
The Real Dirt on Responsible Agricultural Investments at Rio+20: Multilateralism versus Corporate Self-Regulation

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This article uses a fine-grained anthropological and linguistic analysis to expose the routine negotiating practices and power games behind the conclusion of paragraph 115 on responsible agricultural investments during the Rio+20 Conference in June 2012. These negotiations are simultaneously a telling example for the quotidian stuff of international governance—an arena in which much larger forces are played out through small language-based tactics, and they are representative of an exceptional moment when global multilateral policy making in the frame of the United Nations was challenged by the legitimation of private authority and corporate self-regulation. Combining anthropological and linguistic methods, the article focused on language use, analyzing the ways in which people interact in a highly coded language, how they “perform,” by exploring, playing with, and twisting the grammatical structures of the spoken language. At issue is the large-scale appropriation of agricultural land all over the world by multinational corporations, investment funds, and foreign governments.

115. We reaffirm the important work and inclusive nature of the Committee on World Food Security (CFS), including through its role in facilitating country-initiated assessments on sustainable food production and food security, and we encourage countries to give due consideration to implementing the CFS Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. We take note of the on-going discussions on responsible agricultural investment in the framework of the CFS, as well as the Principles for Responsible Agricultural Investment (PRAI).

Paragraph 115 of the outcome document of the Rio+20 Conference is an umbrella text that sets the frame for multilateral negotiations on global agricultural investment policy that go on

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elsewhere. Behind the term “responsible agricultural investment” hides the concern to rein in, regulate, or only render “transparent” the worldwide purchases or leases of arable land. Transnational and corporate investors, governments, and local elites rushed in recent years to invest massively in agriculture taking control over large quantities of land (including its minerals and water) to produce food, feed, biofuel, and other industrial commodities for the international or domestic market (Margulis et al. 2013: 2). This global land rush is occurring in all regions of the world and sparked new transnational political struggles and controversies. Two global governance instruments with similar names but different legitimacy address these struggles, the human rights-based “principles for responsible agricultural investments” developed multilaterally in the CFS (rai) and the Principles for Responsible Agricultural Investment (PRAI), a self-regulatory scheme advanced by the World Bank. The status attributed to these mechanisms in the Rio Declaration, destined to become a roadmap for the *Future We Want*¹ was at stake in the negotiations on paragraph 115.

Each word in the seemingly friendly, supportive phrases of this paragraph has been the object of protracted controversies and competing worldviews. In this article, we use a fine anthropological and linguistic analysis to expose the routine negotiating practices and power games behind the conclusion of this paragraph that we observed during the Rio+20 Conference in June 2012. The negotiations of paragraph 115 are simultaneously a telling example for the quotidian stuff of international governance—an arena in which much larger forces are played out through small language-based tactics, and they are representative of an exceptional moment when global multilateral policy making in the frame of the United Nations (UN) was challenged by the legitimation of private authority and corporate self-regulation.

We intend to make the real-world issues that hide behind the legal language of the paragraph, transparent, and examine the tension between the promotion of human rights and the desire to protect and encourage business investments that become apparent in these negotiations. Behind its highly technical language lie conflicts about the role the UN are supposed to play to rein in the large-scale appropriation of agricultural land all over the world by multinational corporations, investment funds, and foreign governments. Although the Rio Declaration does not commit governments to any specific action or firm engagement, it treads on highly controversial ground and frames negotiations that go on in other forums.

¹ *The Future We Want* is the title of the Rio+20 Declaration.

Providing moral and technical guidance for regulating massive investments in agriculture that transform landed property and agricultural practices on a global scale is particularly delicate as immense financial interests and geo-economic issues are at play.

The core of this article is a fine-grained discourse analysis that combines the approaches of linguistics and anthropology providing a locally situated example for communicative strategies and practices in a globally connected space. This microanalysis of a speech event put into its political context, catches a glimpse of “intriguing parallels between the way international law-making works and the laws of villages without central rule making bodies and formal courts” (Merry 2006: 101). Similar to argumentation processes among the Kuna in Panama, for instance, a salient characteristic of international decision-making processes, is a pronounced emphasis on consistency and precedent. Speeches are often both tentative and ambiguous allowing the speakers to avoid entrapping themselves on the losing side and let the group move gradually toward consensus or compromise (Howe 1986: 198–99).

On the basis of the observation during the final negotiations, the textual analysis of the different drafts produced and the discourse analysis of the debates, we examined the power games around the negotiating table and produced a thick description of the political, social, and economic contingencies behind the actual consensus text and how they were glossed over (Müller 2013). The discussions in Rio throw light not only on the interests of different governments represented by their delegates but also on negotiating tactics used by the chair, on verbal bullying, strategies to weaken and strengthen text, and on purposeful or involuntary factual misrepresentations. We were interested in the strategies and interests hidden behind the verbs and adjectives proposed by different governments, groups of countries, and the chair throughout the negotiation. Our findings show that language practices are deeply consequential as they clearly impact the outcome of the negotiations. Each commitment made in a global forum then slowly changes the “new layers of global governance” (Held 2002: 305) and serves as a reference for future negotiations in the patchwork of international institutions, public or private, whether they are organizations, regimes, or implicit norms (Biermann et al. 2009: 16). We, thus, examine the content, the legal framing that the text creates and that has an impact on norms and principles produced in other arenas of the UN and beyond: concretely, we ask how did the paragraph end up putting on the same level, on the one hand, the multilateral mechanism of the Committee for Food Security (CFS) attempting to provide guidance in the human rights framework of the UN for regulating agricultural investment, and on the other hand, the PRAI formulated by international agencies, the World Bank, and a handful of countries without a multilateral process?

Content: The CFS and the Regulation of Agricultural Investments

Paragraph 115, in the section on “Food security and nutrition and sustainable agriculture” endorses the “important work and inclusive nature” of the UN Committee on World Food Security (CFS) mentioning three facets of its work: first the *assessments on sustainable food production and food security*, second the *CFS Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*, third the *discussions on responsible agricultural investment in the framework of the CFS*. The first of these was future oriented. Assessing systematically the conditions under which member states of the CFS would be able to produce food sustainably was not yet part of the mandate of the CFS and it was one of the outcomes of the Rio+20 Conference that discussions on guidelines for those assessments started in 2013. The negotiations on the second work area, the Voluntary Guidelines on the Responsible Governance of Tenure were concluded successfully in the CFS in May 2012, just prior to Rio+20. The negotiations in Rio were about the degree of support the Rio Declaration would give to the guidelines that addressed contentious issues, such as distributive land reform, expropriation, and procedures for restitution of tenure rights of indigenous peoples. The third aspect of the CFS work was the most controversial of the three. The debates were about the status the Rio Declaration would attribute to the on-going discussions on regulating or simply making more “responsible” large-scale investments acquiring agricultural land all over the world. The delegates had to decide which status they would attribute to an open-ended working group in the CFS, and to a totally different mechanism initiated—without multilateral legitimation—by the World Bank.

