



A WICKED PROBLEM

How to cooperate with
collusive states?

By
Roderick Parkes and Mark McQuay



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The EUISS Chaillot Paper series

The *Chaillot Paper* series, launched in 1991, takes its name from the Chaillot hill in the Trocadéro area of Paris, where the Institute's first premises were located in the building occupied by the Western European Union (WEU). The hill is particularly known for the Palais de Chaillot which was the site of the signing of the UN Universal Declaration of Human Rights in 1948, and housed NATO's provisional headquarters from 1952 until 1959.

CONTENTS

Executive summary 2

Introduction 5

Thinking outside Pandora's box

Scenario 2025 9

Development by crime in the Gulf of Guinea

CHAPTER 1

Where does the EU stand on collusion? 13

CHAPTER 2

Can crime contribute to liberal development? 18

CHAPTER 3

Can the EU engage with collusive states? 32

CHAPTER 4

Can the EU define its futures? 42

Scenario 1 47

A licence to hack in West Africa

Scenario 2 56

Post-modern slavery in the Arctic

Scenario 3 62

Organ counterfeiting in the Western Balkans

Scenario 4 68

A narco-state by choice in the South Pacific

Scenario 5 74

The Olympics of Crime in the Middle East

Conclusions 79

Abbreviations 81

EXECUTIVE SUMMARY

On almost every major foreign policy issue, the EU faces a path-defining choice. It finds itself split between loyalty to longstanding policy principles and a new pressure to pursue its interests through value-free *realpolitik*. Crucially, policymakers lack the evidence to weigh up the implications of either course – continuity or compromise – and so risk being gripped by inaction.

Such situations, where policymakers face a dilemma and lack the evidence to guide their choices, are called ‘wicked problems.’¹ And a failure to solve its wicked problems could leave the EU paralysed on the world stage at a time of huge global change.

This *Chaillot Paper* proposes that the EU tackle such problems by means of a thought exercise/experiment. This means posing a series of hypothetical questions in order to explore the potential consequences of policy continuity or change and thereby to help the EU realign its principles and its interests.

Facing up to history

Somewhat unexpectedly, the greatest contribution of this paper may be to help policymakers in Brussels face up to Europe’s past.

The EU has always viewed its own 70-year development as setting a path for others to follow – based on the assumption that what worked best in the EU, will work best abroad. But rivals, partners and even its own strategists increasingly point out that Europe’s past behaviour

was hardly exemplary, and that the EU is the prime beneficiary of these past misdemeanours. They look back to colonial times, and cite dubious European precedents to push the EU to abandon its principles and to validate questionable behaviour.

Collusion is one such example – and the authors take it as their test case. In increasing numbers, developing economies are turning to criminals to master the challenges of globalisation, using collusion as “an instrument of national strategy”.² They point to past Western behaviour as justification. As the 2020s unfold, and as economic modernisation becomes even more strenuous, it is plausible that a majority of states worldwide will actively collude with criminals, seeing crime and collusion as legitimate means to catch up with Europe.

The EU’s reading of its history presents successful development as contingent upon the expulsion of criminal elements from the body politic, and at the earliest possible stage. The EU has thereby presented itself with a stark choice: cut ties to collusive states, and push the EU towards splendid isolation; or accommodate them and suffer a loss of self-respect and identity. Few in Brussels, it seems, have thought to pose the obvious question: can collusion be conducive to liberal development?

Making use of history

The authors’ method is designed to produce counter-intuitive findings to reconcile the EU’s interests and principles. It operates on the

1 ‘Wicked problems’ are policy issues which present decision-makers with contradictory political pressures, and where they lack the evidence to evaluate the available options.

2 Philip Zelikow et al., “The Rise of Strategic Corruption: How States Weaponize Graft,” *Foreign Affairs*, July/August, 2020, <https://www.foreignaffairs.com/articles/united-states/2020-06-09/rise-strategic-corruption>.

assumption that Europe's sometimes murky history can be turned into a treasure trove for practical policy evidence generating ways for today's Europeans to engage with the world without betraying their idealistic goals – a way out of their 'wicked problems'.

A review of the historical record confirms that European states did indeed rely on criminals and criminal methods on their path to liberalism. But this finding – far from paralysing the EU or undermining its values – shows that collusion is (under specific conditions) a potential basis for better governance, including when it comes to enforcing laws and redressing the marginalisation of socio-economic groups and of whole countries.

A three-step thought exercise

But this process is about more than re-examining the past. Until lately, the EU's development promotion represented a perfect melding of the EU's interests and values. It combined the EU's dual character as an interest-led 'market power'. The EU has a strong interest in accessing poorer economies: it needs to expand its markets and to source raw materials. and a principled 'normative power' requires international stability and cooperation, and this means spreading liberal norms.

EU development policy long achieved both ends. However, a decade of crises has hit the EU economy hard. Its raw interest in accessing new markets has grown, but its ability to influence other nations' norms and values has shrunk. Economic development no longer guarantees a peaceful, inclusive and democratic global order based on the rule of law.

The authors have assembled a process for the EU to face up to uncomfortable truths. It involves asking three questions:

1. What are the EU's current assumptions about the effective pursuit of its goals?

Wicked problems tend to emerge when assumptions about effective policy become

unspoken and reflexive. Collusion is a case in point: as far as the authors can ascertain, there are no explicit EU guidelines for dealing with collusion (unlike the related field of corruption). Rather, the EU's distaste for collusion is implied from a set of abstract principles drawn from its reading of history about the damage inflicted by collusion upon economic and political development. The first step, then, is to articulate these hidden assumptions.

2. Is there overlooked evidence to contradict the EU's assumptions?

Because the EU has never articulated its assumption that collusion is uniformly harmful and presents an obstacle to all liberal development outcomes, it has not actively sought evidence to the contrary. This leaves the EU without evidence to assess the option of conditional engagement. As a corrective, the second step is to actively seek out evidence from the past and present that shows that collusion can in fact promote positive outcomes.

3. Does this new evidence generate practical alternatives?

New evidence is of little use unless translated into clear policy guidelines. The third step, therefore, is to explore the implications of policy change – does the scattered evidence gleaned from cases of collusion generate a set of rules coherent enough to challenge the settled assumptions of liberal development theory? The outcome should be a set of clear, cohesive and practical policy recommendations that demonstrate how the EU can respond to new evidence while staying true to its principles.

Future scenarios

Policymakers are understandably reluctant to experiment with fields like collusion – in the real world, at least. For this reason, the authors' method is structured as a counter-intuitive thought exercise which culminates in the construction of a virtual alternative world – a safe space in which to experiment. This virtual world is brought to life through five scenarios, each of

which is built to test the following assumptions drawn from the evidence:

- > A global increase in crime and collusion is not necessarily a symptom of failed development. It may even be - under very specific conditions - a requisite for success. Europe's own historical path to development involved forms of collusion with criminals. And, given that the EU treats Europe's path as a precedent for others to follow, it should not treat crime solely as an obstacle to liberal development. It must instead draw honest and viable lessons from Europe's own past.
- > EU members are living proof that states are not hindered in fighting crime by past government collusion with criminal groups. History suggests that states collude with criminals to improve their capability to govern - to establish a monopoly of violence, access to capital and the authority to make rules. As part of this same drive to establish their administrative monopoly, they logically go on to use these capabilities to fight the same criminals they once colluded with.
- > Societies in Europe embraced liberal standards due to a desire for better government, not wealth. Modern-day societies can be expected to accept collusion for the same reasons - if it makes government more responsive. Successful attempts to address the 'root causes' of collusion will therefore focus more on sensitising governments to the needs of marginal groups than on raw economic development.
- > EU development policy in Africa and Asia aims to redress the dubious practices of European colonialism, as well as to prevent neo-colonialism by emerging powers. But the liberal development of many of Europe's own states was super-charged by colonialism, and they would not have softened their governance at home without access to overseas territories. By implication, Europeans ought to explore ways for post-colonial countries to replicate the advantages of colonial practice within the current multilateral system.

INTRODUCTION

Thinking outside Pandora's box

Since 2015, international events have frequently split the EU between principle and interests.¹ That was the year the EU fell prey to a wave of international terrorism and migration. The crisis was unprecedented in its scale. But what made it particularly complex and 'wicked' for diplomats was the contradictory political impulses. EU leaders responded to the shock by demanding a more interest-led international strategy, pressing diplomats to engage with authoritarian countries.² But they provided little practical guidance as to how their realist new international priorities should be implemented.³

As the crisis deepened, they pressed the EU to seek border and counter-terrorism deals with countries in Africa, the Middle East and the Balkans. But longstanding policy principles encouraged diplomats to be cautious when dealing with states with questionable records on human rights. European leaders, however, began to insist they wanted the EU to engage. According to some reports, they perhaps also wanted to use development support to sweeten the deal.⁴ These contradictory instincts created gridlock in Brussels, which lacked the evidence to evaluate either course. Since then, the estrangement between the EU's principles and interests has only increased. In 2019 political leaders renewed their call for a 'geopolitical EU'

which would prioritise European interests; but diplomats continued to insist on longstanding principles – and, again, the EU lacked evidence to justify a decisive move forward.

THE PROBLEM OF COLLUSION

This issue of collusion has largely subsumed the policy dilemmas of 2015, as EU diplomats have realised just how many of the governments they seek to engage in migration and counter-terrorism cooperation are themselves colluding with people smugglers, militias and even terrorist groups.

The EU has long known that globalisation creates opportunities for criminals.⁵ But the growing reports of state involvement in crime have caused it particular dismay. The EU's support for development was always grounded in the hope that partner governments (and multilateral organisations) would grow stronger and pass the benefits of globalisation on to their citizens. But these reports suggest they are in fact growing weaker. Governments to the EU's south are colluding with people-smugglers

¹ Esther Barbé and Pol Morillas, "The EU Global Strategy: The Dynamics of a More Politicized and Politically Integrated Foreign Policy," *Cambridge Review of International Affairs*, vol. 32, no. 6 (2019), pp. 753–70.

² Vincent Della Sala and Roberto Belloni, "Realism in the EU: Can a Trans-national Actor be Strategic?" in Roberto Belloni, Vincent Della Sala and Paul Viotti (eds.), *Fear and Uncertainty in Europe: The Return to Realism?* (London: Palgrave, 2019), pp. 241–65.

³ Karen Smith, "A European Union Global Strategy for a Changing World?," *International Politics*, vol. 54 (2017), pp. 503–18.

⁴ Shoshana Fine, Susi Dennison and Richard Gowan, "False Moves: Migration and Development Aid," *Policy Brief*, European Council on Foreign Relations, October 2019, https://www.ecfr.eu/page/-/false_moves_migration_and_development_aid.pdf.

⁵ Arghya Ghosh, Peter Robertson and Marie-Claire Robitaille, "Does Globalisation Affect Crime? Theory and Evidence," *World Economy*, vol. 39, no. 10 (2016).

(and justify this by appealing to the UN's own humanitarian values).⁶ African leaders are accused of working with embezzlers (unchecked by an African Union recently headed by the ex-wife of one of the accused).⁷ And cartels collude with politicians across Latin America (where Interpol's own liaison officer was arrested on corruption charges).⁸

UNDER THE RIGHT CONDITIONS, COLLUSION CAN BE PROGRESSIVE

At present, the EU is gridlocked on how to engage with collusive states. It is in the EU's interest to accommodate collusive states – the EU needs global development for economic reasons, needs nearby states as allies in controlling migration, and needs to defend its 'turf' from China, Russia and even the US. But its principles tell it collusion is harmful and undermines its long-term liberal ideals. Other European think tanks have contended that the way to reconcile EU interests and values is simple: the EU merely has to become more hard-headed about how to

achieve its idealistic long-term goals. But this is easier said than done. And collusion shows why. Think tanks themselves shy away from the one vital question that could resolve the issue: 'can collusion with criminals ever be "progressive" – can it be conducive to liberal goals?'

Yet the reluctance of policymakers and think tanks to pose this vital question is odd, because the answer in fact seems to be yes: when states are able to harness the talents of criminal groups, they really can turn them to the common good. For proof, just open a newspaper. The media are currently full of examples of criminal groups proving innovative, agile and responsive to the needs of marginal groups. The Covid-19 pandemic has seen gangs,⁹ cartels,¹⁰ mafias¹¹ and even religious extremists¹² step up to mitigate the impact of the virus on their host societies.

The way ahead seems simple. The EU merely has to remarry its principles with its interests, that is: to become more hard-headed about how to achieve its idealistic long-term goals.¹³ But this is easier said than done. And collusion shows why.

Over the past decades, journalists and academics have catalogued many individual cases in which crime-state collusion has led to liberal outcomes. They have described the potential

⁶ Frontex, the EU borders agency, envisages the emergence of new forms of 'smuggler-states', that is, states captured by smugglers. Its draft strategic risk analysis (SRA) draws on: Federico Varese, *Mafias on the Move: How Organized Crime Conquers New Territories* (Princeton: Princeton University Press, 2011). For more information on the SRA exercise, see: <https://frontex.europa.eu/intelligence/strategic-analysis/>.

⁷ "The State Capture Papers," *Organised Crime and Corruption Reporting Project*, February 24, 2020, <https://www.occrp.org/en/the-state-capture-papers/>.

⁸ Andrea Diaz and Jessica Campisi, "Mexico Goes to the Polls this Weekend. 132 Politicians Have Been Killed Since Campaigning Began, Per One Count," *CNN*, July 2, 2018, <https://edition.cnn.com/2018/06/27/americas/mexico-political-deaths-election-season-trnd/index.html>; Brendan Pierson, "Jurors in 'El Chapo' Trial Told of Mexico's Drug Wars, Corruption," *Reuters*, November 15, 2018, <https://www.reuters.com/article/us-usa-mexico-el-chapo/jurors-in-el-chapo-trial-told-of-mexicos-drug-wars-corruption-idUSKCN1NK2V3>.

⁹ Caio Barretto Briso and Tom Phillips, "Brazil Gangs Impose Strict Curfews to Slow Coronavirus Spread," *The Guardian*, March 25, 2020, <https://www.theguardian.com/world/2020/mar/25/brazil-rio-gangs-coronavirus>.

¹⁰ Vanda Felbab Brown, "Mexican Cartels Are Providing COVID-19 Assistance. Why That's Not Surprising," *Brookings*, April 27, 2020, <https://www.brookings.edu/blog/order-from-chaos/2020/04/27/mexican-cartels-are-providing-covid-19-assistance-why-thats-not-surprising/>

¹¹ Lorenzo Tondo, "Mafia Distributes Food to Italy's Struggling Residents," *The Guardian*, April 10, 2020, <https://www.theguardian.com/world/2020/apr/10/mafia-distributes-food-to-italys-struggling-residents>.

¹² Ruchi Kumar, "Taliban Launches Campaign to Help Afghanistan Fight Coronavirus," *Al Jazeera*, April 6, 2020, <https://www.aljazeera.com/news/2020/04/taliban-launches-campaign-afghanistan-fight-coronavirus-20040605113086.html>.

¹³ Sven Biscop, "The EU Global Strategy: Realpolitik with European Characteristics," *Security Policy Brief*, no. 75, Egmont Institute, Brussels, June 2016, <http://www.egmontinstitute.be/content/uploads/2016/06/SPB75.pdf?type=pdf>.

benefits for development and peacebuilding of accommodating criminals – of “hybridity”,¹⁴ “dirty deals”¹⁵ and “bribing for peace”.¹⁶ And they have warned that purist development policies have often backfired, undermining public administration and inviting corrosive crime. Too often, academics say, fragile states have eschewed criminal partnerships, relying instead on the support of Western donors who fail to fully understand their needs.¹⁷ The result: these weak states fell into the hands of militias and rent-seeking elites. So if the yardstick is the achievement of inclusive and responsive public institutions, then the signs are clear: under the right conditions, crime and collusion can be ‘progressive’.

Moreover, Western diplomats know this. They could probably even cite examples from their own work. One common example concerns their recent attempts to crack down on people smuggling in the Sahel. The north of Niger has traditionally been settled by nomadic traders. The imposition of borders there – first by colonial powers and later by a distant Nigerien government – disrupted this way of life.

Cooperating with collusive states is taboo, and that is what makes collusion such a wicked problem.

Consequently, local communities were more loyal to smugglers than to the Nigerien state. But the government successfully incorporated them in an ‘informal power-sharing’ system in 1991, which is credited with bringing peace and employment.¹⁸ Northerners were permitted to conduct smuggling activities while occupying official positions and the state levied taxes on migrants.¹⁹ Western efforts to crack down on smugglers risked undermining development.

And yet such lessons remain taboo. Western policymakers would rather be seen to do the ‘right thing’ on collusion than act upon such counter-intuitive findings.²⁰ Cooperating with collusive states is taboo, and that is what makes collusion such a wicked problem. This paper seeks to account for mental blockages on the part of policymakers in ways that academics seldom take into account. They would rather berate Western policymakers for their ignorance and self-defeating policies than help them draw practical lessons.²¹ They seem to make a point of crediting positive outcomes to states that go against Western ‘best practice’ rather than showing where

¹⁴ Syaifu Anam, “Peacebuilding: The Shift towards a Hybrid Peace Approach,” *Global & Strategis*, vol. 9, no. 1 (2015), pp. 37–48.

¹⁵ Rachel Kleinfeld, *A Savage Order: How the World’s Deadliest Countries Can Forge a Path to Security* (New York: Pantheon Books, 2018), pp. 101–121.

¹⁶ Yuliya Zabyelina and Jana Arsovska, “Rediscovering Corruption’s Other Side: Bribing for Peace in Post-conflict Kosovo and Chechnya,” *Crime Law and Social Change*, vol. 60, no. 1 (2013), pp. 1–24.

¹⁷ Willemijn Verkoren and Bertine Kamphuis, “State Building in a Rentier State: How Development Policies Fail to Promote Democracy in Afghanistan,” *Development and Change*, vol. 44, no. 3 (May 2013), pp. 501–26.

¹⁸ Luca Raineri, “Cross-border Smuggling in North Niger: The Morality of the Informal and the Construction of a Hybrid Order,” in Abel Polese, Alessandra Russo and Francesco Strazzari (eds.), *Governance Beyond the Law: The Immoral, The Illegal, The Criminal*, International Political Economy Series (Cham: Palgrave Macmillan, 2019), pp. 227–46.

¹⁹ A 2015 European Commission study recognised that between 2003 and 2008, Nigerien authorities levied between CFA 850 million and CFA 3.5 billion in illegal taxes per year from migrants passing through the city of Agadez alone. See: European Commission, DG Migration & Home Affairs, “A study on smuggling of migrants: Characteristics, responses and cooperation with third countries,” Brussels, September 2015.

²⁰ They explain that European voters will withdraw support for EU actions if these are thought to fuel crime and corruption: Europeaid, “Promoting Anti-corruption in EC Development Cooperation,” Fact Sheet, 2009, <https://europa.eu/capacity4dev/pubaideffect/documents/promoting-anti-corruption-ec-development-cooperation>.

²¹ For analysis see: Peter Andreas and Ethan Avram Nadelmann, *Policing the Globe: Criminalization and Crime Control in International Relations* (Oxford: Oxford University Press, 2006).

the West can help.²² By contrast, this *Chaillot Paper* tries to free policymakers from taboos. It frames the issue as a thought experiment, employing the methods of strategic foresight to create a virtual (yet true-to-life) setting for testing new policy ideas.

Even with evidence-based policy recommendations, policymakers are understandably nervous about trying out alternative policies. Thus, the culmination of this three-step thought exercise is to use scenario-building to create a safe space in which to test alternative policies and experiment with breaking taboos.

A thought exercise to challenge implicit policy assumptions

The aim of this paper is to untangle this wicked problem by identifying a way for the EU to pursue its interests in a messy world while staying true to its idealistic goals. It does this by means of a three-step thought exercise designed to re-examine the EU's core policy principles.

Locating the EU's policy on collusion

The EU has no explicit guidelines for dealing with collusion, relying instead on a set of abstract principles about the damage collusion inflicts upon economic and political development. The first step, therefore, is to articulate these hidden assumptions.

Reviewing the evidence

Because the EU has never articulated its assumptions about collusion, it has never looked into the alternative. The second step, therefore, is to actively seek out contradictory evidence suggesting that collusion can in fact promote positive outcomes.

Drawing policy implications

New evidence is of little use unless translated into practical policy recommendations. The third step, therefore, is to examine the implications of policy change and to build an alternative approach that both responds to the evidence and remains true to principles.

²² See, for example: Dispanadda Diskul, Ramrada Ninnad, Andrea Skinner, and Visitorn Rajatanarvin, "Development Not Drug Control: The Evolution of Counter Narcotic Efforts in Thailand," *Journal of Illicit Economies and Development*, vol. 1, no. 1 (2018), pp. 80–8; Volker Boege, Anne Brown, Kevin Clements and Anna Nolan, "On Hybrid Political Orders and Emerging States: What is Failing – States in the Global South or Research and Politics in the West?," *Berghof Handbook for Conflict Transformation Dialogue Series*, vol. 8 (2009), pp. 13–15. Likewise, negative outcomes are attributed to "Western interference". For analysis, see, for example: Roland Paris, "Saving Liberal Peacebuilding," *Review of International Studies*, vol. 36, no. 2 (2010), pp. 337–65; Solveig Richter and Natasha Wunsch, "Money, power, Glory: The Linkages between EU Conditionality and State Capture in the Western Balkans," *Journal of European Public Policy*, vol. 27, no. 1 (2020), pp. 41–62.

SCENARIO 2025

Development by crime in the Gulf of Guinea

In 2025, an international partnership is launched in a West African state, only a few hours flight from the EU. Its centrepiece: a project to strengthen the country's justice system and so boost development. The Chinese ambassador, speaking against the vast blue backdrop of the Atlantic Ocean, proclaims that this Beijing-sponsored project will embrace "local community justice mechanisms", making the country's court system "more efficient and more attuned to grassroots culture". His carefully chosen words disguise a worrying element: the initiative relies on two violent drug cartels to dispense 'justice'. And the cartels' bosses have been nominated as 'community elders', tasked with ensuring compliance within their own ethnic group.

The EU ambassador is asked for her opinion by local journalists, and unintentionally sparks a diplomatic crisis. She dismisses China's 'hybrid governance project' as an excuse to formalise corrupt local practices, in a bid to ensure that the fragile West African state remains a pliant trading outpost for Beijing. This is not just neo-colonialism, she says, but also neo-orientalism: here is an Eastern power reifying backward practices in Africa. The issue is soon picked up at the highest political levels in the EU, where one firebrand leader suggests it poses a threat to Europe's judicial integrity: 'It won't be long before West African diaspora groups here are demanding recognition for tribal law' and 'Chinese-backed gangsters start clamouring to decide on Europe's own justice standards'.

Chinese state media counter that West Africa is 'finally overcoming the legacy of colonial

times, when its justice sector was dominated by a single ethnic group. Now, at long last, the police and judiciary are beginning to open up their ranks to the full range of social elements.' The media hail a new age of Chinese-inspired development: Western development policy 'has only fuelled inequality and corruption'. China offers an alternative. Its engagement is no longer simply about extracting resources; Beijing has shown that its model of governance offers a viable alternative. Moreover, this is not just propaganda: the project has really begun to show signs of success. The local justice sector really is becoming more inclusive, the power of the cartels is dwindling and legitimate livelihoods are beginning to emerge.

What triggered the crisis?

The story began four months earlier, when a swarm of civilian drones loaded with improvised explosive devices (IEDs) buzzed over the country's capital and descended on its central prison, ripping through its east wing, eviscerating inmates and destroying a pop-up drug lab inside. The victims were members of the Coronthie cartel; and the attack was the latest in a series of reprisals in their feud with the Boussoura cartel. The two had only recently opened hostilities: for years, they had been too busy fending off police violence and indiscriminate arrests to fight one another. In prison, they initially thrived together, conducting business and recruiting from the pool of inmates languishing in pre-trial detention. Only as their numbers swelled in the overcrowded prison had tensions mounted.

Shortly before the attack, the Coronthie cartel had been confined to a separate wing, a fact exploited by the Boussoura and their deadly drones.¹ But, ironically, when security services arrived on the scene, the two cartels seemed to forget their differences. Both cartels draw their members from the marginalised Malinké ethnic group; the police are mainly Fulani.² Faced

¹ Similar segregation methods have been used in Latin American prisons. See: "Prisons in Latin America: A journey into Hell," *The Economist*, September 22, 2012, <https://www.economist.com/the-americas/2012/09/22/a-journey-into-hell>.

² The Fulani's prominence is a legacy of colonialism, which left them richer and more influential than other ethnic groups in the country.

with an onslaught from the security services, prisoners from the two gangs united. Together, the prisoners raided the prison armoury and pursued the police back to their compound. Across the whole country citizens watched the footage, struggling to believe that the country's formidable police force was being routed. The president – also Fulani – was forced to beg for moderation and clemency.

The riot in the prison compound was bloody, but the real aftermath played out on the streets – of Brussels. West African community groups descended on the EU's Commission headquarters demanding that it do more. EU development policy had recently begun to focus on boosting European exports to Africa and one of its most successful export areas had been raw chemical products. Protestors complained that these chemicals were falling into the hands of the cartels, which used them to produce synthetic drugs for consumers in the Americas. The African Union (now heavily financed by China) lodged a formal complaint against the EU. And one outspoken Latin American ambassador reinforced the message, calling on Europe "to rethink its principles".

What was the EU's initial response?

Two weeks after the prison attack, EU leaders met at their regular June summit. It was the first time West Africa had been on the agenda for some time: increasingly, the fallout from problems in that region spread south across sub-Saharan Africa and west into Latin America, not north across the Mediterranean. Nonetheless, the EU still considered West Africa to be its backyard, so leaders were stung by the tone of international criticism, especially from the region itself. The EU Development Commissioner reported that the violence pointed to a lack of investment in the country's judicial system. The court system was gridlocked, and the cartels had been able to recruit heavily in prisons because they were full of Malinké trapped in perpetual pre-trial detention.

The Commissioner's proposal was for a programme of judicial automation across West Africa, using artificial intelligence (AI) tools first developed in Europe during the 2021 migration crisis, when the EU was trying to speed up asylum decisions.³ The West African Automatic Sentencing Processor (WAASP), the commissioner claimed, would unblock the courts, while simultaneously reducing administrative costs and helping curb systemic corruption.⁴ But the African Union rejected the EU's insinuation that the root cause of the crisis lay in West Africa. And local critics soon pointed to the WAASP's inherent cultural, racial and class biases,⁵ showing that its software perpetuated the kind of discrimination already endemic within the local security services.

With the WAASP failing to take flight, the West African state had reached out to its own preferred partner – Beijing. China had already turned the country into a major maritime transport hub, a channel to suck up West Africa's

³ During this second wave of irregular migration, EU governments automated the early stages of the asylum process to prevent sub-Saharan immigrants abusing a gridlocked system to disappear into Europe's underground economy.

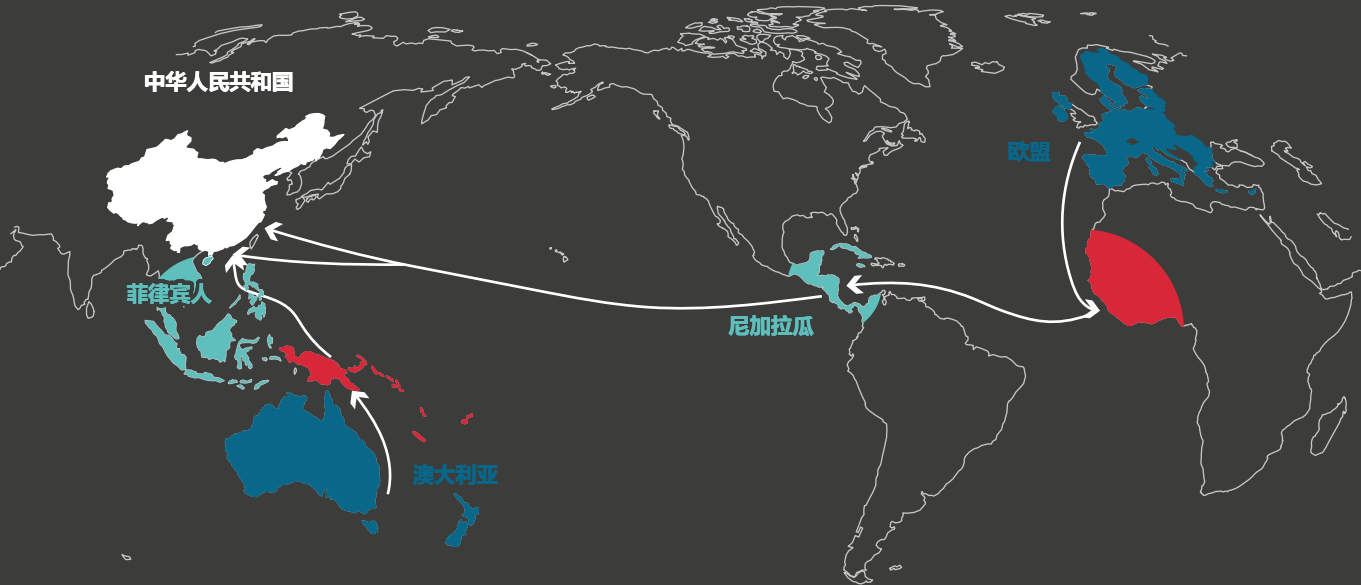
⁴ Vyacheslav Polonski, "AI is Convicting Criminals and Determining Jail Time, but Is It Fair?," *World Economic Forum*, November 19, 2018, <https://www.weforum.org/agenda/2018/11/algorithms-court-criminals-jail-time-fair/>.

