Institutions, Complexity & the Land

Professor Spike Boydell

FIG Presidential Task Force on Institutional and Organisational Development

Institutions and Good Governance

- Stakeholder Analysis
- Social Definitions
- Complexity
- The Need for a Robust Theory

Moving Forward with Shared Imaginings
The ‘Rules’ Influencing Human Behaviour

<table>
<thead>
<tr>
<th>Formal Institutional Arrangements</th>
<th>Informal Institutional Arrangements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitutions</td>
<td>Relationships</td>
</tr>
<tr>
<td>Statutes</td>
<td>Social expectations</td>
</tr>
<tr>
<td>Regulations</td>
<td>Family</td>
</tr>
<tr>
<td>Plans</td>
<td>Firm</td>
</tr>
<tr>
<td>Policies</td>
<td>Community</td>
</tr>
<tr>
<td>Title</td>
<td>Traditional Laws and Customs</td>
</tr>
</tbody>
</table>

- Who are potential beneficiaries?
- Who might be adversely affected?
- Who has existing rights?
- Who is likely to be voiceless?
- Who is likely to resent change and mobilise resistance against it?
- Who is responsible for intended plans?
- Who has money, skills or key information?
- Whose behaviour has to change for success?
Basics – men / women, rich / poor, young / old;

Location - rural/urban dwellers, near to the issue / far away;

Ownership - landowners/landless, managers, staff;

Function – producers / consumers, traders / suppliers / competitors, regulators, policy makers, activists, opinion-formers;

Scale – small-scale / large-scale, local / international communities;

Time - past, present, future generations

The institutions that underpin land tenure systems are ‘manmade’ social definitions.

Institution has to be adaptable.

Can society enforce institutions?
Responsibilities
Relate to a more social, ethical commitment or attitude to environmental sustainability and good husbandry.

**Uncertainty avoidance:**
The preference of structured situations over unstructured or flexible ones

**Power distance:**
The degree of inequality among people accepted by the population

Professor of Organizational Anthropology and International Management (1945-83), Maastricht University, the Netherlands

---

**Continuum of Rights**
Legal or formal rights
- Registered freehold
- Lease
- Group tenure
- Adverse possession
- Anti-evictions
- Occupancy
- Customary

Perceived tenure approaches:
- Political statements
- Servants without legal tenure

Illegal or informal rights
Bundle of Sticks

Bundle of Interests
A web of property interests needs to be distinctive, interconnected, functional, and have context. Arnold’s metaphor sees the web as “a set of interconnections among persons, groups, and entities each with some stake in an identifiable (but either tangible or intangible) object, which is at the center of the web. All of the interest-holders are connected both to the object and to one another” (Arnold, 2002, p.333).

‘Matrix’ of property rights

- 2: Shared space alongside promenades
- 3: Public garden with an entry fee
- 4: Public spectacle leased space with entry fee
- 5: Public spaces in private facilities e.g. Casino
- 6: Public spaces in private facilities e.g. exhibition
- 7: Publicly / private owned space for employment
- 1: Publicly owned open for general public use
How individuals evolve changes

<table>
<thead>
<tr>
<th>Institutional process</th>
<th>How individuals evolve changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Perception of change</td>
<td><strong>Impressions</strong> - individuals perceive a change in conditions they operate in – a change in environmental, social, economic or institutional conditions.</td>
</tr>
<tr>
<td>2. Identification of causality</td>
<td><strong>Meanings</strong> - depending on their behavioural tendencies and attitudes, some individuals compare the perceived change with their mental models of why it might have happened, what its impacts could be, and come up with their own explanations of these causal relationships.</td>
</tr>
<tr>
<td>3. Communication of the opinion on change</td>
<td><strong>Expressions</strong> - depending on their behavioural tendencies and attitudes, some individuals communicate their opinion of causal relationships within their social network; this may cause diffusion processes, depending on the individual’s position / power relations within the network, as well as perceived relevance of the change.</td>
</tr>
<tr>
<td>4. Alignment of opinions</td>
<td><strong>Abduction</strong> - individuals align themselves, based on their opinion of causal relationships and motivation factors.</td>
</tr>
<tr>
<td>5. Decrease of fitness of the existing institution.</td>
<td><strong>Reality</strong> - acceptance that existing institution is failing to meet individual and societal aspirations. Consensus (based on fact, expectation, or myth) that changes are needed.</td>
</tr>
<tr>
<td>6. Formation of new institutions.</td>
<td><strong>Imaginings</strong> - can be societal (informally) or through government policy and supporting legislation (formal), rather than at an individual level. An individual is involved through their engagement with particular society or democratic process.</td>
</tr>
<tr>
<td>7. Replacement or modification of existing institutions.</td>
<td><strong>Expectations</strong> - as with 6, can be societal (informally) or through government policy and supporting legislation (formal), rather than at an individual level. Again, an individual is involved through their engagement with particular society or democratic process.</td>
</tr>
</tbody>
</table>
Consensus
Pragmatism v Absolutism
Participation & Shared Imaginings
Power, Participation & Voice (World Bank)
Administrative Reform
Public Engagement
Political Will

Institutions, Complexity & the Land

Professor Spike Boydell

Presidential Task Force on Institutional and Organisational Development