
Certification *dispositifs* and land conflicts: the case of the Roundtable on Sustainable Palm Oil (RSPO)

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Presentation LDPI conference – 06/04/11

I. Introduction

- Expansion of palm oil plantations in Indonesia → huge amount of land conflicts
 - In order to tackle land conflicts, some national NGOs decided to join a certification *dispositif* called the Roundtable on Sustainable Palm Oil (RSPO)
 - Argument:
 - An analysis in terms of the “dispositif” would gain from a reconnection with the foucaldian heritage of this concept that has been overlooked in French sociology.
 - This concept is useful to analyse the plural and sometimes contradictory effects of certification processes such as the RSPO.
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I. Introduction

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 - II. Land conflicts in Indonesia
 - III. The history of the concept of the *dispositif*: a heritage to rediscover
 - IV. A certification *dispositif*: the RSPO
 - The technical re-framing
 - The political contestation
 - V. Conclusion
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II. Land conflicts in Indonesia

- Indonesia => significant processes of « land grabbing » inherited from the dictatorial regime of Suharto (1967-1998)
 - A weak recognition of customary rights
 - In the Indonesian Constitution and the Basic Agrarian Law (1960): Recognition of customary rights >< the right of the State to regulate and manage the use of natural resources (notion of “national interest”)
 - In practice:
 - the state has issued thousands of *Hak Guna Usaha* (HGU) leases for “development” projects.
 - Local communities have seen their access to land and natural resources extremely restricted.
 - Recourse to state institutions has proven to be ineffective to defend their rights.
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II. Land conflicts in Indonesia

- Land grabbing = reinforced by the expansion of oil palm plantations
 - biofuel demand = one of the main drivers of global land grabbing.
 - Indonesia = biggest producer of palm oil
 - Negative impacts
 - Deforestation, loss of endangered species (ex:orang-outans) habitat, climate change.
 - Land conflicts, labor conditions, severe human rights violations, etc.
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II. Land conflicts in Indonesia

- NGOs are adopting a dual strategy
 - They call for profound reforms of the legal system in the sense of recognition of customary rights
 - They advocate for short-term strategies to help local people while broader legal reforms are underway
→ conflict resolution mechanisms based on mutually agreed processes.
 - They use RSPO as an instrument to promote such resolutions.
 - What are the effects of this strategy?
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III. The history of the concept of *dispositif*: a heritage to rediscover

- Origin of the theoretical concept of the *dispositif*: Michel Foucault.

The *dispositif* is « a resolutely **heterogeneous** assemblage, containing discourses, institutions, architectural designs, legal decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions (...)

The *dispositif* itself is the **network** we are able to establish between these elements. » (Foucault, 2001)

III. The history of the concept of dispositif: a heritage to rediscover

- Actor Network Theory (Callon, Latour): dispositifs = sociotechnical assemblages of human and non-human actors.
- Pragmatic sociology (Boltanski, Thévenot): dispositifs = assemblage of objects which can be material or immaterial.

“we used it (the term dispositif) to underline that the disposition of things, like that of people, prepares them for certain engagements (Thévenot, 2004).

→ to stress the role of objects in social dynamics or the way action is *framed* by particular settings

III. The history of the concept of *dispositif*: a heritage to rediscover

- Foucauldian heritage remains imperceptible in French Sociology.
 - Foucauldian *dispositif* = associated with
 - the *dispositif* of surveillance (panopticon)
 - an excessively determinist vision of the social world.
 - This interpretation can be contested.
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III. The history of the concept of *dispositif*: a heritage to rediscover

- Genesis of a *dispositif*: predominance of a strategic imperative
 - Following this, the *dispositif* is however traversed by a process of « strategic filling ».
 - The emergence of a *dispositif* engenders both expected and unexpected effects which will be reinvested by new actors.
 - Expl: birth of the prison → appearance of a milieu of delinquency → this involuntary effect = reused in a new strategy: prostitution and the profits which it engenders
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III. The history of the concept of *dispositif*: a heritage to rediscover

- What defines the *dispositif* is less the rule than the openings; what the *dispositif* offers as possibilities for action (Mormont, 2003).
 - The individual inscribed in a *dispositif* is a subject of action, not an individual oppressed by a *dispositif*
 - // Foucauldian approach to power
 - productive dimension of the *dispositif*: statements, possibilities for action, new relations of power, new forms of resistance and subjectification.
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IV. A certification dispositif: the RSPO

- The technical reframing
 - Definition of a list of Principles, Criteria and indicators of sustainable production of palm oil.
 - Measure of compliance by « independent » third parties

 - process of closure in which political issues are re-framed into technical questions thus excluding potential debate and contestation
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IV. A certification dispositif: the RSPO

- Yet, it is important to take into account the process going in the opposite direction: when "expertise is challenged and political contestation resumed" (Tania Murray Li, 2007).
 - My discussion on the term "*dispositif*" suggests that we should be attentive not only to the way the *dispositif* frames (closes) the action but also to the way in which it opens fields of action.
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IV. A certification dispositif: the RSPO

- Political Contestation

- Initiative: alliance between environmentalists and the industry
- Later on: arrival of NGO with a different strategy from WWF

We're more market sceptics who nevertheless use the space that roundtables like this provide to get change. (NGO member)

It's endless work, because it's such an unjust world... it's never going to be an end of **struggle** (...) (RSPO gives) room for a struggle (...) it's a **political** battle and it's about decisions over rights over natural resources... that is politics. (...) this forum provides space for influencing those decisions. You can get **power**, you can **leverage** results, that's political space. (NGO member)

IV. A certification dispositif: the RSPO

- Implication of this political strategy:
 - The drafting of the criteria
 - The RSPO Standard includes international conventions that relate to indigenous rights (ILO Convention 169; UN Declaration on the Rights of Indigenous Peoples, etc.)
 - Principle of Free, Prior and Informed Consent.
 - Partial certification requirement = political, not technical
 - The struggle surrounding the compliance
 - Role of Transnational Advocacy networks: expl: POMI
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V. Conclusion

- Concept of *dispositif*: not only to stress the role of objects in social dynamics or the way action is *framed* (closed) by particular settings or “equipment” but also to analyze the way in which the *dispositif opens* fields of action:
 - how reorientations, displacements and reappropriations are taking place;
 - how contestation is produced and invested by a plurality of actors.
 - perspective of an analysis of practice: “how questions” versus a mechanical view in terms of either/or”
 - how political stakes were reframed in a technical language
 - how expertise was, in turn, made the object of criticism, which reintroduced the political dynamic.
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V. Conclusion

- Unintended effect of the *dispositif*: While initially the RSPO was endorsed by the industry to appease the critics, it seems that the standard increases criticism.
 - The creation of the watchdog network POMI has significantly contributed to putting companies' practices under the spotlight.
 - This perspective thus allows one to cast light on the tensions running through NGOs' strategies.
 - Certain NGO members assume the political dimension of their engagement
 - Others tend to opt for solutions that reinforce the technical dimension of the *dispositif*
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Thank you!

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