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Yumann Siddiq

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Department of  
**Government**

*gov.msc@lse.ac.uk*

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**The Forest Stewardship Council and Colonialism: A critical anti-colonial analysis of the  
Forest Stewardship Council's Normative Framework**

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## **Abstract**

The insurmountable complexity of global sustainable forest management has proved immensely challenging for appropriate governance. The Forest Stewardship Council (FSC) has emerged as the leader in this sphere, being highly commended by both environmental and social NGOs. However, literature is sparse in evaluating the FSC's social sustainability and in particular that related to the needs and values of Indigenous Peoples. This study therefore builds upon key anti-colonial discourse in devising a combined anti-colonial discursive framework to interrogate the FSC's normative framework from the perspective of Indigenous Peoples. The study combines Simmons and Dei's (2012) discursive anti-colonial framework and Cornassel's (2008) sustainable self-determination-Indigenous rights theory. The analysis is conducted upon the FSC's principles, criteria and indicators as well as the FSC approved Malaysian National Forest Stewardship Standard to research the transfer of norms from the global to national level, as well as the underlying extent of coloniality within such norms. The study finds that the level of coloniality in the FSC's global level norms is mixed, with the organisation positively assisting intersectional Indigenous participation and respect for the centrality of spirituality for Indigenous Peoples. However, aspects of coloniality of power harm opportunity for valuable Indigenous voice and self-determination. Analyses of the national level reveals an increase in the extent of coloniality from the global. Verifiers in the Malaysian standard prove detrimental in areas most pertinent to Indigenous peoples such as the withholding of rights. The comparison between global and national levels reveals weak ability to consistently transfer the nature of its norms as the extent of coloniality in FSC norms increases at the national level. The study proposes further research to apply the combined framework on more normatively strict FSC guidelines as well as FSC documents revealing the outcomes of forest certification to move from discourse to practice.

## 1.0 Introduction

Rapid deforestation and forest degradation as well as their increasingly notable effects on climate change, biodiversity and locally affected peoples has led forest management to be a pressing concern for environmental groups and governments. However, the insurmountable complexity of the global narratives on forests leads their meaning, value and use to widely diverge depending on whose interest is emphasised. Forests are and have *always* been highly valued on a local and global scale, yet they mean different things to different people, reflected not only by stakeholders' interests, but also in forest scholarship. These values and meanings are therefore heterogenous and often conflict. Within this state of affairs, appropriate sustainable governance of forests has proven to be a challenging task.

Given the diverging interests, multilateral governance of forests is largely inadequate as despite efforts leading up to the 1992 United Nations Conference on Environment and Development (UNCED), no single and binding international agreement on the sustainable management of forests exists. Instead the subdued 'Non-Legally-Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests' was made. However, in the midst of 'new governance' of the 1980s, private governance and public-private partnerships proliferated with market-driven certification schemes gaining traction in many environmental issue areas. The Forest Certification Council (FSC) came into being in 1993 and its balanced tripartite decision-making structure reflecting ecological, economic and social interests as well as its global outlook presented it as a solution for all forest meanings and values. Indeed, it garners consistent support from the three main stakeholder groups and incites national forest policies suggesting that it now even shapes the global discourse on sustainable forestry (Pattberg, 2005, p. 369).

Notwithstanding this, colonial empires, particularly European empires, have historically used ecological conservation areas and management strategies to preserve their ideals and perceptions of nature; displacing, marginalising and diminishing the rights and livelihoods of forest dependent Indigenous peoples and local communities (IPLCs). Of course, this was done alongside mass killing of Indigenous peoples (IPs) through non-ecological colonial objectives as well. In the globalised contemporary world, neo-colonialism now exists with exploitation and displacement of IPs by multilateral institutions, multinational corporations, and many dominant environmental and social NGOs. Indeed, even the UN ‘Reducing Emissions from Deforestation and Forest Degradation Plus’ program has been accused of resting on colonial norms and discourses (see Cabello and Gilbertson, 2012; Chomba et al., 2016). Therefore, with its uniquely equitable governance structure and support from many social and rights-based interests and organisations, this dissertation asks whether the FSC really is a ‘gamechanger’ in the social governance of forests or whether it too is simply a neo-colonial forest management mechanism exerting oppression over IPs.

This dissertation begins with a literature review in Part 2.0 which presents the relationship between colonialism and forest management, both historically and in the present day. Then it explains the complexity of the global forest management situation and highlights how the FSC attempts to manage such complexity as well as scholarship noting its success. Next a gap in the literature is revealed on the successes of the FSC in terms of social sustainability, and in particular that from an Indigenous perspective. Part 3.0 briefly presents key anti-colonial discourse and theory to help situate and explain the underlying assumptions that the following analytical framework will use. Furthermore, FSC workings are described to help contextualise how the FSC creates the texts that will be analysed. Part

4.0 explains Simmons and Dei's (2012) discursive anti-colonial framework and Cornthassel's (2008) sustainable self-determination-Indigenous rights theory, both of which will be combined to make the critical anti-colonial discursive framework that will be used to analyse the FSC texts. Part 5.0 consists of analysis and applies this combined framework on texts reflecting the FSC's normative framework, firstly the FSC's International Generic Indicators (IGI) and secondly, the FSC approved Malaysian National Forest Stewardship Standard. This dissertation therefore seeks to discover: (1) the level of coloniality in the FSC's key normative framework and (2) whether and how this level shifts at the national configuration of FSC norms. Subsequently, a discussion of findings is presented. Finally, Part 6.0 elucidates the conclusion of this analysis, before suggesting its limitations as well as areas for further research.

## 2.0 Literature review

### *2.1 Colonialism and Forestry*

Not only has colonialism significantly shaped the history of peoples, it has also shaped global environmental history. Richard Grove argues that European Empires in particular undertook large conservation management efforts after scientists noted the links between deforestation and climate change leading to colonial management for climate control, fishery conservation and tree planting (Grove, 1997; Grove, 2002, p. 50). It was indeed the anglophone settler colonies of the US and New Zealand where the first national parks were made (Huggan and Tiffin, 2007, p. 3). However, such forest management was none the less a vicious colonial practice. It involved the damaging of ecosystems, timber felling, natural resource exploitation for profit, killing of Indigenous animals as well as the killing and marginalisation of IPs (Huggan and Tiffin, 2007, p. 1). In this way, 'colonial environmentalism' viciously oppressed IPs and initiated the practice and norm of pursuing environmental objectives at the cost of Indigenous livelihoods and rights. Furthermore, the



colonial mentality entrenched a Western perspective of a disconnect between IPs and their own ability to sustainably manage their environments.

