



The reform of the Committee on World Food Security (CFS)

Is it having consequences for its democratic legitimacy?

In this paper an assessment will be performed on the legitimacy of the CFS before and after the 2009 reform. The CFS organisational structure before and after 2009 will be laid alongside the theory of democratic legitimacy to determine the level of legitimacy and therewith, the consequences of the CFS reform on the committee's democratic legitimacy.

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1. Introduction

Ever since living in a more and more globalised world, separating issues in the political, economic and environmental arenas have become no longer possible (Boyer, 1990). This requires broader institutions, broader perspectives, comprehensive approaches and more participation when it comes to governing activities (Boyer, 1990). Therefore, governments are no longer the sole ruler when it comes to public policy; “the ways in which we govern are moving beyond governmental boundaries” (Wachhaus, 2014, p. 574). This process, often phrased as ‘shifting from government to governance’, can be described as “steering society through less direct means and weakening the power of the State to control policy” (Peters and Pierre, 1998, p.225), with more emphasis on networks, partnerships and (international) markets (Peters and Pierre, 1998; Wachhaus, 2014). The question is however, whether or not the increasing focus on “collaboration, horizontal relationships, networking, decentralization, and indirect provision of government services through contractual relationships with private and non-profit organizations” (Wachhaus, 2014, p. 574) inherently makes these governance principles legitimate.

A case study on the Committee on World Food Security (CFS) will be the base of this paper. The CFS serves as a “forum in the United Nations (UN) System for review and follow-up of policies concerning world food security” (Food and Agriculture Organisation of the United Nations (FAO), 2015a, p1). One can speak of food security when “all people, at all times, have physical, social and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.” (FAO, 2015b). Aiming for food security is not achieved by just redistributing the food supply. Food security is interlinked with themes like population growth, food price fluctuations, degradation of farm lands and water scarcity (Calestous, 2012), which makes it quite a complex problem to solve. The complexity of this problem might be a reason for states to shift (in a certain degree) from government to governance – e.g. public private partnerships (PPPs) (Peters and Pierre, 1998, p. 224). After its reform in 2009 the CFS can be argued to be a ‘light’ version of a PPP with the highest degree of state involvement where private actors are solely consulted (Elsig and Amalric, 2008, p. 391). The CFS undertook this reform as to become “more effective by including a wider group of stakeholders and increasing its ability to promote policies that reduce food insecurity” (FAO, 2015a, p.1). The CFS profiling itself as the “most inclusive international and intergovernmental platform for all stakeholders” (FAO, 2015a, p.1) after the 2009 reform is quite an ambitious statement, and if true, highly valued by society. An assessment on this however is important to make sure the CFS genuinely is an organisation meeting the societal norms and values. Such an assessment can provide the CFS new insights to adjust to new environments and to improve its performance in the future.

The research question of this paper is as follows: *Did the 2009 reform of the CFS have consequences for the committee’s democratic legitimacy? And, in what way?* In order to answer this question a conceptual framework will be built based on the theory of input and throughput legitimacy. Different important criteria will be defined to assess the level of legitimacy of the CFS before and after the 2009 reform. The former and current CFS organisational structure and formalities will be described which will be laid along the conceptual framework to perform the actual analysis. After making the concluding remarks on the performed analysis, a discussion paragraph will end this paper discussing potential drawbacks, striking conclusions and potential future research.

2. Background

Over the last few years, with the global financial and economic crisis and soaring food prices, food security has become a more important subject on the public agenda (FAO, 2015a). Moreover, “the reduction of hunger and malnutrition in the world remains one of the key objectives of the UN” (p. 385). The first Millennium Development Goal to be achieved in 2015 is the eradication of extreme poverty and hunger (United Nations Development Programme (UNDP), 2015a). The post-2015 agenda will probably have more or less the same themes to handle, including food security. The focus however, will be more on effective implementation, based on principles like “participation, inclusion, and the need for strengthened capacities and partnerships” (UNDP, 2015b). The CFS is an example of a UN forum having incorporated the need to hear the voices of other stakeholders.