⁵ Bias has been a common critique of AI sentencing in the US: Julia Angwin, Jeff Larson, Surya Mattu et al., "Machine Bias," *ProPublica*, May 23, 2016, <https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing>.

New vulnerabilities

Supply chains for stimulant drugs to China

- Chemical production hub
- Drug production hub
- Transit state
- End market



mineral wealth⁶ and a potential stop-off point for shipping destined to cross the new Nicaragua canal en route to Asia.⁷ Now Beijing focused on the country's politico-economic development: increasingly aware of worldwide problems with transnational crime, terrorism and migration, it saw that connectivity entailed a risk. Its new sea links could expose it to threats emanating from West Africa, Latin America and even Europe itself. Seeking to reduce this vulnerability, Beijing took its first steps into state-building.

What lessons does the EU draw from the crisis?

Once the dust has settled on the Chinese project, the political fallout reaches Brussels. On

one side are the liberals, who argue for principled disengagement from the region. They suggest that EU engagement, no matter how well-intentioned, has backfired. Economic modernisation and governance reform have given rise first to crime and then to deep social tensions, borne out in the failure of the WAASP. They argue that the EU should get its own house in order, concentrating on protecting the rule of law at home in the face of transnational threats. On a rare optimistic note, they say that the Chinese project indicates that emerging powers might take a more responsible approach to development if only the EU would stop doing the heavy lifting on their behalf.

Opposition comes from Europe's realists. They contend that principled disengagement is not

6 Neil Hume, "China Consortium Wins Rights to Develop Guinea Iron Ore Deposit," *Financial Times*, December 2, 2019, <https://www.ft.com/content/6729b63c-12d3-11ea-a225-db2f231cfeae>.

7 Nicholas Muller, "Nicaragua's Chinese-Financed Canal Project Still in Limbo," *The Diplomat*, August 20, 2019, <https://thediplomat.com/2019/08/nicaraguas-chinese-financed-canal-project-still-in-limbo/>.

an option: it will only leave Africa prey to a predatory China. Years of liberal EU development policy have succeeded only in spreading wealth (and power) to other parts of the globe, including rapacious powers in the east. The EU should leverage its remaining power to drive forward economic development in key markets, pushing partner states to comply with its own regulatory standards. Unless it acts decisively to protect its interests and find new ways of deal-making with elites in Africa, the EU will face a much bigger threat. China has already begun to cast European standards as part of the problem: how long before Beijing is pressing the EU to align with Chinese regulations?

A small contingent of policy advisers point to a third way: the possibility of the EU engaging in the messy politics of West Africa and remaining true to its liberal principles. In fact, they say, China's engagement with the cartels points the way. Not only is its 'hybrid' justice system in West Africa an objective success, the contours of the project trace a distinctly European line. Liberalism in Europe was born of a similar process of state-building through crime and collusion. With a better understanding of why states enter into relationships with drugs cartels, the EU too can begin to offer a viable alternative. Sadly, these arguments prove unpalatable to EU decision-makers.

CHAPTER 1

WHERE DOES THE EU STAND ON COLLUSION?

The scenario presented in the previous pages, set in the Gulf of Guinea in 2025, shows how crime-state collusion will challenge the EU's principles and interests in the coming years. In the scenario, one of the EU's partners in Africa seeks ways to collude with drug cartels to enforce laws and provide justice. It acts partly out of duress and partly in the belief that collusion with criminal gangs will bring tangible benefits to society. But the move implacably divides EU policymakers. And the gridlock in Brussels in turn opens the door for another outside power to step in and formalise a fitting system of hybrid governance. Future scenarios such as this one suggest that the EU already needs to re-think its policy on collusion and development. And that in turn begs the question: what is the EU's policy on collusion?

The obvious place to look for guidance is the 2016 European Union Global Strategy (EUGS), the EU's overarching foreign policy strategy. Although an explicit mention of collusion is not to be found there, the strategy does reference crime and corruption more than ten times – always as the targets of a clear-cut 'fight' by the EU.¹ So European diplomats can logically infer from the strategy that the problem of state-crime collusion is likewise something to be stamped out, an issue so black and white that

it goes without saying. This is certainly how EU officials behave in the 2025 scenario, taking it as given that China's bargain with the cartels is a bad thing. And yet, exactly this kind of inferred policy assumption is what gives rise to wicked problems. Herein lies the authors' motivation for exploring the issue.

'Collusion' and 'corruption' are both profoundly negative phenomena and yet they are not the same. The latter infers a state of decay, and carries exclusively negative connotations.² But not every public official who partners with illicit actors does so for private gain, weakening the state by misappropriating its resources. Moreover, even when public officials do gain personally from criminal relationships, this does not rule out the possibility of wider public benefits.³ The term 'collusion' can apply to those rare occasions where crime is used in pursuit of state-building or carries broader social benefits. The conflation of these two overlapping but rather different phenomena is reductionist, and by only partially framing the issue, the EU may be ignoring evidence to block out an inconvenient truth.

The EU really ought to consider such ideas when creating development policies. Evidence-based policymaking entails a duty to question even the

¹ European External Action Service, "Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy", Brussels, 2016, https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf.

² Camila Vergara, "Corruption as Systemic Political Decay," *Philosophy & Social Criticism*, vol.47, no.3 (2019), <https://doi.org/10.1177/0191453719868265>.

³ Kendra Koivu, "Illicit Partners and Political Development: How Organized Crime Made the State," *Studies in Comparative International Development*, vol. 53 (2018), pp. 47–56.

firmest assumptions and to probe the possibility to achieve idealistic goals by ‘value-free’ means.⁴ In this case, that would mean asking whether crime and collusion can ever be ‘progressive’, whether collusion can be conducive to liberal outcomes in partner countries, and whether EU development policy has the means to harness collusion to this end. There is plenty of anecdotal evidence that suggests that crime can indeed boost public administration, that it is sometimes the only means by which governments can function, and that it allows administrators to access resources and capabilities that would otherwise be out of reach. But, it seems, the EU does not avail itself of this evidence.

THE EU’S FOUR CORE POLICY PRINCIPLES

The authors believe that the EU’s stance on collusion (and on many other international issues) is instead based on four largely implicit principles that reflect its understanding of how best to achieve its liberal international goals. They are the ‘four P’s’: *precedent*,⁵ *progress*, *problem-solving*⁶ and *the past*.⁷ And they are the central focus of our three-step thought exercise. It is these principles, after all, that would need to change if the EU were to replace its implicit distaste for collusion with something more explicitly accepting of it. Such a change would, moreover, be extremely difficult as these principles suffuse every aspect of EU foreign policy. They not only define its policy on collusion; they reflect how the EU pictures

itself in the world. And they explain the very motif which still guides the EU’s foreign and development policy – the notion of being surrounded by four ‘concentric circles’ of partners.

Precedent

This is the principle that the EU’s own development sets a precedent for others to follow. The EU’s highly-advanced model of governance has produced extraordinary results at home. Thus, the EU will achieve the best results abroad if it applies the same model there too. This means asserting in the outside world the same tough line on crime-state relationships that the EU takes within its borders.⁸ Incidentally, this notion also explains why the EU seems to picture itself at the centre of neat rings of concentric circles: it expects its economic and political norms to suffuse outwards, one ring at a time.⁹ This points to the fact that there is some gradation in EU policy on collusion: the EU has the highest expectations of its nearest neighbours, namely the ‘enlargement’ and ‘neighbourhood’ states. This is not only due to their geographical proximity to the EU; it also takes into account their governance capacity and their prosperity.

Progress

The EU appears to act on the belief that global progress involves step-by-step convergence around Western norms in general and the EU model in particular. As a result, the EU places considerable expectations in nearby states, which have the greatest capacity to adopt its

⁴ Karl Popper, *The Poverty of Historicism* (London: Routledge, 1957); Milton Friedman, “The Methodology of Positive Economics,” in *Essays in Positive Economics* (Chicago: University of Chicago Press, 1953).

⁵ Among many examples: Jan Zielonka, “Europe’s New Civilizing Missions: The EU’s Normative Power Discourse,” *Journal of Political Ideologies*, vol. 18, no. 1 (2013), pp. 35–55.

⁶ Georges Tapinos, “Migration, Trade and Development: The European Union and the Maghreb Countries,” in R. King, G. Lazaridis and C. Tsardanidis (eds.), *Eldorado or Fortress? Migration in Southern Europe* (London: Palgrave Macmillan, 2000), pp. 277–97.

⁷ Ian Manners, “Global Europa: Mythology of the European Union in World Politics,” *Journal of Common Market Studies*, vol. 48, no. 1 (2010), pp. 67–87.

⁸ European Commission, “EU Anti-corruption Report,” Report from the Commission to the Council and the European Parliament, COM(2014) 38 final, Brussels, February 3, 2014.

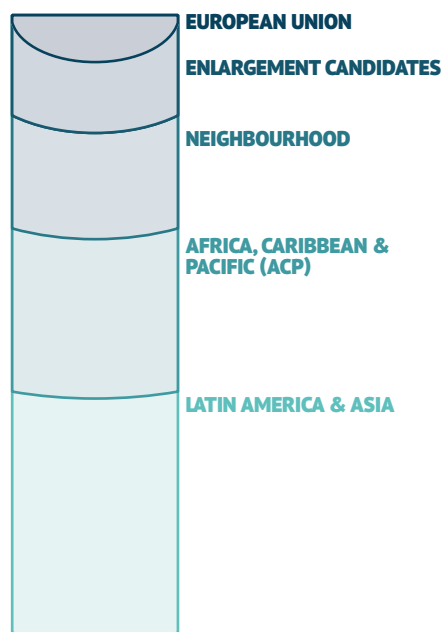
⁹ Michael Emerson, “Just Good Friends? The European Union’s Multiple Neighbourhood Policies,” *International Spectator*, vol. 46, no. 4 (2011), pp. 45–62.

standards. The EU's neighbours in the Western Balkans retain strong crime-fighting capabilities developed by their security services during the Cold War. Moreover, the EU has invested billions of euro in improving their administrative capacity under its Instrument for Pre-Accession Assistance. Accordingly, the EU expects these states to ensure collusion-free public administration. It makes similar demands of its other neighbours, promoting anti-corruption efforts in Georgia, Moldova and Ukraine, among others. Elsewhere, particularly in post-colonial settings and poorer states, it appears somewhat more resigned to crime-state relationships.¹⁰

Problem-solving

The EU's development policy suggests it believes it is possible to solve governance problems in almost any place and culture. It appears to act on the belief that its model is universally applicable and can lift obstacles using economic tools.¹¹ Consequently it defines the focus of its development aid as 'the reduction and ... eradication of poverty',¹² reasoning (presumably) that increased prosperity will lead to better governance and the spread of liberal outcomes. It generally focuses its economic aid on those countries with the lowest World Bank income status.¹³ Its preferred tools are positive ones such as job creation, training programmes and private sector investment, and it uses preferential trading relations to give a leg-up to the world's least developed countries (LDCs).¹⁴ In

The concentric circles model



cases of deviant behaviour, the EU also uses negative economic tools such as trade conditionality and economic sanctions to affect social standards and voter behaviour.¹⁵

The past

The colonial past of five of its six founding members bestows on the EU a general obligation to engage in even distant parts of Africa and

¹⁰ In Afghanistan, for example, one official alleged that "the [EU] line was '[corruption is] a national issue. It does not concern us. We can provide funding.'" See: Mark Pyman, *Corruption: Lessons from the International Mission in Afghanistan*, Transparency International UK, February, 2015, p. 41.

¹¹ Hein de Haas, "The Myth of Invasion: The Inconvenient Realities of African migration to Europe," *Third World Quarterly*, vol. 29, no. 7 (2008), pp. 1305-22; Op. cit., "False Moves: Migration and Development Aid".

¹² Consolidated version of the Treaty on the Functioning of the European Union (2016), Article 208.

¹³ "Middle-Income Countries Must Take Responsibility for Their Own Poor, Says Development Committee," *European Parliament News*, July 11, 2012, <https://www.europarl.europa.eu/news/en/press-room/20120709IPR48497/middle-income-countries-must-take-responsibility-for-their-own-poor>.

¹⁴ In 2007, the EU adopted its Aid for Trade Strategy, which aimed to integrate LDCs into the global trading system. The Generalised System of Preferences (GSP) is a mechanism adopted under this strategy to allow LDCs to pay reduced duties on exports to the EU. In addition, 'everything but arms' (EBA) agreements between the EU and LDCs allow them full tariff-free access for all exports except arms and ammunition. When states graduate from LDC status, they are given a three-year transition period to adapt to the end of the scheme.

¹⁵ A recent example of such sanctions is Cambodia, whose EBA was partially suspended in February 2020. See: Human Rights Watch, "Cambodia: EU Partially Suspends Trade Preferences", February 13, 2020, <https://www.hrw.org/news/2020/02/13/cambodia-eu-partially-suspends-trade-preferences>.

Asia, and to embrace the constraints imposed on *raison d'état* by the post-war multilateral order. This plays out in the two outer rings of states in its concentric circles model.¹⁶ The EU lavishes the most attention on a confection known as 'Africa-Caribbean-Pacific' (ACP), which includes the majority of states decolonised after 1945. The outermost ring comprises Latin America and Asia, where this responsibility is 'shared' with local organisations and third powers. The EU appears to accept that crime-state relationships may be a legacy of colonialism, but it opposes these on the basis that crime could easily overwhelm already weak public administrations. And it uses development aid and support for multilateral organisations to crowd out competitors like China that might undermine these constraints.¹⁷

Opening Pandora's box

It can be a risky business to rethink principles on any matter. But collusion opens a veritable Pandora's box. If the EU did accommodate collusive states it would seem to acknowledge that its values are not in fact universal and that its own particular understanding of crime is little more than an accident of history. Its rivals already point out that, when it comes to crime and punishment Europeans have not always been on 'the right side of history'. Practices such as child labour, slavery and privateering were once readily accepted, whereas blasphemy, homosexuality and witchcraft were at times deemed criminal.¹ Even today, there is a vibrant debate in Europe about whether certain forms of behaviour are really criminal. And one of the great obstacles to EU justice cooperation is the fact that practices illegal in one member state may not be in another.²

Presumably these rivals and malcontents – Russia, China, even North Korea – would quite like the EU to bend and embrace moral relativism. They would use any acknowledgement of Europe's past sins as a licence for crime. Whole swathes of the globe that EU foreign and development policy is 'moralising' and towards which it deploys double standards and an

¹⁶ William Brown, "Restructuring North-South Relations: ACP-EU Development Co-operation in a Liberal International Order," *Review of African Political Economy*, vol. 27, no. 85 (2000), pp. 367–83.

¹⁷ Maurizio Carbone, "The European Union and China's Rise in Africa: Competing Visions, External Coherence and Trilateral Cooperation," *Journal of Contemporary African Studies*, vol. 29, no. 2 (2011), pp. 203–21.

¹ Transform: Drug Policy Foundation, "Drug Decriminalisation in Portugal: Setting the Record Straight", November 14, 2018, <https://transformdrugs.org/drug-decriminalisation-in-portugal-setting-the-record-straight/>.

² On the problem of 'dual criminality', see: European Commission, "Communication to the Council and the European Parliament: Mutual Recognition of Final Decisions in Criminal Matters," COM(2000) 495 final, Brussels, July 26, 2000.

attitude of ‘do as we say, not as we did’.³ A similar moral relativism can be found even among academics. Ottorino Cappelli, if the authors interpret him correctly, cautiously welcomes Moscow’s mafia connections on the grounds that violent authoritarianism was a stepping stone that European states took – “the essential ground on which more autonomous and capable modern states were later built”.⁴ And he criticises the “ahistorical liberal-democratic impatience [which] may consider this too modest an achievement.”⁵

The aim of this study is not to justify a relativist approach to crime – just the reverse. The authors treat the EU’s present-day definition of crime as the ‘gold standard’, using the term ‘crime’ as shorthand for practices widely deemed criminal in the EU today. Likewise, in line with current EU practice, the authors focus on ‘serious’ and ‘organised’ crime, as this is more likely to have a significant effect on development. Finally, when imagining the future of crime, we do so by reference to fields where EU crime-fighters are forging a leading role: cybercrime, slave labour, human organ trafficking, drug production and genome editing. And we draw on key EU policy documents, including the Serious and Organised Crime Threat Assessment (SOCTA) produced by Europol, the EU agency for law enforcement cooperation.⁶

Nor is the aim of this study to redefine the EU’s current idealistic international goals. It seeks merely to test whether the EU can better achieve them by a conditional accommodation of collusion – to test whether this might be a means to overcome cultural specificities, ensure that collusive states adopt European norms and, above all, to reduce global crime. Like Cappelli and other such academics, the authors are particularly interested in the precedent set by Europe’s own historical path to development. But, whereas Cappelli might treat evidence of Europe’s past reliance on crime as a reason for relativism, the authors see it as a way to hone the EU’s promotion of its norms. Rather than leaving itself open to accusations of double standards, Europe can potentially use this more nuanced understanding of its past to create more credible, sympathetic and effective foreign policies.

3 House of Commons International Aid Committee, “Aid under Pressure,” Evidence, Mr Maciej Popowski, Fourth Report 2008–2009, p. 60; Hayriye Avara and Bruno Mascitelli, “Do as We Say, Not as We Do’: EU to Turkey on Roma/Gypsy Integration,” *European Review*, vol. 22, no. 1 (2014), pp. 129–44; Peter Evans, “Develop as We Say, Not as We Did,” Interview with Ha-Joon Chang, *Berkeley Review of Latin American Studies*, April 7, 2008, <https://clas.berkeley.edu/research/development-develop-we-say-not-we-did>.

4 Ottorino Cappelli, “Pre-Modern State-Building in Post-Soviet Russia,” *Journal of Communist Studies and Transition Politics*, vol. 24, no. 4 (2008), pp. 531–72.

5 Ibid.

6 Europol lists 44 areas of ‘serious organised crime’ of which eight are identified as priority crime threats: cybercrime; drug production, trafficking and distribution; migrant smuggling; organised property crime; trafficking in human beings; criminal finances and money laundering; document fraud; and the online trade in illicit goods and services. See: Europol, *Serious and Organised Crime Threat Assessment*, 2017.

CHAPTER 2

CAN CRIME CONTRIBUTE TO LIBERAL DEVELOPMENT?

The key to unlocking wicked problems is evidence – more precisely, generating evidence to help decision-makers reconcile seemingly contradictory pressures. In the case of the EU and the many dilemmas facing its foreign policy, this means digging up evidence to reconcile its long-held ideas about the effective realisation of its idealistic goals with a new emphasis on its basic interests.

If the authors are correct, the EU has distilled its ideas about effective foreign policy into four core principles – summed up as ‘precedent’, ‘progress’, ‘problem-solving’ and the ‘past’. The implicit assumption running through all four principles is that what worked best inside Europe will also work well abroad. In the case of collusion, that understanding of Europe’s history explains why the EU tries to banish criminals from the public sphere.

Having articulated the EU’s guiding policy principles the real work begins with an effort to challenge them. It goes without saying that crime is an overwhelmingly negative phenomenon, a leech on the body politic. But the assumption that crime is uniformly negative appears to derive from a classic liberal reading of European history. The task now is to look for any instances where crime has in fact served liberal development.

Any such evidence would show that the EU can, at least in theory, follow its interests by engaging with collusive states, without compromising its idealistic liberal goals. Is the classic liberal interpretation of history accurate or can

The EU’s four core policy principles

Precedent

Europe’s own model of politico-economic development sets the path and template for others, including its achievement of (virtually) crime-free governance.

Progress

As in Europe, states’ progress is measured by their ability to modernise and spread the benefits of development to their citizens, requiring strong administrative capacity to banish illiberal forces like criminals.

Problem-solving

Societal obstacles to progress can be overcome, no matter a country’s culture or geography, by spreading prosperity, raising living standards and creating a robust middle class.

The past

Europe’s history does have a dark side and this presents the EU with a unique responsibility to prevent a resurgence of colonialism and neo-imperialism – including by emerging powers exploiting corrupt regimes.

crime, in fact, advance liberal development? The search for evidence that actively contradicts these assumptions is detailed over the course of this chapter, and permits the construction of a counter-case:

- > Collusion did in fact play a positive role in Europe's own historical path to liberalism;
- > Collusion can sometimes be more conducive to good public administration than crime-fighting;
- > More prosperous societies sometimes find collusion more acceptable than their poorer counterparts;
- > The global liberal framework sometimes pushes states towards crime.

LESSON 1

Collusion helped Europe on the path to liberalism

Most of the literature about the EU's early development in the 1950s, and European international development policy since its launch in 1975¹ has roots in economics and political economy. This canon of literature proves almost uniformly sceptical about there being any public benefits to crime-state relations, tending to frame the subject in terms of 'rent-seeking' and corruption. There is, however, a slim strand of literature on the EU and its international policies which is rooted in state-building.² And that body of analysis does provide evidence that collusion can play a positive role: collusion has on occasions helped states improve their governance capacity by

centralising powers (violence, money-making and rule-making) while also giving society a lever to control the state and tame it.

On the surface, it would hardly seem to mount a challenge to the EU's current policy principles: the EU's antipathy towards crime and corruption is based on the modern-day finding that these phenomena are profoundly negative. By contrast, most of this state-building literature draws on the deep history of development in Europe, Asia and the Middle East. It details how the earliest states emerged thanks to a close cooperation with violent and predatory criminals, before gradually turning these attributes to the common good. And yet, the EU is engaged in cooperation with partner states in the very early stages of modernisation (Afghanistan), which suffer from weak central authority (Libya), or which have missed out on vital early steps of state-building (Somalia). So this deep history is not without relevance.

Today, states across the developing world find themselves under huge strain. As such, it would probably be easy to argue the case for granting an exceptional loosening of aid conditions for developing states with criminal links. But the evidence goes further than making the case for merely a partial exemption. In fact, it suggests a systemic link between collusion and successful state-building – a link also apparent in European history. If, as we believe, the EU's guiding policy principle is the concept of 'precedent' – the idea that Europe's own liberal path guides the way for others – then Brussels is duty bound to at least consider this evidence. The EU is the inheritor of its member states' deep history and is a leading international development player. Moreover, this alternative history of development – of state-building through crime – is often better at explaining liberal outcomes than liberal history itself.

1 One expert argues that until the Lomé Convention of 1975, the EU lacked a 'coherent overall development policy'. See: Dieter Frisch, "The European Union's development policy. A personal view of 50 years of Development Policy", *Policy Management Report* 15. ECDPM, Maastricht, www.ecdpm.org/pmr15.

2 James Caporaso, "The European Union and Forms of State: Westphalian, Regulatory or Post-Modern?" *Journal of Common Market Studies*, vol. 31, no. 1 (March, 1996), pp. 29-52; Jan Zielonka, "Is the European Union a Neo-Medieval Empire?" *Great Debate Paper* no. 1, The Cicero Foundation, 2008, https://www.cicerofoundation.org/wp-content/uploads/Jan_Zielonka_The_EU_Neo-Medieval_Empire.pdf.

State-building by crime: the case of Japan

State-building in Europe began when warlords expanded and consolidated their realms through violence and expropriation. Similar processes also took place elsewhere – in the Ottoman Empire,¹ Yorubaland,² Hawaii,³ and beyond. Once they established power, rulers then went on to outlaw the very same methods from others.

In late sixteenth century Japan, for example, the *daimyō* (warlord) Oda Nobunaga waged war against rival lords and deposed the ruling shogun.⁴ By the end of his rule, most of

Honshu was under his control and the power of other *daimyō* severely curtailed.⁵

His successor, Hideyoshi, continued the process of territorial consolidation by similarly violent means. Yet once his power was secure, he forced disarmament throughout the country, sending government troops on ‘sword hunts’ to confiscate weapons. His aim was clear: to secure a monopoly on force, or ‘coercion’, within Japan as he launched a (disastrous) invasion of Korea.⁶

- 1 In the nascent Ottoman Empire, the *devsirme* system was imposed on the Christian population, allowing the state to claim (by force) male children between 8 and 12 years old for the Sultan’s private army in Istanbul. This army raised helped bolster the Sultan’s ability to assert a monopoly on violence and reduce the power of the Turkish nobility. See: Ahmad Feroz, *The Making of Modern Turkey* (London & New York: Routledge, 1993), pp. 18–19.
- 2 The pre-colonial Niger basin comprised a number of Yoruba ‘states and a state system that derived extensive support from three distinctive features – warfare, slavery and slave-taking,’ each of which helped the Yoruba elite to control the resources they needed to gain power and influence. See: E.C. Ejiogu. “State building in pre-colonial sub-Saharan Africa: The case of Yorubaland”, in *Political Power and Social Theory* (published online: 12 March, 2015), pp. 3–40.
- 3 Proto-states formed in Hawai’i as local leaders such as Ma’ilikukahi on the island of O’ahu became ‘stationary bandits’ who sought to centralise power for themselves, often while seeking to expand their rule to other islands. By the eighteenth century, the eight islands of Hawai’i counted just three rulers. And by 1810, King Kamehameha I had constructed a centralised kingdom ruling over all eight (thanks in part to his acquisition of European military technologies). See: Ian Morris, *War! What Is It Good For?: Conflict and the Progress of Civilization from Primates to Robots* (New York: Farrar, Straus and Giroux, 2014), pp.149–50.
- 4 *Ibid.*, pp.151–2.
- 5 Nobunaga used investiture of *daimyo* with new lands as a tool to move them away from their established power bases and prevent them from being able to raise their own private armies. See: Philip Brown, *Central Authority and Local Autonomy in the Formation of Early Modern Japan* (Stanford: Stanford University Press, 1993), pp. 6–7.
- 6 *Op. Cit.*, *War! What is it Good For?*, p. 152.

THE EVIDENCE

A lesser known strand of historical analysis tells the story of state-building and development in Europe as a tale of criminal enterprise.³ Like the familiar liberal version of European history, this alternative story begins around 3,000 years ago

as advances in agriculture encouraged people to settle down. But, whereas liberal history sees this as the point where economic rationalisation and civilisation unfurl in a smooth progressive fashion, revisionist historians tell a different story. As urban settlements became widespread, they say, people were forced to settle down, abandoning small non-hierarchical mobile communities and traditional itinerant ways of

3 Janice Thomson, *Mercenaries, Pirates, and Sovereigns: State-Building and Extraterritorial Violence in Early Modern Europe* (Princeton: Princeton University Press, 1994); Willem van Schendel and Itty Abraham, *Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization* (Bloomington: Indiana University Press, 2005); Peter Andreas, “Illicit Globalization: Myths, Misconceptions, and Historical Lessons,” *Political Science Quarterly*, vol. 126, no. 3 (2011), pp. 403–25.

ensuring security.⁴ In these vulnerable, hierarchical communities, crime emerged as a strategy for survival, resistance and finally advancement – a ‘crooked social ladder’,⁵ or tool to rise in society. But as elites formed, they used these criminal techniques to control populations and territory. What had been a means of resistance increasingly became an instrument of power.

In Europe, the first states took form in the Middle Ages as rulers deployed just such means of crime and terror – a protection racket.⁶ This occurred when a predatory class of roving warlords gained respectability as great landowners. They asserted control over large areas of land by labelling itinerant populations as ‘bandits’ while claiming freedom of movement for themselves.⁷ Pastoralists now found themselves tied to plots of land too small to support their needs and thus to a precarious system of joint food production. Landlords exploited their vulnerability for financial gain, offering peasants a sense of security, which often amounted to little more than an exemption from violence meted out by the lord’s own militia. For ordinary people, roving banditry remained a common means of resistance. But the methods of the lords – or ‘stationary bandits’⁸ – were more effective. Owning land meant that they were able to extort revenue through ‘tithing’, later relabelled ‘taxation’.

Liberal historians assert that European nation-states emerged from a dynamic of national market-building, economic rationalisation and ‘bourgeoisification’.⁹ Revisionists

instead see a brutal logic of power-seeking and *raison d’état*. And the means were crime and criminalisation. As their landholdings became larger, power struggles between feudal lords intensified. States cheered when a single winner was able to claim a monopoly on violence.¹⁰ The winners centralised the means of ‘coercion’ (violence and protection), then ‘extraction’ (raising capital) and, finally, ‘transgression’ (the power to make and break rules). Each time they centralised a set of criminal powers, rulers outlawed their use by others as a way to lock in their advantage. If this revisionist narrative is to be believed, European states were large-scale protection rackets that controlled populations through the asymmetrical use of crime, terror and mobility.¹¹

The pertinent lesson for EU strategists thinking about weak states like Syria and proto-states like Afghanistan is that this brutal process did not preclude liberal outcomes. Indeed liberalism was a logical outcome of the desire to centralise power. Rulers accrued their powers by criminal techniques but, importantly, they then outlawed their use by others, leading to the pacification and civilianisation of territory. In order to lessen their reliance on criminals, they sought to broaden their range of domestic allies by spreading the benefits of their rule. Early European rulers were reliant upon local warlords from whom they bought protection and security. But, increasingly, they aligned themselves with other classes to undercut these rivals.¹² The urban gentry provided rulers with access to the capital they needed to fund standing armies

4 The popular historian Yuval Noah Harari argues that migration is the natural state of humanity. It is an innate survival strategy, providing physical and food security. The invention of the plough obliged societies to become sedentary, exposing them to unimaginable vulnerabilities. This meant that the course of civilisation unrolled not smoothly but rather with one panicked innovation after another. As he succinctly puts it, ‘wheat domesticated man’, rather than the other way around. Yuval Noah Harari, *Sapiens: A Brief History of Humankind* (London: Vintage Books, 2011).

