Coup for Corporate Capital?', (Amsterdam: Transnational Institute (TNI), 2014).

⁸⁵ Duncan (2015), p.232.

⁸⁶ Duncan (2015), p. 226; Brem-Wilson (2012) p.244, It is important to note though that disagreements (between states, and between states and civil society) about the CFS's political status were a feature of the reform process and are ongoing. Brem-Wilson (2012) p.214-219. The ongoing struggle by civil society, for instance, to establish a robust monitoring regime for the CFS's work, and the resistance this has encountered, are perhaps one of the most recent examples of this.

⁸⁷ McKeon (2015), p. 183; Duncan (2015), p. 146.

⁸⁸ By the CFS secretariat and High Level Panel of Experts, for instance, both of which by being involved in the preparation of CFS reports and agendas have an opportunity to facilitate or suppress the discussion of potentially contentious issues.

the quality of policy debate in the CFS in a way that undermines its full potential.⁸⁹

It is perhaps in respect to the CFS's aspirations for inclusivity where progress has been most clearly visible, particularly where civil society participation is concerned. As noted, the formal rights now enjoyed in the CFS by small-scale food producers and other rural, and food-insecure constituencies, are unprecedented in the history of UN-civil society relations. Civil society now literally sits side by side with state representatives, both in the CFS's 'intersessional' work, and its annual plenary. They participate in the governance of the CFS via their representation in the 'Advisory Group', a multi-stakeholder governance organ supporting the purely member state constituted Bureau. And they have operationalised the principle of civil society autonomy in their engagement with the CFS via their creation of a Civil Society Mechanism (to facilitate their participation in the CFS on an ongoing basis) and their management of their own participation in specific policy processes, such as that to formulate a set of Voluntary Guidelines on governance of natural resource tenure, adopted by the CFS in October 2012.⁹⁰

Compared to their historical experience in the meetings of the CFS and its host institution, the FAO, where their participation was largely episodic (confined to specific events such as the 2006 International Conference on Agrarian Reform and Rural Development) or discretionary (depending on the chair of a specific meeting opening up floor space for them), these gains are profoundly significant.⁹¹ And crucially, civil society participants in the CFS have been able to see the *impacts* of their inclusion: shaping the terms of key debates, introducing new perspectives into the CFS's work, and influencing the content of important CFS outcomes.⁹² Such instances of civil society impact on transnational policy-making are extremely rare, and further underscore the unique character of the CFS.⁹³ However, progress here has also not been seamless. A civil society 'walk out' in 2011 in response to their exclusion from an important debate illustrates that the full realisation of their formal participation rights can still be dependent

⁸⁹ Brem-Wilson (2011) p. 246; McKeon (2015), Duncan (2015).

⁹⁰ P. Seufert, 'The FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests', *Globalizations*, 10:2 (2013). Pp. 181-186; CSM (International Food Security and Nutrition Civil Society Mechanism), 'What is the CSM?', available at: http://www.csm4cfs.org/about_us-2/what_is_the_csm-1/ accessed 3 April 2016.

⁹¹ McKeon, *Food Security Governance*; McKeon, *The UN and Civil Society*.

⁹² Duncan (2015), p. 166; McKeon (2015), p. 168, p. 170.

⁹³ Steffek and Nanz (2008), p. 28.

upon the discretion of the individuals chairing CFS sessions at any given moment.⁹⁴

It is evident then that, although uneven, the post-reform CFS is making significant progress realising the promise contained within its reform blueprint in the three areas of relevance to public sphere theory. From the perspective of this article, and public sphere theory's transnational turn, this is highly significant, because it means that we can indeed now recognise the existence of a nascent transnational public sphere, with the CFS providing its institutional component. The relationship between La Vía Campesina and the CFS, in other words, signal that it is possible to apply public sphere theory to the transnational in a way that is neither utopian, nor which requires a dilution of its critical theoretical potential. In regards to this latter concern, this means that we don't have to abandon public sphere theory's normative conditions in order to recognise the democratic potential of the LVC-CFS dynamic. Indeed, far from requiring a dilution of its critical theoretical potential, the LVC-CFS relationship allows us to develop this critical theoretical potential further, by applying public sphere theory to an ongoing evaluation of the degree to which that democratic potential is continuing to be fulfilled, or failed. I am talking here about the development of an empirical research agenda for public sphere theory's transnational turn, something that has been lacking at both the national, and transnational level.⁹⁵

