SEA to balance the powers that can transform our development

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Essay two out of three

This is the second of three essays on the transformative power of environmental assessment. Together they serve a presentation and discussion in the session 'Strategic environmental assessment and Al' at the annual meeting of the International Association for Impact Assessment, Bologna April 2025. All essays are published as drafts on the website of the Netherlands Commission for Environmental Assessment. They will be finalised with the feedback received in Bologna.

The triptych consists of the following essays, to be read in this order

- 1) Making SEA contribute to strategic capacity. The central hypothesis of this essay is that the main purpose of the SEA procedure is to increase our capacity of considering strategic alternatives to set transformative change in motion if we think that this is necessary. That strategic capacity itself, however, is not SEA. It is connecting across our governance system for joint fact finding.
- 2) Using SEA to balance the powers that can transform our development. The central hypothesis of this essay is that powerful actors can use SEA 'charitably in their own interest'. As long as power imbalance remains pervasive, dominant actors can give otherwise dominated actors more influence, knowing that in the long term 'we all depend on each other'.
- 3) Making SEA stronger with Artificial Intelligence. The central hypothesis of this essay is that if Artificial Intelligence is to make SEA stronger, AI foremost must increase our strategic capacity. Not make the powerful more powerful.

Abstract

Powerful actors cannot be forced to share their power in a more equal collaboration with weaker actors, as I argument in essay 1. Yes, procedures like Environmental Assessment (EA) can make weak interests stronger if stakeholders can stop or delay decisions when procedure is not followed. However, the earliest agenda setting, far before any procedure triggers, is still mainly structured by the distribution of the interests and powers among stakeholders. On the other hand, dominant actors may understand that more equal collaboration could, in the farther future, also be in their own interest. They can behave as 'quasi-charities': charity from a short-term perspective, whilst aiming at common self-interest from long-term perspective. However they may only invest in collaboration if they expect that collaboration will yield results. One of the most difficult problems is to assess what to do to create such results efficiently. For one, they need to build trust that they can wear two hats at the same time: their own agenda and a quasi-charitable agenda.

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What causes power asymmetry?

This triptych focuses on the transformations that must be set in motion today, to protect human values in the future, and on the transformative power of EA. Therefore, below, I will take examples of development decisions for which EAs were done. However, this essay provides a more general narrative on what I will define below as 'quasi-charity' to increase collective transformative development power in case of power asymmetry.

If power asymmetry blocks the transformations that we need, connective leaders may believe it should be re-balanced. Therefore, that asymmetry first must be understood.

Our development is mainly driven by forces from society that are institutionalised into ministries and corporations all having their supporters and customers. They have no natural eye for how that affects other interests that are confronted with development proposals. In most countries, ministers responsible for economic sectors that drive development remain more powerful than ministers for the protection of human and workers' rights, social equality, nature protection, and public health - in short: environmental and social issues.

Weaker interests, even if institutionalised into NGOs and ministries, can but react to development proposals. They cannot usually implement their own development proposals, as they are themselves no driving forces of development. They may want to drive an alternative development, but their proposals may have weak business cases without a favourable level playing field in the market, for which first the government may have to intervene¹.

Those protecting weaker interests then can only make defensive proposals to protect themselves, which will usually be accepted only if economic development is not slowed down too much.

So, if interests that don't drive development are mainly reactive and defensive, that alone creates a natural power asymmetry. Unless something is done to control power of driving forces of development, these will dominate. And it must influence collaboration in the earliest phases, where actions that influence development are first conceived. In essay 1, I discussed why it is so difficult to design development alternatives as 'golden bridges': it must be done together. No 'golden bridge' being at hand, when push comes to shovel and parliament votes on development proposals, blood is thicker than water. Most politicians prefer to protect the short term interest rather than to slow down economic development. Otherwise, it would hurt most people the most.

There can also be power asymmetry between countries: rich countries may dominate poor countries economically, and rich countries also can invest more in their own strategic capacity enabling them to dominate even more. Something similar can happen within corporations that try to look beyond shareholder value: there too stronger shareholder value may dominate weaker stakeholder value.

To a large extent, power is the economic power of today that transforms into political power – unless political power is checked and balanced. In such a context, the early stages of development planning cannot be easily controlled by any formal checks-and-balances that redistribute power².