2.1 The Committee on World Food Safety (CFS)

After the first World Food Conference, the CFS was established in 1974 to make proposals for the FAO based on policy reviews regarding global food security (Schutter, de, 2012). Initially, the CFS was a purely intergovernmental committee, no private actors were involved. This changed after the 2007-2008 food price crisis which moved food security up the UN agenda (Schutter, de, 2012; Brem-Wilson, 2015). It became clear that the global governance regarding food security was not performing as well as it should (Schutter, de, 2012; Brem-Wilson, 2015). Even before this food price crisis there were doubts about the CFSs performance; several reform proposals have been done mostly concerned with the absence of civil society participation (Brem-Wilson, 2015). However, the food price crisis was the final trigger; the CFS should become “more effective by including a wider group of stakeholders and increasing its ability to promote policies that reduce food insecurity.” (FAO, 2015b).

The CFS still is an intergovernmental committee; its members only represent governments. Other stakeholders¹ are so-called ‘participants’ in the CFSs Advisory Group, who have the same rights as members, except regarding to the voting and ultimate decision making (Schutter, de, 2012). According to Elsig and Amalric (2008), it is therefore reasoned that the actual CFS is a public-private collaboration with the highest degree of state involvement, falling in the category of “consultation of private actors” (Elsig and Amalric, 2008, p. 390-391). “Throughout the regulatory process [...]” the CFS “[...] seeks information from corporations or members of civil society directly affected by regulatory decisions” (p.390). It is argued that this information exchange reduces information asymmetries which may lead to higher acceptance along the stakeholders and higher compliance rates regarding the regulations implemented (Elsig and Amalric, 2008). This reasoning is in line with the CFS’s goal to become more effective.

¹ Divided in 5 categories: 1) UN agencies and other UN bodies; 2) civil society and non-governmental organisations (NGOs); 3) international agricultural research institutions; 4) international and regional financial institutions; and, 5) private sector associations and philanthropic foundations. (FAO, 2015a)

3. Theoretical framework

Legitimacy is a broadly used concept which is difficult to define; multiple disciplines use this concept in different ways, making it quite an ambiguous concept. The following definition, derived from Suchman (1995) tries to capture the several uses of the concept (Koppell, 2008, p. 181):

“Legitimacy is a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions. (Suchman, 1995, p. 574).”

Such a broadly used concept does indicate that people value entities (e.g. organisations and governance principles) meeting the societal norms, values, beliefs and definitions. One might argue that the norm ‘the end does not (necessarily) justify the means’ is the base of society. It is often argued that meeting the norms, values, beliefs and definitions of society probably increase the acceptance of certain regimes, smoothening the implementation phase. It is therefore important to assess existing governing organisations and principles on their legitimacy to examine whether they are in their right of existence.

For the purpose of this paper, it is most convenient to elaborate on democratic legitimacy specifically. The CFS, as an intergovernmental body of the UN, inherently is based on democracy. One of the core values of the UN is democracy: “the will of the people is the source of legitimacy of sovereign states and therefore of the United Nations as a whole” (UN, 2015a). The UN, and its bodies, enables dialogue between its members and serves as a mechanism for governments to find agreements on a variety of issues (UN, 2015b), all with respect to human rights and fundamental freedoms (UN, 2015a). A literature review on democratic legitimacy will be given below.

Roughly speaking, one might say that democratic legitimacy “comes from citizens believing that democracy can produce some ‘good outcomes’” (Huang et al., 2008, p. 46). The notion of democratic legitimacy originates from the political legitimacy literature (Huang et al., 2008). Two perspectives on political legitimacy can be identified: a) the system level perspective, and b) an individual level perspective (Weatherford, 1992). The former perspective does have a focus on the constitutional provisions –the formal structures –of governments which enable for example public participation. This perspective focusses on attributes like accountability, efficiency, procedural fairness, and distributive fairness (Weatherford, 1992). The latter perspective –the individual level perspective– “highlights three aspects of the dynamics of public opinion, in explaining citizens' attitudes and actions vis-a-vis the regime” (Weatherford, 1992, p. 151): a) political interest and involvement, b) beliefs about interpersonal and social relations relevant to collective action, and c) optimism about the responsiveness of the political system (Weatherford, 1992, p. 151). Both perspectives do not have (or have a limited) focus on performance or effectiveness, which is exactly the key to democratic legitimacy, having a focus on input (Lieberherr, 2013). Assessing democratic legitimacy can be performed by using the notions of input, throughput and output legitimacy (Bekkers and Edwards, 2007).