Although colonial empires and practices have formally ceased, it can be said that the world now experiences dynamics of neo-colonialism which is more economic than explicitly territorial and spread following the end of World War Two (Spivak and Young, 1991, p. 221). Neo-colonialism is the indirect control of a less developed nation by a past colonial nation to maintain their influence through mostly economic means (Spivak and Young, 1991, pp. 220-221). However, this dissertation will conceptualise neo-colonialism in a broader sense, not simply a practice through nations, but the indirect control of any advantaged group over a less advantaged group. This will be justified subsequently following the particular anti-colonial theory used in this analysis. Often related to neo-colonialism is neoliberalism. Igoe and Brockington define neoliberalism as the group of processes which aim to restructure the world to assist the spread of free markets (2007, p. 433). They proceed to note the spread of neoliberal conservation as ecological conservation practices that are intertwined with neoliberal practices such as deregulation and privatisation, for instance, in the form of public-private conservation parks (ibid). Contemporary sustainable forest management through certification schemes can be said to reside within neoliberal conservation as they are market driven and often involve a range of stakeholders from NGOs to businesses. Šimunović et al. therefore identify the FSC as a form of neoliberal environmental governance (2018, p. 1). Although neoliberalism is not necessarily synonymous with neo-colonialism, the dynamics of neoliberalism can be said to facilitate neo-colonial dynamics, depending on their use. Indeed the neoliberal UN REDD+ programme has been argued to perpetuate neo-colonialism, for example through accusations of land grabbing (Cabello and Gilbertson, 2012). Given the FSC's support from social NGOs (Gulbrandsen, 2010, p. 84), this dissertation will examine

whether the FSC's unique and commended governance structure succeeds in eschewing its neoliberal environmentalism from neo-colonialism.

## *2.2 Forests, the FSC and Social Sustainability*

The complexity of the global forestry situation that the FSC attempts to govern is vast. Deforestation varies across forest types and its causal factors are immensely contested (see Geist and Lambin, 2002). Furthermore, different forest types will require different management practices. The FSC attempts to manage these variables through the principle of sustainable forest management (SFM) which it defines as an ideal management “operating with a balance of social, environmental and economic outcomes in the current global context” (FSC, 2015, p. 2). The FSC does this through its tripartite governance system of the General Assembly, which, as a membership association, in principle holds the highest authority. The assembly consists of three chambers reflecting economic, environmental and social stakeholders with equal voting power and decisions passed only with a two-thirds supermajority vote (FSC a., n.d, pp. 2-3). Furthermore, in 2013 the FSC created a Permanent Indigenous Peoples committee (PIPC) to advise the board on all Indigenous issues and stand as a genuine voice for IPs. Much scholarship notes the equity of the FSC system. For example, McDermott uses a multidimensional equity framework to assess the trade-offs between sustainability interests across certification schemes and finds that the FSC's is, in principle, more balanced than the Programme for the Endorsement of Forest Certification which gives less decision-making power to environmental NGOs and Indigenous groups (McDermott, 2013, pp. 430-433). In this way, the FSC appears in principle to afford the most balance to SFM objectives and is therefore fit to be questioned on whether this balance is indeed achieved, particularly from an Indigenous perspective.

With regards to FSC performance of its sustainability objectives, evaluating impact is fraught with difficulty as thorough analyses requires on-ground research, substantial funds, access and time. Few studies on all three objectives exist (Cubbage et al., 2010; Pattberg and Visseren-Hamakers, 2013). Furthermore, existing literature is concentrated around its economic and ecological objectives, rather than social. A broad range of work on economic impact exists and although it is mainly positive, contradictory research, methodological errors and variation is also apparent in the WWF's helpful report which collates such work (Breukink et al., 2015). Similarly, environmental assessments of FSC performance are also numerous (see Hagan et al., 2005; Kalonga et al., 2016).

However, few notable social value assessments have been made. Tsanga et al. analyse FSC prompted multi-stakeholder dialogue platforms in Cameroon between logging companies and local communities, finding that although the FSC is crucial in the emergence of these platforms, they lack social legitimacy, reducing their effectiveness (2004). Similarly, Cerutti et al. analyse whether FSC certified units in the Congo basin perform better than non-certified units across social factors such as benefits-sharing mechanisms as well as IPs rights and customary use of forests (2017). They find support for all factors except customary use which was found to decline due to stronger law enforcement prompted by certification (ibid.). Even less literature exists examining the effectiveness of the FSC for IPs needs and values specifically, with the majority of this concentrating primarily on the Canadian experience (see Tikina et al., 2010). Of note is Teitelbaum and Wyatt's study on the effectiveness of FSC standards on First Nations' Rights in Ontario and Quebec through comparison of twenty-one certification outcomes in FSC audit reports as well as one full report (2013). They find that FSC principles and criteria do not lead to denial of certification for companies failing to meet First Nations' needs, but simply the progress, albeit significant, from forest managers

regarding such conditions (2013, pp. 31-32). In this way, literature on the effectiveness of FSC standards via study of outcomes reveals a gap for social sustainability research and in particular that related to Indigenous rights and needs.

Finally, Pattberg and Visseren-Hamakers argue that forest certification studies lack as they are mostly desk-based and subsequently call for greater multi-disciplinary forms of research such as field research and on-ground impact assessments. Though such multi-disciplinary work is beyond the current ability of this author, this dissertation takes lead from Pattberg and Visseren-Hamakers' broad call for alternative methodology by looking 'inside the box' of the certification standards themselves rather than analyses of outcomes. Whilst this work remains a desk-based study, it directly questions FSC adequacy from the start rather than post-hoc by applying a critical anti-colonial discursive framework on key FSC documents themselves regarding IPs. Therefore, this dissertation contributes to the literature by analysing the extent to which the FSC accounts for Indigenous rights and needs, an issue-area sparse in research, and does so with an alternative and more reflexive research take than preceding studies.

### 3.0 Theorising anti-colonialism and situating the FSC

This section briefly explains mid-twentieth century and contemporary anti-colonial discourse and theories, followed by an explanation of FSC workings. These anti-colonial discourses will then be mapped to this dissertation's combined anti-colonial framework and shall therefore be referred to and help guide application of that framework in analysing the FSC texts. The workings of the FSC are presented to contextualise and help the reader understand why and how the FSC texts hold (or do not hold) implications of coloniality in the proceeding analysis.

### 3.1 Early anti-colonial discourse

This dissertation's anti-colonial critical analysis framework is built upon Simmon's and Dei's (2000) anti-colonial framework which takes lead from mid-twentieth century anti-colonial and anti-racism writers. Aimé Césaire, Frantz Fanon and Albert Memmi have been particularly significant in this field. Césaire's '*Discourse on Colonialism*' states two problems with Europe, first its proletariat and second its colonialism, which it is unable to adequately justify to itself and instead presents a moral hypocrisy (2000). Césaire notes the contradiction in attempting to justify colonialism through the idea of 'imparting' civility on the colonised and suggests that such writers of this belief instead further perpetuate the power imbalance between the colonisers and the colonised (2000, p. 55). He further notes that European colonial destruction of Indigenous cultures and peoples was guided by pursuit of profit and that in foreseeing America's future colonising power surpassing that of Europe's, the only option for the colonised proletariat is to resist and revolt (Césaire, 2000, pp. 42-44, p. 78). Césaire's work therefore alludes to anti-colonial ideas of resistance, the hypocrisy of colonial logic as well as the capitalist driven nature of colonisation.

