



Multi-stakeholder initiatives to regulate biofuels: the Roundtable for Sustainable Biofuels

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Paper presented at the
International Conference on
**Global Land
Grabbing**
6-8 April 2011

Organised by the **Land Deals Politics Initiative** (LDPI) in collaboration with the **Journal of Peasant Studies** and hosted by the **Future Agricultures Consortium** at the **Institute of Development Studies**, University of Sussex

**Multi-stakeholder initiatives to regulate biofuels:
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DRAFT WORKING PAPER

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Abstract: Over the last decade, dramatic growth in the production of biofuels across the globe has been supported by domestic, bilateral and intergovernmental policy instruments. The consequential dominance of agri-business multi-national companies in global agricultural production systems has led to increasing foreign direct investment in land in developing countries. However, concerns have been raised in relation to the threat of land alienation for smallholders as well as adverse environmental and socio-economic impacts of large-scale biofuels production. In responding to such concerns, the Roundtable on Sustainable Biofuels is a high profile multi-stakeholder initiative to formulate sustainability standards that are to regulate the production process. This paper introduces research that is to explore the process of formulating the standards. It will discuss how dimensions of power affect relations between actors involved in or affected by the biofuels industry as they participate in its regulation. It will consider how multiple stakeholders in a global arena may work together in producing knowledge in the face of highly contested narratives.

Introduction

The Roundtable on Sustainable Biofuels (RSB) was set up in 2007 in the context of enormous controversy over the role that biofuels played in contributing to rocketing food prices across the global South (Oxfam 2007). Some of the environmental criticisms directed towards biofuels are that they do not mitigate climate change and adversely affect soil quality and fertility, biodiversity and water availability and quality (Magdoff 2008). Meanwhile, research has highlighted a huge increase in foreign investments in land in developing countries resulting from this expansion of biofuels (Cotula et al. 2008; GRAIN 2008; Cotula et al. 2009). Moreover, those depending on marginal land for their livelihoods, with insecure land tenure, will be most vulnerable to its alienation, or to adverse environmental and socio-economic

impacts of large-scale biofuels feedstock plantations on neighbouring land. While some have called for solutions to these ills from an environmental modernisation perspective, arguing for technological solutions (Woods 2006), others have called for the adoption of standards that would temper bad practices of companies involved in the production of biofuels, and ensure sustainability (Oxfam 2007). The RSB is one such global initiative that was set up to meet this call, embarking on a process to formulate standards against which the production process could be measured and the end product made certifiable. With its members coming from both industry and NGOs, international and national, from both the North and the South, such an organisation has potentially far-reaching power and authority. Not only will it regulate the production of biofuels against a set of environmental and social standards, it will also contribute to new power relations through bringing together new networks of actors, understandings and framings of knowledge. This paper introduces a three-year British Academy research project that will explore both the knowledge-making and decision-making process of the RSB since its birth. The research will contribute to greater understanding of why and how the processes of economic, and in turn agrarian transformation, are unfolding in the way they are and will consider the specific conditions and relations that enable and constrain the form of this transformation. The first section of this paper outlines four particular factors that have supported international, national and bilateral policy frameworks that have bolstered the global expansion of biofuels production, before going on, in the second section, to consider the effects of those policies in producing an emerging 'global integrated biofuels network'. The third section then goes on to introduce attempts to certify the production of biofuels, criticisms that have been levelled against them and the potential effects of those initiatives and their potential effects on global power relations. The final section introduces the research project, explaining what it will contribute to our understanding of global economic transformation and its implications for understanding the concept of legitimacy in relation to changing global governance.

Supporting policies

Over the last decade, there has been dramatic growth in the production of

bioenergy across the globe. Four factors have been identified in coming together to support such growth: climate change; rising prices of fossil fuels; energy security; and the need for rural development in the global South (FAO/GBEP 2008). Until 2007, there was unity between the agricultural producers and environmental groups who together supported the development of bioenergy (Dauvergne & Neville 2010). With the tremendous rise in food prices in 2007, however, doubt was not only cast on the use of extensive land and crops to produce fuel rather than food, but also the environmental credentials of biofuels (McMichael 2009). While these factors may continue to support the growth of the production of bioenergy, they are each based upon particular assumptions, the validity of which has been widely questioned (e.g. Franco et al 2010). I will discuss each of these factors in turn.