The distinction between input and output legitimacy has been used for the first time by Scharpf (1999) to explain the process of European integration (Kersbergen, van and Waarden, van, 2004). Whereas input legitimacy is about democratising the decision-making process through including affected actors through formal channels, output legitimacy is about the results of certain governance practices (Lieberherr, 2013). Throughput legitimacy is often referred to as the intermediary

dimension between input and output legitimacy, it emphasises democratic procedural criteria, focussing on quality of interactions and procedures (Lieberherr, 2013). This intermediary form of legitimacy can be based on two forms. It can either be based on democratic regulatory legitimacy, which can be gained by democratic feedback loops (e.g. by legal sanctions or incentives via rule of law), or on performance-oriented procedures, which emphasises efficiency and competition (Lieberherr, 2013).

4. Research approach

4.1. Methodology

The assessment on the democratic legitimacy of the CFS will be based on a literature study. To determine whether or not the CFS reform in 2009 has had consequences for the committee's democratic legitimacy, the available literature and other information sources are expected to be sufficient.

Assessing the CFS's former and current democratic legitimacy will be performed through three steps (represented by three chapters). At first, the available literature around democratic legitimacy –and specifically the literature regarding input and throughput legitimacy –will be explored and analysed to come to a conceptual framework specifically designed for the assessment of the CFS. This conceptual framework will represent the main criteria to reach a certain degree in input and throughput legitimacy, based on existing literature. After developing the conceptual framework, the former and actual organisational structure of the CFS will be discussed. This information will mostly be derived from official CFS and UN sources, complemented by (academic) articles discussing the CFS reform. The third step –the actual assessment –will most probably not require additional literature since it 'solely' consists of the application of the already developed conceptual framework on the case.

4.2. Conceptual framework

In this paper, the notions of input and throughput legitimacy will be used to assess the democratic legitimacy of the CFS, before and after the 2009 reform. An important notion is that that both kinds of legitimacy have many criteria which might benefit the level of legitimacy of an organisation or governance regime. Therefore, a specific conceptual framework will be built serving the specific case of the CFS. This inherently means that some criteria will be included, and others will be excluded in this assessment. The paragraphs below will elaborate on this conceptual framework and how it came to be.

4.2.1. No output legitimacy

Like stated above, the notions of input, throughput and output legitimacy can be used as "norms or criteria for assessing the democratic legitimacy of governance practices" (Bekkers and Edwards, 2007, p. 43). In this paper, these notions will also be used. Output legitimacy however, will not be included for the following reason. Output legitimacy "concerns the capacity of government to produce certain output or outcomes that actually contribute to remedying collective problems" (Bekkers and Edwards, 2007, p. 45). It is not about the capacity itself, but the intended and unintended effects caused by governance practices (Bekkers and Edwards, 2007). Since output legitimacy (effectiveness) is difficult to measure and is regarded to have no (direct) focus on

democratic norms and principles it is not included in this paper's conceptual framework. However, it is important to mention that the notions of input, throughput, and output legitimacy are interlinked concepts; output legitimacy is assumed by many to benefit from high levels of input, and throughput legitimacy.

4.2.2. Distinguishing input AND throughput legitimacy

Why making a distinction between input and throughput legitimacy if throughput legitimacy is often categorised as input legitimacy (Lieberherr, 2013; Schmidt, 2013)? By distinguishing throughput legitimacy next to input legitimacy, there is differentiated focus on what is going on in the so-called 'black box' (processes) alongside the participation-oriented input legitimacy (politics) (Schmidt, 2013). The use of both kinds of legitimacy offers a broader view on how to gain democratic legitimacy than when only input legitimacy would be included. This will enable this assessment to be more precise on the different criteria leading (or not leading) to democratic legitimacy.

4.2.3. Determining the criteria of democratic legitimacy

Following on Bekkers and Edwards (2007), Lieberherr (2013) and Schmidt (2013) it is possible to develop a conceptual framework to be used for the specific case of the CFS. The most evident criteria and/or norms for input- and throughput legitimacy will be at the base of this conceptual framework, requiring it to be relevant for the CFS.

Concepts like participation and representation are often reoccurring concepts regarding input legitimacy literature. Enabling affected actors² to express their wishes and demands in political decision making is key to input legitimacy (Bekkers and Edwards, 2007; Schmidt, 2013). Moreover, these enabled opportunities to express ones interests might contribute to the input legitimacy to ranging degrees. If affected actors have the direct right to vote on a proposed policy, one might consider this to contribute to a high degree to the organisation's input legitimacy, while an arrangement only consulting the affected actors contributes in a lower degree to the input legitimacy than the former (Lieberherr, 2013, p.6). Furthermore, expression through participation or through representation does also have different consequences to the input legitimacy. Since the interests of the representatives and the represented actors might not (fully) overlap (Bekkers and Edwards, 2007), the principle of representation should be evaluated with care before concluding to what degree it contributes to the input-legitimacy. At last, "the openness of the agenda setting process" (Bekkers and Edwards, 2007, p. 44) also influences the input legitimacy. Though, for the sake of this case, the CFS –inherently dealing food security issues –, this norm will not be included in this conceptual framework. The openness of the agenda setting is assumed to be more relevant for policy making processes within national governments or transnational governance principles not bounded to one specific theme (e.g. the European Union).

