Beyond government? Policy and practice in the UK Extractive Industries Transparency Initiative

FEDIRKO, TARAS

Beyond government?
Policy and practice in the UK Extractive Industries Transparency Initiative

Taras Fedirko

Thesis submitted for the degree of Doctor of Philosophy

Department of Anthropology

Durham University

2017

Title: Beyond government? Policy and practice in the UK Extractive Industries Transparency Initiative

Author: Taras Fedirko

This dissertation is a critical exploration of the changing social world of policy-making in the British central government. It examines new forms of governance that engage international corporations and non-governmental organisations into the making of state policy in the UK. It focuses on a case of one transnationally mobile blueprint for a collaborative anti-corruption policy. Implemented in the Whitehall, this policy, called the Extractive Industries Transparency Initiative (EITI), has had profound effects on how government officials exercise their authority.

I describe the EITI as a densely scripted model for policy, organised around an infrastructure of official collective forms, which structurally gear its implementation to consensual deliberation. I suggest that this formal set-up makes necessary constant social work of negotiating difference and maintaining relationships. This leads me to argue that the institutions of the UK EITI not only provide a social and political forum for the negotiation of disclosure rules, but set in motion complex social and political dynamics, and engender epistemic and ethical dilemmas, that simultaneously contributed to, and undermined, policy-making.

My dissertation sheds new light on the increasingly networked, transnational character of 'domestic' policy-making. It analyses the political, social and affective dimensions of collaborative policy-making, and explains how ethical and epistemic dilemmas that arise from collaboration of civil servants and their 'stakeholders', affect the policy. Opening up the 'black box' of the UK EITI in order to recuperate its sociality and understand the agency of official abstractions enabling it, this thesis explores how British civil servants and their expert stakeholders, navigate the terrain of statecraft transformed by their collaboration.

Collaboration, I contend, transforms policy-making because it brings into play social interests, relations, and practices, which are rarely associated with state bureaucracies. At the same time, the ways in which this collaboration is formally organised, restrict the government's control over the policy that it makes. Affecting policy-making within the government, collaboration results in processes of governance *beyond* government.

Table of contents

List of illustrations *vi*

List of abbreviations *vii*

Key actors and terms *viii*

Statement of copyright *ix*

Acknowledgements *x*

INTRODUCTION 1

Aims and questions of the dissertation 5

The case of the UK EITI 8

Anthropology of policy 12

Outline of the dissertation 16

Methods and ethics 19

Interviews and participant observation 19

Archival and other documentary sources 21

Terminology 23

Ethics 25

CHAPTER ONE. SETTING THE SCENE: ANTI-CORRUPTION NGOS AND THE GOVERNMENT 27

Anti-corruption NGOs as a field site 27

The civil service as a field site 31

The place of the Corporate Governance team in the civil service 33

The organisational context of the UK EITI Secretariat 35

The UK EITI and extractives' mandatory reporting 39

CHAPTER TWO. LOOKING FOR A PATTERN IN AN ANTI-CORRUPTION INVESTIGATION 41

The investigation begins 49

Connections and patterns: piecing the whole together 56

Concluding remarks 64

CHAPTER THREE. WHERE IT ALL STARTED: GLOBAL WITNESS AND THE ORIGINS OF THE EITI 69

Global Witness' report on Angola 74

Transparency as corporate responsibility 76

Corporate reactions to the campaign 80

From voluntary disclosures to government regulations 81

Towards an abstract model 83

The intellectual context 86

Campaigners approach the government 88

"Fitting" the proposal 92

Concluding remarks 96

CHAPTER FOUR. A 'SOCIAL' POLICY: DRAFTING A BLUEPRINT FOR COLLABORATION 99

From mandatory to voluntary reporting 103

From "voluntary scheme" to "partnership" 108

The emergence of the multi-stakeholder structure 114

A sudden change in direction 121

Concluding remarks 127

CHAPTER FIVE. AN EXAMPLE FOR OTHERS: NATIONAL POLICY AS A TOOL OF GLOBAL CAMPAIGNING 131

The rhetoric of international leadership 134

No corruption—no interest 136

An exemplary policy? 141

Translating the Standard 141

Making the UK a "good leader" 143

The politics of examples 147

The jigsaw of global transparency 151

Concluding remarks 155

CHAPTER SIX. A CRISIS OF COLLABORATION: MORAL DIMENSIONS OF COLLECTIVE GOVERNANCE 158

Collaborative policy-making 161

The mandatory reporting policy 161
Negotiating a "common ground" 164
The conflict from the perspective of a participant observer 166
The signs of the conflict 166
The problem: an "element of latitude" in a legal definition 168
Putting pressure on officials 171
The boycott 174
The conflict from the campaigners' perspective 176
"The same people" 176
"The same arguments" 179
A moral crisis 181
The conflict from the officials' perspective 185
Differences of interpretation 185
Obligations and complaints 187
In place of conclusion 190
CHAPTER SEVEN. MAINTAINING RELATIONSHIPS: IMPARTIALITY AND CONSENSUS IN THE UK EITI 194
Keeping the policies separate 197
Alignment and separation 199
Difference and detachment 201
Feigning ignorance 204
Management of disagreements among stakeholders in UK EITI meetings 208
Making consensus 208
Avoiding conflicts and organising the meetings 210
Ordering through writing 211
Concluding remarks: maintaining relationships 213
CONCLUSION: THE EFFECTS OF COLLECTIVE GOVERNANCE 216
REFERENCES 228

List of illustrations

Figure 0.1. Department for Business, Innovation and Skills, 1 Victoria Street. Photo by Steph Gray, used under CC licence. 1

Figure 1.1. The office of the Corporate Governance team at BIS. Author's photo. 36

Figure 1.2. Office corridors. Author's photo. 37

Figure 2.1. The cover page of the report. Courtesy of Global Witness. 45

Figure 2.2. An ownership diagram. Courtesy of Global Witness. 53

Figure 2.3. Bernard showing me the connections. Author's photo. 56

Figure 2.4. The diagram of Anar Aliyev's company network. Courtesy of Global Witness. 61

Figure 6.1. An excerpt from the draft Industry Guidance (February 2015). Screenshot of a document released by BIS under a Freedom of Information Request. 171

Figure 6.2. The leaflet. Author's photo. 172

List of abbreviations

API	American Petroleum Institute
BIS	Department for Business, Innovation & Skills
BP	British Petroleum
DEFRA	Department for Environment, Food & Rural Affairs
DfID	Department for International Development
DTI	Department of Trade and Industry
EITI	Extractive Industries Transparency Initiative
FCO	Foreign and Commonwealth Office
HMRC	Her Majesty's Revenue and Customs
ICMM	International Council on Mining and Metals
IOGP	International Association of Oil and Gas Producers
MP	Member of Parliament
MSG	Multi-stakeholder group
NGO	Non-governmental organization
NRGI	Natural Resource Governance Institute
PIU	Performance and Innovation Unit
PMSU	Prime Minister's Strategy Unit
PWYP	Publish What You Pay coalition
PWYP UK	Publish What You Pay UK coalition
SOCAR	State Oil Company of Azerbaijan
UK EITI	The United Kingdom's Extractive Industries Transparency Initiative
WSSD	World Summit for Sustainable Development

Key actors and terms

EITI The Extractive Industries Transparency Initiative is an organisation promoting the eponymous international blueprint for national policy promoting transparency and accountable management of natural resource revenues. The blueprint is set out in the EITI Standard and implemented nationally. The EITI is supported by the International Secretariat in Oslo.

UK EITI The national policy through which the EITI Standard is implemented in the UK. It is negotiated and implemented by a multi-stakeholder group, and coordinated by the UK EITI Secretariat, at the time of my fieldwork located at the Department for Business, Innovation & Skills.

MSG The multi-stakeholder group is a collaborative assembly where three formally equal groups ('constituencies') of stakeholders—Government, Industry, and Civil Society, negotiate how to translate the EITI Standard into national policy.

Stakeholder is an interested party, such as a company, an association, a non-governmental organisation, or as a person representing any of these, who is recognised by UK government officials as a partner in consultations or other policy work. In the context of the EITI, stakeholders are all the people who formally belong to the multi-stakeholder group.

PWYP Publish What You Pay is a transnational NGO coalition campaigning for greater transparency and accountability of corporate payments for the extraction of natural resources, and governments' accountable management thereof. PWYP is coordinated by the International Secretariat located in London, and works through national coalitions, such as the PWYP UK.

Global Witness is an NGO headquartered in London. It investigates corruption, and advocates for transparency and other policies to break the link between corruption, conflict, and lack of development.

Statement of copyright

Acknowledgements

Research for this dissertation was funded by the Durham Doctoral Studentship scheme at Durham University. I am indebted and grateful beyond what I can express to my supervisors, Catherine Alexander and Tom Yarrow, who believed that a geomorphologist with an IR degree deserved a chance in anthropology, and who have given me extraordinary, unfailing support ever since.

At Durham, I have been lucky to learn and work in an encouraging environment, and wish to particularly thank Simone Abram, Hannah Brown, Jim Coxon, Paolo Fortis, Kelly Johnson, Kate Payne, Ian Rickard, Elena Miltiadis, and the staff of the Durham Energy Institute.

The remarkable and generous openness of civil servants at the UK Department for Business, and the staff of Global Witness, PWYP, and Transparency International UK, has made my research possible. My words of gratitude go to all the people who are subjects of my research, whether they are mentioned in the thesis or not. They have patiently taught me everything I know about the British Government, the transparency scene in London, and American abstract art. Needless to say, all interpretations of these in this thesis, as all mistakes and misunderstandings, are mine only.

I have presented earlier drafts of my chapters at the RAI, Durham Energy Institute, Sussex and Surrey Universities, and at the ASA in Durham, and am particularly grateful to Gemma Aellah, Raymond Apthorpe, Chloe Nahum-Claudel, Rupert Stasch and Giza Weszkalnys for their feedback, which made me think about my work differently.

In my research and writing, I have benefited from discussions with (in the order that I have met them), Abi Muscat, Diána Vonnák, Maurice Said, Kyle McNally, Dave Robinson and Dominik Schieder, Aimee Joyce, Zahira Araguete, Rachel Douglas-Jones, Souad Osseiran, William Wheeler, Paul Gilbert, Eimear O'Casey, Mareike Pampus and Tristan Loloum. Matei Candea and Caroline Humphrey have given me the best incentive to finish this dissertation. Matt's generosity and patience have made my final writing-up months much less stressful than they could have been, had I been unemployed.

Special thanks are due to the ‘natives’ of London who adopted me, a stranded anthropologist fresh in the field, and have been good friends ever since: Maria Okhrimenko; Dave, Dominik and Amelia; Zahira, Souad and Akshi; Paul and Suda; and William and Millie. To Olesya Kopchak, Ivan Voitiuk, Andriy Orel and Oksana Korytska, Peter Naderer, Marija Krstić, István Szécsényi, Bia Fonseca, and many others, I am grateful for their continued friendship.

I want to thank my father, Ihor Fedirko, for getting me interested in the problems of this thesis long before I knew it was possible to make a career out of studying them, and my mother, Tanya Fedirko, for doing everything so that I could pursue this career. Finally, for reminding me about many important things, including that life is not all about the PhD, I want to thank D., to whom this thesis is dedicated.

Introduction

Figure 0.1. Department for Business, Innovation and Skills, 1 Victoria Street. Photo by Steph Gray, used under CC licence. Source: https://www.flickr.com/photos/lesteph/4953754824

"This is where it all started,"—announced Eddie Rich[1] to an audience of about 70 that sparsely filled a vast meeting room in the 1 Victoria Street Conference Centre in London. "I can see George Lowham[2] here—he's been here from the very beginning. And Global Witness, is there anyone from Global Witness?" A young man rose in a back row near me. Eddie nodded. The UK, Eddie said, "has made a full circle". Now, on the 19th of April 2016, was an occasion to remember the progress made.

In 1999, he explained, Global Witness, then a small London-based non-governmental organisation (NGO), published an investigative report about Angola. It exposed corruption at the heart of the Angolan government and denounced the elites' misuse of petroleum revenues received from international oil companies. American and European companies produced oil off the Angolan shore and paid vast licence fees, taxes and one-

[1] Real name. All other names, except for Jonas Moberg and people named in public-access documents and the press (founders of Global Witness, philanthropists, government ministers), are pseudonyms. I discuss anonymity in the ethics section later in this chapter.

[2] Former Executive Vice President of a large international mining corporation.

off bonuses to the government for the right to extract, but this money never reached public hospitals and schools, argued the campaigners. Instead, the government embezzled it, and used it to finance private mansions and arms purchases for the civil war. The campaigners suggested that the first step to fighting such corruption, was knowing how much the government earned from the oil companies. Corruption could be curbed if only there was transparency of government revenues, but since there was no direct way to influence the government, Global Witness proposed that oil *companies* should publicly disclose what they paid to the government.

This was the beginning of the Publish What You Pay (PWYP) campaign, now a transnational coalition counting more than 800 NGOs as its members. In 2002, Global Witness and other founding members of PWYP approached the British government with a proposal for a policy that would require extractive companies[3] operating in Angola to publish their payments to the government. Such public disclosures would give Angolan citizens and civil society information about the state's revenues, which would in turn allow them to hold their government to account for its use of oil money. Transparency was a step towards accountability, accountability—towards reducing corruption; and less corruption meant more development.

But companies on whom Global Witness wanted to impose such reporting duties, said Eddie, "couldn't do it alone". Therefore, responding to Global Witness' advocacy, in September 2002 the British government initiated a voluntary partnership that would bring together *governments*, *companies*, and *civil society* (NGOs like Global Witness with an interest in financial disclosures) in different countries to negotiate among themselves how best to make payments and revenues more transparent. The partnership took form of a working multi-stakeholder[4] group (MSG) of formally equal "constituencies" (accordingly, Government, Companies, and Civil Society[5]) that gathered in participant countries and each represented different collective interests with regards to disclosures.

[3] Throughout the thesis, I will use the adjective "extractive" as a synonym for adjectival phrase "oil, gas and mining", as in: extractive operation; and the plural noun—extractives—as a shorthand for extractive companies or industries. Overall, extraction stands for the extraction of natural resources. This follows my informants' use of the term.

[4] Stakeholder denotes an interested party. In the EITI context, it refers to one of the three constituencies. Throughout the thesis I rely on my informants' terms to describe the constituent elements of the EITI. My use of the terms is therefore descriptive, not analytical. I explain this below.

[5] I will use upper case throughout the thesis to distinguish the formal EITI constituencies from other uses of the terms industry, government and civil society.

This partnership became known as the Extractive Industries Transparency Initiative, or the EITI. Central to it is the EITI Standard—a set of requirements and recommendations, which primarily concern not the production of transparency as such, but the relational infrastructures of collaboration, in which this production is negotiated. The Standard governs the implementation of the EITI in each participant country. This makes it a mobile policy blueprint, which the stakeholders have to interpret and adapt to particular contexts of implementation. As Eddie Rich said on other occasions, by bringing together actors who would normally be hostile to one another's interests, the Initiative creates a collaborative arena that serves a forum for dialogue, cooperation and conflict resolution, the utility of which transcends the EITI itself. This dissertation is a critical exploration of this idea. It aims to describe and analyse what happens within the space of collaboration that is the EITI, and how the sociality of policy-making transforms the policy, and is transformed by it.

Since the launch of the EITI, many countries signed up to, and implemented it.[6] Today it is a "global standard" for disclosures to which many refer as *the* exemplary policy on transparency. In the first decade since its launch, claimed Eddie, it had helped to make transparent trillions of pounds of natural resource revenues in other developing countries, improving the management of these resources, and fostering economic development. Throughout the EITI's existence—first as part of the UK's international development policy, and later as an independent international organisation—the UK government had supported the EITI financially and politically: the Department for International Development provided monetary and technical assistance to countries willing to implement it, and the Foreign and Commonwealth Office promoted the EITI model among potential participants. The EITI enjoyed a cross-party political support: initiated by a Labour government, it received further endorsement of the Conservative-Liberal Democrat coalition. The 2015 election manifesto of the Conservative Party pledged to "push for all countries to sign up to the Extractive Industries Transparency Initiative" (Conservative Party 2015: 11). In 2013, the UK itself signed up to implement the EITI.

"The British Government can be proud of its leadership record in promoting extractives' transparency",—said Eddie. "The UK had made a full circle"—from conceiving and

[6] 51 countries at the time of writing in January 2017. Angola never became a participant country. See *The Extractive Industries Transparency Initiative.* (Accessed 15 February 2017), available from https://eiti.org.

setting the EITI in motion as a blueprint for an anti-corruption and development policy, to eventually implementing this blueprint. The occasion for Eddie Rich's speech was the publication of the first annual report of the UK Extractive Industries Transparency Initiative. He knew EITI's history better than anyone else: as a young official[7] at the UK Department for International Development (DfID) in the early 2000s, he had been part of the team of civil servants who worked on designing the institutional arrangements for the future EITI, before pursuing a career in other parts of DfID. Later, when the EITI became an independent organisation headed by an International Secretariat in Oslo, Eddie was recruited as the deputy head of the Secretariat.[8] Standing in front of his audience, Eddie could see many familiar faces: some people who had been there "from the very beginning", and many others who joined along the way.

Gathered for the occasion, there were representatives of large international corporations—BP, Shell and ExxonMobil among them—which supported the EITI in Britain and elsewhere; there was a man from the International Council on Mining and Metals, who coordinated the representation of mining companies on the International Board of the EITI; also there, were several campaigners from the International Secretariat and the UK branch of the Publish What You Pay coalition—a collective body largely synonymous with the EITI constituency of Civil Society wherever the EITI is implemented. There too was the campaigner from Global Witness, one of whose colleagues, absent from the gathering, had simultaneously been a member of the UK EITI's multi-stakeholder and the EITI International Board. Finally, there were numerous government officials—some of them from the departments taking part in the UK EITI and represented on its stakeholder group, others responsible for promoting EITI abroad.

The reader will encounter these people on the pages of this dissertation as protagonists of my ethnography of the UK EITI and NGO campaigns in the UK. During my fieldwork in London in 2014-15, I met them in the conference rooms of Global Witness, headquarters of Publish What You Pay, and in 1 Victoria Street, where the imposing brutalist building of the Department for Business, Innovation and Skills (BIS) housed a team of civil servants coordinating the implementation of the UK EITI and other transparency policies.

[7] Throughout the thesis, I use *civil servant*, *official* and *bureaucrat* interchangeably.

[8] The Secretariat was headed by another long-term EITI insider, Jonas Moberg, who had collaborated with Rich when EITI was still DfID's initiative; another EITI body, the International Board, was chaired by Clare Short, former DfID Secretary of State under whose leadership the Initiative came into existence.

My research began in May 2014 as a study of anti-corruption campaigns focusing on extractive industries, but very soon extended to government policies they were trying to influence. From February to July 2015, I worked as a trainee civil servant at the UK EITI Secretariat at BIS, observing the work of officials, participating in meetings of the multi-stakeholder group, and following its members from the meeting rooms at BIS to the offices of their organisations, and to restaurants and pubs across London where we met with some of them after work. I also studied the internal departmental archives of BIS which held rich materials on the emergence and cross-departmental negotiations of the EITI model in 2002-3. The archival documents shed light on the history of the EITI in ways that complicate and contradict the official narratives about the policy, such as the one offered by Eddie in his speech.

The result of my research is a historically-informed ethnography of the negotiation and implementation of the EITI in Great Britain. In what follows, I describe the aims and questions of my dissertation, relate them to the case of the UK EITI, and situate the dissertation in relation to the relevant disciplinary literature. I then provide an outline of the chapters, and conclude this introduction with a discussion of methodological and ethical considerations of my research.

Aims and questions of the dissertation

The world of government policy[9] that I experienced during my fieldwork crossed the assumed boundaries between the public and the private, the state and the civil society, the national and the international, and stretched far beyond the government itself. It formed a complex social landscape of organisational relations and personal alliances; bureaucratic forms and forensic knowledge practices; political interests and competing visions of the public good that played out in the ethical projects of anti-corruption campaigning and civil service professionalism.

The aim of this dissertation is to describe and understand how this world is made and inhabited by government officials and their non-governmental partners. I do so by focusing on the UK EITI, and this focus entails studying the social and organisational context where the policy was negotiated, bringing into view anti-corruption campaigns, investigations which inform them, and other transparency policies implemented at the same time (Tate 2015). The formal set-up of the EITI (with the multi-stakeholder group,

[9] I borrow the term "policy world" from Chris Shore and Susan Wright (2011); see also Checketts (2016).

the three constituencies and the secretariat), puts relational complexity at the heart of the policy, making the navigation of social relationships and negotiation of compromises the key problem for the officials of the UK EITI Secretariat. This social complexity is further exacerbated by the fact that civil servants' control over the policy is challenged on the one hand by the international EITI Standard that provides a blueprint for the policy's content and procedures, and on the other, by the stakeholders, who collectively negotiate how to translate this blueprint into practice. All this makes the UK EITI a fascinating and informative case for the study of contemporary forms of statecraft, where collaboration between the government and various stakeholders is elevated to the status of policy aim.

It is the practices and limits of collaboration between government officials and their NGO stakeholders; their relations, commitments and projects that inform it; and the ways in which it governs the implementation of the EITI Standard in the UK, that are the object of my ethnography.

Collaboration, enacted through the collective form of the multi-stakeholder group, is so central to the EITI that in their book *Beyond Governments*, Eddie Rich and Jonas Moberg (2015) have theorised the organisation of the EITI as a form of "collective governance". Defining collective governance as "the formal engagement of representatives of government, civil society and companies in decision-making and in public policy discussions" (2015: 4), Rich and Moberg have suggested that such collaboration is a response to an "increasingly complex world of shifting balances of power between constituencies in society" (2015: 11). In this context of increased societal pluralism, the EITI embodies a larger historical shift: from state governments, to multi-stakeholder governance. Hence their book's title, and the question in the title of this thesis, which I borrow from them. "The world used to be run by states", Rich and Moberg write:

> now the world has four centres of power—governments, companies, finance and civil society […]. Governments everywhere are losing out to cross-border networks. […] Perhaps diplomacy between states is dying. Long live collaboration between state and non-state actors. […] The old models of nation-states do not adequately capture the complexity of governance in the 21st century. This fragmented world is deeply unsettling and unpredictable for governments. They are still the arbiter of public policy but have to work differently to maintain their mandate. (2015: 8-11)

In this thesis, I seek to respond (Riles 2006: 1-5) to Rich and Moberg's arguments by interrogating them ethnographically. Using their insights as guides and counterpoints to description and analysis, I ask: how does collective governance happen in the context of the UK EITI? More specifically, how did the collaborative model of the EITI emerge? How does this official model play out in the context of the UK EITI, and why? Finally, how does the sociality of *collective* governance of disclosures shape, impinge on, and limit the policy itself?

These ethnographically specific questions speak to broader concerns about sociality and effects of policy. This thesis therefore seeks to describe and explain how and by whom policy is "made" and governed; and how agendas, commitments and ethical projects of those who make it, and their relations with each other, shape policy models, and are themselves transformed by them.

As a result, this thesis follows the "circle" that the EITI made from Global Witness' campaign, through an initial policy design developed by UK officials and their partners within the country and abroad and its promotion as a blueprint for transparency in 'developing' countries, to the implementation of this blueprint in the supposedly 'developed' UK a decade later. This narrative arc brings together actors that, even if not perforce personally acquainted, are connected through official documents and formalised knowledge, mediating institutional relations through time and space.

This highlights the fact that policy—to the extent that it is possible at all to speak of this assemblage of paperwork, meetings and corridor talk, networks of people, things and ideas as a single entity—mediates not only between the state and its subjects of rule (Shore and Wright 1997), but also between those involved in making and implementing it (Mosse 2005; 2011). In so far as this is the case, my ethnographic exploration of government policy provides an opportunity to investigate forms and practices of regulation and ordering in the contexts where they are drafted and debated. It allows to do so without presuming in advance that these contexts are necessarily co-extensive with the state; or that the scale of a supposedly "national" policy is that of a nation; or, finally, that the effects of government policy are to be found among the social actors it aims to govern, rather than among the very officials who designed and carried it out. I therefore seek to understand how government policy is made within non-governmental advocacy organisations, such as Global Witness; how these organisations' participation in

collaborative policy-making arenas, such as the UK EITI, implicates national policies in transnational political projects; and how such collaboration affects and transforms the very governmental institutions that make it possible.

Whereas much literature in anthropology of policy focuses on what policy does or does not do once it is made (see below), I am interested in what policy *makes*, and how it is made. This entails treating as ethnographic artefacts the forms that are often assumed as self-evident, such as the distinctions between policy and implementation, "national" and "global", government and governance, the governmental and the non-governmental.

The case of the UK EITI

My dissertation brings these problems into view by focusing on the complexities of the (UK) EITI. This policy establishes an institutional arena for its own implementation, and necessitates coordination across government departments, NGOs and corporations—actors which, as one informant put it to me, "wouldn't normally work together." The EITI is both structured through the Standard, and negotiated within the framework established by it, so that it does not make sense to differentiate between the making, negotiation and implementation of policy. Let me dwell on the key elements of the formal set-up of the EITI in order to better situate the ethnographic questions I have raised so far.

As already mentioned, the EITI Standard is a blueprint for the policy that is the same for all countries participating in the EITI. It requires that both the participant government and extractive companies operating on its territory disclose their revenues and payments. Disclosures have to be published in annual country reports, opening resource revenue flows to public scrutiny. An independent in-country audit must verify the figures and compare—"reconcile"—payment and revenue data. Any mismatches could indicate corruption and must be explained.

Besides requiring certain kinds of disclosures, the Standard also stipulates a number of procedural rules that govern the EITI's implementation in countries that signed up to roll it out as a national policy. Most significantly, in its role as a tool of meta-governance, the Standard mandates that each implementing country establish a tripartite multi-stakeholder group (MSG). Made up of representatives of the three constituencies, it brings together officials from various government departments, representatives of different extractive companies and industry associations, and NGO campaigners. The Standard further

establishes rules about how MSGs should function. The MSG is a collective deliberative body where decisions are normally made by consensus in official meetings, which means that intricate diplomacy and a process of formal and informal negotiations usually precede any important resolution. This is because the MSG has to decide how to translate the requirements of the EITI Standard into national rules about disclosures. Importantly, members of the group are expected to represent their constituencies (e.g. a government official from DfID has to be aware that s/he speaks on behalf of the Government constituency), rather than particular organisations. Since rifts and disagreements within constituencies are common, there are also internal negotiations and consultations. The multi-stakeholder group is usually coordinated and assisted by a national EITI secretariat—in the UK it is staffed by three civil servants, who work with the group as a whole rather than with its Government constituency only.

The EITI's national structures are replicated internationally: there is a multi-stakeholder International Board that audits and oversees countries' compliance with the EITI Standard, and the International Secretariat, whose staff provide logistical support for the Board and give advice to the several thousand people involved in implementing the EITI around the world through their membership in national MSGs and national secretariats.

There is a further complication concerning the legal status of the EITI. In the UK, as in most implementing countries, it is a formally voluntary policy, lacking the status of legislation. Once the government has signed up to implement it, it has to follow rules set out in the Standard, which works as a form of soft law; yet, the reporting policy thus implemented is not legally binding for extractive companies that are expected to report. Unless the EITI is turned into a national law, there is no juridical way in which the government can force companies to report—a fact patently obvious in the UK EITI's first report, where most mining companies expected to disclose their payments, did not do so. At the same time, if companies fail to report, the EITI International Board may refuse to "validate" the country as compliant with the EITI Standard.

This tension points to another ambivalence about the EITI, namely, that for all political and practical purposes it is a policy signed up to and paid for by the government, and yet the government remains only one of the three equal parties negotiating and implementing it. If the government does not control the content of the policy because it is mandated by the Standard, it also cannot firmly control how the Standard is negotiated and translated

into national policy by the multi-stakeholder group. Taken together, these complexities of policy and practice make MSGs into political arenas where parties lacking in legal means to force their agendas onto each other, must rely on other ways of advancing their interests. As a result, much of the debates and negotiations taking place within MSGs happen at a meta-level: they are about the governance of governance, which makes them interesting as ethnographic objects.

In the UK, the EITI is something of a political curiosity: a policy model originally developed as an item of regulatory export—a tool of fixing the problem of underdevelopment and corruption at a distance—, it eventually returned to the very institutions in the supposedly developed and transparent state that had created it. It was introduced in 2013 as a national policy because, as many of my informants insisted, the government (DfID and FCO) had found it increasingly hard to promote the EITI model abroad without the credibility of "walking the walk" themselves. After a decade of supporting the EITI in other countries, the UK government made a commitment to "set an example" of transparency to others. This framing of the UK instance of the EITI model as a model of implementation for others, was supported by Global Witness and its allies in the Publish What You Pay coalition, who, largely uninterested in the EITI's transparency effects in the UK, wanted to make it into an exemplary policy that they could point to in their campaigns overseas. The same was true, some officials claimed, of the international companies supporting the policy. I will expand on these issues and their implications for the making of the UK EITI, throughout the dissertation.

While the Government was just one of the three equal constituencies on the multi-stakeholder group, the UK EITI still remained a government policy, and thereby a part of the context of mundane bureaucratic work of civil servants, who also worked on other policies. Similarly, NGO campaigners saw the UK EITI as just one element of a larger "jigsaw of global transparency" (to quote one informant)—an element that was functionally, conceptually and socially connected to other anti-corruption policies in the UK and elsewhere, which made up a single landscape.

The other elements of this jigsaw served as implicit points of reference and targets of critique for NGO campaigners and corporate representatives, in their discussions about how best to implement the EITI Standard in Britain. These were the so-called mandatory disclosures policies—regulations obligating extractive companies registered or traded on

stock markets in certain jurisdictions (Canada, EU countries and the US) to disclose their payments for extraction to governments all over the world. They had their origin in the same campaign by Global Witness and PWYP as the EITI. But unlike the EITI, they were obligatory, and thus a major point of contention between Global Witness and their PWYP allies (who advocated for these stringent rules in many countries simultaneously), and most major international oil, gas and mining companies (which would have to comply with these rules). In the EU, mandatory disclosure rules were enshrined in Chapter 10 of the new EU Accounting Directive,[10] passed in 2013. As will all EU law, the UK had to transpose it into national legislation. The work of preparing the primary law and the regulations interpreting it in the UK, was done by several civil servants from the Corporate Governance team at BIS—the same team that hosted the UK EITI Secretariat. In fact, when announcing in May 2013 that the government would sign up to the EITI, David Cameron pledged that it would also swiftly transpose Chapter 10 into national law in order to signal the British government's championship of the extractives' transparency agenda. To complicate the matters, officials working on these mandatory disclosure rules (which became known as the *Reports on Payment to Governments Regulations 2014*) collaborated with practically the same NGO and corporate stakeholders, who took part in the UK EITI. "They are the same people, exactly the same people,"—told me one civil servant. When I began to research the UK EITI, I quickly realised that there were multiple conceptual and social overlaps between the UK EITI and the mandatory disclosures policy. If understanding the rationalities and practices of NGO campaigns on transparency required studying the UK EITI, understanding the UK EITI in its turn made it necessary to follow its conceptual and social interdependencies with the mandatory disclosures policy.

During my fieldwork, the UK EITI's multiple internal and external connections became a matter of conflict between the stakeholders involved in it. Despite the UK EITI's formal structures presuming (and requiring official performance of) the separation of one constituency from another; the UK EITI from the mandatory disclosures policy and other instances of EITI implementation abroad; and all of them from the umbrella structures of the international EITI, participants of this policy world crossed these formal divisions of jurisdiction and scale with remarkable ease, at times even manipulating the scalar

[10] Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC. *OJ L* 182, 29.6.2013: 19–76

ambivalence they inhabited. The result was a collaborative national policy—the UK EITI—where few were interested in its national effects, instead pursuing it as a site of political intervention and exemplification elsewhere. To understand how and why this happened, this thesis explores how the collaborative policy model of collective governance began to change relations and practices of government from which it had emerged and in which it was enacted. In particular, it does so by investigating how the social complexities of the UK EITI fold back onto themselves at a moment of political and moral conflict among the stakeholders.