The potential of bioenergy in mitigating climate change has provided both governments and, initially, environmental activists with perhaps the most powerful basis for supporting the expansion of bioenergy (Franco *et al* 2010). On the assumption that the burning of bioenergy is carbon neutral – in that it simply returns to the atmosphere the carbon dioxide removed by plants while growing – the promotion of bioenergy will contribute to meeting member states' emissions reductions obligations contained in a variety of international agreements, including the Kyoto Protocol. However, emissions in the industrial production process, including farming, offset the neutrality of bioenergy; their effects depend upon a combination of 'geography, production processes, land conversion, feedstock, subsidies, pesticides, fertilisers and technologies' (Dauvergne & Neville 2009). Taking into account the additional effects of indirect land use change, a number of analysts have concluded that some forms of bioenergy produce more emissions than traditional fossil fuels, and therefore do not qualify as 'renewable fuel' (Searchinger 2008; Gillon 2010). Such criticisms of biofuels have contributed to the withdrawal of support for biofuels by many environmental activists (Oxfam 2008).

With the prices of fossil fuels rising dramatically over the same time period, policies supporting the expansion of production and consumption of biofuel are based upon the assumption that its production is cheaper than fossil fuel. This may be true for producers, but not for governments. As recognized by Kojima and Klytchnikova

in the World Bank Institute's *Development Outreach* (2008), however, without government support and protection, subsidies and mandates, the industry has rarely been able to stand on its own. Over the last decade, the US and EU have adopted a potent mix of subsidies, tariffs and targets to support domestic industry (ODI 2008; Hoekman 2009). For example, biofuel subsidies in OECD countries were estimated to be at least \$11 billion in 2006 (Dauvergne & Neville 2009). In addition to a 'welter of commodity subsidies, subsidized inputs [and] managed markets' (Hollander 2010: 718), both the US and EU, as well as Australia, China, India, Indonesia, Malaysia, Philippines, South Korea, Taiwan and Thailand have recently adopted mandates to blend biofuels (Scarlat & Dallemand 2011). In the US, for example, the Energy Independence and Security Act 2007 mandates an increase in biofuel production to 36 billion gallons per year by 2022; and in Europe, the 2009 Renewable Energy Directive (RED) sets out that by 2020, 20 percent of energy used and 10 percent of each member state's transport fuel must come from 'renewable sources'. Most transport fuel so defined will come from biofuels. As pointed out by Hollander (2010), such mandates to *consume* support long-term capital investment by providing a degree of stable demand whether or not bioenergy is cheaper than fossil fuels. However, such levels of demand for transport fuels far outstrip current domestic harvests of biofuels. Moreover, given its low relative contribution to transportation fuels, biofuel will not drive their prices (Kojima & Klytchnikova 2008), but linking energy and agriculture 'amplifies volatility in both markets' (Hollander 2010: 717-8).

The demand for national energy security, accentuated by the rising price of fossil fuels, is the third explanation for the expansion of the bioenergy industry. Nevertheless, satisfying that demand will depend upon countries producing sufficient bioenergy domestically to reduce dependence on imports. As Franco *et al* (2010) recognise, however, producing sufficient biomass even to meet the mandates referred to above could not be achieved without adopting a combination of the following strategies: changing domestic farming practices and planting bioenergy feedstock crops on land that was not previously available; and/or increasing the use of chemical fertilizer and pesticides; and/or increasing imports of biomass or

bioenergy; and/or expansion of companies' operations abroad. Germany, for example, has adopted all of these strategies. By 2007 biofuels contributed only 7.3 percent of Germany's total transport fuel but this required more than 10 percent of arable land to be used for growing bioenergy feedstocks and this still provided less than half of all biofuel consumed (*ibid*: 679). The rest was imported – hardly contributing substantially to greater energy security.