5 James M. O’Kane, *The Crooked Ladder: Gangsters, Ethnicity and the American Dream* (New Brunswick, NJ: Transaction Publishing, 1992); Malcom Gladwell, ‘The Crooked Ladder,’ *New Yorker*, August 4, 2014, <https://www.newyorker.com/magazine/2014/08/11/crooked-ladder>.

6 Charles Tilly, ‘War Making and State Making as Organized Crime,’ in Peter Evans, Dietrich Rueschemeyer and Theda Skocpol (eds.), *Bringing the State Back In* (Cambridge: Cambridge University Press, 1985), p. 171.

7 Tim Cresswell, *On the Move: Mobility in the Modern Western World* (New York: Routledge, 2006), p. 13.

8 Mancur Olsen, *Power and Prosperity: Outgrowing Communist and Capitalist Dictators* (New York: Basic Books, 2000).

9 For example, T.H. Marshall’s theory of how citizenship rights in England evolved. See: T.H. Marshall, *Citizenship and Social Class: And Other Essays* (Cambridge: Cambridge University Press, 1950).

10 Op. Cit., ‘War Making and State Making as Organized Crime,’ p. 171.

11 Ibid., p. 172.

12 Ibid., pp. 179–80.

of their own. In return, rulers promised to put their powers to work for their new clients – offering the middle classes law and order, jobs and services, and a social contract.

State-building by force: the case of France

The foundations for modern centralised rule were laid in France only in the 1620s, when Cardinal Richelieu began to claim as doctrine a royal monopoly on force. Following Richelieu's advice, Louis XIII destroyed the castles of the great rebel lords against whom his armies faced a constant struggle. In a bid to disarm his rivals, the king also condemned duelling, the carrying of deadly weapons and the raising of private armies. It took another 50 years and the series of calamitous civil wars known as 'La Fronde' (1648–1653) for the crown to decisively wrest control from the nobility.¹ This marked the point at which local warlords finally yielded to a prince and where domestic violence between rival landholders gave way to international warfare.

1 Op. Cit., "War Making and State Making as Organized Crime", pp. 173–4.

LESSON 2

Collusion can be more conducive to good public administration than crime-fighting

The EU seems to subscribe to a linear conception of progress based on a liberal reading of history. That would explain its heavy focus on building other states' capacities and sharing technical expertise in the field of justice and home affairs.¹³ In the classic liberal reading, strong state institutions established themselves via a Darwinian logic of growth through competitive struggle. In Europe, that involved a centuries-long arms race against criminal groups. States secured their monopoly of coercion, extraction and transgression at the expense of rivals; the struggle honed and strengthened their capacities; and it allowed them to outlaw their competitors.

This classic liberal reading of history would explain one of the hidden assumptions underpinning the EU's understanding of progress, and one which we believe is problematic – that states with strong crime-fighting capacities are guilty of backsliding if they forgo competition with criminals in favour of collusion. There is a strand of evidence to offer a different perspective. It shows that crime-fighting is not the only means of state-building. And nor is it necessarily the best. Fighting criminals is a risky strategy with no guarantees of success – and, even when it is successful, it can cost the state and society dearly. Pragmatic and limited collusion sometimes works better.

Throughout history, states have advanced not by fighting crime but by tolerating or cooperating with criminals – even with those groups whose behaviour the state itself had proscribed. Somewhat counter-intuitively, such incidences of collusion grew more frequent as states advanced because the process of gradual state

13 This criticism has been levelled against the EU's foreign policy in general and its Neighbourhood Policy in particular. In Ukraine, for example, TAIEX has been criticised for an excessive focus on government-to-government cooperation at the expense of deeper developmental work. See: Richard Youngs (ed.), "Is the European Union Supporting Democracy in its Neighbourhood," Fundación para las relaciones internacionales y el diálogo interior, p. 91, https://www.files.ethz.ch/isn/94972/EU_democracy.pdf.

Collusive development: the case of Thailand

Thailand struggled for many years to rein in illicit poppy cultivation in its remote and ethnically diverse highland regions. Unable to muster the repressive force needed to eliminate the industry, it tried an alternative approach. In the 1980s, it began to focus on better integrating the highlands, providing greater funding for education, health and infrastructure and focusing on integrating non-Thai ethnic groups.¹

Laws criminalising cultivation were introduced only later and, even then, a gradual timeline for crop eradication was then negotiated with local communities. In 2002, Thailand was declared ‘poppy-free’ by the UN Office on Drugs and Crime.² Its ‘alternative development’ approach won over international partners, and the state has begun to apply similar measures in urban areas where synthetic drugs are now being produced.³

1 Op. cit., “Development Not Drug Control: The Evolution of Counter Narcotic Efforts in Thailand”.

2 Ibid.

3 Ibid.

expansion and consolidation obliged them to focus on borderlands and marginalised groups.

Criminal elements there could supplement the state’s power and enjoyed the legitimacy of local custom. Rather than undermining the state, a willingness to collaborate with or, at the very least tolerate criminal activities strengthened

states, allowing them to control marginal territory societal groups by cooperative means rather than by the costly deployment of force.

THE EVIDENCE

The ideal of state-building through crime-fighting, the one that seemingly inspires European policymakers, certainly does have historical precedent and can readily be illustrated with examples such as the development of the Finnish Sea Guard. When the fledgling Finnish state banned alcohol in 1919, customs officers seized thousands of litres from fishing boats and merchant ships in the first months. But smugglers were quick to innovate.¹⁴ They armed themselves and clashed violently with law enforcement agencies. The state was obliged to compete with them. As a result, political will to tackle the problem grew and the state invested heavily, hiring more customs agents, providing better equipment and encouraging communications with other law enforcement agencies. By 1930, Finland had a fully-fledged Sea Guard, a new agency fully dedicated to the supervision of its territorial waters which – unlike prohibition laws – is still around today as part of the national Border Guard.¹⁵

But this ideal type of state-building is nonetheless comparatively rare and does not always end well. Even when the state achieves its aims of defeating criminals and asserting state authority, it often encounters setbacks and bottom-up resistance. This is illustrated by another Nordic example, albeit one from an earlier phase of state-building: in the late seventeenth century, the borderlands of Sweden and Denmark fell into the hands of bandits known as *Snapphanar*; both states asserted their authority, leading to the first real demarcation

14 “History of Finnish Customs: Prohibition Act,” The Customs Museum, <https://tulli.fi/en/web/tullimuseo/history-of-finnish-customs1/prohibition-act>.

15 Op. Cit., “Illicit Partners and Political Development,” pp. 157–9.

of the border – but it took generations for the bloodletting to be forgotten.¹⁶ In the past, such bloodshed was an acceptable cost for states, which were largely unaccountable to their citizens. But, today, it saps governments' legitimacy.¹⁷ Crime-fighting can escalate violence, engulfing society as a whole and unwittingly strengthening criminal groups.¹⁸ Often the state responds by adopting an even stricter approach, empowering coercive institutions such as the police and border guard. These measures are counterproductive¹⁹ and may result in abuses of power.²⁰

These lessons of history continue to go unheeded. Present-day China bears the legacy of a worst-case scenario example of an aggressive crime-fighting approach. In the early twentieth century, successive Chinese governments (both imperial and republican) presided over a campaign to suppress rural opium production. These efforts met with strong resistance. The rural populations regarded opium cultivation as a legitimate activity, and their livelihoods depended on it. The state responded by engaging in a highly repressive form of law enforcement. The campaign was highly successful in eradicating production – but it robbed state institutions of societal acceptance in opium-producing regions. This contributed to the revolution and the fragmentation of the Chinese state in 1917, a state of affairs which spurred its most recent attempts at centralised control.²¹

Weak states like Afghanistan or Iraq have the most to gain from a raw assertion of crime-fighting power. But they also have the

Criminal legitimacy: the case of the Italian Dodecanese

In 1924, the governor of the Italian islands of the Aegean reported back to Rome that the province had become rife with smuggling. But, rather than detailing measures taken to curb illicit trade, he wrote that his administration “does not encourage smuggling, but neither does it apply itself to repressing it”.¹ This permissive approach was based on two basic observations. First, many islanders' livelihoods depended on trade with nearby Greek and Turkish islands, and so the legitimacy of the Italian administration would be difficult to maintain if this were banned. And, second, the cost of patrolling the islands' extensive coastline would dwarf any improvement in customs revenues. By turning a blind eye to smuggling, the Italian administration responded to the needs of local people and bolstered its legitimacy.²

1 As quoted by Filippo Marco Espinoza and Giorgios Papanicolaou, “Smuggling in the Dodecanese under the Italian Administration,” in G.A. Antonopoulos (ed.), *Illegal Entrepreneurship, Organized Crime and Social Control* (Cham: Springer, 2016), p. 189.

2 Ibid.

16 Thomas Gallant, “Brigandage, Piracy, Capitalism, and State-Formation: Transnational Crime from a Historical World-Systems Perspective,” in Josiah Heyman (ed.) *States and Illegal Practices* (London: Hart Publishing, 1999), pp. 48–9.

17 States often attempt to legitimise such violence with euphemisms such as ‘cleansing’ (Colombia), ‘pacification’ (Brazil) or ‘encounter killings’ (India). See: Nicholas Rush Smith, *Contradictions of Democracy: Vigilantism and Rights in Post-Apartheid South Africa* (Oxford: Oxford University Press, 2019), p. 214.

18 Vanda Felbab-Brown, “A State-Building Approach to Organized Crime, Illicit Economies, Hybrid Threats and Hybrid Governance,” in Virginia Comolli (ed.) *Organized Crime and Illicit Trade* (Washington, DC: The Brookings Institution, 2018), p. 130.

19 In El Salvador, for example, iron fist (*mano dura*) policies were ‘an ineffective, even counterproductive approach to the gang problem’. See: Sonja Wolf, *Mano Dura: The Politics of Gang Control in El Salvador* (Austin, TX: University of Texas Press, 2017), p. 226.

20 The systematic abuse of power by the Philippines' police force is a recent example of this tendency. See: Human Rights Watch, “License to Kill”. Philippine Police Killings in Duterte's ‘War on Drugs’, March 2, 2017, <https://www.hrw.org/report/2017/03/02/license-kill/philippine-police-killings-dutertes-war-drugs>.

21 James Windle, “Harms Caused by China's 1906–17 Opium Suppression Intervention,” *International Journal of Drug Policy*, no. 24 (2013), pp. 498–505.

Crime or revolution: the case of Britain's American colonies

In the second half of the seventeenth century, the British authorities imposed trading rules that severely restricted the American colonies' ability to trade with other European states in a bid to consolidate their hold over the territory. In the northern colonies, this posed an acute threat to local stability and security as these areas produced very little that was in demand in Britain.¹ As a result, port cities like New York, Philadelphia and Boston turned to smuggling as a means of offsetting the shock. Smuggling was deemed legitimate not just by the poor in these areas, but also by the existing merchant elites.²

Initially, colonial smuggling "was met with imperial accommodation more than

enforcement."³ At first, this was because illicit wealth drove up demand for British goods, providing a stimulus to trade and consolidating the power of the British state. But as time wore on, tolerance of smuggling became an unofficial means for the Crown to signal to the colonial elite that it was sensitive to their needs, even if official trade regulations were not. When mounting debt prompted Britain to crack down on colonial smuggling in the 1760s, it became clear to colonial society that their needs were secondary to those of the Crown. This prompted a surge in revolutionary activity in the northern colonies. The merchant elite began to smuggle arms and ammunition across borders, precipitating the American War of Independence.⁴

1 Peter Andreas, *Smuggler Nation* (Oxford: Oxford University Press, 2013), pp. 13–22.

2 One prominent family of merchant-smugglers were the Hancocks of Boston. John Hancock was one of the signatories of the Declaration of Independence. See: *Ibid.*, pp. 13–22.

3 *Ibid.*, p. 15.

4 Andreas contests that "[i]t was not so much Britain's burdensome trade and tax rules that provoked such outrage in the colonies but rather the attempt for the first time to actually enforce the rules—and thus threaten long-established smuggling activities." *Ibid.*, p. 30.

most to lose. If they fail to beat violent criminals in a straight fight, they haemorrhage authority. This is why, rather than establishing power by imposing the rule of law, many states instead cohere by offering precisely the opposite: qualified exemptions from it. Throughout European history, there have been examples of rulers who advanced state-building through cooperation with criminals – even those whose behaviour they had themselves proscribed. Somewhat counter-intuitively, such incidences of collusion grew more frequent as states

advanced. This is because the process of state expansion and consolidation obliged them to focus on their margins: on borderlands and marginalised groups. Criminal elements there could supplement the state's access to capital and enjoyed the legitimacy of local custom.

LESSON 3

Prosperous societies sometimes find collusion more acceptable than poorer ones.

As we have seen, the classic liberal reading of history portrays global progress as a linear process, with economies growing more efficient via a Darwinian process of competition. We have corrected this by placing state-building centre-stage, and highlighting that states develop in a non-linear, cyclical fashion. But there is a second, equally important element to the liberal model. Liberals imagine a close link between economic competition and democratisation. They argue that economic liberalisation drives political liberalisation. As domestic economies modernise, the logic goes, urban middle classes demand modern democratic governance and provide governments with the support to expel criminals from the body politic. The EU's development goals likewise focus on the democratisation of society, and it logically tries to achieve this by addressing what it identifies as the economic root causes of obstacles to socio-political modernisation.

Yet this classical liberal view is increasingly under fire due to its inability to explain a simple fact: global wealth has spread in the last 30 years, but democracy has stuttered. Why, for instance, do China's fast-growing middle classes appear largely content with an authoritarian leadership that itself engages in deviant

behaviour like intellectual property theft?²² And why has Russia neither embraced liberal democracy nor severed its ties to criminal groups despite levels of wealth on a par with some EU member states?²³ Revisionist history is better able to answer these questions. As we have already seen, this alternative understanding of development argues that progress is better benchmarked by the aggressive centralisation of power by the state than by economic indicators, and that collusion with criminals offers states a means to achieve this. But, vitally, it also suggests that collusion is what gives vent to bottom-up pressures for political inclusion.

THE EVIDENCE

The classic liberal model of development holds that states become more responsive to their populations as their middle classes expand and demand a say in government. Yet revisionist historians have highlighted a dynamic of political liberalisation and tolerance driven by a quite different process – not economic modernisation, but *raison d'état*. This involved the incorporation of marginal and often criminal groups into the apparatus of the state. This process was driven by necessity. Marginal groups such as the Cossacks of the Russian Steppes²⁴ or the Uskoks of the Habsburg Adriatic,²⁵ had become highly adept at using crime as a means of survival on the margins of a state that neglected them. Rather than eliminating such groups, rulers instead co-opted them into their service. In return, the state granted these criminal

22 Andrew Nathan, "The Puzzle of the Chinese Middle Class," *Journal of Democracy*, vol. 27, no. 2 (2016), pp. 5-19.

23 According to World Bank figures, Russia's gross national income (GNI) per capita stood at \$26,470 in 2018. Two EU member states fell into a range of less than 5% above this figure, while one stood below. See: International Comparison Program, "GNI per capita, PPP," World Bank, <https://data.worldbank.org/indicator/NY.GNP.PCAP.PP.CD>.

24 Early Cossack communities were made up of criminals, runaways and misfits who fled to the borders of Muscovy to escape feudal obligations, taxation, famine, debt and justice. During the fourteenth century, the emerging Muscovite state co-opted Cossacks on its south-eastern borders to work as border guards, to defend against Tatar raids and to guide emissaries and merchants safely across the Steppe. In return, Cossacks' reliance on piracy and theft was tolerated by the state. See: Kelly Hignett, "Co-option or criminalisation? The state, border communities and crime in early modern Europe," *Global Crime*, vol. 9, nos. 1-2, February-May 2008, pp. 37-40

25 The Uskoks were a band of Christian refugees from Ottoman lands that settled in Senj on the Dalmatian coast. Here, they survived through plunder, piracy and racketeering against Muslims and Christians alike (although they denied the latter). Throughout the sixteenth century, Habsburg authorities tolerated the Uskoks' criminal activities. In response to Venetian complaints about Uskok piracy, the Habsburg state claimed that the Uskoks were necessary to defend against the Ottoman threat and that the state could not afford to replace them with regular troops. Only with the decline of Ottoman power in the early seventeenth century did the Habsburgs begin to crack down on Uskok activities. See: *Ibid.*, pp. 40-45

bands ‘privileges’, often amounting to an exemption from the strict application of the law.

The implacable logic of *raison d’état* was even more obvious in Western Europe. There, rulers colluded with violent criminals, driven by a desire to appropriate the criminals’ coercive capabilities. Outside the ruler’s employ, their associates were violent outlaws – but their ability to wield force made them a valuable asset.²⁶ Thanks to rulers’ thirst for power, roving bandits became police, highwaymen tax collectors and pirates privateers. Collusion served not only to strengthen public administration but also to make it more open and inclusive. This is because rulers picked their dubious associates from the geographical and societal margins of the state, and they were subsequently unable to quash them without widespread social resistance. Instead they simply co-opted violent criminals into the system, oftentimes yielding to local customs.²⁷

The same holds true for rulers’ relations with non-violent criminals. European states turned to these groups when they needed to boost their ‘extractive’ capabilities and raise money. One typical example is in times of war, when they found themselves cut off from international trade and financial flows. The French state, for example, licensed smugglers to break its own naval blockade in the English Channel to deliver gold, goods and information from England. As well as helping the state build capital, these operations represented a means of reaching out to the fringes of French territory and society, bringing jobs and welfare to struggling port towns.²⁸ Naturally, if it had been able to pursue its blunt logic of centralisation, the state would have appropriated the smugglers’ capabilities

and then crushed these criminals. But, once again, a subtler logic was at play: the state found that it was more cost-effective to spread the proceeds of crime.

There are more reasons to question the liberal assumption that societies lose their taste for crime as they grow wealthier.²⁹ Throughout history, it is precisely the middle-class members of marginal groups and the provincial bourgeoisie who have bankrolled criminal groups. The Sicilian mafia is a prime example. Its sponsors were not motivated by a desire for wealth – or at least not only. Rather, they sought more inclusive government, and

Taming bandits: the case of Ottoman Anatolia

Between 1550 and 1660, banditry became endemic in Ottoman Anatolia. Bands of demobilised soldiers, vagrants and destitute peasants known as ‘celali’ plundered and extorted towns and villages across Anatolia.¹ Rather than relying on force, the state negotiated with bandits.² Their leaders were awarded high-ranking positions in the provincial administration, while their followers were given work collecting taxes or were incorporated into the army. If they continued to predate on the local population – and in particular if they refused the call to battle – the state cracked down on them.³ Thus, banditry and co-optation became a channel of mobility not only for would-be provincial administrators but also “for the destitute and the vagrant, providing them with employment opportunities other than agriculture and thereby relieving rural tensions.”⁴

26 Op. Cit., “Brigandage, Piracy, Capitalism, and State-Formation”.

27 Ibid.

28 Gavin Daly, “Napoleon and the ‘City of Smugglers’, 1810–1814,” *Historical Journal*, vol. 50, no. 2 (June 2007), pp. 333–52.

29 This essentially economic understanding of crime ‘risk[s] stripping away the influence of social and cultural forces... including social and cultural identities that help explain organized crime and its variety’. See: John Picarelli, ‘Enabling Norms and Human Trafficking’ in H. R. Friman (ed.), *Crime and the Global Political Economy* (Boulder: Lynne Rienner Publishers, 2009), pp. 85–103.

1 Karen Barkey, *Bandits and Bureaucrats: The Ottoman Route to State Centralization* (Ithaca & London: Cornell University Press, 1994), pp. 195–7.

2 Ibid., pp. 203–228.

3 Ibid., pp. 200–201.

4 Ibid., p. 236.

Community smuggling: the case of present-day Algeria

On Algeria's border with Tunisia, smuggling has emerged as a major part of the local economy. Petrol, which is generously subsidised in oil-producing Algeria, is transported across the border to Tunisia, where it fetches three times the price. The motive for smuggling is nothing less than societal survival.¹ The region has long been neglected by central government and is poor and underdeveloped. Jobs are few and far between, and even those people who do work struggle to make ends meet.

Smugglers do not find it difficult to justify their acts; they see themselves as entrepreneurs, not criminals. The border is treated as an artificial barrier imposed by colonial powers and sustained by a distant central state "intent on restricting everything from their mobility to their livelihood".² Yet local authorities are more accommodating. They know that a crackdown on smuggling would wreak economic havoc. And they fear it would also be an easy recruiting tool for jihadi groups. Instead, they have sought to co-opt smugglers. As long as smugglers keep clear of jihadis, weapons and illicit drugs, they will be allowed to continue their activities unchecked.³

1 Dalia Ghanem, "Algeria's Borderlands: A Country unto Themselves," Carnegie Middle East Centre, May 27, 2020, <https://carnegie-mec.org/2020/05/27/algeria-s-borderlands-country-unto-themselves-pub-81881>, p.8.

2 Ibid.

3 Ghanem proposes two possible strategies for Algiers to deal with smuggling, by transforming smugglers into either entrepreneurs or agent of the state? Notably, she does not consider a 'tough-on-crime' approach as a viable option. See: Ibid., p. 13.

violent criminals were the only actors capable of squeezing this from an unresponsive state. The original mafiosi acted as a mediating force between local society and a distant ruler.³⁰ There are also examples – past and present – of marginal groups that relied heavily on non-violent criminals to provide jobs and welfare.³¹ Again, they supported collusion not because of the trickle-down economics of crime but as a way of achieving a form of governance more sympathetic to their way of life.

According to this revisionist version of history, crime can potentially be progressive. Under very specific circumstances, it can make the central government not only stronger but also more responsive and inclusive. This is because governments collude with criminals in order to strengthen their hand – to reinforce their monopoly on violence or to help them gain access to capital. But this gives social groups – even middle-class ones – an opportunity to steer the government, using crime to make themselves valuable to the ruling elite. This can potentially make government more open and inclusive, and allows societies to push it to respond to their needs. Once this has been achieved, both sides work to expel criminals from the body politic or to tame them by co-opting them into it. Liberal democracy is by no means the only logical outcome of collusive state-building, but it is certainly one possible product.

30 James Cockayne, "Can Organised Crime Shape Post-war Transitions? Evidence from Sicily," *Third World Thematics*, vol. 3, no. 1 (2018), pp. 9-27; Letizia Paoli, *Mafia Brotherhoods: Organized Crime, Italian Style* (New York: Oxford University Press, 2003), p. 36.

31 Largely unassimilated immigrant communities – Jews in the United States (particularly in the 1920s and 1990s), Albanians in Europe or Koreans in Japan – provide clear examples of marginal groups that have turned to crime as a source of jobs and welfare. One writer contends that states deliberately encourage the creation of mafias among these communities as a 'time-limited' channel for extracting revenue from their illicit activities. See: Herman Schwartz, 'Immigrants and Organized Crime,' in H. R. Friman (ed.), *Crime and the Global Political Economy*, op. cit., pp. 119-129.

LESSON 4

The global liberal framework sometimes pushes states towards crime

These historical examples of state-building by collusion may appear obscure at first sight. Under the post-war liberal multilateral system, almost all countries are assumed to have achieved modern statehood. They enjoy territorial sovereignty and official recognition, meaning they do not need to consolidate territory through the violent processes that characterised Europe's own development. Indeed, all that stands between these states and modern liberal statehood is economic development, which Europe works to encourage through the twin levers of trade and aid. There seems little if any justification for the EU to dabble once more in the murky practices of state-building of the early modern era, an age utterly removed from our own.

Yet this misses the point. Post-colonial states may enjoy the trappings of modern statehood, but they were deprived of the careful early steps of state-building, leaving their consolidation incomplete. Their borders and administrative models were defined by colonial powers rather than through local processes of contestation and consolidation described above; and they are now beset by unresolved societal and ethnic tensions.³² For marginal groups, the state appears to be little more than a protection racket to which they must pay bribes. The effect is often to drive minorities into the arms of criminals and militias, which appear more in tune with their values.³³ Yet states face pressure from the international community to crack down on groups which live off crime.

Illicit development: the case of Turkey

In the mid-1920s, when restrictions on the opium trade were agreed on by the International Opium Convention in Geneva, Turkey was one of the world's biggest opium producers. Due to Turkey's limited industrial capacity, it was refused licences to produce morphine and codeine, effectively locking it out of the most lucrative part of the trade.¹ Licences were instead awarded primarily to Western states, while others like Turkey were expected to content themselves with supplying raw opium.

In response, the Turkish government allowed the illicit opium trade to continue on the understanding the profits would be reinvested in improving the country's industrial capacity. Meanwhile, the Turkish state lobbied for greater licensing rights.² It was only in 1932, when it became clear that massive quantities of raw opium were leaving the country with no export tax being paid, that the state began to crack down. Even then, the state did not entirely enforce the rules. Opium producers from the country's least developed regions were allowed to self-report their harvests with the state doing nothing to ensure their accuracy.³

1 Op. Cit., "Illicit Partners and Political Development: How Organized Crime Made the State."

2 Ibid.

3 Ibid.

32 Ethnic diversity has been shown to contribute stability in 'fragmented' societies, in which no ethnic group maintains dominance. However, in societies characterised by dominance, the risk of civil war is doubled. See: Paul Collier, "Implications of Ethnic Diversity," *Economic Policy*, vol. 16, no. 34 (April 2001), p. 134.

33 One expert provides evidence from West Africa that, in marginal areas, criminal groups may be considered more legitimate than the state. See: William Reno, "Understanding Criminality in West African Conflicts," *International Peacekeeping*, vol. 16, no. 1 (2009), pp. 47-61.

Yet the reality is that many developing states today crave recognition. They may enjoy formal membership of international institutions – the United Nations and other associated bodies – but they struggle to make (or break) international norms.³⁴ Membership of liberal bodies like the WTO means submitting to pre-defined rules made by long-standing clubs of states that they are unable to influence. Should they overstep the bounds, they face political and economic censure. This unsympathetic international order imagines *raison d'état* as the preserve of an earlier, more anarchic era of inter-state competition and so traps post-colonial states in a vicious cycle. They are constrained from practising collusive state-building – even those ‘progressive’ forms that may help improve their governance capacity or the inclusion of marginal groups. And so some states turn to predatory criminals to escape the constraints of the international liberal order.

THE EVIDENCE

Today’s liberal international order constrains all three elements we suggest constitute modern statehood – the centralisation of the power of coercion, of extraction and of transgression. Take the foundation of any modern state – the

power to exert violence (‘coercion’). During earlier ages of state-building, rulers achieved this through internal conflict and civil war. They civilianised their security apparatus only once they were properly centralised and had turned their focus to fighting external wars.³⁵ By contrast, today’s post-colonial states face pressure to demilitarise their domestic security apparatus. Nobody³⁶ would suggest that state-led violence and civil war should be allowed to proceed in the name of state-building. But as things stand, states often turn to criminals to shed blood covertly on their behalf.³⁷

When it comes to the centralisation of capital (‘extraction’), the pattern is repeated. European states succeeded in centralising capital in part by harnessing the power of criminals. Today’s emerging states, by contrast, are forced

Misconceived international reforms: the case of Nicaragua

In 1997, peace was restored in Nicaragua after years of violent confrontation between the government and the rebel Contras. A freshly elected government applied economic reforms designed by the International Monetary Fund, World Bank and US Agency for International Development.

But as economic growth took off, unemployment doubled, increasing inequality – the initial driver of the conflict.¹ Rather than drawing ordinary people away from illicit activities, it fuelled informal and illicit economies. Armed bands in the countryside kidnapped as many as 600 people. In cities, among underemployed youths, there was a rapid increase in criminal violence and gang culture.² Orthodox economic recovery brought a return of violence.

- ³⁴ Andreas and Nadelmann describe how the diffusion of international criminal norms is a “process driven primarily by the criminalizations of dominant states (notably those of Europe and the United States) and their efforts to export their own criminal justice preferences”. See: Peter Andreas and Ethan Nadelmann, “The Internationalization of Crime Control” in H. R. Friman (ed.), *Crime and the Global Political Economy*, op. cit., p. 29.
- ³⁵ For example, the French state’s drive to break the power of its aristocratic rivals in the seventeenth century coincided with an extended period of external conflict with Spain. See: “War Making and State Making as Organized Crime”, op. cit.
- ³⁶ The political scientist Jeffrey Herbst comes the closest to this conclusion, arguing that there is little evidence to suggest that ‘third world’ states will be able to achieve consolidation through purely peaceful means. Nonetheless, he does not advocate war as a viable solution. See: Jeffrey Herbst, “War and the State in Africa,” *International Security*, vol. 14, no. 4 (1990), pp. 117–39.
- ³⁷ This is a tactic frequently employed by Russia. See: Mark Galeotti, “Gangster Geopolitics: The Kremlin’s Use of Criminals as Assets Abroad,” *Moscow Times*, January 18, 2019, <https://www.themoscowtimes.com/2019/01/18/gangster-geopolitics-the-kremlinsuse-of-criminals-as-assets-abroad-a64204>.