So-called 'checks and balances' may be seen as quite a clearly defined requirement that can contribute to throughput legitimacy. As defined by Bekkers and Edwards (2007) "checks and balances include any institutional devices that constrain the use of power by politicians" (p. 45). These 'checks

² With regards to this case study, affected actors include all governmental and non-governmental organisations (e.g. governments, civil society organisations and private businesses) and the like who have anything on their agenda related to food security and/or nutrition. In the broadest sense it can be said that every individual is an affected actor since food security touches all.

and balances’ are very important to enable minority groups or minority interests to be heard (Bekkers and Edwards, 2007). ‘Checks and balances’ may contribute to another norm of throughput legitimacy: accountability (Lieberherr, 2013). Accountability mechanisms like citizen complaint boards, audit procedures and accountability panels serve as democratic feedback loops to make sure members of an organisation can be held accountable for their actions (Buntaine, 2015). Despite the fact that accountability is often key to a legitimate organisation, it is argued that it is not key in the case for the CFS. The CFS has not ever been an enforcing body, but mostly an advisory body, makes that their decision making –their advice –does not have direct implications for the affected actors unless implemented by enforcing bodies. Accountability mechanisms like complaint boards and audit procedures are expected not to be implemented within the CFS, due to the fact that they are more at the beginning of the decision making chain, in the end leading to enforcement of law. Moreover, the CFS regards itself to be partially responsible for the encouragement and promotion of accountability (FAO, 2013a; FAO, 2015a); they provide a feedback loop themselves. Transparency is yet another important norm to mention (Bekkers and Edwards, 2007; Schmidt, 2013). Transparency about content and procedures of the decision making process is beneficial for the quality of participation (Bekkers and Edwards, 2007), and therefore the throughput legitimacy. Other concepts mentioned in the throughput legitimacy literature are terms like efficacy (Schmidt, 2013) and cost utility (Lieberherr, 2013). These concepts –in this paper regarded to be less involved with democratic principles –occur in throughput legitimacy literature simply because it covers the space between input and output legitimacy (Schmidt, 2013). This intermediary form of legitimacy therefore consists of norms on procedures related to participation as well as results. Efficacy and utility are considered to be more related to results than participation, which has led to the decision not to include these concepts in the conceptual framework. Please note table 1 for the operationalisation of the input- and throughput legitimacy regarding the case of the CFS.

Table 1: Conceptual framework for assessing the democratic legitimacy of the CFS

Legitimacy	Criteria
Input	- Affected actors are enabled to express their interests and demands in the decision making process of the CFS
Throughput	- Control of power - Transparency

4.2.4. Operationalising the criteria

The assessment will purely consist of a comparison between the former organisational structure and the actual organisational structure of the CFS. Since the assessment deals with one committee, a description of aspects contributing and opposing to the determined criteria will be perfectly able to examine the possible consequences for the CFS’s democratic legitimacy, and on whether it has improved or declined.

Affected actors are enabled to express their interests and demands in the decision making process of the CFS

This is a criterion that can be met at different degrees ranging along a long continuum depending on a variety of factors. If affected actors are directly heard and their interests are taken into account regarding the content of the agreement, it is argued that this criterion is met close to the highest degree at the continuum. The lower their influence on the agreement (i.e. the decision making process) the lower the satisfaction of this criterion. Moreover, the representation may also have an

influence on this criterion. Since representation can have implications for the degree to which the affected actor's interests are truly represented, the form of representation is of great importance for this criterion to be met at a high degree.

Control of power

Control of power can be partly ensured by so-called checks and balances. "Any institutional device that constrain the use of power by politicians, bureaucracies and private stakeholders" (Bekkers and Edwards, 2007, p. 45) can be defined as checks and balances. With checks and balances one can think of legal sanctions or incentives via rule of law for example (Lieberherr, 2013). Many mechanisms are possible, some might be more effective than others though; it is imaginable that some mechanisms contain some loopholes. Moreover, it is argued that mechanisms providing equal opportunities for all actors involved, contribute more to throughput legitimacy than mechanisms partly favouring specific actors.

