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Contingent spaces for smallholder participation in GlobalGAP: insights from Kenyan horticulture value chains

Introduction¹

The introduction of private standards initiatives (PSIs)² in agri-food value chains raises questions regarding democratic governance and accountability and in particular with respect to the voice and agency of those whom the standards most affect or are designed to benefit – namely smallholders in developing countries. Scholars of standard setting processes have highlighted that far from being an objective process, standards are developed or are adopted to maintain the interests and limit the risks of key players in the value chain (Busch 2011; Loconto and Busch 2010). As Busch and Bain argued, private standards are used by the private sector to ‘reorganize aspects of the market to better suit its needs’ (2004, 322). The large brands and retailers at the head of global value chains are often identified as influential in the development and subsequent evolution of standards (Klooster 2005; Taylor 2005), but developing country producers may also use standards to justify their position, as in the South African fish sector (Ponte 2008).

In this paper we employ the concept of ‘spaces for participation’ to analyse participation in PSIs to identify who is involved in shaping these initiatives and to explore to whom they are accountable and whose interests they serve. We scrutinize who are considered legitimate participants in the regulatory spaces created by standard systems and the dynamics of these spaces and their operation across multiple spatial scales, recognising that actors in the south at the local scale tend to be excluded (Bendell 2005; Blowfield and Dolan 2008; Nelson et al. forthcoming 2013). The question of whose voice and interests are included in standards processes is starting to be unpacked in a variety of regulatory settings, most recently in the context of commodity roundtables by Cheyns (2011). She highlights how the voices of smallholders have not been heeded even when they have been permitted into the standard setting arena, as they did not conform to procedural norms or make points within the previously agreed agenda. The increasingly high profile of the ISEAL Alliance’s (2010) code for standard setting which focuses on the standards development process, as well as on the structure and content of the standard, highlights the importance of these issues.

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² In our project we refer to talk of private standards *initiatives* as opposed to simply ‘standards’ as we are interested in not only the requirements or contents of the standard but also the constellation of actors involved in developing, implementing and monitoring the standard, and the relations between them.

We employ concepts which have been developed to explore democratic accountability and the exercise of citizenship and apply these to a specific arena, namely private forms of governance in the context of the Global Value Chain. Private standards initiatives are often presented as being beneficial to particular groups (such as workers in the case of labour codes, small farmers in the case of Fairtrade) and in recent years show greater awareness of the particular challenges of groups potentially disadvantaged by the standard (for example the Ethical Trading Initiative's Smallholder Guidelines, as well as efforts to ensure that Fairtrade is more gender sensitive (Nelson and Pound 2009)). However how, and indeed to what extent, do standard systems enable producer and worker participation? And if so, what form of participation do these 'spaces' permit?

Our research is set in the context of the value chain between Kenyan producers and European, primarily UK, supermarkets, and the standards that have emerged to regulate food safety or the social and environmental aspects of production and trade in these value chains. In particular we consider the politics surrounding standards systems to gain insights into their potential as a tool of empowerment for disadvantaged groups. In this paper our empirical focus is GlobalGAP, which is now the largest private agrifood certification scheme in the world and has become a de facto market access criterion to the EU, Kenya's main market. Our particular concern is smallholders, who are frequently omitted from analyses of value chains (Ouma 2010), and in contrast to other work on GlobalGAP which focuses on participation in the market (Ouma 2010; Graffham et al. 2007), we focus on participation in the governance of standards initiatives. The Kenyan export horticulture sector is an interesting locus for exploring the policy spaces related to private standards due to the importance of the sector to the country's exports³, the keen interest of donors that promote export-led development (Humphrey 2008). Kenyan horticulture is often described as the most codified industry in the world (Dolan et al. 2003; Jaffee 2005; Riisgaard 2009). This is of course associated with the industry's success in linking to supermarket buyers in Europe as access to these European markets often entails compliance with different codes of conduct.⁴ To some extent Kenya's success with export horticulture distinguishes it from other African countries, but its experience has parallels with value chains linked into other countries in the global South in that producers must engage with global buyers and standard setters if they wish to access lucrative markets (UNCTAD 2008).

³ In the last seven years alone, horticulture has overtaken tea as the principal foreign exchange earner (Republic of Kenya, 2008; 2010).

⁴ A high proportion of vegetable exports, particularly 'high care' prepared and packaged products, are exported directly to supermarkets in the UK and other parts of northern Europe (Jaffee 2005).