For example, examining the CFS's aspirations to be a site of policy debate could involve focusing more precisely upon the deliberative processes that unfolds within its various arenas, specifically the ways in which (policy) norms become established and contested therein. Or, focusing on the CFS's aspirations to be politically central, it would seem particularly important to identify whether the CFS's inclusion of marginal and resource-poor stakeholders has any bearing upon the impact of the policy instruments that it generates, for better or worse. Whatever the area of focus selected, some degree of methodological bracketing will be required, so as to enable focus on one area at a time. It is essential to recognise, however, that no individual area is more important than another as an indicator of progress towards the full realisation of the CFS's potential. Each is *necessary* to the realisation of that potential, but not *sufficient*. For instance, it

⁹⁴ Marie Clarke (née Brill), 'And We Walked Out...Conclusion of the Food Price Volatility Work at the CFS', ActionAid Website, available at: {<http://www.actionaid.org/2011/10/and-we-walked-out-conclusion-food-price-volatility-work-cfs>} accessed 30 October 2011.

⁹⁵ Van Der Heijden (2010) p. 200.

might be that the CFS does go on to establish itself as the 'central political space' for food security policy-making at the global level⁹⁶ but that all of its decisions are the result of non-discursive influence (e.g. backroom deals amongst the most powerful states). Or, inversely, the CFS might establish itself as a forum of policy debate to the satisfaction of all interested parties, but remain politically irrelevant. In either case the CFS will have realised an attribute that is necessary, but not sufficient for the attainment of its potential as the institutional component of a transnational public sphere.

4. Extending the focus: From formal to effective participation

Extending this forward focus, one particularly important task to which attention will have to be given involves tracking the quality of participation attained in the CFS by civil society organisations representing affected publics, such as La Vía Campesina and other transnational social movements. Specifically, it will be crucial to identify whether these actors are managing to convert their *formal* right to participate in the CFS's work, into *effective* participation. The importance of this task follows from recognising that such effective participation in transnational policy processes necessitates the attaining of certain 'entry requirements', including an ability to manage potentially large quantities of knowledge and information, deploy specialist language, and negotiate sometimes complex institutional dynamics.⁹⁷ And the task of meeting these entry requirements is especially difficult for non-elites, who are disadvantaged, for instance, by resource asymmetries vis-à-vis other constituencies.⁹⁸

And indeed, whilst no systematic analysis of these dynamics has been conducted so far⁹⁹, there are indications that these expanded participation opportunities are posing serious challenges to precisely those actors whose participation is so important to realising the radical inclusivity of the CFS: smallscale food producers and other rural, and food insecure constituencies. For such actors, limited in resources, such dynamics within the CFS as the monopoly of the English language, the importance of electronically mediated participation, the timescales and rhythms of participation, and the generally increased

⁹⁶ The optimal form of which is subject to debate. McKeon (2015) p. 204.

⁹⁷ Nanz and Steffek (2004), p. 323.

⁹⁸ Bexell et al (2010), p. 87.

⁹⁹ By systematic, I mean maintaining a singular and consistent focus upon the 'knowledge object' of civil society participation in the CFS, and particularly their attempts to convert their formal right to participate into effective or substantive participation.

organisational requirements of effective participation are all generating significant obstacles.¹⁰⁰ Indeed, La Vía Campesina themselves have spoken of the 'huge challenge' that confronts them as they now seek effective participation in this new context.¹⁰¹

From the perspective of public sphere theory, the challenges faced by these actors should perhaps come as no surprise. Since at least as far back as Habermas's assertion that the Bourgeois Public Sphere embodied certain 'institutional criteria' that meant that the 'authority of the better argument' was liberated therein from social, economic, and political power¹⁰², public sphere theorists have been interrogating the relationship between 'social position and political voice'.¹⁰³ One central insight emerging from this body of work concerns the ways in which the properties of discursive arenas (arenas for communicative exchanges), particularly their *informal* properties, function to empower the participation of some, whilst disempowering others.¹⁰⁴