To begin with, by rendering a verdict on the work of the United Nation’s CFS, the delegates had to decide to what extent they would endorse the “inclusive” participatory mechanisms of the CFS that implicitly challenged the Major Group Process of the Rio+20 Conference. The CFS had been established in 1974 as an intergovernmental and interagency body within the UN system to oversee the implementation of policies to eradicate hunger and malnutrition within ten years. In 1996 with 850 million people still affected by hunger, its mandate was renewed to monitor the implementation of the 1996 World Food Summit “Plan of Action” to eliminate hunger by 2015. However, despite international commitments and the multilateral agreement on Voluntary Guidelines on the Right to Food (2004) that provided policy guidance to member governments to eradicate hunger and implement the human right to food, the number of hungry persons in the world

increased to more than one billion after the world food crisis of 2008. The crisis exposed the lack of global oversight and coordination by member governments confronted with rising food prices, speculation in internationally traded staple food, and short-sighted biofuels policies (McKeon 2009). This obvious crisis in multilateral governance made the reform of the CFS possible. The restructuring of the CFS conceived and put into practice energetically by its Argentinian president between May and October 2009 was destined to open up a space for the food insecure populations themselves, among them smallholder farmers from all over the world (Duncan and Barling 2012: 151). For the first time in the UN history, at the CFS meetings in Rome, civil society organizations and private sector organizations were sitting with representatives of governments around the negotiating table to make proposals and negotiate about food policy issues. Only voting was reserved for country representatives and not extended to other stakeholders. As Olivier De Schutter, the UN Special Rapporteur on the Right to Food commented: “What we are seeing with the CFS is a new breed of global governance emerging, in which [civil society] are co-authors of international law with governments and international agencies.” In contrast, at Rio+20, organizations of small producers and agro-business were lumped together in the Major Group “Farmers” and simple observers at the negotiations.

The negotiations on paragraph 115 of the Rio declaration took place before the background of, and were about, large-scale land acquisitions all over the world that have also been termed “land grabbing.”² Large-scale investments in supposedly idle land forecloses vast stretches of lands and ecosystems for current and future use by small holder farmers, indigenous peoples, fisher folk, and nomads and captures water resources on, below, and around these lands, resulting in the de facto privatization of water and communally held or state owned land (FIAN et al. 2011). Investors include foreign governments from the oil-rich Gulf states, populous and capital-rich countries such as China, India, South Korea, and Japan, sovereign wealth funds and firms based in the United States and Europe, nationally based foreign corporations and investment banks from around the world or some combination of these (Sassen 2013: 33). The debt regime affecting host countries is a strong point of entry and causes the unfavorable terms under which the land deals are concluded.

² Drawing on preliminary findings from the Land Matrix, Oxfam (2011) refers to reported deals for 227 million ha worldwide over the period 2001–2010. Of these, deals for about 67 million ha have been cross-checked through triangulation (Cotula 2012; Oxfam 2011).

To illustrate the real-world problems lying behind the seemingly procedural paragraph 115, one has to look at the political and economic context to the problem of large-scale land-grabbing/investment: small holders “displaced” from their supposedly “inefficient” farms have to find wage labor either in the cities or on the large farms and plantations created. The number of jobs created on these often highly mechanized farms, however, is very small and often badly remunerated.³ There are other routes to investment possible that do not involve large-scale land acquisition, but that on the contrary, involve the distribution or redistribution of land to small producers or local communities.

As the UN Special Rapporteur for the Right to Food maintained, large-scale investments in farmland all over the world mostly serve a purpose that has no link with poverty reduction: “the goal of these new investments is to ensure a stability of supply for investors, whether public or private: they aim, not to serve the international markets, but rather to circumvent them, by tightening the control of investors from the place of production to the end consumer” (De Schutter 2011: 253). This “agro-security mercantilism” substitutes direct access to productive land for food and fuel supplies rather than relying on market access (McMichael 2013: 48). A paradox emerges. While the agricultural crops produced in these investments are withdrawn from the global market and connected directly to the national economies of the investor countries, land and water themselves become globally traded commodities and thus objects of intense speculation. Governments and state enterprises compete here with multinational corporations. China, for example, expatriated Chinese farmers to grow food and crops offshore, cutting out the large American-owned commodity traders like Cargill and Bunge, relying on their state owned farming businesses instead (McMichael 2013: 51). The borderline between public and private investments becomes fluid (Cotula 2012), which influences in complex ways the position that governments take on agricultural investments in the international arena. Also the countries that are part of the G77 are necessarily divided on the question, as some are investors, others host investments and some do both.

To understand the issues behind the regulation of land grabbing, we have to go back to 2010, to the World Bank report *Global Interest in Farmland: Can it yield sustainable and equitable benefits?*

³ The statistics provided by the World Bank itself show that, “a sugar cane producer in Zambia can make six times more money on a one hectare smallholding than s/he could earn in wages working on the same crop. For maize producers in Sub-Saharan Africa, a five hectare smallholding nets them 3–10 times the income of wage employment, and the ratio for a two hectare smallholding of oil palm is 1:3” (Li 2011: 285).

(Deininger et al. 2012). The report demonstrated, on one hand, that investments were made primarily in places where buyers could exploit corrupt or indebted governments with little ability to regulate the transaction that did not prevent buyers from targeting the poorest rural communities, expelling people with non-traditional land titles from their land (Borras et al. 2011: 210). It admitted that it was more advantageous for small farmers who have the opportunity to produce commercially viable crops to continue to do so rather than give up their production for the promise of wage employment on a plantation.

On the other hand, the authors (Deininger et al. 2012) identifying “idle” or empty arable lands with a low population density, maintained that “yield gaps” in highly arable land should be closed by productive investments. They provided a data collection and maps informing potential investors of the “maximum potential value” of output on each continent. The report concluded with the seven “Principles for Responsible Agricultural Investment that Respect Rights, Livelihoods and Resources” (PRAI) that were supposed to make the land deals “acceptable.” The PRAI were jointly formulated by the World Bank, the International Fund for Agricultural Development, the UN Conference on Trade and Development, and the UN Food and Agriculture Organisation (FAO). They consisted of the following seven principles that investors were invited to voluntarily subscribe to when conducting large-scale farmland acquisitions.

