GETTING FROM IDEAS TO REALITY:

BUILDING POLITICAL SUPPORT TO TRANSLATE GOOD IDEAS INTO ACTUAL PRACTICE

A wind and photovoltaic energy plant in Bac Phong, Thuan Bac, Ninh Thuan, Vietnam.

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INTRODUCTION

Land-based investment in agriculture, forestry, renewable energy, mining, and other natural resources can contribute to sustainable development, but positive outcomes are neither inevitable nor easy to achieve. Responsible land-based investment (RLBI) requires good governance (through laws and policies) as well as good practice. This document focuses on how government officials can improve the governance and practice of RLBI by building stronger political support.[1]

Government officials confront complicated political realities on a daily basis. In many places, obstacles to RLBI are not due to a lack of technical expertise or resources, but rather are linked to low levels of commitment from key actors who have influence over relevant outcomes. In other words, government officials who aim to advance RLBI may have the "ability to implement" good policies and practices, but still be stymied by a lack of desire to implement among the powerful.

Why is this? Ideas about good practices are processed and implemented through institutions. Institutions are ultimately shaped by people, interests, and the systems and structures within which they operate. Changes in policy or practice, even if technically sound, require the support of powerful actors to take hold.

This means that powerful actors must perceive these changes as serving—and not undermining—their interests.[2] Otherwise, they will resist change. This resistance can hinder progress and lead to:

- **uptake gaps** - ideas for good practice that fail to translate into law or policy;

- **implementation gaps** - laws and policies that are not effectively implemented; or

- **impact gaps** - laws or policies that are implemented in a way that dilutes their effects

For land-based investment governance to result in responsible investments, **technical good practice must be aligned with adequate political support**. This document provides a sampling of strategies to explicitly improve the prospects of this occurring, drawing on examples and lessons from good governance efforts across a range of sustainable development subfields.

Falesse tending to her crops in the Zambezi valley of Mozambique.

1. MAPPING KEY POLITICAL OBSTACLES AND OPPORTUNITIES

Before considering how to address political obstacles, it is important to identify what needs to be addressed by mapping the political factors most likely to shape the fate of a particular policy or practice. This diagnostic assessment can be done through a political economy analysis (PEA).[3] While such analyses vary in length, methodology, and scope, a simple PEA entails mapping key stakeholders, their relative power, the interests or incentives that drive their respective decisions in a given policy or practical area, and the main channels through which they exercise their influence over relevant processes or outcomes.

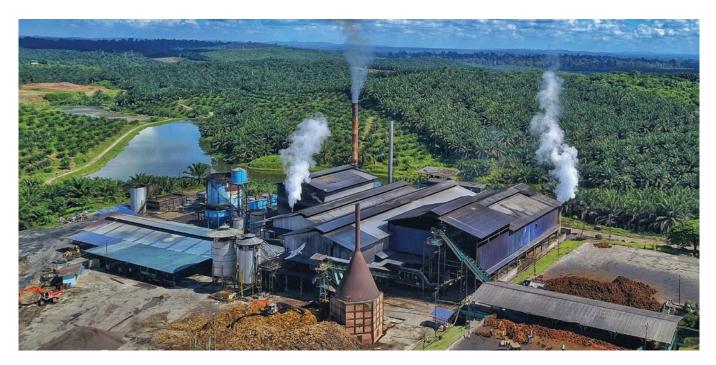In essence, a PEA involves answering questions such as:

- **Who would need to do what** in order to bring about progress toward your desired outcomes or ultimate goals (such as reducing corruption in land investment decision processes or improving environmental management of large-scale land investments)? What is the likelihood of this occurring?

- Who are the **key players** with regard to a given issue (e.g. specific government officials within relevant ministries, regulators, investors, project partners, influential individuals, etc.)? Beyond these actors, are there **others who might have a strong interest** in this specific issue (e.g., land owners, land users, and others within an affected community)?

- Who has **power** (formal authority and/or informal influence) over the fate of a particular area of policy or practice? Among the key players, who has power over whom?

- What are the **priorities and interests** of the key players? Are they benefitting from status quo governance or practices that might be affected by the adoption and implementation of the good governance policy or practice being pursued?