The UK EITI is a particularly good case for the study of practices of government because it is both an *instrument* and a *site* of governance. To paraphrase David Mosse's argument about development projects, it is neither separate nor constituted independently from "the different goals, interests, ambitions, social relationships and passions of the many people and institutions brought together in [the policy's] 'long chain of organisation'" (2005: 24, emphasis and citation omitted). The EITI, as I have suggested, is not only a model for a policy replicated with variations across many countries, but also a blueprint for a set of institutions and forms of collaboration, through which the policy is negotiated and implemented in each instance. Opening up the 'black box' of this policy in order to recuperate its sociality and understand the "agency of official abstractions" enabling it (Bear 2015: 24), allows me to explore how British civil servants and expert stakeholders who have become their partners in governing, navigate the terrain of statecraft transformed by their collaboration.

Anthropology of policy

Since Laura Nader (1969) formulated her programme for "reinventing" anthropology by calling for the study of powerful elites and institutions shaping lives of ordinary citizens, many anthropologists have taken forth her agenda. In numerous ethnographies (Bear 2015; Ferguson 1990; Fortun 2001; Gilbert 2015; Li 2007; Müller 2013a; Shore and Wright 1997; Shore, Wright and Pero 2011; Stryker and González 2014; Welker 2014), Nader's call to "study up" has lived on as a political programme of critical deconstruction of bureaucratic and corporate domination. But Nader's injunction was also an invitation to a methodological reflection for a discipline in a moment of crisis, as she warned that "[t]he consequence of not studying up as well as down are serious in terms of developing adequate theory and description" of power (1969: 290). Thus, an increasing number of scholars have chosen to break with the tradition of power critique for the sake of

'adequacy' of theory and, above all, description (Holmes 2014; Holm Vohnsen 2011; Hull 2012; Lea 2008; Mathur 2016; Mosse 2005; Riles 2001, 2011; Yarrow 2011; Yarrow and Venkatesan 2012).

Within this vibrant and growing field of literature, some anthropologists have chosen to study government policy. With few exceptions (e.g. Alexander 2002; Crewe 2015; Checketts 2016; Heclo and Wildavsky 1974; Holmes 2014; Holm Vohnsen 2011; Lea 2008; Maybin 2016; Neumann 2012; Tate 2015), their attention has focused on settings where policies are implemented, rather than *made*—debated, negotiated, drafted, etc. As a result, we know much more about how forms of government and topographies of statecraft are constituted in encounters between state agents and their clients, or through mundane documentary practices at the bottom of administrative hierarchies, than in sites where, for example, lobbyists and campaigners meet ministers and policy officials, where laws are written and regulations negotiated. In these high corridors of power, in offices and meeting rooms of ministerial buildings, the state—but also those with whom 'it' interacts—look differently.

My thesis contributes to correcting this ethnographic deficit by focusing on a central government department and painting a detailed picture of the social world of policy. Seeking to contribute to anthropological understandings of policy and the state, my ethnography takes forward two related concerns from the literature on the topic: one is about the e*ffects of policy*, the other, about the *relation between policy and practice*. As I will explain below, I approach these problems from the perspective of anthropology of international development, which because of its focus on development projects and expertise (Ferguson 1990; Li 2005, 2007; Lewis and Mosse 2006; Mosse 2005, 2011; Yarrow and Venkatesan 2012; Yarrow 2011), has been particularly influential in defining ethnographic approaches to government policy (see, e.g. Shore and Wright 1997, 2011; Holm Vohnsen 2012; Checketts 2016).

Of particular importance, has been James Ferguson's *The Anti-Politics Machine* (1990). Focusing on a 'failed' development project, Ferguson asks: what were the project's effects, even if its implementation did not achieve the desired results? He finds that through the advancement of infrastructure, the project brought about a side effect of increasing the power and reach of Lesotho's state bureaucracy in rural areas that it had previously not penetrated. The insight that effects of a development intervention could be

found outside of its intended purview—coherent with Foucault's impersonal view of power as operating without so much as awareness of its subjects (see in particular Ferguson 1990: 18)—has since inspired productive research in anthropology of public policy, where scholars have investigated what interventions 'do' (Li 2005), how they create new subjectivities and forms of domination (Nyqvist 2011), and how these are justified and sustained through design of policy models and expert depoliticisation (Müller 2013b; for representative collections of critical scholarship, see Shore and Wright 1997; Shore, Wright and Però 2011). Developing an agenda for an anthropology of policy, Shore and Wright remark the "productive, performative and continually contested" (2011: 1) character of policy, and suggest to focus on the organisational work that goes into making "fragmented activities [of policy] appear coherent" (1997: 5). Similarly, Nina Holm Vohnsen has argued in her study of a welfare policy in Denmark, that

> [t]he closer we look at the moments in which decisions pertaining to the project [i.e. the policy] are made, the more the project dissolves into a multiplicity of logics and strivings for conflicting goals and it seems that in those moments the project relates to the politically adopted project in nothing but name. (Holm Vohnsen 2012: 35)

Throughout the thesis, I will build on these suggestions to explore the effects of the collaborative set-up of the UK EITI, its multiple logics, and the discourses and practices that make it cohere.

Importantly for my argument, this critical literature on development and policy has itself been criticised for its tendencies to reduce people's ideas and acts to "the supposedly more 'real' agendas [of domination] that analysts then 'uncover'" (Yarrow 2011: 5); and for obstructing a more nuanced ethnographic understanding of historical, social and ethical specificities of projects and policies (Mosse and Lewis 2006). A valid and welcome correction, this methodological criticism does not detract from the usefulness of critical deconstruction in detecting the hidden structures and effects of policy interventions—even if the question of what these structures and effects are, and where they are to be found, should be resolved ethnographically rather than ideologically. More on this below.

Addressing questions raised by Ferguson, David Mosse (2005) suggests that judgments about 'success' and 'failure' of development projects must be understood in relation to

the disjuncture between policy (models and texts) and practice (the situated activities of implementation). He argues that policy success and failure are socially produced. Rather than being effects of good or bad implementation, they result from changes in policy's "networks of support and validation" (see Latour 1996), which make practices of implementation (il)legitimate. This move brings Mosse to question the direction of the relation between policy and practice. His analysis focuses on the complexity of articulations (of translation, reproduction and subversion) between policy texts and practices, suggesting that "policy models are poor guides to understanding the practices, events and effects of development actors, which are shaped by the relationships and interests and cultures of specific organizational settings" (Mosse 2004: 663).

This methodological move—in itself a response to the critical-deconstructive anthropology of development—seeks to "reinstate the complex agency of actors in development at every level" (Mosse 2005: 6), and through that, to allow for a richer ethnographic understanding of ideas, practices, relationships and commitments of these actors (e.g., see contributions to Mosse and Lewis 2005; Mosse 2011; Venkatesan and Yarrow 2012). The new possibilities opened up by this move are partly an effect of the chosen scale of inquiry, partly of its suspension of critique. The coherence of policy, so often the target of critical deconstruction, at a closer look appears an effect of situated practice (Yarrow 2011: 147-8)—not only of the negotiation of power, but also of knowledge-making (Green 2012) and moral reasoning (Trundle 2012; Yarrow 2011: 6-15). Suspending critique in favour of a methodological/ethnographic deconstruction, these scholars find that there is more to policy than domination and governmentality—a point that I develop on ethnographically throughout this dissertation.

The ethnographic programme proposed by Mosse (2004, 2005) is made possible by the productive tension between the notions of policy and practice. As I have already noted, Most ethnographies of policy and development projects focus on their implementation, rather than drafting and design. This empirical bias, so often a result of the politics of research access, makes the dichotomy of policy and practice relatively unproblematic.

In this thesis, however, I explore a social arena where policy *is* practice, namely, where the official abstractions of the UK EITI (policy, in Mosse's terms), are the object of practices of drafting, negotiation, and translation. Through this focus, I seek to develop our understanding of the complex and non-linear relations between official policy texts

and abstractions on the one hand, and social practices and relationships through which these are made, elaborated on and enacted, on the other.

I seek to understand how official formalisations (Stinchcombe 2001) of policy emerge from situated practices, epistemic and ethical commitments of government officials and their NGO partners; and how these formalisations then come to have their own *effects within the arena of the UK government* in which they are debated, negotiated, and put to use. Exploring the social life of policy *within* the government, rather than in the sites of policy's implementation,[11] allows me to shed light on policies, and in particular the EITI model of collective governance, as complex, historically and culturally situated fora of human relations.

Building on the emerging body of ethnographic analyses of government, governance and management that do not assume that power and authority is all there is to governing (Lea 2008; Bear 2015; Bear and Mathur 2016; Telesca 2015; Mathur 2016; Brown 2016), this dissertation takes forward the project of ethnographic inquiry into practical, epistemic and ethical dimensions of governmental work and campaigning, seeking to understand these as lived practice. I see my task, and accordingly my contribution to the anthropology of policy and the state, as detailed ethnographic description that brings to life the various ways in which the practice of collaborative policy making is complex—conceptually, ethically, relationally, and politically. Ultimately, the suspension of deconstructive critique for the sake of ethnographic nuance, allows me to produce a better-informed and richer account of an under-documented subject, and leads to critical insights that are unattainable if the critique of power/ideology is the primary aim of research (Yarrow 2008). These insights form the basis for my theoretical contribution to the anthropology of policy and the state, which I discuss in the Conclusion.

Outline of the dissertation

Chapter One sets the scene for the rest of the dissertation by providing an overview of the two sites of my fieldwork in London: the anti-corruption NGOs, and the Department for Business, Innovation and Skills. Chapter Two examines one of these NGOs, Global Witness, as a site where campaigners develop proposals for anti-corruption policies. It

[11] In the case of the UK EITI, as I have noted, it is difficult to distinguish between making and implementation of policy. The closest approximation to implementation, in this context, would be the practices of corporate and governmental reporting under the UK EITI's rules. My focus, as already explained, is elsewhere.

focuses on the making of one investigative report about opacity and potential corruption in the oil industry. Through my ethnography, I seek to understand how Global Witness employees who investigate offshore corporate networks, deal with the problem of knowing corruption and making it visible, and how the forensic and interpretive moves they make, lead them to advocate for particular policy solutions to corruption in the extractives. Global Witness' campaigns, based on investigations such as the one I analyse, have been central to the problematisation of transparency, and development of specific policies such as the EITI. Chapter Two, therefore, provides a basis for my ethnography of these policies in the UK.

In Chapters Three and Four I deal with the emergence of the discursive and social conditions of possibility of the EITI in the late 1990s and early 2000s. Chapter Three focuses on the advocacy campaign that grew out of Global Witness' investigation of corruption and conflict in Angola. It explores how Global Witness campaigners legitimised transparency of extractive corporations as a solution to the problem of government corruption in Angola. The chapter then describes several conceptual and rhetorical shifts in the campaign through which this solution was turned into an abstract policy model that could be applied to any resource-rich developing country. I argue that this model was developed as situated political knowledge which campaigners deployed in attempts to persuade powerful actors about the importance of extractives' transparency. Finally, I suggest a tentative explanation of why these attempts eventually succeeded, when in Spring 2002 the UK government took up Global Witness' proposal, which later became the EITI.

Chapter Four demonstrates how Global Witness' original policy proposal, which recommended *mandatory* disclosures of corporate payments to governments, was radically transformed in the context of cross-departmental negotiations in the UK government. Tracing this transformation, I describe how the design of the emergent policy was amended to accommodate various interests and conflicts within the government, and later changed further in order to attract the broadest possible support from other G8 countries, the World Bank and numerous corporations. The result of these moves was the emergence of the multi-stakeholder model of the EITI, whose voluntary, participatory set-up directly reflected the need to accommodate interests and agendas of the various parties involved in negotiating it. I thus show how the mechanisms for collaborative deliberation

that characterise the EITI model today, were initially shaped by organisational concerns and conflicts within the British government.

When these mechanisms came to be implemented in the UK in 2014-15, they engendered extraordinary social complexity within the UK government, and led to a conflict among EITI stakeholders. Chapters Five, Six and Seven deal with these problems. Chapter Five begins with the government's official reasons for implementing the UK EITI—namely, to promote transparency abroad by making the UK EITI into an *example* of British leadership on matters of anti-corruption. It explores how and why both government officials and NGO campaigners sought to use the nationally implemented the UK EITI as a tool of foreign influencing. Examining the dynamics and social arrangements through which the UK EITI was made into an arena and a tool of transnational campaigning, this chapter develops our understanding of the politics of collective governance.

Chapter Six further develops this theme, exploring the complex ways in which the implementation of the UK EITI became entangled with that of the extractives' mandatory reporting policy. Unpacking how this entanglement resulted in a conflict between NGO and corporate stakeholders, I suggest that the conflict signaled the limits that collective governance may put to the authority of government officials. More precisely, I demonstrate that the conflict was a result of both the NGO and corporate representatives' attempts to use the space of collaboration opened up to them by BIS official, as a way of settling scores with regards to similar transparency policies in other countries. My exploration of officials' and campaigners' narratives of these events leads me to suggest that the process of collective governance is a result not only of power relations and tactics of rule, but also of ethical projects pursued by its various parties.

If Chapter Five and Six demonstrate the relational complexities of collective governance, and the ways in which these shape and undermine policy-making, Chapter Seven turns to the problem of stability in the face of unruly sociality of stakeholder collaboration. The chapter explores the (unsuccessful) attempts of the staff of the UK EITI Secretariat to prevent the conflict, described in Chapter Six, from engulfing their policy. It analyses how officials sought to reinstate the formal separation between the UK EITI and the mandatory reporting policy, collapsed by the conceptual and social overlaps between them. This allows me to focus on the role of detachment and formality in the civil

servants' attempts to maintain and order social relationships that underpin, yet at the same time destabilise, the implementation of the UK EITI.

The Conclusion brings together and summarises the main arguments of this thesis. Drawing out their implications for the anthropology of policy and the state, I elaborate on the central problem of this dissertation: the effects of collective governance on the very institutions of government within which it is situated. I argue that the conflict and frictions I describe in earlier chapters, occurred *because* of the formal arrangements and social dynamics of collective governance, rather than in spite of them. Collaboration, I contend, transforms policy-making because it brings into play informal social relations and practices which are rarely associated with state bureaucracies. At the same time, the ways in which this collaboration is formally organised, restrict the government's control over the policy that it makes. In this manner, collaborative policy-making results in processes of governance 'beyond' the government.

Methods and ethics

This dissertation is based on 14 months of ethnographic fieldwork in London in 2014-15, where I first studied anti-corruption investigators and campaigners working for various NGOs (discussed below), and later spent six months as a participant observant at BIS, with the UK EITI Secretariat and the multi-stakeholder group it coordinated. In this final part of the Introduction, I comment on methods, sources, terminology and ethics of this research.

Interviews and participant observation

Tracing the diffuse social world of anti-corruption policy-making, between May 2014 and July 2015, I conducted ca. 90 formal semi-structured interviews with government officials from BIS and campaigners representing ten different anti-corruption/pro-transparency NGOs. A third of these interviews were repeated; some grew into lasting friendships, from which many more informal conversations flowed. I observed anti-corruption public conferences, report launches, debates, as well as focused, invitation-only discussions with policymakers, military commanders, and representatives of international organisations. I also acted as a consultant researcher on transparency and anti-corruption in the UK and Ukraine for two NGOs (the Natural Resource Governance Institute and Transparency International UK), and translated documents from Ukrainian for the latter. The blurring of boundaries between research subjects and partners, in fact,

was a persistent feature of my fieldwork (Douglas-Jones 2012; Holmes and Marcus 2005). I could not, however, secure a lasting period of participant observation in an NGO—for reasons explained below.

I started to attend meetings of the UK EITI in November 2014, and from February to late July 2015, I worked as a trainee civil servant at the UK EITI Secretariat. The Secretariat, as already mentioned, was based at the Corporate Governance team at the Department for Business, Innovations and Skills, whose officials also implemented the extractives' mandatory reporting policy. While at BIS, I took part in regular team meetings and helped other members of the team with their workload (that did not concern extractives' transparency) in order to better understand the organisational context of the UK EITI Secretariat. However, I spent most of my time at BIS assisting the officials of the Secretariat with the day-to-day management of the policy. This meant participating in different kinds of meetings (multi-stakeholder group and working sub-group meetings, officials' and time-table meetings, informal brainstorming sessions and unofficial "chats"—usually held in person, and sometimes by conference calls) which happened as often as four times a week. Most of these took place at BIS or other government departments, and sometimes at Global Witness' offices.

Between 20 and 25 people participated in these regular meetings, representing different government departments (BIS, Department for Energy and Climate Change, Department for International Development, the Foreign and Commonwealth Office, HM Revenue and Customs and the Treasury), companies and industry associations (Aggregate Industries, BP, Exxon, Mining Association of the UK Mineral Products Association, Oil and Gas UK, Shell) and NGOs (Global Witness, Natural Resource Governance Institute, Publish What You Pay UK, Transparency International UK), as well as a (former) member of Parliament and his associates. Eddie Rich from the EITI International Secretariat, and delegations from other EITI-implementing countries, were occasional guests.

Working with the UK EITI Secretariat meant being in the middle of constant email exchange between different stakeholders (as a temporary member of the Secretariat's staff I was copied in most emails), which was useful because much of the business of managing the policy happened by email. Other than that, my work at the Secretariat involved drafting position papers and memos (on subjects ranging from the licensing regime for the North Sea oil and gas extraction, to local council planning permissions for

quarrying sites), and authoring a section of the UK EITI's first annual report. Finally, I also attended public conferences and training sessions both related to the (UK) EITI, and to the broader "policy profession" of the civil service (e.g. on how to draft laws and "manage" the ministers).

All in all, this made for field-work of high intensity punctuated by periods of relative calm, which, in its course, reflected the ebbs and flows of the work of professionals I had chosen to study.

I must note that for a variety of reasons I have not been able to interview as many corporate representatives involved in the UK EITI, as it would have been desirable. I interviewed four officials from companies and industry lobby groups. Others proved difficult to reach and arrange meetings with because of their busy schedules or lack of interest in research. (This in itself is a good indication of the place of the UK EITI in their work: it was one of the many other things and government fora where they had to participate.) My semi-official role as a member of staff of the UK EITI Secretariat might have made it more difficult to access these people as a researcher (unlike in the case the NGO campaigners, with whom I had had contacts since before I joined the Secretariat). At the same time, however, I observed numerous UK EITI meetings in which Industry representatives were active participants; spoke to them privately after these meetings; and had access to current and archived correspondence between officials and corporate representatives. Because of this, the lack of interviews does not impair my understanding of the policy and the Industry members' participation in it.

Archival and other documentary sources

This thesis relies heavily on publicly available NGO and government reports, and published minutes of the UK multi-stakeholder group meetings. To corroborate some interviews with civil servants, I have also used materials from a Freedom of Information request filed against BIS officials by Global Witness campaigners. Last, but not least, in order to understand the development of the EITI, I have relied on materials in BIS' digital archives. During my time at BIS, the department was undergoing an overhaul of its electronic filing system, meaning that there was no central archive of current documents. Recent documents and official emails were stored on a shared virtual drive accessible to team members. However, an old electronic system[12] was still in place; it held copies of electronic and scanned paper correspondence between officials of different departments,

[12] To which I refer as the BIS Matrix Archive—by the name of the electronic system (the "Matrix") on the departmental intranet in which these documents were stored. I cite these documents indicating their type, date, and file number. I do not know the current name and location of the archival folders I accessed because BIS has been united with another department in Summer 2016, and the Matrix filing system has been overhauled.

as well as internal memos and position papers. None of these documents were classified, and I was allowed by a competent official to see them and take notes of them for my research. The documents were about cross-departmental discussions about the EITI that took place in 2002-3, although some were from later years. As this was a storage of documents that concerned institutional ancestor of BIS—the Department of Trade and Industry (DTI)—it inevitably did not contain the correspondence and papers about the EITI in which DTI officials were not copied in. These omissions are identifiable, and mostly concern discussions held within other departments working on the EITI in those years. DTI was, however, included in all "write-rounds" (cross-departmental consultations) concerning important decisions about EITI, which makes the BIS archive a reliable source of evidence about the policy's early development.

The main challenge to an ethnographic reading of these documents is relating them to everyday organisational practices from which they resulted, especially in view of what my and others' (e.g. Hull 2012; Mathur 2016) ethnographic insights have taught me about the complex relationship between writing and other bureaucratic practices. Of course, these documents are artefacts of bureaucratic knowledge (Riles 2006) and instruments of organisational coordination. As much official writing, they operate a certain mode of formalisation, abstraction and deletion (Law 1994). Unlike many official documents, the formality of which obscures who is to account for the account (Munro 1996), which complicates the task of reading them sociologically, the archived email exchanges I analyse are rich sources of information about the social world of policy-making. They allow for a nuanced understanding of organisational dynamics, and debates about policy, within the British government. This is because these documents are rather heterogeneous: for example, unlike official ministerial letters, which would, as a rule, be carefully drafted by several officials, intra-departmental emails between civil servants at DTI frequently express opinions and disagreements which would not normally be voiced in official letters. These varying degrees of formality, as well as the fact that these documents bear traces of the contexts of their own creation, allowed me to gain a reliable understanding of written debates about the emergent EITI, and triangulate these with reports of meetings, official memoranda, NGOs' own published appeals, etc. I rely on these materials in Chapters Three and Four, where I predominantly focus on the discursive construction of the EITI.

Finally, the reader might rightly ask whether the ten-year gap between the chapters using archival sources to trace the emergence of the EITI from 1999 to 2003, and the chapters on the EITI's implementation in the UK in 2014-15, constrains my analysis in any way. To this I would respond that the main ideas and structures of the EITI, whose influence I explored during my fieldwork in 2014-15, took shape already in 2002-3, a period richly documented in the BIS archives. It is true that between 2003 and 2013, when the UK finally signed up to the EITI, the Initiative underwent many significant changes: it became an independent international organisation, its structures consolidated, and rules were expanded and codified (on which I comment in various chapters). However, the core of the EITI—the idea that disclosures should be negotiated within a collaborative tripartite group of stakeholders—remained the same. This is what allows me to trace throughout the thesis (with necessary qualifications about continuity and change) how this core idea of collaborative governance made a "full circle" from its origins in a complex dynamic of negotiation and conflict within the UK government, to its eventual 'return' to the very institutions that had devised it in the first place.

Before I proceed, note that except for published government and NGO reports, I provide references to all cited primary sources (such as emails, parliamentary evidence, speeches and newspaper interviews) in the footnotes to the main text, rather than in the final list of references.

Terminology

As the reader will notice, throughout the thesis I use terms such as 'corruption', 'transparency', 'accountability', 'stakeholder', 'multi-stakeholder group', etc. As policy is a language-borne practice that constructs the reality in which it seeks to intervene (Apthorpe and Gasper 1996), I seek to use these terms in the way that my informants used them. Without deploying them as descriptive terms, I would lose something important about the ideas and practices I describe, because it is through references to ill-defined entities such as 'corruption' and linguistic shifters such as 'transparency', that the EITI gains its appeal and effectiveness as a policy.

The same goes for the classificatory notions of Government, Industry and Civil Society[13]—the three official constituencies of the (UK) EITI. These are formal labels for

[13] As noted earlier, the capital letter usage of these terms is meant to mark the difference between the official EITI classification of constituencies, and the ordinary usage.

imagined collectives that are performed within the arena of the multi-stakeholder group. The multi-stakeholder set-up of the EITI hinges on an idea of social pluralism: there are different constituencies with their own interests within the society, and in order to make effective policy, collective interests of these constituencies must be represented in the process of governance (Rich and Moberg 2015; see also Croce and Salvatore 2015). As I discuss in Chapters Three and Four, this organisation of the policy reflects its origins in concerns about government corruption, which led campaigners at Global Witness to propose that governments should be made accountable to their citizens and civil society with the help of extractive companies. For the EITI, this has meant that the Government constituency of stakeholders is not seen as representing citizens of the government's country. Instead, it is the Civil Society constituency that claims the representation of the wider public of supposedly concerned citizens. Arguably, this organisation of the EITI has been informed by a general idea of civil society as a relational artefact defined by that which it is not: the structures of social organisation that are neither the state nor the market (Hann 1996; Taylor 1990). In the context of the UK EITI, the Civil Society constituency is a self-organised group of people who supposedly represent a wider array of civic organisations; likewise, the Government constituency are expected to speak on behalf of the British government as a whole, and the Industry, to represent extractive companies.

In practice, however, these organisational categories map awkwardly onto the social groups they are expected to represent. Each of the constituencies has mechanisms for internal consultations in order to ensure inclusion and representation of broader views. At the same time, the representativeness of people attending the UK EITI multi-stakeholder group is a constant issue of contention. For example, the Civil Society constituency effectively lacks any representation of trade unions (unions approached by the constituency coordinator were not interested in being subsumed under the category of Civil Society) or communities affected by extraction (these usually are organised as informal networks, or lack time and funds to come for UK EITI meetings to London). Instead, many members of the constituency work for international NGOs or those who, like Global Witness, are heavily invested in campaigning on problems of international development, rather than on UK-specific problems. In a similar fashion, government officials are often divided along the departmental lines, and a unitary Government position requires much negotiation. All this creates very interesting tensions, which I explore in the thesis.

My informants understood these caveats well and regularly reflected on them. Yet, they continued using the official classificatory terms in ways that blurred the real differences between, say, Civil Society (the formal EITI constituency) and civil society (the sphere of civic self-organisation), strengthening the constituencies' claims to representation. This is an interesting ethnographic problem, and following my informants' usage of these terms helps me make sense of it.

Ethics

All interviews were conducted with informed consent of the participants, and parties to the meetings I observed were at all times aware of my identity as a researcher. Most formal interviews were recorded (audio, with consent), and I took personal notes of the meetings. I also recorded (with consent) several meetings and brainstorming sessions with officials.

I have anonymised all names and identities of my informants, and used pseudonyms. There are several people to whom I refer by their real name—notably, those who, like the top officials of the EITI International Secretariat (Eddie Rich and Jonas Moberg), directors of NGOs (Simon Taylor at Global Witness) or government ministers (Jo Swinson), are readily identifiable by virtue of their positions and publicly available documents. However, as with the anonymised research participants, I have often chosen to eschew attributing views and statements to particular people in order to provide further protection. Likewise, I have not used personal stories and gossip, which abounded at BIS, as in any organisation. In my use of archival materials, I have anonymised all protagonists, referring to them by their organisational positions. It is worth noting that quotes from archival materials are paraphrases of the original documents, as I recorded them in my notes during fieldwork. I have sought to preserve the meaning and general style of the original documents.

I have chosen to keep names of organisations and titles of policies, because these are relevant for a correct portrayal of ethnographic problems that my thesis deals with. As a result, some of my informants' identities will be intelligible to knowledgeable insiders. I had notified officials at BIS responsible for my research access of this possibility from the outset. After the change of government in summer 2016, BIS has been merged with the Department of Energy and Climate Change, into the Department for Business, Energy and Industrial Strategy, which should provide a further layer of protection for identities

of some informants. In accordance with the nature of official consent for participant observation at BIS, I have not divulged any matters that could be considered confidential or sensitive. At no point did I have access to any confidential, or otherwise classified, documents. Moreover, sensitivity of information is also a function of time.

Finally, as this thesis deal with issues of collaboration and conflict, it is inevitable that my ethnography has an edge to it, simply by virtue of multiple perspectives on single events, and because of inevitable differences between my own and my informants' interpretations (Mosse 2006). I hope that by now this edge has been blunted by the passage of time.

Chapter One
Setting the scene: anti-corruption NGOs and the government

To understand the social world of policy-making, we need to understand the professional and institutional contexts inhabited by its protagonists. This is because policy is made not just in the offices of government institutions, but also increasingly within various advocacy organisations (Tate 2015: 7), and in new spaces of collaboration such as the ones I analyse in this dissertation. This chapter provides an overview of the two sites of my fieldwork in London: the capital's anti-corruption NGO 'scene', and the government's Department for Business, Innovation and Skills. I begin by describing the NGOs involved in campaigning for transparency and accountability. I then proceed to give an overview of the British civil service, the place of the UK EITI in it, and the policy's relation to another set of regulations about extractives' transparency. Setting the scene for the rest of the dissertation, this description of the field sites will help the reader to navigate the institutional contexts of my ethnography.

Anti-corruption NGOs as a field site

I began my fieldwork in late May 2014 with the aim of studying how 'transparency' was produced and enacted as an epistemic and ethical virtue among anti-corruption campaigners in London who specialised in extractive industries. That this thesis does not take transparency as the object of its ethnography, reflects one of my fieldwork discoveries: namely, that as an explicit value and aim, transparency was present in the campaigners' day-to-day work only marginally—as an often unreflected-upon orientation of diverse knowledge practices, such as investigations, drafting of policy submissions, and negotiations with officials. Transparency was the explicit goal of campaigning, and most campaigners shared a rather simple understanding of it as the publication of certain kinds of information. At the same time, anti-corruption campaigning itself turned out to be a complex social arena. Focusing on relations and practices of those working in anti-corruption NGOs appeared to me a more productive, and emically significant, way of approaching the subject of transparency as a public good (Bear and Mathur 2015).

Anti-corruption campaigning interested me because of what various scholars have documented as the explosion of transparency (Tsoukas 1997; Strathern 2000a; see also contributions to Boström and Garsten 2008; Garsten and Lindh de Montoya 2008) and associated "audit cultures" (Strathern 2000b) in all types of organisations, supported by

the growth in number, size, and professionalisation of various pro-transparency NGOs and development programmes (de Sousa, Larmour and Hindess 2009). London, the capital of the United Kingdom, a city of more than 8 million people and a major financial hub, has become the home base for many such transparency organisations. Most of them are charities and not-for-profit companies, but there are also numerous corporate consultancies and business intelligence firms who have seized on the commercial opportunity of analysing corruption as a business risk, and certifying transparency of business transactions (e.g. Control Risk and Risk Advisory Group, and most large accounting and legal firms).

The work of anti-corruption campaigners fascinated me because working in the public interest (as they saw it), they advocated for changes in government and corporate policies, and seemed to be rather effective at that. Having started my fieldwork, I discovered a dazzling variety of NGOs in London that in one or another way worked on issues of transparency, accountability anti-corruption. Some NGOs were radical grass-root networks of activists, others, well-established organisations with up to a hundred employees. Many of them focused exclusively on the questions of transparency and anti-corruption (e.g. Global Witness, Corruption Watch UK, National Resource Governance Institute, Publish What You Pay, Publish What You Fund, Transparency and Accountability Initiative, Transparency International UK), but there were others—large international development charities (ActionAid, Christian Aid, Oxfam, ONE Campaign, Tearfund)—who took transparency as a tool of international development and 'good governance' and had teams working on different development issues. Finally, among those organisations working on transparency and anti-corruption, one could find a variety of sectoral specialisations: defence, pharmaceuticals, international aid, extractive industries, land, offshore finance, money laundering and taxation, and so on. Large organisations—most notably Global Witness—were organised in specialised teams focusing on a variety of sectors, whereas others specialised only in one or two (e.g. Publish What You Pay—in extractives).

Going to regular anti-corruption talks and conferences organised by one or another of these organisations, I realised that despite the variety of different NGOs and their coalitions, the world of transparency campaigning in London was in fact small and densely connected—intellectually, institutionally, and socially. The anti-corruption scene, as one informant put it to me, was "incestuous", pointing to a profusion of

interpersonal connections forming the foil to more explicit institutional ones (see Riles 2001). People working for different organisations with different sectoral foci, knew each other personally, cultivated friendships (some of them had known each other from school or university), or even intimate relationships. Connections often formed on the margins of professional meetings. As government institutions that these organisations lobbied were often the same, the NGOs coordinated their activities through formal coalitions such as the BOND Anti-Corruption group, Open Government Partnership, and Publish What You Pay Campaign.