The discussion in this paper draws on primary empirical research from 2008-2010, including findings from focus group discussions (FGDs) with smallholders who have been part of the horticulture value chains as well as over sixty key informant interviews with NGOs, private export companies, government representatives, trade unionists and consultants in Kenya, the UK and elsewhere in Europe and participatory stakeholder workshops in Nairobi in September 2008 and validation workshop in January 2010. Through our analysis we highlight the limited and ad hoc nature of participation and involvement in these policy spaces by smallholders and indeed other southern actors. We also highlight that these spaces are not framed in such a way that they address the concerns of those actors who may not be considered ‘citizens’ or legitimate direct participants. In so doing, we contribute to an extension of value chain analysis that embeds consideration of power dynamics and reasserts the importance of institutional context (Neilson and Pritchard 2009).

In the following section we explain what we mean by spaces for participation. Next we introduce GlobalGAP and KenyaGAP, the latter being a standard that was developed to facilitate compliance by smallholders. We then draw on our fieldwork in Kenya, including focus groups with small farmers to examine the extent to which GlobalGAP can be regarded as a space for participation and the voice of smallholders.

Spaces for participation

We begin our discussion by establishing what we mean by ‘spaces for participation’. Since the 1990s, participation has been a popular concept in development and environmental management (Cornwall 2002; Stringer et al. 2006), but it is contested, especially given recent depictions of participation as ‘tyranny’ (Cooke and Kothari 2001). Critiques of participatory projects notwithstanding, understanding how different actors can participate in public policy making and processes that affect their lives continues to be an important research question, especially in the context of citizenship, governance and policy making (O’Neill et al. 2007). Moreover, it is increasingly recognised that those who are affected by, or who can affect, specific policies and proposals in development, *should* have the right to exercise voice particularly to ensure accountability (Goetz and Jenkins 2005). In the business sector however, we contend that whilst there is recognition of the importance of stakeholders, who these may be and the nature of their involvement in governance is less well-defined or accepted.⁵

⁵ Cf the debate between normative or instrumental approaches to defining stakeholders (Garriga and Mele 2004).

Hickey and Mohan note how Cornwall and colleagues have ‘reframed participation as multi-scaled citizenship’ linking participation to political debates such as claiming rights through the idea of ‘spaces for participation’ (2004, 13). This approach to participation is rooted in discussion of democratic decision-making in the public sphere where individuals are considered ‘citizens’ in the context of government or public authority (Cornwall 2002; 2004; Cornwall and Coelho 2007). When empowered, citizens can participate in certain mechanisms which permit their voice to be heard by those in authority, who then, depending on various other factors, such as responsiveness and the overall political context, can be made accountable (O’Neill et al. 2007).

Spaces can be viewed in a material sense (as distinct places which can be filled and populated) or as metaphorical spaces which are meeting points, a network or grouping that is less tied to a particular physical location, or to synchronous communication (Massey 1994). Cornwall (2002) and Gaventa (2006) characterize different kinds of spaces for citizen engagement in terms of the power relations that lead to their formation. Forming such spaces is often associated with power struggles in which different groups seek to define them, and shape relationships between different levels of authority, e.g. between the municipal and national structures of government and international processes (McFarlane 2004; Sharp et al. 2000).

Spaces may be opened and closed as part of their on-going dynamics. Cornwall (2002) and Gaventa (2006) distinguish between invited, claimed and closed spaces. Closed spaces are restricted to representatives of authorities with limited external consultation. Invited spaces are those in which an authority allows other stakeholders to participate whereas in claimed spaces less powerful groups create sufficient pressure to be able to enter a previously closed space and articulate their demands. Of course, different actors may have differing perceptions of an on-going process, not least because many have a partial or obscured view of the overall picture. Questions need to be asked not only about the dynamics of space, but also about the initial framing: how is the agenda set, the mechanism chosen, subjects for debate selected and participants included or excluded. Certain actors may be given entry to spaces for debate and decision-making, but others may be excluded and agendas reshaped. As Cornwall states, ‘Talking in terms of spaces for participation conveys the situated nature of participation, the bounded yet permeable arenas in which participation is invited.....’(2004, 75).

Some spaces may operate at multiple scales, or, as Sadler (2004, 864) notes spaces for engagement may operate at a global scale as well as the nation state level, or perhaps even in the form of a ‘much more discontinuous space of engagement, one that is forever transient’ and without a central

location. The definition of different scales, and what makes a place a place, i.e. what are the boundaries between the local, regional, national and the global, is inherently complex, contested and indeed political (Sharp 2009).