The need for rural development in the global South has led to institutions, for example, the World Bank, encouraging developing countries to support directly or indirectly the expansion of the production of bioenergy both for domestic consumption and for export. Accordingly, trade agreements relating to feedstocks for bioenergy have been adopted not only between developed and developing countries, but also between developing and developing countries (Dauvergne & Neville 2009). As summarized by Richardson (2010: 921) who specifically considers the sugar industry in Zambia, 'agro-exports can make an *indirect* contribution to rural development by promoting national economic growth and resilience' and investment in export crops for bioenergy can *directly* support rural development by 'increas[ing] on-farm and off-farm employment and revenue'. Along with the contribution of the expansion in the production and consumption of biofuels in mitigating climate change, the expansion of bioenergy in this way has come under intense criticism. As indicated above, in 2007, countering their potential contribution to rural development have been spikes in the prices of food commodities impacting on poverty in the global South and linked to the dramatic rise in the production of bioenergy feedstocks on land that formerly would have produced food. Moreover, increasing foreign direct investment in large-scale bioenergy production by both Northern and Southern multinational companies has involved extensive foreign investments in land in developing countries (Cotula et al. 2008; GRAIN 2008; Cotula et al. 2009). Such purchases have been controversial even in cases where such land had not formerly been used to produce food but has been defined as 'idle', 'marginal' or 'degraded'. As recognized by McMichael (2010: 617), however, 'marginal peoples' often depend on 'marginal', or non-productive, land for their livelihoods and, with insecure land tenure, will be most vulnerable to its

alienation. Moreover, the local environmental consequences resulting from the plantation agriculture favourable to the commercial production of biofuels may further undermine any direct support of rural development that might have otherwise come about.

The outcome: a 'global integrated biofuel network'

The favourable environment contributing to the growth of supportive policy instruments in relation to the expanding biofuels industry have ushered to the fore large car, oil and agribusiness companies and conglomerates that have participated in the growth in trade of bioenergy and foreign direct investment in relation to its production (Mol 2007). Mol identifies the resulting emergence of a 'global integrated biofuel network' (GIBN),

characterised by less concentration of objects, actors and relations in specific locations/regions, increasing transboundary flows of biofuels, an increasingly globally defined scape, the decreasing dominance of states and governability and a homogenisation and standardisation of products and processes ... Increasingly this GIBN integrates with the [global integrated network] of fossil fuels (*ibid*: 303).

In addition, he notes the proliferation of 'national biofuel regions' and 'large-scale monocropping biofuel production and the increasingly centralised, homogenised production and refining of these crops' with a corresponding reduction in 'local biofuel regions' (*ibid*: 306).

Peter Dauvergne and Kate Neville's research on North South and South South alliances in the sector (2009, 2010) have added to our understanding of this emerging GIBN. Their work highlights a proliferation of increasingly complex relationships between governments, MNCs, banks and domestic companies, criss-crossing and integrating economies of the North and the South, through partnerships and alliances, investments and trade relationships at different points along the commodity chain. Although they emphasise the emerging nature of this biofuels network, they draw lessons from developments in relation to the crops of rapeseed, sugar, soy, corn and oil palm – the primary and emerging large-scale

feedstocks of bioenergy – that are already produced in ‘industrialised agricultural and agroforestry systems’ (2010: 640). While such systems of production are unlikely to change as a result of a change in the nature of the end-product for which they will be used, what is likely to change is an increase in the number of newcomers involved in bioenergy, particularly from the South. They warn, however, that given the increasing domination by powerful MNCs in such systems, those ‘latecomer’ states from the South that become involved in bioenergy production may have increasing difficulties in effectively governing the industry.

Governing criticism: certifying biofuels

In response to growing criticisms and increasing pressure from civil society in relation to the unsustainability of biofuels, numerous certification schemes have been initiated (Scarlat & Dallemand 2011). These include schemes that cover particular feedstocks, such as palm oil, soy and sugar¹ (Richardson forthcoming), mandatory requirements incorporated into policy² and national³ and international initiatives to regulate the production process⁴.

