4. Research design

The theoretical framework provides me with some first ideas of how the legal opportunity structure is linked with a successful outcome for local actors in achieving their goals. Now, empirical research is needed to specify the relationships between my core conditions and identify possible additional conditions. The empirical analysis will follow a three-staged approach, including an evaluation of the NLOS on the national level, process tracing in four individual cases of large-scale land deals, followed by a comparison of the findings within and across countries. These methods will be explained in a first step (chap 4.1), before describing the case selection (chap 4.2) and the data collection (chap 4.3). I end this chapter by giving an overview of the course of the analysis (chap 4.4).

4.1 Methods

I combine three methods to apply my framework. My choice of methods is guided by my research objective as well as my theoretical framework. I take a rather pragmatic approach to these methods as their value "lies in their usefulness in engaging with the real world" (Guthrie 2010: 45). In a first step, I need to evaluate the NLOS of a country. As my primary research goal is to contribute to the debate about regulating large-scale land deals, it makes sense to include suggestions made during this debate in the evaluation criteria. I construct a 'collective optimum', which can then be used to evaluate the NLOS of a country (chap 4.1.1). In a second step, causal process tracing (CPT) will be applied to find out how the NLOS of a country enables or restricts local actors for successful legal mobilization in combination with the other two conditions of support networks and the receptivity of companies (chap 4.1.2). In this step, the focus shifts from a top-down institutional view to a bottom-up lens focusing on the agency of local actors and their networks. While the process tracing serves to show the relationship of the three core conditions in practice, a cross-case comparison will add further validity to central findings (chap 4.1.3). The following three chapters will shortly introduce each method.

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4.1.1 Evaluating the national legal opportunity structure

How can we find criteria against which to evaluate an institutional setup? One suggestion made in the literature is to use a 'collective optimum', the best possible outcome:

> "Using potential achievements as our point or reference, we would define a 'perfect' solution as one that accomplishes all that can be accomplished given the state of knowledge at the time." (Underdal 1992: 231)

Underdal suggests turning to "independent expert advice" (Underdal 1992: 236) to create such a collective optimum. I will use my considerations from chapter 3.4.2 and expert opinions – the 11 principles of the Special Rapporteur on the Right to Food and the VGGT – to create a collective optimum for the NLOS. This 'optimum' NLOS will consequently reflect a human rights approach.

As noted in chapter 3.4.2, the possibility to veto a foreign investment in land is decisive for having bargaining power vis-à-vis foreign investment. This assumption is shared by the 11 principles formulated by the former Special Rapporteur on the Right to Food Olivier de Schutter: "In principle, any shifts in land use can only take place with the free, prior and informed consent of the local communities concerned." (De Schutter 2009: 13–14). As discussed earlier, the FPIC principle did not make it into the VGGT but is used as a yardstick by civil society actors and others to assess a large-scale land deal. I, therefore, use the right to give or withhold consent to a land deal as the most important criterium for a favorable national legal opportunity structure. A veto right can be fulfilled via two ways: First, formalized tenure rights provide affected smallholders with a de facto veto position vis-à-vis investors. Second, countries can pass laws and regulations in regards to large-scale land investments in which a veto right is granted to affected communities or individuals (e.g., tenants or land users without ownership rights) whether their tenure rights are formalized or not.

Consent is specified in the FPIC principle as being free of force, prior to the investment and informed. The need for information and possibly assistance through the state is also acknowledged in the VGGT:

> "States and other relevant parties should inform individuals, families and communities of their tenure rights, and assist to develop their capacity in consultations and participation, including providing professional assistance as required." (CFS 2012: 12.9)

Part of the information is the conducting of independent social and environmental impact assessments. Both the principles of de Schutter and the VGGT suggest impact assessments "on the potential positive and negative impacts that those investments could have on tenure rights, food security and the progressive realization of the right to adequate food, livelihoods and the environment." (CFS 2012: 12.10). Smallholders entering into contracts with investing companies should, therefore, be informed about their rights, receive professional assistance if needed and learn from impact assessments about the possible benefits and risks of an investment project.