Transposed to the CFS, this insight anticipates that for the newly admitted actors seeking to represent smallscale food producers and other non-elites in its work, challenges confronting their attempt to convert their formal right to participate into substantive, or effective participation, are inevitable. Given that the attainment of the CFS's unprecedented aspirations for inclusivity, (and, by extension, the realisation of the CFS's potential to fulfil the institutional component of the nascent transnational public sphere delineated within this article), are dependent in part upon La Vía Campesina and other representatives of affected publics being able to participate effectively in the CFS, it is vitally important that we track, analytically, what these challenges are, and how they can and are being overcome. In order to develop this point further, in the final

¹⁰⁰ La Vía Campesina, 'The Committee on World Food Security (CFS): A New Space for the Food Policies of the World: Opportunities and Limitations', available at: {www.viacampesina.org/dl/click.php?id=44} accessed 9 December 2013; Kate Eklin et al., 'The Committee on World Food Security Reform: Impacts on Global Governance of Food Security', Working Papers n°03/14 (Iddri, Paris, France, 2014).

¹⁰¹ La Vía Campesina (2013) p. 2.

¹⁰² Habermas (1989) p.36.

¹⁰³ Fraser (2007) p. 18.

¹⁰⁴ Calhoun (2010) p. 323; Fraser (1990) p. 63. This insight is also present in the idea, within Critical Discourse Analysis, that individual participants in a discursive process can be differentiated according to their 'discourse access profile' T. A. van Dijk, 'Principles of Critical Discourse Analysis', *Discourse & Society*, 4:2 (1993), p. 256.

section of this article I will outline a framework to conduct such an analysis. This will unfold via the assertion of two propositions.¹⁰⁵

i. Proposition one

The articulation of communication flows from the periphery of informal or affected publics, via their direct participation, with (transnational) policy-making, necessitates their attainment of certain conditions: the Requisites of Effective Participation.

For example, at a minimum, to communicate the perspectives¹⁰⁶ of their constituencies, and critically debate and shape formal policy processes, civil society participants in the CFS need to have some idea of what is being discussed, how this might potentially affect their constituency, and what that wider constituency's aspirations are for the policy-issue under consideration¹⁰⁷ Likewise, to be able to take up their formal right to participate in the CFS, smallscale food producers and other rural and food insecure constituencies need to be able to travel to the location of its meetings (usually Rome), and once there, know how to gain entry into actual discussions (i.e. negotiate the protocols and procedures of an intergovernmental arena). And, furthermore, successful interventions in such spaces require that the participants are psychologically, emotionally and physically comfortable with the scales and modes of participation; can communicate their perspectives and positions in a way that gains traction with other interlocutors in the arena; and enjoy a commitment to be heard from those same interlocutors, particularly the decision-makers: member states.

In short, we can say then that the Requisites of Effective Participation, comprise:

- Attaining spatial and temporal convergence with the arena;

¹⁰⁵ The insights developed here are the result of seven years of analysis, observation and engagement with the dynamics of civil society participation in transnational food and agricultural policy-making and governance spaces, with public sphere theory providing an overarching theoretical reference for most of that time. Brem-Wilson, (2012, 2015).

¹⁰⁶ Bohman (2010).

¹⁰⁷ Anne Marie Goetz and John Gaventa, 'Bringing Citizen Voice and Client Focus into Service Delivery', IDS Working Paper 138, (Brighton: IDS, 2001), p.47; Jan A. Scholte, Democratizing the Global Economy: The Role of Civil Society', (University of Warwick: Centre for the Study of Globalisation and Regionalisation, 2004), p.19; M. Menser, Transnational Participatory Democracy in Action: The Case of La Vía Campesina, *Journal of Social Philosophy*, 39:1 (2008), p. 22.