¹ See appendix 1 of NCEA, 2024. *Improving governmental capacity to address sustainability dilemmas in global value chains.*

² Nooteboom 2019. Environmental Assessment as an institution of liberal democracy. IAPA

It is not only the shifting of the burden to groups that are weaker *today*: it may also be shifting the burden to future generations *of the same people* who are powerful today. Without transformations, driving forces of our development may even undermine their own future. That interest is not institutionalised either, nor can it be institutionalised. How can 'a minister for the long term', even if she or he had powers to overrule sectoral ministers, know what action today is in the long-term interest of all? And convince a political majority of that?

Other ways will be needed to restore balance. This essay is about one specific way to restore power balance against all odds, which I call 'quasi-charity'.

Quasi-charity to restore the balance

What if powerful (dominant, richer) actors would be prepared to invest in the strategic capacity and the autonomy of less powerful actors, no strings attached? This can be defined as 'quasi-charity'. It must be distinguished from generosity for which something is expected in return, but it is not 100% altruism either.

Before elaborating on quasi-charity, it is necessary to reflect on motives that people (not institutions) may have to enable others to develop more strategic capacity, even if that seems contrary to their own interest. Being Dutch, I take Dutch examples, as it is easier to question your own motives than someone else's:

- It seems altruistic if the Dutch national agency for water and road infrastructure development (Rijkswaterstaat) enables decentral actors of governance to collaborate for common goals in water basins or in urban regions. Rijkswaterstaat could oftentimes achieve its political goals on its own. Despite resistance from regions, it usually will get its proposals approved in Parliament: blood is thicker than water. It may take more time, and the intergovernmental relationships would deteriorate for a while, but that is for the long term. So why does it bother?
- It seems altruistic if the Netherlands finances the NCEA to support Mauritania in autonomously defining their own ambitious level playing field for foreign investors. Some of these investors are Dutch based or even Dutch government (in the case of green hydrogen). The NCEA is not allowed to take the Dutch interest into consideration when it advises Mauritania. If Dutch investments may not benefit from Mauritanian decisions based on NCEA-reviewed assessments, why do the Dutch care to finance NCEA?
- It already seems altruistic if the Senegalese minister of energy is prepared to share power with his colleague of environment when they jointly engage in transparent dialogue with stakeholders on the future of offshore natural gas development. But it seems even more altruistic that the Dutch government subsidise the NCEA to advise Senegal's ministries how they can work together³. What's in it for the Dutch?

This is quasi-charity as in my view it is indeed intended to be altruistic in the short term, but in the long term it is also in the Dutch self-interest to have good relationships with Mauritania, not being suspected of serving only your own agenda.

Quasi-charity is based on the belief that enabling your opponents in the arena of economic and political negotiation to develop more strategic capacity and autonomy is at the end of the day in your own interest. However, investing in quasi-charity requires three things. First, it requires a foreword-looking (i.e., strategic) capacity itself. Second, it requires faith that others can be enabled to successfully collaborate between them - and then with you (see essay 1 on this challenge). Third, it requires feeling comfortable and safe enough to be able to afford spending some of your own resources on that, without clear or immediate returns, and without jeopardising your own comfort and safety. Apparently, the Dutch government thinks that it can have that luxury, and that it will 'work'.

These are a	lot of 'i	fs'. Are t	hey cred	ible?
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³ Interview in NCEA (2024). <u>SEA cases & expert interviews</u>

Quasi-charities require faith

In my view, faith in quasi-charities is primarily a faith that a coevolution can emerge between strategic capacity, connective leadership and trust, and that the quasi-charity can accelerate that coevolution. In the situation of power asymmetry, quasi-charity can increase the chances that this can happen. Strategic capacity and connective leadership have already been introduced in essay 1:

- Strategic capacity is the capacity to agree on development dilemmas and then to find a better way to develop the economy out of dilemmas. I argued that transformative power to cope with challenges like saving rainforests depends on governance systems having strategic capacity. A governance system consists of all influential actors in an economic system who interact with large groups of less influential people. For the economic system to transform, the governance system itself must transform. All actors in the governance system are therefore interdependent as they jointly depend on transformation. What is marginal today, should become mainstream tomorrow. As economic systems transcend territorial boundaries, governance systems are layered (international national local).
- Connective leadership in particular is necessary to build collaboration for common goals that
 can contribute to transformations. It is not the structure that gives the governance system
 strategic capacity, but it is the personal initiative of policymakers to define a common problem
 and to create a formal project as vehicle (a temporary governance structure) to intensify their
 interactions (like an interministerial committee). There, they can engage in joint fact finding:
 jointly defining the problem, from which the goals and the actions can emerge that inspire their
 hierarchies.