1. Existing rights to land and natural resources are recognized and respected.
2. Investments do not jeopardize food security but rather strengthen it.
3. Processes for accessing land and making associated investments are transparent, monitored, and ensure accountability by all stakeholders, thereby improving the business, legal, and regulatory environment.
4. All those materially affected are consulted and agreements from consultations are recorded and enforced.
5. Projects are economically viable, respect the rule of law, reflect industry best practice, and result in durable shared value.
6. Investments generate desirable social and distributional impacts and do not increase vulnerability.
7. Environmental impacts are quantified and measures taken to encourage sustainable resource use, while minimizing and mitigating the negative impact.

The PRAI are neither conceived as public policy on agricultural investment nor as state regulation of private agricultural investment, but as self-regulatory policy advice to mitigate the negative impacts of large-scale land acquisition. They do not refer

to the human right to adequate food and nutrition, they do not mention small producers and the investments they make, they seek a safe enabling environment for investors (Korpi 2013), while minimizing and mitigating negative impacts, instead of avoiding them and of producing positive ones. Following the rationale that the private sector can self-regulate, the PRAI do not include any reference to binding legal instruments, for example, national laws and regulations, or international human rights law; rather, they build on corporate social responsibility frameworks such as the Equator Principles, the Extractive Industry Transparency Initiative, Santiago Principles, Organization for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises, and numerous commodity or theme specific schemes. This logic of self-regulation outside of binding legal frames is on the rise globally as it pervades arbitration procedures all over the world today and endangers national sovereignty and democracy. The PRAI were never submitted for approval to the governing bodies of the four institutions that advanced them, instead they are conceived as experimental and are supposed to prove their usefulness in practice. The World Bank and associates, therefore, decided to create facts and put the PRAI to “pilot testing.” It became an important point of contention in the Rio negotiations whether or not the reference to “pilot testing” was included in paragraph 115.

The PRAI were heavily criticized by civil society organizations (FIAN et al. 2010) and states excluded from the process of formulating them. As the legitimacy of the PRAI was contested, the UN Committee for World Food Security entered into its own multilateral “inclusive” process of negotiating principles for responsible agricultural investment since October 2011 in Rome (rai in small letters). The PRAI and the rai refer to two opposing modalities of framing agricultural investments and more in general to two models of international governance. It is this double opposition that plays out in the Rio negotiations.

The Setting: A Meeting Room in Pavilion C

The Prepcom meeting of the splinter group on “Food” took place in one of the pavilions of the convention centre Rio Centro on the Southern outskirts of Rio de Janeiro on the 14 and 15 of June 2012. Additional topics of the Rio declaration were negotiated simultaneously in other meeting rooms. The neon lights and movable walls gave the hall the atmosphere of a trade show rather than that of an international conference. The room was small, just big enough so that 40 negotiators could sit around the table. A

second row of chairs hardly fitted between the first row and the wall. About 120 people were crammed in the room. The 40 negotiators and their assistants were recognizable by their badge D. The European Union countries and the G77 countries were represented each only by one delegate. During the first half of the discussions on paragraph 115, a Ghanaian delegate negotiated on behalf of the G77, while a Chinese took over for the second half and the Ghanaian came back in the very end. The choice of G77 countries to speak with one voice was due in part to the fact that many G77 countries could not afford large enough delegations to be present at all the meetings of the thematic “splinter groups” that went on simultaneously. At the same time, the voice of small countries, like Norway and Switzerland that were able to send a representative carried disproportionate weight. Accredited civil society organizations were admitted as observers without the right to speak. Observers wore a badge marked N. No translation was provided and the discussions were exclusively in English even though there are six official UN languages. This put non-native English speakers at a clear disadvantage. Observers and assistants of the negotiators sat in the second row or on the floor and as soon as somebody left the room, his/her place was taken. Sometimes the guards at the door did not let observers back in, when the room got overcrowded. The anthropologist Birgit Müller together with two other members of the Ecoverio team,⁴ the anthropologist Elise Demeulenaere, and the geographer Denis Chartier, placed themselves at different corners of the negotiating room. Gilles Cloiseau the linguist worked exclusively on the basis of the recordings we obtained from the negotiations.

Who were we in the negotiations? The three members of the team obtained access to the negotiations not as academics but through a civil society organization interested in our analysis and ready to put us on the list of its delegates. Our presence was thus related to the Major Group process introduced at the first Rio Summit on sustainable development in 1992. Through the Major Groups “Business and Industry, Workers and Trade Unions, Women, Children and Youth, Farmers, Indigenous Peoples, Local Authorities, NGOs, and Scientific and Technological Community,” people who were not representing governments but social, political, and economic interests of industry and civil society could observe the discussions, provide analysis and information to the delegates, and incite debate in the general public. At the Prepcom negotiations, they were able to follow the debates among the

⁴ A collective volume is forthcoming: Foyer, Jean et al. (2015) *Regards croisés sur Rio+20: La modernisation écologique à l'épreuve*. Paris: éditions du CNRS.

government representatives without directly intervening in them. The perspective that this process encourages, resembles the approach an anthropologist would take when entering the field: observing, listening without intervening, analyzing, publicizing. While their work could not have any direct effect on the outcome of the negotiations, they acted as watchdogs whose analysis provided critique *a posteriori* of the mechanisms and outcomes of the negotiation and thus contributed to orienting the future work of civil society organizations.

The meeting we were observing was the last part of the preparatory negotiations for the Rio+20 conference that had been preceded for more than a year by several meetings of the thematic splinter group focusing on food, taking place in New York. During the negotiations in New York closely monitored by civil society organizations and industry, the government representatives had thousands of pages of input from all over the world at their disposal to produce 10 pages of bracketed text on the 12 points concerning food. Each bracket contained a different proposition from a negotiator and had to be cleared through discussion and compromise. As Annelise Riles put it, analyzing negotiations at the UN Fourth World Conference on Women: “When negotiators focused their attention on the bracket, when they peered into its infinite potential, what was visible were the layers and levels of language, of other documents, and of alternative possibilities out of which the text had been created, as proposed amendments were taken largely from documents produced at other levels” (Riles 1998: 390).

The 14 and 15 of June negotiations on food started with a clean version of the 12 paragraphs. All the brackets that delegates had added to the document during the various Prepcom negotiations in New York had been eliminated in order to facilitate the dialogue at Rio. The Chair of the working group, a U.S. American working for the U.S. Department of State, where he coordinated U.S. multilateral and bilateral relations concerning forest policy and also served as co-coordinator for interagency efforts on climate and environment produced the “clean” text that was now to be negotiated.