- Communicating intelligibly and persuasively;
- Being informed (about what is being discussed and how it potentially affects your constituency);
- Being (physically, emotionally and psychologically) comfortable with participation in the arena; and
- Being recognised as having the right to speak (by the other interlocutors in the arena).¹⁰⁸

These conditions embody a notion of effective participation informed in the first instance by public sphere theory's insistence that legitimate political decision-making hinges upon the articulation of communication flows from informal with formal publics.¹⁰⁹ To put it another way, they address the question: If the articulation between global formal and informal publics is going to be achieved by the formal participation of the latter in the arenas of the former, then what conditions have to be achieved? Crucially, they have to be situated within an awareness of the fact that such participation is *representative* participation, and necessitates for those coming up into the intergovernmental milieu a constant bridging of the formal and informal spheres. Thus, being informed would entail the representative of the affected public (e.g. smallholder food producers) both understanding the policy issue under consideration, but also, importantly, how it affected them and their constituency. This might well entail regular consultation between the global level representative and the wider constituency. Historically, La Vía Campesina representatives have vigilantly guarded their right to be in ongoing dialogue with their grassroots membership.¹¹⁰ This has naturally affected their ability to respond to the tight rhythms of intergovernmental policy processes, causing frustration even amongst so-called sympathetic UN officials.¹¹¹ The point here is simply that this dual responsibility to the exigencies of effective participation in the arena, on the one hand, and the core constituency, on the other, create tensions that need to be negotiated moving forwards.

¹⁰⁸ See Brem-Wilson (2015) pp. 12-16 for a wider overview of the Requisites of Effective Participation in policy-relevant discursive processes.

¹⁰⁹ But are convergent with the aspirations, on the one hand, for La Vía Campesina to channel the 'voice' of 'the peasant movement' in the 'global debates on agrarian policy', and on the other the reformed CFS to include smallscale food producers and other rural, and food insecure constituencies in a politically relevant policy debate.

¹¹⁰ Annette Desmarais, *La Vía Campesina: Globalization and the Power of Peasants*, (London: Pluto Press, 2007), p. 28.

¹¹¹ Field Notes, Rome, Sep 2009.

ii. Proposition two

These are abstract conditions of effective participation, but, as has been alluded to above, their attainment, or not, is in part a matter of engaging with, and working through concrete *participatory opportunities* embodied in a specific arena and its processes. For example, in the case of the CFS, to attain spatial and temporal convergence requires, most of the time, travelling to Rome. To communicate intelligibly and persuasively demands, at minimum, speaking one of FAO's six official languages.¹¹² And often, particularly outside of formal meetings, it requires speaking English. And to be psychologically comfortable with participation in the arena and its processes requires, in the case of the CFS's plenary meetings certainly, an ability to speak before an audience of several hundred people, most of whom are global elites (diplomats, senior politicians, and UN and national officials) and other 'policy professionals'.¹¹³

Needless to say, if you are deficient in the specific capacities that are required by the participatory opportunities embodied in an arena like the CFS, then either you can't participate, or your participation will be comprised. For example, if an aspirant interlocutor doesn't speak one of FAO's official languages, then she can't communicate in CFS meetings. In the context of the framework that I am discussing here, she would be identified as experiencing an *REP deficit*. And similarly, if an aspirant participant in the CFS is already overstretched in terms of time and workload (capacity), and if briefing documents and agendas are released very near to the dates of actual meetings (participatory opportunity), then she won't be able to become informed about the meeting, and its potential implications for her constituency (REP outcome).

Capacity is not, however, the only agent-centric attribute that bears upon the quality of an interlocutor's 'take up' of the participatory opportunities within an arena like the CFS. *Participatory preferences* are also key. Intelligible communication, for example, extends beyond the need to be clear to one's interlocutors. It also necessitates being true to what one is trying to say. The CFS is an intergovernmental arena, and operates within a specific 'genre'¹¹⁴, a

¹¹² English, Spanish, French, Russian, Arabic, and Chinese.

¹¹³ Diane Stone, 'Global Public Policy, Transnational Policy Communities, and their Networks', *Policy Studies Journal*, 36:1 (2008), pp. 19–38.