Apart from FPIC, the recommendations of de Schutter and the VGGT more generally demand that land is used to fulfill human rights to food or development more broadly. Contracts should "prioritize the development needs of the local population" (De Schutter 2009: 14). These regulations have to be country-specific of and could for example be laws protecting smallholders from exploitative contracts or ensuring that a certain amount of local people are employed or trained. Such regulations could potentially provide smallholders with legal arguments in case an investment did not turn out to be as beneficial as expected.

Last but not least, oversight and grievance mechanisms should be defined through the NLOS and be available for affected populations:

> "States should take corrective action where necessary to enforce agreements and protect tenure and other rights and provide mechanisms whereby aggrieved parties can request such action." (CFS 2012: 12.14)

Overall, these four elements, veto rights, information rights, protection of economic rights and the installment of oversight and grievance mechanisms, make up the ideal NLOS in the context of my research question[16].

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16 As mentioned before environmental protection or labor rights are not at the focus of this dissertation and consequently not part of my 'ideal' NLOS.

Table 5 Collective optimum for the national legal opportunity structure

Elements of a collective optimum

1. NLOS grants smallholders a veto right through
    –   the existing formal land tenure system or
    –   special regulation in regards to investment projects

2. NLOS aims to ensure that smallholder can make informed decisions through
    –   providing information on their rights and possibilities
    –   providing expert assistance
    –   social and environmental impact assessments

3. NLOS aims to ensure that large-scale land deals are beneficial to the economic development of the affected population
4. NLOS aims to ensure oversight of large-scale land deals and grievance mechanisms for affected populations

The collective optimum presents an ideal type for a favorable NLOS. A threshold for real-world cases has to be somewhat lower. In terms of a bargaining approach, the first and second element are the most important ones as they help local actors to make informed claims vis-à-vis investors. I, therefore, regard an NLOS as favorable if it provides smallholders with a veto right (first element) and provides some assistance to them when negotiating with foreign investors (second element) or safeguards in regards to an investment being economically beneficial to locals (third element). The degree to which the different items are fulfilled can vary and, as mentioned earlier, the favorability of the NLOS should be regarded as a continuum. Nonetheless, this calibration helps me to identify if the national legal opportunity structure tends towards being favorable or unfavorable.

4.1.2 Causal process tracing

After evaluating the legal opportunity structure of a country, I will use causal process tracing (CPT) in two cases of large-scale land deals each, in order to establish the causal relations between the core conditions. Causal process tracing helps me to create internal validity – essentially providing evidence for the causal connections between the conditions outlined in my theory. Also, the process-tracing method helps identify additional conditions as the different causal steps are retraced as carefully as possible

(George/Bennett 2005: 207). Finally, process tracing takes the complexity of empirical cases seriously, while enabling me to create a causal story.

In using causal process tracing, I follow Blatter and Haverland (2012), who link causal process tracing to a configurational approach:

> "Configurational thinking, especially the assumption that explanations should begin with the assumption that a plurality of causal factors work together to create an outcome, is the first basic characteristic of the causal-process tracing approach." (Blatter/Haverland 2012: 81)

Another assumption configurational thinking shares with a CPT approach is the fact that "causality plays out in time and space" (Blatter/Haverland 2012: 81). To this end, a large number of observations that are usually interdependent are included in the analysis to tell a convincing story (George/Bennett 2005: 207). In consequence, the researcher has to do some "thorough 'soaking and poking'" (Blatter/Haverland 2012: 105) to gather the relevant material. His or her role can best be compared to that of a detective (Blatter/Haverland 2012: 105; Gerring 2007: 207) who tries to reconstruct the sequences of events, decisions and motivations. CPT does not aim to analyze the net effect of factors but rather to understand how different conditions work together.