Similarly, Fanon's '*Black Skin, White Masks*' notes the experience of black men and women wanting to 'become white' due to pressures and values of the white society they live in, though failing to be recognised by those white people as white (1986). Notably, he presents the relationship between race, language and culture arguing that to speak a language is to "assume a culture, to support the weight of a civilisation", but that 'black language' in white societies holds no such civilisation (Fanon, 1986, pp. 17-18, p. 34). In this way, Fanon alludes to the colonial perception and suppression of colonised language and logic as inferior to the coloniser's.

Finally, similar to Fanon's analysis of the colonised mind, Memmi psycho-analyses the coloniser's mind in *'The Colonizer and the Colonized'* (2003). Of particular note is his claim that although an individual may not necessarily be a colonialist, they cannot escape their association as a 'coloniser' as "whether he expressly wishes it or not, he is received as a privileged person by the institutions, customs and people" (Memmi, 2003, p. 61). Memmi continues to argue that therefore the fundamental problem in a counter-culture coloniser's mind is "the problem of involvement of his freedom and thus of his responsibility" (ibid.). Here, Memmi can be seen to imply a necessary link between any attempts of decolonisation and awareness from the coloniser of their privileged position as well as accountability on the coloniser's part. Furthermore, Memmi notes that colonisation removes the colonised from their history and removes all meaningful autonomy in terms of their destiny as well as cultural relationships and responsibilities (2003, p. 135). Here, Memmi articulates colonisation's effects on colonised peoples not recognising their own histories and alludes to decolonisation including a recognition, or re-recognition, of its transhistorical past.

### *3.2 Contemporary anti-colonial discourse*

Contemporary anticolonial theory follows from such landmark writers elucidating decolonisation methods as well as modern dynamics of colonisation. For instance, *Thésée* notes the historical relationship between Western physical sciences and the colonial enterprise in using science as a mechanism to shape minds (2006). She argues this persists in modern colonialism though it is now implanted in economic interests and hidden under a mask of "an epistemological figure which implies knowledge" (2006, p. 25, p. 30). She notes that Western science is empirical, positivist, neo-positivist and that its institutionalisation via colonialism holds non-Western science which does not have such epistemology as non-valuable and illogical (Thésée, 2006, pp. 25-27). In this way, Thésée traces the transhistorical dynamics of contemporary colonialism and relates to Fanon's idea

that the coloniser sees their science and logic as superior to knowledge and understandings of those they have colonised, in the case of Indigenous peoples, their traditional knowledge.

Thésée expands this reasoning and argues that neo-colonialism can manifest as enslavement of the mind in that the colonised are led to believe that their own culture's knowledge is invalid and thus their cultural science and traditional mind is destroyed as part of the colonial enterprise (2006, p. 32). This alludes to ideas that Indigenous traditional knowledge may be seen as inferior and less valuable than that of the dominant power's.

Similarly, Holder presents avenues for contemporary anticolonial theory in distinguishing between the Indigenous perception of culture as an activity and the formal dominant Western perception of culture as an object or good (2008). She notes that culture is traditionally conceived of as an object in international documents and as such the resulting cultural right is manifested as a right to access or consumption (Holder, 2008, p. 8). Such a perception of cultural rights limits IPs' ability to challenge their violation of rights to only those concerning the denial of tangible objects or physical access. Holder argues however, that past human rights abuses on IPs have shown that one cannot de-link Indigenous self-determination from that which is fundamental for Indigenous culture. In understanding cultural rights as a right to self-determination, Indigenous cultural rights take on new meaning as the ability to undertake those fundamental cultural practices that shape their human dignity (Holder, 2008, p. 8). In this way, Holder theorises that Indigenous cultural rights in particular cannot manifest solely in the usually accorded political and economic rights.

### *3.3 The FSC*

The FSC is a voluntary global standard setting organisation which creates its own responsible forestry principles, the FSC Principles and Criteria, covering social, economic

and environmental objectives. The organisation also provides assurance and accreditation services for companies, organisations and States wishing to hold and present a 'label' verifying such responsible forest management. The organisation's tri-partite General Assembly is the main decision-making body that adopts decisions by a two-thirds majority vote and hosts multistakeholder participation as members are equally split between economic, ecological and social stakeholders with voting parity between members from the Global North and South (FSC a., n.d., pp. 2-3). Furthermore, the FSC assists national and subnational consultative working groups to help countries translate the global criteria and standards to suit their particular economic, social and ecological contexts before formal accreditation of these national standards (FSC a., n.d., p. 10). For the purpose of this dissertation, it should also be mentioned that the FSC created a Permanent Indigenous Peoples Committee in 2013 to advise and guide the FSC board on Indigenous concerns. Cashore et al. identify the FSC as a non-state market driven scheme (NSMD) as its rules are made by non-state actors who incite upward sustainable forest management standards in return for an FSC label which promises to provide increased market access and price premiums (2004, p. 12, p. 23). As a market-driven scheme, authority is granted to it according to the market supply chain such that companies along the supply chain support the scheme according to an evaluation of the economic benefits they may accrue from support (Cashore et al., 2004, p. 23). In this way, both the FSC's equitable sustainable development and neoliberal dynamics are apparent.

#### 4.0 Methodology and case selection

##### *4.1 Simmons and Dei's discursive anti-colonial framework and Corntassel's sustainable self-determination-Indigenous rights theory*

This dissertation utilises both Simmons and Dei's (2012) discursive anti-colonial framework and Corntassel's (2008) sustainable self-determination-Indigenous rights theory



to create a combined critical discursive framework to more adequately analyse the FSC's understandings of IPs. The discursive framework is used to critically assess and question the underlying norms and logics of the FSC rather than questioning them indirectly through analysis of FSC process outcomes. Both the discursive framework and sustainable self-determination theory employ or propel discourse analysis in a Foucauldian post-positivist manner, drawing on the idea that power is relational and structures knowledge and social practice (Foucault, 1994), which is especially apparent in a coloniser-colonised relationship and the according, or not, of rights.

Simmons and Dei's discursive anti-colonial framework is appropriate for this analysis firstly due to their astute distinction between postcolonialism and anti-colonialism. The authors criticise mainstream academia's use of postcolonialism by arguing that the 'post' subdues the severity of and does not identify the "bad guys", whereas 'anti' identifies the severity of the colonisers and also carries revolutionary implications (Simmons and Dei, 2012, p. 68). In this way, they critically expand and reconceptualise postcolonialism to anti-colonialism and implicate it as a 'politics of action' to incite real change (Simmons and Dei, 2012, p. 69, p. 72). The proceeding analyses will therefore hold an emancipatory value and is appropriate to incite greater real change than a postcolonial analysis. Secondly, the framework is appropriate due to its conceptualisation of colonialism as "anything imposed and dominating rather than that which is simply foreign and alien" (Dei, 2006, p. 3). With this, colonisation takes on a broader meaning beyond state domination and as such is adequate to analyse non-state certification schemes. The FSC's NSMD processes drive forest managers in States which host less advantaged actors of IPs to take upon certain actions for sake of the timber provider's market advantage, an action of power which can therefore be argued to represent a colonial dynamic. Finally, following from Memmi's analysis of the

coloniser's inescapable role in colonisation, the framework holds that the coloniser must also partake in decolonisation efforts. As Kempf notes of Simmon's and Dei's framework, "where anticolonialism is a tool used to invoke resistance for the colonized, it is a tool used to invoke accountability for the colonizer" (2009, p. 14).