¹¹⁴ N. Fairclough, 'Critical Discourse Analysis', *International Advances in Engineering and Technology*, 7 (2012), p. 456.

particular style of speaking that is characteristic of the diplomatic milieu. Such formal-technical 'conventionalised discourses' impose particular constraints upon those who work within them.¹¹⁵ For representatives of marginalised, or subaltern constituencies, who may pursue very different 'strategies of representation'¹¹⁶, such discourses might therefore frustrate their efforts at intelligible communication by denying them the opportunity for accurate self-expression. Indeed, in the specific history of civil society's engagements with formal intergovernmental processes of food and agricultural policy-making, there have been instances when officials, only familiar with La Vía Campesina via their participation in the formal spaces, upon entering their autonomous discursive arenas have become conscious of until then not quite understanding what the movement is, and what it has been trying to say.¹¹⁷

And finally, it is also important to recognise that along with *capacity*, on the one hand, and *participatory preferences*, on the other, *identity* is also significant as a factor that affects an individual's ability and willingness to engage successfully with arena-specific participatory opportunities. For example, recognition of the right to speak requires in the case of an arena like the CFS, at a minimum, the *formal* right to participate in its meetings and spaces. Those without this formal right cannot participate (they would not even get past security at FAO headquarters, the location of the CFS). Beyond this, however, to be able to debate and contest with a potential interlocutor (such as member states) requires of that potential interlocutor a willingness to extend to you a commitment to hear you speak. Indeed, for Habermas, the successful enactment of the public sphere needs to go beyond this, in that it requires affected publics' attainment of 'communicative freedom', which entails:

¹¹⁵ Anna Holzscheiter, *Children's Rights in International Politics: The Transformative Power of Discourse* (Basingstoke: Palgrave MacMillan, 2010), p. 30; Ruth Wodak, 'The discourse-historical approach', in Ruth Wodak and Michael Meyer (eds), *Methods of Critical Discourse Analysis* (London: Sage, 2001), p. 66.

¹¹⁶ Michael E. Gardiner, 'Wild Publics and Grotesque Symposiums: Habermas and Bakhtin on Dialogue, Everyday Life and Public Spheres', in Crossley and Roberts (2004) p. 44, referencing Alberto Melucci, 'Social Movements and the Democratization of Everyday Life' in John Keane (ed) *Civil Society and the State: New European Perspectives*, (London: Verso, 1988), p. 249.

¹¹⁷ McKeon, *The UN and Civil Society*, p. 91.

[T]he possibility – mutually presupposed by participants engaged in the effort to reach understanding – of responding to the utterances of one’s counterpart and to the concomitantly raised validity claims.¹¹⁸

This delineates the necessity of a specific attitude or ‘illocutionary obligation’, on the part of one’s interlocutor (member states), including their willingness to justify the ‘validity claims’ raised within a particular speech act, or, by extension, policy decision or framing. Identity is relevant here because even amongst those who have made it into the room, differences in identity connected to gender, race, class, age, and more, have very significant impacts upon who gets to speak, when they get to speak, who gets listened to, and who gets responded to.¹¹⁹

In summary, we can recognise then that in the first instance the attainment or not of the Requisites of Effective Participation is a result of the dynamic interplay between agent-centric (capacities, identity, and participatory preferences) and arena-specific (participatory opportunity) properties. If, for instance, a participant’s capacities (e.g. language skills, financial resources, time, knowledge) are insufficient to negotiate a particular participatory opportunity, then the result will be a REP deficit. It is important to also recognise, however, that distance between the agent and the arena can be bridged through the provision of third party *facilitation*. This might involve the delivery of financial resources, trainings, interpretation or translation services, briefing documents and policy guides, organisational capacity, and more. In the context of the CFS this insight is particularly important, because it recognises the roles that are very much being played there by NGOs, who via their membership of the CSM support social movement and affected public participation through the provision of much of the above.¹²⁰

Carrying these insights forward, the second proposition asserts then that:

¹¹⁸ Habermas (1996) p. 119, referencing Klaus Günther, ‘Die Freiheit der Stellungnahme als politisches Grundrecht’, in Peter Koller, P. et al. (eds), *Theoretische Grundlagen der Rechtspolitik, Archiv für Rechts-und Sozialphilosophie*, (Beiheft 54, 1992), p. 58ff.

¹¹⁹ Fraser (1990) p. 63-64.

¹²⁰ A role that reflects the template for NGO-social movement relations developed in the International Planning Committee for Food Sovereignty and integrated into the design of the CSM, and which also echoes La Vía Campesina’s own relationships with NGO allies such as FIAN international, and many others. McKeon (2015), p. 109; S. M Borras Jr. ‘The Politics of Transnational Agrarian Movements’ *Development and Change*, 41:5 (2010), pp. 771-803.