Three elements are used in causal process tracing: a comprehensive storyline, 'smoking guns' and 'confessions'. A comprehensive storyline gives an overview of the overall story and the main events in a case. "A major goal of these comprehensive storylines is to differentiate the major sequences of the overall process and identify the critical moments that further shape the process" (Blatter/Haverland 2012: 111). As such, it sets the stage for 'smoking gun' observations – observations, which provide strong evidence for causal inference. Central for these observations are temporal and spatial contiguity, as well as additional information that provides further evidence. 'Smoking gun' observations usually refer to critical moments when particular decisions were taken or certain actions took place, which led to a specific outcome (Blatter/Haverland 2012: 115–116). Another tool to support a convincing causal storyline are 'confessions' of actors, who explain or reflect on their motivations in their statements. However, as a researcher, one needs to be careful not to "take them at face value" (Blatter/Haverland 2012: 118), as people usually want to present themselves in a particular light as well as rationalize their behavior ex-post. Nonetheless, 'confessions' can be important complementary evidence in causal process tracing, "because they reduce a problem of drawing causal

inference on the basis of temporal succession" (Blatter/Haverland 2012: 117).

In my analysis, CPT will mainly serve to connect the legal opportunity structure with legal mobilization processes and their outcomes. An emphasis is placed on the relationship between the NLOS, local actors and their support networks and the characteristics of companies. I thereby put the conditions from the theoretical framework into a convincing comprehensive storyline, and support their relevance with 'smoking gun' observations and were possible with 'confessions'. In addition to illustrating the theoretically deduced conditions, I identify the individual mechanisms in the specific settings, as well as additional conditions, which might be relevant in other contexts too.

4.1.3 Case comparison

While I use causal process tracing to identify causal relations within individual cases, cross-case comparisons focus on showing the external validity of the different conditions across cases (Blatter/Haverland 2012: 211).

In my analysis, I will employ CPT as described in the previous chapter in four cases of large-scale land deals – two each in two countries. I will then use the findings of the CPT to compare the cases within each country. In this way, a most-similar setting (George/Bennett 2005: 165) is created in regards to the national legal opportunity structure, which allows me to focus on the conditions of the support network and the receptivity of companies. In a second step, I will compare these findings between the two countries, which will have differing legal opportunity structures.

In this way, the NLOS is the only condition I can control for, as I analyze it on the national level. The support network and the receptivity of the company vary from case to case. In this regard, my empirical research remains exploratory – providing further insights into the characteristics of support networks and companies and their interactions with one another.

Overall, the choice and combination of my research methods allows me to keep a balance between accepting case-specific contingencies but draw some generalizations, as well as between illustrating my pre-identified conditions and identifying new possible causal factors. Additionally, my "combination of cross-case and within-case analysis greatly reduces the risks of inferential errors that can arise from using either method alone" (George/Bennett 2005: 236). My revised analytical framework, which will be de-

veloped through my empirical findings, can, therefore, be regarded as highly valid.

4.2 Case selection

The case selection is guided by my theoretical framework and my method-ological considerations. However, there are serious limitations to a system-atic case selection due to missing data on legal mobilization attempts and their outcomes. Besides, networks supporting local actors as well as the companies themselves are highly diverse and vary from case to case. There-fore, my approach to case selection consists of a pragmatic compromise be-tween controlling for similarities and differences and a certain degree of randomization. I will identify two case study countries first (chap 4.2.1) be-fore I find two cases of large-scale land deals within each country (chap 4.2.2).

4.2.1 Choosing case countries

I use the database of the Land Matrix as my starting point for case selec-tion. Even though there are biases in reporting due to different regions, countries, investors or sectors (Nolte et al. 2016: 5), it is the best available source when it comes to global data on large-scale land deals. I treat the database as my universe of cases, which I will reduce down based on theo-retical and practical considerations.

First, as mentioned in chapter 1.1, I limit my research to developing countries, defined as low income and lower-middle-income countries, as categorized by the World Bank. I furthermore only include transnational land deals, meaning that at least one foreign investor is somehow involved in a land investment project.