- ¹ Op. Cit., “Saving Liberal Peacebuilding”, pp. 39–68.
- ² Ibid.

into a subordinate relationship with them. Historically, states accrued capital through domestic taxation, but today they must harness fast-flowing transnational capital flows from predatory investors.³⁸ This is difficult, and it comes at a price. Multinational corporations and financial institutions act as the gatekeepers of international money markets and have political demands of their own. They promote policies of deregulation, privatisation and austerity that run counter to state-building. As the state shrinks under the weight of economic liberalisation, state-building goes into reverse. States and societies may come to rely on smugglers and criminal gangs to survive.³⁹

Finally, the power of the state to make and break rules ('transgression'). Too easily, post-colonial states – even those of Latin America with a long history of independence – are deemed to have transgressed the boundaries of acceptable behaviour. Western governments, in order to bring them back onto the path of liberalism, turn to diplomatic isolation, trade sanctions and restrictions on migration (ordinarily an important safety valve for dealing with underemployed young men). These efforts to discipline governments are carried out in the expectation that they will enjoy the support of the target state's middle classes, in line with liberal theory. But, in fact, the middle classes are precisely the ones most likely to turn to criminals to stave off the effects. And, as their governments try to soften the effects of economic sanctions on voters, they too rely on criminal gangs – for instance in order to smuggle young workers abroad and gain access to remittances.

This is where post-colonial states find themselves trapped in a vicious circle. They enjoy the trappings of statehood – international recognition and *de jure* territorial sovereignty – but

they lack the means with which to convert this into genuine *de facto* statehood. Informal 'survival networks' are activated at both state and societal levels, and criminals – more agile and subject to fewer constraints than the state – step into the breach.⁴⁰ Bandits, thieves and conmen offer their services to help states harness alternative (deniable) means of coercion, extraction and transgression. And, increasingly, states accept. The go-to response of the international community is to impose political and economic sanctions. The result: embargo-busting criminals offer their services, only to siphon off public finances for their own gain.⁴¹ Thus, collusion gives way to corruption and state decay.

38 Anna Leander, "Wars and the Un-Making of States: Taking Tilly Seriously in the Contemporary World," in Stefano Guzzini and Dietrich Jung (eds.), *Conceptual Innovations and Contemporary Security Analysis* (London; New York: Spon Press, 2004), pp. 69–80.

39 Ibid.

40 Ibid.

41 This has famously been the case of North Korea, where the state has resorted to producing drugs, trafficking humans and trading in protected animals, not to mention consorting with terrorist groups – all in order to circumvent sanctions and gain access to cash. See: Paul Rexton Kan, Bruce Bechtol and Robert Collins, "Criminal Sovereignty: Understanding North Korea's Illicit International Activities," Letort Paper, US Army War College, Strategic Studies Institute, Carlisle, PA, March 2010.

CHAPTER 3

CAN THE EU ENGAGE WITH COLLUSIVE STATES?

The evidence review of the previous chapter suggests that Western policymakers are wrong to treat crime-state collusion as a uniformly negative phenomenon: reliance on crime is not always a sign of partners rejecting the path of liberal development, and it may sometimes even be a requisite for its success. That at least is the theoretical conclusion drawn from the evidence review. The next step is to translate this finding into practical policy recommendations.

The EU cleaves to certain ideas about how best to practically achieve its international goals, which we have articulated as four policy principles ('precedent', 'progress', 'problem-solving' and the 'past'). At present, those core principles demand the eradication of collusion on the part of its partners at the earliest possible stage. But if collusion can potentially be conducive to the achievement of the EU's liberal goals, a recalibration is required.

In order for the EU to harness the 'progressive potential' of collusion, and offer a viable alternative to crime, it would need to rethink each one of these principles – the precedent set by Europeans in their own path to development, its way of measuring global progress, its economic approach to removing societal obstacles to progress, and of course the historical obligations arising from Europe's history of war and imperialism. Its new understanding of precedent, progress and so on would require it to:

- > Recognise that collusion is a systemic part of global development. Crime was vital to the development of states – in Europe and elsewhere, and today's weak and post-colonial

states may likewise resort to crime in order to centralise power and achieve inclusive political institutions.

- > Support states that collude with criminals despite having the capacity to fight crime. Collusion can help even advanced and robustly policed states boost their administrative capacity, for example by giving access to international finance, strengthening their international leverage and improving their legitimacy within society.
- > Recognise that crime and collusion may be perceived as legitimate even in wealthy states. Crime arises among socially and geographically marginal groups because of a lack of inclusive government rather than for reasons of poverty, meaning groups will court criminal links even as they grow wealthy.
- > Reintroduce a valid sense of *raison d'état* into the multilateral order. Weak states – and in particular weak post-colonial states – suffer under a liberal international system which is unsympathetic to the role that crime historically played in state-building, inhibiting modern-day catch-up.

Policymakers are often reluctant to reassess their principles in any such drastic way – hence why policy problems become 'wicked'. The exercise of rethinking policy principles becomes far more palatable if broken down into steps. In this chapter, we ask:

- > Should the EU make the historical precedent of state-building in Europe available to today's weak, developing and post-conflict states?
- > Is there a way for the EU to distinguish the few instances of collusion that will help states progress towards liberalism from its usual negative forms?
- > Can the EU find a new problem-solving approach to overcome the societal and cultural roots of crime, without giving up on its usual wealth creation approach?
- > Can the EU loosen multilateral constraints without giving licence to predatory powers as was the case in Europe's own colonialist past? The EU currently treats crime-state collusion as an obstacle to its efforts to spread wealth and wellbeing abroad. This is due to the obvious empirical fact that crime is an overwhelmingly negative societal phenomenon – but also due to the classical liberal reading of collusion in Europe's historical development. In that reading, liberalism emerged from a battle to expunge state-crime collusion and expel rent-seekers and predatory criminals from the European economy.

QUESTION 1

Should the EU make the precedent of state-building by crime available to today's states?

If we recognise global liberal development as a product not of economic modernisation (as the classical liberal reading seems to) but instead as a product of state-building and *raison d'état* (as our own analysis suggests), this casts a new light on the phenomenon: states everywhere were built by means of crime and collusion, and European history is evidence that this does not

preclude liberal outcomes. Indeed, it has sometimes even been a condition for them.

If that is so, the EU becomes almost obliged to cooperate with collusive governments in the throes of state-building. This is because the four policy principles we ascribe to the EU, and which have driven its success as an international actor, all flow from the central notion of precedent – the notion that what worked in Europe should be applied abroad. If the EU is to meld its old principles to the new evidence, it would therefore be obliged to revisit all its other core principles – progress, problem-solving and past responsibility.

THE ANSWER

Yes, it should.

We have shown that the EU works on the principle that its own politico-economic development sets a precedent for others – that what worked best in Europe will also work best abroad. Somewhat contrary to expectations, our evidence review confirmed the validity of this principle – but with a twist. It is the long history of state-building in Europe, not Europe's post-war economic modernisation, that sets the precedent. Europeans forged the template of the centralised Westphalian state that others seek to follow. And governments in Europe, at specific times in their development, achieved this template by deploying criminal techniques. Collusion not only helped them consolidate power, but also set them on a path to liberalism: once they had usurped the criminals' capabilities, they outlawed their use by others and made the benefits freely available to all citizens. If the EU wants today's weak and post-colonial states to follow Europe's path, it should logically expect them to resort to collusion unless provided with a viable alternative.

By the same logic, the historical evidence suggests that the idea of progress is in need of a re-think. The EU seems to operate on the principle that liberal development

involves a progressive linear process towards collusion-free government, and that renewed bouts of collusion should be stamped out as disappointing examples of ‘backsliding’ and predatory governance. Again, the evidence suggests that this principle holds fundamentally true: the most capable public administrations are indeed those that have progressively severed their ties to criminals, and the states ranked highest for governance capacity are indeed the least corrupt. And yet the evidence also showed that states which have reached this pinnacle did not do so by a simple linear progression. Rather, they went through three cycles, each involving a new bout of collusion. States used criminals to assert first their monopoly of violence, then money-making, then norm-making, each time colluding with criminals and then stamping out crime. Each new bout was evidence of progress, not of backsliding. If states skip a step, moreover, they are likely to ‘regress’ later to restore these foundations.

As to its ability to remove the societal obstacles to liberal development in weak and developing states, the EU appears to work on the assumption that societies all have the same basic aspirations. This allows it to address obstacles to liberal developmentalism anywhere, regardless of geography or culture. This belief in the existence of universal aspiration was broadly confirmed by the evidence. But once again, with a twist. The EU’s current assumption is that societies share a universal desire for economic advancement, while the evidence suggests that it is more to do with a common desire for inclusive and responsive government. Societies resort to crime not for its ‘trickle-down economics’ but because it addresses their lack of responsive and inclusive administration. Consequently, crime may be legitimate even in societies with a high per capita gross national income (GNI) and among groups that are prosperous but marginalised. Forms of violent collusion that the EU deems beyond remedy, and which it meets with economic sanctions, may therefore be nothing of the sort.

Finally, the EU’s approach to development suggests it feels a particular responsibility for the colonial past of its founding members. The evidence largely confirmed that the legacy of

colonialism still disrupts development across Africa, Asia and elsewhere, and governments do believe the EU should act to redress this. But again there is a twist: the criticism the EU faces is focused not so much on the crimes of the past as on the EU’s attempts to atone. Former colonies resent the constraints of the international system and what they see as an attitude of ‘do as we say, not as we did.’ Post-colonial states seek to exercise precisely the kind of *raison d’état* the multilateral system is designed to hinder, viewing this as vital to their ‘catch-up’ and to protecting themselves from neo-colonialism. Europe thus bears a responsibility to accommodate collusive states in the liberal international order lest it continue to perpetuate a colonial legacy.

QUESTION 2

Is there a way for the EU to distinguish potentially progressive instances of collusion?

Rethought in this way, the EU’s four core principles do not prevent it from engaging with collusive states; and they may even compel it to do so. But any duty of engagement is of course highly conditional and contingent on the context. The EU should not engage with any and all forms of collusion. This leads to a second important consideration: can the EU work out which forms of collusion to fight, and which to treat with sympathy? More precisely, can the EU learn to recognise what might be termed ‘progressive’ forms of collusion, and distinguish them from the far more common instances of violent predation and corruption?

After all, for an exercise like this one to be worthwhile, it will need to generate a set of principles regulating the EU’s approach to state-crime relations – one that is coherent and systematic and remains true to the EU’s ultimate goals. The process of rethinking Europe’s historical precedent cannot be allowed to throw

policymakers into the morass of moral and historical relativism and debilitate the EU. Evidence reviews, like the one we prescribe, cannot be permitted to open the door for partner states to justify dubious practices simply by claiming to be following the historical precedent of state-building in Europe.

Happily, the historical review does provide a constructive answer of sorts. It provides the basis for rethinking Europe's path to liberalism, showing that states progress not in the kind of linear step-by-step process that policymakers commonly assume but rather in cycles. States accrue the capacity for good governance in three cycles, and crime and collusion may play a role in each: states co-opt criminals to usurp their capabilities and then crack down on them, making the benefits of collusion more freely available. If Western policymakers wish to identify instances of 'progressive' collusion, the task is to identify whether the state finds itself in one of these three cycles.

THE ANSWER

Yes, there is

When deciding whether to engage with collusive states, this new and more honest reading of history offers the EU a basic rule of thumb. Rather than condemning collusion outright, policymakers can instead ask whether or not a development partner is following the historical precedent of state-building. If states are indeed following that well-trodden path and using crime for the purposes of state-building, the EU would cautiously engage (albeit looking for alternatives to draw the state away from crime). If not, it would opt for diplomatic censure. At present, the EU is more comfortable with the latter course of action: diplomatic censure and economic sanctions usually enjoy a clear moral case. But, with practice, the former could well become the EU's new comfort zone. Although morally complex, such cases are likely to be more conducive to successful state-building outcomes.

This begs the question: how can the EU verify that instances of collusion really have a progressive function? After all, there is often a fine line between state-building and elite rent-seeking. The answer lies in identifying the distinct phases of the state-building process. According to this new reading of the historical record, the would-be state initially colludes with criminals to harness their violent capabilities; next, it harnesses criminal methods to make money; and finally it uses criminals to bend norms. This is because the state's first priority is to centralise the means of 'coercion', then 'extraction' and finally 'transgression': governments want to secure territory, exploit it and then gain domestic and international acceptance. The state can progress through each stage only if it cracks down on its criminal allies - and the EU ought to sanction states that fail to do so.

If the EU is to engage with collusive states it must not only identify examples of 'progressive collusion' but also offer an alternative. This is vital to its notion of problem-solving. Can it do so? The EU is well-versed in helping states strengthen their governance capacity, the prime motivation for collaborating with criminals. But, for societies, the motivation for collusion is different: they view crime as legitimate if it forces their government to be more inclusive and responsive. Thus, when the state builds its 'coercive capabilities', societies press for the inclusive provision of justice and security; when states build their 'extractive capabilities', societies push for better jobs and services; and, when states build their 'transgressive capabilities', societies demand a sense of empowerment and representational government.

The EU's recognition of a responsibility to post-colonial states completes the puzzle and provides a means of rethinking the precedent set by its members' own path to development. Few post-colonial states were permitted to undergo the ideal sequence of state-building. Newly-independent states across Africa and Asia instead inherited a set of highly coercive security services and excessively extractive economies as well as the capacity to make and break rules with impunity. Even today, they may look like fully capable states with all

A state-building framework

Drawing on an alternative reading of history, state-building can be conceptualised as a three-stage process, each one potentially involving collusion for want of other options:

In the first cycle, the state must establish a monopoly of violence over its territory. In the absence of other options, it may well do so by entering into collusive relationships with violent criminal groups. But once its goals have been achieved, the state cracks down on its erstwhile allies to protect its monopoly.

In a second cycle, the state looks to establish a monopoly on extraction within its territory. Again, it may do so by entering into collusive relationships with criminals able to provide access to capital. Once the state has established the capacity to extract sufficient funds by itself, it will once again sever its criminal ties.

In the final cycle, the state seeks to gain international acceptance for its particular model of governance. In order to achieve this, it may ally itself with criminals able to transgress established rules. Once it has successfully established its own model with their help, it will once again crack down on its criminal partners.

State-building through crime

Governance improves via three cycles of collusion and crime-fighting



the trappings of international recognition and territorial sovereignty. But they have not progressed through the three cycles of centralisation and collusion and, as such, have not built truly robust institutions or social acceptance.

The EU's instinct is often to punish states with seemingly strong capacities for 'backsliding'. But the benefit of this alternative approach is that it allows the EU something far more rigorous: self-restraint.

QUESTION 3

Can the EU find a way to overcome the societal and cultural roots of crime?

If the EU were to measure the effectiveness of its external action less by global economic improvement and more by these three state-building benchmarks, it would need to re-think its familiar 'concentric circles' model. Focused on global economic integration and convergence, this model groups states together

based on their proximity to the internal market and income level, as well as whether or not they were once colonised by Europeans. In its place, the EU would need to tailor its approach to each individual society and how well the state fulfils their demands.

With this new individualised approach, the EU would still attempt to pilot states towards European-style liberalism. But it would also afford each society the scope to define its own outcome within the broad parameters of effective, responsive and inclusive governance. Just such non-Eurocentric classifications of state-building progress already exist. The International Dialogue on Peacekeeping and Statebuilding (IDPS) provides one such, which could help guide the EU's efforts to solve societal, geographical and cultural obstacles to progress.¹

IDPS has identified five core governance capabilities developed by states which successfully meet the demands of their citizens – justice, security, jobs, services, and legitimacy.² It has also designed a diagnostic tool for assessing how far each state has progressed. A toolbox like IDPS could form the basis for a new EU effort. By better understanding societal demands, the EU would be able to design policies that are more responsive to the drivers of collusion than simply wealth creation through 'trade and aid'.

THE ANSWER

Yes, it can

Instead of dividing the world up into concentric circles and placing itself at the centre, the EU could instead classify each state individually according to its progress in state-building. The IDPS model is useful as it offers a less Eurocentric perspective, having been formulated by a 'unique multi-stakeholder partnership' that gives a voice to fragile states.³ The IDPS perceives that successful states develop five core governance capabilities: justice, security, jobs, services, and legitimacy.⁴ An accompanying diagnostic tool known as the Fragility Spectrum has also been designed to help states understand their progress towards these goals.⁵ This tool could be usefully adapted for the EU's purposes. If the EU were to use similar criteria to classify all developing states, it would be more sensitive to their needs and better able to recognise instances of 'progressive' collusion.

There is a sense of progression in the five goals of the IDPS.⁶ Justice and security are the very basic functions a state needs to fulfil to avoid collapse ('core' or 'survival' functions).⁷ As such, they coincide with the first cycle of state centralisation, namely the centralisation of coercive force. The second category, which includes the provision of economic foundations,

1 A core element of the IDPS is the participation of the g7+ group of fragile and conflict-affected states, which helps it escape the Eurocentrism of many other such forums. See: International Dialogue on Peacebuilding and Statebuilding, "A New Deal for Engagement in Fragile States," Busan, South Korea, November 30, 2011.

2 The IDPS describes jobs and services more precisely as 'economic foundations' and 'revenue and services', respectively. It also defines legitimacy primarily in terms of internal, rather than international, politics. See: Tobias Nussbaum, Eugenia Zorbas & Michael Koros, "A new deal for engagement in fragile states," *Conflict, Security & Development*, vol. 12, no. 5, p.569.

3 International Dialogue on Peacebuilding and Statebuilding, "International Dialogue on Peacebuilding and Statebuilding Delegates agree major political commitments," Press Release, Stockholm, April 2016, <https://www.pbsdialogue.org/en/news-events/5th-global-meeting/press-release/>

4 Op.Cit., "A new deal for engagement in fragile states."

5 g7+, *Note on the Fragility Spectrum*, Kinshasa, 2013, http://www.pbsdialogue.org/media/filer_public/17/43/17434d29-eb70-425b-8367-7ccef13bf0b/g7fragility_spectrum_2013.pdf; International Dialogue on Peacebuilding and Statebuilding, "Guidance Note on Fragility Assessments," Fifth International Dialogue Working Group Meeting on New Deal Implementation, Freetown, June 17, 2014, http://www.pbsdialogue.org/media/filer_public/d8/ae/d8ae82f3-1370-40d2-9e6e-cc0337ad4a84/new_deal_fragility_assessment_guidance_2014.pdf.

6 Research has confirmed that citizens' expectations of the state evolve as it becomes less fragile. A 2012 study found that in Rwanda and Nepal, where security is largely established, citizens' expectations focused on service provision. This contrasted with South Sudan, where security was a priority, whereas service provision was an aspiration. See: Susy Ndaruhutse, Janice Dolan, Nigel Pearson et al., *Synthesis Research Report: State-building, Peace-building and Service Delivery in Fragile and Conflict-affected States* (Reading: CfBT Education Trust, 2012), p. 10.

7 Sian Herbert, *Sequencing reforms in fragile states: Topic guide* (Birmingham, UK: GSDRC, University of Birmingham, 2014), p. 12.

meaning jobs and public services, is 'expected'. These functions coincide with the second cycle of centralisation, the centralisation of capital or 'extraction'. A state that has achieved these two steps has a good basis for achieving both internal and external legitimacy, the third cycle. Unsurprisingly, the IDPS does not advocate collusion, but it does demand qualities that can be derived from a more permissive approach - resilience and inclusiveness.

The five goals of the IDPS also chime neatly with the sequence of demands that societies put upon states and which drive societal acceptance of collusion. People in the least developed states are focused on basic justice and

security, those in stable states focus on jobs and welfare, and those in the most developed states primarily seek a proper say in government. Societies tolerate collusive relationships because these offer a way of making the state both more capable and more responsive: people do not just want security and justice, jobs and services, representative government; they also want these things to be sympathetic to local or group values. Governments see collusion as a way to boost their capabilities to coerce people, extract money from them and impose rules; but, by colluding with criminals, states allow marginal groups into administrative structures, potentially making these more inclusive.

The governance capacity model

Drawing on European history, and modern-day trends, development can be conceptualised as a five-stage sequence that, although by no means strict or automatic, drives states towards better administrative capacity:

- > The provision of justice is the foundation of even the smallest, most informal communities and so is the most fundamental element of state-building. But the state can only apply justice equally across its territory by establishing a monopoly on violence, and this gives it a responsibility for national security. Justice and security are the 'survival' functions of the state and they involve a first cycle of centralisation ('coercive' capacities).
- > Once the proto-state is able to provide justice and security, it can turn its attention to building a stable national market, in turn providing economic opportunities to its citizens. The tax revenue generated by economic activity creates an expectation that the state will fund services. Jobs and services are 'expected' rather than 'survival' functions for the state, and they involve a second cycle of centralisation ('extractive' capacities).
- > A state that has achieved these steps has a good basis for achieving both internal and external legitimacy. This involves the authority to make and break norms, and it involves a third cycle of centralisation.

A sequence of state-building goals

Societies accept crime as a means of pressing the state to fulfil five core functions



Five ages of state-building and globalisation

The global politico-economic system has been through at least five major shifts in the thousand years in which European states took form. At each stage, Europeans were able to look abroad for the resources necessary for their development. As the rate and scale of those shifts grow, it is ever more important to take into account the advantages and disadvantages that this system bestows on developing states.



THE AGE OF SETTLEMENT

c. 900-1500

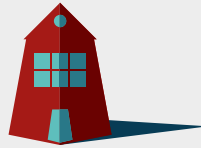
Agricultural advances drove up population rates and put a premium on land holdings. In this era, land management was the essential skill in maintaining sedentary populations. But it was innovations in sailing that allowed 'surplus populations' to settle overseas in search of land to cultivate and to sustain their homelands.



THE AGE OF DISCOVERY

c. 1500-1850

Innovations in shipbuilding and navigation allowed the first truly global economy. Long-distance maritime trade came to be funded by luxury products such as precious metals and spices, sourced far and wide. Europeans seeking a new sea route to join the core economy of the Indian Ocean accidentally landed in the silver-rich Americas.



THE AGE OF EXPANSION

c. 1850-1935

The global economy shifted once more with the discovery of coal and then steam, making it possible to power steamships and railways. Power shifted from the Indian Ocean to Western Europe, and then from the sea back to the land, requiring maritime powers to hold territory and allowing land powers to mobilise armies fast and reach shipping routes.



THE OIL AGE

c. 1935-2020

Air travel allowed people to cross continents quickly and relatively cheaply, as well as making all parts of the world vulnerable to long-range bombing. Oil replaced coal as the must-have resource, making oil-producing regions strategically valuable. Following decolonisation, oil-rich states powered through the capital-intensive stages of state-building – other new states less so.



THE GREEN AGE

2020-?

The global economy is shifting with the rapid rate of technological advancement. As we enter a high-tech, greener era, there is likely to be a shift away from the kind of extractive development that was once the norm. But rare resources, climate change, uneven connectivity and demographic changes will subject modern state-building to retrograde geopolitical pressures.

QUESTION 4

Can the EU loosen multilateral constraints without giving licence to predatory powers?

The EU would obviously find it difficult to explain and defend any new approach to collusion. But in many ways, these difficulties lie more with itself than its audience in the international community. The evidence review does not demand the EU give *carte blanche* to criminals, nor make expedient exceptions from its vision of liberal development. The review instead asks the EU to recognise that states are the main building blocks of the liberal international order, and to acknowledge that collusion has on occasions played a constructive role in state-building. This recognition is key to weaning states off crime. The EU is, in other words, being asked to stay true to its principles.

Whereas the EU might readily accept collusion and bring criminals to the table in pursuit of – say – peace-building, it does not afford the same flexibility to state-building. European policymakers would balk at the suggestion that the EU should allow for *raison d'état* in international relations for fear this will lead predatory powers like Russia, China and Turkey to engage in neo-imperialism, deploying criminal means against much weaker states in Africa and Asia. And herein lies the real issue. If the EU is reluctant to adopt a state-building approach, it is likely because it was constituted as a post-national project and antidote to the problems of its own past. It is more at ease with the language of economic modernisation and technical aid than it is with state-building.

But the truth is that developing states are already vulnerable to neo-imperialism, so the EU's clear-cut line is not doing them any

favours. This is the real lesson from the evidence review. Precisely by constraining *raison d'état*, the current international order leaves smaller and weaker states vulnerable to predatory practices such as military and economic domination and debt-trap diplomacy (if there is such a thing). By building an international order more sensitive to the needs of developing states and allowing them greater leeway to experiment with statecraft, the EU would increase their ability to withstand such pressures and help them to build strong and inclusive state structures of their own.

THE ANSWER

Yes, it can

If Europe were to help build an international order more sensitive to the needs of developing states, it might find them more receptive to its liberal policy prescriptions. This would involve recognising just how difficult it is for post-colonial states to catch up with Europe. European state-builders enjoyed huge advantages compared with their modern-day partners in Africa and Asia. They had ample scope to experiment with statecraft; they collaborated freely with illicit actors to centralise the means of 'coercion' (violence), 'extraction' (money-making) and 'transgression' (rule-breaking). They did, admittedly, face a constant threat of loss of territory and annihilation, but that was punishment for failing to harness the violence and cunning of their criminal classes.¹ The worst fate facing developing states in the modern international system is sanctions. But these are unleashed precisely for trying to follow the precedent of development through crime and collusion.

¹ A prime example of the failure of state-building in the early modern period is the Polish-Lithuanian Commonwealth. Beset by opposition from powerful local magnates, the state was largely unable to centralise capital and coercion. This left it vulnerable to competition from abroad, and in the late eighteenth century the state was partitioned among its neighbours. See: Nicholas Wheeler, "The Noble Enterprise of State Building: Reconsidering the Rise and Fall of the Modern State in Prussia and Poland," *Comparative Politics*, vol. 44, no. 1 (2011), pp. 21–38.

It would also involve recognising just how much Europe's own nascent states benefited from access to overseas territories and markets. Today, we tend to think of imperialism as antithetical to the progress of European state-building, with modern European states somehow emerging only after empires collapsed. But in fact, European states used their colonies to boost their domestic monopoly of violence (treating them as military practice grounds and a stock of human resources for recruitment);² to diversify their sources of finance (extracting resources and extorting trade chokepoints); and to boost their international standing (establishing the European state as the global norm). Because they could draw their money and power from foreign territories, moreover, they were able to soften and liberalise their governance at home. By contrast, post-colonial states often lack access to markets and resources.³

This new perspective would also help Europeans to better understand the bottom-up societal problems inherited by former colonies. Today, we tend to think of European colonialism as inhibiting state-building in Africa and Asia. Again, this is not quite so. Access to colonial resources strengthened metropolitan European states, and metropolitan states in turn bequeathed political elites across Africa and Asia robust coercive, extractive and transgressive capabilities.⁴ Their law enforcement institutions are aloof, often dominated by the ethnic groups co-opted by colonists.⁵ And their economies are too extractive, often dependent on the same European

Europe has helped build the liberal order in part due to a desire to atone for the surfeit of *raison d'état* in its own past.

resource export markets that built them. These are precisely the type of state systems that might be 'improved' by collusion, making them more attuned to marginal groups and more capable of meeting citizens' demands. But, once again, the international system imposes restraint.

Viewed from this perspective, the liberal international order is unsympathetic to the needs of developing states. It grants post-colonial states formal recognition and upholds their territorial integrity but – even in its current weakened state – it denies them a real voice in the making and breaking of international norms, leaving them scrambling to access international capital flows and exercise violence on their own terms. Ironically these constraints are imposed for well-meaning reasons. Europe has helped build the liberal order in part due to an admirable desire to atone for the surfeit of *raison d'état* in

its own past. But the liberal international system it has created focuses on constraining *raison d'état*, and so leaves smaller and weaker states vulnerable. They are picked apart by large neo-imperialist predators like China – predators that practice 'strategic corruption.'⁶

2 For example, the 45,000 Nigerians that fought for Britain in the Second World War. See: "Learn about the 45,000 Nigerians Who Fought against the Japanese," *Pulse Nigeria*, December 1, 2018, <https://www.pulse.ng/gist/world-war-2-learn-about-the-45000-nigerians-who-fought-against-the-japanese/ztfxc01>.

3 Europe's leaders have recognised that colonialism can be considered a criminal enterprise that brought access to markets. See: Michael Stothard, "Macron Calls France's Colonial Past a 'Crime against Humanity'," *Financial Times*, February 17, 2017, <https://www.ft.com/content/87d6f430-f521-11e6-95ee-f14e55513608>.

4 Shamsul Haque "Rethinking Democratic Governance," in Gedeon M. Mudacumura and Goktug Morçö (eds.), *Challenges to Democratic Governance in Developing Countries* (Springer: Cham, 2014), p. 268.

5 Johnson Asiegbu, *Nigeria and its British Invaders: A Thematic Documentary History* (NOK Publishers International, 1984), p. xvii.

6 Op. Cit., "The Rise of Strategic Corruption: How States Weaponize Graft."

CHAPTER 4

CAN THE EU DEFINE ITS FUTURES?

Strictly speaking, the phenomenon of state-crime collusion is not a single wicked problem but a bundle of four. These derive from the four core policy principles uncovered in the first step of this exercise. The subsequent two steps involved challenging and rethinking the assumptions born of these principles. The results point the way to a rather different policy

approach – one that responds to the evidence that crime can be ‘progressive’ while still upholding the EU’s core principles.

The four wicked problems of crime-state collusion

Should the EU engage systematically with collusive states?

Yes. Europe’s own history demonstrates a systemic link between successful state centralisation and criminal collusion. This three-step thought exercise provides a scheme for the EU to plan its response to collusion in partner states, rather than relying on *ad hoc* engagement or withdrawal.

Should the EU ever engage with states that collude despite being capable of crime-fighting?

