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## **Does hypocrisy matter? National reputational damage and British anti-corruption mentoring in the Balkans**

Sappho Xenakis and Kalin Ivanov

**Abstract:** In the late 2000s, numerous prominent public commentators raised concerns that corruption scandals were harming Britain's ability to play a leadership role in anti-corruption initiatives abroad. With a view to contributing to critical criminological scholarship on international policy transfer and double standards in criminal justice policy and practice, this article explores the extent to which reputational damage curtailed Britain's appeal as an anti-corruption mentor in South-East Europe during the 2000s. Challenging the common presumption that stronger states tarnished by corruption scandals will face 'hypocrisy costs' abroad, this article finds that a range of factors work to insulate stronger states from the potential ramifications of reputational decline.

### **Introduction**

Over recent years there has been growing criminological interest in the effects of intersections between global and transnational realities, on the one hand, and national experiences of crime and crime control, on the other. A significant segment of such interest has been directed at exploring the international diffusion of criminal justice policies and practices. To date, much of the criminological research on policy transfer has addressed the manner in and extent to which policies and practices have actually been reproduced in different jurisdictions, the broader ramifications and the desirability of policy transfer, as well as factors that facilitate or impede the international transfer of policies and practices (including, for example, Cohen 1988; Bayley 2001; Bowling and Sheptycki 2012; Hills 2009; Newburn and Sparks 2004; Muncie 2005; Jones and Newburn 2007; Wacquant 2009;

Crawford 2009; Walters 2006, Blaustein 2015). Although some attention has been drawn to the branding and marketing of national ‘models’ of criminal justice policies and practices for export (e.g., by Ellison and O’Reilly 2008), the role and impact of national reputation on policy transfer has not itself attracted sustained concern in this context. Given the prevalence of assumptions – particularly as propounded by non-governmental campaign groups – about the significance of national reputation in the international arena, as well as the breadth of scholarship providing validation to such beliefs, there are, nevertheless, strong grounds for bringing consideration of national reputation into critical criminological analyses of policy transfer.

One area of criminal justice policy and practice that intersects national and international arenas, and in which issues of national reputation have been deeply embedded, is corruption. This morally-loaded and contested term has commonly been used to refer to a very wide array of practices ranging across petty and grand forms of illegitimate and often illegal exchange and exploitation. Whilst the most widely accepted definition of corruption has been ‘the abuse of public office for private gain’, growing recognition of the intermeshed nature of public and private sectors and significance of business-to-business corruption have contributed to the rise of more expansive conceptualisations, such as that promoted by the foremost international anti-corruption campaign group, Transparency International: ‘the abuse of entrusted power for private gain’ (Holmes 2015). In Britain, corruption has emerged over recent decades to become a significant public concern, and both domestic- and foreign-oriented anti-corruption policies have steadily climbed amongst the priorities of successive governments. Notwithstanding recent strident critiques levelled against the country as an unrivalled hotbed of corruption, Britain has long enjoyed internationally a reputation for probity in its domestic arena, which has legitimated and

strengthened the leadership role it has taken in promoting so-called ‘good governance’ reforms abroad. Indeed, Britain has been a key proponent of anti-corruption reforms across the world, especially within regions considered to suffer from poor governance and high levels of corruption, such as the Balkans. Yet –as testified by political and media discourse as well as by public opinion polls– the 2000s saw domestic and international perceptions of Britain’s anti-corruption credentials deteriorate, not least because of scandals involving British companies abroad, including in those same geographic areas where British efforts to engender anti-corruption policies have been concentrated. Damage to Britain’s reputation in the field of corruption led, moreover, to alarm being voiced about its impact upon the country’s ability to encourage and assist the development of good governance agendas around the world.

To date, whilst much critical criminological scholarship has drawn attention to double standards in criminal justice policies and practices, the ramifications of evident hypocrisy for the efficacy of criminal justice policies and practices has been less scrutinised, particularly as concerns the potential for extra-jurisdictional impacts. Studies from other fields have nonetheless suggested that national reputational damage does trigger negative international ramifications, and that evident hypocrisy in state behaviour generates foreign policy costs. Drawing on these studies, we explore the thesis that successive corruption scandals involving British officials and companies should have reduced foreign receptivity to British involvement in anti-corruption initiatives, thereby undermining the effectiveness of policy transfer. We begin by reviewing the factors that have been found to shape the effectiveness of policy transfer, before focusing on role that national reputation plays in the international arena and in the effective diffusion of policy abroad. We then consider the ways in which states seek to promote their reputation by advancing policy

change abroad, the target audience and efficacy of such efforts, and the factors that can help to insulate self-promoting states from reputational damage. After summarising Britain's historic reputational strength in the field of anti-corruption and the reputational damage the country has accrued in this area over recent years, we move on to examine British involvement in anti-corruption efforts in the Balkans. Drawing on sources ranging from official documentation, academic analysis, and media content, to interviews with practitioners, we evaluate the impact of corruption scandals surrounding official and non-official British interventions that occurred in the region over the same decade.

### **Policy transfer, national reputation and hypocrisy costs**

Research on international policy transfer has proliferated over recent years and whilst there are multiple definitions of policy transfer in common usage, one that is apt for the purposes of this article is that by Stone (1999): 'a dynamic whereby knowledge about policies, administrative arrangements, or institutions is used across time or space in the development of policies, administrative arrangements and institutions elsewhere.' This definition reflects the reality that policy transfer may not necessarily be initiated or coordinated by state authorities alone. The definition also points to the intangible quality of policy transfer that has led to the continued circulation of doubts about the extent to which the phenomenon itself is ultimately provable (see further Evans 2004). Notwithstanding this important caveat, policy transfer literature has drawn attention to the various ways in which policy transfer does appear to take place across a spectrum of relational contexts, from those that are voluntary to those that are characterised by duress, and which produce a range of outcomes, from more faithful reproductions of policy and practice to entirely superficial or substantially reconfigured adaptations (see further Hough 2006).