Principle 1 of Simmons and Dei's framework states the meaning and objective of the framework as "a theory about the mechanics and operations of colonial and re-colonial relations and the implications of imperial projects on: processes of knowledge production, interrogation and validation; the understanding of Indigeneity and local Indigenousness; and, the pursuit of agency, resistance and subjective politics." (2012, p. 74). Principles 2, 3 and 4 elucidate the underlying objective of the theory to challenge colonial domination and its broad understanding of 'colonial' as mentioned above (ibid.). The remaining principles, 5 to 12, will be presented in the combined framework. They set out questions with which to analyse supposed colonial dynamics, for instance, the degree of power allowed in Indigenous voice in decision-making and the value of spiritual knowledge (Simmons and Dei, 2012, pp. 75 -77).

Corntassel's sustainable self-determination theory is particularly apt for this analysis as it adds a dimension of sustainability that is missing in SFM discourse, yet vital for Indigenous sustainability. It also compliments Simmons and Dei's framework as an emancipatory perspective, critical of mainstream understandings of Indigenous rights. The theory holds that contemporary rights frameworks and indeed dominant conceptions of sustainable development lack a particularly Indigenous notion of sustainability – sustainability of the relationships and responsibilities that IPs have with their families and the natural world (Corntassel, 2008, p. 105). Corntassel claims that the long-term sustainability of Indigenous livelihoods depends on this self-determination as such livelihoods require

intimately held traditional knowledge and cultural practices to be sent to future generations (2008, p. 118). As such, his theory also compliments Holder’s claim that Indigenous cultural rights are manifest in activity, such as responsibilities to the family, as well as in objects and goods. Indeed, both scholars proceed from an understanding of the importance of Indigenous self-determination. Corntassel makes the astute point that this idea of sustainability as self-determination is de-emphasised in ‘Western’ conceptions of self-determination which are dominant in mainstream rights theories and are based on political dependency valuing political and legal notions for such determination (2008, p. 119). In this way, the sustainable self-determination theory adds specifically Indigenous understandings of wellbeing and sustainability that the FSC may be seen to lack.

#### 4.2 Combined anti-colonial framework and sustainable self-determination theory

The following presents the remaining of Simmons and Dei’s anti-colonial discursive framework (2012, pp. 74-77) and adds to it Corntassel’s self-determination theory (2008) to make a combined nine-principled critical discursive framework (herein ‘combined framework’) to analyse the FSC texts. The goal of the analyses is to critically interrogate and assess whether underlying colonial power configurations persist in the FSC’s normative framework, specifically from an Indigenous perspective.

<b>Table 1. The combined anti-colonial discursive framework</b>
1. Examine the nature and extent of social domination using the concept of ‘coloniality of power’- of power as surpassing the agency of the colonised and manifesting itself beyond asymmetrical power relations to multiple sources of such power.
2. Examine whether concepts of “colonialism, oppression, colonial encounter, decolonisation, power, agency and resistance can be seen in the text” (Simmons and Dei, 2012, p. 75) as well as whether the local voice, if any, is authentic and reflective of meaningful intellectual agency from those persons.
3. Examine the concepts mentioned in ‘Principle 2’ through an intersectional lens for a greater understanding of anti-colonialism.
4. Examine whether the text accounts for the centrality and primacy of spirituality and spiritual knowledge in Indigenous needs and Indigenous relations.

5. Examine the quality of Indigeneity and the Indigene in terms of identity and authenticity of voice, understanding that anti-colonialism is a theory of knowledge emerging from the bottom up via Indigenous peoples' understandings of reality in a colonial context.
6. Examine the text with the understanding that the anti-colonial framework is a 'literacy of resistance' with an emancipatory goal
7. Examine whether the dominant actor understands their 'colonial privilege' and is able and willing to action and partake in accountability measures.
8. Examine the colonial privilege through a trans-historical lens to make apparent that the colonial encounter persists and that reality is colonial rather than 'post'-colonial.
9. Examine whether the text respects and promotes Indigenous notions of sustainability as sustainability of the responsibilities and relationships that Indigenous peoples hold with their families, community and the natural world – a sustainable self-determination.

### 4.3 Case selection

This dissertation considers FSC documents most telling of its understandings of IP needs, values and rights by assessing the FSC's normative framework through its principles and criteria as well as international generic indicators. The Free Prior Informed Consent (FPIC) guidelines would ordinarily be apt for analysis as they have been identified in the literature as that which positively distinguishes the FSC from other certification schemes over IPLC rights (Teitelbaum and Wyatt, 2013). However, the guidelines were published in 2012 and since then the FSC has improved efforts for better understanding IP needs and values with the creation of the PIPC in 2013 and a revision of principles and guidelines in 2015. As such, it may be considered inappropriate to currently analyse the 2012 FPIC guidelines as revised guidelines are being consulted upon (see FSC b., n.d). Once completed, these new guidelines will be an important avenue for further research through application of the combined framework.

This analysis considers the FSC's Principles and Criteria as they represent the most recognisable FSC document and therefore should reflect its core norms and be seen as a benchmark for further documents. The FSC's IGI are also analysed as they further "address

each normative element of each criterion” of the Principles and Criteria and represent the key instructions from which regional and national standards are to be made with quality and consistency (FSC, 2018, p. 4). Finally, to move from the global to national level, this dissertation analyses Malaysia’s National Forest Certification Standard for two reasons. Firstly, it is the first developing country to have a national standard pass FSC authorisation and therefore sets the example for other developing countries. Secondly, Malaysia has a substantial Indigenous population representing 13.8% of the total 31,660,700 million country population in 2015 (IWGIA, n.d.). Therefore, it can be argued that Malaysian standards should present greater consideration of Indigenous needs and values than those from countries without substantial Indigenous populations.

For this analysis, the FSC International Generic Indicators (FSC, 2018) document was used as it compiles all the relevant texts together. It contains the preamble, principles, criteria, indicators, annexes, instructions for those developing the standards and a glossary of terms used. The analysis proceeds as follows: first, the entire eighty-nine-page document is scanned by this dissertation’s author who by their own subjective discretion will identify the particular principles, criteria and indicators (PCI) that are most relevant for IP needs and values. Next, the combined framework is applied to the identified texts to evaluate their, and therefore the FCS’s, colonial conformity. The same process is repeated on the Malaysian national standard though only with regards to the same PCI specifically identified from the IGI document. This dissertation acknowledges that economic, environmental and social needs, values and effects are all interrelated. It can therefore be said that all PCIs warrant analyses through an anti-colonial lens as they can all implicate IPs. However, this scale of research is currently beyond the scope of this dissertation for reasons of time and space and therefore only directly relevant IPs texts within the IGI are chosen.

For reasons of clarity, the following analysis will refer to FSC principles in number, e.g. ‘principle 1’, and the combined framework’s principles in word, e.g. ‘principle one’.