Transparency

Information sharing is a necessity to be transparent. Self-evident are the multiple ways to share (and not share) your information. Unfortunately, it is impossible to detect what is not shared. The shared information can be reasonably assessed through the following factors: a) timing of information sharing and, b) with whom the information is shared. Disclosing information during the meeting is regarded to not be as beneficial (and transparent) as disclosing it beforehand. Sharing the information solely with the attendees of a meeting is regarded to be less transparent than when information is shared with all affected actors.

5. CFS's organisational structure –before and after –

The 1974 World Food Conference recommended to establish a Committee on World Food Security (Duncan, 2014). This was mainly decided upon due to the then adopted *International Undertaking on World Food Security* required "continuing intergovernmental consultations so that timely action can be taken by the international community to remedy any difficulty foreseen in assuring adequate cereal supplies for minimum world food security" (FAO, 1975, VI/A/351).

5.1. Before

The CFS was open to all member nations of the FAO and all member states of the UN (FAO, 1975). The CFS consisted of those states who had notified the Director-General of the FAO to be interested in becoming members and to have the intention to participate in the work of the CFS (FAO, 1975). When approved by the Director-General, the membership would be valid for a period of two years (FAO, 1975). Moreover, consultants may be incorporated by the FAO to assist the secretariat with tasks like agenda setting (Duncan, 2014). Others (e.g. non-member nations, inter-governmental organisations, and non-governmental organisations (NGOs)) were also allowed to attend the CFS meetings as observant, with the requirement that these others had established relations with the CFS (Duncan, 2014).

The main functions of the CFS have changed over time, with the establishment the CFS was mandated with four tasks:

- a) *Keep the current and prospective demand, supply and stock position for basic foodstuffs under continuous review, in the context of world food security, and disseminate timely information on developments;*
- b) *Make periodic evaluations of the adequacy of current and prospective stock levels, in aggregate, in exporting and importing countries, in order to assure a regular flow of basic foodstuffs to meet requirements in domestic and world markets, including food aid requirements, in time of short crops and serious crop failure;*
- c) *Review the steps taken by governments to implement the international Undertaking on World Food Security; and*
- d) *Recommend such short-term and longer-term policy action as may be considered necessary to remedy any difficulty foreseen in assuring adequate cereal supplies for minimum world food security*

(FAO, 1975, VI/A/351/RULE XXXIII/5)

The objective of the CFS was renewed in accordance with the outcomes of the World Food Summit in 1997 (Duncan, 2014). The initial task to “review the steps taken by governments to implement the International Undertaking on World Food Security” shifted towards the monitoring of “the implementation of the Plan of Action adopted by the World Food Summit in accordance with the relevant commitment of the Summit” (Duncan, 2014, p. 114). This change gave room for a bigger role for civil society. Objective 7.3 of the Rome Declaration on World Food Security acknowledges the critical role of civil society in enhancing world food security, therefore “the effective participation of relevant actors of civil society in the CFS monitoring process” (FAO, 1996, Objective 7.3/g) is encouraged.

The findings of the CFS regarding the implementation of the Plan of Action, on both regional and international level, are based on “reports of national governments, reports on UN agency follow-up and inter-agency coordination, and information from other relevant international institutions” (FAO, 1996, Objective 7.3/e). These findings have been reported to the Economic and Social Council (ECOSOC) via the FAO Council (FAO, 1996).

The organisational structure before the 2009 reform was solely comprised of the Committee and its Secretary (FAO, 1998). The Secretary of the CFS is appointed by the Director-General of the FAO and supports the Committee there were it is required (FAO, 1998). Furthermore, a Chairperson and a Vice-Chairperson were elected by the Members of the Committee (FAO, 1998).

In consultation with the Chairman, the Director-General of the FAO provided a provisional agenda in advance of each session (FAO, 1998). This provisional agenda got distributed at least three months before the session. (FAO, 1998). All Members; Associate Members of the FAO; all Members of the UN; and, all other attendees of the session received this provisional agenda (FAO, 1998). Documents corresponding to an item on the agenda were distributed as soon as possible after the provisional agenda was sent (if not distributed already) (FAO, 1998).