These various connections extended to the world of private and public organisations: lawyers, accountants, due diligence investigators, academics, police and military officers, parliamentarians and government officials, frequently attended anti-corruption conferences organised by different NGOs at lavish locations in central London, and came to closed working meetings with the likes of Transparency International UK and Global Witness. All these interrelationships were sustained by funding sources, which many NGOs shared: first of all, the UK Department for International Development and international aid ministries of other European countries; and secondly, private foundations, most notably George Soros' Open Society Foundation (OSF), which has been instrumental to the growth of Global Witness and emergence and functioning of the Publish What You Pay coalition in 2002. Up until the end of my fieldwork, the International Secretariat of PWYP was based at the London office of the OSF in Westminster. To understand campaigning on extractives' transparency, I ended up interviewing and hanging out with many people working on transparency in other topical fields. It was essential to grasp what was specific to the extractive industries campaign, and what was general to the broader transparency scene.

These dense connections also troubled my assumptions about the scale of campaigning, demonstrating that my idea of 'national' campaigns (advocating for policies in the UK) as distinct from the 'transnational' ones, was obsolete. The neat classification of national and international coalitions, national and international NGOs, which some campaigners upheld as a public representation of their work, dissolved into a rather messy field of relationships where goals and boundaries of organisations were ambivalent, and campaigners worked to make national policies into exemplars of transparency exportable to other countries. This, as I later learned, was the main challenge to policy-makers who

invited NGO campaigners to collaborate on undertakings such as the UK EITI, and indeed became a prominent theme of this thesis.

Drawing on this part of my fieldwork, in this dissertation I have focused on Global Witness and allied NGOs participating in the UK branch of the Publish What You Pay campaign (particularly, the coordinator of the PWYP UK, the Natural Resource Governance Institute, and Transparency International UK). The growth of Global Witness over the two decades of its existence (between 1995 and 2015) from an organisation of three to one of about 100 spread between two offices (one in London, the other in Washington, D.C.), and of the membership of PWYP coalition from about ten in 2002 to more than 800 in 2015, reflect the progressive institutionalisation of anti-corruption campaigning in the UK and many other countries. At the time of my fieldwork, Global Witness was organised around a number of topical campaigns: land, banking, conflict minerals and oil among them. I talked mostly with people from the Oil Team, but also interviewed their colleagues from other parts of the organisation.

Campaigning is a knowledge-intensive enterprise that requires coordination of many people doing different kinds of work, often from different organisations. Within Global Witness and other large organisations, there is a horizontal and vertical division of labour between researchers and investigators who write specialised reports (Chapter Two); campaigners who use these reports to write policy submissions which they then discuss in meetings with government officials; communication officers supporting the campaigners; lawyers checking reports for accuracy and libel; and various kinds of campaign managers. The roles of researcher and campaigner, however, were often blurred. Throughout the thesis, I refer to 'campaigners" as a catch-all term for the NGO employees, given that most of those I had contact with, were indeed involved in advocacy.

Most campaigners at Global Witness whom I interviewed were men[14] between their late 20s and late 30s,[15] British, educated mostly in humanities and social sciences in Oxbridge and Russel Group universities. Except for the gender, the situation was replicated across other organisations campaigning on extractives transparency. (Government officials

[14] My impression was that the Oil Campaign was particularly male-dominated at the time of my research. This has changed since.

[15] Unlike at Transparency International UK, whose staff tended to be more equally split by gender, as well as younger (in their mid- and late 20s) and less experienced.

working with these people, sometimes reflected on what they perceived as campaigners' privileged social and educational backgrounds.) As is the case with many development-related NGOs and charities (Nouvet and Jakimow 2016; Yarrow 2011), those who had chosen to work for these NGOs often saw their job as virtuous. They valued being able to work in a sector that they "felt passionate about" (many used this particular phrase) and which they considered publicly important. At the same time, however, campaigning was a highly professionalised activity (Sampson 2005) in which people developed skills that could be transferred to a job in an organisation not focused on transparency. Their careers often began not in campaigning proper, but academia, law and journalism. Many NGO workers I met during the fieldwork, had come to anti-corruption from other charities dealing with international development, human rights and poverty, and these career moves further testify to the professionalisation of the 'world' of NGOs.

As I explain in Chapter Two, it proved impossible, despite my many attempts, to obtain permission to conduct participant observation within the offices of these organisations. Campaign managers at Global Witness were wary of inviting an anthropologist into an office where the employees were discussing ongoing investigations; another NGO invited me in, but kept postponing the starting date, and the head of yet another one suggested they would allow me to work with them if I changed my research project to include corporations, and then reported on the content of my interviews back to them. Needless to say, this was not an option. But unlike the NGO management, rank-and-file campaigners turned out to be very forthcoming and generous with their time, and over the course of the fieldwork, we had repeated interviews with the ones involved in the extractives transparency campaigns.

The civil service as a field site

One of the very early outcomes of these interviews was the realisation that to properly understand the extractives-related advocacy of Global Witness' and Publish What You Pay, I had to research those whom they sought to influence—that is, civil servants within the UK government. Among the main targets of their campaigning was the Department for Business, Innovations and Skills, which within its Business Environment Directorate hosted the Corporate Framework, Accountability and Governance Team (I refer to it as the Corporate Governance team). It was a group of about a dozen civil servants developing a number of corporate reporting and transparency regulations. Two of these policies were about extractives. One of them was the UK Extractive Industries

Transparency Initiative; the other, the extractives' mandatory reporting policy resulting from Chapter 10 of the EU Accounting Directive, and called the Reports on Payments to Governments Regulations 2014. The former was a multi-stakeholder, voluntary process; the latter, a mandatory set of regulations, implemented in consultation with the same stakeholders that participated in the UK EITI. Global Witness and members of PWYP UK took interest and participated in both. I sought permission to conduct participant observation within the structures of the UK EITI. This was how I arrived at the current framing of my research—a double focus on the NGO campaigns, and policies they sought to influence.

Elizabeth Pierce, the head of the UK EITI Secretariat and a senior manager within the BIS Corporate Governance team, was forthcoming and welcomed the idea. Having obtained agreement from members of the UK multi-stakeholder group and responsible officials within BIS, at the beginning of February 2015 I started my period of participant observation in the Department as an unpaid intern. I was allowed to fully take part in UK EITI proceedings, observe office work, read emails and access archival materials, and use what I learned for purposes of research.

This extraordinary access wasn't peculiar to me—rather, the fact that I was allowed to research that which is usually believed to be a difficult to access domain, evidences the model of voluntary collaboration on which the EITI is built. But at the same time, it reminds us of the dark other of the shift towards collective governance—namely, cuts to the funding and size of the civil service motivated by the policy of austerity, which leave government officials in need of external parties to take up some of the workload. The number of employees at BIS shrank by 20% under the Conservative-Liberal Democrat coalition government in 2010-15 (Institute for Government 2015: 59). This reduction was disproportionate for the most junior grades of the administrative hierarchy (ibid.: 63). Elizabeth said that whereas even ten years before a person at her grade[16] would be expected to manage a team of ten, in 2015 she had only three other people under her management. This left her with less junior officials to do the same amount of work and, she thought, decreased the quality of advice she could give to ministers. Less time was spent on "thinking" and more, on "doing", she complained.

[16] Grade 7—senior manager, the first line of officials who already provide advice to ministers personally. It is immediately below the lowest grade of Senior Civil Service (see Drewry and Butcher 1988: 23-27).

The work that ten years ago would have been delegated to a subordinate executive officer, now had often to be done directly by Elizabeth. Her team, making up the Secretariat of the UK EITI, was three strong: Elizabeth herself, Aimée Poole (a Higher Executive Officer) and Stewart Barber (an Executive Officer). My participation in the team did not so much reduce the workload within the Secretariat, as allowed the team to take over the control of some of the policy work from the participants of the UK EITI multi-stakeholder group. This often sped up the implementation of the policy, because unlike the staff of the Secretariat, who devoted most of their working time to the UK EITI, the stakeholders contributed a day or two a week at most.

The place of the Corporate Governance team in the civil service

In the UK, the civil service is a permanent state bureaucracy numbering ca. 410,000 people[17] (Institute for Government 2015) who form the core of government dedicated to making policy. Civil servants—from administrative officers at the bottom of the hierarchy, to permanent secretaries, the mandarins heading governmental departments and responding directly to politically appointed Secretaries of State (i.e. ministers that are members of the Cabinet)—are politically neutral. This means that their personal political opinions should not influence their work and ability to provide impartial advice to ministers, whatever political force they represent (Drewry and Butcher 1988).

The UK Government is headed by the Prime Minister, who does not head up a separate department (although the PM's private office is widely known as Number 10,[18] and wields considerable political power) but presides over the entire executive branch of the state. The PM—David Cameron (Conservative) at the time of my fieldwork—governs through meetings of the Cabinet, a collegial body most of whose members are Secretaries of State (chief ministers) for specific government departments. The Department for Business, Innovation and Skills was one such department. Its responsibility was for regulating corporate reporting and governance, supporting the competitiveness of big businesses and regulating competition, and creating policy to stimulate innovation and the uptake of new skills among students. Secretaries of State are political heads of departments, and underneath them, there is usually a number of junior ministers with portfolios in particular policy areas. When I began fieldwork, Vince Cable (Liberal Democrat) was the Business Secretary, and Jo Swinson (Liberal Democrat) the junior

[17] The figure is for March 2015, and is ca. 80,000 less compared to March 2010.

[18] For n. 10 Downing Street, London, where it is located.

minister with responsibility, *inter alia*, for corporate governance. After the general election of May 2015, which saw the end of the Conservative-Liberal Democrat coalition and the rise of the majority Conservative government, Sajid Javid became the Secretary of State, and Baroness Lucy Neville-Rolphe the junior minister responsible for the UK EITI.

Government departments are the political and intellectual core of the civil service, and are also known as 'Whitehall' (after the street in Westminster, London, where many of them are located). It is here that policy is officially made—devised, drafted, proposed to the Parliament in forms of laws and statutory instruments. The opposition between parts of the civil service making and implementing policy, which emerged historically with the expansion of governmental intervention and the growth of the welfare state (Hennessy 1989; McLeod 1988), has in recent decades become less prominent, as policy implementation—the delivery of actual services to citizens and companies—has been increasingly transferred to so-called executive agencies which may or may not be part of the civil service, but remain accountable to relevant Secretaries of State (Drewry and Butcher 1988). There is another division: between administrative (formerly clerical) staff and the "open structure"[19] comprising the top seven grades of the administrative hierarchy (from seven to one) involved in the formulation of policy, provision of advice to ministers, and departmental management. Finally, another important distinction is that between "generalists" and "specialists"—civil servants whose previous specialisation and expertise are not deemed relevant to the job they would be doing within the civil service (most civil servants), and those whose jobs rely on such skills (lawyers, accountants, economists and statisticians). This is not to say that generalists do not require highly specialised knowledge for working on policies such as the UK EITI—rather, that they acquire such knowledge on the job and could, in principle, start working on a new policy from one day to the next.

The Corporate Governance team of the Business Environment Directorate at BIS, which hosted the UK EITI Secretariat, was staffed by generalists. It was headed by Charlotte Reid-Wills, a senior civil servant involved in both the UK EITI (as the chair of the multi-stakeholder group) and in the policy on extractives' mandatory reporting. There were six Grade 7 officials, among whom Elizabeth and her colleague Catherine Barnes, who

[19] Thus called because a civil servant can be appointed for a position within it from the private or the third sector without first having to rise in the ranks of the civil service.

worked on the mandatory transparency reporting policy, eight civil servants ranging in position from Executive Officer to Senior Executive Officer, and one administrative assistant. Gradations of seniority reflected age and experience in the civil service: Charlotte was in her early to mid 50s, with a long experience in the government; her subordinate Grade 7 officials were between early and late 40s, and the different Executive Officers were between their late 20s and mid-30s. These officials worked on a number of different policies, each of them in one or another way related to corporate accounting, reporting, shareholder participation etc.

The organisational context of the UK EITI Secretariat

With the permission to do fieldwork within BIS obtained, and my security check passed, on the first working day of February 2015 I appeared in the lobby of the Department's building in 1 Victoria street in Westminster, London. Elizabeth met and led me up the stairs and through the corridors to the wing hosting her directorate. I had already been to her office once, on a rushed visit; now I had a chance to study it better.

The Secretariat provided the coordination, mediation, logistical and administrative work necessary for the MSG's functioning. In her role as the head of the UK EITI Secretariat,

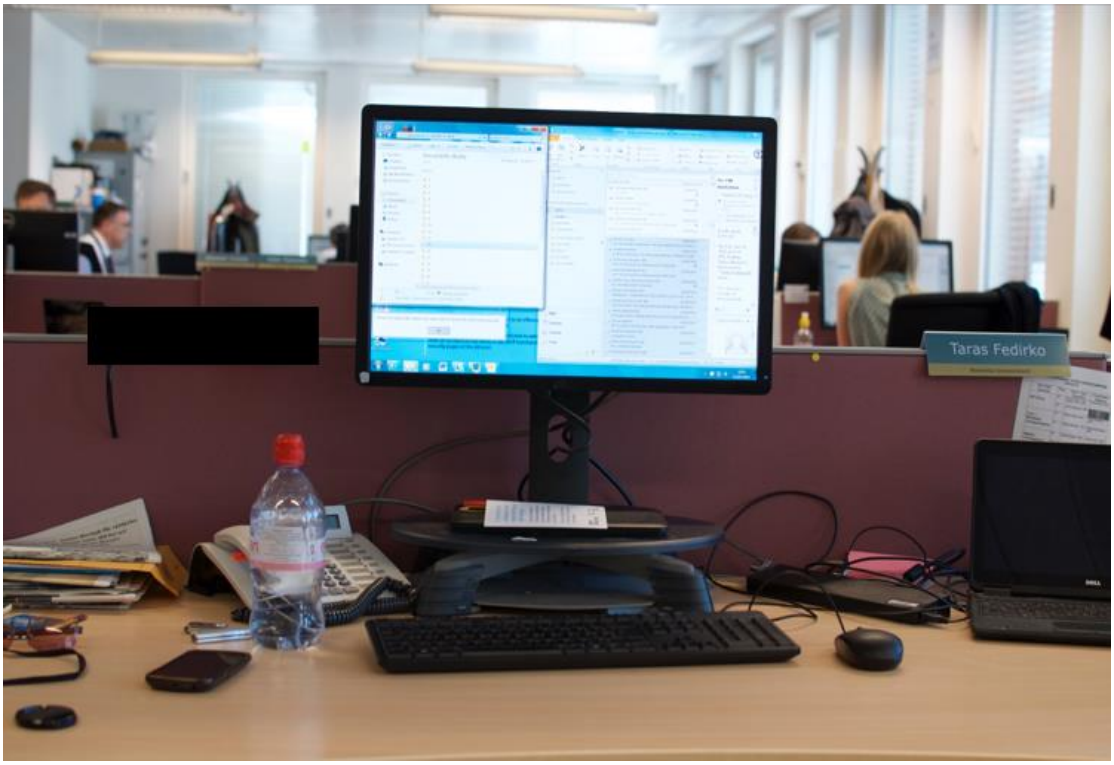


Figure 1.1. The office of the Corporate Governance team at BIS. Author's photo.

Elizabeth had an allegiance to the MSG as a whole, not to the Government[20] constituency. At the same time, she—as well as Aimée Poole and Stewart Barber—remained a civil servant and thus a government employee, whose responsibility it was to see that the MSG produced the first UK EITI report in time and accordingly to the EITI Standard's requirements. Achieving this involved persuading the stakeholders to work together, do some of the work for them, and, quite often, finding ways to bypass conflicts between and within the stakeholder constituencies.

As Elizabeth led me through the long, well-lit corridors of the BIS building towards her office, I saw glass-walled, soundproof meeting rooms with people bent over papers or lying back in their chairs, and lounge areas with formica tables and low sofas ("For informal meetings", explained Elizabeth). There were whiteboards on the walls of open-plan office spaces, and wallpapers with smiling faces of happy BIS employees. It all looked more like the London office of Google, or a sleek start-up incubator somewhere in Shoreditch, than a government building ("BIS is a department of mavericks, they walk barefoot on carpeted floors!"—I recalled friend's words of warning.) Elizabeth had

[20] Of course, it was more complicated than that. I discuss the Secretariat's formal independence and the vicissitudes of demonstrating it in Chapter Seven.

worked in this building for more than a decade, having started when BIS was still the Department of Trade and Industry.

Figure 1.2. Office corridors. Author's photo.

A large cartoon bee plastered on a glass wall welcomed us as we entered the offices of the Business Environment directorate (or BE, hence the totem animal). The wing of the building hosting the office was divided by a wall, with two long rooms on each side. We turned to the right, where in the third of five rows of desks, each consisting of two sets of three large adjacent desks facing each other and separated by a low plastic barrier, Elizabeth had her working place. Next to her, sat Aimée and Stewart, the other Secretariat officials. I was offered to choose a desk. There were several free ones, as the previous round of austerity cuts to the personnel, and "flexible" working arrangements encouraging officials to work from home or other government buildings left the BE office part-empty. I settled on the one close to the three Secretariat officers.[21]

In the following hours and days, I explored the office and the department building. In front of the entrance to the BE wing, sitting between its two rooms, was a pantry; on the other side of the office, there was a printing pool and an emergency staircase. It would

[21] In the office, everyone was free to choose where they sat; each person had their personal drawer, where they stored their encrypted BIS laptop that could be connected to any workstation in the building. "Smart", "flexible" working was encouraged. People still preferred to stick to their own team.

take you some ten strides if you were hastening from the kitchenette—trying not to spill your freshly-made cup of tea— to the other side to wrestle with a printer jamming your documents. The 'corridor' you would have to walk through was lined with desks on one side, and book shelves and personal drawers, on the other. Above the drawers, the walls were covered with posters about productivity, management relations and development opportunities. "C-O-M-P-E-T-E", said one, spelling out the imperatives of good government regulation.[22] "No-one reads that crap, it was put up ages ago!"—protested one official at my attempt to take a photograph.

Having understood from my interviews and official documents that the UK EITI Secretariat was a group of civil servants nominally separate from the organisational structures of BIS, it was revealing to see that this institutional division did not translate into a spatial one. The Secretariat was run from several desks in the middle of an open-plan office (Figure 3) where everyone participated, if not in the work of everyone else, then at least in the witty and often cynical banter about work. This was, then, the space where the extractive transparency policy was devised and drafted, and from where the Secretariat officials coordinated much of the UK EITI's implementation. I had to quickly learn that when Aimée and Stewart rolled up in their chairs to Elizabeth, I had better come close, too, as it meant that a document or an email was being discussed. Likewise, I learned to look around before speaking, to check whether the BE Director or Deputy Director could hear me. And it was not until several months into my stay at BIS, that the outsider's impression that everyone around me was speaking in riddles, half-formed sentences and whispered truths, gave way to a better understanding of routine office conversations.

It was immediately obvious that the Secretariat as an organisational entity 'disappeared' in the flow of everyday bureaucratic practice and sociality in the office, only to emerge again through officials' formal performances and stance-taking in meetings (Irvine 1979), and through official policy artefacts that conjuring a web of organisational entities and social forms. It took me a bit more time to realise that, similarly to the Secretariat, the UK EITI itself was not a single entity, as the misleading simplicity of the word 'policy' suggested (Tate 2015: 7-9). For the bureaucrats at the Secretariat, who occupied the double positional identity of being both UK EITI officials and BIS civil servants, the UK

[22] Competence, clear objectives, assessment of impact, exemptions and lighter regimes, target for burden reduction, and evaluation and enforcement.

EITI dissipated into a myriad of practices, the context for which was the officials' day-to-day work within the department. There was more to this work than just the EITI. Seen from the outside, so to speak, the UK EITI appeared as a constellation of the Secretariat and the three constituencies—a collaborative, participatory space of collective governance that opened up government policy to corporate and NGO representatives who took over many responsibilities of policy implementation. From this same perspective, the UK EITI was but one among many cases of the EITI implementation, a quasi-governmental policy awkwardly relating to the usual ways of state work. And while Elizabeth, Aimée and Stewart often had to enact this perspective, the pragmatics of their work and their structural location within the civil service, meant that in the daily routine the UK EITI was for them just another project to work on. It was an object of bureaucratic practice, a matter of professional pride and satisfaction, for sure, yet it still remained something that they could stop working on from one moment to the next if assigned to a different policy, or offered a voluntary severance in the next expected round of civil service cuts. The fact that in this context they presented this assemblage of diverse practices, relationships, communicative events, and documents as one policy, indicates the civil servants' "immersion in and accession to institutional logics" (Lea 2008: 228) of governmental work. Through this logic, the policy was enacted as something objectified, as an artefact of government's instrumental rationality, and a tool of intervention into the 'real world', itself imagined and constituted through policy artefacts (Riles 2001).

The UK EITI and extractives' mandatory reporting

In so far as the UK EITI was not separate from other bureaucratic work that Elizabeth and her team were doing as civil servants—preparing annual reports, doing performance assessment, attending fortnightly team meetings and, most importantly, helping other colleagues with their work—it was also not separate from other policies at the Corporate Governance team and the Business Environment directorate. The head of the team, Charlotte Reid-Wills, was closely involved in the UK EITI as the chair of the UK multi-stakeholder group. The team worked on a number of policies concerning corporate reporting and governance, among which the already mentioned policy on extractives' mandatory reporting.

Chapter 10, as the policy was known among the officials (for the chapter of the EU Accounting Directive from which it derived), was a result of years of campaigning by Global Witness and fellow NGOs. It was an heir to Global Witness' original idea of a policy on mandatory corporate disclosures of payments to governments, proposed to the government in 2003. Then, as I demonstrate in Chapters Three and

Four, their proposal was transformed through negotiations among several Whitehall departments, and between the government and the World Bank and G8 countries, eventually resulting in what became known as the Extractive Industries Transparency Initiative. Global Witness and the PWYP coalition continued to campaign for introducing a policy on mandatory reporting alongside the EITI, and eventually succeeded in the US and the EU. As I discuss in Chapter Six, officials form the Corporate Governance team (particularly Charlotte Reid-Wills) were involved in the EU negotiations of the Directive. These negotiations went in parallel with consultations with UK stakeholders—extractive corporations and members of the PWYP UK coalition—who wanted to influence the Directive's rules. Later, when the UK government announced it would transpose the Chapter 10 into national law, the same officials prepared the primary and secondary law, and participated in developing an informal guidance for corporate reporting under the Chapter 10 rules. All of this happened in collaboration with the same stakeholders. The UK EITI was being implemented in parallel by their colleagues in the team, and the same stakeholders participated in it. During my fieldwork, these overlaps led to considerable frictions among the corporate and NGO participants, who had many disagreements about the mandatory reporting rules. The UK EITI and the mandatory reporting policy form the two poles between which the interactions among the protagonists of my ethnography unfolded.

This chapter has provided a brief overview of the two sites of my fieldwork, touching on the main facts about the institutional and professional contexts in which the campaigners and the civil servants pursue their policy work. This outline will help the reader to navigate through the chapters of this thesis, in which I describe these people, their relationships, and their role in the social world of the UK EITI, in much greater detail.

Chapter Two
Looking for a pattern in an anti-corruption investigation

I met Mike in late October 2014. Our meeting followed a period of email exchange and two Skype conversations, despite both of us being in London. Since 2003, Mike had worked at the campaigning organisation Global Witness, where he led investigations into stories of corruption and embezzlement in the oil and gas, and banking sectors. While Mike mostly worked on cases from the former Soviet Union, Global Witness are perhaps better known for investigations into Cambodia's illegal timber trade, Niger delta's oil extraction, and Congo's diamonds, and particularly into how corrupt management of natural resources fuels conflict and exacerbates poverty. The organisation's campaigners have also used investigations to argue that the American and British offshore financial services industries, with secrecy and anonymity they offer, provide an infrastructure for such corruption. The organisation has published numerous reports with policy recommendations, and successfully engaged in advocacy to change corporate transparency policies in the UK, US and the European Union. It has also successfully campaigned to change the rules of the EITI, and some of its employees represented the Civil Society constituency in the UK EITI and the EITI International Board. Having come to do my fieldwork in London, I aimed to research anti-corruption investigations and campaigns, particularly those focusing on oil, gas and mining industries. I soon realised that to understand the campaigners' work, I had to study it in relation to the targets of campaigning recommendations—namely, government officials and transparency policies they were implementing, or planned to implement.

Mike was a knowledgeable source, as he had been involved in investigative work since the mid-2000s, and authored a number of reports. He agreed to an interview, albeit on the condition that we would not discuss his ongoing investigations. My research was potentially libellous;[23] we would only talk about details of published reports that had been corroborated by robust evidence and checked by the organisation's lawyers. We scheduled the meeting for 24 October, a Friday. It was late afternoon and I was waiting

[23] At the time, Global Witness were involved in a legal dispute with an Israeli diamond billionaire whom they had accused of corruption, and who, under British information law, requested that the campaigners release all personal information about him that they held, which in Global Witness' view would endanger their informants. Initially unaware of this dispute, I made a request to do participant observation at Global Witness' offices. It was refused because my research was seen as potentially compromising the confidentiality of the organisation's ongoing work.

for Mike outside the Lloyds Chambers, an office building on the eastern side of the City's Square Mile, where Global Witness had only recently moved to accommodate a constantly growing number of employees.

As people were leaving the Chambers, I peered in their faces, trying to recognise Mike—I had seen him once in a documentary on corruption in Central Asia produced by a major TV channel, in which he appeared as an expert on the region. When Mike came out, there was little about him of the stern, composed man I had seen on television. He was relaxed, chatty, casual. We went straight to a vodka bar in America Square, several hundred meters away. Inside, in soft red light, I could make out Soviet political posters hanging on the walls and even a lonely bust of Lenin welcoming visitors. The clientele were healthy-looking, well-dressed City workers; Mike and I did not quite fit in.

The bar was part of a chain called "Revolution"—something Mike didn't miss to joke about. He took a great interest in Russian history and literature. "You see, if I wasn't doing [my current job], I'd probably be looking at Pushkin's poems, I'd be like, oh, he mentions a woman's foot in this one, and he mentions a woman's foot… I'd be looking at the same kind of thing: drawing parallels, doing word counts, you know, how many time does Pushkin use the word *lyubov'*…[24] It's the same thing!" Mike had spent 10 years investigating cases of graft that revealed relations between petroleum industry, finance and political corruption in the former Soviet Union. The sheer scale of his research, its at once scrupulously concrete and highly abstract character, and the skill of "piecing information together" into a "bigger picture", made his work similar to that of a scholar (of structuralist inclinations) bent over Pushkin's tomes. He thought himself an investigative journalist, but it was his Oxford degree in Russian that had gotten him the job in 2003. Since then, Mike learnt the skills required of a good sleuth. He took pride in his work: projects took months if not years to complete, and there was something rewarding for him just in "getting the information out there", regardless of whether or not the investigation led to political change. Advocating for change through investigative reports, he said, was the job of campaigners—not investigators—at Global Witness. The organisation divided into several teams, each of them staffed with both campaigners and investigators (or researchers), who collaborated on particular campaign topics. Mike was in the "Oil Team". It is worth noting that such division of labour is typical in medium-

[24] Love (Rus.).

and large-size advocacy organisations (for example, Transparency International UK or Natural Resource Governance Institute), and reflects the professionalisation and expert character of researchers' and investigators' work.

Mike and I agreed to discuss one of his projects—an investigative report on Azerbaijan he had recently researched and co-authored with his colleague Bernard.[25] Bernard was in his late twenties or early thirties—your typical Global Witness employee. When we met some months after my interview with Mike, we quickly established that we had several acquaintances in common in the world of London anti-corruption organisations. Since his student years, Bernard had been involved in anti-arms trade campaigns. Through his activism, he met someone who hired him as a research assistant for his book scrutinising corruption in the arms trade, whereby Bernard learned the basics of corporate investigations. At Global Witness, Bernard initial role was to do research, helping Mike with his Azerbaijan project.

The project, as Mike remarked, was similar to the others he had done, and to investigations conducted by other teams at Global Witness both in terms of its methods and structure, and in the arguments and style of the final report.[26] The report was entitled *Azerbaijan Anonymous*, and sought to expose how, as it puts it:

> little-known private companies are benefitting from deals struck by SOCAR, the State Oil Company of Azerbaijan, amassing assets worth hundreds of millions of dollars. The identity of the owners of many of these companies is unclear, as is why their companies were chosen to partner with SOCAR. (Global Witness 2013: 9)

When I first saw the report some months earlier, I was captivated by its central device—a diagram depicting a networked structure of corporate ownership that had at its centre a name of a person, from which dozens of connections branched out to companies involved in deals with the State Oil Company of Azerbaijan (SOCAR). In the course of my interview with Mike and, later, Bernard, I realised that the diagram not only embodied the results of their investigation, making visible presumably opaque and potentially

[25] This was Bernard's first investigation at Global Witness—he had joined after working for John Weichmann, a writer and founder of another investigative anti-corruption. I met Bernard much later, in April 2015.

[26] Both Mike and Bernard reflected on the similarities of their methods with investigative journalism and for-profit corporate investigations conducted for "due diligence" purposes.

corrupt business relationships in the way that was typical of most Global Witness' reports, but had also been key to the investigative process itself. In this process, the investigators assembled and arranged information about social relations in a pattern of connectivity that further informed and structured their work.[27]

Reconstructing Mike's and Bernard's investigation, and situating in a broader context of forensic and advocacy work at Global Witness and elsewhere, this chapter deals with the investigators' expert practices and evidentiary procedures in order to understand how they come to know and expose corruption and corporate opacity. My aim is to explore how the problem of knowing graft and attributing responsibility for it, shapes campaigners' understandings of how best to fight it.

Based on interviews with a number of investigators and campaigners at Global Witness and other organisations, and using Mike and Bernard's story of the making the *Azerbaijan Anonymous* report, this chapter asks: How do the investigators construct knowledge of the supposedly hidden realities of corruption? How do they make and present evidence underpinning their allegations of improper business practice, in order to attribute responsibility and demand accountability of people who, as they argue, take advantage of offshore secrecy and limited corporate liability? How is responsibility "created" (Laidlaw 2014: 197-209) through practices of interpretation and representation that make visible agentive capacities of human persons, as opposed to corporate ones? What kind of expertise, epistemic and moral commitments does this work rely on? Let me sketch out the ethnographic problems which these questions address.

***

The investigation, Mike explained, "pieced together" a web of links between deals that SOCAR struck with companies of unknown origin and ownership, showing the "unseen layer of things". The report's diagram of company ownership represented this web, and demonstrated that corporate entities registered in dozens of "offshore" jurisdictions, although at first sight unrelated, could be connected to one little known individual. The

[27] See Law and Ruppert (2013: 230) on devices as patterned teleological arrangements.