In a next step, I limit my possible case selection to democracies[17] for two reasons. Theoretically, I have not considered state repression and missing civil liberties, which would, however, be limiting to the legal mobilization of local actors. At the same time, there are also practical considerations, which support my choice to focus on democracies. Large-scale land deals

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17 To identify 'democracies' I use the 'Combined Polity Score' of the Polity IV In-dex. All countries with a score of 6 or higher are therefore categorized as demo-cratic, using the latest available scores from 2017.

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are a highly political issue and researching them in repressive surroundings can make access more difficult, as well as cause danger for potential interviewees and research assistants (Schoenberger/Beban 2018).

In the last step, I only chose countries with at least 12 large-scale land deals and which have English as one of their official languages. Both decisions have rather practical reasons: Countries with a higher number of large-scale land deals are more likely to have debates and civil society mobilization around this issue. I also need a number of deals to choose from for my within-country comparison. English as an official language provides me with a greater thickness of data oberservations, which is important for causal process tracing (Blatter/Haverland 2012: 102).

Table 6 Possible case study countries

Target country	No. of deals
Ghana	50
India	15
Kenya	20
Liberia	26
Nigeria	29
Pakistan	12
Philippines	38
Sierra Leone	32
Zambia	45

After making these limitations, the countries listed in table 6 remained. From the choice of the nine countries, I chose Sierra Leone and the Philippines. Sierra Leone is known for its problematic national laws when it comes to land tenure as well as a coexistence of customary and statutory rules governing land tenure. This makes the country a 'typical' case (Gerring 2007: 91) for a weak national legal opportunity structure, which can also be found in other Sub-Saharan African countries such as Liberia, Zambia or Ghana. The Philippines then serves as a 'diverse' case (Gerring 2007: 97) with a national legal opportunity structure that is very different from Sierra Leone. In the following paragraph, I describe similarities and differences between the two countries in more detail.

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Overall, national legislation in Sierra Leone is extremely weak in regard to land tenure. Land tenure laws date back to colonial times and the land sector is described as "not only chaotic but also becoming increasingly unsustainable" (Government of Sierra Leone 2015: 1). There are no legal provisions so far for the consultation of people affected by a foreign land lease or for investors to respect customary tenure rights, which account for the majority of Sierra Leoneans (Davies 2015: 17). These weaknesses led to Sierra Leone becoming one of the pilot countries for the implementation of the VGGT and encouraged the government to adopt a new land policy.

In the Philippines, the constitution covers many provisions of the VGGT, especially with legal recognition of tenure rights and issues around the transfer of rights (Quizon/Pagsanghan 2014: 21). The constitution furthermore demands the reduction of social, economic and political inequalities and asks the state to "regulate the acquisition, ownership, use, and disposition of property" (Republic of the Philippines 1987: Art XIII) to this end. These provisions for social justice are mirrored in demands for agrarian reform and limits for land lease sizes. Several laws concretizes the provisions of the constitution for different sectors (Quizon/Pagsanghan 2014: 23). At this first glance, the national legal opportunity structure of the Philippines is therefore favorable for affected people. In contrast, the NLOS of Sierra Leone has to be regarded as unfavorable for local actors.

Apart from the national legal opportunity structure, a view on the functioning of the judiciary and administrative institutions makes sense, as laws have to be implemented and rights get claimed. To get a general overview in both countries, I use the Rule of Law Index, which aims at measuring the rule of law 'in practice' through representative household surveys. The table below presents some of the core scores relevant to my research question (The World justice project 2016: 15).