## 5.0 Analysis

### 5.1 FSC International Generic Indicators

The relevant PCI identified from the IGI document are all PCI under principles 3 and 4 on IPs’ rights and community relations respectively. Furthermore, under principle 1, criteria 1.3 and 1.6 were also identified relating to compliance with laws. Under Principle 7 on management, criteria 7.4 and 7.6 were identified. Finally, under Principle 9 on high conservation values (HCV), HCV5 and HCV6 were identified.

Before further analysis, two points should be taken into consideration. Firstly, the document notes that the nature of instructions for standards developers is reflected in its language with “*shall*” indicating that instruction is to be strictly followed where as “*should*”, “*may*” and “*can*” carry lighter connotations (FSC, 2018, p. 8). As all relevant PCI as indicated above utilised “*shall*”, if they are found to be particularly colonial or not under the combined framework, the implication of their coloniality (or not) is made stronger due to their framing under a “*shall*” instruction. Secondly, principle 1 states that the FSC shall comply with all applicable national laws, ratified treaties and conventions to which criteria 1.3 claims the same for local laws (FSC, 2018, p. 11). Indeed, criteria 3.4 clarifies that when national laws conflict with the organisation’s criterion of recognising and upholding international Indigenous rights declarations such as the UN Declaration on the rights of Indigenous Peoples, separate FSC procedures under the ‘Forest Management Evaluations’ document apply (FSC, 2018, p. 25). It can be argued here that the FSC’s inability to protect and enforce Indigenous needs and values in such countries is a suggestion of its coloniality. However, this dissertation recognises that the FSC is a non-state actor and therefore cannot

act above the state. Indeed, Dei acknowledges that the anti-colonial search for accountability understands that certain issues cannot be negotiated and that therefore “there are limits and possibilities of “negotiating” in anti-colonial struggles and politics” (2006, p. 1).

Subsequently, this dissertation will not explore such instances of powerlessness to implicate the FSC’s coloniality.

However, other issues concerning law are apparent. For instance, criteria 1.6 states that the FSC should identify, prevent and resolve disputes on customary and statutory law if this can be done outside of a formal court process via “engagement with affected stakeholders” (FSC, 2018, p. 13). The glossary identifies IPs as possible affected stakeholders (FSC, 2018, p. 69) and therefore presents opportunities for IPs to hold the FSC and indeed forest managers accountable. Furthermore, instructions to this criteria state that standards developers shall construct a dispute resolution process which is “culturally appropriate” (ibid.). The glossary identifies culturally appropriate mechanisms as those that are “in harmony with the customs, values, sensitivities, and ways of life of the target audience” (FSC, 2018, p. 71). Here one can recall Fanon’s claim that to speak a language is to “assume a culture, to support the weight of that civilisation” (1986, pp. 17-18) in that culturally appropriate engagement implies respect for culture and therefore understanding of that particular civilisation and its history. In this way, not only does dispute resolution offer an opportunity for IPs to hold the dominant power accountable, this process is available in ways in keeping with IP culture and ability. It therefore implicates little domination, power asymmetries and promotes valuable indigenous voice. Indeed, such a dispute resolution processes is also provided for issues from IPs regarding their legal tenure and perceived impact of management activities as noted in criteria 4.1 and indicator 4.6.1 (FSC, 2018, p. 27, p. 29). The instruction continues to state that forest operations will cease in the dispute affected area if the dispute is of “substantial magnitude”, “substantial duration” or concerns

too many interests (FSC, 2018, p. 13). Here however, the colonial nature and extent is unclear as these terms are not defined in the glossary and therefore one cannot be certain if the nature of the word ‘substantial’ privileges the dominant power’s perceptions and western evaluation methods over those of the IPs. In this way, the overall colonial nature and extent of the FSC’s dispute resolution process is unclear as the process offers accountability and therefore positively relates to principles six and one of the combined anti-colonial framework, but concurrently leaves evaluations from principles one, two and five open.

Following from the availability of a dispute settlement mechanism, the identification of which rights permit a dispute process also warrants analysis. Principle 3 and its associated criteria and indicators state FSC norms on Indigenous rights. Criteria 3.1 identifies that rights of tenure, use and access to forest resources and ecosystem services, customary and legal rights as well as contested rights shall be identified via engagement with IPs (FSC, 2018, p. 23). Instructions for this criteria state that standards developers should also work to identify such rights that have not been affirmed for a particular IP group for example, “due to a lack awareness or empowerment” (ibid.). Such a process of rights identification provides important opportunity for IP participation in affirming their rights and therefore weakens implications of coloniality of power and oppression. Furthermore, acknowledging and working to accord rights that have not been affirmed to IPs due to structural implications of their societally colonised positions, such as lack of empowerment, can suggest an awareness from the FSC of its colonial privilege as well as a willingness to remedy this, positively satisfying principle seven of the combined framework. Recalling Memmi, pre-existing societally imposed lack of empowerment is not caused by the FSC, though the organisation cannot escape its standing as the dominant power and as such here it is the coloniser acknowledging its privilege and facilitating accountability. The instructions also note that developers should respect the right of isolation through non-contact with IPs such as those



living in isolation in Peru and Brazil (ibid). Here the FSC can be seen to acknowledge and understand variation in IPs needs and wants rather than view all IPs together as a monolithic actor. This understanding of variance accords greater voice to IPs as a whole, as individuals and as smaller communities and can therefore be said to reflect principle six of the combined framework as variance suggests understanding of identity and authenticity of voice.

Identification of cultural sites is also accounted for under Principle 3, criteria 3.5. Again, through engagement with IPs the standards developer shall identify sites that hold “special cultural, ecological, economic, religious or spiritual significance” as well as those for which IPs hold legal and customary rights (FSC, 2018, p. 26). Here, the FSC can be seen to understand the primacy and centrality of spirituality and spiritual knowledge for IPs and their ways of life, positively satisfying principle six of the combined framework. Furthermore, indicator 3.5.2 states that identification and documentation of such sites need not be done through formal mapping for instance, but alternative means if IPs have determined that such formal mapping would threaten the sites’ value and existence (ibid.). Here, the FSC can be suggested to value Indigenous methodology in its actions rather than simply positing its own dominant Western-scientific colonial methodology, countering suggestions of coloniality of power. Criteria 3.6 also affirms that standards developers shall uphold the right of IPs to use their traditional knowledge as well as compensate them for utilisation of that knowledge and intellectual property with such utilisation being decided prior to the fact via FPIC. Such provisions for traditional knowledge further suggest passing of principle four of the combined framework on the protection and therefore centrality of spiritual knowledge in IP cultures.

However, it must be noted that criteria 3.2 on legal and customary rights of IPs to control management activity related to FSC management units are only recognised and

upheld to the “extent necessary to protect their rights, resources and lands and territories” (FSC, 2018, p. 24). The word “extent” is not elucidated further in the glossary and therefore it is unclear how it will be decided, whether IPs participate in deciding when the ‘level of extent’ is reached and whether Western scientific or Indigenous knowledge will be used to identify the extent. Furthermore, indicator 3.2.1 states that IPs will be informed, albeit through culturally appropriate engagement, “when, where and how” they can dispute and request management modification. The word ‘informed’ implies that IPs do not themselves decide when where and how, but are only allowed to comment in the opportunity space allocated to them, rather than when they see fit. Here, suggestions of restriction, asymmetric power and lack of agency can be seen and therefore criteria 3.2 suggests aspects of coloniality from principles one, two and seven of the combined framework.