Several factors are believed to be highly significant in determining the degree of success in replicating the policies and practices that are the object of export or import. As a starting point, it has been argued that policies are more easily diffused when they are championed by major actors in the international arena. This is partly because major actors can marshal daunting reserves of coercive power that encourage policy adoption (see, e.g., Nadelmann 1990, Andreas and Nadelmann 2006, Weyland 2006, Efrat 2012), and partly because their very strength as actors makes them attractive examples to follow, encouraging the belief amongst potential acolytes that their policies are ‘legitimate, appropriate and modern’ (Linos 2013). The tendency for states to bandwagon around the policies of powerful actors is further encouraged by the imperative on decision-makers of recipient states to look for shortcuts as a means of dealing with information overload, drawing them towards reforms that are more familiar rather than necessarily more appropriate for adoption. Additionally, the efficacy of policy transfer also depends on the level of insulation of national decision-making structures from exogenous pressures, national as well as international (Schrader 2010, David-Barrett and Okamura 2016), and on a state’s capacity to implement the necessary changes to both policy and related practice (Jones and Newburn 2007, Börzel and Risse 2003, Lord 2014). Capacity itself is a highly complex quality to evaluate; aside from the practical matter of appropriate types of institutional frameworks and levels of resources to fulfill the demands of policy implementation, there is the matter of the degree of cognitive attachment felt by those tasked with undertaking reform that will also influence the depth and reach of change, even if such sentiment can ultimately be cultivated over time (Risse and Sikkink 1999).

Whilst implicitly interwoven in the themes set out above, national reputation has elsewhere been explicitly acknowledged as a significant factor in international affairs and

one that deserves attention in its own right. Thus, for example, research on international security and foreign policy analysis has found the importance of demonstrating a reputation for resolve to have repeatedly propelled national decision-makers into otherwise irrational or costly policies of foreign intervention (Mercer 1996; Press 2006; McCourt 2011). National reputations for reliance have equally been shown to shape patterns of international alliance formation (Crescenzi et al. 2012). It has been suggested that the reputational costs involved in submitting to foreign pressures are key to understanding why coercive threats by stronger states can fail to achieve their objectives over weaker states (Sescher 2010). And reputational decline has been found to stimulate intransigence amongst foreign states threatened with sanctions, which are less likely to modify their behaviour when they know that recent similar threats were not carried out (Peterson 2012). Even in contexts where the prospect of coercion is more indirect, reputation has still been shown to be an important variable. It has been found, for example, that states with poor reputations for corruption control are at higher risk of facing ‘aid fatigue’ on the part of donor states (Bauhr et al. 2013) and that human rights organisations can impose material costs upon states in which human rights abuses are common by magnifying the reputational risks of doing business in such countries for foreign firms (Barry et al. 2012).

Much has also been written in recent years about the reputational dimension of so-called ‘soft power’ – the ability to engender shared outcome preferences amongst others by dint of attractive example-setting – enjoyed by stronger actors in the international system, such as the US and the European Union, as well as the reputational damage these actors incur by being perceived as maintaining double standards in their pursuit of policy (see, e.g., Nye 2002; Cooper 2001; Leonard 2007; Diez and Manners 2007; Chandler 2006). Some scholars have contended, more particularly, that reputational damage wrought by the

exposure of double standards incurs substantial repercussions. For major Western actors in the contemporary world, it has been posited that certain ‘hypocrisy costs’ are to be faced abroad ‘when there is a real or perceived discrepancy between a professed commitment to liberal values and/or international norms, and demonstrated actions that contravene such a commitment’ (Greenhill 2010).<sup>1</sup> As has been argued with regard to US violations of international law and human rights standards, for example, at the same time that the open performance of hypocrisy can serve to advertise the might of a major actor in the international system, it can weaken influence abroad by fuelling resentment amongst foreign publics, intensifying the degree to which their agendas are met with active or passive resistance abroad, raising the costs of inter-state co-operation (as foreign governments respond to domestic pressure by demanding greater material favours in exchange for assistance or compliance), and reducing foreign trust in the credibility of their commitments (see, e.g., Nye 2004; Glaser 2006; Finnemore 2009). Across the axis of ‘hard’ and ‘soft’ power relationships in international politics, then, national reputation has been identified as playing an influential role, and reputational damage has been found to produce substantive costs abroad within a short to medium timeframe.

### **Promoting national reputation: audience, efficacy, and damage insulation**

In recent years, whilst states have more consciously engaged in efforts to promote their reputation internationally, the intended audience for such efforts has primarily been domestic. The post-Cold War era has seen a growing appetite for promotional image-branding on the part of stronger and weaker states alike (van Ham 2002; Anholt 2009), apparently girded by the conviction that successful marketing skills can generate ‘soft power’ over public opinion (Nye 2004; Wang 2006), but the relative significance of



domestic and foreign publics as targets of such efforts has appeared to be contingent on the specific goals being pursued. Furedi (1997) and Chandler (2006), for instance, have contended that rehabilitative foreign policy agendas – including those embodied in international anti-corruption initiatives – have been driven more by the desire of state elites to improve their reputation amongst their own domestic electorate than to convince and successfully reform foreign publics. From such critical perspectives, these agendas have been convenient, politically catholic options for state elites who have been unsuccessful in addressing, or unwilling to address, domestic ethical conundrums, acting as a vehicle through which they can demonstrate moral authority in arenas that require little accountability and offer plenty of scope for credit-taking.

This low level of accountability raises doubts about the importance to stronger states of reputation building amongst foreign publics through policy promotion abroad. In addition, however, the fact that it is also relatively uncommon for a strong state's agenda to be entirely derailed by a negative reputation amongst a foreign public suggests that foreign perceptions of the reputational standing of a self-promoting stronger state may matter less than expected not only to the self-promoting state itself, but also to its foreign counterpart. In the case of the US, for example, whatever the discomfort and enhanced risks provoked by a worsening reputation and the rise of popular anti-Americanism across the globe, it has not proved sufficient to utterly undermine the fundamentals of the relationship between the US and its allies, whose interests remain intricately and firmly bound together (Lynch and Singh 2008; Anholt 2009).