In our analysis of ‘spaces for participation’ we shift the spotlight from the public sphere to private spheres of authority, noting how private sector actors through the formation and application of standards governing the value chain create new kinds of space. In particular we take the concept of spaces for participation to the context of the global value chain (GVC), recognizing the ability of the GVC framework to ‘move across different spatial scales and for its effectiveness in highlighting the importance of cross-border forms of organization [and collaboration] in the global economy’ (Bair 2008, 355). Our approach to value chains has been to emphasize horizontal aspects of governance that work in tandem with the vertical governance of the chain by lead actors especially buyers. In doing so, we contribute to the re-assertion of analysis of institutions in GVC approaches in terms of how the governance of value chains produces location-specific results and play into evolving institutional dynamics in a territory (Helmsing and Vellema 2011; Neilson and Pritchard 2009; Tallontire 2007; Tallontire et al. 2011) and indeed the social construction of standards (Ouma 2010).

Through the lens of spaces for participation, private standards initiatives (PSIs) in African agri-food value chains seem to represent a process of opening whereby more actors are involved in the discussion about what constitutes good practice. However, perceptions may vary amongst stakeholders as to which category a new space falls into and or who may be considered legitimate participants. For example, PSIs in agri-food chains could be viewed as an *invited* policy space (private sector inviting other actors in to the regulatory arena), but there may also be a countervailing process of *claiming* space occurring, internationally and nationally, as NGOs, trade unions and sometimes donors engage in labour and environmental issues in value chains. Moreover it is important to recognise that those who create the spaces, such as retailers or other private sector actors, may use such spaces to their own interests, sometimes co-opting spaces, sometimes closing them down. Likewise other actors, such as NGOs, trade unions and sometimes media scrutiny undertake activities that open them up or may alter their direction of travel and agendas.

As well as tracking the dynamics of these spaces, and analysing who are considered legitimate participants, it is essential to consider different scales, because international forces interact with national and local ones. For empirical simplicity, we have adopted Gaventa's three places for policy spaces, but have re-defined them using terms that fit more closely with our empirical context of

agri-food value chains. Thus in our analysis the international scale relates to the countries in which agri-food products are consumed and where the buyer is located, but also where standards bodies with operations spanning country borders are located. The national scale relates to the national level actors and institutions largely associated with export and large scale production and for local we refer to workers and smallholders (but could also include local communities in the territory who may have similar or different priorities and interests to those participating in the global value chain). Importantly, the actors at these different scales are linked through a physical trading chain in which agri-food products are produced; value is added and moved around the globe but also through networks of actors that cross scales, such as international NGOs and standard systems.

The formulation of GlobalGAP and KenyaGAP

In recent years efforts have been made to increase the access of smallholders to the opportunities presented by the export market. However, the extent to which smallholders have a chance to influence the framing of priorities in the standards that govern the value chain, in particular GlobalGAP, remains unclear. We focus on efforts to facilitate smallholder certification according to GlobalGAP in Kenya through donor-funded programmes and the establishment of KenyaGAP as an attempt at a more smallholder friendly and locally appropriate variant of the GlobalGAP protocol.

GlobalGAP

Much of the policy and academic literature on GlobalGAP in countries producing for the European retail market such as Kenya has focused on the implications of the standard for smallholders' relationship with exporters and market access (Ouma 2010, Humphrey 2008). EurepGAP, now GlobalGAP, was established in 1996 in Cologne (Germany) as an initiative by retailers belonging to the Euro-Retailer Fresh Produce Working Group (EUREP) to develop standards for Good Agricultural Practice (GAP). It was a response to consumer concerns and European legislation on food safety (e.g. the 'legal liability framework' expressed in the UK Food Safety Act 1990). Many retailers require their suppliers to be certified according to GlobalGAP standard⁶ to demonstrate that adequate systems are in place to ensure the delivery of safe food to the consumer, from 'field to fork' (Henson and Jaffee 2005, Hatanaka et al. 2005).

⁶ See GlobalGAP 2008

GlobalGAP was initially a completely closed space, open only to retailers. However, its membership has expanded over the past decade, especially since 2001 when producers and exporters were permitted to join the 'partnership' and were given rights to participate in the executive and technical committees. Whilst GlobalGAP is not a development institution, there is an increasing recognition that many of the members' supply chains depend upon smallholders to fulfil demand for produce, and so it has increasingly paid attention to whether smallholders can meet GAP requirements. In the face of accusations that the standard was pushing small producers out of the market (Graffham et al. 2007), GlobalGAP worked with DFID and GTZ to establish a 'Smallholder Ambassador' in 2007. This role was initially taken a German consultant but in January 2009 he was succeeded by the chief executive of Fresh Producer Exporters Association of Kenya (FPEAK).⁷ The remit of the Smallholder Ambassador was 'to identify specific ways in which the GLOBALGAP standard can be more inclusive for smallholder farmers from developing countries and to assist GLOBALGAP members to develop/adjust appropriate technical standards and tools' (GlobalGAP, GTZ, DFID 2008, 3). In this task the Smallholder Ambassador was assisted by the Smallholder Task Force (six 'experts' from Europe and Africa, working in research, audit, import and export) who sought and reviewed proposals on GlobalGAP's Control Points and Compliance Criteria and systems for certification.