- How do these priorities and interests **align with a given good practice/policy** or change agenda? (In other words, who might **"win" or "lose"** as the result of success in achieving your objectives?) Based on these (mis)alignments, who are **potential allies and opponents** to the goals being pursued?

- Are there specific **contextual or systemic factors that influence the outcomes** you care about (including political, cultural, social, or historical considerations)?

- Where powerful actors do not perceive that it is in their interest to support an aspect of RLBI, what are the **prospects of change** in the desired direction? **Who would have to do what for this change to occur?** How, and why might they want to do this?

The answers to such questions can help provide a context-specific roadmap to both identify potential obstacles in the political landscape and to strategize possible ways of addressing them.

2. STRATEGIZING A PATH TO MAXIMUM IMPACT

Having identified the main political obstacles and opportunities that might affect your ability to advance RLBI, there are a variety of ways to build political support to increase the possibility of success. Four types of approaches are described below, accompanied by illustrative examples of strategies within each. These approaches range from the pragmatic to the more ambitious and creative. They can be used separately or in combination, depending on their appropriateness for a given situation. When using any of the strategies, thought should be given to who would be in the best position to deploy a strategy (including partners or allies of convenience who government actors might engage), what it would take for them to play this role, and what would be needed for them to successfully execute the strategy.

Aerial view of a palm oil mill in Sabah, Malaysia.

APPROACH 1: STRATEGIES TO MAXIMIZE THE PATHS OF LEAST RESISTANCE

1

Basic rationale: This approach takes as a starting point an acceptance of political conditions as they are, at least for the foreseeable future, and tries to strategically maximize progress within these constraints and opportunities. Under this approach, priority is placed on feasibility and actionability.[4] In many contexts, this will mean rescaling goals from radical/wholesale transformations to incremental change. This approach—sometimes known as "working with the grain"—focuses on making modest real gains rather than pursuing ambitious goals that are functionally unattainable in the near- to medium-term.

Practical orientation: At a basic level, strategies within this approach focus on being opportunistic and "scrappy" in pursuit of "wins" wherever possible.[5]

Examples of strategies that would fall within this approach:

- **Strategic framing** can be used to try to **gain the support of powerful actors** by tailoring a proposed policy or practice to align with their existing interests and priorities.[6] When productively building on some of the interests of powerful actors is not possible, strategic framing can also be used to try to **minimize opposition** from them by positioning a policy or practice to specifically avoid creating any perceived threats to their interests or priorities. Another option to minimize opposition is to focus initially on non-controversial or "insubstantial reforms,"[7] with the hope of building some subsequent momentum toward greater progress.[8]

- **"Bundle"** specific changes in policy or practice with other pressing or popular measures that are less controversial. In some contexts, this can provide a path to avoiding certain political roadblocks and achieving progress on RLBI.[9]

- **Build on informal relationships** with key officials or others who influence them (e.g., relatives, friends, or business partners) to try to get them to support—or at the very least, not obstruct—progress on a particular policy or practice.

- **Do what you can with the sphere(s) of influence of those within government who are already supportive** of a given change in policy and practice. This means identifying the most impactful actions that can be taken by a particular sympathetic government actor (e.g. a good governance-minded deputy agriculture minister, or head of a land management office) or institution. It could also include persuading donors to funnel resources and capacity-building to those supportive actors, to maximize whatever impact they can have within their sphere of influence.

- Look out for and prepare to capitalize on **windows of opportunity** to advance greater magnitude changes. These are moments during which there is an acute shift of interests and incentives among powerful actors—in response to things like elections, major policy overhaul processes, government scandals, environmental or social disasters related to land investments, post-conflict or other transitional periods, etc.—creating openings to support major changes in policy and practice, typically for a finite period of time.[10]

- Focus on **building foundations for future progress**. This includes identifying and addressing gaps in basic enabling conditions that would be needed for a particular policy to have a chance in the future. For example, if you are aiming to advance FPIC processes, you might first focus on improving recognition of Indigenous rights and addressing Indigenous groups' capacity needs.