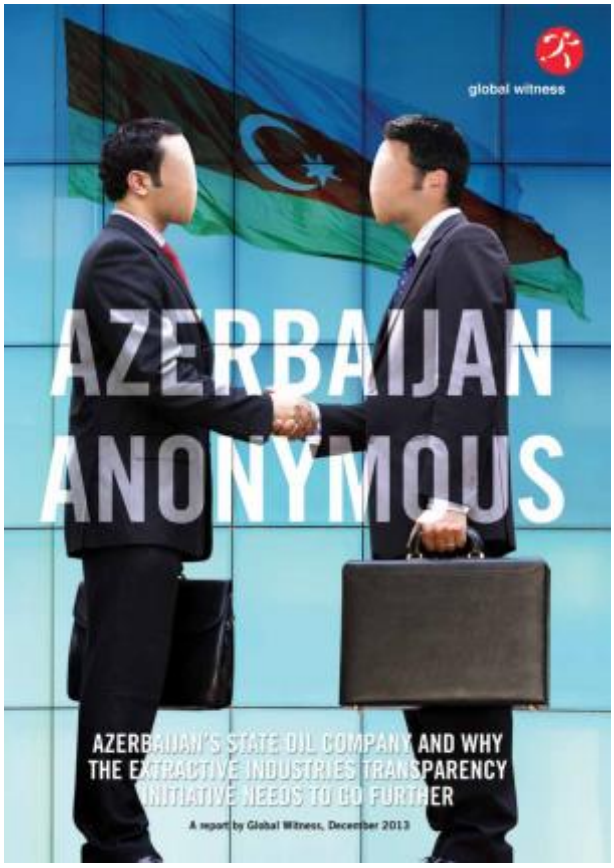


Figure 2.1. The cover page of the report. Courtesy of Global Witness.

report claimed that despite his privacy, this person was deeply involved in the Azerbaijani oil business and used the companies as a kind of a prosthetic tool to anonymously transact, and possibly hide, wealth originating from "dubious" deals with SOCAR. In Mike and Bernard's opinion, these did not have legitimate economic rationale, and potentially dispossessed Azerbaijan's government and its citizens from oil revenues that SOCAR would have accrued had it not been for this man's involvement. So little was known about this person, and so profitable were his companies, that investigators wondered if he was merely a proxy for some powerful political figure.

No corruption or other crime could be proven. But for investigators this case was indicative of a systemic malaise in Azerbaijan and elsewhere that allowed people to use "anonymous" companies in order to avoid accountability for their actions.

The main recommendations of *Azerbaijan Anonymous* focused on improving and expanding the reporting requirements of the Extractive Industries Transparency Initiative. Azerbaijan was an EITI-compliant country, the report said, but the Initiative clearly had not prevented opaque oil deals from taking place: "The lack of transparency highlights gaps in the EITI, as it shows that countries can comply with its rules while large deals are being struck with very little transparency." (Global Witness 2013: 3) Anonymity of company ownership and contracts made by SOCAR were such gaps, and the campaigners sought to use the report to argue that the Azerbaijani EITI had to force participating companies, including SOCAR, to disclose more information.

The report was part of a larger campaign[28] of Global Witness which, as Mike put it to me, sought to demonstrate that "corruption is a world-wide international system", enabled by companies "registered somewhere in a supposedly reputable jurisdiction"—for example, London. There (and in Washington, and Brussels), Global Witness use reports like *Azerbaijan Anonymous* to advocate for policies that supposedly make corporate ownership more transparent. This and other reports describe socio-politics effects (underdevelopment, embezzlement of public funds etc.) of the misuse of corporate structures and link them to structural and systemic causes—in the case of *Azerbaijan Anonymous*, opacity and limited liability of corporate entities,[29] and the supposedly unaccountable character of the Azerbaijani oil industry.

A brief note about Global Witness' understanding of the role of corporate entities in the "shadow system" of corruption is in order; it will help me explain how and why the investigators search for and interpret information in the way they do. Put bluntly, the investigators' problem is with the legal doctrine of corporate personality, which asserts that for the purposes of law, corporate entities are "persons", i.e. can enter certain kinds of relationships, have rights and obligations[30] which are separate from those who own, control or make up the corporation in a legal or sociological sense (Naffine 2003; see Bashkow 2010 for an anthropological treatment of the doctrine's history). Many types of companies operate under limited liability, which greatly restricts the ways in which company's directors or shareholders can be held responsible for actions and obligations that the law recognises as the company's. Where this is paired with anonymity of company ownership (which is an element of services provided by so-called "offshore" jurisdictions, such as the British Virgin Islands, Jersey or Panama), cases such as the ones *Azerbaijan Anonymous* deals with, arise.

[28] By "campaign", following my informants, I understand an organised attempt to influence public policy, raise public awareness or achieve some other goal through orchestrated collective effort. This often includes publications, reports to Parliament, newsletters, demonstrations and so on.

[29] In this chapter, I use the terms "company", "corporation" and "corporate entity" interchangeably. The latter term, however, is intended to highlight the emic view of companies as instruments created by legal technique and animated by human agency.

[30] For anthropologists, this claim brings to mind arguments about culturally specific classifications of who counts as person Bashkow 2014; Welker and Wood 2011; Welker, Partridge and Hardin 2011). Annelise Riles (2012) argues that corporate personality should be approached in terms of legal pragmatics. Nevertheless, in law itself the category of legal person is often infused with metaphysical properties normally associated with human (and non-human) persons in non-legal contexts (Naffine 2003).

Although Global Witness seek to address corruption as a system, the persuasiveness of their work relies on investigating specific cases. Evidential operations of the investigations demonstrate how between the deep causes and their broad social effects, lie actions of individuals like the one uncovered in the *Azerbaijan Anonymous*. Identification of actors who abuse "the system" (as both Mike and Bernard put it to me), allows the campaigners to attribute agency and responsibility for a variety of social ills to particular individuals and groups. This epistemic and moral problem of identifying an agent that can be held responsible for (potential) corruption is at the heart of most Global Witness investigations.[31]

Investigations and campaigns to change government policies and EITI structures that they underpin, are a moral project aiming to remedy the ills of the socio-political order in various locations by reforming relations between corporations, states, and citizens. This project, as I want to demonstrate, begins with making corruption an object of knowledge, and the ways in which this happens, affect the recommendations and policy proposals that Global Witness and similar organisations advocate for. (I will discuss this in the conclusions.) Paying detailed ethnographic attention to these issues, this chapter sets the foundation for my inquiry in the rest of the thesis, where I will explore what happens when the campaigners' moral project of reforming extractive capitalism through transparency, becomes entwined with government policies in the UK, implemented by civil servants with their own ethical commitments and visions of organisational order.

My ethnography describes how Mike and Bernard reconstruct relations and actions supposedly obscured and "cut" (Strathern 1996) by the limited liability and opacity of companies they investigate. It attends to the work of relation and separation that inheres in the making of forensic knowledge about people "behind" anonymous corporate vehicles. In doing so, I follow the course of the investigation itself and describe operations and practices through which Mike and Bernard assemble investigative knowledge and proofs. I argue that the work that goes into making things transparent in the course of

[31] But also of activist investigations more generally, as well as of investigative journalism and corporate due diligence investigations. I interviewed investigators from two different *investigative* NGOs (Global Witness and Corruption Watch UK), several investigative journalists, and a number of due diligent professionals from three corporate intelligence firms in London, two of which were multi-national. These people often described their work—or at least its practical aspect—as part of a broader community of practice comprising investigators working for NGOs, news organisations, and private companies. In other words, they suggested that method and problems of their work were often quite typical across organisations and countries, allowing people to move from NGO investigations to corporate due diligence firms, and the other way around.

investigation (which is made invisible in the final report) should not be taken for granted, as the immediacy presupposed by the visual metaphor would suggest. Contrary to the claims of some investigators (including Mike), who see this work as nothing more than an application of common sense, I argue that it relies on expert skills and aesthetic sensitivities that allow the investigators to find information and make sense of it by identifying "suspicious" patterns.

Following investigators' concern with diagramming, I make *Azerbaijan Anonymous'* diagram the centre of my reconstructive[32] inquiry. Reminiscent of kinship charts and Alfred Gell's schemes of artistic oeuvre indexing distributed personhood (1998: 235), the corporate network chart in the report opens a window on investigators' conceptions of agency and sociality, as well as their attempts to define what constitutes a "real" person to whom responsibility can be attributed in the anonymous world of offshore capitalism. The manner in which these conceptions and definitions were constituted and operationalised in the course of the investigation, is of empirical and theoretical interest to anthropology because of the novelty and public significance of the subject,[33] and of the way it illuminates the classic disciplinary debates on agency and attributions of responsibility. My inquiry thus starts with this report—the objectified result[34] of almost a year of investigative and editorial work.

[32] Since I was not allowed to inquire about or observe any ongoing projects, my intention with the interviews was to *reconstruct* what an investigation could have looked like "in action" (Latour 1987). But such a reconstruction, based on post-factum interviews rather than observations, fails to apprehend the open-ended, prospective character of the investigative knowledge practices. To somehow replicate the "hopefulness" (Miyazaki 2004) of these practices, I need to suspend temporarily the moment of ethnographic revelation about certain details of the investigations, thus inverting the premise from which I conducted the interviews: I always already knew its results. My quest to find out about investigative procedures was always already circumscribed by the knowledge about the result of these procedures. During fieldwork, I did not know whether I would find out enough about Mike and Bernard' work by interviewing them. Just like their investigation, my research was an uncertain affair, to which this description provides a partial closure. These analogies make this chapter meta-ethnographic in that the ethnography can be read as an (allegoric) commentary on its own conditions of production (cf. Boyer 2008; Holmes and Marcus 2005).

[33] The problem of offshore secrecy and corporate services has been recently brought to the fore of the public debate on taxation and good citizenship by the so-called Panama Papers scandal, and Swiss and Luxembourg "leaks" before that.

[34] The report brought this work to the public—or rather, different publics. In its recommendations section, the publication explicitly addresses the multi-stakeholder group of Azerbaijan's Extractive Industry Transparency Initiative (EITI), the Azerbaijani government, the State Oil Company of Azerbaijan, the international EITI board, and the "international community". In another sense, the public of the report are also the regular readers of Global Witness' website, people subscribed to regular email notifications, and supporters of the organisation.

The investigation begins

I brought my heavily annotated copy of *Azerbaijan Anonymous* to the interview with Mike.[35] He seemed pleased with my numerous notes scribbled all over the report's 40 pages. As we talked, this colourful A4 booklet that lay on the pub table between us, became a point of reference to which we would return whenever the conversation took us too far in one direction. I found it useful to have a physical object that was a result and an embodiment of the practices of investigation; to my surprise, so did Mike and, later, Bernard, who would both leaf through the report during the interviews, picking out case studies, pointing to footnotes, and showing elements of the diagram, to give concrete examples of their work.

As Mike and I started to talk about his investigation, I opened the report on the page with the diagram. It purported to represent a network of "non-transparent" companies with which the State Oil Company of Azerbaijan (SOCAR) had made various deals. The diagram we both looked at showed multiple boxes of different colours (dark red for "joint ventures with SOCAR", sea green for "contract holders with SOCAR"), company names printed inside them. The boxes were all linked up by lines signifying connections of several kinds. Most indicated shareholding. In the middle of the diagram, slightly apart from other boxes, was a larger rectangle inside which in a font instantly drawing the reader's attention, was typed an Azeri name—the "only real name" in the diagram, explained Mike. The visual organisation of the chart suggested that the links led, in a centripetal manner, from companies on the diagram's periphery to the "real name" at its centre. Yet at the beginning, the investigation did not focus on a particular set of companies, let alone a single person owning them. Everything that the diagram so persuasively rendered transparent in a recognisable visual code of an organisational chart, was still an uncharted territory. As Mike put it, "It was just, 'Let's have a look at these deals that have been cited by the Azeri observers as not very transparent.'"

"We knew we wanted to do a piece on Azerbaijan because we'd been hearing from the Azeri civil society that SOCAR wasn't very transparent."—he explained. The most obvious place to start was the State Oil Company itself. On its web-site, and in the

[35] Mike confessed to holding a copy of the report at home: "If you're a poet, you want to keep a collection of your poems, and it's the same kind of thing, I think." Despite his clear sense of authorship, it was not acknowledged in the report—a standard Global Witness practice to protect its employees from libel litigation.

Azerbaijani corporate registry, it published lists of subsidiaries (companies it owned) and contract-holders, as well as annual reports and accounts that by their nature had to contain certain kinds of disclosures. These lists and disclosures, although incomplete, provided important clues. Mike explained:

> If SOCAR mentions it's doing business with company X, then you go to [i.e. look for financial and legal documents of the] company X. If it's got a subsidiary in Switzerland, you note down the name of that company. So, from that public information—which is not secret sources or anything like that—you just create a list of interesting people and companies. From that, […] we start to put names of these companies into company registry databases. So, the company registered in Switzerland has got a company record in Switzerland. Who is involved, who are the directors? Can we speak to the directors? Who are the shareholders, can we speak to the shareholders? Can we send letters to them and get more information? Are they going to be publishing their own annual accounts [most shareholders are other companies], which might add more information on the relation between them and the other company? So again, it's not hidden information, it's all out there, you just need someone to go in and really investigate it and *put the pieces together*. [Here and further, my emphasis—TF]

The process that Mike describes here is the "follow the money" procedure, based on the idea that records of financial and corporate activities can index relations between corporate entities and/or people. The assumption, and the procedure itself, are typical to activist, journalistic and corporate investigations, and has even become an element of anti-terror and anti-money laundering operations As Marieke de Goede points out with regard to terrorism finance inquiries, "Through the idea that money trails do not lie [and we need to remember that corporate vehicles, represented in accounting records, essentially *are* money—TF], financial analysis came to hold the promise of unmediated and direct access to the mapping of terrorist networks." (2012: 57) However, unlike these law enforcement investigations, Mike's (or for that matter, most journalists') procedures relied on publicly available information. His investigation took form of "screenwork" that collected and transformed already existing information into new knowledge, reminding of Dominic Boyer's (2013) insightful ethnography of informational practices of contemporary news journalism in Germany.

In most countries, corporate entities are required to submit regular reports to special institutions—company registries[36]—who document companies' creation and functioning. Depending on the country, the information in corporate registries can be public or not, and in function of the country's accounting regime, the registries can require companies to submit various kinds of information and reports. Usually it is articles of association, notices of change of directors or registration address, and annual reports and accounts about the company's financial standing.[37] Today, accounting literacy—a good grasp of how to retrieve information from corporate accounts and make inferences from it—is the skill required not only of accountants and company directors, but also of financial journalists and investigators, and is taught in universities and specialised courses. Mike had learnt it while working for Global Witness, with time becoming so proficient that he started to teach financial investigations himself.[38]

Money—that is, business activities and transactions—that Mike followed, could inform him about company's relationships with its shareholders, contractors and subsidiaries. An investigation therefore was constituted by informational practices (Boyer 2013) that, for Bernard, were a matter of methodical "going through documents" and looking for

[36] In Great Britain, it is the Companies House.

[37] As a director of an organisation allied with Global Witness put it in a lecture (Taggart 2014), in XIX-century Britain, filing of these documents was part of the same legal-historic process by which the legal personality and limited liability of companies were constituted. In his opinion, reporting procedures and public availability of corporate records aimed to ensure public trust in company's capacity to honour its obligations despite it being an entity outside of the mundane relational ways by which people held each other accountable.

[38] As did several other investigators whom I interviewed, including Bernard. This gives strong support to my earlier claim that techniques of Mike and Bernard's investigation were typical to and thus representative of a community of practice extending beyond NGO investigators, to investigative and financial journalists and corporate due diligence professionals. At the beginning of my fieldwork, I decided that to understand the investigations that I wanted to study, I would need to learn basic techniques of accounting and investigative journalism. I attended a summer school on investigative journalism at the Centre for Investigative Journalism (CIJ) at Goldsmith's, University of London. The school ran over three days in early July 2014, two of which were devoted to specialised workshops. The audience, as far as I could tell, were beginners like me and practitioners from journalism and NGOs who wanted to consolidate their knowledge (among them a researcher from Global Witness). One of the workshops was led by an established forensic accountant Raj Bairoloya. In his workshop, Bairolya explained the meaning of different elements of company accounts, and what one could infer from them about company's business, and actions, interests and relationships of its owners. "What is revealed by the small print in the accounts, what is hiding behind the numbers, and who is in charge? […] Do the directors have political connections? Are the questions being raised by [company's] activities? […] Are there a number of related companies forming part of a complex web?" All these questions, according to a guide to corporate accounts that Bairoliya published with the CIJ (Bairoliya 2014: 6), can be answered by finding "where the real story is in a set of company accounts". Other courses at summer school focused on finding information in the UK Companies House and in corporate registries in other countries. Only after the course did I learn that Bairoliya had taught short training courses at Global Witness for a number of years; I also found out that he had taught together with Mike on a number of more in-depth CIJ courses over several years. Bernard, too, had taught classes on investigative techniques at the CIJ.

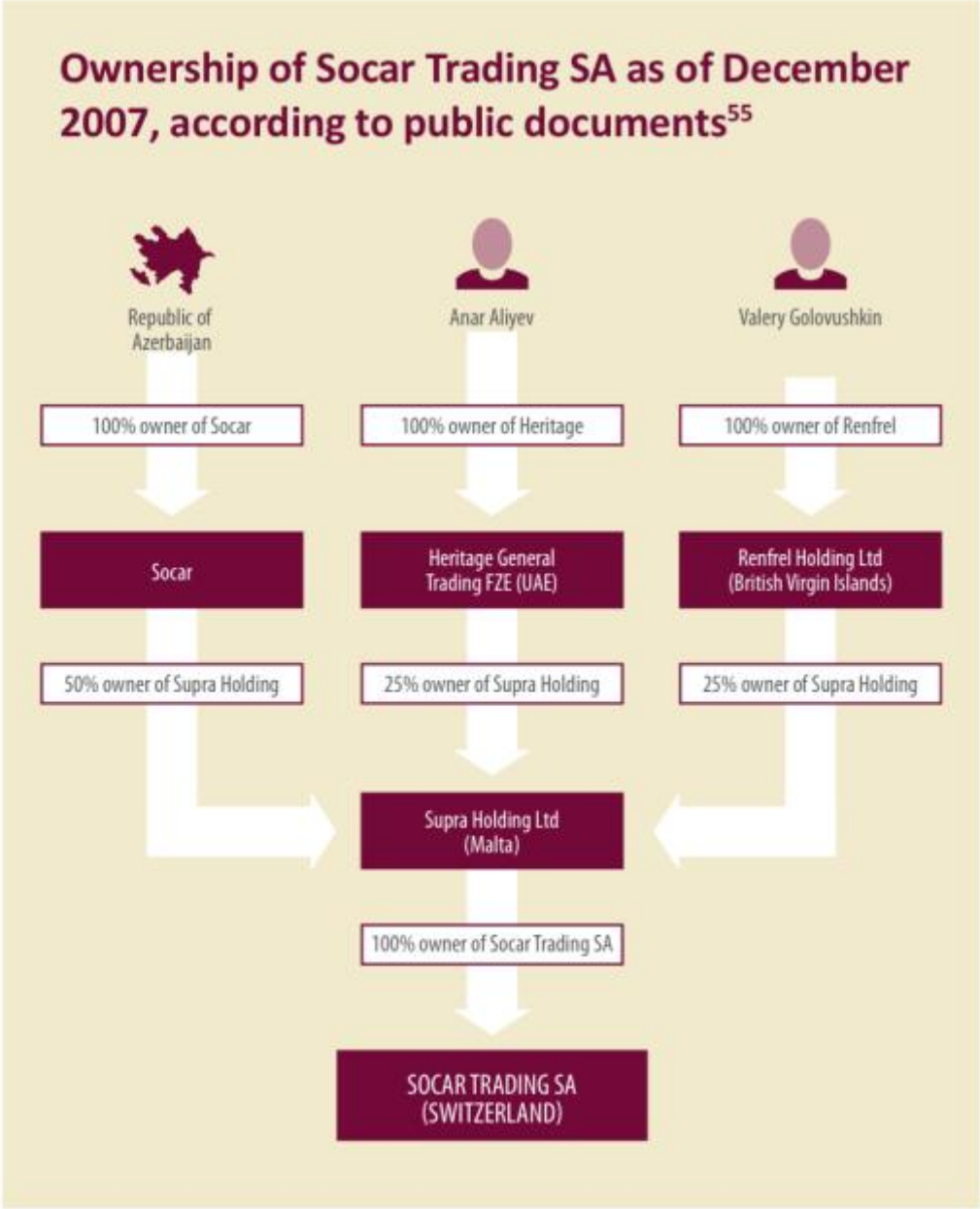
connections; and, for Mike, of "digesting" the information found in documents. It was a forensic undertaking that framed information as clues (or, retrospectively, as evidence) and sought to infer and reconstruct events, relationships and transactions from their documentary traces. As such, it worked within a semiotic convention, or an evidentiary paradigm (Ginzburg 1983; see also Eco and Sebeok 1983), in which information in company accounts indexed corporate connections and transactions, which themselves gave clues about relationships among people who owned the companies or otherwise "stood behind" (Mike) them.

Starting with corporate documents on SOCAR's website, Mike identified a number of joint ventures[39] that SOCAR had established with private companies in various jurisdictions. Through corporate records of some of these joint ventures, Mike and Bernard found out about their shareholders, and the shareholders of the shareholders, and companies related to them, in the end constructing a chain of ownership that led from many of SOCAR's joint ventures to one Singapore-registered company—Union Grand Energy PTE Ltd. (UGE). Examining whatever records they could find about UGE, the investigators established that the company did most of its business with SOCAR and its subsidiaries (Global Witness 2013). Moreover, said Bernard, there "seemed to be a pattern of one person sitting behind all these businesses", that is, the deals with the State Oil Company of Azerbaijan. Documents that Union Grand Energy at one point filed in Singapore stated that a certain Anar Aliyev was the legal owner of the company.

But who was this man, the investigators asked themselves. There was little they could find about Aliyev; their contacts in Azerbaijan had not heard of him either. According to the returns that UGE and its subsidiaries had filed, Aliyev had to be a successful multi-millionaire (Global Witness 2013: 9) Yet, he had virtually no public profile and the investigators did not manage to contact him; this was suspicious. At the same time, many of SOCAR's joint ventures and associated companies were registered in so-called offshore "tax heavens" such as the British Virgin Islands, where there are few legal requirements about corporate disclosures. This allowed the companies to publicly disclose very little, if anything, about their operation and ownership. Such anonymity of ownership complicated Mike and Bernard's task—they suspected that some of SOCAR's joint ventures could be related (otherwise than through SOCAR itself), but there was little

[39] That is, companies 50% owned by party A, and 50% owned by party B.

information available to substantiate their suspicion. Knowing who owned Union Grand Energy, Bernard and Mike repeatedly searched corporate registries of various offshore



SOCAR TRADING SA WAS INCORPORATED IN SWITZERLAND ON 17 DECEMBER 2007.[56] SUPRA HOLDING WAS REGISTERED SIX DAYS EARLIER IN MALTA.[57]

Figure 2.2. An ownership diagram. Source: Global Witness 2013: 18. Courtesy of Global Witness.

jurisdictions, using "Anar Aliyev" and names of companies he controlled as search terms. They were looking "for the same pattern"[40] (Bernard).

Box 1. The case of SOCAR Trading SA

SOCAR Trading SA was one company they identified in this way was. Registered in Switzerland, it was owned by a Malta-registered Supra Holding Ltd. 50% of Supra Holding's shared belonged to Anar Aliyev and a Russian businessman Valery Golovushkin (in both cases, owned through a chain of offshore companies); the other 50%, to the State Oil Company of Azerbaijan. SOCAR Trading SA bought oil produced by SOCAR and re-sold it on the international market, with half of the profits going to the Aliyev and Golovushkin, instead of the State Oil Company. The business model seemed strange, the investigators explained to me. Why did SOCAR give away 50% of its business to private shareholders that, in this particular case, appeared to bring in no additional expertise or value? In *Azerbaijan Anonymous*, they listed different reasons for which SOCAR could have sought a private middleman to sell its oil, only to say that none of them was likely in the case of SOCAR Trading SA. In their opinion, the business model did not make economic sense and was difficult to justify. With time, SOCAR bought out the privately held shares of SOCAR Trading SA, at the same time reintroducing an analogous middleman company into its trading structures. The investigators claimed that complicated corporate structures obfuscated the ownership of SOCAR's partners. In their view, because SOCAR was state-owned, was one of the main contributors to the state budget, and was widely believed to be politically controlled, such opacity, which had evidently been intentionally created, could indicate corruption (Global Witness 2013: 18-23).

For the investigators, the pervasive lack of information about SOCAR's oil trading and the ownership of its business partners, cast doubts over the legitimacy of these deals and generated suspicion: were these deals real, or a sham? Mike told me that evidence pointed to Aliyev's "importance" to SOCAR, which "by extension that he [was] not known, raise[d] the question of how he got that role." Was Aliyev even the real owner, or did he himself stand for someone else? Mike and Bernard's evidence was incomplete and uncertain, and often allowed only for speculative inferences about the social reality behind the seemingly disconnected offshore companies. The pattern that Bernard was looking for had still not been "found".[41]

[40] I will return to the notion of "pattern" later in the chapter.

[41] It is remarkable how both investigators—and to my knowledge, many of their fellow campaigners and investigative journalists—used naturalistic terms to describe their informational practices. Information, connections, pattern, are all "found" or "revealed" or "uncovered", as if they had objective reality independent of the epistemic practices that constitute them for the investigators.

Writing about due diligence techniques in offshore financial services in the British Virgin Islands, Bill Maurer suggests that "[i]n a field [of transactions] imagined to be characterised by highly abstract, de-contextualised, and rapidly (almost instantaneously) mobile capital, due diligence represents an effort to ground and recontextualise offshore activity in a social reality of social connection and of regard." (Maurer 2005: 486) In a similar manner (although with a rather opposite aim), by making visible the connections between the seemingly unrelated companies and a person "behind" them, Mike and Bernard recontextualise SOCAR's and Aliyev's business deals in a social reality of personal links which is problematic precisely because it contravenes normative ideals of impersonal transactions. The density of these relationships, and lack of information that could explain why the companies are so intricately interconnected, warrant the investigators' inferences about intentional agency behind them.

In what follows, I will dwell in more detail on investigators' knowledge practices and evidentiary procedures, and the expertise and aesthetic sensitivities they operationalise in order to "find" and "reveal" a pattern of connections. Explaining what these connections are, and how they are made, I will prepare the ground for a later discussion of the network diagram and attributions of agency it supports.

Connections and patterns: piecing the whole together

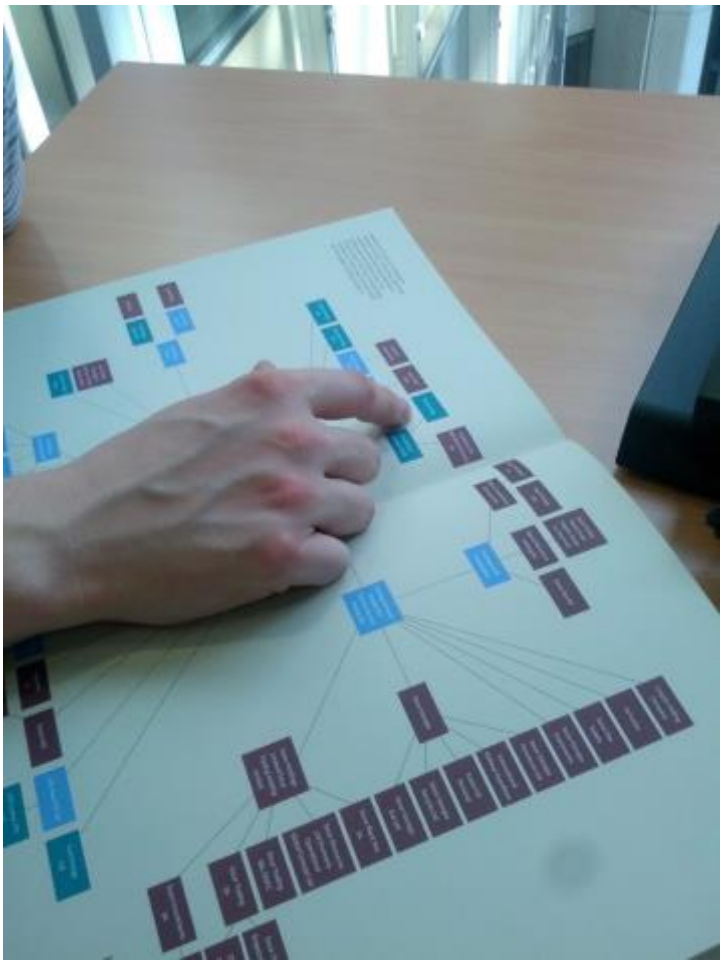


Figure 2.3. Bernard showing me the connections. Author's photo.

SOCAR Trading SA (see Box 1) was just one of the companies Mike and Bernard managed to associate with Anar Aliyev. Both investigators spoke about these associations in a manner that suggested their existence externally to the investigation itself; connections and patterns needed to be looked for and found and revealed; sometimes they revealed themselves; but it was less clear as to what exactly a connection was. Perhaps, this should not have surprised me, given that in English, *connections* and *relations* are often reified and appear as stand-alone entities (Strathern 1995; 2014). But as Bernard and Mike spoke about connections in a way that made them appear almost independent of what they connected, I wondered what there was in common among particular instances of semiotic and social relations the investigators "discovered". I asked Bernard about this when we met in late April 2014 at the offices of Global Witness. How exactly did he proceed "looking" for connections? What kind of information could indicate one? Bernard:

> You try to spot everywhere where [Anar] is a director, or shareholder, or any contact with the company […] and [you're] correlating, Who else is at this address, and […] for example, you look at one of the companies, and it says, it's [registered at] number 1 John Locke street, you look up [the address], and see what other companies are listed at number 1 John Locke street, because when people are trying to set up [many] companies [at the same time], they are going to set them up from the same building, if not.. Or use the same phone number […]

> You can try to link addresses, phone numbers, people, all to see whether there is some kind of connection …

What did these associations and correlations indicate? He explained:

> It's quite tricky—often it means the same person. Sometime it means, the company doesn't have any obvious business of any kind. Often you are looking, it's a bit of a red flag if you look at what's supposed to be a simple company and it doesn't have a [representative web-site], it's only got nominees [people acting as someone's proxies for a remuneration] involved in the directorship.

This explanation, necessarily vague, points not to an underlying definition or a conceptual model of connection, but to a certain practical judgment of the investigators about what is "suspicious" and thus worth taking into account in a particular case. Bernard, again:

> You kind of have your 'suspicious bastard' cap on as well. So, I went through all of the companies, and [I was thinking] 'This one looks a bit dodgy', 'This one looks a bit dodgy', 'This one looks a bit dodgy'—some of them weren't connected to Anar in the end. And I never figured out who, what they were really about. And some of them may've been legitimate as well, [they were] just unheard of, with very little public profile. […] By looking and searching in these jurisdictions and looking at all available paperwork you can get, from SOCAR, from his [Aliyev's] companies, from others who might have done other deals in the same kinda nexus, you could build up a picture and you know we went down massive rabbit holes where I thought that maybe this company might be connected and went and found a legal case they had against them in some jurisdiction and searched through legal case to see if there's any mention of Anar and there wasn't, well, it wasn't Anar.

Two related things stand out it Bernard's comment. One is the uncertainty of speculative inferences made from records and documents. To follow a connection, was to entertain a possibility that the speculation that X was connected to Y, would be corroborated once evidence of it was found. Sometimes, however, this led Bernard "down massive rabbit holes" that did not confirm his speculative hypothesis. On other occasions, despite the investigators' strong persuasion that "there was a link", they could not find enough, or the right kind of, evidence to substantiate their suspicion that Aliyev was involved in a particular company. "Most of this shareholding are obvious things"—Bernard said about this, —"but sometimes you find the link and you can't quite work out why he's linked to

where he is—you can't find link in between, and then there are loads of loose links in the end, that didn't connect to SOCAR and didn't connect to anything as far as we could tell."

The process of investigation, of substantiating suspicion with evidence, was not linear[42]. Mike and Bernard did not work from one connection to another, node by node. Rather, there were many unconnected companies that they knew or suspected to be associated with Anar Aliyev, but they still had to find out how. In one case, for example, there was a similarity in the names of two companies, which suggested that they were linked, but Bernard could not find any documents that would corroborate the inference and help specify just what kind of link it was: "you go, well, obviously that's the same guys [i.e. the same people set up the two companies in different jurisdictions], it's very unlikely that there's anything else going there, but we couldn't quite figure out what they were actually doing, and how they were connected…" This suggests that the investigators' situated knowledge, which they described in the idiom of revelation and assembling, is not a matter of discreet states of knowing/not knowing, but is more complex. It includes modalities of suspicion, hypothetical inference, and partial, uncertain and unconfirmed knowledge,[43] which eventually all require confirmation and redescription through evidential protocols in order to stand a legal test.