This focus on smallholders in GlobalGAP's policy begs questions about the ways in which smallholder voices have been expressed in GlobalGAP and if and how smallholders have been able to participate in GlobalGAP-related processes. We explore these questions through analysis of GlobalGAP in Kenya where smallholders have been important to the continued growth and success of the sector (Ouma 2010; Mithöfer et al. 2007; Dolan and Humphrey 2000).

Larger producers in Kenya were able to swiftly meet the GlobalGAP standard independently, often having used codes of practice for a number of years either as a result of their interaction with supermarkets or through engagement with exporter association codes of practice. For large exporters, standards are a fact of life: 'Whether we like it or not standards are imposed by our customers and you might not like it but they have a right to safe and ethical products' (manager at vegetable export company, 24 October 2008). However, the introduction of ever more demanding standards, including the roll out of GlobalGAP along the supply chain, has made it more difficult for smallholder farmers to maintain their access to international markets.⁸ Some smallholders are

⁷ <http://www.africa-observer.info/index.html>.

⁸ Whether or not there has been a net exclusion of smallholders from export markets is a hot topic of debate (Jaffee et al. 2011).

closely tied to certain exporters who have invested heavily in systems to ensure compliance of 'their' smallholders, but others are less closely tied to particular growers, often selling through brokers or changing exporters each season. Challenges in complying with standards include technical requirements (e.g. infrastructure and equipment for hygiene, using the right chemicals in the right volumes) and maintaining appropriate records (Dolan 2005; Nyagah and Watene 2008; Nyambo et al. 2009; Humphrey 2008).

Retailers involved in GlobalGAP set a target of early 2004 for all fresh produce in their supply chains to be certified according to the standard. Some NGOs, government officials and donors operating in the producing countries, and particularly in Kenya, misinterpreted this deadline as mandatory for access to the EU market leading to panic and hasty plans to ensure compliance particularly amongst smallholders (Humphrey 2006).

The emergence of KenyaGAP

In Kenya an initial response was the decision by the Horticulture Task Force (HTF) in late 2004 to explore the potential for a KenyaGAP standard, because this would be more attuned to local conditions. This task force, formed when the EU reduced the maximum permitted levels of pesticide residues (MRLs) on certain crops, was a grouping of public and private bodies, including Fresh Produce Exporters Association of Kenya (FPEAK) and the Kenya Flower Council (KFC).⁹ In early 2005, this task force formed a National Technical Working Group of GlobalGAP (NTWG) which worked towards benchmarking KenyaGAP to GlobalGAP, a process encouraged and publicised by GlobalGAP and supported by donors (EurepGAP 2005, 8; Humphrey 2008; UNCTAD 2008; Mbithi 2008b). For example the chair of FPEAK stated: 'The process of benchmarking Kenya-GAP to EurepGAP is the unique opportunity for our small-holders to demonstrate that they are world-class producers' (as quoted in EurepGAP 2005, 8). In a presentation to the GlobalGAP conference explaining the KenyaGAP development process, the chief executive of FPEAK highlighted that 'Smallholder consultation is Key' and that this involves 'Structured input to the formal process' (Mbithi 2008b, slide 7). So, KenyaGAP was an initiative of Kenyan stakeholders, particularly FPEAK, but was guided by GlobalGAP and other northern actors.

Over recent years the chief executive of FPEAK has presented the exporter organisation as one that

⁹ In Kenya there are two leading private sector exporter associations in the horticulture and floriculture sector: FPEAK and the Kenya Flower Council (KFC).

can speak for smaller producers (Mbithi 2008a and b). An important part of FPEAK's public profile, and differentiation from the Kenya Flower Council, is its claim to represent thousands of smallholders who are contracted by exporters, as well as the direct exporter members.¹⁰ However, one may question the extent to which, or even whether, FPEAK is able to effectively represent smallholders at the same time as representing the companies that depend on smallholders. And if they do not, who else might support smallholders?

When describing the process of developing KenyaGAP, a consultant involved in the process said: 'We started with what the farmers are doing... We wanted to standardise the production practices of farmers, especially small-scale growers...' (interview, 21 May 2008). Any kind of *direct* participation or representation of smallholders was not deemed a priority by those convening the working group. It was felt sufficient to rely on FPEAK's claim to represent not only the direct exporter members, but also the smallholders who are contracted by exporters. Consultants and NGOs were used as proxies to represent farmers' voices in the NTWG developing the KenyaGAP standard – which again raises questions about the basis on which, and how effectively these groups represent smallholders. For example, a consultant we interviewed first suggested he represented smallholders and then when questioned further indicated that he was 'rather representing the PMOs¹¹ dealing with smallholders' (15 July 2009).