APPROACH 2: STRATEGIES TO BOLSTER THE POWER OF SUPPORTIVE ACTORS

Basic rationale: Rather than accepting unfavorable power imbalances as inevitable, this approach seeks to actively bolster the power of individuals who are supportive of policies or practices intended to advance RLBI and increase their impact on ultimate outcomes. The more power and influence wielded by actors who are sympathetic to an area of good governance, the more effective they can be at affecting change.

Practical orientation: These types of strategies typically focus on trying to increase the relative power of supporters of RLBI by building strength in numbers through formal or informal strategic coalitions.[11] Building such coalitions entails identifying and bringing together actors with shared interests in seeing a particular policy or law come into practice, even if their individual motivations for this might be different. Coalitions create opportunities to amplify political leverage and to draw on a range of shared resources, knowledge, networks, and comparative advantages, even if only temporarily, to bring a particular law or policy into practice.

Examples of strategic coalition-building include:

- **Horizontal coalitions** can bring together relevant combinations of actors across different government agencies who have a shared interest in a particular policy or practical outcome. Such collaborations can draw on combined areas of expertise, authority, and networks to build clout in support of a specific RLBI policy or practice that advances their respective mandates or goals.

- **Vertical coalitions** allow government officials to link up with actors in their countries beyond government – from civil society, relevant technical experts, private sector, local government officials and social leaders, cultural figures and groups, religious or spiritual leaders,[12] traditional leaders, media, academia, etc. – to bring their respective resources and comparative advantages to bear in pursuit of a shared interest in a particular policy or practice. The right configuration of allies could help strengthen the case for the measure in question as well as broaden awareness and support behind it.

- **Transnational coalitions** could allow government officials to reach out to and engage with one or more potential global allies – e.g., counterparts from other governments, companies, international financial institutions, donors, trade associations, international non-governmental organizations, investor groups, etc. – whose financial resources, advice, analyses, advocacy, international media attention, credibility and other forms of support could be harnessed and directed to help advance efforts around a particular RLBI issue or undertaking.

Vetting coalition participants: Coalitions are "strategic" if they are able to bring together key players who can collectively enhance the prospects of making real progress toward RLBI. Proper vetting practices must be employed to try to determine who to include and exclude in order for the intended purpose of the coalition to be realized. This may mean excluding potential participants who might hold views that are incompatible with the views of the main drivers of the coalition, or mitigating any associations that might compromise the goals or legitimacy of the coalition. For instance, bringing certain international actors into a coalition to draw on their resources or expertise might create the potential for accusations of "foreign meddling." There may be ways of diffusing claims of bias against these actors, e.g., by making their inputs available to all stakeholders.

APPROACH 3: STRATEGIES TO CHANGE THE INTERESTS AND INCENTIVES OF POWERFUL ACTORS

3

Basic rationale: In addition to trying to change the balance of power in favor of existing allies of a particular policy or practice, there may also be opportunities to change the balance of interests among powerful actors to better align with the pursuit of RLBI. When those with the power to shape outcomes – whether formal authority or informal influence – do not see an interest in pursuing good governance measures, there may be potential to shift their perceived interests or calculations, or to counteract some of the ways they can disincentivize others from supporting change.

Practical orientation: These strategies are focused on trying to change the balance of incentives/disincentives of key actors who shape specific policy or practical outcomes in order to "win over" their support and commitment. These might take the form of enhancing incentives for good practice through "carrots" or creating "disincentives" for not supporting good practice through "sticks."

Examples of strategies to try to influence interests and incentives to better align with commitments to good land governance include:

- **Creating interests/incentives** to support a given policy or practice through:

  - **Persuasion** - trying to win key actors over by persuading them, potentially by working behind the scenes using personal and professional relationships and networks

  - **Political bargaining** - creating incentives for support by offering reciprocal support for another measure in return

  - **Positive attention** - seeking out opportunities to cultivate or capitalize on positive media coverage of the issue in question or of officials driving good practice, can help expand support and incentivize others to join in;[13] capitalizing on opportunities to pursue recognition/awards may be another option for amplifying attention to good practice and those advancing it[14]

  - **Professional or institutional incentives or rewards** - for example, participation in global expert groups and thought communities may help incentivize improved performance and progress by government officials by creating incentives for their professional excellence[15]

- **Creating disincentives** for not supporting a particular change in policy or practice might include:

  - **Withholding political support** - officials can use their own political influence where possible to withhold support for opponents' agendas if reciprocal steps on not taken on the policy or practice in question

  - **Negative attention** - whistleblowing, supporting efforts to "name and shame" those who resist efforts to advance RLBI, or bringing media attention to areas of problematic practice can all be used to try to inspire outrage or support for change.