The second point that stands out in Bernard's comment is that besides speculation, the ability to follow connections relies on a judgment about how a company record "looks". Suspicion about activities and relationships described in company records is expressed in judgment that distinguished the normal from the abnormal, "legitimate" from "dodgy". This abnormality is what the French sociologist Luc Boltanski (2014) captures with the term "mystery" in his account of the development of detective and spy fiction in Britain

[42] Curiously, Bernard spoke of "working out" connection by going in one "direction", or in the other, which is reminiscent of how the network diagram spatially orders the company ownership structures, providing a sense of expanse and direction.

[43] In a curious parallel, Marieke de Goede argues that the use of analysis of financial transactions to identify terrorist's potential associates ("link analysis") in the financial transactions provider SWIFT "can be understood as a purposefully speculative technology: the objective is not to trace the steps of known terrorists but to discover new leads and to identify the 'unknown terrorist'." (2012: 62). And commenting on the emergent infrastructure of financial records that banks are required to keep for anti-terrorist and anti-money laundering purposes, she suggests that: "Producing actionable suspicion is arguably the main objective of financial datamining in a broad sense" (2012: 59). The work of suspicion here is markedly different from what I've described in the context of Global Witness' inquiry. However, the parallel between the two brings to light the similarity in the underlying assumptions in the two cases—namely, that analysis of financial records allows for speculative inferences about people and their associates whose activity directly or indirectly (through a corporate vehicle) is thus recorded. Suspicion in this sense is what defines the process of inquiry.

and France. For Boltanski, a "mystery arises from an event […] that stands out in some way against a background […] or against the traces of a past event". This background is constituted by prior experience and learning which give rise to expectations about a normal course of events. A mystery,[44] in the sociologist's account, is an event "whose character can be called abnormal, one that breaks with the way things present themselves under conditions that we take to be normal" (Boltanski 2014: 3, emphases removed). But if it may seem that a mystery—a dodgy-looking company—passively *elicit* suspicion of the sleuth, I want to stress the cultivated, practiced aspect of suspicion: seeing a company record as suspicious entails active evaluation of clues against one's prior knowledge. Thus, Boltanski's treatment of the structure of mystery calls for attention to personal knowledge and expertise on which an evaluation of normality of events relies. This judgment is based on an expectation of "reasonable" business practices—an expectation which is uncertain, and by no means unique to activist investigators.[45] The very possibility that some companies may look "dodgy" for Bernard, is premised on investigative expertise in accounting practices, cultivated through practice. A "suspicious bastard cap" has to be earned, or learnt.

In the course of my fieldwork, I interviewed not only investigators in campaigning organisations, but also people engaged in a similar kind of investigative work, but employed by private-sector, for-profit companies.[46] These "due diligence" professionals, working at major risk consultancy companies in London, often reflected on how the procedural aspect of their work was almost identical to that of investigators like Mike and Bernard, or financial journalists.[47] Trying to understand how one learnt what could be

[44] The notion of mystery is essential to Boltanski's account of the anxieties about the "reality of reality", around which detective and spy narratives are constructed (2014: 15). These anxieties, Boltanski argues (2014: 32-5; 224-39; 260-7), are not fictional or literary—sociology, too, is in the business of "unveiling" the real reality behind the apparent one, although one difference between the conspiracy form of novels, and hermeneutic of suspicion (Ricoeur 1970) of critical social science, is how the two impose limits on the enterprise of unveiling, and the styles of causal attributions they make. (See also Keane 2010 for the ethical work of evaluation of "the surface of things"—appearances and forms of social action).

[45] Bill Maurer (2005) points out the ethical scrutiny underwriting due diligence checks in the offshore financial industry. However, where Global Witness investigators seek to expose personal connections whose existence indexes possible corruption, due diligence techniques tend to place trust in customers who become known and "contextualised" precisely through personal references and relationships.

[46] Some of them were familiar with Global Witness' reports and mined them for clues for their own investigations.

[47] And, sure enough, they were—at least as far as I can tell from their own descriptions of tools, databases and methods they used. Even the terminology and tropes they employed to describe their work was similar to that of investigators in advocacy organisations. As a reflection on the similarity of skills and methods required for these differently organised kinds of investigation, I can cite a number of occasions when both due diligence and NGO investigators spoke about moving from a private firm to an NGO or vice versa.

considered suspicious, I turned to Eleanor, an informant and friend who had worked for a due diligence department of a large risk consultancy firm in London. She recalled how on her first day at work, she was handed over a number of corporate records. "My boss told me, 'Dig around these records and find whether there's anything suspicious.' 'What does she want from me?' I thought." Eleanor explained her puzzlement about the demand: what could be suspicious about a set of tables and numbers? I asked if she remembered when and how she realised what the boss wanted. No, Eleanor said: she didn't have a moment when she would register that she had learned, or was learning. This must have been gradual and implicit in the process of working with the records. The problem with her first assignment was, she mused, that she joined at the end of the project and had not observed it all along, and so did not know much about the person whose business they were investigating. "It's difficult to know how people learn [what's suspicious or not]", she explained, "but when you see [an investigation] from the beginning to the end, and the client tells you about a lead, you kind of understand where to start looking from." Bernard had a similar observation, when (protesting against my interpretation of "suspicion" in an earlier draft of this chapter) he said that when one does investigations, one almost always knows what he or she is looking for. Just as there is a learnt expectation of normal business practices (e.g. that a person that has nothing to hide will not use offshore companies), so an investigator learns about the common ways in which people use companies and financial transactions to disguise illicit activities. Such investigative expertise may be called aesthetic (Amoore 2013: 129-54; Riles 2001: 185n4) to the extent that it is expressed in acts of evaluation of form of clues and their associations (that is, the "look" of the company). To discern what is dodgy and what is not, one needs "an eye for certain things," as Mike once put it to me. Information, he said, is "out there", but one must know how to "see" what it shows; by extension, one also must know what to look for.

***

Bernard was very clear about this. When he joined Mike to work on the Azerbaijan investigation, he "started going through corporate records […], going through all the SOCAR subsidiaries […] and looking for the same pattern." Just what kind of pattern that would be, he could not know, but his experience informed what elements the pattern could have. The pattern he did find, was one of numerous connections between Anar Aliyev and SOCAR's joint ventures and contract-holding companies: "we identified that there seemed to be a pattern of this one guy sitting behind all these businesses, all these deals

with the State Oil Company…" Once it was established, looking for further connections became a matter of finding elements that could *fit* the pattern. A patterned arrangement gave (new) meaning[48] to elements constituting it, thereby confirming uncertain inferences (Engelke 2008: S17), and redirecting the speculative orientation of inferences towards the possible replication of connections in a predictable patterned way. The search for a pattern, like suspicion that leads it, is central to the process of investigation, and once again illustrates how the expertise required for it can be characterised as "aesthetic"—in other words, as having to do with the "pattern which connects" (Bateson 1979: 8).

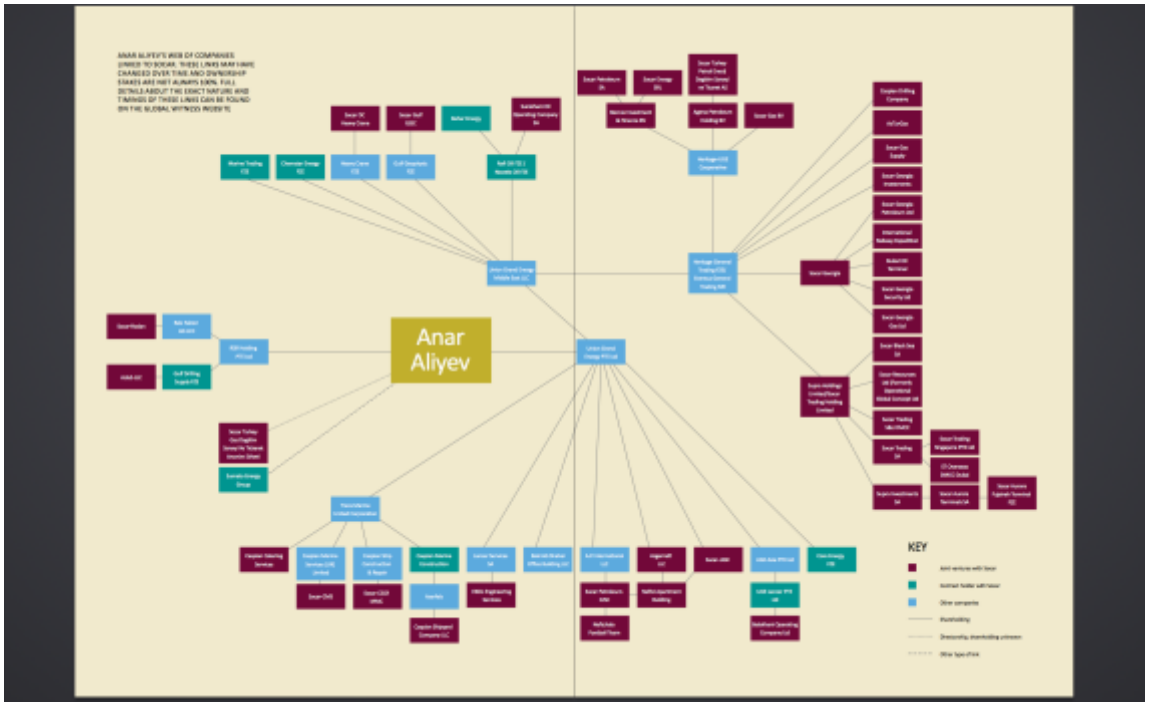


Figure 2.4. The diagram of Anar Aliyev's company network. Source: Global Witness 2013: 16-7. Courtesy of Global Witness.

Describing their investigations, Mike and Bernard often relied on tropes that connoted collection and assembling of elements into a whole, as if the role of the investigator were to put elements of a jigsaw puzzle together. They did not use this particular analogy, but their colleague from another organisation, Corruption Watch UK, did. To assemble a puzzle, one has to iteratively fit available elements to see whether they could connect into a recognisable pattern/image which is given prior to, and independently of, one's attempts to assemble it. Similarly to a puzzle, once a whole is made, it becomes a 'picture', a representation of something else than itself. Describing one investigation that he had been involved in earlier, Mike said:

[48] Or, if we were to follow Gregory Bateson's (1987) definition of meaning, we could say that the pattern of information *is* the meaning.

> We listed company names, which ones were listed in the UK. And I put one name [into a corporate registry search engine], and then I get another hit, and then I get another hit, so we got ten companies registered in the UK, and you're like wow, that's interesting. And then you do a company search and out of these ten, six are registered in the same address. And then I got, Wow, now the scheme is starting to reveal itself, and that's very satisfying. But in the beginning it wouldn't necessarily be so, you'd know something vague about money laundering [happening in one of the companies]… Something's looking suspicious… But now, if these six companies are registered at the same address, or directed by the same people, then it's likely that they are used by the same people…

Suspicion that Mike mentions here contains a germ of a causal hypothesis: the regularity of the pattern's element appears to have originated from the same cause. Apprehending a pattern of relationships as a "scheme", he interprets it as a plausible consequence of someone's action that had purposefully brought about this arrangement of corporate structures, because the very ordered character of the pattern indexes its artificial origin. Likewise, Bernard's comment about "one person sitting behind all the companies" implies a connection of multiple visible elements at the front stage, to an invisible controlling and coordinating agency at the backstage. In this logic, making the scheme visible is the necessary first step to revealing those who use and profit from it.[49] The investigators' judgement about things looking "interesting" and "suspicious" is not only aesthetic, but also moral, because they attribute the abnormality they find in company structures to someone's deliberate attempt to arrange corporate ownership in a particular way.

The jigsaw puzzle analogy also suggests that the image assembled in a particular case always represents the same object, independently of who puts it together, or how. It also implies that there is only one way in which the pieces fit together. While Mike and Bernard would agree that the investigation invariably uncovers objective facts, I would suggest that this is where the analogy stops. Describing the investigation as a process of assembling disparate clues that point to objective facts, we should not negate the constructive agency of the investigator who makes a whole of pieces that could have been assembled differently. For example, looking for and analysing corporate records in the

[49] The scheme, however, can only be made visible forensically: relating connections to one another, the investigator assembles a patterned whole that was previously accessible to him only through clues and traces. In *Azerbaijan Anonymous*, this relational whole is made visible by the diagram of connections between Anar Aliyev and his companies.

Azerbaijan investigation, Bernard began to chart a diagram of suspected and confirmed connections between companies, whether or not he knew who owned them.[50] This draft chart, Bernard explained, helped him record and make sense of the data.[51] There was "too much information", "too many things to keep track of," he said, and making a diagram rendered this information visible to the investigator himself[52]. Abstracting information about companies and their relationships from the documents, and making it visible in a single visual field, allowed the investigators to see a pattern in it.

Before finalising the report, Bernard edited the provisional chart that he had been using. He removed many suspiciously looking, 'dodgy' companies that did not link to Aliyev or SOCAR; some of the companies that he could not find evidence of direct links with Alieyv, and so on. Unresolved traces and unconfirmed connections were removed not to confound the reader of the report. If pattern was first revealed by summating all the connections, now it was made visible through their subtraction. The key addition was the box with the name of Anar Aliyev himself, to which all the connections now appeared to be leading. The resulting diagram was a product of intentional construction, rather than a direct imprint of investigative procedures of piecing things together. This elucidates the labour of selection and association that the investigators put into making things visible: information per se, dispersed through publicly accessible corporate registries, did not create transparency, and making something intelligible and meaningful—transparent—required work. Through this selective construction, the diagram and the investigation gained their focus on the figure of Anar Aliyev as the man "behind" a vast network of companies. Mike said that

> What is very interesting, is that in the course of investigation the figure of Anar Aliyev […] became much more prominent. […] Once you have something like that [— evidence that his companies are striking many deals with SOCAR], which

[50] Showing me a draft version of the diagram on his iPhone, Bernard said: "I genuinely had a picture of basically this diagram blue-taped to the board behind my desk… I was doing it on my own mind-mapping thingy [software application] and updating it and using it as I went, and printing it out every week or two."

[51] Writing about the development of genealogical method in XX-century British anthropology, Mary Bouquet (1993: 36) remarks that "[g]enealogical plotting became more than simply a way of gathering materials; it became closely identified with the presentation, or even the translation of other ways of life […]." Likewise, Bernard's diagram is an instrument of both processing and presenting information.

[52] In the report, there is another register of connections: an annex lists most of Anar Aliyev's companies, describing their ownership structure and supporting evidence step by step. While representing the results of the same investigation, unlike the diagram, the annex singles out the chains of ownership and emphasises their complexity. I asked Bernard how he worked on it, and whether the annex came before the diagram. "The annex to this—that I wrote after the fact!"—he said. "I had it all in my head and my notebooks—as I went through, I was taking notes."

> is a fantastic story in terms of headlines, you know—An unknown man has 50 separate deals with SOCAR, that kind of starts to dominate the story a little bit, and maybe another deal that you've looked at, which is interesting but doesn't feature Anar Aliyev, drops away a little bit. So, there's certainly the selecting of information.

The direction in which the investigation proceeded by following up relationships and transactions—from SOCAR to contract-holders and joint ventures, to owners of these companies, to Anar Aliyev—was reversed in the diagram once Aliyev became its ordering centre and focal point.

Concluding remarks

What do the investigators make of their suggestion that Anar Aliyev is "behind" a large network of companies dealing with SOCAR? The answer, as I have already hinted, is in Bernard and Mike's dietrological[53] (Knight 2000) framing of the problem. Arguing that Aliyev somehow stands behind the companies, they suggest that like some puppet master, he controls and directs them, despite their apparently separate legal personality; and that precisely because of the separate legal personality of corporate entities, he can hide behind the "veil" of corporate form, avoiding accountability for what he does through and with these companies.[54] Such ascriptions of agency allow Global Witness to define who, and what, can be held accountable and responsible for corrupt or otherwise "suspicious" actions. By means of the corporate network diagram, the investigators redescribed companies that at first seemed disconnected, as enmeshed in and subsumed by networked relations of ownership and control focusing on one person.

Whereas this particular report stops short of claiming that Anar Aliyev should be held responsible for his involvement with SOCAR (remember, no wrongdoing was proven), such calls to account are typical in Global Witness' reports. In this chapter, I have focused

[53] In his discussion of conspiracy theories in contemporary American popular culture, Peter Knight coins the term to refer to causal theories that assume real agency hidden behind its visible and seemingly unconnected effects. The term comes from Italian *dietro,* meaning "behind". See contributions to Marcus (1999) and West and Sanders (2003) for comparable ethnographic accounts of conspiratorial reasoning.

[54] At the same time, the report leaves open the question of how, and why, Aliyev became such a prominent player in the Azerbaijani oil industry. Mike and Bernard's sources in the country were convinced that Aliyev was somehow connected to the President of Azerbaijan. While the investigators did not have any evidence to corroborate this claim, they equally refused to give up on their suspicion that Aliyev was not the ultimate beneficiary of the companies that he legally owned.

on informational practices and expert procedures that make possible such attributions of agency and responsibility in the first place. The wider relevance of this account of investigative expertise is that practices I have described, are typical not only to Global Witness' investigators, but also to many journalists and due diligence researchers in the UK and abroad. Offshore corporate services, and various illicit and immoral practices that they allow to proliferate, have become better known to the public thanks to scandals such as Luxembourg Leaks and Panama Papers, which have generated much political controversy. This chapter makes a small step towards understanding the expert practices and routine procedures of collection and interpretation of information, on which forensic analysis of offshore finance depends.

I have sought to demonstrate the uncertain, speculative and prospectively-oriented character of investigative work. I have argued that it relies on learnt aesthetic sensitivities which are illustrated by the work that suspicion and search for pattern do in the investigators' quest for knowledge (Grasseni 2009). Aesthetic here does not refer to the appreciation of beauty—rather, as Annelise Riles (2001) points out, it has to do with attention to form. As I have shown, aesthetic sensitivity, manifested in suspicion and search for patterns, guides the investigators in their attempt to make and prove connections between companies and infer potential new connection from them. In so far as these connections come to link many corporate entities into an ordered pattern, they warrant an inference about social causation.

Thus, I have argued that Mike and Bernard's search for a pattern of relationships that could explain why so many of SOCAR's joint ventures and partner companies were "non-transparent", is a search for a causal explanation. For Mike and Bernard, there could only be one admissible cause of the pattern: intentional human agency. Aliyev's involvement with SOCAR as it is presented in the report, is "revealed" and confirmed by the patterned replication of his connections to SOCAR (through his part-ownership of the joint venture companies). At the same time, however, the pattern is not given in the information, but has to be constructed through interpretation of clues. The construction is quite literal—it takes form of meticulous charting. Like any act of interpretation and representation, diagramming is selective and partial, which is not to suggest any mishandling of evidence by the investigators, but instead to emphasise their creative agency in choosing the frame of representation of the corporate network that instantly draws attention to that which the

results of investigation *eventually* came to demonstrate: Anar Aliyev's central role in a network of deals with SOCAR.

In this manner, once the investigators identify Aliyev as the person behind the network, their anticipatory activity of connecting relations in search of pattern, gives way to a retrospective stripping back of patterned connections, which better reveals Aliyev's position in them. In here, there is a temporal shift: from a forward-looking search for knowledge, led by a sense of suspicion, to a backward-looking work of demonstrating the agency and responsibility of the person behind the pattern.

By reconstructing one investigation, this chapter has sought to demonstrate that transparency is not a given, and a mere publication of information—despite the assumptions built into policies such as the EITI—does not guarantee visibility. Rather, transparency is in the eye of the beholder. It depends on one's ability to make inferences from available information. To make these inferences, I have argued, the investigators need to have a sense of what a 'normal', 'unsuspicious' business transaction or relationship looks like, and it is in the expression of these expectations of normality, that we see how the investigations and campaigns that they inform, are driven by moral visions of a socio-political order without corruption.

My final observation here concerns the extent to which Mike and Bernard's investigation depended on public information that was *already* publicly available. Both investigators told me that the availability of this information did not make Aliyev's corporate network transparent. Rather, as I have suggested in this chapter, making it transparent entails rendering them visible within a single frame of a diagram or a report. This frame is a construct of a specific kind: it aggregates connections and persons (corporate and human) so that they can be seen from a single encompassing perspective, which allows to see the complexity of interconnections among the companies as a simple index of Aliyev's (unexplained, hence suspicious) connection to SOCAR.[55] What generates the investigators' suspicion, then, is exactly the fact that information about these companies is so vastly distributed—as if hidden—across a number of corporate registries in different countries.

[55] I am grateful to Tom Yarrow for nudging me to think in this direction.

In the case I have discussed, this construct is a result of forensic (re-)construction that makes use of already existing infrastructures of corporate disclosures. This brings me back to the broader question with which I began the chapter: namely, what is the relationship between the ways in which the investigators come to know corruption, and the recommendations they make about measures to fight it?

Mike and Bernard told me that in a typical investigation, there would be a mix of different sources on which the investigator relies for information: some of it s/he would receive from informants, some, from the press; the rest could be found in corporate registries. My interviews with other investigators in NGOs and the private sector, confirm this. *Azerbaijan Anonymous* was, perhaps, unusual because most of the forensic work was documentary; however, it certainly reflected how follow-the-money techniques work in other contexts. Crucially to my point, the clues that Mike and Bernard obtained from financial documents, had been results of systematic policies of corporate reporting in place in various jurisdictions. This information had been generated through routine practices of disclosure that make up infrastructures of corporate governance. It could be argued that the opacity of Aliyev's corporate network is a result of exploitation of differences between reporting regimes in different countries. But it is also true that Mike and Bernard's investigation wouldn't have been possible—at least in the form that it happened—without these informational infrastructures.

My description of the *Azerbaijan Anonymous* investigation suggests that there is a connection between the question the investigators ask (is there corruption in SOCAR's deals?), how they go about answering it (investigation of business deals using public records), and the implications they draw from their answer (no corruption can be proven, but extensive disclosures are necessary). It points to the recursive relation between Global Witness investigators' attempts to identify corruption and attribute responsibility for it, and their advocacy for more transparency. In other words, in so far as the investigators' moral project of fighting corruption begins with the problem of knowing it, the remedy they advocate for is first and foremost a remedy to the problems of *investigating* corruption. This further suggests that we should understand investigations and campaigning as professional practices in their own right—with their forms of specialist knowledge, and ethical orientations. In this light, recommendations of more transparency that Global Witness routinely make in their reports, should be seen as informed by the internal logic of investigative practice, rather than only by the nature of the problem that

campaigners seek to tackle. In the next chapters, I take this insight further, as I turn to the history of the EITI and its origins in Global Witness' reports.

Chapter Three
Where it all started: Global Witness and the origins of the EITI

> [I]f the genealogist refuses to extend his faith in metaphysics, if he listens to history, he finds that there is "something altogether different" behind things: not a timeless and essential secret, but the secret that they have no essence or that their essence was fabricated in a piecemeal fashion from alien forms. Examining the history of reason, he learns that that it was born in an altogether "reasonable" fashion—from chance; devotion to truth and the precision of scientific method arose from the passions of scholars, their reciprocal hatred, their fanatical and unending discussions, and their spirit of competition—the personal conflict that slowly forged the weapons of reason.
>
> Michel Foucault, "Nietzsche, Genealogy, History" (1984: 78)

What would a genealogist make of the emergence and development of the Extractive Industries Transparency Initiative? S/he could ask, as Andrew Barry (2011) did, how the notion of extractives' transparency gained its currency among campaigners and civil servants in London at the turn of the XXI century. Or, understanding that in order to become policy this notion would have to pass through a complex chain of institutional translation (Latour 1996), s/he could try to trace this chain. Alternatively, skeptical that *one* line of descent could be unambiguously traced, our genealogist could instead inquire into contingencies of discourse and practice, conflicts, aspirations, agendas and ethical commitments of those who "fabricated" the ideas and institutions through which the EITI came to be.

Eddie Rich, with whose speech to an audience of UK EITI supporters in London I opened this thesis, is not a genealogist. "Here is where it all started!"—Eddie declared, referring both to Global Witness, who had proposed the idea of an extractives transparency policy, and the UK government, whose officials had developed it. In 2002, when the EITI was announced, the building in 1 Victoria Street where Eddie was giving his speech, belonged to the Department of Trade and Industry (DTI), the grand-parent of the Department for Business, Innovation and Skills. Its officials, as I learned reading the department's

archived correspondence and ministerial briefings, played a significant role in shaping the Global Witness's proposal into a policy design that became the EITI—not the least by tying to *block* the policy altogether. Such details were not part of Eddie's story of the EITI's success, just as they are absent from the policy's official history.[56] In Eddie's narrative, the history of the EITI was one of straightforward development: an idea was proposed, then made into a policy, then gradually updated to reflect new challenges.[57]

As a long-term observer and participant of the EITI, Eddie Rich would have known that the history of the Initiative was more complex than its official representations. Trouillot (1995) reminds us that all historical narratives, in so far as they are socially and culturally constructed, are products of relations of power enmeshing their authors, and as such, express certain claims to authority. The official account of the EITI's institutional origins claims an organisational and political coherence for the Initiative, hiding rifts and alliances that have been constitutive of the policy.

My aim in this chapter is to develop a basis for a "historicised anthropology" (Comaroff and Comaroff 1992) of the EITI. Building on my ethnographic reading of archival documents about the campaigns and negotiations that (in a rather contingent way) led to the announcement of the EITI in 2002, I want to ask two questions of the policy's early history: First, how did the idea of a state policy on transparency of extractives emerge? Second, why was it formulated in the way that it was? Addressing these questions, this chapter provides an account of the conceptual and social work that went into constructing the EITI in its early form in 1998-2002.[58] This offers a starting point for unpicking the sense of the historical necessity inherent in the EITI's official narratives.

Describing the contingencies of theory and practice underpinning the formulation and reception of a proposal for a policy on extractives' transparency in the UK, this chapter

---

[56] See *The Extractive Industries Transparency Initiative* (Accessed 20 February 2017), available from https://eiti.org/history.

[57] This view is reminiscent of the notion of a policy cycle—the consequential development of a policy from problems to identification of instruments to address the problems, to solutions, and new challenges—which I was taught first as a student in politics, and later as a trainee civil servant on fieldwork.

[58] This will help us understand (in Chapter Four) how the Initiative developed from the initial suggestions to something resembling what it is now; and how the voluntary, participatory design of the policy was proposed as a response to particular problems of interdepartmental diplomacy in the Whitehall. Such historical account is necessary to understand the context and shape of the ethnographic problems dealt with in Chapters Five, Six and Seven.

traces two intertwined trajectories of the proposal's development: one intellectual, the other political.[59]

Following the *intellectual trajectory* means investigating how a policy of corporate disclosures addressing a lack of governmental accountability could become conceivable at all. I thus analyse a number of investigative reports (and their sources) published by Global Witness between 1999 and 2002, in order to understand how the campaigners problematised government corruption in developing countries as a matter of economic and social development, how this problematisation led them to attribute responsibility for remedying the situation to international petroleum corporations, and how transparency was framed as the mode of intervention. Underpinning this trajectory, I argue, was a series of conceptual shifts between objects and scales of concern, which transformed a proposal for solutions to peculiar problems of Angolan development, into an abstract model and a vehicle for a policy that Global Witness proposed to UK government officials. I identify possible intellectual influences that contributed to these shifts, and thereby make a corrective contribution to critical literature that has similarly sought to trace the 'rise' of the extractives' transparency agenda. I will return to these issues below.

I have suggested in Chapter Two that investigative reports (such as the ones this chapter focuses on) are instruments of campaigners' political interventions. This chapter explores how such interventions take place by tracing the *political trajectory* of the above mentioned policy proposal. It seeks to understand the ideas and conceptual shifts, to which I alluded above, as artefacts of situated practice of campaigning. This paves the way to understanding campaigning and bureaucratic practices of policy-making as constitutive and performative of what Michel Foucault, in his *Archaeology of Knowledge*, calls "political knowledge". Speculating about what an archaeology of such knowledge might look like, he suggests:

> Instead of analysing this knowledge – which is always possible – in the direction of the episteme that it can give rise to, one would analyse it in the direction of behaviour, struggles, conflicts, decisions, and tactics. One would thus reveal a body of political knowledge that is not some kind of secondary theorizing about practice, nor the application of theory. Since it is regularly formed by a discursive practice that is deployed among other practices and is articulated upon them, it is

[59] The separation is artificial, but I employ it for heuristic purposes.

> not an expression that more or less adequately 'reflects' a number of 'objective data' or real practices. It is inscribed, from the outset, in the field of different practices in which it finds its specificity, its functions, and its network of dependences. (Foucault 1972: 214)

Following up on this suggestion, this chapter describes how, and to what ends, campaigners, and then government officials, elaborated and deployed 'transparency' as a legitimate concern of development intervention. Scholars who have sought to explain the emergence and rise of the discourse and policies on extractives' transparency in various contexts (Barry 2013; Watts 2004; Weszkalnys 2011, 2013), tend to explicate them by referring the growing prominence of the so-called resource curse theory in economics and politics in early 2000s. The resource curse thesis (on which more later in the chapter) postulates an inverse correlation between natural resource abundance and economic growth, political stability, good governance and corruption (Firger 2010; Ross 1999). However, while linking the extractives' transparency 'agenda' to the empirical and theoretical accounts of the resource curse, these scholars often leave the precise nature of the relationship between these accounts and the EITI, or later policies on extractives' transparency in different countries, unexplained (although see Weszkalnys 2011).

In contrast, I argue that concerns and theories about transparency in extractive industries that developed within the political practice of British campaigners and officials in 1999-2002, had a distinct origin from the resource curse theory, although eventually they became influenced by it. Global Witness' propositions about transparency were a response to specific problems of corruption in Angola, and only later were they developed into an abstract model of economic and political relations (that the resource curse thesis was). This move appears to have been under-theorised. While it had been influenced by campaigners' reading of economic analyses of scholars who later became established proponents of the resource curse thesis, it responded to rationales that were internal to the logic of Global Witness' political practice. I therefore suggest that government officials in the UK accepted and developed upon the Global Witness' policy proposal because of various organisational and political concerns within the British government, to which the abstract, flexible model underpinning the proposal, could be variously made to "fit". The resource curse theory came later.

***

The anthropological convention compels us to explain the emergence of the EITI—first as Global Witness' proposal for a policy, then as a tentative policy design—in relation to its context. But what was this context? The answer will depend on what the policy intervention proposed by Global Witness meant to those formulating and negotiating it. Was it a development policy? A transparency, anti-corruption, or corporate social responsibility initiative? Or, perhaps, a tool of conflict prevention in 'fragile' resource-rich states? Maybe all of this at once? As I have sought to demonstrate, the extractives' transparency proposal (from the EITI emerged later) was some of these things—and it was different things to different people—in several combinations at different moments of its early "social life". The notion of transparency remained at its core at all times, but it was precisely because of the ambivalence and flexibility of this notion, that campaigners and UK officials could inscribe Global Witness' policy proposal into various explicit and implicit frames of reference. They summoned up concepts and concerns about foreign policy, international aid, anti-corruption, CSR, democratic accountability and economic liberalisation, in order to explain and legitimate the new policy idea about extractives, and I refer to these ideas throughout this chapter to provide context to the changing notion of extractives' transparency.