Yes. The previous two steps have helped identify where a collusive approach may be more conducive to good governance than crime-fighting. Many of the EU’s partners have inherited strong crime-fighting capacities from the past, and a collusive phase might make them more resilient and inclusive.

Should the EU engage with states that collude with armed and violent groups?

Yes. Societies accept crime and collusion not because they are poor but because they lack resilient and inclusive governance. Violent gangs have the means by which marginalised groups can force themselves into government and so, under certain conditions, can contribute to opening up state structures.

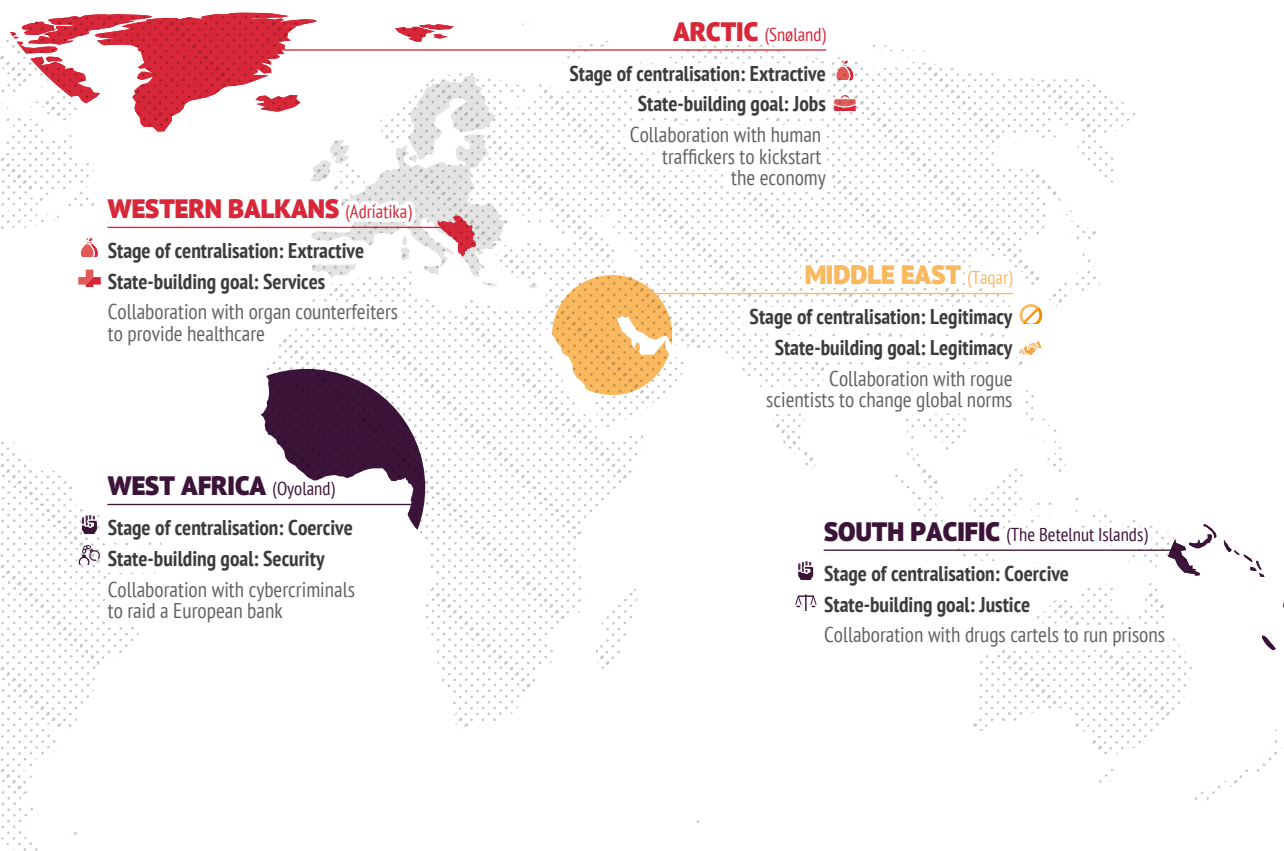
Should the EU support a more pragmatic approach from international institutions?

Yes. If the EU wishes to stamp out crime and build international cooperation, it must first acknowledge the role that resources, connectivity and geography play in the state-building process – and the way that international institutions can leave states trapped by geography.

Five scenarios for 2030

Where and what?

Each fictitious scenario features an example of state–crime collusion during a different phase of state–building.



ASSUMPTION 1

How the world really works

Like individuals, states operate according to a set of principles that, taken together, express a vision of how the world works. Nine times out of ten, these principles are useful – they are a shorthand for years of successful practice. But, where governments cease to critically review this vision, taboos can emerge, and wicked problems with them. We believe this to be true of the EU's stance on collusion – and indeed of liberal developmentalism as a whole. Exploring different views of the world and its workings is therefore an important final step in correcting policy. Scenario-building allows us to construct just such an alternative world. Or, rather, it allows us to pull together overlooked phenomena from the real world to reveal patterns and relationships that demonstrate a different reality.

This final chapter does exactly that. It presents five scenarios of state-crime collusion. Each is set ten years from now in a fictional state, albeit one which brings together real-world trends in the region in question. This virtual world is designed to help the EU face up to present-day dilemmas in the way it handles and classifies states, not to highlight a critical timeframe or a particularly at-risk group of states. It builds upon dynamics that can already be observed today across broad swathes of the globe.

Each scenario portrays a fictional state at a different stage of development and in a different part of the world. Together the five scenarios illustrate dynamics which conform to our particular understanding of collusion and state-building:

- > In each of the scenarios, the state is following Europe's historical precedent, colluding with criminals to develop its capabilities, just as successful state-builders of the past have done.
- > In each scenario, the state builds its capabilities in three cycles. It first boosts its 'coercive', then 'extractive' and finally

'transgressive' capabilities. States first collude with criminals and then, in order to complete each cycle and safeguard their new capabilities, turn to crime-fighting.

- > In each scenario, social groups use these three cycles of crime and collusion as a conduit to insert themselves into policymaking, taming the state and making government more inclusive and responsive.
- > And lastly, in each scenario an unsympathetic Western-led liberal order still exists and constrains the developing state's actions, pushing it towards criminal collusion and then punishing it for this. This proves self-defeating.

Whereas the scenario in the introduction to this *Chaillot Paper* was designed merely to raise awareness of collusion, the five scenarios that follow provide a practice ground for experimenting with new policy ideas. They are based on a distinctive set of assumptions about how the world works, which will be further explained throughout the chapter. This chapter will also explain where the EU might act to influence outcomes. The final scenario imagines a fully-fledged alternative policy from the EU, based on lessons learnt from those that came before. All in all, the authors' alternative vision of the world and its workings (the 'government capacity model') is not so different from that of the EU. It expects broadly the same kind of step-by-step process of national development, the same overall progression from collusion to crime-fighting and, potentially, the same liberal outcomes. Central to both worldviews is a progressive improvement by states in the provision of justice and security, jobs and welfare, and legitimate governance. But the government capacity model differs from liberal orthodoxy because it holds that this progression is driven by state centralisation not economic modernisation – by *raison d'état* rather than wealth creation.

The EU currently acts on the belief that prosperity drives improvements in rights and governance. The orthodox liberal formula goes as follows: the upheavals of economic modernisation prompt old elites and landowners to

The orthodox explanation for governance improvements

Governance improves as prosperity increases



push for property rights to protect their status (leading to improvements in security and justice). The emergent working classes fight for social rights (jobs and welfare). And, most crucially, the powerful new middle classes push for a proper constitutional framework (political legitimacy).¹ Put succinctly: wealth spawns a middle class and the middle class demands better government.²

The alternative ‘governance capacity model’ argues that progress is achieved as states follow a logic of *raison d’état*. Proto-states establish domestic control through the acquisition of ‘coercive powers’, wielding violence to control and unify territory. Next, they monopolise ‘extractive powers’, to raise money to fund these capabilities. Finally, they monopolise ‘transgressive powers’, the authority to exercise these powers as they choose. These three phases of state-building can be achieved through collusion with criminal groups, as the state appropriates criminals’ capacity to wield violence, extort cash and break the rules.

This model holds that these episodes of collusion last only as long as they are useful. Following the same logic of *raison d’état*, the state cracks down on criminal activity once its objectives have been achieved. But states must make concessions in the process, either recognising the criminals’ cultural and ethnic practices or undercutting criminals with concessions to the

citizenry as a whole. As the state appeals to citizens, it uses its coercive power for the provision of justice and security, extractive power to provide jobs and welfare, and transgressive power to give citizens a say over the norms to which the state subscribes.

The first scenario, set in a fictional West African state, is typical of this version of progress. It imagines the government of Oyoland in 2030, colluding with violent criminals in an attempt to achieve that first step, its control of national territory; and it imagines marginal regions exploiting crime and collusion to make the state’s provision of security more inclusive. The scenario also presents the EU with an opportunity to wean the state off crime and towards a liberal outcome. But, to fully highlight the difference between the two logics, the scenario imagines that the EU instead sticks to its current principles.

In real life, the challenge for the EU would be to identify whether an instance of collusion is ‘progressive’ and ‘justified’. But readers can take this as given. Oyoland was confected on the basis of real-life states with a similar level of development and facing similar obstacles. This virtual state was then matched with the ‘fitting’ form of collusion – in this case, collusion with violent criminals.

Thus, the following questions arose:

¹ This is a continental European version of T.H. Marshall’s theory of how citizenship rights in England evolved. See: *Citizenship and Social Class: And Other Essays*, op. cit.

² David Motadel, “The Myth of Middle-Class Liberalism,” *New York Times*, January 22, 2020, <https://www.nytimes.com/2020/01/22/opinion/middle-class-liberalism-populism.html>.

An alternative explanation for governance improvements

Governance improves via three cycles of collusion and crime-fighting



- > What is the international crisis caused by the collusion?
- > How did the situation arise?
- > What was the specific tipping point?
- > What is the multilateral response?
- > Is there a European precedent for this form of collusion?
- > What lessons might the EU learn?

SCENARIO 1

A licence to hack in West Africa

When staff at the Al Ghaib Financial Group in Liechtenstein come in to work one morning in 2030, they are told that their bank has been the victim of a devastating robbery. Overnight, hackers have diverted \$350 million of the bank's assets into an array of foreign accounts; the money was then converted into cryptocurrency and disappeared. As the authorities investigate, they find the fingerprints of a foreign government: the perpetrators have made no effort to hide a digital tag that identifies them as a virtual private security force (VPSF) contracted to the government of Oyoland in West Africa. The EU has already expressed concerns about 'state-sponsored cyberpiracy' in Oyoland, and last year its government made assurances that any VPSFs based in the country were operating in a purely domestic arena, under the state's cyberdefence strategy. But their role in the Liechtenstein heist suggests otherwise. Indeed, it looks like their sponsor, the cash-strapped central government, is behind this daring operation.

The government of Oyoland has been struggling to contain a wave of cybercrime and rural violence, which it attributes to the blurring of the lines between violent virtual gaming and reality. The country has long enjoyed a reputation as a tech giant, thanks to its vibrant urban tech hubs.¹ But, since the end of the Junud 'Uwyuland insurgency in 2026, its record of rolling out technology to the countryside has proved equally impressive. Regional governors connected up rural areas with drones and 6G technology. Thanks to cash from the European Investment Fund, they were able to invest in home-grown programming potential, identifying future software engineers in out-of-the-way places. Innovations in edutech,

agritech, fintech, health and logistics have revolutionised the state's ability to provide for its rural youth – and EU investments have helped these citizens provide for Europe's ageing population.² But, recently, rural discontent has returned.

Rural youths remain stuck in isolated places and have been squeezed by an economic downturn. Regional governors had promised them a chance to 'telemigrate' – to move virtually to offices in Africa's cities or to provide automated care to the elderly in Europe.³ But these jobs dried up, and Jama'at al-iikhwan al-hujaj alsaalihin, an Islamist group, has taken them under its wing. The group initially mentored them away from extremism, with the encouragement of local politicians. But, in the past year, the central government has begun to crack down as rural youths, encouraged by Jama'at, began unleashing cyberattacks on local companies. With recent Chinese financing, the government began recruiting the best of these in a bid to protect companies and combat Jama'at. That is how the VPSFs were created. For the first time, one of these government-sponsored VPSFs has taken its operations outside Africa, recovering stolen money that had been stashed in Liechtenstein.

How we got here: the decentralisation of territorial security

A decade earlier, Oyoland embraced a decentralised approach to security. Or rather a decentralised approach embraced Oyoland. Barna state in the rural north-east is typical: it was simply left to muddle through on its own. Its local governors were tasked by the government in Ajuba with reconstructing territories once held by Junud 'Uwyuland. And they were empowered to do so for the simple reason that they had more success in attracting Western donors than did central government. The governor of Barna won plaudits from the EU and other donors for his 'comprehensive approach' to the

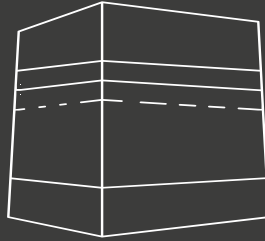
1 Other African tech hubs include Nigeria, South Africa, Egypt and Kenya. See Toby Shapshak, "Africa's Booming Tech Hubs Are 'Backbone of Tech Ecosystem' Having Grown 40% This Year," *Forbes*, July 11, 2019, <https://www.forbes.com/sites/tobyshapshak/2019/07/11/africas-booming-tech-hubs-are-backbone-of-tech-ecosystem-having-grown-40-this-year/#4cd3548324c2>

2 A large number of Oyolanders work remotely in Europe's large healthcare industry, particularly in the field of gerontology.

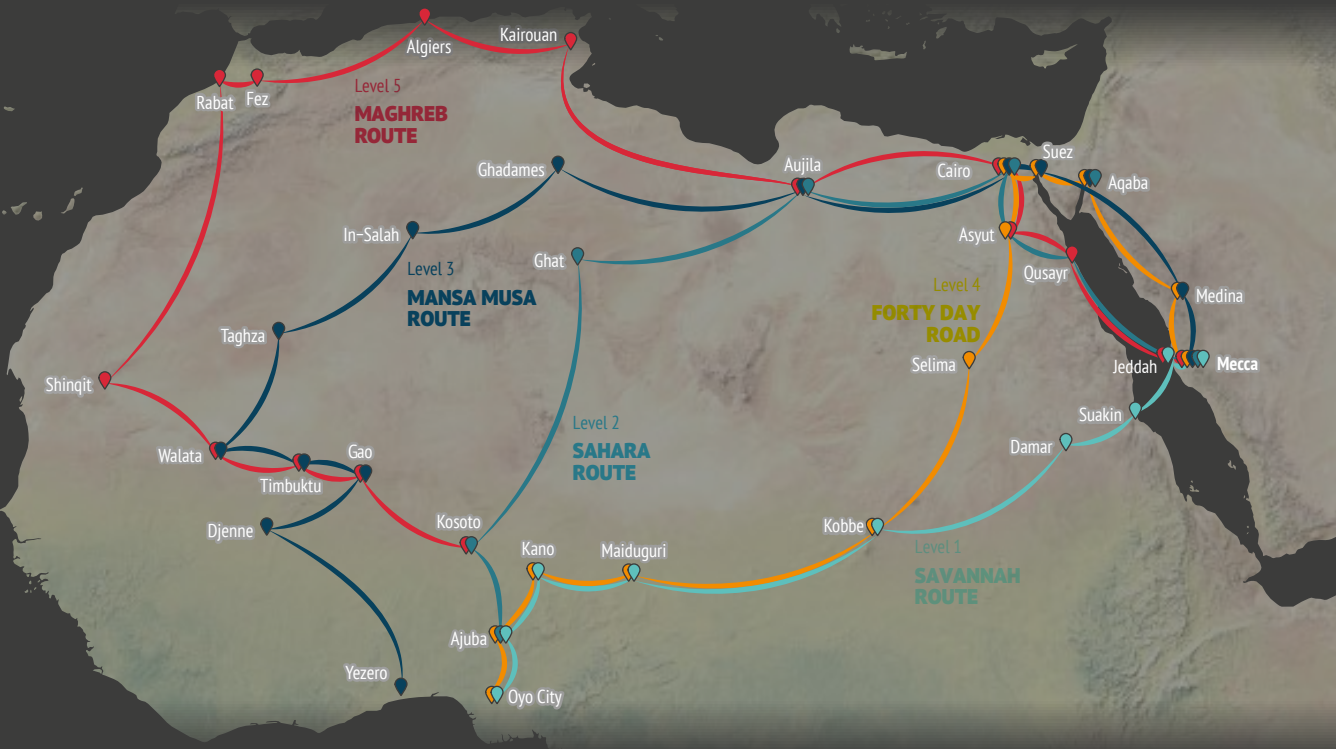
3 Telemigration describes the practice of using new technical solutions to work remotely in another country, which became commonplace in the mid-2020s

Cyberhajj routes across Africa

Five different 'levels' of cyberhajj are created by the Pilgrims. Each charts a different traditional route from West Africa to Mecca, via digitally reconstructed historical centres of Islamic learning such as Timbuktu and Cairo. With each level they complete, the cyberhajjis unlock new status and privileges within the group, but are also expected to donate more to *zakat*, which is administered by the group.



* *Zakat* refers to the obligation for practising Muslims to donate a certain proportion of their wealth to charitable causes. Normally, this tax is 2.5% but, within the Brotherhood of Righteous Pilgrims, a *zakat* of 10% is paid.



insurgency. Not only did he mix law enforcement with programmes to improve local skills and regional connectivity, he even recruited ulamas in Mecca to give daily prayers for Bar-na’s tech industry.⁴ But, while such initiatives improved security in Oyoland’s rural peripher-ies, they highlighted just how disconnected the

peripheries were from the capital – and indeed from Mecca itself.

It is perhaps understandable that the govern-ment in Ajuba had been neglecting the rural economy in favour of the major urban hubs. Oy-oland’s population of 250 million is stretched

⁴ This approach has been used by local governors in parts of Nigeria. See: John Campbell, “Borno Governor Launches State-level Initiatives to Fight Boko Haram,” Council on Foreign Relations, October 11, 2019, <https://www.cfr.org/blog/borno-governor-launches-state-level-initiatives-fight-boko-haram>.

across nearly 1 million km², and its largest city, Yezero, houses 10% of the country's citizens alone.⁵ In the mid-2020s, Ajuba, Yezero and other urban hubs were swollen by large movements of farmers and environmental refugees fleeing the adverse effects of climate change on the rural north.⁶ Even as hot winds ravaged the countryside, heavily populated coastal cities such as Yezero still drew all the attention: they were expected to take the strain as their outlying regions filled up with farmers and then subsided into the sea.⁷ Oyoland ranked second last across Africa when EU development specialists applied their new econometric evaluation, confirming the picture of a country riven by territorial and generational inequality and spurring a flurry of rural youth employment schemes.

This set the stage for the confrontation between the tech-savvy, angry young men now sitting in bedrooms across the countryside and the government's own fragmented security apparatus. Underemployed rural youths, immersed in violent gaming culture and in the cultural values of Jama'at, came to blows with government-backed militias. It was these militias, made up of local hunters and pastoralists, that ten years earlier had given the army the upper hand against Junud 'Uwyuland. Theirs marked the first attempt to co-opt violent predatory groups from the provinces wholesale into the state apparatus, formalised as a 'public-private security force'.⁸ What they lacked in discipline, they made up for in their knowledge of the local terrain. And, rather than

disarming them, the government had chosen to integrate them into the army after the insurgency, subjecting them to military discipline⁹ and giving them an outlet for their more violent tendencies.

The tipping point: the rising burden of cyberdefence

Among the rural population the opportunity for cybercrime was growing, and this was legitimised by the 'Brotherhood of Righteous Pilgrims', to give Jama'at its English name. Barna's regional government, and its Western partners, still clung to the belief that the Pilgrims offered a good solution to rural youth discontent. They had welcomed the Pilgrims into the countryside as a moderating force who shifted the emphasis of Islamic teaching from jihad to the five pillars of Islam,¹⁰ and in particular the hajj, or pilgrimage to Mecca. The Pilgrims were permitted to recruit the rural unemployed for the hajj, and encourage them to work along the way.¹¹ Before long, large numbers of poor young Oyolandians were working their way to Mecca. But the conditions were intolerable. As the death toll rose, Ajuba cracked down. This is when the Pilgrims first moved online, launching a virtual cyberhajj, with immersive virtual reality technology to simulate the long walk to Mecca.

The most visible sign of the popularity of the cyberhajj was a massive rise in cybertheft. The Pilgrims permitted their tech-savvy followers to conduct raids on companies associated with the 'corrupt' and 'anti-Islamic' Oyo state; its

5 This pattern can be seen in other large cities in West Africa. For example, current models project that the population of Lagos will rise to over 34 million by 2050. See: Daniel Hoornweg and Kevin Pope, "Population Predictions for the World's Largest Cities in the 21st Century," *Environment and Urbanization*, vol. 29, no. 1 (2016), pp. 195–216.

6 Other West African states are also likely to experience climate-driven population movements. See: Temidayo Olagunju, "Drought, Desertification and the Nigerian Environment: A Review," *Journal of Ecology and the Natural Environment*, vol. 7 (2015), pp. 196–209.

7 This is a common problem among large coastal cities in the region. See: Nick Tattersall, "Sea Surges Could Uproot Millions in Nigeria Megacity," *Reuters*, November 19, 2008, <https://www.reuters.com/article/us-climate-nigeria/sea-surges-could-uproot-millions-in-nigeria-megacity-idUSTRE4AI74G20081119>.

8 This strategy has been employed in Nigeria. See: Jacob Zenn, "Boko Haram Is Not 'Defeated' but Buhari's Strategy Is Working," *African Arguments*, January 5, 2018, <https://africanarguments.org/2016/01/05/boko-haram-is-not-defeated-but-buharis-strategy-is-working/>.

9 The UN has financed similar projects elsewhere in Africa. See: United Nations Development Programme, "UNDP Trains Vigilantes and Civilian Joint Task Force Members in Human Rights and Leadership," July 9, 2019, <https://www.ng.undp.org/content/nigeria/en/home/presscenter/articles/2019/civilian-joint-task-force--cjtf--members-and-vigilante-groups-tr.html>.

10 The five pillars of Islam are the five obligations of every Muslim, which provide a framework for a good and responsible life. They are *shahadah*, or profession of faith; *salat*, the prayers performed five times daily; *zakat*, financial contributions to charitable causes; *sawm*, fasting during the month of Ramadan; and *hajj*, the pilgrimage to Mecca.

11 The local Maliki school of Islam allows the faithful to make their pilgrimage even if they do not have the resources to do so, the only requirement being to work along the way. See: Baz Lecocq, "The Hajj from West Africa from a Global Historical Perspective (19th and 20th Centuries)," *African Diaspora*, vol. 5, no. 2 (2012), pp. 187–214.

followers were thus earning real money for their virtual hajj. At first, the raids were little more than ransomware attacks against medium-sized businesses, but, as the Pilgrims' resources expanded, so too did their ambitions. Oyoland's biggest tech firms were subject to embarrassing data breaches. And then the Oyo National Bank fell victim to a cyberheist, a vivid sign of the government's neglect of state cybersecurity during its high-tech boom. Increasingly, the government of Oyoland came to think of the virtual realm as an extension of its physical territory, talking of Barna State as a 'breakaway' region of cyberspace.

Unable to assure its own cybersecurity, Ajuba once again turned to violent criminals for help, producing a licensing system for VPSFs. It found recruits among the same underemployed, violent gaming community that were drawn to the Pilgrims, allowing them an outlet for their frustration and rewarding them with a cut of the proceeds. In the early days, most continued to engage in cybercrime on the side. The CEO of one VPSF is rumoured to be the offline identity of the notorious SojiGirl, responsible for a number of high-profile cyberattacks on the country's vital infrastructure, including a devastating ransomware attack on the Eko nuclear power plant. Still, when they were employed as VPSFs, they stuck to strict rules.¹² Ahead of their action against the Al Ghaib Financial Group, the lead VPSF meticulously traced the Pilgrims' assets and then presented the evidence to a government liaison officer who gave them permission to take 'active defensive measures.'

The multilateral response: cyberpiracy or privateering?

In response to the Al Ghaib heist, Liechtenstein and Switzerland jointly expel the Oyo

ambassador from Berne and call upon their EU neighbours to follow suit: they say that Oyoland's government is directly implicated in a massive bank theft. Switzerland currently has a non-permanent seat on the UN Security Council and calls for sanctions under the Regime on the Use of Cybercrime as a Weapon. The Swiss authorities say they have already foiled a second attempted cyberheist and, if the Security Council turns a blind eye, it will 'open the door to a ruinous new era of piracy against European banking institutions by state-sponsored cyber-criminals'. Oyoland counters that its operation was far from unprecedented, citing Mossad's Operation Harpoon, which involved the theft of bank assets held by Hezbollah;¹³ what is different this time is that Oyoland acted openly and within the bounds of its own very clear laws designed and debated for this purpose.

Some European representatives concede that there is a precedent for Oyoland's effort to use national law to extra-territorial effect (the US has long done this with its sanctions and taxation policy). But the dispute is really a clash of world views. For Oyoland, collusion with criminal groups has become an integral part of an effort to control its fractious territory; for Europe it is an aberration. The Oyo ambassador points out that the colloquial term for the VPSFs – 'cyberteers' – echoes the European 'privateers' who historically ensured order on the high seas.¹⁴ In today's highly connected world, he argues, cybercrime is analogous to piracy, as the internet is to the high seas. Moreover, Oyoland's 'Cyberteers' Charter' was consciously modelled on historical practices, which are still formally sanctioned in some parts of the West.¹⁵ Oyoland has turned cyberpirates into cybersecurity guards, gradually co-opting them into the

¹² VPSFs' official actions are governed by a three-level protocol. The first level, known as trace back, requires them to build a casefile; level two, sanction and blockade, involves the government placing restrictions on the internet use of the offender; the third level, forward defensive measures, requires the authorisation of a government liaison officer, who allows the VPSF to retaliate against the attacker, conducting reprisal attacks and seizing financial assets. A similar model has been outlined by Michael Todd Hopkins. See: "The Exceptionalist's Approach to Private Sector Cybersecurity: A Marque and Reprisal Model," Thesis, George Washington University Law School, 2011.

¹³ Nitsan Darshan-Leitner and Samuel Katz, *Harpoon: Inside the Covert War against Terrorism's Money Masters* (New York: Hachette, 2017).

¹⁴ Jonathan Still, "Resurrecting Letters of Marque and Reprisal to Address Modern Threats," US Army War College, Strategy Research Project, 2012, <https://apps.dtic.mil/dtic/tr/fulltext/u2/a590294.pdf>.

¹⁵ To this day, the US Constitution asserts that "Congress shall have Power To ... grant Letters of Marque and Reprisal" to privateers. See: The Constitution of the United States, Article 1, Section 8, Clause 11.

Permanent Mission of the
Oyo Republic to the
United Nations



Legal precedents for the use of VPSFs

Privateering has been a common state practice for the past seven centuries and will in all likelihood persist with or without international sanction. European privateers were among the first of their kind, and they were well known for preying on merchant ships and military vessels flying an enemy flag. During times of war, they acted like a navy; in peacetime they engaged in reprisals only against foreign vessels.¹ The line between privateering and piracy, between defence and aggression, was blurred: privateering was a way of earning revenue for the state and could be a substitute for open war. This is why regulation became necessary. In the mid-nineteenth century, those European states that had benefited most from privateering now became the most vulnerable, and so they outlawed it.²

Submission of the Oyo Republic to
the UN Security Council, 2030

- 1 Florian Egloff, "Cybersecurity and the Age of Privateering: A Historical Analogy," *Cyber Studies Programme Working Paper Series*, no. 1, University of Oxford, 2015.
- 2 Jan Lemnitzer, "'That Moral League of Nations against the United States': The Origins of the 1856 Declaration of Paris," *International History Review*, vol. 35, no. 4 (2013), pp. 1068–88.

service of the state. 'Outlaw this practice,' the Ambassador warns, 'and it will only result in chaos.'

It is hard to deny the success of Oyoland's VPSFs. Indeed, they appear already to have inspired similar groups in Africa's other tech hubs. Cyberteering is a means of gainful employment for tech-savvy rural youths affected by the economic downturn. It curbs their more destructive tendencies. This, in turn, leads to a fall in recruitment for the Pilgrims and to a significant decline in their capabilities. And the cyberteers, having contributed to the security of the country, are now setting about finding ways to fund cyberdefence, creating a properly secure online banking sector for the region. Despite Swiss-led sanctions, Oyoland's use of cyberteers actually increases trust and lowers the incidence of attacks. As the country's tech sector begins to recover, the government works to reduce its reliance on the private sector for its digital defence, slowly integrating its cyberteers into the regular army and replacing their 'booty prizes' with a regular salary.

Hard-learned lessons: tentative steps towards engagement

This all contributes to an increased awareness in the EU that Oyoland is moving in a positive direction, albeit by a 'crooked' path. When Liechtenstein is hit by a new round of cyberattacks, the EU is more circumspect. It continues the discussion about applying UN sanctions, but it also urges Liechtenstein to take more direct action to prevent the laundering of money through its financial system.¹⁶ After all, Africa's weak cyberdefences can be explained in large part by the way politicians syphoned off cash from the tech sector to their own pockets; and the raid on the Al Ghaib Financial Group was an understandable effort by the state to recover money hidden by the Pilgrims, the fruit of their cybercrime. In parallel, the EU dispatches a team of cybersecurity experts to Ajuba to work with the Oyo government to improve its defensive infrastructure – thus reducing its reliance on cyberteers.