REP outcomes are a result of the degree of convergence between the capacities, participatory preferences and identity of the actor, the participatory opportunities within the arena, and the degree of third party facilitation that is available to make up any divergence between the two.

The framework outlined above communicates that different actors (who vary according to their capacities, participatory preferences, identities and access to facilitation) will experience the same participatory opportunities differently. It therefore underscores the importance of specific attention to the ongoing efforts of smallscale food producers, and other non-elite civil society constituencies, seeking to convert their formal right to participate in the CFS into effective participation. Such a disaggregated approach (i.e. disaggregating these actors from NGOs, and other non-state actors formally entitled to participate in the CFS) is key to understanding what challenges they face, and how and if these are being overcome. Equally important, however, is the need to also capture the experiences of actors from the other constituencies formally entitled to participate in the CFS, including the private sector; representatives from other UN agencies with mandates in food; and representatives from International Financial Institutions. This comparative analysis would enable differentiation between those challenges that are uniquely being faced by smallscale food producers, and other non-elite civil society constituencies, and those that are being encountered by a wider range of constituencies, and are therefore more like to be 'arena-specific'.

The REP framework, however, is not just a methodology for analysing non-elite participation in a transnational policy processes. It also identifies three different types of *intervention* that are potentially available to address REP deficits. For example, if the participatory opportunity within the arena is speaking English, and the aspirant participant only speaks Spanish, then one route to remedying this REP deficit would be via the addition of Spanish as a formal, interpreted language within the arena. Alternately, another route would be the potential participant learning English. And finally, it would also be possible for a third party (e.g., a civil society ally) to *facilitate* the potential participant's participation by providing interpretation services themselves. These three responses indicate the three different routes to remedying REP deficit: *arena*-adjustment; *actor*-adjustment; and *facilitation*. To use another example, in the case of converging spatially and temporally with the arena, if the participatory opportunity involved travelling to Rome, and the actor lacked sufficient capacity to achieve this, the three potential responses are: changing the location of the

meeting to accommodate the actor's capacity (arena-adjustment); the actor reallocating resources to enable their journey (actor-adjustment); and, a third party providing the funds for the journey (facilitation).

The recognition of these three potential routes is especially crucial in a context where historically civil society have been responsible for making up the gap between themselves and the formal sphere of UN/transnational food and agricultural policy-making.¹²¹ Typically, such bridging creates the danger of 'professionalisation', or adaptation to the modes of working and speaking prevalent in the institutional arena.¹²² This dynamic generates at least two key concerns. Firstly, if effective participation is attainable only by those actors capable or willing to adjust to the intergovernmental milieu, then this, by excluding the great many actors who can't or won't adjust, greatly constrains the democratic potential of such arrangements, where democratic legitimacy hinges upon the effective participation of affected publics in key decision-making and policy processes. Secondly, even and perhaps especially when adaptation is successfully undergone, this creates the risk of 'estrangement' between the nominal representative, and the constituencies and communities they are meant to be representing (though of course, as is captured in Table 1, none of the potential routes to remedying an REP deficit is without risk).¹²³ Thus, given its historical absence, but potential value, a key goal for the analysis of the democratic potential within institutional innovations such as that embodied in the reformed CFS concerns the identification of actual instances of, or potential for, *arena adjustment* to enable the participation of affected publics.

This would involve, for example, identifying if institutional process managers - the diplomats and officials who collectively manage and shape the dynamics of meetings - are willing to accommodate or initiate arena adjustment. Or to put it another way, this would entail capturing the degree to which institutional process managers are able to denaturalise the modes and structures of

¹²¹ McKeon (2009a), p. 89. Martens, for example, also notes the tendency of the UN to privilege interaction with civil society organisations that are 'formally organized', one consequence of which is a lack of real contact with social movements 'that lack formal organizational provisions'. Kerstin Martens, 'Civil Society and Accountability in the United Nations', in Scholte (2011), p. 54.

¹²² Gerlinde Mautner, 'Language and Communication Design in the Marketplace', in Ruth Wodak and Veronika Koller (eds), *Handbook of Communication in the Public Sphere* (New York: Mouton de Gruyter, 2008), pp. 131-154.