The proponents of KenyaGAP highlighted the importance of consulting widely to ensure acceptance of the KenyaGAP proposals across the country (interviews May 2008), suggesting that at the national level or further up the value chain space for participation was more open than at the local level. This was particularly the case for NTWG members who included representatives of exporters, key public sector bodies such as KEPHIS (Kenya Plant Health Inspectorate Service) and NGOs working on donor funded projects to enhance smallholder access to high value horticulture markets. However whilst there was a period of opening up a space for participation in the development of KenyaGAP, particularly around 2005-6, our informants suggest that this space was quickly closed down once benchmarking with GlobalGAP was achieved in 2007. A manager at an export firm said: '*Although I was a member of the technical team I am not aware of what*

¹⁰ More recently the KFC has claimed to speak for the increasing number of flower vendors on the streets of Nairobi as well as exporters, expressed as part of its corporate social responsibility.

¹¹ PMOs are primary marketing organisations, ie marketing agents, often acting for assemblers or exporters

KenyaGAP entails' (28 October 2008). Whilst KenyaGAP had been developed with public funding, it was regarded as the property of FPEAK and few people had actually seen the standard.¹²

Our analysis suggests that the NTWG (that oversaw the GlobalGAP benchmarking process and development of KenyaGAP), has been an important vehicle for FPEAK to increase its profile internationally and in relation to key actors, including government bodies, in Kenya. FPEAK has therefore sought to maintain control of the space for participation and debate about GAP standards.

Small farmer perspectives of GAP standards

So what then do small farmers think about GAP standards? There have been considerable efforts by FPEAK, NGOs and donor programmes within Kenya to communicate GAP standards to the thousands of smaller farmers who grow much of the fresh vegetable exports (e.g. USAID's Horticultural Development Program¹³ and FPEAK's own training programmes for smallholders delivered through exporters who are members of the organisation). Our data indicates that smallholders have only been involved as recipients of information on certification during these activities. The only example we heard of a process of *dialogue* was the largely symbolic 'seven on seven' meeting in early 2010 convened through the donor-funded initiative, the Smallholder Ambassador, an encounter between seven small farmers from across Africa and seven supermarket representatives.¹⁴ GlobalGAP and the Smallholder Ambassador report various 'road show' events across the developing world on their website, but there appears to be little in the way of structured dialogue with or representation of smallholders. Furthermore, there is very little public information and transparency regarding what efforts to date have been achieved and for whom.

We expected that those small-scale farmers who had been certified and therefore engaged with GlobalGAP issues would be more likely to have participated in debates or have been consulted about the standard. We conducted eighteen focus group discussions (FGDs), involving 139 smallholders in total, equally spread across groups that became involved in certification at three different times in three main locations (see Table 1). The broad geographical areas were selected based on our understanding of the clustering of certification in different periods. Once we had

¹² The standard was not in the public domain until 2010, when it appeared briefly on the Internet at <http://www.fpeak.org/KenyaGAP/>. The link has been broken for some time.

¹³ Kenyan Horticulture Development Programme/USAID (KHDP) is now known as the Kenya Horticulture Competitive Project (KHCP)

¹⁴ This took place in February 2010 in Germany, and was listed on Smallholder Ambassador/Africa Observer's webpage as a forthcoming event, with no further information, <http://www.africa-observer.info/events.html>, last accessed 18/11/2011, but currently not accessible. GlobalGAP provides no further information on its website.

identified locations where there had been certification, using our contacts in the export sector we drew up lists of farmer groups from which FGDs were randomly selected. Final group selection depended ultimately on the informed consent of groups and willingness of exporters and intermediaries to divulge their suppliers. All participants in the FGDs were audited to GlobalGAP either directly as a group (via a mechanism called Option 2 under GLOBALGAP) or indirectly (via the exporter).

[Table 1 around here]

We sought to differentiate between the different categories of smallholders through the selection of FGD participants (e.g. some all-female groups), however our analysis highlighted few substantial differences between smallholders in terms of their experience of standards. However, in general, farmers trained by NGOs/donor programmes were better informed than others who were not. Male farmers tended to be more knowledgeable about standards than women farmers. Farmers who were members of self-help groups (SHGs) were more articulate than those involved in groups solely convened for the purpose of certification.