¹⁶ For more information on specific actions that can be taken by Liechtenstein to improve its capacity to prevent money laundering and terrorist financing, see: Government of the Principality of Liechtenstein, *Assessment of Money Laundering and Terrorist Financing Risks in the Principality of Liechtenstein*, Vaduz, July 2018, <https://www.llv.li/files/sfiu/20180731-nra-zusammenfassung-en-final.pdf>.

ASSUMPTION 2

How Europe really relates to the world

Today, in 2021, the EU approaches different parts of the world using the (EU-centric) concentric circles model. With this model, the EU categorises states according to their proximity, capacity to adopt European norms, economic performance and history of European colonisation. The authors' alternative government capacity model, by contrast, categorises states according to their degree of centralisation and responsiveness: their ability to ensure justice and security (coercive functions), jobs and services (extractive functions) and legitimacy (transgressive function). The five states featured in the scenarios can be classified according to both this model and the EU's concentric circles model, and they are a representative sample of both. But the latter is vulnerable to blind spots, which the former reveals.

The concentric circles model reflects the EU's assumption that development is driven primarily by economic advancement. Because the EU's internal market is (by its own measure) the largest in the world, other countries have an incentive to seek integration. As they integrate, they will become more prosperous and their standards of governance will improve. Eventually, they will converge around the EU's advanced model of governance, squeezing out crime and collusion. Nearby states have a greater incentive to integrate, and presumably greater capacity, so they are prioritised. This economic approach is tempered only by history: the EU affords special attention to former colonies because of a sense of historical responsibility.

The governance capacity model, on the other hand, reflects the view that development is

driven by *raison d'état*. Each state develops as it endeavours to centralise 'coercive', 'extractive' and 'transgressive' power, ending with the capacity to make and break norms. At each of these three stages, the state exploits the capacities of criminal groups, before quashing them. Meanwhile, societies use these three collusive phases to achieve more responsive and inclusive government. They seek to translate coercive power into justice and security, extractive power into jobs and public services, and transgressive power into a social contract. How far states have advanced in centralising power is the best benchmark for classifying their development needs and also the extent of their resort to collusion.

The five virtual states featured in the scenarios can be easily classified according to the EU's 'concentric circles' model. But they also reflect the authors' assumptions: the five different stages of centralisation; different histories of European colonisation; and problems of global connectivity. Each scenario is modelled on real-world, observable phenomena and imagines how they would play out if the two logics were allowed to compete. At the very least, this is a good way of highlighting the salient features of the EU's model (as the authors understand it); at best, it will convince readers of a different model. There is no proof in favour of the latter; the only real test is the plausibility of the scenarios. And, ideally, policymakers themselves are the ones who will think them through.

Legend

-  Oyoland
-  Snøland
-  Adriatica
-  The Betelnut Islands
-  Taqar

Differences between the two logics

In each of the five scenarios, the two logics diverge in the following ways.

On the resort to collusion

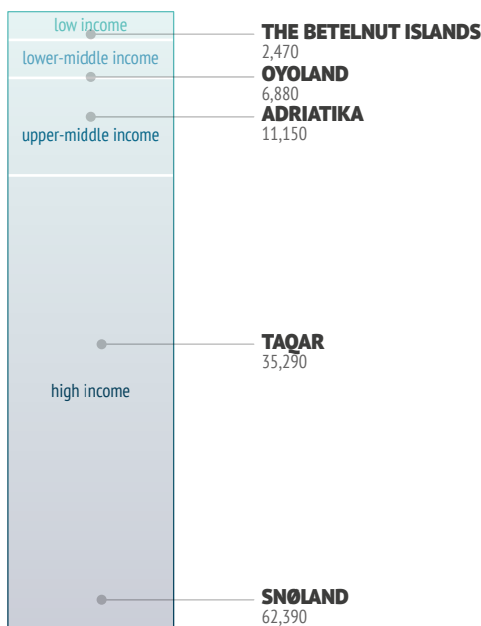
The EU would normally expect richer countries to govern without collusion, while bracing for signs of graft and corruption from less wealthy ones. Yet the evidence suggests that wealthier states are likely to collude with criminals to raise illicit capital and to bend international norms. This is because public administration becomes more economically strenuous as states climb further up the development ladder, and the expectations become greater: they need a means to finance expensive economic and welfare policies (🇺🇦, 🇷🇺). As for poorer states, they will collude with criminal groups to harness their capacity for violence: they want to boost their coercive capacity to establish justice and secure territory (🇰🇪, 🇨🇷).

On the role of geography

When it comes to development, the EU’s approach suggests it thinks of geography primarily in terms of proximity to its internal market. It expects its closest neighbours to be the best at crime-fighting: they are closely connected to the EU market and therefore have both the capacity and the incentive to adopt its norms and standards (🇺🇦, 🇷🇺). Our approach is different: geography matters when it comes to global connectivity – access to financial markets and natural resources. States in the capital-intensive middle stages of development may be unlucky when it comes to geography and so may turn to crime as a way of gaining access to new markets (🇺🇦). And even advanced states may meet sudden new geo-economic challenges, drawing them towards crime (🇷🇺).

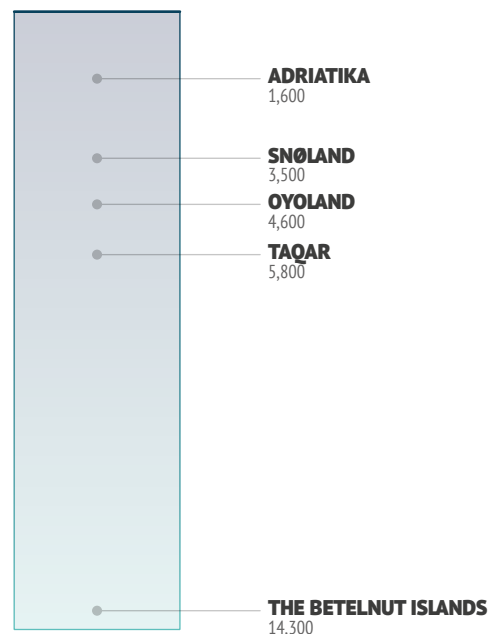
Projected income categories

2030 projected GNI per capita (Atlas method), \$



Distance from Brussels

km



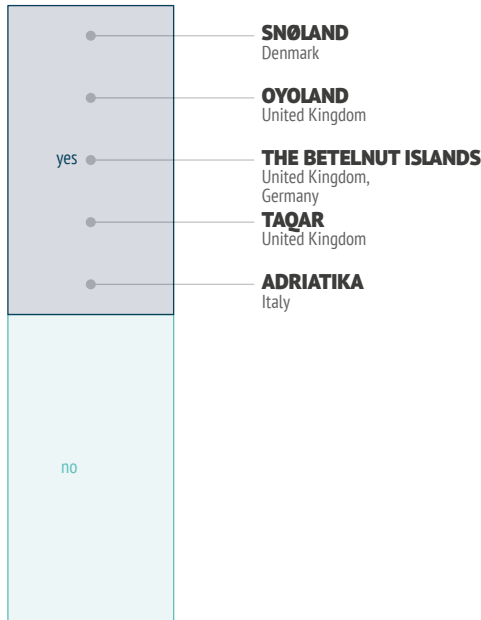
On Europe’s colonial legacy

The EU seems to assume that the legacy of colonialism is weak public administration in former colonies. But it can be argued instead that it is more typically strong but unrepresentative public administration.¹ In less developed states, this translates into law enforcement structures that tend towards violence and are unaccountable to the public (🇸🇪, 🇩🇪), whereas in better developed states it may manifest in excessive resource extraction unsympathetic to marginal groups (🇬🇧, 🇷🇺) or employment and welfare policies that are ill adapted to local needs (🇬🇧, 🇷🇺). The EU sees collusion as a sign of regression and aims to stamp it out. But it can also be seen as a means for societies to gain more representative administration.

The scenarios also imagine that, by 2030, the EU will have confected a more differentiated version of its current model, but its overall logic will remain unchanged. The Brussels of 2030 still focuses its attention on its closest neighbours and expects them to converge with EU market regulations (🇷🇺). It also continues to emphasise Europe’s shared historical obligations in Africa – even to former British colonies (🇩🇪) – and without regard to their distance or integration with other economies (🇸🇪). This reflects the unchanging logic of its market power, as well as a renewed readiness to leverage its economy for the purposes of liberalism that is being articulated even today.²

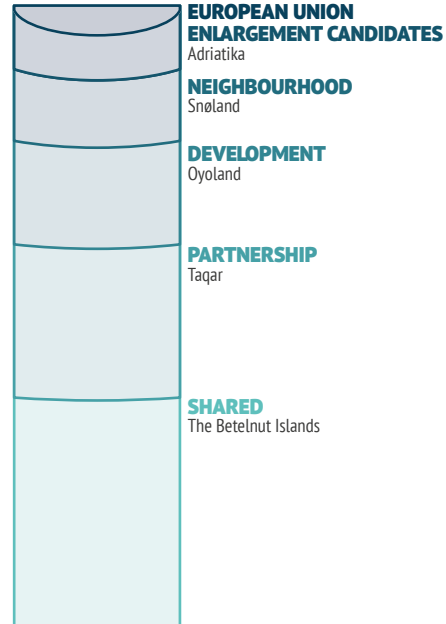
Colonial ties to Europe?

Differences between the EU’s present and future models



EU international partnerships in 2030

Projected new iteration of the concentric circles model



1 Among the countries featured in the scenarios, only the Betelnut Islands deviate from this pattern. Because of the islands’ extremely hostile terrain, colonial rule was less invasive than elsewhere. Consequently, their public administration is both weak and unrepresentative.

2 Ursula von der Leyen, “Opening Statement in the European Parliament Plenary Session by Ursula von der Leyen, Candidate for President of the European Commission,” European Parliament, Brussels, July 16, 2019, https://ec.europa.eu/commission/presscorner/detail/it/speech_19_4230.

The only significant changes foreseen in the scenarios relate to money and geopolitics. By 2030, they imagine that the EU has declared wealthier aid recipients to be ‘development graduates’, introducing a new category of partnerships from which the EU also stands to benefit, and opening this up to other, wealthy states. These new partnerships are designed for ‘mutual development’ between the EU and the third country. Countries that currently have no development relations with the EU therefore may do in 2030 (). Meanwhile, in response to renewed geopolitical manoeuvring from the US and China, the EU has sharpened its focus on its near neighbours, adding a new Arctic dimension to its familiar Neighbourhood Policy (.

The second scenario takes place in Snøland, part of the future EU’s neighbourhood and therefore expected to have the incentive and capacity to adhere to European norms. Yet, as the scenario plays out, it turns out that Snøland is drawn to collusion as a means of achieving economic independence – not least from the European Union itself. The EU would not normally expect this kind of financial collusion from a wealthy partner state that benefits from substantial EU funding. But this can be expected and understood by the governance capacity model. This disparity makes Snøland a good place to test the plausibility of this model.

SCENARIO 2

Post-modern slavery in the Arctic

There is only a month left before Snøland decides on independence, and the dreams of nationalist prime minister Kristina Qitsualik look set to be realised. Private sector employment has never been higher, fuelled by demand for the country's abundant supplies of rare earth elements (REEs), demand from the global tech sector and defence spending in the US and China. Qitsualik had swept to power in 2026 on a pro-development, pro-social democracy ticket and has established independence as the 'common sense option'. It helps, of course, that she has found Snøland a wealthy patron: Washington pays generously for exclusive access to its resources and manufacturing capacity, used to build a new generation of rapid-launch spaceplanes, and has lavished praise on its 'strong labour standards in a fragile environment'. Snølanders, so long seen as trapped by their isolated geography, are finally enjoying their geostrategic position.

Then a leading Chinese newspaper drops a bombshell. It purports to have evidence that Snøland's success story is just a front: mining companies operating in Snøland have been exploiting 'indentured migrant labourers' to scrape out resources from near-exhausted mines. Most of the migrants, the newspaper claims, are Mexicans and Peruvians – but almost all worked in the US during the short-lived 'REE-rush' that followed China's decision to terminate REE exports in 2026. When prices eventually stabilised, the US mines became unprofitable. US consortia were keen to retain the miners' skills and – according to the report – now employ them in Snøland, in joint-owned

American–Snølandic firms, disregarding global labour and environmental rules. The Chinese call now for the EU to apply economic sanctions under its legal regime (EU Regulation on Labour Standards in Extreme Environments), concluded following a series of 'slave labour' scandals in Europe.¹

In the wake of the US mine closures, the American Miners' Benevolent Association (AMBA) helped unemployed workers find jobs. But AMBA, it appears, has fallen prey to unscrupulous mining interests both at home and abroad. The organisation secured its members temporary work visas in Snøland, but obliged them to sign confidentiality agreements due to their 'critical defence work' on the spaceplanes. Once in Snøland, workers were taken by the consortia to remote mining towns, their contact with their families limited and their passports confiscated. European governments are shocked by the revelations. They too covet Snøland mineral resources, but European extractive firms are bound by EU labour regulations. This has cost Europe dearly in the new 'geopolitics of norms'² – norms that have apparently been flouted by its competitors. The EU had believed that nearby Snøland was one of the few places with a regulatory regime under which its firms could thrive.

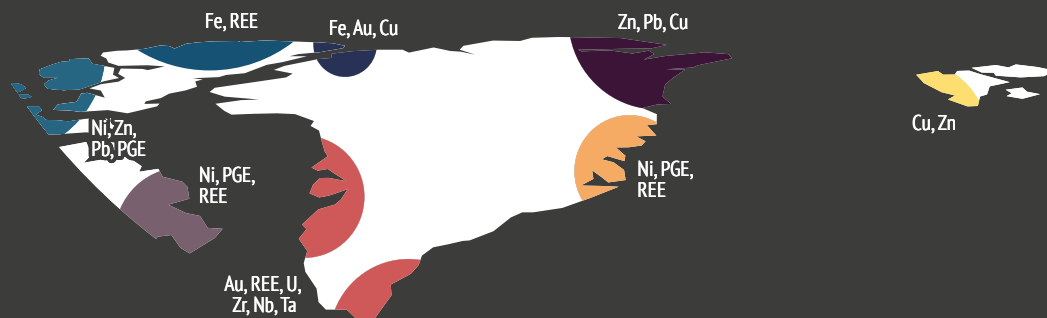
How we got here: striving for economic independence

One of the key drivers of events in Snøland is the desire for independence. Under their constitution, Snølanders have the right to replace self-rule with independence whenever a majority of citizens so choose. Throughout the 2020s, polling showed that as many as two thirds of Snølanders supported independence; but, when respondents were told that independence might mean a dip in working and living standards, support plummeted to just

1 Emma Batha, "North Korea Sends 'State-sponsored Slaves' to Europe – Rights Group," *Reuters*, July 6, 2016, <https://www.reuters.com/article/northkorea-eu-slavery/north-korea-sends-state-sponsored-slaves-to-europe-rights-group-idUSL8N19N43L>

2 Bjorn Fagersten and Tim Rühl, "China's Standard Power and its Geopolitical Implications for Europe," *UI Brief*, 2/2019, March 2019, <https://www.ui.se/butiken/uis-publikationer/ui-brief/2019/chinas-standard-power-and-its-geopolitical-implications-for-europe/>.

Mineral resources in Snøland



Data: Natural Earth, 2020;
Exploitation of Greenlandic Natural Resources for the Benefit of Society, 2014

one fifth.³ Successive governments were torn between seemingly incompatible pressures: Snølandic voters wanted greater independence from Europe, but the country was ever more reliant on European funding for job creation; they wanted greater parity with European working and living standards, while fretting about the loss of their unique Inuit–Scandinavian culture; and they called for more intensive extraction of the country’s mineral resources, while also demanding protection for workers.

But then the Gordian knot appeared to untie itself. As Snøland’s permafrost melted, global hype grew on the assumption that new REE reserves were becoming accessible. Combined with high-tech manufacturing, these newly accessible resources would provide a potential source of revenue for maintaining the country’s Nordic welfare model, a means of diversifying employment away from the public sector,⁴ and a way of sustaining the infrastructure needed to link up its vast territory. The government invested in education, training and infrastructure

to build a high-tech manufacturing industry around the capital, Nordhavn, but its stock of potential miners was vanishingly small. The Large Scale Projects Act II created new migrant visa categories – ‘gold’, ‘zinc’ and ‘rare earth’ visas – designed to attract skilled temporary workers from abroad.

Relations with Brussels also heated up: Snølanders had their pick of international partners and felt confident about approaching the EU on their own terms. Pundits in Nordhavn envisaged crowning an independence vote with active EU membership. They were enthused when the EU welcomed back independent Scotland as part of its ‘arc of prosperity’ strategy for resource-rich Nordic countries,⁵ imagining the same for themselves.⁶ But in early 2026 the EU instead pressed for a new ‘Northern Neighbourhood Policy’ with ‘full political convergence’, rather than membership: was the EU interested only in accessing Snøland REEs? The US Secretary of State now spent three days in Snøland, wooing local politicians and snubbing EU diplomats. He said he shared Snøland’s sympathy

3 This echoes the pattern seen in Greenland, a self-governing autonomous territory within the Kingdom of Denmark. Kevin McGwin, “On the Question of Greenland Independence, There Are Fewer Moderates, Poll Finds,” *Arctic Today*, April 3, 2017, <https://www.arctictoday.com/on-the-question-of-greenland-independence-moderates-still-a-plurality-are-in-the-decline-poll-finds/>.

4 In 2019, public sector employment accounted for over 40% of employment in Snøland, rising to 60% among women. This echoes other states in the region. See: Statistics Greenland, *Greenland in Figures 2019*, Nuuk, May 2019, <http://www.stat.gl/publ/en/GF/2019/pdf/Greenland%20in%20Figures%202019.pdf>.

5 On the idea of a Nordic ‘arc of prosperity’, see: Mary Hilson and Andrew Newby, “The Nordic Welfare Model in Scotland and Norway,” in John Bryden, Ottar Brox and Lesley Riddoch (eds), *Northern Neighbours: Scotland and Norway Since 1800* (Edinburgh: Edinburgh University Press, 2015).

6 Snøland entered the European Community as part a new member state in 1973. Following the introduction of home rule in 1979, a referendum on continued membership was held in 1982. 53% of Snølanders voted to leave, and that took effect in 1985.

for its unique human and natural environment, and explained that the US has developed strict standards for work in its own harsh climate. That is when Snøland's Eurosceptic opposition, headed by Qitsualik, swept to power.

The tipping point: the weight of expectations

Despite public perceptions, the mining sector in Snøland has long been in decline: REEs are living up to their name. Reserves have been dwindling and extraction becoming more costly, with local workers reluctant to join the extractive sector. But Nordhavn actually increased its rhetoric around the economic viability of independence, under the weight of public expectation about a 'resource super-cycle'. Public perceptions were bolstered by a slew of disinformation online. The source remained elusive, but some suggested that it had come straight from Washington. Slick adverts and online clips exaggerated Snøland's mineral wealth and falsely suggested that US investment was now more important than EU support. The US, with thousands of immigrant miners having been laid off since the collapse of its own REE industry, had seen an opportunity. It encouraged AMBA to begin a recruitment drive, matching migrant workers with new opportunities in the Arctic.

The US itself was under no illusions about Snøland's mineral potential. The US military had carried out a hyperspectral survey on the government's behalf and knew that there was not much left to mine. But Snøland was still strategically useful, especially if independent. It is host to the Vigtig airbase, from which the US once operated its early-warning missile system against Russia. Lately, the airbase had regained its importance, thanks to a joint Russian-US defence initiative conceived more or less explicitly at China's expense. This initiative gave the US and Russia joint control of the entrance to the increasingly navigable Northwest Passage and provided a key hub in what was now labelled the 'Northwest Aerial

Passage', a channel 100 km above the earth's surface and largely out of reach for China. The US was prepared to pay over the odds for some 'minerals' in order to maintain the airbase, which was now designated the launch pad for its new spaceplanes.

The Northwest Sea and Aerial Passages



Data: Natural Earth, 2020

As for Snøland's system of 'indentured migrant labour', the US military was actually the driving force, taking its inspiration from the setup for employing migrant labour on bases in the Middle East.⁷ AMBA was a ready vehicle: it started out as a community organisation looking to help unemployed miners find work, but it had long since fallen prey to unscrupulous mining interests (and, some say, the CIA). Now it is little more than a honey-trap for grey market Latino labourers. Snølandic officials, acutely aware of the impact that mine closures would have on their independence project, appear to have turned a blind eye. Mines systematically under-reported emissions, lowered standards for the disposal of hazardous waste and postponed their phase-out in spite of diminishing financial returns and growing environmental costs. This was the hidden price of maintaining

⁷ Sarah Stillman, "Invisible Army," *New Yorker*, June 6, 2011, <https://www.newyorker.com/magazine/2011/06/06/the-invisible-army>.

the high-tech manufacturing industry that employed the bulk of native Snølanders and fuelled the idea that independence was affordable.

The multilateral response: slavery or sharing?

The US washes its hands of the whole mining enterprise, claiming that it was misled about working conditions. But, to widespread surprise, the Qitsualik administration mounts a stout defence. When the EU tries to organise global sanctions through the International Labour Organisation (ILO), Brussels is accused of double standards. Europeans, Qitsualik contends, talk up a 'global division of labour', the theory that each economy can grow wealthy if it specialises in its own niche products. But, if this were so, she says, Snøland should have accrued real advantages from its niche resource base. The reality of the global division of labour is very different: the world is divided between a wealthy core and a huge periphery. Core economies such as the US and Western Europe hog the white collar jobs, and they do so by extracting resources – both mineral and human – from the much poorer periphery. Snøland, she insists, will no longer accept this structural inequality.

When Qitsualik announces that the referendum will go ahead, this prompts a dire prediction from the EU Commission president: Snøland 'will soon learn the limits of independence in today's world'. Her rhetoric enrages Snølanders, who respond well to Qitsualik's new vision for development. Snøland, she says, will follow Europe's example, its real example, that is: it will create wealth by extracting resources from its periphery, outsourcing labour to foreign workers. But Snøland will do so openly: it will extract wealth from its own periphery, rather than covertly taking resources from hidden corners of the earth; and it will regularise AMBA workers instead of exploiting a murky pool of irregular migrants as wealthy governments do. The Commission president replies that Nordhavn is perpetuating the misery of the AMBA workers. The remark is ill-timed: it helps carry the independence vote to 63.4%, and Qitsualik wins a comfortable majority in the elections that follow.



Government of Snøland
Naalakkersuisut

The 'legal' slave trade

European countries established colonies in 'peripheral' zones (Asia, Africa, Americas) extracting agricultural goods and raw materials produced in labour-intensive plantations and mines. This economy relied on cheap labour and was severely disrupted by the abolition of the slave trade. An alternative system was developed to respond to the need for a cheap, servile labour force. It primarily extracted workers from a supposedly overpopulated and turbulent China and transported them to colonies. The system essentially recreated the conditions of slavery but with a new legal veneer.¹ Workers were forced into bondage as a way of repaying their debts to transporters – debts they would never be able to fully repay.² We consider the AMBA system to be a continuation of this asymmetric system, and we have finally established a means to remedy it.

Submission of the government of
Snøland to the ILO, 2030

- 1 Robert Irick, *Ch'ing Policy toward the Coolie Trade, 1847-1878* (San Francisco: Chinese Materials Center, 1977).
- 2 Ong Jin Hui, "Chinese Indentured Labour: Coolies and Colonies," in R. Cohen (ed.), *Cambridge Survey of World Migration* (Cambridge: Cambridge University Press, 1995).

The flagship initiative of Qitsualik's second administration is the 'Indigenous Workers Mobility Initiative' (IWMI), a scheme that twins Snøland's mines with indigenous communities across the Americas and Eurasia, fostering mobility. This is a 'global sharing economy based

on indigenous values'. Extraction is slowed, and working conditions are negotiated between communities. Latin American states reciprocate, arguing that a mix of heavy global demand and tight international labour standards leaves them permanently at the mercy of foreign firms, which break the rules with impunity.⁸ The EU argues that the IWMI legitimises exploitative labour practices and exploits marginalised communities, and it pins its hopes on the ILO, a largely EU-funded organisation. But the ILO is a long-time supporter of indigenous rights,⁹ and it offers to broker a deal to bring the IWMI to Europe – to the High North, Celtic Fringe and the peripheral and maritime regions of Europe.

Hard-learned lessons: the EU's resolve weakens

The ILO dispute is bruising for the EU, which immediately rejects an offer to act as an observer in the IWMI. But the incident does prompt some reflection. One EU member state dispatches a fact-finding mission to evaluate the IWMI. The results, it seems, are encouraging. It helps bring mobility and prosperity to marginalised communities. A pilot scheme is launched to help sending communities better negotiate working conditions in Snøland. The EU's position is beginning to soften. It is well placed to cooperate with Nordhavn when Snøland's permafrost melts, its volcanic activity increases and the Snølandic countryside starts spewing out valuable new molten metal compounds.

8 Cecilia Olivet, "Violations of Peoples' Rights by European TNCs: The Case in Latin America Presented to the Permanent Peoples' Tribunal", Transnational Institute, July 10, 2010, <https://www.tni.org/es/node/11804>.



9 In 1989, the ILO passed the Indigenous and Tribal Peoples Convention, the only international treaty on indigenous peoples currently open for ratification. See: Martin Oelz, Rishabh Kumar Dhir and Marek Harsdorff, *Indigenous Peoples and Climate Change: From Victims to Change Agents through Decent Work* (Geneva: International Labour Office, 2017), https://www.ilo.org/wcmsp5/groups/public/--dgreports/--gender/documents/publication/wcms_551189.pdf.


ASSUMPTION 3

How the EU really ticks

The five scenarios for 2030 portray a global order that has changed and an EU whose thinking has not kept up. This is not a prediction, but a thought exercise designed to generate warnings about the present. The scenarios imagine a future where the European single market has contracted and been overshadowed by economies to its west, east and south. More autocratic and effective powers have blunted the EU's reputation for cutting-edge governance. Yet Brussels maintains the same EU-centric vision of the world and continues to picture itself surrounded by circles of compliant countries. The future EU still expects other countries to follow its (remembered) path to development.

The scenarios imagine the world of 2030 as a multipolar order, one in which states are subject to conflicting influences and allegiances. The EU is certainly a pole but an increasingly peripheral one. This leaves it at risk of becoming an international 'policy-taker', losing its long-held power to set the rules. But, although political and economic power is shifting away from the EU, Brussels' instinctive reaction is to double down on its existing strategies. The EU leverages trade and aid, incentives and sanctions, with the same loftiness as today. The only difference: it is acting not out of strength but out of weakness.

In the five scenarios, the EU insists ever more strongly that other states converge with its governance standards. Unlike today, it does so not because of the vibrancy of its own economy but rather its malaise. The EU finds it too costly to adapt to new economic models emerging abroad, so it stands firm on its insistence that others adopt its own regulatory approach (, ).

- > The EU has increased its demands on the nearest rings of countries (, ) not because they are any longer benefiting from the internal market but because the EU needs them to bend to its geo-economic interests. Other more vibrant economies have emerged in the Global South, East and West, and the EU must cross this ring of neighbours to access them.
- > The EU has been quick to declare wealthy African states 'development graduates', and has focused its efforts on the world's poorest countries. This is not because increased global prosperity has resolved its partners' governance problems. Rather, the EU is keen to cut costs () and to forge partnerships of 'mutual economic development' ().
- > The EU has renewed its post-colonial responsibilities, even towards Britain's ex-colonies, and has tried to enforce a multilateral order. But, despite appearances, these moves actually reflect the EU's embrace of power politics. The EU is trying to crowd out competitors such as China by using multilateral organisations () and is trying to compete with post-Brexit Britain in Asia and Africa ().

2030 therefore represents a moment of truth for the EU and its ideas about effective policy. Nowhere is the shift of power away from the EU – and the EU's continued expectations of influence in spite of this – clearer than in our next scenario, set in the neighbouring Western Balkan state of Adriatika. And nowhere would EU policy benefit more from a critical rethink from Brussels.

SCENARIO 3

Organ counterfeiting in the Western Balkans

An elderly woman is admitted to a Swedish hospital just days after receiving a liver transplant. She complains of fever and abdominal tenderness, the familiar symptoms of acute organ rejection. Such emergencies were quite common in the days of human-to-human (H2H) transplants, but nowadays all European hospitals use bioprinted organs, meticulously engineered to match the patient's genetic material.¹ Odder still, the patient responds well to treatment with the same immunosuppressive drugs that used to be prescribed following H2H transplants. Suspicious, her doctor reports the incident to the national human tissue authority, Våvnadsrådet. It turns out this is just the latest in a series of similar cases across the EU, and one name keeps cropping up: Jadranski Biomjekësi (JB), the successful Adriatikan supplier of bioprinted organs.

This surge in post-operative complications following organ transplants has already attracted the attention of the Global Observatory on Transplants and Transfers (GOTT), which believes that JB has been dealing in 'off-the-shelf' organs – generic bioprints sold to patients as if they were custom-made for them. There has been a recent upsurge in post-operative complications in hospitals that use organs provided by both JB and its mother company, the Mexican bioprinting giant Organuevo. But GOTT's investigators go further. They allege that JB has not only been mis-selling generic bioprints but that the Adriatikan company has also taken advantage of the commercialisation of bioprinted organs to launder genuine human parts. JB,

it seems, has been buying organs from living specimens and then marketing them as their much more expensive bioprinted equivalent.