APPROACH 4: STRATEGIES TO AVOID OR WORK AROUND POLITICAL OBSTACLES

4

Basic rationale: This approach focuses on developing alternative pathways to achieving the desired ends that can help avoid the sources of political roadblocks. This entails identifying the key goals of RLBI, and then thinking through how those goals could be achieved by working around the powerful actors, interests, or institutions that have impeded progress.

Practical orientation: In general, such strategies entail relocating authority or responsibilities for a specific goal by putting the fate of progress in the hands of actors who might have an interest in seeing it proceed. If powerful actors with formal authority or informal influence have an interest in resisting change or progress toward that goal, there may be ways to lessen their role or influence by seeking more active involvement by other stakeholders.

Examples of potential strategies seeking to circumvent political roadblocks and relocate authority or responsibility include:

- **Relocating authority within government**—for example, potentially pushing for the **creation of a new government body**, ideally independent, to oversee a specific policy or practice and cultivating the new body to be a "pocket of effectiveness"[16]

- **Thinking beyond governments alone**—reimagining government-centric groups and activities as **multi-stakeholder groups and activities**, where discussions, decisions, and actions would be determined by a range of voices and interests, including those from civil society.[17] Another possibility that may arise on an *ad hoc* basis is working with **companies** that have a genuine interest in pursuing some aspect(s) of RLBI to amplify and steer their contributions to good governance for the issue or goal in question (e.g. some major mining companies might seek enhanced consultation and consent processes for social license purposes).

Area of deforestation in Laos.

BOX 1: SPOTLIGHT EXAMPLE: IDENTIFYING AND MITIGATING ENVIRONMENTAL IMPACTS OF LAND-BASED INVESTMENTS

To broadly illustrate how a PEA might inform work to improve the governance of land-based investments, consider efforts to bolster the environmental sustainability of such investments. In a given setting, the **goal** of effective environmental protection within the management of land investments might require the following **actions by specific actors**: environmental protection agencies oversee the production and dissemination of accurate and appropriate environmental impact assessments (EIAs) for all relevant investments; they and/or other government agencies would then use these EIAs as the basis for meaningful public/community consultations; and other key actors in government – e.g. Ministry of Agriculture, Mines, or Energy, Ministry of Finance, and President – would use EIAs and the outcomes of related consultation processes to inform investment approval decisions, policy changes, and to serve as the basis for the creation and on-going implementation of solid environmental management plans. Alongside these key actors within host governments, others from the ranks of home governments, investors, land owners, land users, and other investment-affected communities may also be relevant stakeholders.

Among all these actors, the *de facto* **power** to shape whether and how related processes unfold may be less in the hands of those with nominal authority (e.g., environmental protection agency) or with theoretical voice (e.g., affected communities or civil society), but rather in the hands of those who drive investment decisions: ministries of finance, sector-specific ministries, presidents, and investors themselves. For these actors, investment promotion can be a very high priority, particularly when attracting investment is an important part of the platform of ruling political parties. Environmental (and social) considerations, and their effective management, may be viewed as sources of delays or uncertainty (i.e., as being opposed to their **interests**). Therefore, they may act to ensure that EIAs and their use are as quick and cursory as possible.

If their **priorities are misaligned with good environmental practices**, these actors could use their power to undermine environmental protection. Therefore, trying to implement change by using approaches which rely on powerful actors who perceive their interests as misaligned with environmental priorities would likely have limited success.