Table 7 Rule of law in the Philippines and Sierra Leone

	Philippines	Sierra Leone
Rule of law combined score (1.0 being the optimum)	0.51	0.45
Absence of corruption (1.0 being the optimum)	0.48	0.30
Regulatory enforcement (1.0 being the optimum)	0.51	0.35
Civil justice (1.0 being the optimum)	0.45	0.40

Source: Rule of Law Index 2016 (The World justice project 2016)

The rule of law combined score shows that both countries are far from having a high degree of rule of law, while the situation in the Philippines is better than in Sierra Leone. A similar picture emerges regarding three specific factors. Both the absence of corruption and regulatory enforcement are highly relevant when it comes to the implementation of existing laws and administrative regulations. Both factors are very weak in Sierra Leone and point to high levels of corruption and weak state capacities. The factor of civil justice refers to the degree to which "ordinary people can resolve their grievances peacefully and effectively" (The World justice project 2016: 12) with the help of the judiciary system. This factor is similarly low in both countries with a score of 0.45 in the Philippines and of 0.40 in Sierra Leone. Calling on courts might not be the best option for local actors in both countries. Compared to other countries in the respective income group, both countries are fairly average: Sierra Leone for low-income countries (The World justice project 2016: 133) and the Philippines for lower-middle-income countries (The World justice project 2016: 125). I, therefore, regard the two countries as typical for their income level.

   Apart from the national legal opportunity structure and the rule of law there are more differences in the countries' contexts but also some similarities. Table 8 gives an overview of some basic statistics related to poverty and the agricultural sector.

Table 8 Poverty and Agriculture in the Philippines and Sierra Leone

	Philippines	**Sierra Leone**
General		
Total land area in sq km	298,170	72,180
Total population	103 million	7.2 million
Rural Population in % of total population (2016)	55.7 %	59.7 %
GDP per capita, PPP, constant 2011 international $ (2016)	7236$	1369$
Poverty		
Poverty headcount ratio at $1.90 a day (2011 PPP) (% of population)	8.3 % (2015)	52.3 % (2011)
Poverty headcount ratio at $3.20 a day (2011 PPP) (% of population)	33.7 % (2015)	81.3 % (2011)

	Philippines	Sierra Leone
Prevalence of undernourishment in % of population (2015)	13.8 %	30 %
HDI rank (2016, total of 185)	116	179
Agriculture		
Agriculture value added in % of GDP (2016)	9.6 %	59.4 %
Agricultural employment in % of total employment (2017)	27.7 %	68 %
Agricultural land in % of total land areas (2015)	41.7 %	54,7 %
Agricultural land in hectares (2015)	12.4 million	3.9 million

Source: Data retrieved from the World Bank Database: World Development Indicators, 16/04/2018

Sierra Leone ranks among the last countries in the Human Development Index and has an average GDP per person about one 5th of the GDP of the Philippines. However, the Philippines also has a substantial ratio of poor people with 33.7 % living with less than 3.20USD a day. And while fewer people are undernourished in the Philippines than in Sierra Leone the country is far from food secure, with 13.8 % of the population being undernourished. In the Philippines, the macro-economic impact of the agricultural sector has diminished and now only makes up 9.6 %. Nonetheless, agriculture still employs about one third of the population and therefore remains an essential source of income for many Filipinos. In Sierra Leone, the majority of the people depend on agricultural activities for their livelihoods and the sector contributes a significant share to the GDP.

Both countries have a considerable amount of small-scale farmers. However, the Philippines has had a long history of large-scale plantations, as Spanish colonizers set up a hacienda economy similar to the one in Latin America (Larkin 1982: 599). Even though the land reform of 1988 redistributed a lot of agricultural land, transnational food corporations like Del Monte, Dole, Chiquita and Sumitomo exert considerable control over land, especially in regards to high-value export crops (Lockie et al. 2015: 125). In consequence, the Philippines has longstanding experience with mechanized farming and agribusiness corporations. Sierra Leonean agriculture is largely non-mechanized with a bush fallow system for non-tree

crops (Unruh/Turray 2006). There is hardly any precedence for large-scale agribusiness, especially through foreign investors.

Despite these differences, both governments adopted policies to attract foreign investment in agriculture with a focus on biofuels. To these ends, both countries set up specialized agencies: the Sierra Leone Investment and Export Promotion Agency (SLIEPA) and the Philippine Agricultural Development and Commercial Corporation (PADCC). So, while the agricultural contexts in which large-scale land deals take place in Sierra Leone and the Philippines are quite different, the driving forces and government support for foreign investments in agriculture are similar. I will discuss these backgrounds in both countries in more detail in the empirical analysis.