Nonetheless, to the extent that foreign state elites *are* the audience targeted by the reputation-building efforts of policy-makers, the success of such endeavours are ultimately determined by the contextual framework of extant interstate alliances and interests. As

Mercer (1996) and Press (2006) have underlined, the relationship between a self-promoting state and its foreign counterparts is not actually one that the self-promoting state may easily manipulate through soft power strategies such as reputation management. Whilst the degree of ‘friendship’ between a self-promoting state and an observing state is central to the interpretative act of reputation building (Mercer 1996), the impression formed by the latter of the former’s credibility is influenced by promotional efforts to the extent that these are materially substantiated rather than based simply on empty rhetoric or gestures (Tomz 2007; Anholt 2009; Peterson 2012). Between adversaries, moreover, conventional forms of hard power tend to remain the ultimate determinants of this act of interpretation (Press 2006).

In sum, when national self-promotion is targeted at foreign audiences, its scope for impact is conditioned by the recipient state’s interpretation of the material and strategic context to its relationship with the self-promoting state. What, then, shapes the potential for national reputational damage to trigger costs abroad? Four factors appear to be crucial in determining the likelihood and magnitude of hypocrisy costs: national meta-capital, elite socialization, the broader strategic environment, and the diplomatic skills of the reputationally compromised state.

High levels of meta-capital – the combined symbolic power of a state’s conventional power assets – help to insulate a state’s reputation in any particular policy area from costs that would otherwise be inflicted following reputational damage.<sup>2</sup> Thus, for example, in the early 1990s, the British government was able to mislead financial markets over its exchange rate policy even though its actual record in this policy area had undermined the credibility of official pronouncements. The markets were misled because they overlooked British reputational decline in pertinent policy and chose instead to

determine the credibility of government statements on the basis of the respect and prestige the country had accrued from expending other forms of social capital (Hassdorf 2007: 148). It is this very fungibility of symbolic power (its potential to be successfully transposed from one issue area to another), allied with the practical convenience of stereotyping that it facilitates, that can account for the 'stickiness' of good and bad national reputations alike.<sup>3</sup> At the same time, responses abroad to reputational damage are also influenced by the foreign audience's own stock of national meta-capital. When facing the exposure of double standards in the policies of a self-promoting state, stronger allies can better afford to react publicly than weaker allies, whether with criticism or derision. The reserves of meta-capital held by a strong observing state are also more likely to be adequate to temper or challenge an exculpatory discourse propounded by a self-promoting state in the aftermath of a scandal. By contrast, elites in an observing state with low meta-capital may find it more expedient to remain receptive, at least rhetorically, to the stronger state's reputation.

What nevertheless traverses both stronger and weaker observing elites amongst international allies is a sufficient degree of socialization that allows them to appreciate and tread sensitively around the 'rules of the game'.<sup>4</sup> Drawing on Reisman (1979), 'socialization' here refers to familiarization with two normative systems that underpin the relationship between official guidelines and official behaviour, and which effectively constitute double standards: the so-called 'myth system' and the 'operational code' to which state elites adhere. These systems are distinguished by the evident discrepancy between an officialised normative system that is supposed to apply but which does not actually govern action by key official or effective state actors (i.e., the 'myth system'), and the expectations and demands that are, although informally, sanctioned and practiced by this elite (the 'operational code'). Amongst international allies, socialised elites have more

disincentives than incentives – both domestically and internationally – to imply that double standards are the norm or, indeed, to suggest that a reputational failing in an ally state represents anything more than an aberration in its record.

Foreign willingness to overlook reputational damage afflicting a fellow state can also be facilitated by contextual pressures that are extraneous to the particular bilateral relationship at hand. Such selective vision and self-censorship have been argued at times to have shaped the language and actions of states seeking membership of the European Union. In the context of the ‘conditionality’ of the application process, applicant states have been induced to demonstrate harmonization with EU policies even when the bar appears to have been set higher for applicant states than met by some that are already members of the Union (see, e.g., Warner 2007).

Finally, hypocrisy costs abroad may also be mitigated by the effective wielding of diplomatic skills by official and unofficial representatives and emissaries of the reputationally damaged state. Effective diplomacy is a means by which states whose reserves of meta-capital are rivalled in the international arena can compensate for their lack of absolute advantage. Thus, for example, it has been suggested that for some countries, the brash and overbearing style of engagement characteristically attributed to US officials has made the latter less appealing as bilateral partners in crime prevention than the avowedly more informal and consensual approach associated with British representatives, notwithstanding the general preponderance of US meta-capital (Xenakis 2012; see further Bayley 2001; O’Shea 2010; Emsley 2012)

**Britain in the field of anti-corruption: The compromised reputation of a perceived exemplar**

Britain has long been portrayed as an international exemplar of effective corruption eradication, its reputation stemming from its achievements since the 18<sup>th</sup> century in quashing domestic corruption, and cemented by its longstanding economic prowess; the UK is currently the world's sixth largest economy and is home to the largest and most advanced global financial centre after that of the US. Much comparative corruption literature has associated British political institutions and culture with lower levels of corruption and, at the same time, with extremely successful economic development, the latter thereby appearing to validate the effectiveness and desirability of the former. It has been argued (albeit problematically), moreover, not only that longer experience of democratic rule is associated with lower levels of corruption, but also that common law systems – as chiefly found in Britain and former British colonies – are most strongly correlated with cleaner government. Parliamentary democracies with single-winner voting systems have been found to be more negatively correlated with corruption than those with proportional representation (and especially those with presidential forms of government), once again leaving the 'Westminster model' of the 'mother of Parliaments' (on which see Rhodes et al. 2009) in a privileged position. Aside from systems of law and government, a Protestant religio-cultural environment has also been argued (equally problematically) to be an equally important negative correlate of corruption internationally and has just as closely been identified with the case of Britain (Xenakis 2010).<sup>5</sup>

By contrast, over recent years Britain's engagement with anti-corruption efforts in the international arena has been far less well received. British involvement in the anti-corruption agenda of the international community began in the mid-1990s when 'good governance' was first emerging as a policy priority, spearheaded by the Organisation for Economic Co-operation and Development (OECD) amongst other international actors, and

facilitated by the arrival in office of a new British Labour government promising to introduce an ‘ethical dimension’ to foreign policy. Although Britain signed and ratified the OECD Anti-Bribery Convention in 1997 and 1998, respectively, and incorporated the specific offence of bribing of foreign public officials (as proscribed by the Convention) into law in 2001, the country proceeded to prosecute just one case in the entire decade that followed ratification. The inadequacies of British policies and practices in this area were to attract sustained criticism from other powerful international actors throughout the decade that ensued, from Working Groups of the OECD to the US and European states concerned about the establishment of equitable conditions for business competition. International pressure on Britain culminated in a highly critical 2008 OECD report on UK compliance with anti-bribery and anti-corruption legislation, which led to a tense standoff between the two parties (Xenakis 2008; Warin et al. 2010).