In the first part of the negotiations, the negotiated text was not projected on the wall, so that it was difficult to follow how it progressively changed. At some point on the 14 of June, the negotiated text was distributed but only to delegates. The others could get the evolving versions of the text at the document booth in the middle of hall of Pavilion C. There seemed to be few informal “rules” of negotiation constantly reiterated by the chair. One of them was not to go back behind text previously agreed at the Prepcom negotiations in New York. The chair called it: “We are not re-ploughing the ground.”

Method: An Ethno-Linguistic Microanalysis

We propose to “read backward” the final version of paragraph 115 and study its “social life” in the meeting room of Pavilion C of Rio Centro on the 15 June 2012. The text is not outstanding in itself but its emergence tells long about global challenges and power plays. It required a certain expertise to understand the general context of the negotiations which Birgit Müller could provide as she followed the two year long negotiations on “responsible agricultural investment” in the committee for World Food Security in Rome, and a detailed linguistic analysis of the diplomatic language which Gilles Cloiseau was able to offer. We did not analyze the result of the negotiations a priori as the expression of a power play between governments with different interests. We used the opposite approach: we analyzed the discourses of the chair and of government representatives as they expressed tensions, contradictions and strategies (Fox 2008). The ethno-linguistic approach explores communicative strategies asking, “how do different actors argue, what kind of strategies and rhetoric do they use, to which instruments and institutions do they refer, and in what way do actors react to each other?” (Groth 2012). An ethnography of speaking has been used for analyzing the role of speech in political events (Brenneis and Myers 1984; Gal 2008a) and conflicts (Brenneis 1988), as well as in the study of political representation and communicative performance (Gal 2008b; Yankah 1995).

Combining anthropological and linguistic methods, we focused on language use, involving not only the semantic message, constructed according to grammatical and syntactical rules, but also all the other factors that Dell Hymes lists in his SPEAKING-model: the situation, participants, ends, act sequence, key instrumentalities, norms of interpretation and interaction, and genre (Hymes 1986). Going beyond analyzing text and talk, allows to account for contextual features that are linked to embedded cultural or ideological concepts, to power plays and economic interests. The knowledge of context is essential for participants in a communicative event, in order to choose how to mediate their perspective on a given subject or to choose a coding scheme for an utterance appropriate to audience and context (Groth 2012: 23). We analyzed the ways in which people interacted in a highly coded language, how they “performed,” by exploring, playing with and twisting the grammatical structures of the spoken language: “Competence in this case is the knowledge of a language that an ideal speaker has. Performance instead is the implementation of that knowledge in acts of speaking” (Duranti 1997: 14).

Strategy, or the strategic use of language in negotiations, does not necessarily coincide with intentional communicative behavior (Brenneis 1988: 228–229). At times, what we were dealing with was the unconscious, intuitive, or habitualized use of pragmatic

strategies that played with emotions, strove for precedence, imposed, coerced. It is the fine-grained linguistic analysis that allows revealing them. In these negotiations, talks and text were inseparable (Brenneis 1994; Riles 1998: 389). The text to be negotiated was embedded, quoted (even misquoted) in the talks, and gradually altered lexically (in its vocabulary), morpho-syntactically (in its grammar and word order) and, therefore, also referentially (in its meaning). The micro-linguistic analyses not only explore what takes place on the level of vocabulary and grammar but also on the prosodic level, this is on the level of rhythm, stress, and intonation of speech. Patterns of stress and speech rate, for instance, have been established (Piot 2002) with regard to speakers' assertiveness or lack of trust in the concept dealt with, or their assessment of the hearer's ignorance of the concepts or words used (Cloiseau 2007). Stress is governed not only by the information structure but also by different types of emphases, that participate—along with non-verbal parameters—in the interpretation of emotions (for instance confidence and doubt) from vocal cues (Sauter, Panattoni, and Happé 2013; Scherer, Ladd, and Silverman 1984).

While microlinguistic analyses enable to study the negotiations as communicative events, one of the most important concepts used in the study of communication (or language in context) is “performance,” this is language that aims at changing the world, doing things, but also manipulating the referential frames (Groth 2012). An analysis of performance sheds light on how the different actors around the table resort to, and play with the referential value of the elements of the text debated upon, in order to twist the text according to their hidden (or not so hidden) agendas. The performative value can be analyzed by looking at informational structures (this is ways of shaping the message) *and* as a result of specific prosodic emotional patterns.

The linguistic approach serves as a tool for the anthropological analysis: the microlinguistic analyses of communicative practices and strategies complements the ethnography in order to grasp what is happening in negotiations, at which levels, and in relation to which referential frames. Framing theory (Goffman 1974) and the concept of framing bias suggests that how something is presented (the “frame”) influences the choices people make.⁵ The concept of frame

⁵ Gamson and Modigliani (1987) make this point clear when they say frames are the “central organizing idea or storyline that provides meaning” (Gamson and Modigliani 1987: 143) or “a central organizing idea for making sense of relevant events and suggesting what is at issue” (Gamson 1989: 157). Their general idea is that a frame is an ever-present discursive device that channels the audience as it constructs the meaning of particular communicative acts.

according to Fillmore (1976) means that words can only be used efficiently to communicate within a given culture if they are “framed” by a network of associations and denotations. In the Rio+20 context, “food security” is probably framed similarly for most actors, however, the framing of “responsible investment” seems to be more problematic. Framing consists in altering the frame of a concept by packaging it in a specific way—through the choice of lexicon, syntax, informational structure, and nonverbal parameters. Such framing (or reframing) devices have been explored in politicians’ discourses on the war in Syria for instance (Lakoff 2013).

As the negotiations deal with language in use (the text of paragraph 115) within a community made up of several cultures, the linguistic outlook shows the importance of referential frames, and how framing devices are part of the negotiators strategies (Groth 2012).

The Negotiations

Introducing the negotiations on paragraph 115 the chair affirmed cheerfully that it was very much agreed beforehand and could thus be accepted unchanged. He read out the text to be negotiated, that he had cleared of all the remaining brackets:

We support reinforcing the work of the Committee on Food Security (CFS), in particular through its role in developing assessments on sustainable food production and food security, and we call on countries to give due consideration to implementing the CFS Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security and to pursuing responsible agricultural investments, including as appropriate by supporting pilot use of the Principles for Responsible Agricultural Investment (PRAI). (the Chair)

And he added immediately:

My understanding from the last time around and a lot of expert advice from the FAO is that these various references to the PRAI, the voluntary guidelines are basically accurate and agree with what is going on in the CFS. That was the main question that was raised: are we accurately representing its mandate, what these guidelines are? So I am opening that up. Hopefully we can accept that. It should not be too controversial. (The Chair)

Contrary to the optimism expressed by the chair, the paragraph as he introduced it at the beginning of this round of negotiations raised various controversial issues on the multilateral

governance of agriculture that were touched upon in the different proposals for deletion and amendments that followed.