But what interests me, is precisely campaigners' and officials' own acts of inscription and articulation which make 'context' an ethnographic problem (Dilley 1999). Instead of multiplying explanatory contexts, I posit only one kind of context, analytically speaking: that of social action and relations among the people and institutions involved in negotiating the EITI. Explicit references that campaigners, corporate representatives and civil servants made to ideas of good governance, security, anti-corruption, New Labour's foreign policy etc., and which were often expressed in terms of making the policy proposal "fit" a particular frame or "language", were part of the "symbolic play" of persuasion (Carrithers 2008: 162, also 2005a,b) *internal* to the negotiation of the policy proposal that later became EITI. Campaigners and officials' own attempts to contextualise this proposal, direct my attention to how it gained social reality and support, and was shaped by different people's interpretations.

My account begins in 1999, with Global Witness' report on Angola, usually cited as the beginning of their extractives' transparency campaign, and indeed of the EITI. It proceeds in three parts. First, I describe the manner in which the authors of the report framed extractives' corruption in Angola as a problem, international corporations operating there

as responsible subjects, and their transparency disclosures as a solution. Second, I analyse how, having met resistance to their proposals, the campaigners abstracted this problem-agent-solution triad out of the particular context of Angola into which they urged intervention, and made it into a model of a structural condition of all resource-rich developing economies that could be addressed with a single policy. Third, I turn to how the policy idea proposed by Global Witness as a result of these conceptual shifts, was received by officials of the UK Department for International Development (DfID). I draw attention to how campaigners and civil servants *contextualised* the proposal in relation to existing policy frameworks and pragmatic exigencies of bureaucratic management. I conclude with some reflections about what these conceptual shifts and contextualising moves could teach us about the social life of policy ideas.

Global Witness' report on Angola

At the end of 1999, Global Witness, then still a very small organisation, published an investigative report with a self-explanatory title: "A Crude Awakening: The Role of Oil and Banking Industries in Angola's Civil War and the Plunder of State Assets". The *Crude Awakening* argued that corporate payments for oil extracted in Angola to the country's government, as well as speculative oil-backed loans, financed the government's arm purchases, which fuelled the civil war. It also denounced the embezzlement of oil revenues and lack of governmental accountability that caused it, and suggested that a greater transparency of the government's resource revenues could be a remedy to corruption.

Global Witness was founded in 1995 by three investigative journalists, Patric Alley, Charmian Gooch and Simon Taylor, who had earlier worked on reporting environmental crime, and discovered that, although natural resource exploitation, corruption and conflict appeared connected, no-one investigate this link. They decided to establish a new NGO that would focus on this nexus.[60] After initial work on illegal timber trade financing conflict in Cambodia, Global Witness began investigating how UNITA rebels in Angola used revenues from diamond trade to finance their activities (Global Witness 1998). This then led them to question how the Angolan government financed its war effort from oil

[60] Nicholas Shaxson (2008: Chapter 11) describes how the organisation started from a self-financed undercover trip of the three founders to Cambodia in January 1995, during which they posed as prospective buyers of timber. The report that resulted from their initial investigation linked environmental destruction to war, and stranded the usual divisions of "issues" on which NGOs campaigned. The link between resource exploitation, corruption and war, would become the organisation's niche.

revenues and loans. When the *Crude Awakening* was published, it was not the first report by a Western NGO to bring up this matter and mention lack of transparency of the government finance (e.g. Human Rights Watch 1999). Nor was the investigative knowledge underpinning Global Witness' report new: Nicholas Shaxson (2008), who was a natural resource reporter covering Angola at the time, argues that it was his reporting in specialised press and directly to Global Witness, that led to the NGO's publication. But Global Witness seem to have been the first among campaigning organisations to directly attribute responsibility for the conflict and alleged misuse of oil revenues to Angolan politicians, and turn transparency from a problem of economic knowledge, into a problem of political accountability. They wrote:

> A significant portion of Angola's oil derived wealth is being subverted for personal gain and to support the aspirations of elite individuals, at the centre of power around the Presidency. The war is generating vast profits for top level generals within the Angolan armed forces (FAA), as well as for international arms dealers, not to mention enormous suffering for the Angolan people. Rather than contributing to Angola's development, Angola's oil revenue is directly contributing to further decline. Considerable effort has been made by the government to stifle all opposition and the press has been effectively muzzled. There is no accountability of government. (Global Witness 1999: 2)

Beginning with a table of shocking development indicators, the report argued that poverty in Angola was a direct result of corruption, and corruption was only possible as long as the government were not held to account, by the citizens, for how they spent money received from the natural resource endowment. It provided a number of illustrations of how the Angolan president and his cronies corrupted structures of power to appropriate oil revenues and use them to purchase weapons and maintain luxury residences. The *Crude Awakening* reverberated in Angola[61] and the oil industry more broadly, mainly for its identification of the mechanisms of embezzlement, and a sensational attribution of personal responsibility for corruption to the president. But there was another conceptual innovation in the report that concerned international corporations' role in perpetuating the *status quo*.

[61] Shaxson (2008: 212) quotes Arvind Genevan, a division director at the Human Rights Watch (Washington), as saying that "Crude Awakening created a firestorm in Angola. […] The government went nuts, drawing more attention to it. They denounced and obfuscated; it was a very Soviet response."

Arguing that oil, as any national resource, belonged to the people—the real sovereign of Angola—the report stated that it was the people, too, who had to hold their rulers accountable. But as long as there was no publicly available information about government oil revenues, and civil society and political opposition were being suppressed, accountability was impossible. Drawing on the International Monetary Fund's endorsement of the principle of market transparency, the campaigners then said that "full transparency" (that is, the publication of detailed accounting information) of international oil companies' payments to the Angolan government would dispel secrecy around the state finance, and would allow citizens to hold their politicians accountable. In the face of plunder and unaccountability, facilitated by financial secrecy, international oil companies had to recognise and renounce on their complicity therein. Global Witness stated that given that companies such as BP-Amoco were paying "vast sums (the future development potential of Angola) into a black hole [they] must accept that they are playing with the politics and lives of Angola's people." (1999: 2)

Transparency as corporate responsibility

Global Witness' critique was neither anti-corporate, nor informed by an anti-capitalist sentiment. The campaigners' rhetoric differed significantly from that of other civil society groups working on issues of corporate responsibility and justice. In Shaxson's view, it was this "unpoliticised" attitude of Global Witness that contributed to their success with future supporters among governments, international organisations and donors. Charmian Gooch in her turn recalled that "[t]he regular NGO strategy wasn't going to work […] We went to the U.S. and spoke to the NGOs on oil […] some saw the oil companies as imperialist bastards, others tried to negotiate with them, then got dragged into endless negotiations that led nowhere." (Shaxson 2008: 212)

The 'irregular' strategy that Gooch and others opted for instead, was to position Global Witness' criticism of corporate practices as an extension of the corporations' own rhetoric of organisational virtue—the discourse of the corporate social responsibility (CSR). The campaigners sought to demonstrate that if companies were to be coherent and credible as virtuous subjects, then the principle of the CSR had to apply consistently across different domains of their activity. Thus, in one of the sections of the *Crude Awakening*, campaigners asked whether the virtuous commitments and performances of oil corporations such as BP-Amoco, through which they sought to establish themselves as ethical, responsible and transparent (Global Witness 1999: 9), could ever be truthful

without the corporations' embrace of "full transparency". With an unavoidable irony, the report points out that despite BP-Amoco's "honourable objectives" to be a "force for good" in Angola, the failure of the government to promote democracy, accountability and transparency, posed a serious challenge both to BP-Amoco's objectives of being an ethical corporation, and to their reputation more generally. In support of their argument, Global Witness referred to study of corporate social responsibility (CSR) risks in the country that BP-Amoco commissioned in 1997, which described the company's social responsibilities in a similarly broad way. Instead of questioning the company's CSR rhetoric, campaigners took it at face value and challenged BP-Amoco's readiness to do the same:

> Global Witness recommends that BP-Amoco alliance sets a ***"benchmark for corporate transparency and accountability"*** by publishing their full set of Angolan accounts, both in Angola and internationally – not just the consolidated, audited, year-end accounts available in the annual reports. (1999: 9, emphasis in original)

This "challenge" is an interesting example of how Global Witness pragmatically relied on available discursive and normative means in order to define and legitimate their demands. In doing so, campaigners implicitly portrayed companies as potential agents of international development—a role that by the early 2000s, most extractive industry corporations themselves claimed they embraced without restraint (Rajak 2011: 10-1). As Dinah Rajak persuasively demonstrates in her ethnography of a mining corporation in South Africa, at the end of 1990s and in early 2000s, companies in extractive industries were especially active in redefining themselves as actors of a new kind of responsible capitalism. As I will show in the following sections, this view of capitalism was in line with a new paradigm of international development espoused by the New Labour government in the UK, which sough to "make globalisation work for the poor" through the forces of the private sector.[62] Whether or not Global Witness deliberately played into this emerging governmental and corporate discourse in the UK (on which more later in this chapter), their report insisted that oil corporations could transform relations between Angolan citizens and the state in the way that the state itself was incapable of. Typically to contemporary uses of the CSR principles to re-describe extractive industries as a new agent of development, this move "elevated big business as the path to development where

[62] This paradigm itself built on the move from government- to market-led development, enshrined in the policies of the IMF and the World Bank (Marquette 2003).

states characterised […] by chronic incapacity or corrupt rapacity, have failed." (Rajak 2011: 11)

In March 2002, Global Witness published a follow-up report on Angola that summarised the NGO's work on the country to date, and gave some new recommendations. One of the elements that this new report, entitled *All the President's Men* (Global Witness 2002) took from the *Crude Awakening*, was the emphasis on CSR. Where in *Crude Awakening* the reference to CSR appeared somewhat marginal, and the challenge to BP-Amoco was almost incidental to the complex structure of the narrative, the new report placed corporate responsibility at the centre of how it argued for a new policy intervention addressing corruption in Angola.

Campaigners sought to redefine the principle of corporate responsibility itself so that it included corporate disclosures of payments to governments. Referencing the EU Commission's definition of CSR as "the concept that an enterprise is accountable for its impacts on all relevant stakeholders" (quoted in Global Witness 2002: 45), the report deemed that the notion of extractive companies' "stakeholders" should be extended to include all the citizens of a country where resource extraction took place, since it was on their behalf that the state owned and managed the resources. Conversely,

> [b]y not publishing what they pay, every non-transparent oil company operating in Angola is in violation of the real principles of CSR as civil society and the general population are being deliberately excluded from the dialogue over the governance of their resources in Angola. Thus, Global Witness argues that the definition of corporate responsibility must be bound up with the operation of transparent and accountable business practices. (*ibid.*)

Global Witness' redefinition of CSR put corporate disclosures at the centre of what it meant to be a 'responsible' company. This redefinition was pragmatic: the campaigners must have recognised that they stood no chance of influencing the Angolan government directly, whereas most petroleum companies operating in Angola, were either based in London, or traded on the London Stock Exchange, and were sensitive to public pressure. Implicit in these arguments was a rather consistent, if inherently unverifiable, set of assumptions about politics. If normally structures of institutional accountability included the government and its electorate communicating through channels of political representation, Global Witness attempted to redefine this relationship by making oil

companies part of it. If the state did not represent its citizens, and did not represent itself to citizens through the publication of information, then the corporations could—indeed, had to—do what the state did not: represent the state by making visible what they paid, so that citizens could exercise their democratic rights. This information, the argument went, could then allow citizens to exercise democratic pressure. In this view, shared by many anti-corruption campaigners and other supporters of transparency in today's Britain, information is enabling and transformative of civic action and democratic politics.[63]

This consequentialist understanding of transparency has persisted in Global Witness' reports and justifications for policies of the UK government until today, largely unassociated to the discourse of corporate social responsibility. But in 1999-2002, the NGOs' references to the principles of CSR were instrumental in legitimating their calls for new *corporate* disclosures. The CSR movement was increasingly gaining support at the time, and *All the President's Men* identified no fewer than five different institutional fora devoted to CSR—from the Global Reporting Initiative to the UN Global Compact—that in one or another way listed transparency among their supported principles.[64] However, it is difficult to judge just how effective this framing of transparency in terms of corporate responsibility was—certainly, Global Witness' reports did not lead many corporations operating in Angola to embrace the kind of disclosures that the NGO were advocating for. There were reasons for companies' resistance, which I will discuss in what follows.

For now, I want to note that once the UK government officials took on the idea of a policy proposed by Global Witness, still hesitating whether to frame it as a matter of foreign policy, or corporate governance, CSR, or development intervention (more on this later), the NGO dropped references to principles and frameworks of corporate social responsibility,[65] while retaining the general idea that corporations should be responsible for transparency. This attribution of responsibility, which the notion of corporate social responsibility allowed Global Witness to express, remained for a long time a focus of

[63] One could agree with the merits of this line of reasoning, but still question how readily it applies, in virtue of the assumptions it makes about political processes, to countries like Angola, or, in fact, even the UK.

[64] Scholars studying adoption and diffusion of "international norms", call such positioning of an emerging norm in relation to already existing ones, "grafting" (Price 1998). Alexandra Gillies (2010) explores the "grafting" argument in elation to extractive industries transparency agenda.

[65] Several major report that Global Witness published in 2002 and later do not mention CSR at all.

debate and contestation between the NGO and its allies, and extractive corporations and government officials who sought to respond to their campaigns.

Corporate reactions to the campaign

In their 1999 report, Global Witness called on corporations operating in Angola to voluntarily adopt a policy of "full transparency". Little came out of these calls. In 2000, the British minister for Africa at the Foreign Office called a meeting between the representatives of the NGO and oil companies operating in Angola to facilitate a dialogue between them. With hardly any company sending a representative, the meeting did not yield any results (Shaxson 2008: Chapter 11). Then, at the beginning of 2001, Global Witness wrote to executives of major petroleum corporations to gauge their views on payments' disclosures, asking if they wanted to be "part of the problem" of government corruption in Angola, or the solution to it. Few companies reacted. But BP-Amoco—the target of Global Witness' earlier challenge and the self-described champion of transparency whose representative had attended the meeting at the Foreign Office—responded to the letter, promising they would publish detailed information about its operations and payments to the government in Angola.[66]

The company carried out its promise in 2001. The government's reaction was hostile. In a letter[67] to BP-Amoco, copied to all other oil companies operating in the country, Manuel Vicente, the President of Administrative Council of Sonangol, the state oil company of Angola, repudiated BP-Amoco for succumbing to the pressure

> by organised groups [Global Witness] that use available means in an orchestrated campaign against some Angolan institutions by calling for 'pseudo-transparency' of legitimate government actions. As the national authority that awards concessions, Sonangol is fully aware that its economic link with your company should not be mixed with other relationships that seriously violate existing contracts in order to attract credibility. (Global Witness 2002: 41-2)

Vicente, whom Global Witness had accused of corruption, threatened to end BP-Amoco's licence to operate in Angola, unless they cease any further disclosures and abide by the

[66] They stated that information about payments to the government from individual blocks would be aggregated in order not to contravene confidentiality agreements with Sonangol, which was one of the conditions of the companies' production contract. The breach of the agreement would lead to the termination of the contract itself.

[67] See Global Witness 2002: 41-2.

confidentiality clause in their contract. Sonangol's letter warned other companies off following BP-Amoco's tracks and getting involved in domestic politics of revenue distribution by publishing payments' data. If the companies had been cautious with even responding to Global Witness' calls for transparency earlier, now they had more reasons to do so.[68]

These responses resisted Global Witness' framing of oil corporations as political subjects responsible directly to Angolan citizens. They implied that political interventions—which publication of revenue information inevitably were, despite Global Witness' attempts to express them in the idioms of CSR—, had not to be mixed with business. Many critical NGOs would have much to say of these responses. Global Witness, however, pragmatically persevered with their arguments: "'Transparent'[69] companies are not telling governments what to spend their money on, they are merely letting to know the real owners of resources—the citizens for whom the state holds those resources in trust—what they are paying."[70] The NGO collected corporate responses to their earlier letter in the 2002 report. But the report itself was already making a departure from the campaigners' earlier insistence on voluntary corporate disclosures. It also introduced a conceptual possibility of a general policy on transparency that would not be specifically targeting companies operating in Angola. I will now explain these shifts and their significance.

From voluntary disclosures to government regulations

Already in November 2001, in a submission made to the European Commission's public consultation about CSR, Global Witness suggested that voluntary social responsibility disclosures would never be successful. Companies had to be obligated to publish certain kinds of non-financial information,[71] campaigners suggested. These suggestions were still

[68] One stated: "we are an oil company. We are not political. We have nothing to hide about what we are doing in Angola." (TotalFinaElf, quoted in Global Witness 2002: 42). Similarly, the CEO of another, said that his company was sensitive to the "local needs" in Angola and observed the confidentiality agreement with Sonangol because disclosures could be seen as a form of influence on domestic politics, and therefore not a "proper role" for private companies. See an interview with Lee Raymond ExxonMobil, in "A Dinosaur Still Hunting for Growth." *The Financial Times (London)*, 12 March 2002, 16.

[69] Note the quotation marks, indicative of the novelty of the phrasing.

[70] Simon Taylor. "Corporate Secrecy Oils the Wheels of Poverty". Press release of 20 June 2002. *Global Witness*. (Accessed 28 February 2017), available from https://web.archive.org/web/20050509201025/http://pwyp.gn.apc.org/english/media/mediapage.shtml?x=54923.

[71] With time (in 2014) such rules would be introduced in the EU through the EU Directive on non-financial reporting (Directive 2014/95/EU).

made alongside a recommendation for voluntary disclosures to companies, but it was clear that such disclosures could put companies in conflict with the Angolan government, unless they were mandated legally by another government. In *All the President's Men* (published in March 2002), the campaigners wrote: "This issue [of corporate disclosures] cannot be addressed 'voluntarily'. BP's experience with Sonangol shows that, even if an oil company wants to be transparent, it may be threatened with having its concessions terminated and re-assigned to less scrupulous competitors." (*ibid*: 60) Whereas the *Crude Awakening* appealed to companies, international financial institutions and a broadly defined international community, the new report added another addressee: the "national governments". From then on, and until today, the main target of their campaigning would be governments of countries where large international corporations were registered and traded on stock markets.

The campaigners' goal was to have these governments introduce a mandatory set of regulations that would apply to all extractive companies registered or traded on stock exchanges in the same jurisdiction, and which by their statutory nature override any confidentiality arrangements between companies and their "host governments" (such as that between Sonangol and BP-Amoco). Planning to campaign across the G8 countries, where most of transnational extractive corporations operating in Angola and elsewhere were based, the authors of the report identified the existing system of stock market transparency as the institutional framework for such rules:

> there is an obvious necessity for a parallel regulatory approach to address the failure of voluntary initiative on transparency and to set minimum standards of financial disclosure amongst multinational companies for all their countries of operation. Global Witness believes that the major national securities regulators have both the power and the right to effect immediate change to companies' reporting and disclosure standards to this end. (*ibid*: 60)

In particular, the report said that national governments should:

- Ensure that their national oil companies adopt full transparency criteria on overseas operations. […]
- Insist that financial regulators of international stock exchanges should legally oblige companies filing reports with them to disclose payments to all national governments in consolidated and subsidiary accounts.

- Insist that their export financing agencies practice full transparency as a condition for setting up credit agreements, and that full transparency of funding partners and recipients becomes a pre-requisite for funding. (Global Witness 2002: 1)

Each of these recommendations pointed to different modalities of regulating transparency. Similarly to the references to the CSR discourse, this ambivalence about what had to be done reflected the campaigners' pragmatic openness to different policy options: if companies couldn't be forced to adopt payments' disclosures directly, then perhaps this could be done through stock market, or export credit regulations—whatever government officials, whom the campaigners approached simultaneously with publication of the report, preferred. I will comment more on this later. Now, let me turn to other conceptual shifts that allowed Global Witness to broaden the focus of their campaign.

Towards an abstract model

This campaign began as an attempt to address conflict and corruption in Angola through the proxy of transnational oil companies' financial disclosures. This, as I have shown, highlighted the difficulty of persuading these companies to make the disclosures, particularly after the BP-Amoco case highlighted the business risks of transparency in Angola. In the *Crude Awakening* (1999), Global Witness only timidly suggested that their recommendations stemming from the research applied to countries "similar" to Angola. The report did not specify which countries these were, but it implied that the nexus of resource wealth and conflict was an affliction of a general type. This nexus, after all, was what the founders of Global Witness had chosen to focus on from the outset. But the interventions that this and earlier reports proposed, were focused on the role of particular resources in particular conflicts. The solutions offered apply to specific cases only.

But in *All the President's Men*, the relationship between the report's object and its policy recommendations changed: its main recommendations concerned all major international oil companies, not only those operating in Angola. The country itself became a mere a case study—a particular instance of a more general problem. For Global Witness it was "obvious that the techniques of state looting detailed [in the report] are readily exportable to wherever the predatory nature of international oil and financial businesses interact with weak civil society and unaccountable neo-authoritarian governments." (Global Witness

2002: 59) The problem that they identified in Angola, therefore, was but an instantiation of more general forces that could also be found elsewhere:

> The charge of industry complicity [in governments' looting of resource revenues] extends to all other countries – such as Azerbaijan, Chad, Cambodia, Democratic Republic of Congo, Equatorial Guinea, Gabon, Kazakhstan, Sudan, Nigeria to name but a few – where natural resources provides a significant source of state income, where corruption associated with state income is of concern, and where such companies are not fully transparent about their payments. (ibid: 60)

The problem of corruption-revenue-development nexus, previously a particular political-economic, historic condition of Angola, was now liberated from the contingent causality of the country's socio-historical context, becoming an overarching deterministic model, a general causal mechanism that could be abstracted and scaled up. And so was the condition of oil industry's "complicity" in perpetuating this nexus—a claim now dependent not on what companies' did in Angola, but on how they dealt with payments transparency. The nexus in question became a result of specific, yet general conditions, that could be identified empirically and analytically in a range of countries, which could be targeted through policy instruments recommended by Global Witness. These policy instruments, moreover, focused on companies, not governments. The idea of extractive companies' transparency—a result of campaigners' attempts to address particular conditions in Angola—was now being turned into a mobile model that, on the one hand, was meant to address general structural conditions of resource-led development, and on the other, prescribed generic modes of corporate disclosures for this purpose. "The IMF, World Bank, and International Finance Corporation […]—said the report, —"should develop and institutionalise a model of transparency and revenue management that could be exported into different national situations." (*ibid*: 60)[72]

This model[73] built on a set of implicit assumptions about the role of public information in politics, taking information as an enabling condition of citizens' democratic control of the government. If citizens have information about oil revenues of the government, it implied, they can make it responsible for the use of these revenues. Importantly, the report

[72] It can be argued that the subsequent advocacy of Global Witness focused on exporting this model to different countries and international organisations with an intent of incorporating it into regulations on corporate disclosures.

[73] The clarity of the model is an effect of my reconstruction. The measures proposed by the NGO call forth a set of rather consistent assumption, but they remain implicit in the text of the report.

suggested that corporations' publication of information about payments could activate a democratic potential of the public that otherwise would be unrealised.[74]

The model curiously reminds of the knowledge-power thesis familiar to many anthropologists, whereby state's official knowledge about X makes X susceptible to control in the way that, for example, statistics or land measurements allow the state to "see", or construct, subjects of its rule (Scott 1998). There is, however, a crucial difference: payments/revenue transparency is not about seeing like a state—if anything, it is about seeing the state itself, allowing citizens to control state revenues made visible through disclosures. The state is thus defined by the flow of information about it which. In Mark Fenster's words (2015: 152), the disclosure of this information is expected to "banish public ignorance, magically transform public discourse, and allow the true public to appear and triumph."[75] Needless to say, all this assumes one *kind* of public and one kind of relationship of accountability between the public and the state.

What is striking about Global Witness' recommendations is that the flow of this information must come, like the flow of payments to governments, from companies. Such view of democracy—curiously reminiscent of Karl Deutch's (1963) theorisation of political systems as cybernetic systems—expresses a dissatisfaction with the separation of the state and the citizenry, or the "public" (Fenster 2010); yet, it is exactly on this separation that it comes to depend, for citizens/public are the collective agent that needs to be brought into a controlling relationship with the state by means of transparency disclosures.

The corporations are an important part of this model because it is from them, rather than unaccountable and unreliable governments (which Global Witness stood no chance of persuading about transparency), that the flow of information representing the flow of money to the state coffers, must come. Curiously, while the existence of a public is a

[74] This was, in a way, a refashioning of the principal-agent problem in political science, where information asymmetry between citizens (principal) and their government (agent) leads to a lack of agent's responsibility to the principal. For an overview, see Eisenhardt 1989.

[75] This idea of transparency as a tool of discipline and public accountability, has a long history that goes back at least to Jeremy Bentham's political philosophy. I lack the expertise—nor is it the task of this thesis—to adequately cover this history, and therefore send the reader to the existing accounts of how the principle of transparency developed historically in the context of Western democracies (Schudson 2015; Hood 2006), management (Mehrpouya 2011) and in relation to science and politics of representation (Levitt 2009). A different genealogical line connects the reactivation of the contemporary interest in transparency with the "audit explosion" of the 1990s (Power 1996)

precondition of accountability,[76] Global Witness suggest that accountability is a result of public debate engendered by disclosures; they also suggest that disclosures can then strengthen this debate. From here, it is just one step to using extractives' transparency as a tool of democratisation.[77]

What I have described here, of course, can be apprehended from Global Witness' campaigning materials only analytically, leaving open the question about whether the campaigners were being guided by a coherent conceptual scheme of the kind exposed above, or by some more vague and fuzzy ideas about the role of knowledge or information in public life,[78] from which "transparency", as a principle, derived its value.

The intellectual context

As I have suggested, the model of extractives' transparency at which Global Witness arrived in their 2002 report, was a result of several conceptual shifts. These shifts responded to the contingencies of NGOs' campaigning, such as the BP-Amoco case which played a role in pushing the campaigners to change the focus on their recommendations. But there were also other—intellectual—influences. They are difficult to trace with certainty.

I would like to suggest that one possible influence could have come from comparative political science, albeit in a round-about way. In October 2001, Oxfam America[79] published a report entitled *Extractive Sectors and the Poor* (Ross 2001). Written by a political scientist and a proponent of the resource curse thesis Michael Ross, the report

[76] Another synonym for the public is "civil society", which somewhat shifts the centre of gravity away from "citizens" of a country, and towards organised groups like Global Witness itself. To my knowledge, the NGO leaves this slippage unreflected upon in the reports discussed here, and their other work. Civil society is taken to represent the citizenry, but it is not clear for the benefit of which civil society the disclosures are to be made. Unnoticed goes the fact that there are different connections and forms of civil society in different socio-cultural contexts (Hann 1997) and within the Western liberal tradition (Taylor 1990).

[77] This line of argumentation transpired later in Global Witness and their allies' work.

[78] We find more explicit theorisation of the political and economic effects (and mechanisms) of transparency in statements and policy papers produced by economists and political scientists in academia and organisations like the World Bank and the IMF at the same time as Global Witness worked on their Angolan campaign (for example, the Oxford Amnesty Lecture "On Liberty, the Right to Know, and Public Discourse: The Role of Transparency in Public Life" given by the Senior Vice President and Chief Economist of the World Bank Joseph Stiglitz [1999]).

[79] Oxfam America and Global Witness had a donor-recipient relationship in 1999-2000; and a two of other national organisations of Oxfam (particularly, the British and the Dutch) gave funds to Global Witness in 2000-2001 (see Global Witness Limited. 2001. Report & Financial Statements, *Companies House*, 30 November 2001). There is no evidence of whether or not the grants received had been given to finance the resource transparency campaign.

sought to explain why extractive industries and resource dependence harmed the poor. Ross identified different mechanisms related to the character and inequality of resource-led economic growth, vulnerability to economic shocks, unaccountability of governments and propensity to civil wars, which it suggested could be addressed through greater transparency[80] and control of resource revenues. These conclusions were backed by a comparative econometric analysis of data from a number of resource-dependent states. Global Witness campaigners were familiar with this report and referred to it, writing that it "identifies a clear statistical relationship between states with dependency on primary extractive industries and unaccountable state institutions that are linked to poverty." (Global Witness 2002: 60) This, in effect, was an indirect description of the mechanisms of the resource curse.[81] Ross, who had by then published articles about the relationship between resource dependency and democracy (e.g. Ross 1999), wrote in the report that "Oil and mineral dependent states tend to suffer from unusually high rates of: corruption; authoritarian government; government ineffectiveness; military spending; Civil war." (Ross 2001: 4) Global Witness campaigners were also familiar with the work of the Oxford political scientist Paul Collier, who, serving at the time as the director of the Development Research Group at the World Bank, argued in one paper that primary commodity exports were "the largest single influence on the risk of conflict" (Collier and Hoeffler 2000: 26). Familiarity with these arguments, comparative by their nature and focused on diagnosing a set of causes across economies and explaining development outcomes in countries through the same causal mechanism, must have contributed to the conceptual shift in Global Witness' approach.

Academics such as Ross, Karl and Collier went further than Global Witness' own detailed descriptions of patterns of state looting among the Angolan elites, because they were interested in postulating a generalisable political economic theory of development and conflict, in which oil and revenues derived from it, were the deterministic force behind ill governance, poverty and the lack of development. Global Witness, in contrast, were more interested in the possible transformative effect of corporate disclosures on accountability and development. While the resource curse thesis and Global Witness'

[80] Oxfam America's report was probably first to recommend "Full disclosure of all financial transactions between extractive firms and host governments" (Ross 2001: 1) in a truly generalised sense.

[81] The argument must have been already familiar to Global Witness campaigners from the work of a political economist Terry Lynn Karl (1997), who had written about the "paradox of plenty"—a situation in which windfall revenues from petroleum failed to result in socio-economic development because of inefficient government policies. Global Witness referenced Karl in *A Crude Awakening*.

model (which was about to be turned into a policy) did share many of the same assumptions and recommendations, they had a different pragmatic orientation (one was a scholarly theory, the other, an artefact of political knowledge used in campaigning), and had developed as responses to different kinds of concerns, even if there was no hard separation between the two. (Michael Ross' authorship of the Oxfam America report was a case in point.)

It is worth jumping ahead to mention that in 2002, a team at the World Bank directed by Paul Collier and Ian Bannon started a research project on the governance of natural resources that sought to investigate the link between resource extraction and conflict, touching on poor governance (Bannon and Collier 2003). The project aimed to formulate policy models that would disrupt the perceived causal relationship between resource revenues and conflict; a number of practical papers were commissioned from various contributors, including the proponents of the resource curse thesis such as Michael Ross and Philippe Le Billon, as well as the Director of Global Witness Simon Taylor and the NGO's campaigner Gavin Hayman. As I will argue in the next chapter, this project (although not necessarily the papers mentioned above and collected in Bannon and Collier 2003), and possibly Paul Collier personally, had a major influence on civil servants at the Cabinet Office preparing a draft script of the EITI in June-July 2002.

However, the idea of an extractives' transparency policy came to these officials not from the proponents of the resource curse thesis, but from Global Witness. In the following section I describe how this happened.

Campaigners approach the government

In late February 2002, about a fortnight before the publication of *All the President's Men*, a campaigner from Global Witness whom I will call Alex Grommet[82], wrote to a senior civil servant at the UK government's Department for International Development, requesting a meeting to discuss the NGO's upcoming report.[83] Grommet said that Global Witness and a group of allied British organisations including CAFOD, Save the Children

[82] During the following decade that he spent at Global Witness, Grommet rose in the ranks, becoming the Director of Campaigns and eventually the Executive Director of the NGO. At the time of my fieldwork, he left Global Witness to become the Executive Director of a World Bank-initiated transparency organisation.

[83] Email of 19 February 2002, File n. 174604, EITI folder, BIS Matrix Archive.

and Transparency International UK,[84] wanted to talk about a proposal for an extractives' transparency proposal.