By the mid-2000s, a succession of scandals revealing double standards in British policies and practices towards corruption had contributed to the erosion of Britain’s reputation for probity amongst domestic and foreign audiences alike (Xenakis 2008; Hough 2013; see further Whyte 2015). Domestically, the governing party was accused of having systematically sold state honours to every individual that had lent or given the party over £1 million since it came to power in 1997. Internationally, an unflattering spotlight was thrown on Britain’s commitment to countering corruption when, in 2006, the British Serious Fraud Office (SFO) halted its own two-and-a-half-year investigation into allegations that the largest-ever arms export deal to be arranged by the British government – the Al-Yamamah contract of 1986 – had been secured and maintained by regular secret payments to Saudi officials with the implicit approval of the British Ministry of Defence and possibly also the knowledge of ministers in the Treasury.<sup>6</sup>

The ramifications of these scandals for Britain's reputation abroad were painted in stark terms by numerous prominent commentators. The then deputy leader of the Liberal Democrat party, Vince Cable, voiced the concern that 'the Government's refusal to proceed with legal action has isolated Britain amongst other developed countries and has seriously damaged our international reputation' (cited in *The Telegraph* April 30, 2007). Worsening national scores on the annual international 'Corruption Perceptions Index' of the anti-corruption campaign group Transparency International (TI) were firmly attributed by the TI to the way in which the scandal had been handled, whilst an executive director of the UK branch of TI offered the bald assessment that "the country's reputation has been ruined" and that "well-managed businesses will wonder whether it is worthwhile locating businesses in the UK" (*The Telegraph* September 23, 2008). Huguette Labelle, chair of the Canadian branch of TI, suggested that it was "difficult to understand how the UK, which has demonstrated strength in leadership on this issue, could be stopping an investigation like this" (cited in *Time Magazine* February 1, 2007). The socio-legal scholars Bruce Ackerman and Susan Rose-Ackerman, meanwhile, proposed that the UK would now do well to learn from Indian, Hong Kong and Singaporean institutional arrangements in order to boost the effectiveness of anti-corruption policies domestically (Ackerman and Rose-Ackerman 2007).

Shared domestic and international dismay was to be compounded by embarrassment and ridicule, respectively, as domestic political corruption scandals enveloping the entire political class rolled on through the 2000s with what appeared to be a growing reputational impact abroad. Significantly, many media reports of international ridicule focused on perceptions in the US. There, accounts of illegitimate expenses claims by MPs to Parliament were said to have made the UK 'a laughing stock' (see, e.g., *Wall Street Journal*

18 November 2009; Ferguson 2009) – at a time when elite opinion in the US was increasingly questioning the ability of Britain to continue to ‘punch above its weight’ in the international arena (Edelman 2010).

Since the late 2000s, efforts of British governments to repair the country’s international reputation in the field of anti-corruption have met at best with mixed success. The UK has sought to demonstrate its commitment to adopting best practice on countering corruption by introducing new legislation (influenced by US regulations as well as advice from industry and NGO anti-corruption lobbies), beginning with the Bribery Act of 2010 and establishment the same year of an official ‘Anti-Corruption Champion’ to support the purposes of the Act in combating bribery perpetrated abroad by British-based firms, as well as ensuring an increased number of successful prosecutions of bribery perpetrated overseas (Warin et al. 2010; see further Lord 2015). In 2014, Britain launched the country’s first cross-government Anti-Corruption Plan, and its efforts to demonstrate international leadership in promoting anti-corruption culminated in 2016 with the hosting of a global summit on the issue, for which the accompanying policy paper subtly reaffirmed longstanding discourses about the historic successes of Britain and other developed economies in countering corruption at the same time as humbly acknowledging Britain was itself still afflicted by the problem (as reflected in the contributions of Stanford scholar Francis Fukuyama and British Prime Minister David Cameron, respectively; Prime Minister’s Office 2016).

Concerns nevertheless continued to be forcefully made about the health of Britain’s reputation in the field of anti-corruption and the country’s consequent aptness as an international leader in the fight against corruption. Thus, for example, the Executive Director of TI-UK commented that:



“The Prime Minister’s global leadership on fighting corruption is welcome but the UK must establish credibility if this process is to work. Overseas bribery by UK companies, the laundering of corrupt assets through the City, dirty money entering the UK’s property market through secretive offshore safe havens, such as British overseas territories, as well as numerous political corruption scandals at home, all call into question the UK’s credentials on corruption.” (TI-UK 2016)

A public letter sent to the British prime minister by the chief executives of 17 charities and campaign groups in 2016, meanwhile, opined that “The UK’s reputation as a leader in the fight against corruption is on the line” (Christian Aid 2016). Even the blunt condemnation of the UK as ‘the most corrupt place on Earth’ by Italian mafia expert Roberto Saviano received endorsement by TI-UK (*The Independent* May 31, 2016). Set against this background of accruing reputational decline and consequential expectations of foreign costs, we now examine the trajectory of Britain’s promotion of anti-corruption initiatives in South-East Europe during the 2000s.