Such initiatives have been criticised from a number of quarters. Dauvergne and Neville have argued that voluntarism in sustainability initiatives is limited and furthermore, ‘for landless and non-agrarian rural peoples’ such initiatives ‘do not solve, and may even exacerbate, the problems that industrial and globalised biofuel production cause for land rights and land tenure’ (2010: 653). Mol meanwhile warns us that such standards are likely to incorporate the environmental issues and problematisations of the ‘cosmopolitans (such as climate change) rather than those of the locals (who are concerned with water and soil degradation)’ (2007: 307). Furthermore, he recognises that such standards can be seen as ‘green imperialism’, restricting developing countries ability to participate in production (*ibid*: 309).

¹ e.g. the Roundtable on Sustainable Palm Oil, Roundtable for Responsible Soy Production and the Better Sugarcane Initiative.

² e.g. EU-RED includes a set of environmental standards, including the requirement that biofuels should meet a minimum requirement for GHG savings of 35% relative to fossil fuels.

³ e.g. The Netherlands Technical Agreement 8080 for sustainable biomass for energy production, the US Renewable Fuels Standard.

⁴ e.g. The Roundtable on Sustainable Biofuels, the Global Bioenergy Partnership and the International Standards Organisation.

Moreover, McMichael argues that 'poverty alleviation serves as a proxy for an 'agrofuels project' ... [which] gains currency by appealing to an urgent need for alternative, sustainable energy sources ... [and] the criterion of sustainability ... legitimises this project' (2010: 615).

Whether or not such standards are likely to achieve 'sustainability', they nevertheless also contribute to changing the governance landscape and the wider global political economy within which bioenergy is being produced, processed and consumed. Mol (2007: 309) notes the increasing 'global mobility' of standards and the shift 'towards further harmonisation and uniform standardisation of biofuel products, markets and regulatory regimes'. This shift contributes to greater corporate control over the production process and a corresponding reduction in state regulatory capacity. In a similar vein, Dauvergne & Neville warn that public-private and local-multinational alliances for biofuels reduction seem far more likely to further entrench corporate control of the processes of production and distribution ...' (2010: 647). Such hypotheses, however, demand further research.

Understanding transformation

Despite extensive criticisms of the assumptions upon which supportive policy instruments have been based, the expansion of the biofuels industry has continued apace. Studies that shed light on the extent to which and the manner in which this is happening, as well as its effects, have been crucial. Pye (2010: 852) reminds us that transnational economic processes relating to the development of the bioenergy industry contribute to processes of agrarian transformation. As he recognises, these are contested and conflictive processes 'leading to a multitude of local land conflicts'. This is not, however, a one-way process; processes of agrarian transformation also contribute to the specific form of transnational economic transformation. Moreover, sometimes those processes of agrarian transformation will not be opposed, with some Southern rural producers supporting biofuels. It is crucial therefore to ask questions in relation to why, that must incorporate the specifics of how, such change is unfolding in the way it is. As asked by Borras, McMichael and Scoones (2010: 576) in their Editors' introduction to the recent special issue of the JPS on biofuels, it is important to analyse these underlying

political-economic-ecological dynamics and in doing so ask 'Who is driving these new biofuel investments? Where are the centres of power? What are the politics of the underlying policy process?'

In exploring the specific conditions and relations that enable and constrain the form of transnational economic transformation that is unfolding, this research project represents an attempt to respond to these questions⁵. In doing so, it focuses on a particular process in which a variety of non-state actors, including global and national corporations, NGOs, civil society organisations, experts and advisers, have come together in an attempt to regulate the activities involved in the chain of production of biofuels so as to make the end product certifiable. The Roundtable on Sustainable Biofuels (RSB) represents a global institution that, through a process of deliberation and consensus decision-making according to its own governance structure, has incorporated particular forms of knowledge into standards against which production processes will be measured and validated. Such an institution has potentially far-reaching power and authority. Not only will it contribute to regulating the chain of production of biofuels and 'setting the bounds on the legitimate and illegitimate exercise of power' (Miller 2007: 333), but it will also contribute to new networks of actors, understandings and framings of knowledge and, in turn, new power relations. Accordingly, the project will explore the concept of legitimacy as it may be applied both to its 'knowledge-making' (*ibid*: 327) and decision-making processes.