¹²³ A. Holzscheiter, 'Discourse as Capability: Non-State Actors' Capital in Global Governance', *Millennium - Journal of International Studies*, 33:3 (2005), p. 746; Pierre Bourdieu, 'Language and Symbolic Power' trans. John B. Thompson (Cambridge: Polity Press, 1991), pp.172-183.

participation that perhaps most accommodate their own capacities, identities and participatory preferences. Particularly important in this regard will be identification of the *conditions* under which arena adjustment does, or could take place. For example, at the CFS in 2012, UN Secretary-General Ban Ki-Moon was afforded the opportunity to engage with the plenary via webcast.¹²⁴ Perhaps this instance of arena adjustment was connected to high recognition amongst institutional process managers of the UNS-G's right to speak and, indeed, the fact that his participation confers increased legitimacy on the CFS as it seeks to establish itself as a politically central global level food security coordination mechanism. Whether this was the case or not, the question is: Are institutional process managers in the CFS willing to adjust the participatory opportunities within its arenas and processes to enable the participation of *affected publics* therein? The answer to this question has profound implications for the democratic potential of the CFS, and beyond.¹²⁵

5. Conclusion

In the introduction to this article I discussed how the project of transposing public sphere theory to the transnational had been impeded by a lack of concrete examples in which the properties of either nascent or existing transnational public spheres can be easily recognised. I noted two consequences of this: Firstly, it renders those promoting public sphere's transnational turn susceptible to the charge of utopianism, to the suggestion that they are advancing a political project with little chance of realisation. And secondly, it leads to some suspending or modifying some of the framework's core conditions in order to accommodate the 'actually possible', with a subsequent diminishment of the framework's critical theoretical potential. Recognising these concerns, in this article I have contributed to public sphere theory's transnational turn by arguing for the

¹²⁴ The fact that concrete articulation with a policy discussion can be attained via a range of different means (including electronically or virtually), and involving various types of relationship between actor and arena, is why this category is labeled somewhat abstractly as 'attaining spatial and temporal convergence'.

¹²⁵ Three years after the reform the evidence suggested they were not: '[T]he CFS is an established and formal governance space that operates under formal UN procedures. Thus, while the CFS is in favour of including those most affected by food security, the organization structure, financial mechanisms and the political culture have yet to fully adapt to facilitate their involvement.' J. Duncan and D. Barling, 'Renewal through Participation in Global Food Security Governance: Implementing the International Food Security and Nutrition Civil Society Mechanism to the Committee on World Food Security', *International Journal of Sociology of Agriculture & Food*, 19:2 (2012), p. 157.

existence of a nascent transnational public pivoting on the encounter between La Vía Campesina (and other transnational agrarian movements) and the UN Committee on World Food Security. As I have demonstrated, the existence of this case study illustrates that it is possible to apply public sphere theory to the transnational in a way that is neither utopian nor which requires a suspension of its critical theoretical potential. Moreover, as I make clear, the existence of a concrete example of a nascent transnational public sphere does more than simply *defend* public sphere theory's transnational turn against the concerns identified above. It also *promotes* that transnational turn by advancing public sphere theory's empirical research agenda, and along with this concrete case study I contribute to the development of this empirical research agenda by providing an analytical framework that will allow us to take that further.

I will conclude this paper, drawing from the previous discussion, by identifying the three different ways in which public sphere theory can be 'applied' to the transnational. My goal here is to help clarify the contribution of this article, but also clarify the contribution of public sphere theory to ongoing scholarly interrogation of the democratic potential of the transnational, the project of which forms the wider context for this paper.

Firstly, public sphere theory is an *interpretive lens*. It helps us to identify what is happening, or has happened, in the world, and particularly the democratic, or 'emancipatory' significance of this.¹²⁶ Historically this has been demonstrated in the recognition by those working within public sphere theory of the democratic significance of 18th century coffee houses, or bourgeois cultural forms, or the autonomous discursive practices of marginal or subordinate collectives, or institutional reforms that permit a greater articulation between political decision-making and discursive activity amongst affected publics, and so on.¹²⁷ In this article, its value as an interpretive lens has allowed us to recognise the unique democratic significance of both the emergence of transnationally active affected public such as La Vía Campesina, and the reformed UN Committee on World Food Security.