Inclusivity versus Developing Assessments

When the chair claimed optimistically that his “clean” paragraph accurately reflected the mandate of the CFS he obviously ignored the different points of contention that his interpretation would raise. One of the first negotiating points concerned the first part of the first sentence of the draft:

We support reinforcing the work of the Committee on Food Security (CFS), in particular through its role in developing assessments on sustainable food production and food security. . .

The debate was sparked by an ambivalent remark of the European Union delegate who wanted to “reaffirm the important *inclusive* role of the CFS.” His objective was to emphasize the original participatory mechanism of civil society and private sector in the CFS—but at the same time—he proposed to drop mention of the particular processes of “developing assessments” going on in the CFS. This attempt at evacuating mention of the “assessments” was countered by the Ghanaian G77 delegate, who threatened to withhold consent to the term “inclusive,” if reference to “developing assessments” was dropped. What was the background for that skirmish?

The Europeans wanted to achieve recognition for the original participatory processes in the CFS. However, the “inclusive role” of the CFS that allowed civil society organizations to sit at the negotiating table with governments and private sector, lessened the free hand of governments and was thus not welcome by all of them. Also, reaffirming “the important inclusive role of the CFS” could set a precedent for the Major Group process within the UN where civil society and private sector find themselves badly represented. The process of deliberation in the CFS challenged the Major Group process of participation introduced at the first Rio Summit of 1992 that included in the Major Group “Farmers” large-scale farmers and their pro industry organizations as well as small farmers organization like the Via Campesina. The Committee on Food Security, on the contrary, makes a distinction between “civil society organizations” including farmers’ and farm workers’ trade unions, indigenous peoples, and environmental organizations and on the other side “Private Sector” organizations including large farmers and agro industry (for example, the Roundtable on Responsible Soy created by the big producers of transgenic soybeans). The CFS has the mandate to consult widely with civil society organizations on the global, regional, and national level that are

organized in an autonomous civil-society mechanism, which receives funds from foundations, states, non-governmental organizations (NGOs) and the CFS. Representatives of civil society organizations and private sector organizations (such as the Global Compact) have the right to propose, intervene, and monitor the policies, advice, rules, guidelines, and global strategies that come out of the CFS and that are ultimately decided by government representatives by consent. By allowing civil society organizations to play an active role at the table of negotiations together with governments and the private sector, the inclusive nature of the CFS challenges the space of maneuver of governments.

For this reason, certain governments present in Rio were reluctant to reaffirm the inclusive nature of the work accomplished in the CFS as it could create a precedent and open up debate on new modalities of participation in the UN. A number of governments were reluctant to endorse the development of a mechanism of “assessment” that would give countries the possibility to conduct an official and internationally recognized process of evaluating their problems of food insecurity that are often linked to land grabbing, the production of biofuels, and speculation on international agricultural markets.

In the course of the debate, the chronological contextualized appearances of both terms, “inclusive” and “assessments” framed by different speakers showed that from discussing “inclusiveness,” alone, the deal-making shifted to linking “inclusive” and “assessments.” The negotiations around the concept of “inclusiveness” were both about referential and language, about what “inclusive” might mean, and whether to use the term at all, and in what configuration (“inclusive work”, “inclusive nature”). As the EU reiterate their wish to state “the important **inclusive role** of the CFS,” the chair repeats the term “inclusive” with a marked lack of trust (slow rising intonation) (Piot 2002: 484) and thus puts it into question. He then offers a deal:

I guess in the mode of many deal making would there be a way to if we were to keep this er I know that **this concept of inclusiveness** is something that EU is very interested in and a lot of us er is there a way that we can do **some reference to inclusive** in the novel way they're working in which is bringing in major groups and many people. (Chair)

When the chair explained the inclusiveness of the CFS in terms of “bringing in major groups and many people,” he mistook the participatory mechanism of the Committee on Food Security for the Major Group process at Rio+20.

Both the EU and then the chair used “inclusive role/work.” The objection of G77 that inclusiveness of the work was part of

the CFS mandate was followed by a reframing of the term “inclusiveness.” It shifted from being attached to an activity (work) to being attached to the nature of the CFS (“inclusive way it works” then “inclusive nature”). The noun head “nature” was semantically much weaker and less active than “role” or “work.” The deal then moved on to the Ghanaian G77 delegate who emphasized the importance of maintaining the mention of “developing assessment on food production,” which was his condition to keep the term “inclusive”:

but what I want to er highlight er in particular is **developing assessment** on food production if they want to put down an **inclusive** I will take it (G77)

The evolution of the concept of “assessment” was interesting because it was semantically active or performative. When first mentioned by the G77 delegate, “assessment” was syntactically a noun with no determinant and had a generic value. G77 wished to address the issue of the existence of these assessments. The other protagonists—the chair, EU, and the United States tried to weaken the semantic weight of “assessment” by renaming it, or reframing it (Groth 2012: 102). First, “developing assessments” was reframed as “developing assistance” by the chair:

...so we might just say something like er we reaffirm the important work and inclusive nature of the Committee on World Food Security and then continue in particular through its role in developing assistance. (Chair)

How much of a slip of the tongue was the shift from “assessment” to “assistance?” Whereas “assessment” was active, “assistance” was passive. Their distinctiveness in this context lies not only in “shifting” between contextualized referential and pragmatic meaning of an utterance but also in the strategic use and choice of these terms (Groth 2012: 102). No matter the degree of consciousness in the use of the term “assistance,” its strategic value is obvious. Instead of simply assisting states that have particular problems with food security from the top down, “assessments” should develop mechanisms of shared responsibility on the global level and give governments of food insecure countries the arguments and the moral backing from the CFS to claim more policy space. As certain prescriptions imposed on states in structural adjustment policies have deprived them of the policy space they require in order to deal adequately with food crises and price volatility these prescriptions and the government policies that follow from them need to be assessed. The same is true for international

trade and global stock levels. Governments should initiate assessments of the efforts made towards the achievement of the food security targets but also of the obstacles faced and to identify the need for improved international assistance and cooperation. This was why the African G77 speaker considered these assessments particularly important and why the chair (who worked for an US development agency) slipped into the language of “developing assistance.” Then the chair slipped again and replaced the verb “developing” by the noun “development”:

through its role in development assessments. ...