5.2. After

The aim of the CFS reform was to become “the foremost inclusive international and intergovernmental platform’ to combat hunger and malnutrition and realize the right to food for all” (Schutter, de, 2012). The current CFS still is an intergovernmental committee (FAO, 2009), which is

composed of so-called “members, participants and observers” (FAO, 2009, p. 3) aiming to achieve a balance between both inclusiveness and effectiveness.

The membership is slightly changed when comparing it with the former CFS. Aside opening CFS to all member states of the UN and all members of the FAO, members of the World Food Programme (WFP) and the international Fund for Agricultural Development (IFAD) are nowadays also allowed to become members. CFS Members have an exclusive voting and decision-making right, furthermore they have “the right to intervene in plenary and breakout discussions, approve meeting documents and agendas, submit and present documents and formal proposals, and interact with the Bureau during the inter-sessional period.” (FAO, 2009, p.4).

The committee is open to Participants, having the same rights as Members except for the voting and decision taking rights, from one of the following categories:

- a) *UN agencies with specific mandates in the field of food security and nutrition and other UN bodies working in related fields;*
- b) *civil society and non-governmental organisations (NGOs) strongly related to issues of food security and nutrition³;*
- c) *international agricultural research institutions;*
- d) *international and regional financial institutions; and,*
- e) *private sector associations –representing the positions and interests of business enterprises and corporations –, and philanthropic foundations.*

(FAO, 2015a; FAO, 2009)

In accordance with the General Rules of the FAO Observers have been allowed to the CFS since its establishment (Duncan, 2014). Observers can be either invited to attend a meeting or several meetings, as well as apply for it (FAO, 2009).

As the CFS states, the current organisational structure “allows input from all stakeholders at global, regional and national levels” (FAO, 2015c). The central body of the CFS is the Plenary, it is the central body “for decision-taking, debate, coordination, lesson-learning and convergence by all stakeholders at global level on issues pertaining to food security and nutrition and on the implementation of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security.” (FAO, 2009, p. 6). Members and Participants are part of the Plenary. Furthermore the CFS includes the Bureau, the Advisory Group, the High-Level Panel of Experts on Food Security and Nutrition (HLPE), and the Secretariat (FAO, 2015c; FAO, 2013b). The Bureau is the executive body of the CFS, consisting of a Chairperson and twelve Members elected by the Committee (FAO, 2013b). The Bureau is mainly responsible for preparatory tasks for the meetings like the preparations of the documents and the agenda (FAO, 2013b). Moreover, the Bureau will facilitate coordination among Members, Participants and all other relevant actors (FAO, 2013b). The Advisory Group, consisting of Participants (chosen by the Bureau), assists the Bureau by

³ “With particular attention to organisations representing smallholder family farmers, artisanal fisherfolk, herders/pastoralists, landless, urban poor, agricultural and food workers, women, youth, consumers, Indigenous Peoples, and International NGOs whose mandates and activities are concentrated in the areas of concern to the Committee.” (FAO, 2009, p. 4)

“sharing their expertise and knowledge of the broad range of organizations it represents” (FAO, 2013b, p. 122) ensuring “linkages with different stakeholders at regional, sub-regional and local levels” (FAO, 2015c). The HLPE is built upon two components: a) the Steering Committee, and b) ad-hoc Project Teams (FAO, 2013b). The HLPE provides a scientific-based view and advice on the food security and nutrition issues (FAO, 2015c). The ad-hoc project teams are responsible for draft reports, whereas the Steering Committee direct and oversee these reports to come to final reports for the CFS (FAO, 2013b). All sub-departments of the CFS are assisted by the Secretariat accommodated at the FAO headquarters in Rome (FAO, 2013b).

The provisional agendas of the sessions are prepared by the Bureau in consultation with the Members and the Advisory Group (FAO, 2013b). These provisional agendas are distributed at least two months prior to the sessions among all members of the committee (Members and Participants); all members of the FAO, the WFP, and the IFAD; all members of the UN not being member of the former mentioned organisations; and, all the observers attending the session (FAO, 2013b). Documents associated with the items on the agenda are provided as soon as possible after the provisional agenda has been distributed, if not already available (FAO, 2013b).

6. CFS’s democratic legitimacy –before and after –

In this chapter, the conceptual framework developed in chapter four, will be applied to the CFS’s organisational structure. All determined criteria will be elaborated on separately, applying it on both the CFS’s organisational structure before and after the 2009 reform.