Recognising the benefits of organisation for marketing, key organisations in the Kenyan horticulture sector (e.g. the Horticultural Development Authority, HCDA) encouraged the formation of SHGs which are registered under the Social Services Ministry (Golub and McManus 2009).¹⁵ Overall our research suggested that in this sector there were few pre-existing farmer groups. However where they did exist, exporters have sought to contract with such groups. Exporters also, as noted in Table 1, assisted sub-groups to become certified, sometimes in collaboration with donor-funded initiatives such as the Horticultural Development Programme in Kirinyaga. Elsewhere such as Maragua where farmers achieved certification in 2006, farmer groups tended to be formed for the express purpose of certification and there was less experience of working together in marketing or accessing inputs such as certified seed.

All FGD participants knew that GlobalGAP certification was about good agricultural and hygiene practices and that failure to adhere to the set rules led to rejection of the produce and automatic loss of market. There was also widespread recognition that GAP had brought them benefits in terms of improved pesticide safety and better hygiene in their homesteads. Interestingly, of the 139 farmers we spoke to, only one had heard of KenyaGAP and this was via a radio programme. That they were well informed about the GlobalGAP technical requirements is testimony to the effectiveness of training on GAP. However, their knowledge of certification was clearly the result of one-way communication, a top down process in which they were told what to do rather than being consulted.

¹⁵ This form of organisation can be contrasted with co-operatives in that self-help groups operate at the community or grassroots level whereas co-operatives are more formalised (with members buying a share of the co-operative) and may be federated at district or regional levels.

For example, a female farmer noted: ‘When we were forming the group we were just told to form groups - they did not ask us if we would like to form these groups’. Other farmers explained they only received information from the exporters in the form of letters e.g. on quotas, prices and rejects or visits from the technical team, but were never consulted on these issues and even when their group representatives report the concerns of their members to the exporter they are rarely given feedback. They did not feel that their concerns were getting through to GlobalGAP, rather they just communicated with auditors who ‘ensure we follow EUREPGAP standards, but we don’t see the EUREPGAP representative and so this communication channel is inadequate. There is no communication between us and the final buyers’. Some farmers indicated that they tried different ways of getting their concerns across to exporters and those involved in standard setting, but they did not know who would be the right person and they tended to talk to anyone who would listen, such as the drivers of trucks picking up their produce.

This indicates a lack of feedback mechanisms for farmers’ voices to be heard by exporters, and by extension, for these voices to be heard in GlobalGAP spaces (which relied to some extent on the exporters to communicate smallholder experiences and concerns). So what then were the farmers’ concerns with regard to the standards? By and large the participants were not very concerned about the technical content of the GAP standard as they recognised that meeting the standard secures or maintains market access. However, they did raise concerns about additional priorities relating to the contractual relationship between farmers and exporters, e.g. how rejects were dealt with, crop transportation, level and transparency of prices and credit for inputs. These are not the technical issues with which the GlobalGAP standard is concerned; rather they are related to the terms of trading.

Farmers also raised questions about the mode of certification. For instance, male farmers who were in a SHG said that given an opportunity to contribute to the rules they would want to obtain certification directly and not through companies, as they believed that this would enable direct market access. Other groups asked for more training, but were not specific about what kind of training (topic or approach). The concerns of farmers are related to the implementation of the standard rather than the standard content *per se*. Farmers felt that their only participation in the standard was in terms of implementing it. They had no voice in the spaces associated with defining or shaping GlobalGAP in Kenya. Moreover, not only is participation in the GlobalGAP space restricted, but also what is considered legitimate subjects of discussion within the boundaries of the space. For example, it raises the issue of whether GlobalGAP should be concerned only about GAP control points and certification mechanisms on farm or also about smallholder-exporter relationships and smallholder organisation.

Our research indicates that that there is a large divide between the spaces in which GAP standards are discussed and the voices of smallholders. Moreover, these spaces are tightly controlled, with only moments of invitation to carefully selected participants. This divide is related to the

geographical location at which discussion takes place and most critically the power relations imbued in the value chain, which together shape the spaces for dialogue and participation across scales and whose interests they serve.

Perhaps one should not be surprised that only one smallholder had heard of KenyaGAP, after all the name of a standard is much less significant than what one has to do to comply with what the market is demanding and they were also being audited against GlobalGAP, not KenyaGAP. Moreover, we conducted our focus groups in late 2008, by which time the efforts to benchmark KenyaGAP to GlobalGAP had been concluded for over a year. What is perhaps more significant is that farmers did not feel that their voices were being heard with respect to the implementation of the standard. They had received no responses to their concerns, either positive or negative. Even more importantly, the content of the standard is mismatched with their priorities. Some may argue that contractual terms do not belong in a 'technical' standard such as GlobalGAP, but the point from our research is that farmers do not have any other space for discussing their concerns and they are not organized sufficiently to be heard on terms of trading issues, which are their real priority. GlobalGAP is focused on technical issues related to the delivery of safe food and whilst there has been recognition that many of the control points are not scale neutral (Graffham et al. 2007), many features that differentially affect smaller farmers such as trading relations or contractual terms are not recognised as part of the scope of the standard body. Production processes are covered in detail, but the terms of trade are 'black boxed' and are not deemed appropriate for debate by those controlling the spaces in which the standard is discussed.