...the meaning of ‘assessment’ was turned entirely around (and also shrunk semantically) by ‘development’, which became the referential focus. The meaning and authority of tone one would expect in the genre were radically altered—‘developing’ was active, ‘development’ passive. ‘Development assessments’ put the countries to be assessed in the position of the assisted ones—a condition they precisely wished to escape, affirming themselves as equals in the Rio+20 negotiations.

The US’s proposal—‘country-initiated assessments’ was then taken up as a deal in exchange of keeping ‘inclusive’. If the assessments were country-initiated then they were less systematic, they lost in international legitimacy. This also took away the important function from the CFS, to initiate them and to carry them out in all the countries of the world including the US, which although a large food exporter has parts of the population that are far from food secure. ‘Country-initiated assessments’ become restricted to those countries who have willingly engaged in them. There again ‘modality’, this is what allows speakers to attach expressions of obligation to statements, a clear indicator of performance, was suppressed.

The new text then became: ‘developing country-initiated assessments’. A phrase that has a certain syntactic ambiguity as the delegate of G77 pointed out:

assessment not only to developing countries (G77)

Indeed, ‘developing’ could be both a verb—to develop assessments at the initiative of the countries, or an adjective—assessments at the initiative of the developing countries. The ambiguity shrank the referential value of ‘assessments’.

However, at the very moment when a compromise seemed to be approaching the EU proposed to drop both problematic terms (“inclusive” and “assessments”). The proposal was taken up by the chair without hesitation, and a falling intonation denoting

confidence (Ladd 1996: 120). The readiness of the chair to do away with both the mentioning of “inclusive” and “the assessments” demonstrated how this weakening took place at all levels in the communication process.

ok well that's er **that's gives** us that has the and you get streamlined in points as well so **we will end up** saying er we reaffirm the important work of the committee on world food security, and we call on countries to give due consideration etc etc that has the virtue of streamlining er it's the nearer image of xxx in country seventy seven with that more minimalist approach to the text (the Chair)

The use of the present tense (that gives us), the auxiliary “will” (not would!) and the verb “end up” are quite striking here in shedding light on the will of the chair, either to favor a streamlined version of the text or to get rid of the mentioning of the “assessments.” The prosodic pattern shows “we will end up saying” is conclusive. Not only did the chair take sides but also he opted for the ultimate form of weakening: suppression. The tone when the new version of the text was read is assured, without any hesitation. The comments on its positive aspects (“the virtue of streamlining” and “the more minimalist approach”) have a falling intonation right until the mention of “minimalist approach,” which adds to the impression of finality.

However, G77 found an ally in Norway that underlined that “it's a pity to leave out” both terms. The mentioning of “assessments” swung back into the text replacing the ambiguous term “developing” by “facilitating” thus:

facilitating country-initiated assessments

It could be noted that the notion of “facilitating assessments” carried implicitly the idea that the assessments were country-initiated. The redundancy stressed the limitation of the text and weakened its performative reach.

Beyond pure semantics, the information structure of the negotiated text was of the utmost importance. The further to the right of the sentence a term is, the less it is focused (accentuated as important). Universally, adding qualifiers to the left of a concept tends to weaken the focus, since what comes first is highlighted (this is also true with written text provided it is read from left to right). The weakening is also due to the semantic restriction entailed—the more qualifiers, the more restricted the notion becomes. A last form of weakening arises from the typical informational pattern of English noun groups where the stress tends to fall by default to the left, as in the noun group “**COUNTRY-**

INITIATED assessments,” therefore, weakening the terms to the right. As a result, the word “assessments” on the right is less stressed, and becomes topical (purely contextual). Step by step, the focus on “assessments” also becomes fainter in the way the verbs are introduced: first “developing” then “facilitating.”

Debate about the Mentioning of PRAI

The debates started once again with the sentence proposed by the chair:

we call on countries to give due consideration [...] to pursuing responsible agricultural investments, including as appropriate by supporting pilot use of the Principles for Responsible Agricultural Investment (PRAI)

This formulation sparked immediately a debate on the nature of the mandate of the PRAI and the governance process inside the CFS in a heavily coded language.

Rhetorical Strategies for Defending the PRAI

A close linguistic scrutiny of a short extract of the script of the negotiation around the mentioning of PRAI reveals the presence of hidden agendas around the negotiation table. The bargaining strategy here was articulated around the ambiguous proximity of *rai* and PRAI, but also consisted in not taking into account some of the reiterated arguments from the contender (on the Chair’s part). The different strategies were clearly visible in the flow and the information structure of the discourses.

In the tug of war around the mentioning of PRAI, the main contenders were the Chair who spoke out for those in favor of giving “due consideration to [...] pursuing responsible agricultural investments, including as appropriate by supporting pilot use of the Principles for Responsible Agricultural Investment (PRAI)” and the Ghanaian representative for G77 who maintained: “we cannot leave reference to PRAI in this text.” The strategies used by both parties showed, there was a lot at stake. The chair used strategies typical of the negotiating genre (Radtchenko-Draillard 2011).

As a first strategic move he reminded G77 of previous talks:

I would also point out that this text did **not** get any criticism last time around so we did xxx more explanation come out because we discussed this in New York and G77 did **not** propose elusions of we’ve been helped two extra leavings when we tried and talk more about these things but and...it’s a very soft commitment I think (Chair)

The strong focal stress on “not,” show a clear attempt to invalidate G77’s request, an attempt which is backed by the falling intonation on the last phrase: which makes the tail end of the chair’s words inaudible.

Then he used the strategy of distorting the arguments of the contender for instance when answering G77’s wish not to mention PRAI in the text:

I understand it not so long ago and it might seem like a long time ago that’s about twenty minutes ago er you pointed out the importance of drawing out and talking about one of the functions of the CFS and er you really wanted it to be in there er two of the other really important things that CFS was involved in is the voluntary guidelines on tenure and the development of er this whole process on responsible agricultural issue which had been informed by the PRAI (The chair)

He recalled that the G77 delegate had previously expressed the desire to mention one of the aspects of the CFS work (the assessments) and that he should therefore also support the others. He pretended to confuse the PRAI with the rai and argued that the discussion in the CFS on rai was nothing but a logical and non controversial extension of the PRAI that the G77 should support. This position was of course far from neutral as the rai process in the CFS had been initiated in response of the PRAI process that had drawn heavy criticism because it left out crucial human rights based issues and counted on the ability of corporations to carry out their own corporate responsibility assessments.