In light of this, those pursuing change would either have to reconsider their goals/expectations, or their approaches. In order **for change to occur**, deliberate measures would have to be undertaken to address the political barriers. This might involve, for instance, developing strategies to:

- Reduce or constrain the relative power, influence or role of these actors in environmental governance (e.g., through measures designed to reduce the direct role of investors in financing EIA production);

- Increase the relative power of other actors with a greater interest in good practices (e.g., through strategic coalitions); or

- Attempt to change the interests of those with power to better align with environmental good practice through:

  - Strategic framing (e.g., making a stronger business case for good environmental practice);

  - Mitigation of their concerns (e.g., developing approaches to EIA that save time or reduce costs through efficiencies where possible while not compromising their rigor); or

  - Deployment of incentives and disincentives (creating penalties for poor practice or withholding certain benefits in the absence of meaningful progress on good practice).

Building political support to bring ideas for advancing RLBI into law or policy, and ultimately into meaningful practice, is a daunting task. The hope is that the approaches and strategies in this document will provide inspiration and ideas for meeting this challenge head-on. In doing so, government officials may improve their prospects of steering land-based investments in ways that more meaningfully contribute to their country's sustainable development.

ENDNOTES

1. This document builds on the Columbia Center on Sustainable Investment's on-going research on the Politics of Extractive Industries, in particular, a forthcoming paper entitled "Unlocking the Power of Reformers to Achieve Better Progress on Extractives Governance."

2. Lorenzo Cotula and Thierry Berger, "Legal empowerment in agribusiness investments: harnessing political economy analysis," *International Institute for Environment and Development* (report, 2017), p. 6, https://pubs.iied.org/x00175.

3. For resources on conducting PEA and their use, see "Approaches to Working in Politically Informed Ways," *Columbia Center on Sustainable Investment* (report, 2019), https://ccsi.columbia.edu/news/approaches-working-politically-informed-ways.

4. The Curbing Corruption approach to anti-corruption, including in the land and agriculture sectors, typifies this emphasis on feasibility and actionability. This approach could be used to address other governance challenges beyond corruption; it focuses on using input from influential actors to identify the highest priority reforms that could feasibly be addressed in a particular policy area.

5. "Toolbox 2017 edition - Quality of Public administration," European Commission (report, November 2017), https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8055&type=2&furtherPubs=no

6. As Lavers and Hickey note, "An important requirement of a policy coalition is that it makes policy proposals that have some degree of 'ideational fit' with the beliefs held by key political figures." Tom Lavers and Sam Hickey, "Alternative routes to the institutionalisation of social transfers in sub-Saharan Africa: Political survival strategies and transnational policy coalitions," *Effective States and Inclusive Development* (working paper, March 2020): p. 8, https://www.effective-states.org/wp-content/uploads/working_papers/final-pdfs/esid_wp_138_lavers_hickey.pdf.

7. Pyman discusses "insubstantial reforms" here. Mark Pyman, "Addressing Corruption in Military Institutions," *Public Integrity* 5, vol. 19 (2017): 513-528, https://www.tandfonline.com/doi/abs/10.1080/10999922.2017.1285267

8. This was the case, for example, with a land titling reform in the Philippines that started with public school lands and subsequently built momentum to expand more broadly. See John Sidel and Jamie Faustino, "Thinking and Working Politically in Development," *The Asia Foundation* (report, 2019): chapter 3, https://asiafoundation.org/wp-content/uploads/2020/07/Thinking-and-Working-Politically-in-Development_Coalitions-for-Change-in-the-Philippines_Faustino_Sidel.pdf

9. Paul Heywood and Mark Pyman, "Rethinking Corruption Reform: Strategy, Scale and Substance," *Curbing Corruption* (report, 2020), p. 28, https://curbingcorruption.com/wp-content/uploads/2020/12/210111-Heywood-and-Pyman-Strategy-Scale-and-Substance.pdf.

10. See Guerzovich *et al.* for a wide range of activities that can be undertaken in order to capitalize on windows of opportunity for advancing anti-corruption reforms, many of which are applicable to wider governance reforms: Florencia Guerzovich *et al.*, "Seeing New Opportunities: How Global Actors Can Better Support Anticorruption Reformers," Open Society Foundations (report, November 2020), https://www.opensocietyfoundations.org/publications/seeing-new-opportunities-how-global-actors-can-better-support-anticorruption-reformers See also, Szoke-Burke 2015 for more on forestry sector reforms undertaken in the post-conflict period in Liberia as an illustration of how transitional just periods might provide windows of opportunity for reform. Sam Szoke-Burke, "Not Only 'Context': Why Transitional Justice Programs Can No Longer Ignore Violations of Economic and Social Rights," *Texas International Law Journal* 50, vol. 3 (2015), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2746750