Across Europe there is media uproar, particularly in Nordic countries that had just signed contracts with JB. The EU comes in for particular criticism for its 'misguided efforts to integrate a backward state into its regulatory regime'. In truth, Adriatika's accession to the EU has been on hold for years, but the EU is home to a 1.5 million-strong Adriatikan diaspora.² Adriatika's progress in converging with EU standards is undermined by the scandal, especially as a cache of minutes from a meeting between JB's owner Organuevo and the Adriatikan health minister comes to light. And worse is to come: in Adriatika, bloggers and non-governmental organisations are investigating whether organs have been sourced from 'donors' without their consent. There has been a spate of disappearances among marginalised communities – Roma, Ashkali and rural Adriatikan migrants to the capital, Lashkov – which have received scant investigation by local police.

How we got here: organ poverty

Ever since the invention of 'bio-ink', a printable substance made of living cells,³ its benefits have been aggressively marketed to elderly populations. At first, strict global regulations meant that the technology was used only for non-invasive procedures such as skin grafts. But elderly populations in Western Europe, North America and East Asia called for a more risk-tolerant approach. And, soon, small-scale labs began popping up, exploiting 3D printing technology to disrupt the pharma giants. One such lab, Tijuana's Organuevo, has grown rapidly by appealing to American healthcare tourists and taking advantage of Mexico's comparative lack of regulation to engage in

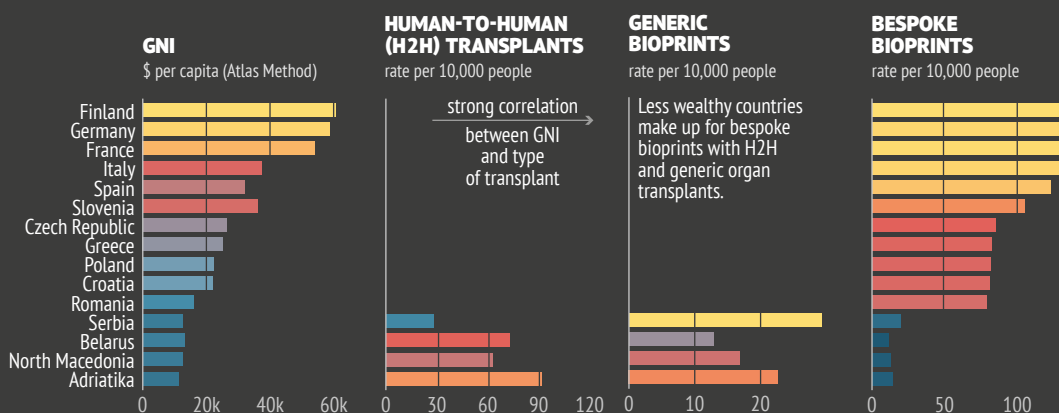
1 Chloe Kent, "The Future of Bioprinting: A New Frontier in Regenerative Healthcare," *Verdict Medical Devices*, June 10, 2019, <https://www.medicaldevice-network.com/features/future-of-3d-bioprinting/>.

2 High levels of outward migration are common to all countries in the region. In 2018 alone, Eurostat estimated that around 230,000 people left the Western Balkans. See: Alida Vracic, "Can Europe help the Balkans keep its young emigrants?" *Balkan Insight*, October 7, 2019, <https://balkaninsight.com/2019/10/07/can-europe-help-the-balkans-keep-its-young-emigrants/>.

3 Michael Pooler, "3D Printing Offers hope of Building Human Organs from Scratch," *Financial Times*, December 9, 2019, <https://www.ft.com/content/eabb0e00-9755-11e9-98b9-e38c177b152f>.

Organ transplantation in Europe

The prevalence of different types of organ transplantation in selected European states



Data includes kidney, heart, liver, lung, pancreas and small bowel transplants.
Data: World Bank, 2030; Global Observatory on Donation and Transplantation, 2030

experimental research into ‘regenerative medicine’.⁴ The costs of bioprinting organs were high even for the world’s wealthiest states. So spare a thought for countries like Adriatika, which have ‘grown old before they became rich’.

Poor countries like Adriatika began to produce the new organs, and wealthier countries snapped them up. This reversed decades in which transplant standards had been ‘levelling up’. For the previous three decades, the link between a state’s per capita income and access to transplants had finally been diminishing,⁵ often because poorer communities had higher levels of social solidarity and organ donation. But the countries that now made use of bioprinted organs were rich, with a history of low donor rates. And the poorer societies bordering

them felt the gap acutely. Adriatikan pensioners took to the streets to protest against ‘the organ donation lottery’. The demands of the elderly weighed heavily on the government. In 2030, 20% of the population was over 65 in almost all Adriatikan prefectures. Lashkov was always the exception, because it sapped working-age migration from other parts of the country. But, even there, the elderly dependency ratio⁶ hit record highs.⁷

Adriatikan public healthcare had been improving.⁸ But these improvements were actually part of the problem: they accelerated the rate of demographic ageing. By concentrating on the early detection of chronic disease, Adriatika helped elderly people live longer and worsened its own demographic health. Moreover,

4 Damini Kunwar, “The Uncertainty of Regulating 3D Organ Printing,” *The Regulatory Review*, December 10, 2019, <https://www.theregreview.org/2019/12/10/kunwar-uncertainty-regulating-3d-organ-printing/>.

5 See: Conor Stewart, “Deceased Organ Donor Rate Both DBD and DCD in Europe 2017–2018,” *Statista*, October 15, 2019, <https://www.statista.com/statistics/537908/deceased-organ-donor-rate-in-europe/>; Sarah White, Richard Hirth, Beatriz Mahillo et al. “The Global Diffusion of Organ Transplantation: Trends, Drivers and Policy Implications,” *Bulletin of the World Health Organization*, vol. 92, no. 11 (2014), pp. 826–35.

6 This metric is calculated based on the number of people aged over 65 for every 100 people of working age.

7 This echoes the situation elsewhere in the region. See, for example: Republic of Albania Institute of Statistics, *Population Ageing: Situation of Elderly People in Albania*, Tirana, November 25, 2015, http://www.instat.gov.al/media/3550/population_ageing_situation_of_elderly_people_in_albania.pdf.

8 Improvements in primary healthcare have become a priority for other states in the region. For example, the Albanian government instituted a preventive check-up programme in 2017 to improve early detection of chronic diseases that require organ transplants. See: *Improving the Role of Primary Health Care in Early Detection and Management of Non-communicable Diseases in Albania*, WHO Europe, Copenhagen, May 15, 2017, www.euro.who.int/en/countries/albania/news/news/2017/05/improving-the-role-of-primary-health-care-in-early-detection-and-management-of-noncommunicable-diseases-in-albania.

pensioner expectations rose: bioprinting was now included as a metric in World Health Organization (WHO) league tables of national healthcare, and there were even calls to end H2H transplants altogether. In an effort to catch up, Adriatika's health minister reached out to the emerging market leader, Organuevo. Organuevo was offered a generous 'sweetheart deal' to establish a new Adriatikan subsidiary in partnership with the state. The minister triumphantly announced that the new company, Jadranski Biomjekësi, would 'revolutionise both public and private healthcare in Adriatika, elevating it to world-beating standards'. But, at the same time, she urged patience.

The tipping point: diaspora demands

It was Adriatika's young overseas population that brought matters to a head. The government had attracted criticism with a series of flat-footed healthcare announcements: just days after announcing the bioprinting partnership with Organuevo, the health minister began a national campaign to promote the old system of organ donation. This mixed messaging provoked a strong reaction from diaspora associations, vocal critics of a government that they felt had let them down both at home and in their host countries. A series of diaspora-funded adverts appeared across social media, criticising the country's political elite who, they said, themselves travelled abroad for healthcare. The government's response was defensive. The health minister pointedly asked why, if the diaspora was so concerned about the elderly, they did not return to their families in Adriatika. And she argued that real Adriatikans are a "hardy people, who only go to the doctor when carried there".⁹

Despite the bravado, the Adriatikan government was conscious that its ever less hardy domestic population was losing patience. Adriatikan GNI was locked into a downward spiral, and Lashkov was forced to hike up taxes on the country's few profitable companies. Suddenly,

its partnership with Organuevo was in jeopardy: the Mexicans said they could find better business conditions inside the EU itself. In a last-ditch effort to save the partnership, the health minister met privately with members of the company's board. Even when the minutes of their meeting were leaked online, the conversation was ambiguous. The minister promised to 'turn Adriatika into an innovation-friendly regulatory environment' if Organuevo continued to operate. As part of a new drive to improve nationwide economic cohesion, JB would receive funds to 'shift production to a number of smaller labs around Adriatika, under local rather than central oversight'.

Organuevo saw an opportunity: its other international operations were struggling with a growing roster of regulatory restrictions. The company demanded that the Adriatikan regulations be hammered out directly between Lashkov and Organuevo's headquarters in Tijuana. Perhaps for this reason, they were not properly communicated abroad. When the scandal hit, surgeons in the EU could honestly claim that they were unaware that JB had been supplying them with organs produced under a divergent set of standards. But it is interesting that many private medical firms in the EU's poorer regions concluded supply agreements with JB without ever asking why the price was so low. They also appear to have altered the way they stored JB organs, a sign that they were aware that they had been given generic bioprints, less durable than their bespoke equivalent. JB's board continued to maintain that the change had been communicated.

The multilateral response: innovation or negligence?

Following a series of global pandemics in the early 2020s, the EU has gained powers in the field of healthcare. Following the Adriatika scandal it asserts itself at the WHO, pushing for greater regulation of bioprinting, as well as restrictions on H2H transplants. Polling shows

⁹ The Albanian health ministry made a similar claim in 2019. See: Arne Björnberg and Ann Yung Phang, *Euro Health Consumer Index 2018*, Health Consumer Powerhouse, February 25, 2019, <https://healthpowerhouse.com/media/EHCI-2018/EHCI-2018-report.pdf>.

that EU consumers have clear preferences: H2H transplants are ‘backward and outmoded’. Despite a healthy rate of H2H donations, Adriatika is ranked last by the European Health Consumer Index. Yet, in large swathes of the world, there is sympathy for the argument that practices such as H2H transplants and generic bioprints are being proscribed by international policymakers based on little more than consumer taste. Adriatikans are experiencing what one local social scientist describes as ‘normative flux’. They had been proud of the spectacular increase in rates and standards of organ donation over the last decade, but now they are told to be embarrassed by it.

But the Adriatikan government recognises that, in every crisis, there is an opportunity. And this normative crisis is no different. It creates a good environment in which to address taboos and forge new standards – even organ harvesting. The country has little to lose by taking its own path. It is an open secret that the EU accession process is going nowhere and that Western European capitals are content with the current advantages of ‘modular integration’ between the EU and Western Balkan states.¹⁰ Without admitting any wrongdoing, the health minister holds that market forces rather than moral weaknesses are to blame. She compares the mass emigration of young Adriatikan workers to an ‘organ-harvesting campaign from our wealthier neighbours’. And she reminds Europeans that they in the past have had to respond to the commercialisation of human bodies. Or, as the minister put it, ‘Europe has some skeletons in its closet.’

As the EU pursues stricter regulation of bioprinting and organ transfer through the WHO, Adriatika looks elsewhere for partners. The country begins to decouple from the EU, promoting its own alternative formula for medical standardisation. The US, a harsh critic of the WHO since the early 2020s, is quick to back Adriatikan objections. But Adriatika is seeking

¹⁰ Andreas Maurer and Max Haerder, “Alternatives to Full Membership of the EU,” in Johannes Varwick and Kai Olaf Lang (eds), *European Neighbourhood Policy: Challenges for the EU Policy Towards the New Neighbours* (Opladen: Barbara Budrich Verlag, 2007), pp. 197–218.



Republic of Adriatika
Република Јадранска

Human tissue harvesting in Europe

Medical researchers in Western Europe relied on human dissection into the modern era – and this was because Enlightenment values started to win out against religious taboos. In the early days, only the bodies of convicted criminals were eligible. But supply was unable to meet demand.¹ And it was not long before enterprising body snatchers turned to murder as a way of quickly and easily procuring bodies to sell to medical professionals. We note that governments were unwilling to close loopholes that left the legality of selling bodies ambiguous, and few questions were asked about the provenance of corpses.² Governments cracked down on body snatching only when they had identified a seemingly inexhaustible alternative source of bodies: the poor.³ In effect, they had out-competed the body snatchers. We have found no evidence of body snatching in Adriatika, and we certainly would not condone it; but we do highlight the precedent set by states that seek to apply their rules to us.

Submission to WHO from
the Republic of Adriatika, 2030

- ¹ Ruth Richardson, “Human Dissection and Organ Donation: A Historical and Social Background,” *Mortality: Promoting the Interdisciplinary Study of Death and Dying*, vol. 11, no. 2 (2006), pp. 155–6.
- ² *Ibid.*
- ³ *Ibid.*, pp. 160–2.

allies in countries experiencing similar ‘growing pains’ to itself. JB diverts its generic bioprint operations first to the Balkans, Eastern Europe and North Africa, then around the Indian Ocean, Latin America and southern Africa. Critics inside the EU expect the Adriatikan elite to hoard their ill-gotten gains. And, while JB shareholders – many of whom are connected to the government – do receive generous rewards, the EU is surprised to see that the company’s profits are largely reinvested in the Adriatikan healthcare system, as well as in universities, research institutes, hospitals and clinics in Adriatika and the wider region.

Hard-learned lessons: EU strategists begin to reconsider




The EU’s push for greater regulation through the WHO ends in impasse when the Expert Advisory Committee on Biotechnology calls on the Adriatikan health ministry to submit evidence in spite of EU objections. There is a growing sense that the EU’s ability to unilaterally set international norms is long gone, even in its own neighbourhood. A small group of policy strategists float the idea that the EU’s tight embrace of its neighbours might in fact be what is pushing them away; a more sympathetic approach to ‘outmoded’ and ‘divergent’ practices could help them develop along broadly European lines, rather than diverging entirely.

ASSUMPTION 4

How the EU can really solve problems





The five scenarios were designed to highlight the scope for positive engagement with collusive states – and the risks of failure. If the EU misreads its partners' motivations, it risks isolating itself, missing opportunities to affect positive outcomes and pushing states further into the grasp of criminal groups. The proper identification of opportunities is therefore vital. This exercise reveals at least three potential areas of misunderstanding.

Divergence or convergence?

The scenarios imagine that the EU continues to cleave to the idea that its own (remembered) path to development provides a precedent for others to follow. Accordingly, it projects its own policies onto states that have sufficient law enforcement capacities to follow its lead and crack down on crime (, , ). Each scenario includes a box to explain how states are indeed following Europe's path to statehood; but they do so by copying its historical patterns of collusion. Evidently this does not mean that they will automatically converge with EU policy – but nor should this be the EU's first priority. Successful processes of state-building will provide positive new models, from which the EU itself might also draw inspiration.

Regression or progress?

In earlier steps, three cycles of collusion were identified that allow states to progressively fulfil their state-building goals and societies to gain more inclusive governance. Taken together,

these amount to a progression from collusion to crime-fighting. But we have also warned that each of the three phases involves a renewed bout of collusion. In the scenarios, the future EU misreads this repeated collusion as backsliding and responds with corrective policies such as economic sanctions (, diplomatic censure (, ) and disengagement (). If the EU cracks down on collusion rather than looking for viable alternatives, its fears of state capture and collapse are likely to become self-fulfilling prophecies.

Neo-imperialism or sympathetic engagement?

In the scenarios, the EU trusts a mix of investment and economic sanctions to keep states on the straight and narrow: it believes that economic tools transcend cultural specificities, thus overcoming prejudices in Europe that some groups are just 'backward'. When China tries to engage with local groups in the Gulf of Guinea, the EU dismisses this as 'neo-orientalism' (see p. 9). The scenarios imagine a future China that is better at problem-solving, in part because it recognises the logic of *raison d'état* and the need for security and jobs. China's actions continue to reflect Chinese interests rather than the specific notion of state-building explored here. But dismissing them out of hand will cause Brussels to overlook valuable opportunities.

In our next scenario, set in the Betelnut Islands in the South Pacific, these lessons begin to make their way into the EU's response. Far from Brussels, the EU takes an uncharacteristically permissive approach to 'hybrid' state-building. And China, acting closer to home, is less permissive of local solutions than it has been far away in the Gulf of Guinea. Yet when political pressure mounts, the EU is unwilling to stand by its approach. Here is another missed opportunity – but a tentative sign that the EU's approach might be beginning to change.

SCENARIO 4

A narco-state by choice in the South Pacific

It is dusk, the sky is darkening and a riot breaks out in the overcrowded Moubana jail on the fringes of Birmarck, capital of the Betelnut Islands. Inmates go on the rampage, slaughtering unarmed guards,¹ razing buildings and ripping down perimeter fencing. The trigger?² A rumour that inmates will soon be transferred to Sunam, a remote island hundreds of kilometres from shore.² For the prisoners this spells eternal banishment: picked up seemingly at random from Bismarck's gang-ridden slums, most will spend years awaiting trial in the gridlocked judicial system.³ The government cannot publicly admit the continued failings in its justice system and release the falsely imprisoned because international aid donors have made judicial integrity a condition of support. So they are simply being moved out of sight and out of mind. That night several hundred detainees escape, seeping back to the outskirts of Bismarck, where they are taken in by family and ethnic kin.

For the next three nights, as darkness falls, police clash with youths and the city burns at the edges. The government appeals to Australia for help but is snubbed by its traditional partner. Relations between the two countries have been strained ever since the Betelnut Islands reneged

on a deal that would have allowed Australia to start offshore asylum processing on Sanum.⁴ The Betelnut Islands' show of assertiveness was backed by an odd coalition: on one side, an authoritarian Chinese government, keen to project its power into Australia's backyard;⁵ on the other, European development and humanitarian agencies, angered by Australia's neglect of human rights. But, when China subsequently began pushing the Islands to repurpose the Australian-built facilities on Sunam as a judicial processing centre, the coalition broke down. Now, European donors are threatening to withdraw aid, while China remains set on this new 'offshore model' of judicial effectiveness.

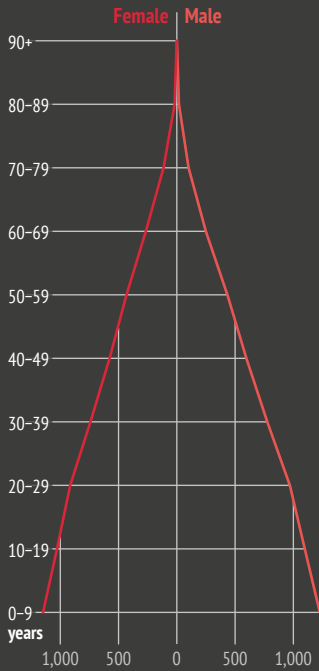
When he finally appears outside his ministry in downtown Bismarck, the justice minister looks as if he has not slept. As dawn broke, so too did a new scandal: an Australian news group claimed to have obtained a copy of a written agreement between the government and the powerful Kips Kaboni drugs cartel.⁶ The 'Good Friday Truce', as it has been dubbed, secured the cartel's help in ending the riots in the city's suburban slums. In return, the Kips Kaboni will formally gain access to the Betelnut Islands' port facilities for unspecified purposes. The beleaguered minister defends the deal for 'onshore hybrid justice': 'Half of our money comes from Western donors who want preventive justice and prisoner rehabilitation. The other half comes from China, who want us to send suspects away and throw away the key.' He pauses, regaining his composure: 'We made a choice to go our own way – and to find the means to make it happen.'

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- 1 Prisons with unarmed guards are not uncommon in the region. "Inside the world's toughest prisons": David McConnell, "Papua New Guinea: The Breakout Prison," Netflix, 2018.
 - 2 The 2019 Acarigua prison riot in Venezuela was also prompted by the threat of inmates being relocated away from their families. See: Mariangel Moro, "Twenty-nine Detainees Killed in Venezuela Police Station Cellblock Riot," *Reuters*, May 25, 2019, <https://uk.reuters.com/article/uk-venezuela-politics-prison-idUKKCN1SU2I4>.
 - 3 In 2018, when its inmate population was just 700, the Boumana prison in Papua New Guinea held prisoners who had already been in pre-trial detention for two years, See: "Papua New Guinea: The Breakout Prison", Op. cit.
 - 4 This echoes the case of Manus Island in Papua New Guinea, which was used by Australia as a regional processing centre for asylum seekers until 2016, when this was declared unconstitutional by the Papua New Guinea Supreme Court. See: Eric Tlozek, "PNG's Supreme Court Rules Detention of Asylum Seekers on Manus Island Is Illegal," *ABC News*, April 26, 2016, <https://www.abc.net.au/news/2016-04-26/png-court-rules-asylum-seeker-detention-manus-island-illegal/7360078>.
 - 5 Malcolm Davis, "China's Interest in Manus Island," Australian Naval Institute, September 29, 2018, <https://navalinstitute.com.au/chinas-interest-in-manus-island/>.
 - 6 The Kips Kaboni is a notorious Papua New Guinean raskol gang that has established a presence in the Betelnut Islands. Its name is Tok Pisin for 'Scarred Devils'. See: Stephen Dupont, *Raskols: The Gangs of Papua New Guinea* (Brooklyn, NY: PowerHouse Books, 2012).

Demographics of the Betelnut Islands

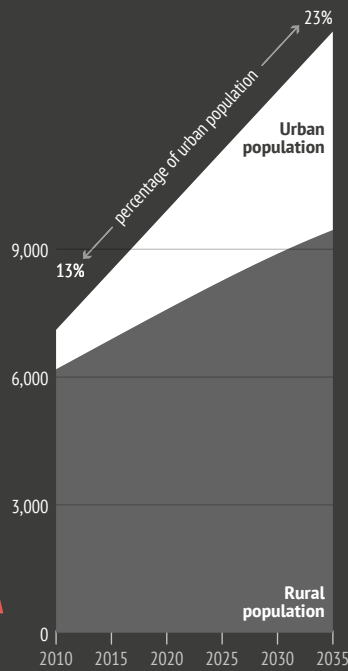
POPULATION DISTRIBUTION

by age group, thousands, 2030



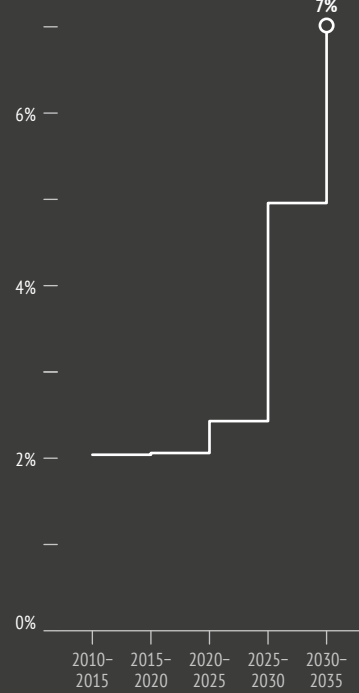
RURAL VS URBAN POPULATION

thousands



BISMARCK POPULATION GROWTH

percent



Data: UNDESA, 2030

How we got here: growth without development

The Betelnut Islands have experienced extremely rapid urbanisation. Their sprawling urban agglomerations are the messy residue of environmental, economic and demographic shifts. For a decade now, the country’s formerly productive agricultural sector has been ravaged by flooding, as year-round heavy rainfall became the norm.⁷ And when Cyclone Buri tore through the island of New Shetland

and battered the northern coast of New Cornwall, things only got worse.⁸ Fishermen were obliged to go out in extreme weather, causing loss of vessels and lives; villagers and farmers began to rely on having large families to sustain themselves. Youngsters were irritated by the patriarchal structures of provincial life, and young male breadwinners moved to the cities in unprecedented numbers in search of a better life. Slums have sprung up around large inland resource extraction projects and the ports that serve them, notably the capital, Bismarck.

7 Australian Bureau of Meteorology and Commonwealth Scientific and Industrial Research Organisation, “Climate Variability, Extremes and Change in the Western Tropical Pacific”, *New Science and Updated Country Reports*, Melbourne, 2014.

8 While cyclones are unlikely to be more frequent in the future, they will be more intense. See: “Current and Future Climate of Papua New Guinea,” Pacific Climate Change Science Programme, 2011, https://www.pacificclimatechangescience.org/wp-content/uploads/2013/06/14_PCCSP_PNG_8pp.pdf.

Farmers were reduced to doing unproductive work such as selling betelnuts⁹ at roadside stalls, day-labouring on construction sites and housekeeping in the sprawling cities. The formal economy now accounted for just 15% of all economic activity.¹⁰ Authority collapsed as the government concentrated its scarce tax revenue on the construction of a new administrative capital, which it hoped would give international investors a more attractive bolthole than crime-ridden Bismarck. After all, what formal economy there was relied on these outside investors, and they were hungry for the Islands' resources. But that meant the state was unable to find the money for infrastructure in the current capital city with its rapidly growing skirt of settlements. Over the past decades, the Betelnut Islands had developed one of the world's least diversified economies and had come to suffer from 'Dutch disease', relying heavily on international demand for its resources.¹¹

In the centre of Bismarck, house prices and rents skyrocketed as a result of an influx of Chinese mining companies, not to mention the international development agencies that arrived in the wake of Cyclone Buri. East Asian mining firms and Western non-governmental organisations (NGOs) demanded strict protection for their workers, sapping resources from the state, which was forced to foot the bill for foreign private security. Gangs of youths known as raskols were now free to engage in criminal economies such as narcotics and prostitution, operating with impunity in the informal settlements on the outskirts. Unable to keep up with rent inflation in the city, a growing section of Bismarck's urban middle class was also forced out into the settlements. As these 'slum-urbs' swelled, the rule of law deteriorated dramatically. Interpersonal violence became endemic and frequently went unpunished, and the city's police regarded the settlements as no-go zones.

The tipping point: moral breakdown in Bismarck

Despite a recruitment campaign, the Royal Betelnut Islands Constabulary was increasingly dwarfed by private security contractors. The Islands' police force could not simply hand over policing to these international contractors. But the lack of coordination between these security forces led to a heavy duplication of efforts in the city centre, meaning the police were absent from the settlements, except for lightning raids, where heavily armed forces rounded up suspected gang members with little or no evidence. The justice minister repeatedly defended this practice: these young men are trouble, full stop. They have disobeyed their parents to leave their homes in the countryside, often stealing family money to do so, and they have cut themselves adrift from the authority of their elders. Without the social bonds of village life, they have turned to raskolism, triggering a complete moral breakdown in the capital.

Raskol gangs profited from the fact that Bismarck's slum-urbs were spreading closer to connective infrastructures – ports and airports – and moving further from state control. Small kitchen labs started to appear in the slums, producing stimulant drugs from legal chemical precursors shipped in undeclared from Australia. Stimulants were then transported to illicit markets such as China. The chronically understaffed and under-resourced Royal Betelnut Islands Defence Force was unable to effectively disrupt the flows of chemicals and drugs in and out of the country, and poor relations with Australia weakened international coordination along the two states' maritime borders. The hazardous waste produced as a by-product of the drug labs in the slums and even inside prisons was disposed of in the sewers, sea and settlements around Bismarck.

9 The betelnut, from which the islands take their name, is a mild stimulant that is ubiquitous in the Southern Pacific, as well as parts of South and South East Asia.

10 Such low levels of licit economic activity are not unheard of in the region. See: "The Report: Papua New Guinea 2012," Oxford Business Group, 2012, <https://oxfordbusinessgroup.com/papua-new-guinea-2012>.

11 This is already the case elsewhere in the region, notably in Papua New Guinea. See: Satish Chand and Theodore Levantis, "Dutch Disease and the Crime Epidemic: An Investigation of the Mineral Boom in Papua New Guinea," *Australian Journal of Agricultural and Resource Economics*, vol. 44, no. 1 (2000), pp. 129–46.

As the crisis sharpened, the government sought some quick wins. One was to stamp out the informal justice system that had developed around the slum-urbs. Middle-class communities seeking property rights and retribution had turned to *komitis* of local *lidamen* as an informal justice mechanism.¹² More often than not, the members of these *komitis* were associated with drugs gangs and they administered rough justice, enforced by rag-tag gangs of youths kept loyal through a mixture of drugs and cash. The main punishment handed down by these *komitis* was the payment of compensation, as was customary among Betelnut Islander tribes. But compensation payments were unregulated, leaving the gangs free to skim money off the top. The project was badly received: Western NGOs called for long-term programmes of education and prevention based on methods tried and tested in the West; China demanded immediate emphasis on counter-trafficking and law enforcement.

The multilateral response: *realpolitik*, regression or restitution?

When the Good Friday Truce comes to light, the government says it is only following best practices: the EU's overseas diplomatic missions have been granted permission by Brussels to 'adapt European programming standards to the specificities of the locality'. Left to its own devices by a largely disinterested Brussels, the EU delegation to the Betelnut Islands launched one such experimental new project. It sent development specialists out to the countryside to study the local justice system used in the villages with a view to adapting this system to the country's urban slums. The delegation recognised that the informal governance structure in the slum-urbs was an attempt to replicate this system and would be improved if formalised.¹³

¹² These patterns can be observed elsewhere in the region. See: Sinclair Dinnen, Abby Mcleod and Gordon Peake, "Police-building in Weak States: Australian Approaches in Papua New Guinea and Solomon Islands," *Civil Wars*, vol. 8, no. 2 (2006), pp. 87–108.