The project has the following 4 aims:

- 1) to investigate the formal governance structures put in place to support the process underpinning the formulation of RSB standards and create formal accountability;

⁵ Other research that contributes responses to these questions includes: Hollander's (2010) research on the inter-linkages between networks of corporate and political power within the Miami-centred node of the global biofuels assemblage; and Gillon's (2010) research into the political configurations that have shaped the frames within which debates around biofuels have played out in the US.

2) to identify different actors, groupings and networks contributing to the process and the extent to which their diverse capacities and practices, and expertise and knowledge of the issues, influenced the process;

3) to understand how the diversity of actors shaped both the discursive frames of the debates and the institutional context within which the standards were formulated; and

4) to consider the legitimacy of the knowledge, in terms of framings and discourses, that became embodied in the standards.

I will comment of each of these aims in turn.

1) What formal governance structures have been put in place to support the process underpinning the formulation of RSB standards and create formal accountability?

The RSB has self-consciously organised its governance structure around different stakeholder groups and has seven chambers – the seventh being a non-voting chamber: 1) farmers and growers of biofuel feedstocks; 2) industrial biofuel producers; 3) retailers/blenders, the transportation industry, banks/investors; 4) rights-based NGOs (including land, water, human, and labour rights) and trade unions; 5) rural development or food security organisations and smallholder farmer organisations or indigenous peoples' organisations or community-based civil society organisations; 6) environment or conservation organisations and climate change or policy organisations; 7) intergovernmental organisations (IGOs), governments, standard-setters, specialist advisors, certification agencies, and consultant experts. Each of these chambers is expected to deliberate upon the issues in question, reach a decision by consensus and then send two nominated representatives to Steering Board meetings to then contribute to the final decision-making process. It has also convened a number of expert groups, in which members have participated alongside independent experts, which have contributed to this process. In addition, it has actively undertaken outreach work around the world so as to enable participation by actors who may otherwise choose not to or be unable to participate.

This governance structure represents a recognition of the need to include a wide range of actors who are not only involved in, but also may be affected by, interested

in or have particular expertise in relation to, the biofuels process. Such stakeholders will participate in a process of constructing knowledge that will be contribute to the formulation of standards against which behaviour can be judged. However, as recognised by Miller (2007: 332), ‘expert authority is constituted mutually with political authority’ and the inclusions, groupings and exclusions in this structure – through for example, the exclusion of chamber 7 from voting – are examples of precise mechanisms through which knowledge will be constructed and power will be exercised. Exploring how that process plays out in practice will therefore contribute to the second aim.

2) The second objective can be broken down to be met by responding to two questions: 1) Which different actors, groupings and networks have contributed to the process?; and 2) To what extent have their diverse capacities and practices, and expertise and knowledge of the issues, influenced the process?

This first question recognises that aside from the formal governance structure of the organisation that groups particular actors together, other networks and coalitions of actors may form around, for example, particular interests, identities or discourses (Hajer 2003) which may in turn influence the process. Second, as recognised by Fischer (2007: 24), ‘[i]n addition to the institutional rules, regulations, and policies within a given territory or space, we need to understand the sociocultural practices that give meaning to these spaces for the social actors in them’. Power in such settings is intimately linked to knowledge and practice. Miller recognises that ‘the ability to deploy scientific and other forms of expert reasoning has become increasingly essential to effective participation in international governance’ (2007: 348). However, ‘struggles over the truth status of knowledge claims’ will not merely be decided through ‘appeal to reason, fact, and knowledge’ (*ibid*: 328, 327). The extent to which knowledge and expertise is influential will depend upon the capacities and practices of those involved that, in turn, will be shaped by individuals’ cultural capital, linked to their social, technological, economic and, ultimately, symbolic capital (Bourdieu 1986). Which forms of capital are valued in such a setting with a diversity of global, predominantly elite, actors from such a variety of backgrounds is an open question.