Principle 4 on community relations is particularly important due to its provisions and elucidation of FPIC. Criteria 4.2 states that local communities can delegate management activities over their legal and customary right to control aspects of such activity to third parties via FPIC (FSC, 2018, p. 27). Firstly, the merits of FPIC should be noted. Prior informed consent is an important avenue for procedural justice through according Indigenous participation and self-determination (Firestone, 2003, p. 176). ‘Free’ prior informed consent is not present in global environmental agreements that affect IPs such as the Convention on Biological Diversity (CBD) which only accords ‘prior informed consent’. To this, Suiseeya recalls through her event ethnography on CBD workshops and discussions that IPs called for FPIC as without such consent being given ‘freely’, there is no protection from consent via coercion (2014, p. 111). Therefore, the inclusion of FPIC in FSC processes is significant as it makes the consent process and procedural justice frame more accessible, just and empowering for IPs, reducing implications of coloniality of power and oppression as well as

facilitating opportunity for greater authenticity in Indigenous voice. Furthermore, indicator 4.2.4 states FPIC is granted to IPs via a process that informs the individual of their right to withhold and modify consent to a management activity (FSC, 2018, p. 28). Here, the FSC can be argued to assist IPs in recognising their power to resist, therefore satisfying principle six of the combined framework.

However, although such FPIC is certainly beneficial in reducing powers of coloniality, it is unclear from the IGI document alone what level of decisional power a lack of consent from FPIC holds. For example, if IPs do not consent to certain management activities, it is unclear whether the particular activity will be halted all together or will simply continue directly around that IPs community's land, perhaps still disrupting their ways of life. Here, although FPIC may suggest power behind IP voice, if a dissenting voice holds little decision-making power, coloniality of power persists in FSC processes. To a degree, the FPIC process does allow a sense of variation in IP voice as suggested in indicator 4.7.3. The indicator holds that management activity must "cease immediately in the vicinity" when cultural sites are "newly observed or discovered" until protective measures have again been approved by locals and national law (FSC, 2018, p. 30). The words "newly observed" are not defined in the glossary and can therefore imply that IPs can be party to such observations. This presents FSC processes allowing Indigenous voice to expand on a particular area rather than only be considered relevant on a one-time basis. Nonetheless, the power of a dissenting Indigenous voice in FPIC remains unclear and therefore coloniality of power, oppression, inability to resist and lack of identity and agency in Indigenous voice persists through this FSC process.

With regards to Principle 7 on management, criteria 7.4 states that the FSC will update and revise management planning documents to include results from new “monitoring and evaluation, stakeholder engagement or new scientific and technical information” (FSC, 2018, p. 43). The explicit mentioning of scientific and technical information being worthy of inclusion in revised documents as opposed to, for instance, new traditional and spiritual knowledge findings suggests the privileging of Western science over Indigenous knowledge. This presents a mode of coloniality of power in management documents as by privileging Western dominant-power science, Indigenous knowledge is implied as less relevant, logical and powerful. Western science and technology subordinate Indigenous logic presenting FSC processes on management plans to negatively reflect principle one of the combined framework.

Criteria 7.6 and indicator 7.6.1 identify that FSC processes should “proactively and transparently engage affected stakeholders” on certain processes, some of which are particularly relevant to IPs such as dispute resolution, identification of rights, cultural sites and high conservation values (FSC, 2018, pp. 44-45). ‘Proactive’ and ‘transparent’ culturally appropriate engagement with IPs on such processes gives them greater awareness of their rights, options and possible future threats to their ways of living. This may give IPs options for resistance, satisfying principle six of the combined framework and also suggesting awareness from the FSC of its dominant position, therefore satisfying principle seven of the combined framework. Furthermore, indicator 7.6.2 continues to state that culturally appropriate engagement is used to identify, in particular, “appropriate representatives”, “mutually agreed communication channels” as well as ensure all relevant actors including women, children, youth and minorities are equitably engaged and represented (FSC, 2018, p. 45). Although it is unclear how the FSC can ensure such representation, considering that

Indigenous cultural understandings of legitimate representatives may conflict with FSC understanding, FSC normative statement on pursuing all such actors suggests intersectionality and therefore satisfies principle three of the combined framework.

<b>Table 2. Summary: The FSC IGI and the combined framework</b>		
<b>Combined framework principles</b>	<b>Analysis</b>	<b>Evaluation</b>
Examine the nature and extent of social domination using the concept of ‘coloniality of power’	Positives - culturally appropriate engagement, procedural participation, some IP methodology. Negatives - unclarity over privileging of western evaluation methods or those of IPs, privileging of western science.	Normatively mixed
Examine whether concepts of colonialism, oppression, colonial encounter, decolonisation, power, agency and resistance can be seen in the text	Positives - see above. Negatives - allocated ‘when where and how’ to comment on management activity.	Normatively mixed
Examine the concepts mentioned in ‘Principle 2’ through an intersectional lens	Positives - provisions to ensure IP minority actor representation.	Normatively Positive
Examine whether the text accounts for the centrality of spirituality and spiritual knowledge in Indigenous needs and relations	Positives - identification and protection of spiritual sites.	Normatively positive
Examine the quality of Indigeneity and the Indigene in terms of identity and authenticity of voice	Positives - culturally appropriate engagement, some variance in IP voice, FPIC. Negatives - unclarity over power through FPIC.	Normatively unclear
Examine the text with the understanding that the anti-colonial framework is a ‘literacy of resistance’	Positives - facilitates IP awareness of rights, dispute settlement process. Negatives - restricted by ‘where, when and how’ one can resist.	Normatively mixed
Examine whether the dominant actor understands their ‘colonial privilege’ and	Positives - identifying non-accorded rights, dispute settlement, compensation.	Normatively mixed

is able and willing to action and partake in accountability measures.	Negatives - some privileging of Western science.	
Examine the colonial privilege through a trans-historical analysis		
Examine whether the text respects and promotes Indigenous sustainable self-determination.	Negatives - unclarity on understanding of IP livelihoods or western livelihoods.	Normatively unclear

As the table above suggests, the FSC’s normative record over respect and awareness of IP needs and values through use of the combined framework is mixed. The IGI contains positive provisions for facilitating intersectional IP needs and for respecting the primacy of spirituality and spiritual knowledge in IP lives. However, the text presents a mixed record over its coloniality of power and related concepts, in providing opportunity for IP resistance and understanding and seeking to redress the FSC’s colonial privilege. Lastly, evaluation of the text remains unclear over its provisions for allowing authentic and meaningful Indigenous voice as well on its respect for Indigenous sustainable self-determination due to limited information on the FSC’s processes for such values.