### **British involvement in fighting Balkan corruption**

Recent British experience in seeking to provide leadership and mentoring to anti-corruption efforts in South-East Europe raises a question mark over the common expectation that national reputational damage in the field of anti-corruption produces substantive costs abroad. During the 2000s, Britain played a leading role in calling for and assisting the efforts of South-East European states to fight corruption, and providing support and advice on a bilateral basis as well as in the context of preparations being undertaken by prospective member-states to join the EU. British corruption scandals, and particularly those associated with the Balkan region, ought to have diminished local receptivity to anti-

corruption advice and assistance from the UK. Yet receptivity to British mentorship remained high in countries aspiring for EU membership at the rhetorical and formalistic level, undergirded by the growing salience of corruption as a public concern in those countries, the progression of EU accession that involved ever more stringent anti-corruption demands from the EU, the perceived high status of British mentoring expertise in general, and the diplomacy of British mentoring practices that tended to sustain the palatability of British anti-corruption interventions abroad.

We trace below the extensiveness and impact of British anti-corruption leadership in the region over the course of the 2000s, paying particular attention to British engagement in Romania and Bulgaria: two states which joined the EU in 2007 but encountered exceptional criticism from the EU en route to accession due to their perceived failure to control corruption (Ivanov 2010). In so doing, we note not only official engagement directed by the British government but also the activities of those who effectively operated as unofficial British emissaries: corporate actors who are associated with Britain as their ‘country of origin’ (and whose own branding implicitly capitalises on this association), yet who have varying degrees of autonomy from the British state.<sup>7</sup> Within this framework, we consider particularly the local scandals that tarnished Britain’s reputation for probity and the ramifications of reputational damage for British anti-corruption mentoring in the region.

#### *Britain and EU enlargement to the Balkans*

EU enlargement has served as a crucial backdrop to British involvement in the fight against corruption in the Balkans, providing justification, inducement and financial support for such efforts. Within the context of the enlargement agenda, the European Commission has funded a twinning programme involving the secondment of member-state officials to the

administrations of candidate countries, and the area of justice and home affairs (including anti-corruption) has tended to attract more applications than others (European Commission 2006a). In an effort to make this process “demand-driven”, the Commission has also allowed candidate governments to choose their twinning partner from EU member-states that submitted competing proposals. Member-states have informally specialized in different policy areas, and Britain has traditionally been a popular choice of partner due to its reputation for its expertise in anti-corruption as well as in other security fields, and has been ready and able to participate as such.

In one instance of twinning publicised by the European Commission as a success story (European Commission 2006b), for example, Britain’s national criminal intelligence service seconded an officer to Croatia’s interior ministry to help improve inter-agency cooperation using an ‘intelligence-led’ approach to crime and corruption. In another, the British Embassy in Bucharest, Romania, provided ‘follow-on’ funding for a two-year EU twinning project with a British adviser who helped set up an anti-corruption hotline at the interior ministry and conduct a public awareness campaign. Romanian officials were reportedly open to such interventions in general because the country was eager to meet EU accession requirements (interview at British Embassy, Bucharest, Romania, 11 July 2006).

Some anti-corruption activities in the region have been financed by the UK itself. For instance, after Romanian president Traian Băsescu declared corruption a national security threat, an agreement with prime minister Tony Blair led to the appointment in 2005 of British prosecutor Rupert Vining – whose secondment was funded by the UK – to advise Băsescu on anti-corruption policy. The specifics of this project remained shrouded in mystery, possibly because of the involvement of Romania’s intelligence agencies, which reported to Băsescu (interview with official in Bucharest, Romania, 11 July 2006). Even

when not funded by the EU, British support for the fight against corruption in the Balkans has often been framed in terms of preparation for accession in any case. The Global Opportunities Fund of the British Foreign and Commonwealth Office, for example, has supported anti-corruption projects in Bulgaria and Romania based on priorities identified in the European Commission's regular reports on the progress made towards accession (interview with British Foreign and Commonwealth Office official, 21 June 2006).

In addition, Britain has provided direct support for the provision of non-British anti-corruption expertise in the region, funding, for example, the 2007 appointment of former Romanian minister of justice Monica Macovei as an adviser to the prime minister of Macedonia.<sup>8</sup> Macovei had built a reputation as Romania's foremost corruption fighter, earning plaudits in Brussels but making enemies at home. Pressure from those enemies led to her dismissal as justice minister only three months after Romania's EU accession. In her two-year posting in Skopje, Macovei stirred controversy by suggesting that Macedonia widen the scope of crimes that warrant wiretapping and confiscation of assets. She also proposed criminalising unexplained enrichment, and urged Macedonia to hire younger and less corrupt magistrates. By harnessing Macovei's reputation, Macedonia hoped to improve its prospects for EU accession. Britain played the role of facilitator, thereby pursuing its own goal of promoting EU enlargement.

Britain has also played a role in countering corruption in Balkan countries that remain on the EU's waiting list, where international involvement has been weightier. As international High Representative for Bosnia and Herzegovina from 2002 to 2006, British politician Paddy Ashdown wielded far-reaching (and much-criticised) powers, which enabled him to dismiss local leaders accused of corruption. In 2004, Ashdown suspended 60 Bosnian Serb officials, including Republika Srpska's parliamentary speaker and interior

minister, who allegedly used corrupt funds to protect war crime fugitives. Ashdown also dismissed the Bosnian Croat member of the country's three-member presidency who faced corruption charges in 2005 (Bideleux and Jeffries 2007: 390-392).

Through the actions of private consultancies and investigative journalists, moreover, British involvement in anti-corruption efforts in South-East Europe has extended beyond that carried out by representatives of the state. Crown Agents were one of the most high-profile British consultancies to become involved in anti-corruption initiatives in the region. Founded in 1833, Crown Agents had once administered British colonies. Now a privatized consultancy, they offered to help reign in corruption and improve revenue at Bulgaria's customs. In 2001, they signed an agreement with the Bulgarian government to assist in reforming the customs service (although this agreement itself failed to go through competitive bidding procedures and its details were not disclosed to the public). This arrangement was one of the first moves made by the incoming government of Simeon Saxe-Coburg-Gotha, Bulgaria's former king, who had returned from exile to become prime minister by campaigning on an anti-corruption ticket. Other ministers in his government included Bulgarians who had left high-paying jobs in the City of London, ostensibly in a spirit of self-sacrifice, and promised to bring with them a new culture of aversion to corruption. Crown Agents consultants were subsequently engaged by the Bulgarian government to accompany mobile groups of the country's customs and police officers, making surprise checks on trucks throughout the country, in what was for Bulgaria a rare example of inter-institutional cooperation.