The chair’s third strategy played with emotions and used extortion claiming that if G77 would refuse the mentioning of PRAI he would be responsible for destroying the deal on the whole paragraph

it’s going to be hard not to mention... which are dear to the hearts of many others (Chair)

The lexicon chosen is of an emotional type, which endows the text with a performative value. The chair used it in an attempt at moving those around the table to follow his point of view:

... so I would appeal with G77 that I think our whole deal about the first part would be in jeopardy if we do not do this xxx paragraph **at all** and that would seem a **shame** that one seems to think the CFS is doing good work and we would want Rio+20 to **recognize** it (Chair)

The information structure and the narrow focal stresses (words in bold) show coherence in the persuasive and emotional quality of the chair’s warning to G77. The stresses focus on terms

that are subjective and reflect the chair's state of mind. He thereby weakens the rest of his utterance, which deals with content (...the CFS is doing good work...), to shift the attention to his own feelings about the matter at hand.

There was also a breakdown in the information flow. When G77 explained his wish not to mention PRAI in the paragraph, he stressed that PRAI "was not opened" to discussion and had not been validated by a multilateral decision making process. His country—Ghana—had not been consulted. However, this repeated argument, which is "active" in terms of informational flow (terms with a focal stress are expected to be taken up in the answer), did not find any echo in the chair's answer, who maintained: "you cannot mention rai without mentioning PRAI," though G77 insisted that PRAI was different from the processes going on in the CFS.

In the next step of his argument in favor of the mentioning of PRAI, the chair seemed to change focus and speak of the Voluntary Guidelines on tenure that were consensual, and mentioned PRAI only after:

that's pretty weak that's not er it's not it's not committing us on enhancing that's to say to develop these voluntary guidelines have a look at them if they work for you apply them and on the PRAI we're saying you know as agreed as appropriate you should support your pilot use that's all I was saying

The term "weak" was repeated here and backed by the negation of any importance given to the PRAI. The chair proposed expressions that would weaken the text (not committing us, as agreed, as appropriate) in an effort of relativizing the controversies surrounding PRAI and making them dissolve in banality. At this stage of the negotiations, the strategy of the chair consisted of weakening the reference to PRAI to facilitate its mention in the final text, to use Groth's terminology, he also weakened the indexical meaning of its referential frame (Groth 2012) by ignoring the difference between PRAI and the voluntary guidelines

The negotiation continued with G77 finally accepting the mentioning of PRAI however only with the weak introduction of "we take note of," as a concession in the face of the almost general wish to have PRAI mentioned. Neither for the large nor for the small G77 countries that had both strong government controlled agricultural sectors and/or government owned corporations was corporate self-regulation through PRAI an attractive option.

The chair managed, however, to have PRAI in the text with the pretext (heavily stressed here) of a weak reference ("as appropriate"). He aligns the rai and the mentioning of PRAI:

...so we're taking note of two things (Chair)

Ultimately, reference to the rai and PRAI end up on the same level while epitomizing two different mechanisms of international governance.

Life and Death of “Pilot Field Testing of PRAI”

Still more controversial than the mentioning of PRAI was the support for “the pilot use” of PRAI that the chair proposed in the draft version of paragraph 115, which was the basis for the discussion. Supporting the pilot use of PRAI meant endorsing the mechanism of corporate self-regulation and the experimental nature of the PRAI. The PRAI are not based on an overriding framework of norms and values but they are supposed to prove their usefulness in practice. The “pilot field testing,” the learning by doing, means applying the PRAI outside of any political process as a neoliberal governance technique. The PRAI calls for a governance through experimentation, strong “absolute” ethical values or global norms such as the human rights become obsolete as instead pilot testing is introduced and experimentation replaces universal validity. The negotiation around “supporting pilot use of the Principles for Responsible Agricultural Investment (PRAI)” shows how the mentioning of the pilot use oscillates between the strengthening and weakening of the term until it is ultimately deleted. The two steps in the negotiation about how to mention the “pilot field testing” concern first the choice of signifiers, and their arrangement (semantic-syntactic level) and second the impact of the signified (the pragmatic level).

When the EU representative offered to replace the concept of “pilot use of PRAI” by “upholding and operationalizing the PRAI,” a more forceful formulation than “pilot testing,” the chair clearly dismissed it by recalling previous debates:

ok er and yet I recall this discussion with Europe er and as I recall this maybe short-circuiting what a lot of other people would say a lot of people say these are you know a basically er voluntary principles that were developed by a number of intergovernmental organisations they were not they're certainly not mandatory and they were not agreed by governments and so the idea of upholding and implementing them is not appropriate but one would want you maybe consider applying them on a pilot basis (Chair)

The Chair criticized the EU for “short-circuiting” the flow of the debate. The idea of “upholding and operationalizing” was not appropriate. Instead of the notion of “operationalizing” the chair preferred to keep the expression “pilot use” by euphemizing it to

make it more acceptable. The euphemizing process takes place by the use of modals, “would,” “maybe,” the choice of the impersonal, generic formulation with impersonal pronouns “one, you,” the modulation of the verb “apply” by “consider,” and the semantic narrowing of “pilot” into “on a pilot basis.” The use of modality (should, as appropriate) is here backed by the phrase “that’s all we’re saying” which expresses ambiguity and euphemism, the goal of which seems to be to minimize any commitment by the text. When Brazil later suggested only to “note the pilot use,” the chair took up the proposal by rewording it into:

noting the ongoing *pilot use* or something like that or the the pilot ...

and then later: “the ongoing *work and pilot use* of the capital PRAI (the Chair)

Not only did he endorse the verb “noting” but he also expanded on it by reshuffling the syntax— “on-going” moves before “work” (suggested by one representative) and “pilot use.” The ambiguity lies in the fact that “on-going” can apply only to “work” or to both “work and pilot use.” The seeming understatement on the language level contrasts with the political issues that underlie it because accepting the expression “on-going” means endorsing that the experimental process within the PRAI is allowed to continue in spite of the rival process in the CFS. With other additions from representatives, the final formulation ended up with:

noting the on-going *pilot field testing* of the Principles

The Chinese G77 representative summed up the euphemization process that had taken place, by agreeing that the verbs “to invite” or “to call” should be changed to “noting,” in order to change a performative wording into a purely informative text, but then insisted that the whole mentioning of PRAI should be bracketed until he got instructions for the wording from the governments in whose name he was speaking.