This proposal, he wrote, could be implemented through changes to stock exchange listing rules in countries of the G8. Linking the proposal to the context of government policy, Grommet argued that resource payments transparency was especially important for African countries, and that because of this, the issue therefore was relevant for the G8 Africa Action Plan,[85] as well as for PM Blair's call to "clamp down on companies that fuel wars in Africa through their exploitation of valuable natural resources"[86]. Commodity revenues, the email said, were a destabilising influence in developing economies, leading to corruption and undermining the rule of law. This was a key challenge to development in Africa, and transparency of government resource revenues could help tackling it. But to have international companies disclose their payments, it was necessary to have the support of G8 or OECD. Could DfID and the UK government introduce such a policy and promote it across all the G8 countries? Grommet hoped he could discuss this in detail at the meeting.

The DfID official agreed to the meeting, which took place several weeks later (on 14 March). It was attended by civil servants from different teams at DfID, the head of the International Investment Policy Directorate of the Department of Trade and Industry (DTI), and representatives of various NGOs: Global Witness, Oxfam and Transparency International UK sent their campaigners. Merits and problems of the proposal were discussed, and DfID officials promised to consider it further and seek views on it from

[84] Support from Oxfam, Save the Children and a number of religion-based international development charities such as CAFOD, whose remit had never extended to anti-corruption, good governance or CSR, indicates that these organisations were exploring new ways of approaching poverty reduction. It also suggests that Global Witness' argument that good management of resource revenues could bring long-awaited development appealed to them (Gillies 2010: 110).

[85] It was under preparation, and would be formally adopted on 27 June 2002 at the Kananskis, Canada Summit of the G8.

[86] Andrew Parker. "Blair Calls for Clampdown on Companies That Exploit Africa." *The Financial Times (London)*, 7 February 2002, 4.

other government departments[87]. The representative from DTI who was at the meeting, subsequently described DfID officials as supportive of campaigners' ideas.[88]

Global Witness' approach was timed well. Tony Blair's speeches to the Labour Party Conference on 2 October 2001, and at the George Bush Senior Presidential Library on 7 April 2002,[89] had expressed a new political vision of Britain's involvement in Africa. Having earlier described the state of Africa as a "scar on the conscience of the world"[90] that could only be healed collectively, in his address at the Bush Presidential Library, Blair described a form of development assistance that sought to remake the very functioning of political institutions:

> To bring hope to Africa we have constructed the idea of a partnership between the developed world and Africa. Not the old "aid" in a passive donor-recipient relationship. But a partnership in which, in return for African countries applying rules of good governance, anti-corruption, proper legal and commercial systems; we offer assistance for good governance, action on education and health, access to markets, help with conflict resolution which blights so much of the continent.[91]

Blair's vision was one of an increasingly globalised, interconnected world, in which New Labour's commitment to social justice extended beyond domestic policy preoccupations to form the basis of Britain's foreign policy, and where what was good for the poor, was

[87] The ensuing correspondence among DTI officials portrays Global Witness as a group eagerly campaigning on all fronts, seeking (and often failing) to secure contacts with whoever they thought could listen to their recommendations. For example, they appear to have approached European Commission officials with the same recommendations about transparency. They had spoken to UK civil servants at DTI working on a major review of the UK company law, and implementing policy on the OECD Anti-Bribery Convention. Global Witness were also interested in obtaining a contact in the Financial Services Authority (FSA)—the UK financial services regulator—so as to discuss their campaign directly. This corroborates my earlier suggestion about the pragmatism of their campaigning.

[88] Email of 14 March 2002, File n. 174604, EITI folder, BIS Matrix Archive

[89] DTI officials, corresponding about extractives' transparency proposal in late May, used this speech as a reference point for their descriptions of the NGOs' proposal.

[90] Tony Blair. "Speech to the Labour Party Conference," Brighton, 2 October 2001. *British Political Speech.* (Accessed 28 February 2017), available from http://www.britishpoliticalspeech.org/speech-archive.htm?speech=186.

[91] Blair, Tony. "Speech at the George Bush Senior Presidential Library," Crawford, 2002. *British Political Speech.* (Accessed 29 May 2016), available from http://www.britishpoliticalspeech.org/speech-archive.htm?speech=281.

also good for Britain[92] (Abrahamsen 2005: 61-63).[93] But it also had to be good for international trade, because trade and development went together. "What the poor world needs is not less globalisation but more" stated Blair,[94] echoing DfID's new approach to development assistance, summed up in the title of the department's white paper: "Making Globalisation Work for the Poor" (DfID 2000).

Conceptual framework of DfID's research resonated with Global Witness' arguments. Contemporary DfID's publications on governance and fiscal management shared the campaigners' assumption that "more" transparency improved political accountability, which in its turn, reduced corruption.[95] DfID's support for anti-corruption was partly driven by economic considerations, also espoused by major IFIs at the time (Marquette 2003; Tanzi 1998), that investment negatively correlated with high levels of corruption and complexity of bureaucratic procedures. One research paper published by DfID stated that public budget transparency "promotes certainty and confidence over budget plans and reduces the opportunity for corruption", while provision of information to the public "[e]nables civil society to challenge the government to improve the effectiveness and efficiency of expenditure." (all quotes DfID 2001: 26) Reforms of public expenditure management, the paper noted could be induced through DfID's support to civil society, if they were not supported directly by country's government.

Finally, Global Witness' proposal "fit well"—to use a phase civil servants used themselves—with New Labour's emphasis on responsible capitalism and a new role for corporations in international development. It also chimed with what Richard Manning (2007: 554-5), describing the New Labour's international development policy, calls "a

[92] Extractives' transparency fit this new conceptual tenet, although perhaps not in a way that the campaigners had intended. When at the end of July 2002 Tony Blair met with a number of corporate executives, including those of BP and Shell, the CEO of BP Lord Browne spoke of the need to provide positive examples of sustainable globalisation. Browne presented a paper suggesting that globalisation is "synonymous with progress." Lord Browne made a case that companies needed to re-build trust in the corporate sector, and transparency of payments to governments would demonstrate companies' contribution to state budgets, illustrating positive aspects of globalisation and allowing citizens to hold governments to account. Tony Blair agreed. (Interview with a former civil servant from DTI, 15 July 2015.)

[93] Such a vision—and Blair's interest in the notion of "globalisation"—could be at least partially attributed to the intellectual influence of the sociologist Anthony Giddens who advised the Prime Minister (Giddens 2007).

[94] Blair, Tony. "Speech at the George Bush Senior Presidential Library." Crawford, 2002. *British Political Speech*. (Accessed 29 May 2016), available from http://www.britishpoliticalspeech.org/speech-archive.htm?speech=281.

[95] It's worth noting that the arguments for transparency in these papers are often circular: corruption is both a result and a cause of institutional weakness; civil society—both a result and a cause of civic debate.

strong feature of the UK's approach under successive Labour Secretaries of State"—namely, "the attempt to influence the international system. Whether in the World Bank, the UN system, the EU or the OECD, DFID and its Secretary of State worked to encourage other actors to join it to make changes in accordance with its development philosophy."

"Fitting" the proposal

Archived correspondence suggests that some time after the meeting with the NGOs, DfID officials proposed the campaigners' policy idea to their colleagues in the Cabinet Office, and it was discussed at length between Cabinet Office, DfID and DTI. The dynamics of these discussions (which happened during May 2002) is the subject of the next chapter. Having described above the political and policy context in which the proposal was received, here I would like to turn briefly to how officials, and campaigners who lobbied them, linked the proposal to various frames of reference in order to make sense of it and pragmatically inscribe it in different policy agendas.

Aware of the fact that government officials were discussing their policy idea, Global Witness and other NGOs stepped up their collective attempts to influence the officials. In mid-May (13 May 2002) the billionaire financier and philanthropist George Soros, whose Foundation had supported Global Witness earlier,[96] and who had decided to lend his personal backing to the NGOs' cause, wrote a letter to PM Blair to "alert [him] to a proposal being put forth by the London-Based NGO Global Witness and supported by a host of other groups including Oxfam, Save the Children, and Christian Aid, among others."[97] Describing the proposal in a way already familiar from Global Witness' publications, Soros suggested that "the UK take the lead on this issue during the G8 Summit in June [2002]. It could form a central part of the G8 response to the New Partnership for African Development (NEPAD)."[98] (quoted in Sudetic 2011: 68)

[96] Soros' Open Society Initiative (later Foundation) supported Global Witness financially since 2000. See Sudetic (2011: 65-92).

[97] On 20 May 2002—still awaiting a reply from the PM—Soros wrote to Blair again, noting that the NGOs now had a "critical mass in support of getting publicly traded oil and resource companies to disclose their payments for resources on a country-by-country basis." Soros said he and the NGOs he supported, "would like to launch a public appeal prior to the G8 meeting in Canada." The philanthropist asked if Tony Blair would like to act as a convenor—"It would give the Appeal the momentum it needs."—but there is no evidence to suggest the Prime Minister accepted the invitation. (See File n. 575894, EITI folder, BIS Matrix Archive). On 13 June, however, the appeal was launched when Soros and the NGOs launched a formal coalition under a catchy name "Publish What You Pay"

[98] Soros attached a policy statement by the NGOs, which included a suggested draft G8 communique proposing the establishment of a G8 working group that would elaborate on the NGOs' call to implement

A seemingly minor suggestion, Soros' was in fact an attempt to position the campaign proposal not only substantively (that is, in relation to its aims and desired effects on political accountability and development in Africa, as NGOs had done so far), but so to speak procedurally, as something internal to the logic of implementation of the UK foreign policy. In other words, Soros was suggesting not only that the proposal could be advanced at the upcoming G8 meeting, but that it itself could be used as an instrument of to certain policy agendas—e.g. as a "central part of the G8 response" to NEPAD.

Soros' letter was followed on 31 May by one from Travis Clarkson[99] (a pseudonym), a Director General of one of the NGOs acting in a "transparency coalition" with Global Witness. Clarkson's letter was dedicated to making a substantive case for supporting the extractives' transparency proposal, but ended with a pragmatic urge to action. The NGOs, he wrote, "hoped" that the UK Government would "take a lead" on promoting revenue transparency at the upcoming G8 summit and the World Summit for Sustainable Development. Clarkson described the proposal as a "tool" for achieving various goals which happened to be formal indicators of government development policies (e.g. fighting corruption, reducing poverty and preventing conflict). Revenue transparency, Clarkson suggested, could even bring the UK closer to fulfilling its obligations under the UN Millennium Development Goals. Finally, the policy proposal would also "help put into practice" the "far-sighted initiatives" proposed in the Treasury's report *Tackling Poverty: a Global New Deal*.[100]

---

legislation and enforcement regimes on extractives' payments "and production sharing agreements with governments and companies of countries where they operate, as well as "Technical assistance to governments of resource-rich countries in order to facilitate development of "socially responsible petroleum revenue management regimes, consultative mechanisms with civil society, and transparency of government petroleum and mineral revenues". (Letter of 13 May 2002, File n. 575894, EITI folder, BIS Matrix Archive.) It seems that the NGOs' suggestions kept changing ever so slightly, while always remaining centred on the mandatory disclosures. This suggests that their lobbying demands kept changing.

[99] Letter of 31 May 2002, File n. 576080, EITI folder, BIS Matrix Archive. Clarkson wrote on behalf of the directors of CAFOD, Friends of the Earth, Global Witness, Oxfam, Save the Children and Tearfund.

[100] The letter also contained an earlier campaign "one-pager" signed by 11 NGOs, which explained the proposal in details, further highlighting the pragmatic stance taken by Clarkson: "Fiscal transparency should also form a central component in the 'good governance' agendas of international development agencies and may help to lessen the scope for conflict and serve as a conflict prevention 'tool' against privatised resource wars." In this respect, the revenue transparency proposal could be read both as a development and a security intervention—both rationales united through the idea of political and market stability brought about by availability of information to citizens and investors.

Similarly to Global Witness' references to the CSR discourse, Clarkson linked the payments' transparency proposal to already established policies and international development commitments. But this was not just a discursive legitimation: like Soros' letter, Clarkson's "contextualising moves" (Dilley 1999) constructed the proposal as a potential vehicle for realising concrete policies. David Mosse, following Latour (1996), calls this the "contextualisation" of a project or policy: the "interpretive work of experts who discern meaning from events by connecting them to policy ideas and texts" (Mosse 2005: 157). Contextualising the NGOs' policy proposal in relation to various institutional frames of action, Clarkson and Soros made it meaningful for ministers and officials in terms of categories of government action.

This approach spoke to officials' own way of contextualising the proposal. As the archival materials suggest, civil servants debating the proposal thought that it could addressing a number of development problems with a single formal mechanism. And because these problems had already been inscribed in various formal plans for development intervention, but had not yet been addressed, this in turn gave a reason for implementing the proposal.

The official response to George Soros described the proposal in a way that vindicated campaigners' contextualising efforts. The letter, prepared by a senior civil servant at DTI, but written in the name of the Prime Minister, stressed that the government was already working, in various institutional arenas, on a range of initiatives to improve fiscal transparency in developing countries. Global Witness' proposal, it suggested, was "interesting" and "fit quite well with other initiatives"[101] (meaning OECD Guidelines on Multi-National Enterprise, the UN Global Compact, different CSR reporting schemes, and so on).

If Soros and Clarkson sought to contextualise the proposal in relation to practical and political imperatives that it could help realise, officials involved in subsequent negotiations of the proposal explicitly fitted it to relevant policy statements and commitments in a way that at once reproduced and stabilised them (Neumann 2013: 79-80), and positioned the proposal in an instrumental relation to them. For example, when after the G8 Summit in July 2002 they presented a draft paper delineating the extractives'

[101] Draft letter of 30 May 2002, File n. 424002, EITI folder, BIS Matrix Archive

transparency proposal for the upcoming World Summit for Sustainable Development (WSSD), the paper stated that the UK had "used the G8 Summit in Kananskis as an opportunity to place the issue of transparency of payments on the international agenda."[102] The objective, it said, had been to recognise "the need for greater accountability and transparency in relation to resource extraction, and to commit to exploring ways of achieving this." As a proof, it referred to the G8 Africa Action Plan adopted at the Summit.[103] Reading these documents now, it is impossible to verify whether officials negotiating the Plan indeed had had an intention to make the revenues transparency proposal a part of the plan, or it was merely read into the plan retrospectively. It is impossible to verify the WSSD paper's statement that the "The UK objective for the Summit was for the G8 to recognise the need for greater accountability and transparency in relation to resource extraction, and to commit to exploring ways to achieve this."[104] But what matters for my argument, is the very fact that officials preparing the WSSD paper, contextualised the extractives' transparency proposal as something stemming out of the G8 Plan, and realising the Plan's imperatives. As one official from the Foreign and Commonwealth Office put it in a letter to his Whitehall colleagues, the work on the extractives' transparency proposal—for whose progression the G8 commitments "provided the basis"[105]—had to be squared with "the desire to set action in the context of the G8 Kananaskis language."[106]

This instrumental attitude to the negotiation of the text ("language")[107] of the proposal suggests that officials, similarly to campaigners, also sought to inscribe the proposal in existing discursive and institutional frameworks. An agreeable policy proposal had to "fit" other policies. Making it fit, was a painstaking work of cross-referencing (or

[102] Discussion paper, early July 2002, File n. 323107, EITI folder, BIS Matrix Archive. Quotation paraphrased.

[103] G8 Africa Action Plan, Kananaskis Summit Communiqué, 27 June 2002: paras 1.5, 2.6.

[104] Discussion paper, early July 2002, File n. 323107, EITI folder, BIS Matrix Archive. Quotation paraphrased. However, there is evidence that Government officials provided briefings to the UK G8 Sherpa (that is, high-level representative and negotiator) on the revenue transparency proposal in the context to G8 preparations.

[105] Discussion paper, early July 2002, File n. 323107, EITI folder, BIS Matrix Archive.

[106] Email of 12 July 2002, File n. 323107, EITI folder, BIS Matrix Archive.

[107] Anthropologists studying international organisations and law have written much about the negotiation of "language" of documents, and the way in which form, rather than meaning, takes precedence in this process (Riles 2000; 2005; Merry 2006; Müller 2013). They point to the fact that the form that enables the "fit" is made, rather than given, and that the process of making it is highly political. The next chapter will discuss in more detail how the form of the extractives' transparency proposal was negotiated within the UK government.

contextualising) the proposal and the speculative stories about its potential future effects, with official policy statements, international agreements, and policy programmes of the UK government. I will build on this idea in the next chapter, as I discuss how the proposal was made to fit a complex landscape of departmental interests and hierarchies, in which it was adapted in order not to disrupt policy agendas of different departments whose areas of responsibility it connected. Now, however, let me summarise the arguments of this chapter.

Concluding remarks

In this chapter, I have sought to investigate "where it all started" for the EITI. Taking the official narratives of the EITI's history as a starting point, I have described how the idea of a policy on corporate disclosures of payments to governments became possible, how it changed, and how it arrived on the tables of DfID officials in Spring 2002.

The description of the shifts and transformations of the idea of extractives' transparency that I have offered here, challenges EITI's official history. We have seen, for example, that contrary to Rich and Moberg's (2015) claims that the EITI was a *response* to some pre-given, natural "governance gap"—i.e. an incapacity of governments to deal with extractives' corruption—, corruption in extractives had to be first legitimated as an object of intervention. In fact, I have demonstrated that both the object of the intervention, and its tools, had to be constructed and contextualised in relation to widely recognised and acceptable discourses of corporate responsibility and international development.

Once we start paying attention to how campaigners devised the payments' transparency model, we notice that it developed as a form of situated political knowledge that was deployed in attempts to persuade powerful actors about the importance of extractives' transparency. I have described how campaigners skilfully contextualised their proposal within already established frames of reference and official action, and how the way they did so resembled officials' own attempts to situate the proposal in relation to official policy goals and commitment.

But whereas the campaigners developed the idea of extractives' transparency and a model for a policy of disclosures in the context of political practice of campaigning, the practices and relations in which the proposal found "its specificity, its functions, and its networks of dependencies" (Foucault 2002: 214) once it began its social life within the UK

government, were very different from the NGO campaign. I would speculate that part of Global Witness' and their allies' success in persuading DfID officials to accept their proposal, was in articulating possible ways in which the proposal could "fit" policymakers' agendas.

Tracing the origins of the EITI in the Global Witness' campaign on Angola, this chapter has demonstrated that Global Witness is not only an organisation that influences policy, but also a site where this policy is made (Tate 2015). I have examined how the particularities of Global Witness' campaign shaped the proposal, and in doing so, have offered an exposition of the processes by which the idea of transparency gained "significance in relation to the politics and economy of oil" (Barry 2013: 61).

Asking why transparency has gained such currency in this context, Andrew Barry suggests that "economic analyses of the so-called 'resource curse' have provided [the idea of transparency] with an influential justification." (Barry 2013: 64, references omitted) The justification he has in mind, is conceptual: following Weszkalnys (2011), Barry suggests that this justification is internal to economists' arguments about the positive impact of transparency and accountability on the management of natural resources and economic growth. Contributions to Collier and Bannon's (2003) project offer a good example of such arguments.

Barry, however, does not demonstrate neither how the idea of transparency gained traction, nor how exactly the resource curse thesis has been used to legitimate it. My analysis of the Global Witness' campaign has sought to address both problems. It is true that the work of the proponents of the resource curse thesis became a prominent reference in official narratives of extractive transparency policies and campaigns in the UK and elsewhere. However, this is not to suggest that these policies and campaigns had *emerged* from the resource curse scholarship. British civil servants whom Global Witness lobbied for a revenue transparency policy, started using the term "resource curse" (always in quotation marks) only in 2003,[108] when the institutional arrangements for the EITI had been set up, and much after Global Witness first formulated the idea of an extractives' transparency policy. At least in the UK, the resource curse scholarship was not the primary

[108] After they had been exposed to ideas of Collier and other World Bank researchers.

source of arguments and conceptual schemata that informed these policies at the outset. Nor were they what gave the idea of extractives' transparency its legitimacy.

I have suggested that the campaigners first developed and justified their idea of extractives' transparency in relation to the discourse of corporate social responsibility. It then gained currency among policy-makers in the UK because of the pragmatic exigencies of the government's development policy, rather than through research-based intellectual discussions (as implied by the idea that the resource curse theory legitimated/influenced policy). The fact that (as I will demonstrate in the next chapter) World Bank were supporting the idea that UK civil servants had chosen to implement, gave further legitimacy to civil servants' work, but it was not the source of the policy's idea. The acceptance of the proposal within the government became possible, in part, because of how Global Witness had constructed it as an abstract model divorced from a particular context of intervention, and therefore open to contextualisation in different policy agendas.

Let me return to the moment when Global Witness' proposal was accepted for consideration. I would like to note again that PM Blair's views on corporate responsibility and international development, as well as DfID's policy and research on governance, explain why DfID officials would be sympathetic to Global Witness' proposal for increased transparency of extractives. But I would like to entertain the possibility that they might have accepted the proposal for other reasons—reasons having to do with the everyday flow of governmental work. My discussion of how these officials contextualised the proposal as a possible instrument of already existing policy agendas, makes room for this interpretation.

This is where the next chapter in the history of the EITI begins.

Chapter Four
A 'social' policy: drafting a blueprint for collaboration

How did Global Witness' proposal of a regulation for extractives' transparency become policy? With this question in mind, in this chapter I will describe the path of their proposal through different parts of the British government and multi-lateral international negotiations. I will seek to explain how and why it changed on its way to becoming the Extractive Industries Transparency Initiative.

To track these changes, I analyse policy texts and correspondence that accompanied UK government officials' negotiations of the EITI. I read these documents[109] as "scoreboards of relations of influence in an organisation" (Mosse 2005: 39). They demonstrate a multiplicity of competing and overlapping policy rationales at work in the negotiation of the EITI. I talk of negotiation because as a policy proposal, the EITI touched upon responsibilities and agendas of several government departments at the same time, and in order for the policy to be realised, it had to be supported (or at least not opposed) by all of them. Government departments and other institutions (such as the World Bank) that participated in this negotiation, differed in specialisation, remit and political influence. Their support hinged on the policy proposal's coherence with their respective institutional imperatives. As a result, the policy design had to accommodate a multiplicity of interests, while remaining practically implementable. This became progressively difficult as the work on the proposal moved from discussions of its general principles, to elaboration of technical detail of corporate/government reporting. Exploring how the policy was negotiated, brings to light the work of assembling the "networks of validation and support" (Latour 1996; Mosse 2005)—the alliances and coalitions of institutional actors backing and reproducing the discourse of policy.

The few existing accounts of the history of the EITI either overlook this social dimension of its development, or reduce it to schematic representations of one-sided interventions by Global Witness or the UK government (e.g. Rich and Moberg 2015; van Oranje and Parham 2009). In contrast, I demonstrate how the creation of the EITI was a collective endeavour, in which disagreements among British officials representing different government departments played a decisive role. The EITI was a 'social' policy from the

[109] I accessed them in the internal archive of BIS. See the methodology section of the Introduction for a description of the materials.

very beginning. This chapter describes and analyses how this social dimension of policy-making shaped the drafting of the policy, bringing about numerous transformations in its design, and eventually leading the drafters to make collaboration the mechanism of EITI's governance.

This chapter begins where Chapter Three ended: as you will recall, Global Witness and their allies met with officials from the Department for International Development in March 2002, asking them to consider the proposal for a mandatory extractives' transparency policy. DfID functionaries, apparently sympathetic to the idea, promised they would talk to colleagues from other government departments.

Around the same time, bureaucrats from the Cabinet Office—the department responsible for coordinating all other departments and supporting the ministerial cabinet—were making preparations for a major UN conference, the World Summit for Sustainable Development (WSSD), scheduled for August-September 2002 in Johannesburg. A group of civil servants within Cabinet Office's subdivision called Performance and Innovation Unit (PIU), had been asked to prepare a list of proposals that the UK delegation would promote at the Summit. Archived government correspondence shows that in early May PIU officials (the "WSSD team") submitted to the Deputy Prime Minister John Prescott a paper delineating several policy initiatives for the WSSD. A number of suggestions in it concerned extractive industries[110]; two of them focused on transparency of extractives' payments to governments.

Preparing the paper, PIU officials had consulted the Foreign and Commonwealth Office (FCO), the Department for Environment, Food and Rural Affairs (DEFRA), and DfID. And it must have been from the latter that they borrowed the ideas of policies on extractives' transparency, because (at least) one of these ideas was a word-by-word copy of what Global Witness campaigners had suggested to DfID officials in March:[111] a new (obligatory) rule for all extractive companies traded on stock exchanges in G8 countries to disclose what they paid for extraction to governments around the world.[112]

[110] Email of 25 April 2002, File n. 126823, EITI folder, BIS Matrix Archive.

[111] The other proposal in the paper was for a transparency conditionality clause that would be attached to International Financial Corporation's loans. It is not clear what was its origin.

[112] Email of 3 May 2002, File n. 174613, EITI folder, BIS Matrix Archive.

In Chapter Three, I explored how and why Global Witness formulated this proposal within the political and intellectual context of their campaign on Angola. Here, I describe the striking transformation of the EITI from a proposal for mandatory rules on corporate disclosures; to a multi-lateral, voluntary partnership between governments and extractive corporations, where both parties had to report their payments and revenues. This was a transformation from a policy originally meant for implementation in the UK and other G8 countries, to one in which no G8 country took part when it was launched, and which the UK government itself chose not to implement. Why did these changes happen? How did the collaborative set-up of the EITI, as it exists today, emerge? Finally, what can this teach us about the relationality of policy and government bureaucracy?

I argue that these changes were a result of negotiations and compromises among the various institutional actors whose support was required, at different moments in time, to bring the EITI into existence. Importantly, not all of them were part of the UK government: policy negotiation is a complicated diplomatic process (Goodsell 2005), but this diplomacy is as much domestic, as it is foreign, and as I hope it will become clear, distinguishing between the sites and scales of this diplomacy in advance does not help our understanding of it. I describe how, between April 2002 and June 2003, Global Witness' original proposal became transformed into a policy design that differed in almost every respect from what had been intended. I trace this transformation by following the proposal's path as it was negotiated among the different departments of the UK government; then, between the government and various international actors; and finally within a consultative group of stakeholders that included many government representatives. Building on Mosse' suggestion that "the discourse of policy acts internally and has internal effects" and that "development policy ideas are important less for what they say than for *who* they bring together" (2005: 15, original emphasis), I argue that PIU and DfID officials' attempts to recruit wide support (both within the UK government and without it) for the nascent EITI was the main driving force behind the transformations of the policy design.

Understanding these transformations is important for two reasons. First, it was between April 2002 and June 2003, that the main structural elements that characterise today's EITI came into existence. One of these elements was the idea that there should be a single set of principles governing corporate and government disclosures—the idea that was eventually realised in the EITI Standard which during my fieldwork structured the

implementation of the UK EITI in many ways. Another one, was the idea that the EITI should be implemented through the mediation of a multi-stakeholder group, the collaborative forum of collective governance whose social complexities and effects I trace in Chapters Five to Seven of this thesis.

Second, the transformations that I describe in this chapter not only resulted in the EITI, but in a roundabout way, incited Global Witness and Publish What You Pay, who were dissatisfied with how their original proposal had been changed, to keep campaigning for a policy on mandatory extractives' disclosures. Almost a decade later, they succeeded. This led to a situation wherein during my fieldwork the UK Department for Business, Innovations and Skills was implementing two policies on transparency of extractive industries—one of them the UK EITI, the other, the EU rules on extractives' mandatory disclosures. The multiple conceptual and social overlaps between these policies generated considerable friction and led to a conflict between corporate and NGO stakeholders of the UK EITI. In a sense, the seeds of this conflict had been sown in 2002-3, when UK government officials conducted the negotiations that changed Global Witness' proposal into a policy design that could be supported in its particular political and institutional context.

Following the 'social life' (Appadurai, Kopytoff 1986) of Global Witness' proposal in the UK government between April 2002 and June 2003, I pay close attention to three moments of its institutional development in this period. I begin by discussing (1) the debates between PIU officials and representatives of the Department of Trade and Industry (DTI) about articulating the extractives' reporting proposal with regards to national legislation and domestic policy interests of DTI. I then describe the (2) negotiations about the policy design between the UK government officials and potential international partners. The chapter ends with my description of (3) the debates about whether to implement the negotiated EITI in the UK.

These three moments do not exhaust the complicated history of the EITI. For one, the EITI changed a lot since 2003. However, it was in this initial period that its main building blocks were laid. Reconstructing how this happened provides important insights into the sociality and politics of policy-making, uncertainties surrounding it, and the complex traffic of political and intellectual influences that come to shape the institutional design of the EITI.

From mandatory to voluntary reporting

When officials from the Performance and Innovation Unit[113] finished the draft paper setting out proposals for the World Summit on Sustainable Development, they circulated it for comment among "relevant departments"—mostly those whose staff had contributed to the paper. Emails with comments were returned. But in another part of the government, the paper sent ripples of dissatisfaction.

Drafting and sending the paper, PIU officials had neither consulted their counterparts at the Department of Trade and Industry, nor directly approached them for comment on the proposed policies, even though DTI was responsible for corporate accounting, reporting and social responsibility, and therefore had a "departmental interest" in the extractives' transparency proposals. So, when someone within another government department forwarded PIU's draft paper to a senior official at DTI[114] (saying that "you too should have this"), the official[115] complained to his colleagues: "in spite of the claim that this has been sent to relevant departments for comment, it doesn't seem to include DTI". Was it worth making a fuss, he asked, given how little chance there was that the extractives' transparency proposal would be implemented?[116]

Not agreeing the draft paper in advance with relevant civil servants at DTI was a political mistake: the unwritten rules of the civil service dictated that policy proposals and texts should be sounded out with all departments that have jurisdiction over the areas that these proposals touched upon (Rhodes 2011: Chapter 8; for a comparative point, see Neumann 2013: Chapter 3). Seeking to rectify the mistake, they re-circulated an updated draft, now including DTI officials.

---

[113] The Unit was created in the Cabinet Office in 1998, and existed until later in 2002, when it became part of the Prime Minister's Strategy Unit. It was a key centre of cross-departmental coordination and advice to the Prime Minister (Page 2003: 657). Half of its staff were on secondment from other government departments, and half, from academia, business organisations and NGOs (Public Administration Select Committee 2007: 8-9) and this diversity was reflected in the variety of projects PIU, and later PMSU, were assigned. See Rhodes 2011: 22-5 for politics surrounding PIU and Tony Blair's re-shaping of the Cabinet Office.

[114] Email of 25 April 2002, File n. 126823, EITI folder, BIS Matrix Archive.

[115] As late as the end of June 2002, another DTI official wrote to his colleague (I paraphrase): "Personally I find it irritating that PIU had been internally running with this idea for some time but only recently revealed it to others in the Whitehall." Email of 24 June 2002, File n. 275131, EITI folder, BIS Matrix Archive.

[116] Email of 25 April 2002, File n. 126823, EITI Folder, BIS Matrix Archive.

A collectively agreed response from the DTI was promptly submitted to PIU; but among themselves, DTI civil servants complained: "PIU's paper looks okay on a first read; our main concern will be in the area of extractive industries",[117] wrote one official, adding that the extractives' transparency proposals were "fraught with difficulties".[118] His colleagues were sceptical whether the proposed policy on mandatory disclosures would work at all, either because they thought transparency a bad cure for corruption, or because they doubted the proposal's political appeal. One DTI functionary, however, noted to his colleagues that their scepticism was not shared in the Cabinet Office: "The PIU were more optimistic than us about any solution on bringing transparency to extractives being effective. There seem to be examples of where greater transparency has helped in developing countries."[119]

The DTI officials' scepticism was not a matter of private opinions. Rather, it reflected the way in which the proposal sat uneasily with the departmental policy agendas. The civil servants were keen to know the details: how would the proposal be implemented, and how would that affect companies that it aimed to regulate? These questions led them to ask whether this new kind of corporate regulation could affect DTI's "relationships" with stakeholders. The proposal's stated objectives were one thing; how it articulated with DTI's departmental priorities and responsibilities, was another. All this the civil servants knew without having to consult their ministers. They also knew what approach to corporate regulation was right for DTI, and if they were to accept the proposal, it had to cohere with this approach.