Journalists from the BBC, meanwhile, have helped to uncover corruption scandals involving officials from Balkan countries. In 2004, for example, undercover BBC reporters posed as businessmen seeking to buy votes in favour of London's bid to host the 2012

Olympic Games. The crew secretly filmed Ivan Slavkov, a Bulgarian member of the International Olympic Committee (IOC), saying he was “open to negotiation”. The IOC swiftly suspended Slavkov’s membership and accreditation for the games that were to take place in Athens, and then confirmed his expulsion in July 2005. In another case, the BBC conducted an undercover investigation of child trafficking in Varna, Bulgaria. In so doing, British investigative journalists were able, through the BBC’s local reputation for quality journalism, to support the efforts of anti-corruption reformers against corrupt old-timers.

### **Britain, corruption scandals and national reputational damage in South-East Europe**

Above and beyond the context of growing international damage to Britain’s reputation in the field of anti-corruption, as identified above, the association of British officials and companies with corruption scandals in South-East Europe specifically could have been expected to have particularly dented the UK’s reputation in the region, causing a reduction in receptivity to British anti-corruption initiatives and, ultimately, a diminution in the effectiveness of policy transfer in this area. During the 2000s, Britain was implicated in several major corruption scandals in the Balkans. In one case, within weeks of a donation by steel tycoon Lakshmi Mittal to Britain’s Labour party in June 2001, prime minister Tony Blair had written to his Romanian counterpart, Adrian Năstase, backing Mittal’s purchase of the Sidex-Galați steel mill. Năstase argued that the decision to support the purchase had been taken before he received Blair’s letter, but nationalists contended that the government had made too many concessions to Mittal and should have chosen a rival bid by a French company. Following the ensuing controversy in the British press, London quietly replaced its ambassador in Bucharest, who had lobbied in favour of Mittal.

This case foreshadowed another involving the purchase of two refurbished British frigates by the Năstase government in 2003. A subsequent investigation by the British Serious Fraud Office revealed that the UK multinational defence firm BAE Systems had paid £7 million in secret commissions to Romanian officials to secure the deal. Romania had purchased the frigates to win British support for its NATO membership, intending to use them to curb organized crime along the Black Sea coast. The Serious Fraud Office continued to investigate the sale, along with BAE Systems deals in other countries. In reporting the frigates investigation, UK broadsheet newspaper *The Guardian* recalled with irony that Britain had been “in the forefront of those lecturing Romania on tackling corruption before acceptance into the EU”. In 2010, however, the Serious Fraud Office reached a settlement with BAE Systems, dropping corruption charges in relation to all countries. Anti-corruption campaigners writing in *The Guardian* criticised the outcome as unjust and shameful for Britain, arguing that it failed to restore the UK’s credibility in the field of anti-corruption, especially since a parallel investigation in the US led to a higher penalty for BAE Systems. And British anti-corruption campaigners argued similarly in 2008 that the wrong message on corruption was being sent by the Serious Fraud Office after it abandoned plans to prosecute a London-based energy business accused of bribing Serbian officials and manipulating aid payments in Bosnia.

Despite evidence from multiple instances in which British actors were tainted by association to corruption scandals in the region, we found only a slight impact, if any, on the British brand and on the efficacy of policy transfer. In the case of Romania, multiple corruption scandals involving Britain did not reduce the Romanian state’s receptivity to British anti-corruption advice in the context of the two-year EU twinning project, involving the establishment of an anti-corruption hotline at the interior ministry and a public

awareness campaign. Notwithstanding the persistence of official receptivity to British anti-corruption mentoring, however, the initiative itself was not particularly successful: officers largely failed to follow up on tip-offs from the hotline, and most calls it received proved irrelevant. British twinning advisers financed by the Commission also urged Romanian institutions to cooperate with NGOs, and one such adviser managed to enlist an NGO in preparations for a new anti-corruption department within the Romanian national police. To the disappointment of the NGO, the new department focused on pursuing citizens for offering small bribes instead of tracking down corrupt police officers, contrary to the expressed original intention for the department. But there is no evidence that the ineffectiveness of these efforts was reflective of diminishing receptivity to British involvement in this field (interview with a Romanian NGO leader, Bucharest, 13 July 2006).

In the case of Bulgaria and its engagement of Crown Agents consultants, reputational damage was highly contingent on the staggered and delayed release of damning information into the public arena and were thus, in the interim at least able to be effective in their endeavours. Although there were a few cases of alleged corruption perpetrated by the mobile groups of Bulgarian customs and police officers that Crown Agents consultants accompanied in surprise checks throughout the country, Crown Agents consultants helped to achieve a reduction in customs fraud and contributed thereby to an increase in customs revenues.

The very successes of the Crown Agents consultants in Bulgaria appears to have triggered resistance amongst some figures associated with the former communist regime, who were ambivalent about reform and suspicious of British consultants potentially acting as “spies” in the Bulgarian customs service. Yet some reform-minded Bulgarians also



harboured doubts about the usefulness and cost of the services provided by Crown Agents. Even commentators sympathetic to the idea of inviting a British company to help manage customs voiced misgivings about the secrecy of the invitation. Critics argued that the contract had been signed in exchange for lobbying by the UK government in favour of Bulgaria's accession to the EU. Controversy regarding Crown Agents was also affected by the discrediting of ministers recruited from abroad, nicknamed "London yuppies", after a series of scandals dented assumptions about their incorruptibility.

Opposition to the presence of Crown Agents in Bulgaria was strengthened by the publication in a Bulgarian newspaper in March 2002 of the leaked minutes of a cabinet meeting discussing how to circumvent procurement laws in order to award the customs contract to Crown Agents. The government subsequently argued, credibly, that opponents of customs reform had orchestrated the leak. Such counter-attacks suggested that Crown Agents were indeed helping to target corruption and dislodge vested interests. Yet subsequent Bulgarian governments opted to retain Crown Agents to provide recommendations on modernizing the customs and tax administration in any case. It was only in 2010, following the declassification in 2009 of previous contracts with the company which provoked media indignation as details of the payments the company received were made public, that their contract was not renewed.