Affected actors are enabled to express their interests and demands in the decision making process of the CFS

Regarding this criterion it is argued that affected actors have received more formal possibilities to express their interest and demands after the 2009 reform. When looking at the former and current structure of the CFS (please note *table 2*), it is evident that by the inclusion of the Advisory Group and the HLPE non-governmental bodies like NGO’s, civil society groups and scientists have received more formal pathways to be heard during the decision making process. Although, the fact that these non-governmental actors have no voting rights makes their actual influence on the decision making questionable. Furthermore, especially regarding the Advisory Group, it must be considered that the Participants are chosen by the Bureau. The most recent update by the FAO (2015d) shows that the first category of Participants (UN agencies and other UN bodies) is the biggest supplier of Participants to the Advisory Group. This leads to a significant portion of the Advisory Group is not represented by non-governmental actors. Yet, it should be considered that the CFS is the first UN-body where “representatives of small-scale food producers and other civil society organizations, along with private sector associations and other stakeholders” got a full participants status instead of having only an observer status (McKeon, 2009).

All in all, the CFS is now recognised to be a significant forum (Duncan, 2014; McKeon, 2011). Important actors like the World Bank, agrifood cooperations, and the USA have returned to have their voice heard again, while being highly critical about the CFS before the reform (McKeon, 2011). Furthermore, primary passive regions (e.g. in Africa) “are making efforts to build up their presence” (McKeon, 2011, p. 16). This leads to the thought that affected actors (either governmental or non-governmental) expect to be heard by the CFS, and therefore expect to have some influence.

Overall, it is argued that affected actors have formally more possibilities to express their interest and demands in the decision making of the CFS, and do make use of these possibilities. This is enabled by the new organisational structure adopted during the 2009 reform.

Table 2: Overview of the CFS structure, before and after the 2009 reform

CFS (before reform)		CFS (after reform)	
Secretariat		Secretariat	
Committee	<i>Members</i>	Plenary	<i>Members and Participants</i>
		The Bureau	<i>Elected Members</i>
		The Advisory Group	<i>Elected Participants (chosen by the Bureau)</i>
		The High-Level Panel of Experts on Food Security and Nutrition (HLPE)	<i>Scientists and experts</i>

Control of power

Regardless the reform, the CFS has not ever been an enforcing intergovernmental body, which probably makes that checks and balances, like legal sanctions and incentives via rule of law, are not implemented within the CFS. Therefore, the control of power within the CFS seems to be mostly based on democratic rules, like the voting rights.

Important to mention here is that this criterion is highly intertwined with the former criterion. The inclusion of other kinds of affected actors (i.e. Participants) most probably leads to another distribution of power, which might be a reason to enforce or adapt the checks and balances. Solely looking at the voting rights it is argued that the ‘level playing field’ has worsened. Before the reform all Members had one vote (FAO, 1998); all participating affected actors had the same rights and possibilities. Nowadays, all Members still have one vote (disregarding being part of the Bureau), whereas Participants have no voting rights at all (FAO, 2013b). It is therefore argued that there is no equal power distribution between governmental and non-governmental bodies. However, the fact that Participants are allowed in the decision making process, -despite having no voting rights – can be seen as a mechanism to control power itself. Members may have the full power regarding the voting rights, but these new involved affected actors have the power to increase the pressure on the Members to do the ‘right’ thing. As stated by de Schutter (2012): “the participation of civil society in global fora and the role of expert knowledge are key in moving towards [...] the deepening of international cooperation. This increases the likelihood that governments will be pressured into action and will not be allowed to stand still.” (p. 482).

The facilitation of the Bureau of the coordination among Members, Participants, and all other relevant actors does raise some questions about the power distribution, too. After all, this facilitation might imply some power in the interaction processes, defining certain ‘rules of the game’.

Transparency

Regarding to the CFS's own membership, one might argue that, according to the rules of procedure, all required information before meetings are timely distributed. Except that the deadline for the provisional agenda has shortened from three months in advance to two months in advance of a session, nothing has changed regarding the transparency towards the CFS's own membership.

A striking point however is the transparency regarding the public other than those informed anyway. Much information seems to be available, yet not in the most convenient manner. The website of the CFS for example, does only provide the final reports from the 35th session (2009) onwards, while the FAO provides all the final reports since the 24th session (1998). Moreover, one might argue that the website of the CFS has a strong focus on the 2009 reform and the period afterwards, slightly overruling the period before the 2009 reform including its original structure, former activities, decisions and therewith, their performance. This detracts the current level of transparency. It is hard to say whether or not information was shared with the public before the CFS reform. Scholars writing about the CFS oftentimes refer to the CFS reform and/or the 2008 food price crisis and are therefore written in approximately the last seven years. What should be considered here is the influence of the internet in the last two decades, which makes it inherently easier to share information with the public. This should be taken into account when assessing the transparency criterion.