### *5.2 The Malaysian National Forest Certification Standard*

This section maps the PCI identified above to the approved FSC National Stewardship Standard of Malaysia (2018) to analyse whether and how the points found from use of the combined framework on the global IGI transform when applied to the national level and as such test FSC’s normative power. National standards are allowed to vary according to specific national contexts, but are none the less meant to show consistency with key FSC norms (FSC, 2018, p. 4). In particular, the verifiers from the Malaysian standard are analysed as they “indicate how to acquire evidence that the objectives have been met” (FSC Malaysia, 2018, p. 168) and therefore suggest commitment to objectives and how coloniality or its redressing is actioned by FSC Malaysia. The following analysis therefore presents

whether coloniality or its lack thereof in FSC norms persists when transferred to the national level.

With regards to Principle 1 on FSC compliance with laws, the IGI analysis found the FSC providing opportunity for IPs to hold the organisation accountable via the dispute resolution process and by making this process culturally appropriate, reduced implications of asymmetric power dominance and offered IPs valuable voice. Indicators 1.6.1 and 1.6.2 on this culturally appropriate engagement with IPs and their conclusion in a timely manner respectively is verified in the Malaysian standard via documents recording standard operation procedures (SOPs) for dispute resolution including identifying disputes and recording engagement with stakeholders (FSC Malaysia, 2018, p. 17). Furthermore, interviews are taken with IP stakeholders noting proof of their satisfactory engagement in the dispute resolution development process as well as evidence of timeliness and perceptions on the fairness of the process (ibid.). These verifiers present willingness to provide adequate accountability, reduce power dominance and allow effective Indigenous voice and therefore positively satisfy principle one and five of the combined framework. However, the unclear nature of the magnitude of dispute resolution that prompts halting of management activities in the dispute affected area remains uncertain. Indicator 1.6.2 on such seizing of operation under “substantial magnitude”, “substantial duration” and too many interests is accompanied by verifiers by way of documents recording that the activity has stopped and interviews with IPs stating the activity had seized (FSC Malaysia, 2018, p. 18). Again, the nature of what satisfies halting of activity is not elucidated and one cannot say whether the dominant FSC Malaysia’s norms will be privileged in such evaluations over IP perceptions. The coloniality of the dispute resolution process at the national level remains mixed. To an extent, it

positively relates to principles six and one, but may also leave evaluations from principle one, two and five open-ended.

The PCI of Principle 3 were found in the IGI analyses to positively delineate IP rights. Of particular note were instructions for criteria 3.1 which stated that standards developers should work to identify rights that have not been afforded to IPs due to, for example, a lack of empowerment. Such identification lessened implications of a coloniality of power and showed awareness from the FSC of its colonial privilege and willingness to reduce such asymmetries, positively satisfying principle eight of the combined framework. However, verifiers to indicator 3.1.2 on identifying rights in the Malaysian standard were absent, showing no commitment to identifying unafforded rights (FSC Malaysia, 2018, p. 30). Section five of indicator 3.1.2 does state that areas where rights are contested may be documented (*ibid.*), however, there is still no direct indication of commitment to identifying unafforded rights and therefore the translation of norms from global guidelines to the national level has resulted in a decrease in efforts to reduce coloniality.

Identification of cultural sites under criteria 3.5 through engagement with IPs presented positive FSC understanding on the centrality of spirituality for many IP communities, satisfying principle six of the combined framework. Indicator 3.5.2 on identification and recording of such sites in a culturally sensitive manner suggested FSC valuing of Indigenous methodology alongside its own dominant western scientific methodology, reducing implications of coloniality of power. Indeed the verifiers for this indicator in the Malaysian standard include interviews with IPLCs over their satisfaction with engagement and implementation from forest managers (FSC Malaysia, 2018, p. 35). With ‘implementation’ reflecting methods used to record sites, commitment to IP spirituality and



methods is apparent and the satisfaction of principle six and one of the combined framework has transferred from the global to national level of FSC norms.

Criteria 3.2 was highlighted in the IGI analysis for limiting IP autonomy and power. The criteria restricted the ability of IPs to control activity of management units to the ‘extent’ necessary for their protection of rights, resources and land without elucidation of who decides when this level has been reached and how. Furthermore, indicator 3.2.1 restricts autonomy by specifying that IPs will be told ‘when where and how’ they can dispute management rather than deciding this themselves. The verifier to indicator 3.2.1 in the Malaysian standard holds no indication of countering such restriction of opportunity and agency (FSC Malaysia, 2018, p. 31) and therefore, coloniality in the form of principles one, two and seven from the combined framework can be seen to remain at the national level.

Principle 4 was also found to be particularly interesting due to its provisions on FPIC. FPIC, as opposed to only prior informed consent, was seen to give IPs important procedural justice and empowerment, reducing implications of coloniality of power and increasing authenticity of Indigenous voice. Indicator 4.2.4 further strengthened this claim by stating that granting of FPIC includes informing IPs of their right to withhold and modify consent, therefore assisting them in recognising their power to resist. The verifiers to this indicator in the Malaysian standard include documents recording IPs engagement in the FPIC process as well as interview with IPs verifying their consent was given (FSC Malaysia, 2018, p. 40). Therefore, the positive satisfaction of principles one and five of the combined framework can again be suggested. To counter suggestions of the coloniality in FPIC due to its lack of clarity on how much decisional power a dissenting Indigenous voice holds, indicator 4.7.3 was argued to show a sense of power in Indigenous voice. The indicator holds that management

activity must immediately seize when cultural sites are “newly observed” (FSC, 2018, p. 30). As the phrase “newly observed” is not elucidated in the glossary, it can be implied that IPs can command such observation therefore giving them opportunity to expand and develop their voice and decision-making power. However, the verifiers to this indicator in the Malaysian standard note trained workers and forest managers as those that identify new sites and once found simply alert IPs of their discovery (FSC Malaysia, 2018, p. 44). Unlike the IGI, here who undertakes new observations is made explicit and excludes IPs. This difference between the IGI and Malaysian standard astutely presents the transformation of discourse on the same norm between the global and national levels. Indicator 4.7.3 in the Malaysian standard does not counteract suggestions of a coloniality of power and lack of agency in FPIC and the lack of clarity on a dissenting indigenous voice remains. Although the act of FPIC goes some way in positively satisfying principles one and five of the combined framework, this is relative to alternative consent mechanisms. The discourse of FPIC in itself under the IGI and Malaysian standard remains unclear on its level of coloniality of power, denial of Indigenous identity, agency and voice. As acknowledged earlier, discourse analysis on the FSC’s revised FPIC guidelines will more adequately verify this claim.

Principle 7 was similarly shown to hold a mixed profile on levels of coloniality under the combined framework. Criteria 7.4 explicitly mentioned scientific and technical information, as opposed to Indigenous traditional knowledge, as that which will be included on revised management documents, privileging Western scientific knowledge over Indigenous and negatively implicating coloniality of power. Indeed, the verifier for this indicator in the Malaysian standard concurs this claim (FSC Malaysia, 2018, p. 67). Both the global and national levels of FSC normative guidelines present Indigenous knowledge as less

relevant and valued than Western scientific knowledge, negatively implicating principle one of the combined framework.