In the afternoon of 15 June, in the last round of discussion, the pendulum swung slightly in favor of multilateralism and universal values when the Ghanaian G77 representative insisted on returning to paragraph 115 and on having the mention of pilot field testing deleted. He argued:

The reason is that, it is a pilot project. I think it is something issued by the Secretariat. It has not come out, it is not universally applicable and has not been applied and we take note of it here. ... [...] We

cannot take note of something that is just a pilot project. We don't know maybe it will be a failure and we take note of it... We think it is not something that we can accept in this text. (G77)

After hours spent quibbling this cogent, argument seemed persuasive. The chair attempted one last time to save the mention of the pilot field testing by professing that G77 was making a statement in favor of the deletion of the mentioning of PRAI that all the rest of countries had agreed in keeping in the text:

G77 want to delete the PRAI and in view of all the countries that want to retain it (The Chair)

However, the argument G77 made convinced Switzerland and ultimately the European Union and the negotiators agreed on deletion of the mention of "pilot field testing," but retained mention of the PRAI. The text of paragraph 115 was submitted without brackets to the ultimate approval of the general assembly of the government representatives.

During the debates that we analyzed here, the importance of the PRAI that appeared in the initial text was considerably weakened, while the negotiation processes on rai inside the CFS gained in visibility. The final text moved to simply taking note of both processes, the rai discussions in the CFS and the PRAI.

We take note of the on-going discussions on responsible agricultural investment in the framework of the CFS, as well as the Principles for Responsible Agricultural Investment (PRAI).

The pendulum swung back from simply implementing and putting into "pilot use" principles that had not been agreed within the framework of the UN to going through the process of negotiation within the UN body of the CFS. It was the G77 together with Norway that carried the weight of the pushback of this new brand of international governance through technical expert agencies and interest groups of governments without democratic legitimacy and multilateral backing.

Conclusion

To sum up, the disagreements negotiated in the formulation of paragraph 115 relate to a series of issues both institutional and political that go largely beyond the sole activities of the CFS, as they were related to the willingness of member countries to address issues of inequality and give priority to human rights.

At stake in these negotiations was, first, the degree of support given to the CFS to assess the reasons for hunger and malnutrition in the member countries implying that these assessments might establish a link between hunger and malnutrition and the accelerating land speculation, structural adjustment, and indebtedness. The support for the CFS was considerably weakened through the negotiations. From “we support reinforcing the work of the CFS in particular through its role in developing assessments on sustainable food production and food security” the text moved to “we reaffirm the important work and inclusive nature of the CFS, including through its role in facilitating country-initiated assessments on sustainable food production and food security.” From actively supporting the CFS, the negotiating countries moved to passively reaffirming the important work and decided to acknowledge its participatory mechanisms. The CFS also lost the active role of “developing assessments” and was limited to “facilitating country-initiated assessments” when the member countries decide to conduct them.

Second, the modalities of participation of civil society and private sector in multilateral negotiations was introduced into the paragraph, hidden behind the debate about the word “inclusive” in the first sentence of the paragraph. While “inclusive” did not appear in the version at the beginning of the negotiations: “We support reinforcing the work of the Committee on Food Security (CFS),” it appeared in the end, however associated with a much weaker verb “reaffirm” instead of “support”: “we reaffirm the important work and inclusive nature of the Committee on World Food Security (CFS).”

Third, the degree of recognition given to the PRAI process and its mechanism of “pilot testing” was considerably weakened during the negotiations. While at the beginning of the negotiations the PRAI process going on in the CFS was not mentioned at all: “we call on countries to give due consideration [...] to pursuing responsible agricultural investments, including as appropriate by supporting pilot use of the Principles for Responsible Agricultural Investment (PRAI),” at the end the delegates resolved to putting both processes on the same level, associated with the weak verb “take note”: “We take note of the on-going discussions on responsible agricultural investment in the framework of the CFS, as well as the Principles for Responsible Agricultural Investment (PRAI).” They also deleted mention of “pilot testing.”

The linguistic analysis of the debates shows the micro-mechanisms of power in the negotiation process. Adding to previous work combining anthropological and linguistic approaches in the analysis of international negotiations (Bendix 2013; Groth

2012; Riles 1998, 2000) we were focusing here on one tiny paragraph in a multilateral document that acted like an umbrella text for negotiations going on elsewhere. We provided an analysis of the different layers of political and economic significance of this seemingly purely procedural paragraph and of the power games that came to the open during negotiations. We analyzed the role of the chair in the framing and directing of the negotiation and pointed out where he went largely beyond the role of a neutral facilitator. It is of course impossible to know whether his biases were part of a self-centered strategy or if they were driven by the desire to represent efficiently the balance of forces around the table. We inquired into how controversies and readiness to act, enforce, develop were gradually eroded during the negotiations and were replaced by reactively “taking note,” “reaffirming,” and “facilitating.” As the outcome was based on a consensus, small countries that spoke for themselves were able to have a “moral voice” carrying disproportionate weight, compared to the combined voice of the G77 that represented more than half of the global population. This microanalysis of a single paragraph of the Rio+20 Outcome Document shows how big issues are played out in small language based tactics and thus that the outcome of a negotiation is always also, somewhat unpredictably, determined by the situation of communication that unfolds.

In the negotiations of this paragraph, two modalities of global governance clashed: the governance through a human rights based multilateral processes in the CFS and the idea of corporate self-regulation through PRAI. The negotiations around PRAI and rai seem unspectacular and “technical” but in analyzing them closely they reveal one of the central problems of international governance today: the weakening of the role of the multilateral agencies of the UN bound by the mandate of advancing and promoting human rights and simultaneously the rise of self-governing instruments promoted by groups of states and international agencies without a multilateral legitimacy. These instruments are promoted as effective, drawing their legitimacy from their supposed efficiency and their pragmatic applicability and not from some fundamental ethic principles. They are decided and promoted in closed circles and purposely presented as experimental and flexible, thus open for change. By putting them to pilot use, they are supposed to create facts by demonstrating their usefulness in practice contrary to the drawn out negotiations taking place in the arena of the UN. The efficiency of these new modes of governance for resolving the essential problems of our time and for attenuating the growing inequalities is more assumed than demonstrated. Also, the absence of mechanisms of control and sanction, of

democratic legitimacy and in addition the weakening of the basic moral principles represent a fundamental challenge for the UN system. What our analysis of the negotiations showed was that it was the old democracies, Europe and the United States, that seemed the least interested in giving precedence to Human Rights based mechanisms, while the G77 negotiating as a block was reluctant to accept principles based on corporate-self governance advantaging multinational corporations and put hope into the guidance of the UN CFS.

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