4.2.2 Choosing cases of large-scale land deals

For choosing the two case countries, I was able to rely at least on some macro-level socio-economic data. Choosing cases within the two countries was more difficult. Information on land deals, for example, if investments ever went into production or are in operation made case selection extremely difficult. Two pragmatic criteria guided my selection process in the end.

First, I narrowed the search down to investments for biofuels or crops that can potentially be used for the production of biofuels such as oil palm or coconut. This focus helped to reduce context complexity, while at the same time increasing similarity between cases. There is often specific regulation in regards to biofuels production, while different laws might cover food crops. At the same time, investments targeting biofuel or oil palm usually need a large amount of land – often in the thousands of hectares. As these investments include the construction of a processing mill or refinery, a significant amount of crops are needed to use the processing facilities to the maximum.

The second criteria was defined by methodological considerations:

> "There is one overarching methodological principle that should guide the selection of cases if the major technique for drawing descriptive and causal inferences is process tracing: accessibility." (Blatter/Haverland 2012: 102)

Good access to the cases and as many different sources as possible was the second guiding principle for the selection of cases.

For Sierra Leone the Land Matrix listed 32 cases out of which 25 cases saw the closing of a contract. Twelve of those deals intended to produce biofuels or grow crops that are suitable for biofuels such as palm oil or sugar cane. Looking into additional material from NGOs, media and companies two investments stick out: The sugar cane investment of Addax Bioenergy and the palm oil plantation of Socfin Sierra Leone. Representing the biggest plantations in the country – with around 12,000 ha each – both investment projects received a lot of civil society attention but have also been subject to academic research. I consequently have a considerable amount of background information, which cen help me to triangulate my interview data.

The search for two suitable cases proofed more difficult in the Philippines. The Land Matrix reported 38 deals, of which only 14 were listed as having concluded the negotiations. However, information on these investments was often extremely scarce – including among civil society actors in Manila. I had to just 'go and see', leading me to include a case in my original research design, which was in reality no longer in existence.

I initially chose two cases of foreign investment deals from the Land Matrix, the case of Green Future Innovations Inc. (GFII), with the involvement of a Japanese investor, and the case of Bio Energy Northern Luzon Inc. (BENLINC), with a Japanese-British investor. Both cases fulfilled the selection criteria and targeted the production of biofuel through sugar cane or coconut. However, in the case of BENLINC upon arriving in the region, where there should have been a coconut plantation at least the size of 1000 hectares, I found out that the project had been abandoned a long time ago. The case shows the difficulty of getting accurate data not just on deals closed but even more so on the actual stage of implementation and hectares under operation.

As the case of BENLINC was not usable for my purposes, I finally chose the case of Agumil Philippines. It was cited to me by various interviewees in Manila (interviews PH7, PH28) and I discovered quite some extensive reporting on the case. I was furthermore able to verify the existence of plantations through satellite imagery. However, the case did not show up in the Land Matrix database, even though it did fulfill the criteria of the database. For pragmatic reasons, I decided to include the case nonetheless. The following table gives an overview of the basic facts of these investment deals. I was able to identify legal mobilization efforts in all four cases. There was one success and one failed case in each country.

Table 9 Selected cases of large-scale land deals

	Addax	**Socfin**	**GFFI**	**Agumil**
Deal(s) closed in	2010	2011	2009	2007
hectares (under production)	12,000	12,500	3,000	6,500 -10,000
crops	sugar cane	palm oil	sugar cane	palm oil
No. of people affected[18]	13,500	25,000	-	-
Type of arrangement	lease	lease	lease, out-grower	lease, out-grower
Legal mobilization	success	failure	success	failure

It should be noted that the case selection does contain a bias: The criterion for sufficient material from different sources implies that only cases were chosen that received considerable attention. These are more likely the more problematic cases. The case studies in this dissertation should, therefore, not be regarded as representative of all large-scale land deals.