Presenting positives connotations however, indicator 7.6.1 on the proactive and transparent engagement of IPs with forest managers was argued to better inform IPs of their rights and options when faced with the ‘alien’ forest managers under FSC units, increasing awareness and opportunity for resistance. Indicator 7.6.2 identified women, youth, the elderly and minorities from IPs as some of the appropriate representatives required when conducting culturally appropriate engagement with such communities (FSC, 2018, p. 45). Verifiers to these indicators in the Malaysian standard consist of interviews with IPs for evaluation and proof of proactive and transparent engagement, as well as documents recoding participants in such engagement, providing verification of opportunity for appropriate representatives (FSC Malaysia, 2018, pp. 69-69). In this way, increasing awareness of options for Indigenous resistance presents the FSC facilitating such IP resistance and the confirming of methods to include representatives from minorities within IPs presents facilitation of an intersectional voice, positively satisfying principles six and three of the combined framework.

Finally, concerning Principle 9 of the FSC’s normative framework, HCV 5 was argued to be unclear on its understanding of the sites and resources that require high protection with regards to fundamentally satisfying Indigenous livelihoods. The Malaysian standard does not state a verifier for this HCV (FSC Malaysia, 2018, p. 74) and therefore it remains unclear whether the FSC’s understanding of livelihoods is from a Western perspective, or that of Indigenous peoples as well-being via maintenance of relationships and responsibilities with their families and nature. However, indicator 9.2.3 on engagement with IPLCs for enhancement of these HCVs holds verifiers of documents recording stakeholder

input and engagement as well as interviews on the adequacy of this engagement (FSC Malaysia, 2018, p. 76). It can be said that IP involvement in enhancing HCVs provides opportunity to introduce Indigenous self-determination and therefore transform the understanding from a western perception of livelihoods and well-being to an Indigenous perception. However, implications of the words ‘sites’ and ‘resources’, as opposed to ‘relationships’ and ‘responsibilities’ remain. Therefore, even with such verifiers, there is no indication that the FSC will not privilege Western conceptions of what is fundamental for livelihoods over Indigenous conceptions during engagement sessions. In both the global and national level of FSC normative frameworks, the level of coloniality under principle eight of the combined framework remains unclear.

### *5.3 Comparison and evaluation*

Analyses of verifiers in the Malaysian National Standard to suggest FSC commitment to its normative guidelines and the power of the global organisation to transfer its norms to the national level has presented three main dynamics. Firstly, some cases have supported the previous analysis’ findings on levels of FSC coloniality through the Indigenous perspective. For instance, the privileging of Western science in revised management plans held no further verifiers in the Malaysian text to counter this finding. Secondly however, other cases presented a substantial disconnect between the global and national level of normative frameworks resulting in greater opportunity for coloniality. For instance, the Malaysian text presented no verifiers for identifying rights that have not already been accorded to IPs suggesting a lack of normative commitment to this standard which is a specifically Indigenous issue, increasing normative space for coloniality. Finally, analysis of verifiers in the Malaysian text also presented a case in which the national norm explicitly clarifies the unclarity of the global standard to the detriment of FSC claims of anti-coloniality via meaningful Indigenous voice. This became apparent in the Malaysian text’s identification

that it is forest managers and workers who identify newly observed cultural sites rather than IPs, who instead lose their opportunity to develop their opinions and knowledge in FSC provisions. Overall, comparison of analysis between the IGI and Malaysian standard suggests that FSC power to transfer its norms from the global to national standards is weak in some areas that are especially pertinent to Indigenous peoples. The level of, and opportunity for coloniality in FSC norms increases at the national level of those norms.

## 6.0 Conclusions:

### *6.1 Research conclusion*

In conclusion, this dissertation has developed a combined critical discourse analysis framework built upon and guided by key anti-colonial discourse to interrogate the extent of coloniality in the FSC's normative framework from a specifically Indigenous perspective. It has applied this combined framework to both the global and national level of FSC norms. At the global level, the extent of coloniality in FSC norms is mixed as the organisation is seen to facilitate intersectional Indigenous participation and respects the primacy of spirituality for IPs. However, significant forms of coloniality of power persist and the facilitation of meaningful Indigenous voice and self-determination remain unclear. Analyses of verifiers at the national level reveals both support and increase in the extent of coloniality present at the global level. In particular, such verifiers have served to clarify provisions of the global standard to the detriment of IPs in certain specifically Indigenous issue areas such as the withholding of rights. Therefore, a comparison of the global and national level of FSC norms under the combined framework has revealed a waning in ability to transfer such norms as the extent of coloniality in FSC norms increases at the national level.

### *6.2 Research critiques and limitations*

In keeping with Memmi's assertion that a coloniser can never fully forego their reality and implications of being a coloniser, it must be noted that this dissertation's author cannot fully understand and relate to Indigenous peoples and the intricacies of their reality. This is pertinent because as Thésée notes of Edward Said, "no production of knowledge can ever ignore or disclaim its author's involvement" (2006, p. 33). This dissertation assumes much of what it holds important for Indigenous needs and values from the literature, some of which is and is not written by Indigenous authors. Indeed, to the best of this author's knowledge, Simmons and Dei are 'settlers' where as Cornassel is Tsalagi (Cherokee) and therefore Indigenous to the South-eastern woodlands of the US. In this way, the findings, 'or production of knowledge' from this research are fundamentally limited in a holistic sense as they do not fully reflect and understand the everyday realities of Indigenous lives and contexts. The use of a post-positivist discursive framework goes some way in adopting a more 'indigenous methodology', however the fact remains.

Furthermore, the use of FSC PCI can be criticised due to their limited normative nature. The PCI do reflect the key normative principles of the FSC, however, they are standards and guidelines that are purposefully malleable enough so that they may be adapted to suit the particular ecological, social and economic conditions of a country or region. This explains the lack of clarity found in many indicators. Therefore, it can be said that the combined framework is better applied to FSC documents such as the FPIC guidelines and those that ensure gender equality in national standards to gage a stricter normative stance. However, whilst this may be true, the PCI are the main and most recognised document and therefore reflect that which the FSC is known for. As such, there is value in interrogating the most relevant FSC document as they are a symbolic benchmark for all other FSC documents.

The extent of coloniality in the most recognised FSC document is a strong testament to its norms, whether or not this document itself fully elucidates its norms.

### *6.3 Further research suggestions*

As suggested above, application of the combined framework upon revision of the FPIC guidelines is a thoughtful avenue for further research as the provisions of ‘free’ prior informed consent markedly distinguishes the FSC’s respect for IPs from other certification schemes. Indeed, the FSC has a range of guidance documents that present stricter and more fully defined norms which can be interrogated with the combined framework. Furthermore, also noted in the analysis is that the three SFM objectives of environmental, social and economic sustainability are interrelated in that a particular occurrence in one effects the reality of the others at both macro and micro levels. Therefore, as all PCI are relevant from an Indigenous perspective, an impressive route for further research may be to apply the combined framework on all PCI and perhaps then combine this with a quantitative analysis on corrective action requests from FSC accreditation services to move from discourse to practice.

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