The space for small farmers in GAP standard discussions

Our analysis suggests that the spaces for discussion of GlobalGAP all begin from the starting point that the focus should be on technical production issues and to a lesser extent on the mechanisms to demonstrate compliance, that is, improvements to certification processes (Bain et al. 2010). This focus on technical issues means that those who have been invited to participate in the space have largely been selected on the basis of their expertise in food safety and production practices rather than on trading relationships or indeed as representatives of farmers themselves. In complex issues such as the delivery of safe food, there is evidently an important role for experts, but in this case their knowledge was seen as the only legitimate knowledge.¹⁶ However, since 2005 when a 'stakeholder liaison officer' was employed, GlobalGAP has started to demonstrate that it is open to the views of not only technical experts, but also people and organisations with expertise in agricultural extension to smallholder farmers and the technicalities of auditing outside of large sale agriculture. For GlobalGAP however this does not include smallholders, but proxies such as bilateral donors and the 'Smallholder Ambassador' and Smallholder Task Force.

¹⁶ Though, the use of experts in scientific committees is not unproblematic (Jansen and Roquas 2005).

When asked about smallholder participation, interviewees involved in GlobalGAP governance structures referred to the involvement of bilateral donors such as DFID and GTZ and specifically the Smallholder Ambassador, implying that this was a means for understanding smallholders' views and needs. Moreover, interviewees dismissed some NGOs' perspectives. Referring to the Smallholder Task Force consultation in 2008, one importer representative argued that: 'NGOs ...had no idea about food safety- well-meaning but not useful and focused on silly detail like first aid boxes, and there was nothing that would drastically reduce the cost of audit or make it more accessible' (1 April 2009). The approach appears to be focused on creating a space for participation to enhance efficiency of outputs (in this case compliance), rather than on the basis of representation.

Moreover, such efforts at broader stakeholder engagement have not extended to FPEAK which has led the KenyaGAP process and is the key voice for GlobalGAP in Kenyan horticulture. Whilst there were efforts to involve many of the *exporter* members of FPEAK in the development of KenyaGAP to ensure a level of acceptance and legitimacy, the protagonists in the national working group did not feel a need to go beyond selected agronomists, extension workers (working for exporters or donor-funded schemes) and auditors to reach the smallholders themselves. There was also some reluctance by those involved in the NTWG to engage with NGOs who were not regarded as knowledgeable about the technical requirements of GAP standards and of producing for the market, even if they may have experience of working with smallholders.

For FPEAK, the challenge was to communicate the requirements of standards *to* smallholders as opposed to any consideration of *learning* from them. Mechanisms for communication with smallholders included presentations at 'Hortifairs' and 'road shows' to which farmers (of all scales) involved in export horticulture would be invited. This suggests an arm's length approach to communication based on transmitting information as opposed to dialogue or recognition of smallholders as agents or bearers of rights (Murphy, 2010). It also highlights an organisational vacuum at the farmer level: there were some instances of SHGs and the groups formed for the purposes of certification, but both were functional as opposed to offering a representative structure.¹⁷

Unsurprisingly, given their limited organisation, the farmers that we interviewed were unclear how they could make their voices heard with respect to GAP standards. They were not necessarily asking for access to the standard setters themselves, and nor did they directly discuss self-

¹⁷ Whilst there has been a revival of co-operatives in some sectors (e.g. dairy and savings and credit), the history of government involvement in Kenyan agricultural co-operatives especially in coffee, has led to a wariness among smallholder farmers of organisations with functions beyond the economic; smallholders tend to associate co-operatives with the malpractices of the past and may not be aware of the benefits of co-operatives as member-led organisations (Lacey, 2009).

organisation. Their concerns focused on enhancing communication channels or opportunities to speak to the companies who were contracting them. When they mentioned ‘change’ their remarks revolved around immediate problems with standards at the local level and national levels, for example a complaints mechanism and clarity on pricing and ways of discussing and talking terms of trading issues.