The storm surrounding Crown Agents related to the perceived inappropriateness of the firm's anti-corruption assistance given the conditions of its presence, as well as reflecting public disillusionment with the notion that importing ministers or consultants from London could serve as a magic remedy for corruption. This debate was thus primarily one focused on reputational damage in a discrete local context, although corruption scandals in Britain were also reported by the Bulgarian media and were occasionally cited

in objection to EU “double standards” on corruption.<sup>9</sup> In May 2006, for example, the Bulgarian tabloid *Monitor* evoked the British Labour party’s knighted sponsors, in addition to scandals in other EU member-states, to claim that – reflecting Europe’s “enlargement fatigue” – the EU was unfairly singling out Bulgaria for criticism. The timing and source of the publication, however, indicated that it had a particular goal: to soften the domestic repercussions for interior minister Rumens Petkov of a critical report by the European Commission that noted a lack of results against corruption. Indeed, this was not the first time in which the timing of accusations of double standards suggested that they were deployed to deflect attention from the exposure of domestic failures in the fight against corruption. Such accusations, therefore, were not necessarily an accurate reflection of levels of official receptivity towards British involvement in local anti-corruption initiatives.

Another case associated with Bulgaria’s anti-corruption efforts further illustrates the tenacity of the British brand despite its reputational damage. In 2004, on behalf of the European Commission, an independent consultant – a retired detective of the London Metropolitan police – carried out a review of Bulgaria’s progress in combatting corruption. The consultant’s report noted that corruption investigations within Bulgaria’s interior ministry had disappeared in a “convenient labyrinth”, and questioned why government strategies had ignored high-level corruption (Savolainen et al. 2004). In response, secretary-general Borisov of the Bulgarian interior ministry dismissed Davies as a “street-level cop” unfit for the task of international peer-review. Yet Borisov subsequently asked for other experts from Scotland Yard to visit Bulgaria and reconsider the peer-review conclusions. In this instance, negative reaction to external censure was not an indication of diminished receptivity to British anti-corruption engagement in the country.

Finally, the degree to which British involvement in anti-corruption initiatives faced resistance was also clearly influenced by the fluctuating dynamics of local socio-political forces themselves. Thus, for example, despite the BBC's exposé of Ivan Slavkov, he defiantly remained president of the Bulgarian Olympic committee and football union and was forced out only after the final IOC decision, a year after the scandal broke. Instead of investigating Slavkov, Bulgarian prosecutors opened an enquiry against the BBC journalists involved in his downfall. Slavkov's supporters claimed that Bulgaria was the victim of a "campaign" in the Western media to discredit it, allegations that were reminiscent of communist-era rhetoric which condemned the BBC as a mouthpiece of the enemy. Yet the case against the BBC journalists was ultimately dropped after the arrival of a reformist prosecutor-general into post in 2006 and, more generally, Bulgarian reformers backed the BBC in exposing corruption, not least since local investigative journalism was relatively undeveloped at that point in time.

### **Mitigating the impact abroad of corruption scandals**

Several factors appear to have played a role in inhibiting the reputational damage incurred by Britain in the Balkans in the field of anti-corruption. The context of EU accession processes has been crucial to generating and sustaining receptivity towards British anti-corruption mentoring in the region. Anti-corruption policies and action plans were adopted by candidate states as required by the EU, and candidate country governments responded to criticism in the European Commission's regular progress reports by pledging to follow all EU recommendations, even if their efforts in practice remained questionable. Yet difficulties with implementation did not appear to be related to allegations of British double standards or the decline in Britain's international reputation. This was not due to lack of

awareness of scandals tarnishing Britain's reputation in this field; local media regularly reported on such scandals but, on the whole, these accounts did not use the scandals as an opportunity to reject British or European anti-corruption expertise. Complaints about British or EU double standards were typically limited to either a nationalist fringe or were recognisable as a government's attempt to justify perceived lack of progress against corruption. In some cases, officials who perceived the EU to be applying double standards on corruption even welcomed such 'discrimination' as helpful in highlighting one of their country's major problems (interview with a ministry official, Bucharest, 11 July 2006).

At the same time, the palatability of anti-corruption advice also appears, somewhat ironically, to have actually been facilitated by elite recognition of the existence of double standards in the field. Regular and intensive engagement with European institutions and policy networks since 1989 had furnished politicians in South-East Europe with considerable familiarity with both the liberal norms and values they were expected to display and the elasticity by which such norms and values could be translated into the internally- and outwardly-directed policies and practices of European institutions and member-states. In the early 1990s, international advice focused on fast privatisation and liberalisation, largely ignoring the attendant risks of corruption. Whilst the EU and its member-states had subsequently placed significantly more emphasis on the need for anti-corruption reforms (and strongly criticised Romania and Bulgaria for making inadequate progress), they had been far more equivocal about strengthening their own capacities for fighting corruption (Warner 2007), and had actually demonstrated greater flexibility than promised in their stance towards corruption in candidate countries (Gallagher 2009, 2010). Socialization with the political elites of EU member-states equipped those of South-East Europe with a keen awareness of the distinctions between 'off-stage' and public

performances by their counterparts in Europe. This understanding encouraged dissembling – carefully tailored by political pragmatism – on the part of Balkan politicians in response. Their ready acceptance of foreign advice against corruption, reticence to implement such advice, and selective decision-making about when and to what extent to voice outrage about the double standards of such advice, appeared to follow a long-term survival strategy familiar to the region of ‘voluntary dependence’ on powerful outsiders (Drezov 2001).