Secondly, public sphere theory is an *evaluative framework*. Its normative conditions enable us to not just interpret the world, but also to evaluate it.¹²⁸ In this article, I have introduced an analytical framework that amplifies public

¹²⁶ Nash (2014) p. 60; Crack (2008) p. 197.

¹²⁷ Habermas (1989); Fraser (1990).

¹²⁸ Couldry (2014) p. 44; Crack (2008) p. 197.

sphere theory's evaluative potential. It does this by translating the vaguely articulated norm that political decision-making should articulate with communication flows emanating from affected publics into a framework for identifying the degree to which this is happening – via the direct participation of affected publics in its work – in the CFS. The application of public sphere theory as an evaluative framework to an analysis of empirical dynamics is another way of describing public sphere theory's empirical research agenda. This article – by recognising a nascent transnational public sphere and providing an analytical framework to identify the degree to which the CFS is fulfilling its potential as its institutional component – advances that empirical research agenda. It is important to note however that not discussing a data set itself this article merely represents a dynamic, though incomplete, mid-way point between the present state of public sphere theory's transnational turn, and the full realisation of the empirical research agenda, the possibility of which has been enabled by this article in a small but significant way.

And finally, public sphere theory is a *visionary tool*. That is, it enables us to derive from its normative conditions ideas for the world that, although not correlating at present with the way the world is constructed, signal an important trajectory of future travel or development. We can see this aspect of public sphere theory at work, for example, in Nancy Fraser's ambitious call for the creation of 'new public powers' capable of fulfilling the institutional requirements for a transnational public sphere.¹²⁹ It is also perhaps partly visible in the recent history of public sphere theory's transnational turn, which, by entertaining the possibility of a transnational public sphere in the absence of evidence of one actually existing, has provoked an accusation of utopianism.¹³⁰ In this article I have not engaged with aspect of public sphere theory at all, and indeed, by identifying a case study in which the properties of a nascent public sphere theory can be recognised, have sought to defend its transnational turn from this allegation. That is, I have demonstrated that it can be applied to the transnational in both its interpretive and evaluative modes, and by so doing hope I have advanced the contribution of public sphere theory to a theoretically informed, critical interrogation of the democratic potential of the transnational.¹³¹

¹²⁹ Fraser (2007) p. 23. A call that in this article I have argued the CFS to a significant extent responds to.

¹³⁰ Whilst perhaps the allegation of utopianism has been most conspicuously leveled at Nancy Fraser, it is important to note that she is acutely aware of the dangers of an ideological approach to social analysis, and stresses the need to avoid this. Fraser (2007) p. 8.

¹³¹ The need for which has been recognised by, amongst others, Steffek and Nanz (2008), p. 9.

Requisite of Effective Participation (REP)	Participatory Opportunity within the CFS	Example of REP Deficit	Example of Response: <i>Actor-adjustment</i> (Burden carried by the participant):	Example of Response: <i>Facilitation</i> (Burden carried by third party):	Example of Response: <i>Arena-adjustment</i> (Burden carried by the arena):
<i>Attaining spatial and temporal convergence with the arena</i>	Meeting in Rome.	Interlocutor lacks time and resources for flights to Rome and accommodation.	Free up time, obtain more money. Risk: Opportunity Cost. Actor's participation in other strategically important processes is compromised.	Provision of financial support by sympathetic government, institution, or ally. Risk: Actor potentially loses control over the means of their effective participation.	Relocation of meeting to accommodate actor's capacity constraints. Risk: Subsidiary meeting fails to meaningfully articulate with formal meeting.
<i>Communicating in a manner that is a) intelligible, and b) persuasive to other interlocutors</i>	Speaking in CFS's six formal languages (English, Spanish, French, Arabic, Russian, Chinese)	Interlocutor doesn't speak formal language of arena	Learn formal language Risk: Organisation's or constituency's effective participation hinges upon availability of specific	Provision of additional interpretation services Risk: Actor potentially loses control over the conditions of their participation.	Creation of subsidiary meetings that allow for participation in native discursive modes. Risk: Subsidiary meeting fails to meaningfully articulate with formal meeting.

			<p>individuals with required language skills; interlocutor becomes detached from those whom she is meant to be representing.</p>		
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TABLE 1: Examples of REP deficits, remedies and risks in two areas.

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