This leaves us with 'trust'. Trust has two equally crucial components: *trust in intentions* (mainly the intentions of the most powerful actors), and *trust in competency* to effectively engage in joint fact finding. They cannot be implemented, but they must emerge all together by self-organisation in a coevolution; a 'triple helix' toward transformation. Connective leaders are assumed to be willing to engage because they trust in the good intentions of their partners (most of whom are co-initiators and connective leaders themselves), and in their joint competency to design 'golden bridges' that could become components of larger system transformations.

Trust in the intentions of powerful actors matters more than intentions of weaker actors. It is trust that dominant actors are willing to take interests of other actors seriously into consideration. This willingness is a personal matter, not an institutional matter. Powerful people can be generous and defy or redefine - at their personal risk - the short-term interest of their institutions.

Trust in competency is trust that the collaboration will create results for all participants at a reasonable cost. Intentions are not sufficient: investing in collaboration is time consuming and if joint challenges require economic transformations they are also costly; they may for example require research or organising a scaled-up dialogue with large groups. Actors will only invest in collaboration if they believe that the collaborating actors have the ability to make it pay off. In essay 1, I called this the ability of 'joint fact finding', a term that underlines the paradox that to accelerate transformation you first must take time to invest in jointly understanding your situation.

This idea about a triple helix of strategic capacity, connective leadership and trust does not fall out of thin air. Collaboration between diverse actors having power asymmetries is one of the most studied topics in the sciences on management⁴, politics, liberal democracy, public administration, social psychology, systems innovations and evolutionary economics. I cannot begin to summarise that literature, nor can I summarize psychological literature on where willingness to personally invest in the triple helix originates: the motives of powerful people to share some of their power, unforced, and therefore 'quasi-charitable'.

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⁴ To give one example: Adam Kahane, 2016. Collaborating with the Enemy: How to Work with People You Don't Agree with or Like or Trust. Berrett-Koehler.

This is more crucial in times of globalisation and decreasing trust

The Netherlands is still a high-trust society⁵. Perhaps that makes it easier for a Dutch person to imagine how quasi-charity is possible. But the global trend seems toward diminishing trust in the intentions of others. People increasingly suspect hidden agendas behind others' narratives on more equal collaboration. This is only natural in a world of increasing complex economic systems, relying on increasingly scarce natural resources, leading to increasingly complex governance systems. In such a world, it becomes increasingly difficult to maintain personal relations with other people throughout that whole governance system.

So, the trust in intentions depends more and more on the competency to develop and to maintain that very trust itself. Let alone, once there is trust, on the competency to jointly transform the economy by means of joint fact finding.

Many people may understand all this, and if they are themselves comfortable enough, they may invest their personal time and resources. Their inner motives often remain a mystery, if they make these decisions consciously at all. This is difficult for sceptical outsiders to assess. But that needs not impede anyone to invest in personal relationships and in depth dialogues.

Quasi-charities as independent institutions

Whatever their personal motives, people or countries may want to enable each other to develop strategic capacity and autonomy. Strong actors that want to enable and not to dominate, quasi-charities, could support connective leaders to initiate and engage in joint fact finding.

They often organise programmes that have objectives both out of self-interest and charitable motives. For example starting trade negotiations out of self-interest whilst at the same time having an open eye for the interest of others. Not making deals at the expense of others whom you can easily dominate, which would be a form of colonialism. Dutch examples are its support to dialogue on food security and water security in African countries, whilst also Dutch commercial interests are facilitated at the same time (so-called directly linked 'aid and trade').

However, if mixed objectives come together in one negotiation, it is more difficult for other parties to know that they can trust the intentions you have behind your actions – your 'real' agenda. That is detrimental for trust in intentions. Many international donors are not perceived to act as quasi-charities: they are foremost perceived to impose their own agenda. The charitable part is seen as exchange or payment in a negotiation, and not charitable at all. To foster the triple helix of connective leadership, strategic capacity and trust, therefore, it may be more effective to completely separate programmes with mixed objectives from institutions which are dedicated exclusively to quasi-charity.

Therefore I define quasi-charities more precisely as organisations that have as single mission to enable the strategic capacity, and therefore the autonomy, of others – no strings attached. The Dutch agency for water and road infrastructure development (Rijkswaterstaat) would then not be a quasi-charity⁶. Quasicharities could help leaders to draw up an ad hoc collaborative agreement that they can propose to their hierarchies without having their own 'skin in the game'. Such a quasi-charity is not a ministry that gives some of its power away by engaging in a transparent collaboration with weaker ministries or with decentral authorities, and then together to engage transparently with civil society and with the larger public. Rather, it may be an organisation that is 100% dedicated to enabling partner countries to enable these countries to make their own well-informed development choices. An example is the Dutch PSI initiative that co-enabled the emergence of platforms for joint fact finding in Iraq⁷. Another may be the

⁵ SCP, 2024. <u>Summary focus on the quality of society</u>.