¹³ Similar developments have occurred in Papua New Guinea. See: David Craig and Doug Porter, "Safety and Security at the Edges of the State: Local Regulation in Papua New Guinea's Urban Settlements," *Justice for the Poor Research Report*, The World Bank Group, Washington, DC, June 2018, p. 7.

Delegation of the
European Union
to the Betelnut Islands



Facing up to Europe's precedent

European states have a history of co-opting criminal elements into their state apparatus – with some success, it must be said. Newly formed nation states were barely present in their peripheries in the beginning, much as in the Betelnut Islands today.¹ Into this gap stepped criminal gangs, which appropriated dispute mediation and retribution. They were able to play this role because they were more sensitive to local social norms and concepts of justice than the state.² Despite their criminal activities, these gangs enjoyed significant local legitimacy. Throughout the second half of the nineteenth century, state institutions came to terms with this hybrid governance of the periphery and delegated to them the maintenance of public order in territories under their control. In return, the state tolerated their criminal activities.³ Over time, the state co-opted the criminals and then, when it was strong enough, eradicated their presence.

Diplomatic despatch from the EU
Ambassador to the Betelnut Islands, 2030

- 1 Louise Shelley, "Mafia and the Italian State: The Historical Roots of the Current Crisis," *Sociological Forum*, vol. 9, no. 4 (1994), pp. 661–72.
- 2 John Lea and Kevin Stenson, "Security, Sovereignty, and Non-state Governance 'From Below'," *Canadian Journal of Law and Society*, vol. 22, no. 2 (2007), pp. 9–27.
- 3 Roy Godson, "The Political-Criminal Nexus and Global Security" in R. Godson (ed.) *Menace to Society: Political-Criminal Collaboration Around the World* (New York: Routledge, 2017).

Under EU guidance, the slum-urban strongmen that made up the *komitis* were offered a wage and allowed to settle disputes (particularly over land ownership) that were simply not being brought to the formal courts.

This would have gone largely unnoticed by Brussels itself, had it not been politicised. In the wake of the Good Friday Truce, and the onslaught of criticism from both China and the Western NGOs, the Betelnut Islands government underlines again and again the inspiration for its deal with the cartels: its cooperation with the EU delegation. The Truce simply extends the kind of 'hybrid' approach to justice, which apparently counts as best practice in Europe. Indeed, the criminals the justice minister has now reached out to are the very same *komiti* members that were co-opted into the justice sector under EU guidance. Brussels denies any equivalence. The EU project was designed to empower local communities and urban middle classes, whereas the country's government has empowered a band of violent thugs. The EU says it would prefer the government to return to earlier attempts to stamp out the rough justice administered by *komitis*.

The EU ambassador to the Betelnut Islands goes off script. He argues that what was special about the programme he oversaw was that it did indeed bring criminals gangs into the fold. The result was a marked improvement in law enforcement in the settlements, a reduction in summary detentions and a gradual restoration

of trust in state institutions. If properly supported, he argues, the extension of this approach under the Truce could expand its benefits. In China, the state media holds up the ambassador's remarks as yet another example of European 'orientalism'. And yet, the ambassador remarks, China itself has taken much the same 'hybrid approach' for the past five years in the Gulf of Guinea – and rather successfully at that. He recalls the debate five years earlier, when the EU tried to introduce the WAASP in the region only to be comprehensively outflanked by a Chinese programme, and argues that the situation in the Betelnut Islands mirrors that incident.

Hard-learned lessons: the EU probes a new approach

The ambassador is recalled as a gesture of goodwill towards Beijing. But, before leaving, he sends Brussels a final diplomatic dispatch, making the case that not only the EU's hybrid justice programme but even the Good Friday Truce mirrors Europe's own historical development. His unconventional approach seems to pique the interest of policymakers in Brussels. They are aware that the Chinese approach in the Gulf of Guinea has brought improvements. And recent events in Oyoland, Snøland and Adriatika show that the EU's usual approach to crime, collusion and development needs updating. The European Commission sets up an expert working group to take a closer look.

A NEW APPROACH

The key to resolving state-crime relations lies in better understanding when and why states turn to criminals and in offering viable alternatives accordingly. The scenarios flesh out an alternative explanation and a possible corrective – a two-part reconceptualisation of the relationship between states, crime and development that might help the EU better understand its partners' needs.

The internal context

The orthodox liberal approach to global development trusts to wealth maximisation and a market economy to ensure 'catch-up' to Western standards. The continued growth of crime and collusion is an aberration in this model. The governance capacity model provides an alternative way of understanding states' motivations for colluding with criminal actors, and acknowledges that some instances of collusion may have positive motivations. This scheme defines three distinct stages of national development when different types of collusion are conducive to state-building and, therefore, when they are not. This model could help the EU to distinguish between collusive and corrupt states and to avoid ill-conceived policies of constraint with counterproductive effects.

The global context

The EU recognises the importance of geography and history to development, but it does so in a compressed way. It focuses the bulk of its efforts on Eastern Europe and the Southern Mediterranean because they are nearby. Further afield, it groups together Europe's former colonies, irrespective of their particular

geography. But geography – or, more properly, geo-economics – is highly varied: it confers uneven advantages on different states at different times. It allows some states to forge ahead with state-building without resort to collusion. If the EU wishes to offer a viable alternative to collusion, it must take account of the lottery of global connectivity.

These two possible correctives are illustrated in the final scenario, which unfolds in arguably the most highly developed of our five states. The Emirate of Taqar's development has – until 2030 – been relatively smooth because of favourable geo-economic conditions, namely the importance of oil and natural gas to the global economy. Yet in 2030, as it embarks on the final stage of state-building under our scheme, Taqar is struggling to cope with rapidly changing geo-economic conditions: a

global economy that is less reliant on fossil fuels, combined with increasingly onerous environmental conditions. This prompts it to turn to collusion as a means of transgression from restrictive international norms.

This final step of state-building – the search for legitimacy for a distinctive model of governance – is arguably the biggest challenge to EU engagement as it poses a challenge to Europe's sense of its normative power and universal values. Yet, by the time the events in Taqar come about, the EU has had time to reassess its approach to state-building and has adopted a more nuanced approach to crime-state collusion. It is a rather different EU that responds to the Taqar crisis: one that is less Eurocentric, more sympathetic to states' needs and better able to identify alternatives to draw them away from criminality. This has not, however, entailed any weakening of the EU's commitment to its four core principles, simply a reinterpretation of them.

If the EU wishes to offer a viable alternative to collusion, it must take account of the lottery of global connectivity.

SCENARIO 5

The Olympics of Crime in the Middle East

The Emir of Taqar is making what sounds like a routine address to the UN Climate Change Conference. As always, he lists Taqar's environmentalist credentials: big emission reductions, ambitious development projects, eye-wateringly expensive research. And, as always, he moves on to the usual justifications for Taqar's failings: it is a country on the front line of climate change; sustainability is a battle for survival; and certain measures are easy to condemn from the temperate North, not least outdoor air conditioning. Then he emits a nervous cough. He is sure his fellow world leaders will understand: he is obliged to balance the obligations of global citizenship with his duty of care to the Taqari people. Consequently, the Emir announces, his government has been compelled to look for unconventional solutions.

Then he drops the two words that start the storm: genetic enhancement. We have already begun experimenting, he says, and the world has cheered us on. At the last summer Olympics, the Taqari team excelled, equalling the national medal haul over all previous Olympics (six). The secret of its success: all of the medal winners had been genome-edited. Moreover, had his team been competing under extreme weather conditions, its performance would have been even more pronounced. The Emir is joined on stage by a diminutive man with a flipchart. As the Emir rolls out his vision, the

man unfurls page after page: maps, charts and finally a logo – a chain of fiery Olympic rings. In four years' time, Taqar will host the inaugural Arid Olympics: if there is still to be a winter games, suitable only for the few remaining cold climates, it is appropriate to have a games for other climates as well.

The revelation that Taqari athletes won Olympic medals through 'gene doping' makes global headlines. But this, and indeed the Emir's whole Olympic vision, is just a side show. His plan is to enhance not just athletes but the Taqari people as a whole. Genome editing will make Taqaris resilient to climate change, offering an alternative to the potentially catastrophic side effects of interventions such as geoengineering.¹ But more importantly, it will reduce their reliance on energy-exhaustive technologies such as outdoor air conditioning, putting an end to suggestions that the country should be depopulated because its harsh climate makes life there too energy inefficient. The WHO's prohibition of genome enhancement² stands in his way, but he has been advised that he should engage in 'forum-shopping':³ he can get around this blanket prohibition in one international organisation if he can just force a change in the rules in another. Taqar has set its sights on sports governance.

How we got here: climate crisis in the Gulf

Already one of the hottest places in the world, the Persian Gulf had been doubly punished by climate change. Its geographical peculiarities⁴ amplified the effects, pushing temperatures up at a rate not seen outside the Arctic.⁵ Low-lying coastal

1 Christopher Trisos, Giuseppe Amatulli, Jessica Gurevitch et al., "Potentially Dangerous Consequences for Biodiversity of Solar Geoengineering Implementation and Termination," *Nature Ecology & Evolution*, vol. 2 (2018) pp. 475–82.

2 Based on the direction of current debates around genome editing, we imagine a future WHO Framework Convention on Human Genome Editing. This convention bans the use of genome editing for non-therapeutic means (i.e. enhancement rather than treatment). It also bans the editing of human germline cells, i.e. cells such as eggs, sperm and embryos, which pass on their characteristics to future generations.

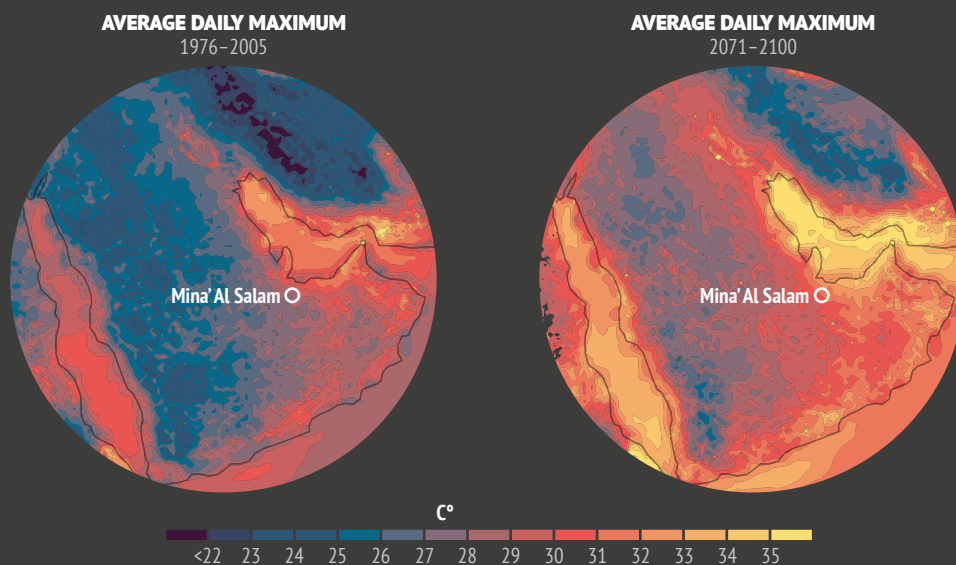
3 Stephanie Hofmann, "The Politics of Overlapping Organizations," *Journal of European Public Policy*, vol. 26, no. 6 (2019), pp. 883–905.

4 These include the shallow water of the Persian Gulf and the intense sun and cloudless sky. See: David Chandler, "Study: Persian Gulf Could Experience Deadly Heat," MIT News Office, October 26, 2015, <http://news.mit.edu/2015/study-persian-gulf-deadly-heat-1026>.

5 Kristin Houser, "Qatar Is Air Conditioning the Outdoors to Battle 120-Degree Heat," *Futurism*, October 24, 2019, <https://futurism.com/qatar-air-conditioning-outdoors-battle-heat>.

Gulf temperatures

Combined measure of temperature and humidity, or degree of ‘mugginess’



Data: Data: MIT, 2015

areas now spent much of the year under water, and massive sand and dust storms known as *haboobs* swept across the country.⁶ Desertification caused respiratory problems among children, asthma sufferers and the elderly.⁷ People sought shelter in the air-conditioned cities, causing ‘urban heat islands’. Thermal stress and poor air quality made heat exhaustion a fact of life: suffering an attack of heat stroke in Taqar was now as common as getting a cold in Europe.

The capital, Mina’ Al-Salam, had been particularly hard hit, as extreme heat from the desert interior combined with the near-unbearable humidity of the sea. The city once had vibrant tourism and events industries, but these shrivelled in the heat. The 2025 Athletics World Championships, taking place during an unseasonal October heatwave, were marred by the deaths of three visiting fans due to hyperthermia and severe dehydration. This in turn killed

off Taqar’s attempt to brand itself as a hospitable country: while the international media lauded Taqaris’ hospitality, they described the climate as ‘unbearable.’ Upcoming sporting events were relocated, and Taqar was forced to abandon a bid for the Olympics, despite having pumped millions of dollars into the International Olympic Committee (IOC). A bid to re-house World Athletics (formerly known as the IAAF) and the International Federation of Association Football (FIFA) in the Gulf fell flat.

Skilled foreigners and wealthy locals were the first to leave, unwilling to endure increasingly hostile conditions. This hit all sectors of the economy, from agriculture to financial services. In response, Taqar doubled down on natural resource extraction, aggressively marketing its fossil fuels to poor countries unable to afford green energy. Success provided a mixed blessing. With oil and gas still profitable, the Taqari authorities failed to commit fully to economic

6 Similar dust storms have become increasingly common elsewhere in the region due to global warming. See: Steff Gaulter, “The Science behind the Dust Storm That Hit Qatar on August 24,” *Gulf Times*, September 3, 2016, <https://www.gulf-times.com/story/510568/The-science-behind-the-dust-storm-that-hit-Qatar-o>.

7 Extreme weather events are becoming increasingly common in the region. See: El Morjani Zine El Abidine, Yasir Mohielddeen, Ahmed Mohamed et al., “Heat Wave Hazard Modelling: Qatar Case Study,” *QScience Connect*, vol. 2014, no. 1 (2014).

diversification. The ‘knowledge economy’ imagined in the Taqar National Vision 2030⁸ largely failed to materialise. Indeed, all the government achieved with its relentless promotion of this vision was to train up young Taqaris for tasks that could still only be found abroad. A narrative of intergenerational injustice emerged.

The tipping point: sharpening rhetoric on all sides

As younger Taqaris suffered the physical and economic consequences of climate change, they became increasingly critical of the government. The Gulf Youth Climate Movement, a militant group led by charismatic Pakistani expatriate Ayaan Saifi, emerged as a major grassroots force in Taqar. Promoting the idea of a simpler, more austere way of life, it took on religious overtones. When relatives of the three dead World Athletics tourists sued the Taqari government for negligence and the defence lawyer responded that the heatwave was ‘an act of God’, the Youth Movement seized the opportunity to frame climate change as divine punishment. Tapping into youth discontent across the region, it pointed the finger at Taqar’s ruling patriarchy: the wealth they had accrued during the Oil Age would cost future generations the world.

Abroad, the rhetoric against the government also sharpened. Echoing the language of militant environmentalist groups such as Real Extinction Rebellion, the outgoing EU Commissioner for the Environment sparked controversy by suggesting that Taqar’s population should be relocated to somewhere with a

more sustainable climate. Critics rejected as naive the Taqari government’s narrative that climate adaptation was a mere engineering problem,⁹ taking aim at showpiece projects such as Hadar City. Marketed as a high-tech sustainable city, Hadar had become an environmental ‘white elephant’, consuming far more energy than it saved.¹⁰ Despite the dip in its population, moreover, Taqar’s per capita energy consumption was rising sharply; food shortages were staved off only by long-distance imports; and water was provided through energy-intensive desalination. Taqar really did need a saviour.



Step forward Qin Liu. A decade ago, the Chinese scientist had achieved brief notoriety as part of the team behind the world’s first genome-edited baby.¹¹ This did not put off the Taqari government, which now offered Qin citizenship and state-of-the-art research facilities if he could find a means to edit the national genome. Because of the prevalence of genetic diseases in Taqar, most Taqaris were already accustomed to being treated through the genome-editing

8 Other states in the region have published similar plans. See: General Secretariat For Development Planning, Qatar National Vision 2030, Doha, July 2008, <https://www.gco.gov.qa/en/about-qatar/national-vision2030/>; General Secretariat of the Executive Council, The Abu Dhabi Economic Vision 2030, Abu Dhabi, November 2008 <https://www.actvet.gov.ae/en/Media/Lists/ELibraryLD/economic-vision-2030-full-versionEn.pdf>; Council of Economic and Development Affairs, Kingdom of Saudi Arabia Vision 2030, <https://vision2030.gov.sa/download/file/fid/417>.

9 Jay Willis, “Qatar Is Air-Conditioning the Outdoors Because of Climate Change,” *GQ Magazine*, October 17, 2019, <https://www.gq.com/story/qatar-outdoor-air-conditioning>.

10 Critics suggest that the environmental aspect of the Hadar project was a politically expedient late-stage addition and question the Taqari government’s true commitment to fighting climate change. A similar criticism has been levelled against the Lusail City project in Qatar. See: Natalie Koch, “‘Building Glass Refrigerators in the Desert’: Discourses of Urban Sustainability and Nation Building in Qatar,” *Urban Geography*, vol. 35, no. 8 (2014), pp. 1118–39.

11 Ian Sample, “Chinese Scientist Who Edited Babies’ Genes Jailed for Three Years,” *The Guardian*, December 31, 2019, <https://www.theguardian.com/world/2019/dec/30/genome-editing-chinese-scientist-he-jiankui-jailed-three-years>.

technique known as CRISPR.¹² Nevertheless, genome editing for non-therapeutic purposes was still strictly prohibited under international law. The Taqari government calculated that, by making genome editing an issue of ‘extreme sports’ rather than medical ethics, it could successfully shift these norms. This would secure legitimacy at home and abroad for its plans to offer a better quality of life to its restive population, and finally allow the country to enhance its environmental credentials.

The multilateral response: fair play or territorial injustice?

From his office in Lausanne, the IOC’s head (a former European Games gold medal winner) issues a statement condemning gene doping in sport and announcing that World Athletics, FIFA and all other associated sporting bodies will bar every Taqari athlete from competition, with immediate effect. The IOC’s arguments take on a moral tone, accusing Taqar of undermining the integrity of the Olympics, the pinnacle of friendly competition between nations. A host of Western nations speak out in support of the IOC decision and invoke the threat of more serious sanctions. But, in Moscow, the Russian minister for sport welcomes Taqar’s ‘transparency’. The Russian president announces that Russian athletes will be encouraged to prove their mettle and enter the Arid Games. Russians will not be genome editing, he says, but he unflinchingly supports Taqar’s case.

Europeans initially react with horror. The Russian sprinter Sofia Zaitseva compares genome editing to something as trivial as laser eye surgery, and this encourages a stinging rebuke from partially sighted German Paralympian Lara Haas, who says genome editing is tantamount to eugenics. The EU looks for a middle way. Recognising that Taqar’s actions are motivated by a need to shift norms about territorial sovereignty, rather than a simple disregard for ethical considerations, it is the new

12 This is true of other small states in the region. See: Nader Al-Dewik, Al-Mureikhi, Noora Shahbeck et al., “Clinical Genetics and Genomic Medicine in Qatar,” *Molecular Genetics & Genomic Medicine*, vol. 6 (2018), pp. 702–12.

راقط تارامبا

Emirate of Taqar

مصايرلاو عفاقتلا ترازو

Ministry of Culture and Sport



Levelling the playing field (campaign brief)

For 200 years, Europeans have used sport to legitimise global inequality, exploiting its reputation as an egalitarian and apolitical pursuit to whitewash the criminal nature of colonialism.¹ In the nineteenth century, colonial subjects were invited to participate in a ‘fair contest’ when in fact the rules of the game – and the game itself – had already been defined. The hurdles stacked against colonial subjects became clear when they started winning: they were criticised for lacking ‘sportsmanship’ and for turning genteel sports into games of ‘power, skill and intense competition’.²

At the base of each sporting contest – ball games, board games and field sports alike – is a battle for control of territory, both real and metaphorical.³ The IOC, IAAF and FIFA, all gatekeepers of international sporting competition, are thus directly implicated in the territorial injustices of today. The Emir of Taqar has made it his mission to at last ‘level the playing field’. The first step: to thoroughly reform these organisations and relocate their headquarters (in Lausanne, Monaco and Zurich, respectively) to more neutral ground.

Internal document from the Taqari
Ministry of Culture and Sport, 2030

- 1 Brian Stoddart, “Sport, Cultural Imperialism and Colonial Response in the British Empire,” *Sport in Society*, vol. 9, no. 5 (2006), p. 813.
- 2 *Ibid.*, p.826.
- 3 Eric Dunning, “Sociological Reflections on Sport, Violence and Civilization,” *International Review for the Sociology of Sport*, vol. 25, no. 1 (1990), pp. 65–81.

EU Commissioner for the Environment who takes the lead in formulating its response. The Commissioner condemns the unilateral nature of Taqar's decision to go ahead with genome editing and calls on the WHO to mobilise its compliance, risk management and ethics department to brief members on their roles and responsibilities under the Framework Convention on Human Genome Editing. Yet he does not yield to pressure to announce immediate sanctions against Taqar.

The Commissioner acknowledges that climate adaptation is an existential question for Taqar and that heightened rhetoric around depopulation has placed extraordinary pressure on its government. He restates the EU's commitment to helping find sustainable climate solutions under its mutual development partnership with Taqar. Mina' Al-Salam is wrong-footed by this response. The Ministry for Culture and Sports has already begun to prepare a global information campaign premised on lambasting Western 'double standards' in sport. But the EU Commissioner also presses the IOC to announce

a new roster of sports, including a number of games with huge international appeal – *kabaddi*¹³ and *sepak takraw*¹⁴ from South Asia and *wushu* from China.¹⁵ He frames this as part of a global discussion under the heading 'The ball's in your court'.

Hard-learned lessons: the EU revisits its principles

With the debate brought safely back into the realm of the WHO, the EU is more than usually sympathetic towards Taqar. It takes pains to clarify its red lines: European rules on genetic enhancement will not change; any use of genetic enhancement must be strictly regulated, limited and consensual; and the enhancement of human germline cells – those which are passed between generations – must remain strictly prohibited. But, within these boundaries, the EU signals its willingness to support the establishment of a WHO expert working group, chaired by a Taqari, to explore the potential for genetic enhancement as a means of extreme climate change adaptation.

¹³ *Kabaddi* is a team contact sport popular mainly in South Asia. The International Kabaddi Federation is made up of 31 national associations. See: John Nauright and Charles Parish (eds), *Sports around the World: History, Culture and Practice*, vol. 2 (Santa Barbara, CA: ABC-CLIO, LLC, 2012), p. 228.

¹⁴ *Sepak takraw* is a South East Asian form of kick-volleyball. The International Sepak Takraw League has 18 participating nations. See: *Sports around the World: History, Culture and Practice*, Op. cit., p. 248.

¹⁵ Despite lobbying the IOC, China has been unable to get *wushu*, traditional Chinese martial arts, included in the Olympic programme. See: Niko Besnier, Susan Brownell and Thomas Carter, *The Anthropology of Sport: Bodies, Borders, Biopolitics* (Oakland, CA: University of California Press, 2018), pp. 47–8.

CONCLUSIONS

The EU has recognised that strategic foresight and scenario methods are a good way to address ‘wicked’ policy problems, a way to help policy-makers face up to the taboos and hard truths that sometimes block positive policy outcomes. By imagining different futures and the paths that might take us there, we break old path dependencies and habits of thinking. To further develop the EU’s appetite for such exercises, the authors chose to tackle one of the wickedest of questions: how should the EU cooperate with partner governments which collude with criminals?

This question is particularly pertinent today because of two sets of worrying signals from the real world: the first signal strongly suggests that some of the EU’s partners in developing countries view collusion with criminals as the only way to build up their state apparatus and achieve positive liberal outcomes; the second, that the EU’s current attempts to discipline and propel countries along the path to liberal development in fact impose constraints that end up driving these states into negative, predatory criminal partnerships.

This *Chaillot Paper* is an elaborate exercise, but it essentially boils down to three simple, replicable questions. First, what are the assumptions behind Europe’s current high-minded policies? Second, has the EU done due diligence and examined the evidence against these assumptions? And finally, can we imagine scenarios that demonstrate a different reality, and where a different policy approach might produce more favourable outcomes? If posing such questions required this long elaboration, it is because of the tricky follow-up they invite: can collusion with criminals, under certain circumstances, produce positive outcomes?

Good intentions, poor outcomes

Such questions – questions which cut against the grain of current policy – are vital. The EU is a *status quo* power with a huge stake in the existing rules-based liberal order. It is ready, moreover, to go to great lengths to defend its position. The European Commission has indicated a new appetite to act geopolitically, and has begun defending this *status quo* robustly. Faced with a global resurgence of power politics and neo-imperialism, as well as spoiler behaviour from discontented regimes, the EU is bundling together its trade, aid, diplomatic and other resources to assert the rules of liberal order.

The EU’s justification for its actions is unimpeachable: liberal order brings huge benefits, political as well as material, to people worldwide. These benefits need to be shared more evenly, and this means defending the rules that permit global integration and ‘catch up’ to developing countries. And yet, the best of intentions can sometimes produce poor outcomes. Indeed, they are particularly susceptible to this, because blind-spots and taboos emerge. The signals are that this is the case when it comes to collusion and liberal development.

Historically, European countries themselves charted a course towards prosperity and liberal democracy which was at best erratic. On occasions, it involved collusion with criminals (as well as predatory activities such as colonialism). For the best of reasons, European policymakers have tried to preclude poorer countries from taking the same path. But this has involved a certain historical amnesia. And by rewriting and whitewashing their own liberal development, Europeans now risk squeezing others onto an impossible course. It is helpful to be at least aware of this.

Recommendations

What specific policy recommendations follow from the thought exercise set out in this *Chailot Paper*? None at all. Rather than providing answers to a specific policy problem, the authors hoped to raise questions, finding ways for EU policymakers to ask themselves whether the current policy approach is really the best way to achieve the EU's high-minded ends. But there are recommendations for the EU's political culture and organisation in Brussels and the member states capitals: the EU could usefully introduce such thought exercises as a routine step in its policy development.

Happily, the EU seems aware of this need. As it becomes more assertive of its own interests and priorities, it has taken care to introduce new approaches to decision-making. The European Commission has not only revived strategic foresight and scenario practices of the kind first introduced under Jacques Delors when he was president of the Commission 30 years ago. As part of a commitment to evidence-based policymaking, the Joint Research Centre has developed a suite of table-top games to help policymakers think through their policy assumptions.¹

But this new reflectiveness occurs at the trickiest of times. Developing states, especially those which bore the brunt of Europe's colonial past, are tired of taking lessons from Europeans, and may pounce on any risky rethink. Collusion is a case in point. Is the EU really ready to draw a distinction between generic corruption and potentially positive examples of state-crime collusion at a time when countries like China and Russia seek to bolster their influence over organisations like Interpol and the United Nations Office on Drugs and Crime (UNODC), asserting a new, non-Western approach to crime, law and order, and when the Biden administration is spearheading Western efforts against kleptocracy?

There are huge opportunities involved in rethinking old liberal policy assumptions, but there are concomitant risks. So perhaps the authors' final recommendation is to use exercises like this one with care. They offer policymakers a 'virtual safe space' for risk-taking and experimentation, but herein lies the danger. Policymakers should be wary of ceding to the temptation to favour the risk-free comforts of scenario exercises over the potential dangers of real-world action: what is needed is a partnership of the two.

¹ Laurent Bontoux, John A. Sweeney, Aaron B. Rosa et al., "A Game for All Seasons: Lessons and Learnings from the JRC's Scenario Exploration System," *World Futures Review*, vol. 12, no. 1, 2020.

ABBREVIATIONS

ACP

Africa-Caribbean-Pacific
(region)

AMBA

American Miners'
Benevolent Association

BSH

Biomjeksia Shqiptare

CEO

Chief Executive Officer

FIFA

International Federation of
Association Football

GNI

Gross national income

H2H

Human-to-human
(transplants)

IAAF

International Association of
Athletics Federations

IDPS

International Dialogue
on Peacebuilding and
Statebuilding

ILO

International Labour
Organisation

IOC

International Olympic
Committee

LDC

Least developed country

NGO

Non-governmental
organisation

REE

Rare earth element

TAIEX

Technical Assistance and
Information Exchange
Instrument

VPSF

Virtual private security
force

WAASP

West African Automatic
Sentencing Processor

WHO

World Health Organisation

At a time of huge international upheaval, a failure to resolve its ‘wicked problems’ risks leaving the EU paralysed on the world stage. This class of problem is characterised by contradictory political pressures, typically a clash of interests and principles. It is exemplified by the dilemma of whether to accommodate partner states that collude with criminals.

The EU has always believed that collusion precludes liberal development outcomes. But now, facing political pressure to engage with as broad a range of states as possible, it is hard-pressed to reassess its beliefs. This *Chaillot Paper* looks for evidence that collusion can in fact promote positive outcomes, and in so doing develops a methodology which could help resolve other similarly intractable problems.

The chosen methodology is strategic scenario-building: in a bid to guide the EU as it realigns principles with interests, this volume presents a series of scenarios of state-crime collusion, designed to highlight the scope for positive engagement with collusive states – and the costs of failure.