There is thus a conundrum as to how the voice of smallholders can be put forward in the discussions on GAP at national or global levels. This is due to the closed nature of the space, the objective of the standard as set by more powerful interests and unequal power relations between those framing the dominant narratives of the space and smallholders themselves. Smallholders may lack education, but more importantly they lack the mechanisms by which they could build their collective capabilities in order to enter a dialogue on fairer terms. Whilst organisations such as FPEAK claim to speak for smallholders, smallholders are not members and are linked only by merit of the trading relationship they have with the exporters who are members of FPEAK. This is problematic given that whilst there is some dependence on smallholders to provide sufficient product for the market, the relationship between exporters and smallholders has an inevitable power imbalance.

Standards and spaces for participation

Our use of the concept of ‘spaces for participation’ with respect to Private Standards Initiatives helps in unpacking the socio-economic and inherently political processes in countries of production, along the value chain and by which standards are shaped. In so doing, this paper contributes to an emerging body of literature which focuses on the institutional dimensions of global value chains and the need to examine horizontal governance processes that influence standards as much as the vertical linkages (Bolwig et al. 2010; Neilson and Pritchard, 2009; 2010; Nelson et al. forthcoming, Tallontire et al. 2011, Ouma 2010).

Our discussion of the types and extent of participation by smallholders in spaces for participation such as GAP standards highlights the disjointed, limited and contingent nature of participation in these spaces. It is limited and contingent because smallholder representation is *not direct*, but undertaken by others, without a clear mandate, and is based on the exporter relationship. Those actors who did seek to represent smallholders do so frequently on an ad hoc basis and rarely across spatial scales (e.g. the consultants invited into discussions on KenyaGAP had no connections to debates at an international scale).

Our analysis suggests that despite announcements that these initiatives aim to promote the voice of the smallholder their direct participation is absent from these spaces at present, although there is

some indirect representation via NGOs. Some spaces with more potential for smallholder voice are emerging and there may be the potential to develop greater participation, for example through producer networks within Fairtrade (Tallontire 2009), but such multi-scale networks were not evident in our study. We reported an instance of smallholders meeting with retailers, the ‘seven on seven’ meeting in early 2010 convened by Smallholder Ambassador, which enabled smallholders to ‘jump scale’ and talk at the international level. However, this was a one-off and this effort at exchanging experiences does not seem to have borne fruit in terms of sustained dialogue; it is an invited space that seems to have closed again. The National Technical Working Group that developed KenyaGAP has been revived by FPEAK with a view to facilitating engagement with GlobalGAP, but there is still no indication that smallholders are part of this process. The challenges of facilitating greater smallholder organisation and representation in agriculture in developing countries are well known (Poole and de Frece 2010) and in particular smallholder representation in horticulture, including beyond functional groupings, are only starting to be grasped (Murphy 2010) and there appeared no appetite for promoting smallholder representation in the GAP spaces.

For many of those involved in GAP standards, smallholder participation tends to mean participation in the market or access to the market rather than smallholders being regarded as a legitimate participant in standards spaces. This contrasts with some of the rhetoric about African exporter associations speaking for small-scale producers. However, in practice, our case shows that standard development is regarded as a technical process, drawing on a pool of scientific or managerial knowledge, with participation viewed as an extractive process, focusing on best practice rather than representation. This is often justified by the highly scientific nature of the standard and specific control points and retailers’ and brands’ legal obligations relating to the delivery of safe food to the consumer, which cannot be compromised.

Some might contend that it is inappropriate to argue for smallholder participation in standards such as GlobalGAP or that appropriate participation already takes place. Henson (2011) suggests that the private sector GlobalGAP standard engages with a much wider range of stakeholders than does the public sector standard setter Codex¹⁸. However GlobalGAP claims a broader remit than Codex, one that extends to sustainability, at least in its public relations documents (GlobalGAP 2005) and the standard’s content straddles both food safety and environmental issues, together with some labour issues (Bain et al. 2010; Henson and Humphrey 2010). Therefore, GlobalGAP ought to engage

¹⁸ The Codex Alimentarius, or the food code, is the global reference point for consumers, food producers and processors, national food control agencies and the international food trade; Codex standards have become the benchmarks against which national food measures and regulations are evaluated within the legal parameters of the World Trade Organization (WTO) Agreements.

more widely than a standard focusing on food safety both to ensure its relevance and reduce the increasingly apparent disconnect between standard systems and the reality of production and trade (Getz and Shreck 2006).

Sustainability in the value chain should not only be defined by powerful retailers, and prioritize food safety above all else. It was apparent that the concerns of smallholders are not addressed in the current content of the GlobalGAP standard and that the actors controlling the space for participation do not extend an invitation to smallholders or their representatives. It is apparent that despite its claims, FPEAK does not speak for smallholders. Moreover, smallholder concerns about the unequal power relations with other actors in the global value chain remain unlikely to be addressed by this or other standards, which reinforce neoliberal forms of globalisation.

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