7. Conclusion

The research question: *'Did the 2009 reform of the CFS have consequences for the committee's democratic legitimacy? And, in what way?'* is not answered that easily. Following on the above, it can be concluded that the reform of the CFS has had consequences for its democratic legitimacy. Though the interesting question arises to what extent, and whether it has had positive or negative consequences.

In sum, it is argued that more affected actors are formally more enabled to express their interests and demands (i.e. the Participants and the members of the HLPE), though, not all affected actors have direct influence on the decision making due to the fact that nobody, but the Members, has voting rights. Looking solely at formal pathways, it is therefore concluded that the first criterion –on input legitimacy –has improved. Regarding the control of power criterion –on throughput legitimacy –, it is argued that the 'level playing field' within the committee has worsened also due to the unequal voting rights. Additionally, the Bureau can compel more power because it facilitates the coordination between the sub-departments of the CFS, influencing the interactions and therefore partially guiding the decision making process. The inclusion of Participants may serve as a mechanism as well to control the power of the Members. Participants, as well as the members of the HLPE have the ability to pressure the Members to decide justly. Overall, it is argued that despite the unequally distributed voting rights, the control of power has improved. The last transparency criterion –on throughput legitimacy –is argued to be more or less the same before and after the reform. However, this conclusion is made with the assumption that nowadays information sharing is easier than it was in the 1970's and 1980's (and 1990's). Therefore, the fact that there is more information about the CFS in the latter half of its existence is given less weight to measure the transparency level.

Following all the above, it is therefore concluded that the reform had consequences for the democratic legitimacy of the CFS. Two out of the three criteria have improved which supports the

democratic legitimacy of the CFS, leading to the additional conclusion that the democratic legitimacy has improved after the reform.

8. Discussion

The overall conclusion made above is that it is most likely that the democratic legitimacy of the CFS has improved after the reform in 2009. To what extent however, may be an interesting question here. With the currently used available literature this cannot be answered accurately and in a somewhat quantitative manner. To answer this accurately, more inside information is needed for example on informal interactions. It is imaginable that lobbying may be a great deal when it comes to the decision making of the CFS, maybe strengthening the influence of affected actors alongside the formal pathways. Moreover, the rules of procedure found at formal FAO and other UN sources may be very promising, but this does not inherently imply that all of it is correctly implemented, or effective. There may be a difference between that what is written on paper and what is happening in practice. This paper, a BSc thesis, could not elaborate on this issue of discussion due to it being based on solely a literature study and the short period of time available to perform the assessment. Regarding the specific case of the CFS it may be interesting to elaborate on the rules of procedure in practice to assess the democratic legitimacy of the CFS more accurately.

This assessment does remind of the ever appealing discussion around the 'shift from government to governance'. To what extent is the inclusion of more and more stakeholders in decision making processes, therewith giving them more power, desirable? This again refers to the three concepts of input, throughput, and output legitimacy. The often held assumption that high levels of input and throughput legitimacy lead to improved levels of output legitimacy might not always hold. It might be difficult to come to efficient, effective and substantive agreements when too many stakeholders are involved; high levels of input (and throughput) might therefore be a risk for output legitimacy as well. The goal of the CFS to become "more effective by including a wider group of stakeholders" (FAO, 2015a, p. 1) may therefore be the hardest thing to achieve. Exactly this goal may have led to not as straight standing fulfilment of the determined criteria. For instance, it is imaginable that it is decided to preserve the voting rights exclusively for Members yet to prevent potential negotiation stalemate. It is therefore imaginable that the CFS has tried to reach optimal levels of input and throughput legitimacy instead of maximum levels.

Following the former paragraph, some thoughts are raised about the used conceptual framework. The different perspectives on the notions of input, throughput and output legitimacy –and how they interact with each other –hold by many scholars, social scientists (and students) inherently means that many approaches are possible to assess an organisation like the CFS. It is important to consider that the perspective of the author self-evidently has great influence on the content of the paper. This assessment does not have to be wrong. It is however, not the ultimate truth either; it should be received by readers in consideration of other possible perspectives and approaches.

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