Within this context, Britain’s position as a strong regional and global power, and relatedly the strength of the country’s brand in the field of policing, criminal justice, and – perhaps above all – financial management, contributed to high levels of receptivity towards British expertise in South-East Europe. Such receptivity was further eased by the diplomatic delivery of British expertise, which appears to have facilitated the appeal of British anti-corruption interventions. Alongside the strong appeal of the British brand in the region, the international experience of British advisers – itself reflective to a significant extent of the historically-entrenched materially privileged position of British public and private institutions and actors – was instrumental in providing particular substantive appeal to British anti-corruption mentoring. Advice dispensed by EU twinning experts has often varied according to their own national backgrounds, and this flexibility could have provided scope for British twinning advisers to propagate British institutional templates in the Balkans (Papadimitriou and Phinnemore 2004). Instead, British advisers based their recommendations on a variety of models, including that of Hong Kong. This flexible advocacy, and the avoidance of overtly prescribing Britain as the model to be followed, was in line with the approach British officials had fruitfully pursued whilst agenda-setting in other policy areas internationally (see, e.g., Bulmer et al. 2007). More generally, British diplomats and advisers were more discreet and less prone to presenting their own country

as a model to be emulated, and this appears to be one reason why Britain proved less likely than the US to incur backlash against its involvement in anti-corruption efforts. By contrast, Washington's ambassadors in Bulgaria, Romania and elsewhere in the region provoked ire with blunt remarks about corruption that triggered objections about foreign interference (Tudor 2003).

Crucially, receptivity to British anti-corruption advice did not inevitably translate into effective policy transfer. Although Balkan countries welcomed British anti-corruption advisers, they did not necessarily heed their advice at the implementation phase, a phase that Tisné and Smilov rightly describe as “crucial” (Tisné and Smilov 2004: 62). Nevertheless, as with “Europe”, Britain's historically ingrained association with progress and modernity proved resilient to what could otherwise be considered reputational setbacks, and the UK thus continued to enjoy its status and appeal as an anti-corruption mentor in South-East Europe. Conversely, extensive international media coverage of “Balkan” corruption and organised crime, sometimes evoking negative stereotypes of the region, reflected these countries' lower reserves of symbolic meta-capital and left them relegated once again to the receiving end of global scrutiny and advice on fighting corruption.

## **Conclusion**

Our review of British engagement in anti-corruption efforts in the Balkans has affirmed that the national reputation can be an important determinant of foreign receptivity to advice and mentorship, but has found that receptivity is nevertheless an unreliable indicator of the effectiveness of policy transfer at the level of implementation. The negligible impact of a gamut of international and domestic corruption scandals involving the UK upon the country's anti-corruption engagements in the Balkans indicates, moreover, that the risks of

hypocrisy costs to both foreign receptivity to mentorship and the effectiveness of policy transfer have tended to be over-estimated – at least in discourse – by anti-corruption campaigners and critics alike.

Even where national reputational damage directly relates to the area of expertise being promoted abroad, stronger states appear to be better insulated from reputational damage and associated costs than their weaker counterparts. This appears especially the case when both local circumstances and the broader international environment incentivise elites from weaker states to demonstrate receptivity to expertise emanating from stronger states. Indeed, where elites from both mentor and mentee states have engaged in anti-corruption initiatives with other strategic goals in mind, the potential of hypocrisy costs to impede successful policy transfer appears negligible. To this extent, British anti-corruption efforts in South-East Europe may be interpreted as reproducing patterns of ‘collision and collusion’ in donor-recipient relations that have been identified elsewhere as having been prevalent in the region over the course of the 1990s (Wedel 1998).

Our review of British anti-corruption mentoring in the Balkans has suggested, furthermore, that processes of socialisation complicate policy transfer efforts, and that messages communicated abroad by agenda-setting actors tend to be far more mixed than intended. In turn, rather than being blinkered to all but the performances intended for their consumption by an agenda-setting actor, observing audiences may be alert to the complexity of lessons to be drawn from agenda-setting actors and design their own responses accordingly. Last but not least, our study suggests that even a preponderant reserve of national meta-capital cannot guarantee high levels of foreign receptivity to policy mentorship by a strong state where the very style of delivery makes policy advice unpalatable.

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## Notes

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<sup>1</sup> Domestic material costs are also expected, but such expectations may be overstated. This point is well illustrated by the fact that a major political scandal in Britain, which arose with revelations of widespread abuse and fraudulent claiming of expenses funds by members of parliament and which, in 2009, enveloped the entire political class, produced minimal effects upon political participation and upon voting outcomes in the general election held the following year, despite having stimulated strong levels of public anger and expectations of an electoral backlash (see further Pattie and Johnston 2012).

<sup>2</sup> On the concept of meta-capital and its fungibility, see further Bourdieu (1991) and Bourdieu and Wacquant (1992).

<sup>3</sup> As with stereotyping practices more generally, 'sticky' reputations are a means by which the disorder produced by complex realities is made more manageable (Douglas 1966). In the case of South-East Europe, for example, the stigma associated with the region's geo-political and geo-economic peripherality (on which see Todorova 1997) has been compounded by the utility of the 'Balkan' label for commentators on the political space after the end of the Cold War (Goldsworthy 1998).

<sup>4</sup> Other elite actors –such as financial market strategists– may not be sufficiently close to the state elite, leaving the former unfamiliar with the operational code of the latter and reliant instead upon the state's 'myth system' as the basis for their working assumptions (i.e., they are restricted to following official policy pronouncements), and are thereby susceptible to falling prey to state cunning (as illustrated by Hassdorf 2007).

<sup>5</sup> Negative characterisations of Britain as the duplicitous and purely self-interested 'perfidious Albion' have been equally persistent over time. The notion of 'bad faith' widely attributed to the British by both French and Germans during World War Two, for example, drew on an already old cliché of English traditions of disloyalty, a cliché whose fortunes have undulated over history (Schmidt 1953). Yet the stereotype of British shrewdness may be interpreted as serving to justify the country's large reserves of meta-capital, and not therefore ultimately standing at odds with Britain's role as an exemplar in the field of anti-corruption.

<sup>6</sup> For a full history of the Al-Yamamah scandal, see Feinstein (2011).

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<sup>7</sup> For the importance of the national reputation of the ‘Country of Origin’ in corporate branding for products and services alike, especially in foreign markets, see, e.g., Michaelis et al (2008).

<sup>8</sup> Because of a name dispute with Greece, the country’s official UN designation is The Former Yugoslav Republic of Macedonia.

<sup>9</sup> Crown Agents have not attracted similar controversy as a provider of EU-funded support to Kosovo’s anti-corruption institutions, or as a consultant for procurement and customs reform in both Kosovo and Macedonia.