3) How did the diversity of actors shape both the discursive frames of the debates and the institutional context within which the standards were formulated?

Hajer & Versteeg (2005: 175) have defined discourse as 'an ensemble of ideas, concepts and categories through which meaning is given to social and physical phenomena, and which is produced and reproduced through an identifiable set of practices'. The RSB standards that have been formulated embody particular discourses that 'shape what can and cannot be thought', incorporating within themselves both a conception of the problems and their solutions (*ibid*: 178). They embody particular 'assumptions, judgements and contentions ... [and] provide the basic terms for analyses and debates' (*ibid*: 179). However, the political process through which those discourses have been produced and reproduced, and indeed other meanings have been discarded, is invisible in the standards themselves. Such a process was channelled through the formal institutions set up by the RSB as well as 'a particular set of operational routines and mutually accepted rules and norms' (*ibid*: 177) – that is, informal institutions – that may or may not overlap with each other. Focusing on the 'how' here, opens up the enquiry to consider the agency involved in that process through which particular discursive frames have been accepted and the formal (and informal) institutions have been constructed. Given the diversity of actors that have participated in that process, it will be essential to recognise the cultural politics underlying it. Doing so will require an examination of 'the signifying practices through which identities, social relations, and rules are contested, subverted, and possibly transformed' (Fischer 2005: 25).

4) The final objective relates to legitimacy of the knowledge that became embodied in the standards. Critics of such enterprises argue that bringing together unaccountable NGOs and transnational corporations will not contribute to promoting legitimate global governance (Ottaway 2001; Benner et al 2004). Nevertheless, as indicated above, however, the RSB has consciously endeavoured to be inclusive and to adopt governance procedures that will enable a plurality of knowledge through formal deliberative democratic procedures. Moreover, it could be argued that 'asymmetries of governance in the age of globalization' demand innovative forms of global governance that may be as far from the 'ideal-type' as

national ideals of democracy (Benner *et al* 2004). Such asymmetries exist, for example, 'between the territorially bounded nature of the nation-state and the transnational nature of many of today's key problems', and 'between the need in a fast-moving global environment to make timely decisions that at the same time also take into account an intergenerational perspective of sustainability' and 'growing knowledge and information asymmetries' due to the increasing complexity of public policy issues (Benner *et al* 2004: 193). These are important issues to bear in mind when bringing our judgements to bear in normative ways on the legitimacy of such novel forms of global governance as the RSB standards. However, given my social constructionist view of knowledge, that it reflects multiple, socially constructed realities, rather than arguing an objectivist view of legitimacy, I am similarly interested in the ways that legitimacy is *constructed*, and for whom? Moreover, who is *empowered* to grant legitimacy? In exploring these questions, I will also seek to expose the other side of this question, that is, illegitimacy, for whom? However, these questions only deal with the visible, and I am interested as well in exploring the invisible. That is, who and/or what has become invisible through that embodiment of knowledge, and why and how? Such an exploration will contribute to democratic theory that, in an era of globalisation, must grapple with 'how collective perspectives, values, and outcomes are negotiated across diverse cultural and institutional settings at an international level' (Scoones 2009: 566).

Conclusion

Important research has been undertaken on the expansion of global biofuels production both in relation to its contribution to a changing global political economy and to the political ecological effects of those changes for particular people, in particular places, at particular times. This research project, however, will contribute to other studies that have been undertaken that shed light on the specific relations between networks of actors and cultural politics that have played out between them in contributing to such transformation. The RSB is an example of a new initiative in global governance in bringing together a variety of stakeholders with diverse interests, from the private sector, NGOs and trade unions. The standards that have been formulated will contribute to regulating the chain of production of biofuels and

'setting the bounds on the legitimate and illegitimate exercise of power' (Miller 2007: 333). Rather than focusing on the standards themselves, however, this research will consider the process through which they have been formulated and will now be implemented, processes that will contribute to shaping new networks of actors, understandings and framings of knowledge and, in turn, new power relations.

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