11. For more on coalitions to address the politics of development, see "Coalitions in the Politics of Development: Findings, insights and guidance from the DLP Coalitions Workshop, Sydney, 15-16 February 2012," *Developmental Leadership Program* (report, April 2012), http://www.mspguide.org/sites/default/files/resource/dlp_coalitions_in_the_politics_of_development.pdf and Sidel and Faustino, "Thinking and Working Politically."

12. Duncan Green, "Why Faith-Based Organizations are particularly well suited to 'Doing Development Differently,'" From Poverty to Power, Oxfam, published May 18, 2017, accessed August 17, 2021, https://oxfamapps.org/fp2p/why-faith-based-organizations-are-particularly-well-suited-to-doing-development-differently/

13. For example, in the Philippines, the Department of Environment and Natural Resources Secretary was able to leverage positive media coverage and commentary to help expand the coverage of specific land reforms. Sidel and Faustino, "Thinking and Working Politically," p. 76.

14. Accountability Lab's Integrity Icon awards to spotlight and build momentum around government officials who demonstrate the highest levels of integrity and commitment to good governance. See "Naming and Faming Honest Government Officials," Integrity Icon, accessed 27 August 2021, https://integrityicon.org

15. For example, research by Hickey *et al.* 2015 suggests that participation of members of Uganda's Petroleum Exploration and Production Department (PEPD) in global expert fora "greatly enhanced the professional capacities of PEPD staff and in subjecting their own efforts to peer review helped provide a strong set of ideas and incentives that encouraged them to pursue their work to the highest standards, whilst also opening opportunities to promote oil exploration externally." See Sam Hickey *et al.*, "The politics of governing oil effectively: A comparative study of two new oil-rich states in Africa," *Effective States and Inclusive Development* (working paper, October 2015), https://www.effective-states.org/wp-content/uploads/working_papers/final-pdfs/esid_wp_54_hickey_abdulai_izama_mohan.pdf

16. See Hickey *et al.*, "The politics of governing oil"

17. The Multi-Stakeholder Dialogue (MSD) on Illegal Mining in Ghana provides an example of how such a multi-stakeholder approach can be deployed to overcome a major implementation gap due in part to chronic political interference from interested parties, corruption and a lack of political will. Despite a ban on a practice (chainsaw use) meant to root out illegal mining, the practice persisted and the ban remained largely ineffective for another 15 years. However, reformists within the Forestry Commission and Forestry Research Institute were able to initiate an MSD through which they were able to "drive institutional change towards more collaborative and inclusive policy-making and forest management." James McKeown *et al.*, "The Multi-Stakeholder Dialogue in Ghana: Towards a negotiated solution to illegal chainsaw milling," *Tropenbos International* (report, 2013), https://edepot.wur.nl/284979.

18. This example is drawn directly from Leila Kazemi, Perrine Toledano, and Tehtena Mebratu-Tsegaye "Tackling the EIA Impact Gap: Addressing Political Economy Realities to Bring Actual Practice Closer to Best Practice" in: The Development Corridors Partnership (2021). Impact Assessment for Corridors: From Infrastructure to Development Corridor. Hobbs, J. and Juffe-Bignoli, D. (eds.). Cambridge: The Development Corridors Partnership. For a more systematic account of the politics of EIA processes, refer to the original publication.

19. The application of processes to ensure free, prior and informed consent call fall prey to similar dynamics. *See* Tehtena Mebratu-Tsegaye and Leila Kazemi, "Free, prior and informed consent: Addressing political realities to improve impact," *Columbia Center on Sustainable Investment* (report, October 2020), https://ccsi.columbia.edu/work/projects/the-politics-of-free-prior-and-informed-consent.

20. You can read more about this research, including forthcoming publications, here.

ccsi.columbia.edu

Columbia Center on Sustainable Investment

Jerome Greene Hall
435 West 116th Street
New York, NY 10027
Phone: +1(212) 854-1830
Fax: +1(212) 854-7946