⁶ But the OFL, under the same ministry, could perhaps be seen as a quasi-charity. It is a pure mediator at a distance from the policy agenda of that ministry.

⁷ See Erasmus University (2024). Evaluation of the Planetary Security Initiative 2.0.

Dutch Water Peace and Security partnership⁸, or the Blue Deal programme of the Dutch Water Authorities⁹.

Dealing with paradoxes: beyond diplomacy

Quasi-charities must deal with the paradox that they can be *most* effective if they are *not* accountable to financers – as being accountable creates an interest to achieve your own goals, not your partner's. It goes beyond diplomacy: whilst the purpose of diplomacy can solely be to maintain good relationships for any unknowable future benefit, quasi-charities must also enable strategic capacity and autonomy. As that is difficult to measure, other objectives can creep in their mission as proxies, undermining their neutrality.

Anyone wanting to enable another's strategic capacity has a dilemma. If a third actor can enable the joint fact finding of others, in another governance system, it necessarily must be stronger than all of these others in terms of resources or skills. Otherwise, their support would not be needed. This creates a risk that quasi-charities will dominate the very joint fact finding that they enable, notwithstanding all good intentions. It is like a good coach: don't recommend any anything to the coached. Only enable, even if joint fact finding and therefore strategic capacity improves slowly.

Moreover, what would this enabling actor consider to be 'effectively enabling strategic capacity'? Joint fact finding is a hard process of learning on the job. Connective leadership has to raise strategic capacity from chaotic processes, like the baron of Munchhausen pulled himself out of the swamp by his own hair, as the old Prussian story goes. If the quasi-charity will have to account for results to its financers, there is again a risk of mission creep: not only to support autonomy, but also objectives that are more easily to understand for financers and their supporters, the Dutch tax payers perhaps¹⁰.

So, mission creep looms for commercial objectives (continuity and growth of the quasi-charity) as well as for political objectives (achieving objectives easier to understand for your financer, but at odd with the autonomy of your partners).

Becoming a better quasi-charity

Quasi-charities may provide mediators and coaches to enable joint fact finding by others. They could become, finance, or coach 'real estate agents' like I called them in essay 1. Once a collaborative arrangement is agreed, the participating organisations may lack human or financial resources. Quasicharities may then also enable financially, still attaching no strings. The initiating connective leaders should then explain how they envisage their joint fact finding, and what they lack.

In essay 1 I listed some practical limits to joint fact finding which I have seen in practice. It seems that quasi-charities could verify if such limits occurs in the situation of their partners, and enable partners to address these limits. They may help their partners to explain what precisely is missing and to explain what would be achieved if a quasi-charity were to fill that gap. By monitoring the joint fact finding, not only the partner can learn but also the quasi-charity. This learning process should focus on identifying the best enablers for situations, and to design flexible mechanisms to mobilise highly dedicated resources. A quasi-charity is then successful if their partners observe that their joint fact finding is improved and leads to synergetic action toward a transformation they all desire. (Obviously, the charity must have no interest in the nature of that transformation).

⁸ https://waterpeacesecurity.org/

⁹ https://dutchwaterauthorities.com/blue-deal/

¹⁰ The NCEA copes with this paradox by explaining that better EA increases the chances that their partners' decision-making becomes more inclusive, but only if its partners want it to be. The NCEA is quasi-government, it has no growth objectives and it does no commercial acquisition. Nor does it do anything a commercial consultant could do.

This is all still without quasi-charities attaching any kind of strings to their enablement of the strategic capacity and autonomy of others¹¹. Quasi-charities, should make no demands on the nature of the scope and outcomes of joint fact finding.