4.3 Empirical material

My empirical material used for the analysis stems from field visits to both countries and documents such as NGO and media reports, company statements, lease agreements, protest letters but also existing academic research. I will discuss how I addressed challenges posed by field research and during interviews first (chap 4.3.1), before describing the text material used (chap 4.3.2).

4.3.1 Field visits and interviews

Field research is an incremental part of my empirical analysis. It helped me to reconstruct and understand past events, relationships between local ac-

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18 As no social impact assessments were conducted in the two cases from the Philippines, I do not have numbers of affected people. In the Sierra Leonean cases, these numbers refer to the amount of people who were directly affected by the plantations through losing access to land or living in close proximity.

tors and their support networks as well as local dynamics such as the role of local elites. As large-scale land deals often miss transparency, interviews with various actors from the government, local authorities, companies, civil society as well as local actors are an important aspect of getting relevant information. These interviews also served to verify other data sources, such as NGO or media reports. Last but not least, the field visits gave me the chance to observe local conditions first hand. To experience the vastness of individual plantations, the way the company presented itself locally or the reactions of bike riders or taxi drivers when I talked about my research interest provided me with invaluable impressions. I will use these impressions occasionally in my analysis, even though the main focus is on the content of the interviews.

Two visits were undertaken to both countries, totaling a time of 10 to 12 weeks spent in each country between November 2016 and November 2018. Interview partners were selected according to their organization's role in mobilizing around large-scale land deals and later on, also through snowballing. National government agencies were targeted for interviews later during the stay when specific questions arose. Research assistants helped in facilitating community visits through organizing transport, undertaking exploratory visits and translating during the interviews (Temne, Mende and Krio for Sierra Leone, Tagalog for the Philippines). Apart from community visits interviews with local civil society groups, the company and local authorities in the wider region were conducted.

Especially in Sierra Leone local protocol had to be followed in order to do the research: a visit to the Paramount Chief or his deputy, the Chiefdom Speaker, was mandatory before speaking to other locals. In some villages, we talked to the village headman or section chiefs, whereas in other cases, we met with individuals, we had previously contacted. Interviews, therefore, took quite different forms, from individual private conversations to village meetings in which several people spoke and many listened. Apart from village elders, local activists were the focus of the interviews, as the primary research interest was their mobilization, their strategies used and their relationships with outside actors. Nonetheless, I also spoke to other groups like women, youth or company workers, who were selected randomly.

In the Philippines, local settings were different: Instead of whole communities, individual farmers, who had some kind of relationship with the company, or local activists were interviewed. Their homes were more dispersed and snowballing was a vital instrument to find new potential interviewees.

Apart from the field visits, a few interviews took place via Skype with international civil society actors or former company staff. Overall, I conducted 54 interviews in Sierra Leone and 48 interviews in the Philippines (see Appendix A).

My field research strategy paid attention to ensuring my independence. Foreign large-scale land deals are a highly politicized topic on the global level as well as in many countries. This can lead to biased research trough implicit assumptions, for example, about the 'bad' outside investor versus the 'good' local community (Oya 2013a: 515). At times, NGOs are involved in framing land deals as 'land grabbing' and presenting local communities as unitarily against an investment. For researchers, there is, therefore, the danger of getting the 'NGO tour' – only being introduced to certain community members (Gilfoy 2015). At the same time, an intense politicization can complicate field visits, from being denied access to receiving threats by local actors or companies (Cramer et al. 2015).

To avoid partiality, I did not cooperate with NGOs to facilitate my visits to local communities. The visits were organized by myself and my research assistants, who I had found through contacts at local universities. None of my research assistants had previous knowledge of the visited communities, but they knew local customs and the language. We did use contacts provided by NGOs to find local activists but additionally found interview partners spontaneously.

4.3.2 NGO reports, media articles and additional documents

Documents such as NGO reports, media articles or company material were systematically collected and served several purposes.

First, an initial browsing through NGO and media reports gave me some idea of the issues around specific land deals and helped me in my case selection.

Second, these documents provided me with a rough timeline of events, which helped me to put interviews in context. As some of the events, I was asking about, happened more than five years before the interviews, it was at times difficult to establish the exact chain of events. Establishing the chain of events is an essential element of a comprehensive storyline in process tracing approaches (Blatter/Haverland 2012: 81).

Third, documents from different sources help to corroborate claims made and stories told during interviews and therefore served the goal of

triangulation (Guthrie 2010: 46). Information gathered through interviews can be skewed by selective memory, social expectedness or outright lies to protect one's standing. At the same time, media or NGO reports are not necessarily more objective. As NGOs usually aim to advocate for a specific policy change, they tend to paint a rather drastic picture and focus on negative aspects of an investment. The opposite is usually true for the company, who is keen on praising the benefits. Both, NGOs as well as companies, use media articles for their aims. In these settings, data triangulation with different sources becomes all the more relevant.

To source the relevant documents, searches were conducted through search engines, farmlandgrab.org, a website collecting NGO and media reports on large-scale land deals through crowdsourcing, and the most important newspapers in the country (Awoko in Sierra Leone and The Inquirer in the Philippines). Additional documents provided through companies' and NGOs' websites included MOUs, impact assessments, protest letters, official state documents but also statements and letters from the companies. The document search covered the time period between the first news about the planned investments up to the periods of field research – for Sierra Leone April 2017 and for the Philippines November 2018 – and therefore do not contain information on later events.

The following table gives an overview of the numbers of documents found. It should be noted that the documents, especially the media reports, were of varying relevance for the analysis and therefore did not all play a significant role. Furthermore, many materials did not contain detailed information on the legal mobilization attempt but were helpful in understanding the overall investment.

Table 10 Documents used for the analysis

	Media/ internet articles	**NGO reports/ press releases**	**Additional documents**	**Academic articles/ reports**
Addax Bioenergy	183	19	22	11
Socfin Siera Leone	154	15	78	2
Green Future Innovations	22	4	10	5
Agumil Philippines	28	9	18	5

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4.4 Course of action of the analysis

Overall, the empirical analysis tries to strike a balance between advancing the theoretical framework and providing case studies that are in themselves an empirical contribution to the literature. The selected cases have been subject to scholarly research to a varying degree; however, none of the published studies focused on reconstructing instances of legal mobilization.

The analytical chapters will proceed in the same way for the two countries and for all four cases of foreign large-scale land investments. The country chapters will begin with a general overview of the issue of large-scale land deals in the country. I will provide input on numbers and trends as well as the government policies attracting foreign investment in agriculture. The chapter will furthermore provide an overview of the civil society actors and their responses to the rise in large-scale land deals in the country.

The country-specific background is followed by the first part of the analysis: The evaluation of the national legal opportunity structure against the criteria formulated in chapter 4.1.1. I will take into consideration the general tenure system in the country before looking specifically into regulations regarding decision making about foreign land investment deals.

The next two chapters then contain the specific case studies. All four case studies will be structured into five sub-chapters: The first one providing some general information on the investment and the process leading up to the lease or out-grower agreement. Against this background, the second sub-chapter contains the comprehensive storyline about the specific instance of legal mobilization and its outcome. The following two chapters are then dedicated to explore further the conditions of the company's responsivity and the contribution of the support network. The fifth and last chapter will then summarize central findings in regards to the conditions identified in the theoretical framework and discuss additional issues relevant to the specific case study.

The country sections end with chapters comparing and discussing the findings from the two case studies within the country. Apart from the three conditions identified in my analytical framework and additional relevant conditions will be discussed. Additional conditions are factors that are relevant for explaining success or failure in individual cases but can be described on an abstract level and fit in my analytical framework. Other issues, which showed up in my case studies but are not directly related to answering my research question, will be discussed as 'additional issues'.

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They point to possible limits of my framework and further research desiderata.

The analysis will be finalized in chapter 7 with a comparison and discussion of findings between the two countries.