Avoiding mission creep

Despite not wanting to dominate in any way or to take over any responsibilities from partners to enable them to become autonomous, quasi-charities need some way to assess the chances of their success if they engage with a partner. Success is measured as enabling strategic capacity and autonomy. To increase the chances of that, it may be unavoidable to attach some strings after all:

- Process-related conditions could be basic inclusiveness, transparency and independent quality
 control of assessments. These principles may for example liaise to the UN's Espoo Convention
 on EA if its scope is widened to any kind of impact. The Espoo Convention is a framework
 convention defining a basic procedure for transparency and participation of government
 decisions. This procedure can be applied in any situation with development dilemmas. It was
 applied in the Senegal and in the Mali cases described in essay 1, for example, as a process
 condition imposed by the NCEA.
- Objectives-related conditions are about the content of joint fact finding. The NCEA makes no such conditions (though it may help its partners to clarify their objectives). Other quasi-charities may find it difficult to attach no strings to content at all. They have red lines, which can be linked to human rights as 'safeguards', for example. Or their funding is limited to specific activities where they hope to sell their own services like in the Dutch case dredging (Benin case) or to water management (Mali case). Donors also may hope that future development projects that emerge from joint fact finding will be granted to their own private sector (Benin and Mali case).

To avoid mission creep and to stay credible in the eyes of partners, quasi-charities should probably limit such conditions to a minimum, and they should be clear about these from the start. Collaborative committees may buy in with these conditions if they align with their own objectives.

High risk of failure

Quasi-charities trying to enable strategic capacity should accept a high risk of failure. Building strategic capacity on-the-job takes time. Lack of trust in competency could be a major bottleneck to start up any joint fact finding. Especially if you haven't done it before, it can be difficult to imagine how joint fact finding itself can work and how it can increase strategic capacity. Why invest your time and your social capital?

Quasi-charities therefore should develop their own strategy to determine which partners to work with. Which collaborating actors are likely to learn the fastest? Which are likely to address the greatest development challenges and transformations? Where is strategic capacity most likely to remain at a higher level after their withdrawal as enabler?

Another risk of failure is the often powerful symbiosis between economic players and political players: the so-called political economy. Normally, collaboration must stay away from the direct interests of powerful actors if these actors are not interested in collaboration. Other challenges that require collaboration without active participation of the political economy will remain. Strategic capacity in these subsystems of the economy may in the long term inspire also the powerful actors in the political economy if they see it can support their interests.

A final risk is that political contexts may change because of elections, cabinet reshuffles or coups d'état. For joint fact finding to give lasting effects, it helps if it occurs at a level where civil servants are not

¹¹ 'Enabling' expresses respect for the autonomy of actors you don't want to dominate. I try to avoid words like 'assist', 'help' and 'support' as these are the words donors sometimes use whilst not being trusted, as they are believed to mix charity with more or less hidden short-term self-interest. It is subtle.

replaced when the political context changes. At the same time, to develop transformative proposals, at least some politicians must have a listening ear. It is possible that, after an election, time is needed to readjust. Earlier work may not be credited anymore, but its legacy still can be reused with a new political owner¹².

A note on artificial intelligence

In joint fact finding in a context of power asymmetry, trust is key as we saw above. Al can affect trust. More on the link between EA, joint fact finding and Al in essay 2.

Full circle back to EA procedures

In an excessively unequal world, weaker parties will not be able to stand up for them selves, with or without EA. Equal relationships between countries are in the interest of everyone who doesn't want to fall back to the old feudal times, where elites took advantage of poor people, or to the old colonial times, when countries took advantage of other countries. It probably is also the best chance of ever saving the tropical rainforests – the serious running gag of these essays.

EA professionals can play an important role in advancing joint fact finding for the sake of EAs that follow later to harness the actions emerging from joint fact finding. EA professionals can plead for joint fact finding and take part in it, even if it is not required by the EA procedure. They may try to position themselves as neutral facilitators of joint fact finding if committees believe in their neutrality. Sometimes they may create chances for joint fact finding and call that EA, if only because funding for EA may be available where it is not available for joint fact finding.

Restoring the balance by fostering joint fact finding is not easy however, especially if EA professionals are in the minds of others associated with 'red tape' and 'thick reports that end up in a drawer'. Increasing the strategic capacity of countries is an enormous challenge, specially if you are seen to represent a partial interest (environment and social). Many EA agencies suffer from this 'double hats' problem¹³. Yet, the cases described in essay 1 show that it is possible.

I would challenge EA professionals to analyse their cases in a similar way to discover what works under which conditions, and become reflexive practitioners, like me.

¹² The case of SEA for offshore natural gas development in essay 1 is an example where after elections the SEA was given no credit anymore, whilst insiders say that the creative thinking survived and inspired action by the new cabinet.

¹³ The Dutch system is an exception: the competent authority for giving environmental and social permits is not the same authority that reviews the quality of EAs (i.e., if all impacts and reasonable alternatives are adequately assessed).