In order to discuss the pre-circulated WSSD paper with representatives of different departments, the WSSD team at the Performance and Innovation Unit called an officials' meeting on 2 May 2002. Two DTI bureaucrats attended. De-briefing their colleagues after the meeting, they wrote about having voiced their "strong reservations" about the difficulties of the extractives' transparency proposal. The main difficulty was the "burden" that any mandatory disclosures regime would impose on extractive companies. This, they reasoned, would also provoke resistance from the financial markets regulator

[117] Here and further on, quotes are paraphrased.

[118] Email thread of 1 May 2002, File n. 174609, EITI folder, BIS Matrix Archive.

[119] *ibid.*

(by then an entity separate from the government). They were alarmed that a proposal which they saw as grounded in the context of a particular country's problems (Angola) and a particular set of industries (oil, gas a mining) could develop into something much larger, covering all G8-listed companies (they indeed talked of *all* companies, not just the extractives) with a blanket requirement to disclose payments to an undefined set of national governments. And then, there was the political problem of simply accepting the Global Witness' proposal on corporate reporting, which could potentially set a precedent for a new way of working with NGOs.[120] Finally, even if the proposal was accepted in principle in the UK and on other G8 countries, it was technically difficult to legislate for, they said[121]. All these practical and political complications meant, as one DTI official remarked in early May, that it was unclear how the proposal would evolve and how likely it was to "develop legs".[122] But after the meeting, this likelihood increased, when PIU officials sent the WSSD paper with the proposal to Deputy Prime Minister Prescott,[123] who approved of it. Soon after that, the proposal received the backing of PM Blair himself.

The mandatory disclosures proposal, if realised, would have to be implemented in the UK by the Financial Services Authority (FSA), a body formally independent from the Government. On 20 May officials from PIU, DTI and the Treasury met with FSA representatives to discuss the proposal.[124] Having no evidence about the content or outcomes of their meeting, we can make an inference from the fact that shortly after it, PIU officials abandoned the idea of implementing the proposed extractives' transparency regulations through stock exchange rules. As an alternative, they suggested incorporating the proposal into the new Company Act (the main statute on practices of corporate governance and reporting) on which DTI mandarins were working.

DTI mounted an even stronger opposition: as the department responsible for company law, and at the time conducting a public consultation about reviewing it, they had been long opposed to using company law as a vehicle for forms of reporting unrelated to the

[120] See an email thread of 3 May 2002, File n. 174613, EITI folder, BIS Matrix Archive.

[121] Email of 21 May 2002, File n. 174617, EITI folder, BIS Matrix Archive.

[122] Email of 1 May 2002, File n. 174609, EITI folder, BIS Matrix Archive.

[123] Briefing note of 24 May 2002, File n. 127740, EITI folder, BIS Matrix Archive.

[124] Email of 22 May 2002, File n. 174619, EITI folder, BIS Matrix Archive.

main aim of corporate regulation—informing markets of the company's health.[125] One DTI official mused that if PIU had their way, it would damage DTI's relationship with its business stakeholders.[126] So would the resulting "regulatory burden on industry". DTI officials also thought that mandatory reporting would adversely affect the competitiveness of UK (and G8) companies vis-a-vis their unregulated rivals. These civil servants acknowledged that the reasons to introduce new transparency requirements for extractives were legitimate. However, they opposed the idea that these requirements be mandatory, and couldn't but see ever more negative consequences of PIU's proposal.[127]

Arguing against the proposal, DTI officials judged it as "excessive", "non-essential", "burdensome" regulation. This went to the heart of how the relationship between the state and the private sector was reformatted under the New Labour government. In this context, DTI's core function was to regulate British corporations in a way that was conducive to overall economic growth (Taylor 2007). Understandably, officials involved in the work on the extractives' disclosures proposal, did not see how exactly the proposed disclosures would lead to economic growth *in the UK*. In contrast, DfID and PIU supported the proposal because of their own objectives—respectively, promoting international development through the private sector, and delivering WSSD options that would fit political requests from PM Blair and his entourage. As a result, discussions of the proposal among these different parts of government rehearsed their division of labour, contrasting policy priorities and ideas of government intervention.

Despite DTI's opposition, PIU officials were not discouraged, perhaps, as one DTI bureaucrat remarked, because they were confident of the proposal's political backing, which overrode any disagreements at the level of the civil service. Worried that their arguments were not being heard, a senior DTI official wrote to his Secretary of State[128] Patricia Hewitt to express concerns about the extractives' proposal. He urged the minister to officially write to DPM Prescott and other ministers who supported the proposal, and caution them against the implementation of mandatory regulations without public consultations and considering undesirable outcomes of the policy. As was common, he

[125] Email of 3 May 2002, File n. 174613, EITI folder, BIS Matrix Archive.

[126] PIU officials suggested that some oil corporations supported the kind of transparency regulation that was being proposed, but were able to cite only BP-Amoco and Shell as examples, and DTI civil servants were not persuaded. (Briefing note of 24 May 2002, File n. 127740, EITI folder, BIS Matrix Archive.)

[127] Briefing note of 24 May 2002, File n. 127740, EITI folder, BIS Matrix Archive.

[128] That is, the chief minister of DTI.

prepared a draft letter for Hewitt, which supported the extractives' proposal's broad aims, but suggested that ministers at FCO, DfID and DTI should look for alternative ways of promoting transparency.[129] The draft insisted that it was "essential" that DTI officials were involved in "any further work" on the extractives' proposal. Hewitt signed and sent the letter without any major changes.

Political support of the secretary of state—the ultimate recourse in inter-departmental disputes of civil servants—, tipped the balance of the discussion in favour of DTI. The PIU officials were forced to take seriously the DTI's opposition to a *mandatory* regime of disclosures. The shift in PIU's position is not mentioned explicitly in interdepartmental correspondence, which makes it perhaps all the more visible. By early June 2002, the PIU officials began to speak of a "strong preference"[130] of the government for a *voluntary* reporting regime, and never failed to mention in new iterations of the WSSD paper that such reporting should not put burden on companies.[131] Satisfied with this change, DTI officials stopped resisting the proposal, although they did not seem to become less sceptical of it.

This transformation of the proposal, which later would have major consequences for how the EITI would work, was not a consequence of DTI officials trying to change the *intended outcomes* of the planned policy. Rather, it resulted from negotiations between officials representing departments with different policy imperatives. The object of these negotiations was not so much the proposal itself, as the minimal conditions of DTI's support of it. The proposal therefore had to be amended to accommodate interests of the dissenting officials (Mosse 2005: Ch2) that concerned the proposal's regulatory form and possible unintended consequences in Britain, rather than its stated objective of achieving transparency abroad. Even if the proposal "fit" various policy discourses in circulation in the government (see Chapter Three), it also had to be "fitted" to policy agendas of different government departments, and DTI officials were not shy of enrolling their Secretary of State to remind PIU about it.

[129] Briefing note of 24 May 2002, File n. 127740, EITI folder, BIS Matrix Archive.

[130] Proposing a "voluntary scheme" for reporting, PIU still suggested a "legislative stick as back up" (the preferred option was to amend stock exchange listing rules through the FSA).

[131] Email of 29 May 2002, File n. 174631, EITI folder, BIS Matrix Archive.

It had taken Global Witness two and a half years between 1999 and 2002 to move from advocating for voluntary disclosures, to arguing that mandatory regulations were necessary (see Chapter Three). British government officials needed only a month of meetings, emails, and one ministerial letter, to reverse that shift. But as they also recognised, the voluntary reporting proposal had a difficulty of its own: it required that G8 governments persuade companies to participate in a non-mandatory reporting scheme.[132] How would that be possible, if negotiating support even within the UK government had proven difficult? Official wrote that in order for the proposal to be implemented, or even presented at the WSSD at all, there first needed to be an international support for it—from both companies and governments.

I now turn to what I called the second moment in the development of the EITI—the negotiation of policy design with potential supporters from outside the UK government.

From "voluntary scheme" to "partnership"

Patricia Hewitt's letter to DPM Prescott was probably a strong influence on PIU officials' decision to drop the idea of a mandatory reporting scheme. However, it was not from Hewitt that they heard about the voluntary reporting option. Correspondence form late May and June-July 2002 reveals another—and a more distant—influence.

At the end of May 2002, PIU officials were working on a briefing about the WSSD proposals for UK diplomats attending a G8 summit in Canada at the end of June. The UK delegates' task was to sound out these proposals with other countries' delegations. Since the extractives' proposal concerned all G8 countries, PIU needed an early approval of their foreign counterparts to continue the preparations to the WSSD. While working on the briefing (which PIU agreed with DTI, FCO and DfID), the head of the WSSD team at PIU spoke with a representative of the World Bank. The Bank, said the representative, was "lobbying to get the issue of resource revenue management on the agenda of the upcoming meetings of the G8 and NEPAD [New Economic Partnership for African Development]".[133] PIU officials took this as a sign of the Bank's potential support for their initiative on extractives. It turned out that the Bank official was involved in a new research project about the management of resource revenues, directed by Paul Collier[134]

[132] Email of 29 May 2002, File n. 174631, EITI folder, BIS Matrix Archive.

[133] Email of 29 May 2002, File n. 174629, EITI folder, BIS Matrix Archive.

[134] An economist at Oxford, Collier served as the Director of Development Research Group at the Bank.

(we have encountered him in Chapter Three). Collier was an influential supporter of the resource curse thesis and researched links between resource-dependence, conflict and poor governance.[135] The work he directed at the Bank included the Governance of Natural Resources Project, which also addressed the theme of resources and conflict, working "toward practical approaches and policies that could be adopted by the international community." (Bannon 2003: ix)

Having learned about PIU's WSSD proposal on extractives, the Bank official suggested a "model for voluntary disclosures" of corporate payments.[136] I have not found any archival evidence as to what this model was exactly, but one clarification comes from later cross-Whitehall correspondence. In early July, PIU officials circulated a discussion paper with a schedule of work in the run-up to the WSSD. One of the sections was devoted to Collier's project. Functionaries from PIU and DfID had met with Collier in person (in June), and he invited them to comment on and contribute to his project. The World Bank project reportedly[137] had several research streams, one of which sought to "address the extent to which poor governance of natural resources is a general and global problem, and systematically identify in which situations and for what commodities it is a problem." Another explored "possible actions for both corporate and government reporting."[138] The project was largely exploratory, and PIU officials wrote that its scope was still quite broad: target commodities ranged from oil and gas to coltan to timber and illegal drugs. This suggests that its primary focus was not on transparency of resource revenues, but on their effects on political stability.[139] This would be consistent with Collier's own research interests. But the Banks' project also had a policy component, and PIU officials focused on that. One memo circulated within the government stated that "The World Bank has been lobbying on this, including transparency of payments, at the G8 and it has high-level

[135] For example, in March 2002, Collier published a World Bank working paper with Anke Hoefller, entitled "Greed and Grievance in Civil War", in which they tested different models explaining the causes of civil war around the globe. The paper built on their earlier research into economic causes of civil war (Collier and Hoeffler 1998). Among other things, it explored different sources of funding for rebels, stating that: "That primary commodity dependence increases the risk of conflict is consistent with the evident role which primary commodities play as sources of rebel finance. Primary commodity dependence is also associated with poor governance and increased exposure to economic shocks, either of which could increase conflict risk." (Collier and Hoeffler 2002: 34, reference omitted)

[136] Email of 29 May 2002, File n. 174629, EITI folder, BIS Matrix Archive.

[137] PIU's description of it in their paper is reminiscent of their ideas about their proposal, and it is not clear whether Collier's project was indeed similar, or the similarity was a result of officials' redescription.

[138] Email of 29 May 2002, File n. 174629, EITI folder, BIS Matrix Archive.

[139] Research papers commissioned as part of the project, and gathered in Bannon and Collier 2003, confirm that transparency of payments for resource extraction was just one of the project's concerns.

support from within the bank. The project intends to provide strong evidence to support policy development and implementation on the issue."[140] And the WSSD discussion paper noted:

> The Bank is developing a partnership initiative on the governance of natural resources. The objective is to formulate a global action plan to improve the transparency of revenues generated by natural resources and reduce rents from the illegal trade in commodities with a strong link to conflict. The Bank's ideas for what the action plan would be, are still not highly developed. It is looking for credible proposals for legislation and action that could be taken forward at the multilateral level. Initial thinking on possible actions includes measures to increase the levels of scrutiny within developing countries and ways to reform voluntary and mandatory forms of corporate reporting.[141]

This description suggests that when speaking of a voluntary disclosures scheme, the Bank official had in mind a voluntary multi-lateral partnership—an institutional form, rather than a concrete idea of what exactly the partnership would do. But this seemed enough for the PIU officials, who wrote to their government colleagues that the Bank's project and their own proposal had similar objectives and schedule. They saw "an excellent opportunity to link the two strands together". The discussion paper conveys some of their enthusiasm: after the initial disagreements across the Whitehall that caused uncertainty about the shape of the policy proposal, PIU officials seemed to have found in the World Bank an influential partner and supporter.

The officials wrote: "The World Bank is keen for the UK to be a partner in its initiative, and for the UK to work to encourage other countries and companies to join it. We have agreed that it would be desirable to announce the initiative in the context of WSSD, if there is sufficient progress to bring in the relevant partners."[142] The Bank, they claimed,[143] had committed USD 400,000 to support this initiative, but the detailed mechanics of the partnership was as yet unclear. The paper spelt out the partnership's desirable

[140] Note of 10 July 2002, File n. 206049, EITI folder, BIS Matrix Archive.

[141] Discussion paper, early July 2002, File n. 322853, EITI folder, BIS Matrix Archive.

[142] *ibid*.

[143] There is no evidence to independently verify the claims in the WSSD paper I refer to. World Bank seems not to have published any materials that would indicate such an early support of what later became EITI—possibly because its own policy of involvement in the matters of extractives' industries was under review then (Gillies 2011).

composition: the Bank, the IMF, "at least 2 G8 countries", "2 African countries and 2-3 oil companies from the G8 operating in Africa". This would be announced and registered as a "Type II" partnership[144] during the World Summit on Sustainable Development. PIU suggested a work plan that called on DfID to propose how this initiative would work inside partner countries, and on FCO to do the diplomatic work of recruiting support among potential participants. FCO also had to prepare the ground for a formal launch of the partnership at the 2003 G8 summit in France by negotiating with their French counterparts.[145] DTI, in their turn, had to negotiate support of the future partnership with major oil companies.

A briefing on WSSD plans, prepared by PIU officials in mid-July, noted that "the proposal needs to be supported by a broad international coalition. Without this support, any measures to promote transparency – voluntary or mandatory – will fail."[146] This statement illustrates an important shift in the conceptual architecture of the extractives' transparency proposal. As long as the plan was for the proposal to be implemented as a national policy in the UK (through stock exchange rules or corporate law), the support of DTI and other departments was indispensable. Now, the proposal refashioned as a voluntary multi-lateral partnership, broad international support for, and *participation* in it, became an explicit goal of the policy and a measure of its success. More on this in the following section of this chapter.

For now, it suffices to say that already at this early stage, the work of securing the support progressed rather quickly: by 15 July, Norway had already indicated their future participation. Not much later the DTI Secretary of State Patricia Hewitt wrote to her US counterpart that the USA should support the British extractives' transparency initiative.[147] In August, Cabinet Office sent the draft WSSD proposal to their opposite numbers in the

[144] Type II partnership is a form of voluntary public-private-civil cooperation of stakeholders first developed by the UN for the WSSD. It was devised to facilitate the implementation of sustainable development policies alongside traditional inter-governmental cooperation, and it is likely that UK officials' need to find an internationally recognised institutional form led them to exploring the adopting a Type II model. On the history Type II partnerships, see contributions to Benner, Streck and Witte 2003.

[145] An FCO civil servant responded: "We cannot assume that we will succeed in getting this issue on the agenda of the G8 summit in 2003—we first need to work to persuade other G8 countries, in particular France, the hosts." Email of 12 July 2002, File n. 323107, EITI folder, BIS Matrix Archive.

[146] Paper of 15 July 2002, File n. 325358, EITI files, BIS Matrix Archive.

[147] Letter of 2 August 2002, File n. 480594, EITI folder, BIS Matrix Archive.

German government, who agreed with it, and warned against "even considering" mandatory disclosures.[148]

By late July, there were further changes. Although the officials working on the WSSD proposals were keen to launch the extractives' transparency partnership together with the World Bank, the Prime Minister appeared less keen on it. An advisor to Tony Blair wrote to the WSSD team (now embedded in the Prime Minister's Strategy Unit, a successor to PIU) and other relevant departments to express PM's request that all preparations to WSSD be made in close cooperation with France—possibly because of the importance of diplomatic cooperation with the French as hosts of the next G8 summit.[149]

This meant, wrote the head of the WSSD team to officials in DfID, DTI and FCO, that "our discussions with the World Bank and others regarding the partnership on governance of natural resources be put on hold while we explore the scope for an initiative with France."[150] Since the UK government's plan was to eventually incorporate the WSSD transparency proposal into the framework of G8 statements, it made sense to enrol French support for the initiative from its outset. The cooperation with the World Bank was shelved. But by then, Collier and his staff had already changed the British extractives' proposal, and their influence proved to last: Cabinet Office would not be reverting to their earlier plans for extractives' reporting. "The Prime Minister is strongly in favour of a multilateral approach", wrote Blair's advisor.[151]

So far we have seen how Global Witness' initial idea of a mandatory transparency policy became transformed into a voluntary reporting scheme as a result of DTI officials' opposition to it. Now, the World Bank's influence meant that that this scheme would take shape of a partnership of *both* companies and governments. As opposed to the original intention—that companies should disclose their payments to governments precisely because governments (or the Angolan government) could not do so—, now companies would report what they paid to governments, and governments would report what they received. It is unclear from the archival documents why exactly the equal and simultaneous participation of companies and governments was deemed necessary. But

[148] Note of 20 August 2002, File n. 326214, EITI folder, BIS Matrix Archive.

[149] Which meant that the French government had much influence over the agenda of the summit.

[150] Email of 24 July 2002, File n. 325363, EITI folder, BIS Matrix Archive.

[151] *ibid.*

some large oil companies, consulted by the UK officials, supported this arrangement—the conflict between BP-Amoco and the Angolan government had demonstrated the importance of government's agreement to corporate disclosures. Another element of this new design was a complementary system of monitoring of disclosures ("perhaps through a World Bank report to the annual G8 Summit"[152]) through which a third party would audit corporate and governmental disclosures. This was still only a speculative design, and it would have to be discussed and agreed on with potential participants. Yet, when the partnership materialised in 2003, it was this design that provided the basis for its institutional architecture.

Finally, there was another conceptual shift, which had to do with the relation between the institutional form of the proposed initiative, and the arenas in which its contents would be negotiated. Let's return to May 2002, when DTI officials opposed PIU's proposal of mandatory disclosure rules. Their opposition hinged on the perceived implications of these rules for companies and DTI's relationships with them. But, as we have seen, neither in their discussions with DTI officials, nor in those with Collier's team at the World Bank, did the Cabinet Office functionaries propose what these rules would be exactly. But if they had originally suggested to the DTI that it would be the *rules* of disclosure that would be obligatory for companies, now it was the *organisational form*—the partnership—that was voluntary, not the rules that would be the content of the form.

At the end of July, this form still remained void, so to say: the concrete reporting arrangements were unclear. Writing to her Secretary of State, a DTI official involved in the work on the extractives' proposal, said: "At the moment, the situation is very fluid and unclear; there is a number of often conflicting initiatives. The picture should become clearer after the WSSD."[153] In mid-August 2002, an Assistant Private Secretary from the Treasury wrote to PM Blair's Principal Private Secretary[154] that Chancellor Brown[155] was

[152] Paper of 15 July 2002, File n. 325358, EITI folder, BIS Matrix Archive.

[153] Note of 1 August 2002, File n. 234645, EITI folder, BIS Matrix Archive.

[154] In the British civil service, a Principal Private Secretary is the civil servant who runs a Cabinet minister's (in this case, the Prime Minister's) private office. An Assistant Private Secretary is a civil servant one grade below PPS. In this case, the PPS to the Prime Minister was the main representative of the UK government to the G8 negotiations (the so-called "Sherpa"). He was therefore the person who would be negotiating throughout 2002-3 with his French counterparts about the agenda of the upcoming summit, including the extractives' proposal.

[155] Gordon Brown, Chancellor of the Exchequer—the chief minister of the Treasury. Brown was long-term political rival of Tony Blair and eventually succeeded him as a Prime Minister in 2007.

"keen" to see that options for reporting were "going beyond a voluntary approach", and that a possibility of mandatory reporting was kept open.[156] The letter expressed Chancellor's reservations that a "purely voluntary initiative" might not result in the desired degree of transparency. Whereas the institutional design—the form—of the partnership had been more or less decided upon, the reporting rules that participant governments and companies would have to follow, and even the rules of participation itself, were still up for negotiation.

This move ultimately hollowed out the WSSD proposal of the remnants of the idea that Global Witness and their allies had proposed some five months earlier. It had one crucial implication, which I will discuss in the rest of the chapter. Namely, the shift of the proposal's design from a mandatory reporting scheme to a voluntary partnership, meant more than just a shift from binding to non-binding rules of disclosure. Rather, it implied a change in *who* was setting the rules. With a mandatory scheme, it would be national governments (a fact that gave weight to DTI's opposition); now, however, the arena of the partnership itself would be the forum for the negotiation of reporting rules. As I will demonstrate, this locked together the negotiation of support for and participation in the partnership, with the negotiation of its rules, leading to a situation where greater participation could only be achieved by reducing the degree of transparency demanded of the participants. Through the Autumn of 2002 and the first half of 2003, participants to the newly established partnership—representatives of governments, corporations, investment funds, international financial institutions, and NGOs—debated the partnership's rules of governance and reporting. It is this period—the third moment of the development of the EITI—that I discuss in the two following sections.

The emergence of the multi-stakeholder structure

In early September 2002, a press release from the Prime Minister's Office announced the launch of the Extractive Industries Transparency Initiative.[157] The WSSD extractives' proposal finally obtained an official name and existence—but hardly anything else. A newly created unit at the Department for International Development took over the work

[156] Letter of 16 August, File n. 274811, EITI folder, BIS Matrix Archive.

[157] The Initiative was meant to be launched at the WSSD, and there are varying accounts of why it was not. I will not go into the detail here (for that, see van Oranje and Parham 2009: 43; Rich and Moberg 2015: 21). Most accounts of the EITI's history name the WSSD in Johannesburg as the beginning of the EITI—partly because that is how the UK government presented it. My point here is that instead of focusing on single official events, we can better understand the emergence of the EITI, or indeed any policy, if we grasp its social life within the government bureaucracy.

on the policy from the Cabinet Office.[158] Much of the work was done by DfID officials themselves, but they continued to involve a "core Whitehall group" of representatives from other departments. DTI were still involved, albeit mostly as observers of the process; FCO officials contributed diplomatic assistance. The character of the work changed, too. DfID functionaries now had to get the initiative off the ground by enrolling support from participant countries and companies. They had to negotiate and agree with them the EITI's rules and procedures. As one member of the DfID team described it to his DTI colleagues, this work would move on three tracks: those already "in coalition"[159] would meet to discuss what they could agree on; these discussions would be informed by a "technical track, drawing largely on Collier et al's work" at the World Bank; and new governments and companies would be drawn into the coalition through an "influencing track". This way, the EITI would be "taken forward to the 2003 G8 Summit [in Evian, France] and beyond".[160]

The fate of EITI now depending on support of other governments, DfID officials spent the November-December 2002 on a diplomatic tour. They visited France, the US, and Canada, and prepared briefings for the UK delegates (the Sherpa and his Sous-Sherpas) involved in preparatory negotiations for the 2003 G8 Summit.

Meeting notes and correspondence from this period demonstrate these officials' attempts to persuade their foreign counterparts that the EITI was worth including into the G8 agenda.[161] These records show their shrewd political manoeuvring and attempts to link the EITI to already established institutions and policy discourses, similarly to how the Global Witness and PWYP campaigners had done. DfID officials met with representatives of different departments of the French government, and noted that among the French there was no agreement whether it would be better to include the EITI into the

[158] Possibly because the Cabinet Office, and PIU/PM's Strategy Unit in particular, had the role of kickstarting policy initiatives that were then transferred to government departments that developed them further (see Page 2003).

[159] Meaning other governments, companies and NGOs with whom government representatives had had contact so far.

[160] Email of 4 October 2002, File n. 347024, EITI folder, BIS Matrix Archive.

[161] The G8 would lend the nascent Initiative political legitimacy and weight, making it easier to recruit participants.

G8 agenda on Africa, or into the one on Corporate Social Responsibility.[162] In contrast, the US government "saw EITI as fitting with their G8 aims on transparency and accountability." Regardless of how EITI featured in the G8 statements, there was an agreement among foreign officials whom DfID consulted that it had to "fit", and refer to, "wider international initiatives to promote transparency and good governance".[163]

On their return to London, DfID officials wrote long reports, circulating them to the members of the "core Whitehall team". Their accounts noted intra-governmental differences of opinion, political power, and expertise among the bureaucrats they visited in Paris, Washington, and Ottawa. The reports identified who within these countries' governments would be the most suitable person to keep in contact with about the EITI. On these visits, the British bureaucrats also met with representatives of extractive companies and industry groups—e.g., senior officials of the French TotalFinaElf and the mining association of Canada—whose support for the EITI could help persuading their governments about joining the Initiative. These points demonstrate that despite the broadening of the scope of actors involved in discussions about EITI (as compared to cross-Whitehall negotiations in May-June 2002), the underlying dynamics of these discussions remained similar, focusing on the problem of aligning EITI rules and institutional forms under negotiation, with a multiplicity of interests and agendas. This civil service diplomacy, not involving career diplomats or official governmental representation, and exploratory in its nature, does not seem that different from what the PIU team had done in May 2002 when gathering cross-Whitehall support for their WSSD paper. Now, however, DfID officials were navigating a much more complex institutional arena; interests they had to take into account multiplied.

These foreign visits were only partially driven by the aim of getting the EITI on the G8 agenda. More importantly, DfID officials sought to encourage their counterparts to participate in discussions about the organisation and rules of the EITI partnership. Such discussions could not be left to G8 meetings alone. In a briefing to a British delegate to the G8 Sherpa meeting in Ottawa on 8-9 December 2002, DfID officials instructed him to persuade his foreign counterparts to send delegates to a planned workshop in London:

[162] "It would be important to allow the French to take ownership of EITI", commented the UK Ambassador in Paris, adding that "Getting Canada [the 2002 G8 president] on board would create a sense of handover of the G8 work [on EITI]". Note of 18 November 2002, File n. 441520, EITI folder, BIS Matrix Archive.

[163] Telegram, mid-February 2003, File n. 615728, EITI folder, BIS Matrix Archive.

"all G8 members have expressed interest in EITI. Some want more clarity on the measures proposed before giving their support. We could suggest options for these measures, but we really want them to support the principles of the initiative *and get involved in shaping it*."[164]

To prepare to these international discussions, the DfID EITI team decided to convene a "stakeholder group" (to which they otherwise referred to as a "working group") that would meet regularly in London and include representatives of other Whitehall departments, UK-based companies, institutional investors and asset managers, and NGOs who had indicated their support of the EITI. The group met for the first time at the end of November 2002, with two items on the agenda: "Bringing in other stakeholders—who, how, and when?"; and "Exploring options towards a solution"—i.e. rules of disclosure. A set of "underlying principles" of the EITI was agreed. First prepared by the DfID team, these principles consisted of a number of general commitments to transparency and constructive cooperation, and did not contain any concrete obligations to report payments' information. Their vagueness was intentional: a meeting note by a DfID official states that the EITI team intended to "use the principles to buy-in the widest possible support from all stakeholders."[165] The loftier the principles were, the easier they could accommodate the different interests of the stakeholders. In Mosse's view, such ambiguity of policy discourse, "facilitates and helps maintain consensus, and conceals ideological differences, setting limits to the struggles over meaning" (2005: 36).

But if "strategic ambiguity" is a common feature of policy formulations (Tate 2015: 5), the differences among the numerous participants of the EITI negotiations could also test the limits of the capacity of vague formulations to "marshal the fullest range of institutional allies" (*ibid.*). DfID officials understood this. As they were making preparations to an international EITI workshop planned for February 2003, one civil servant wrote: "We need to keep a balance of invitees in favour of 'supportive partners', in order not to allow the potentially hostile, but 'need to get on board' parties to stifle the initiative".[166] These comments demonstrate that DfID officials recognised that their chosen form of negotiations—the multi-stakeholder group—could lead the discussion

[164] Briefing note, early December 2002, File n. 474415, EITI folder, BIS Matrix Archive. My emphasis.

[165] Note of 26 November 2002, File n. 474385, EITI folder, BIS Matrix Archive.

[166] Note of 16 December 2002, File n. 499181, EITI folder, BIS Matrix Archive.

about the EITI in an unpredictable directions, and made it necessary to pre-select "supportive partners".

Numerous foreign visitors were invited to the workshop, which DfID planned to use to mobilise support from governments and companies. In order to "give focus" to this workshop, the group agreed to design a draft "protocol or compact" that would delineate the structure of the EITI, and give options for a reporting mechanism. (DfID 2003b) The group discussed a number of mandatory and voluntary options, some of which the DfID team had borrowed from a draft paper prepared by Paul Collier's team on the Governance of Natural Resources project at the World Bank. Meeting records demonstrate that the participants' judgments about the reporting options they discussed were inseparable from their evaluation of how likely these options were to receive support from different governments and corporations.[167] Some of these options had already been considered—and rejected—among the Whitehall officials earlier. But as a senior member of the DfID EITI team wrote in a memo, "the process of having the stakeholder group arrive at the different approaches and debate their strength and weaknesses was important". The process was important because of the performative dimension of the multi-stakeholder negotiation. The group had been set up in the first place to attract potential supporters of the EITI with the prospect of making the policy from scratch. And now, in the words of the same official, "If the UK is to propel this initiative, *we need to be seen to allow* all stakeholders to discuss all options, and not close them off early".[168]

Eventually, the stakeholder group agreed that a voluntary approach was "necessary in the short term to build momentum and get key actors" to join the EITI. (The NGOs in the group, among them Global Witness, insisted on not excluding mandatory reporting rules, which they claimed were the only way to make the payments meaningfully transparent. Curiously, some oil companies seemed to support them.)

[167] On the company side, the reporting options included a new voluntary code, changes to international accounting standards, changes to stock exchange listing rules, reports to an independent third party, and changes to production sharing agreements. On the government side, they included a new voluntary code, amendments to OECD Guidelines on Multinational Enterprises, a UN convention, and transparency conditionality written into loan agreements with the World Bank and IMF.

[168] Briefing note of 2 December 2002, File n. 471311, EITI folder, BIS Matrix Archive. Emphasis added.

The international EITI workshop took place in London on 11-12 February 2003.[169] It was organised according to the same multi-stakeholder principle, and its participants agreed that future meetings should keep to this participatory model of governing discussions about EITI. A discussion paper for the meeting stated that "The Extractive Industries Transparency Initiative aims to bring together all the relevant actors in the extractive sector".[170] The focus of the workshop was as much on the substantive content of the Initiative—disclosure rules, templates for reporting, mechanisms of data collection—, as on the organisation of the EITI itself, namely, who could participate in it and how. DfID presented the "voluntary compact" (to be signed by governments and companies) that they had drafted together with the UK stakeholder group.[171] The compact described participation as an explicit *aim* of the initiative, on par with promoting transparency in extractive industries.

Its proposed arrangements created a complicated situation of interrelated scales: the compact itself was a document that would be agreed multilaterally and have an international status; it would be implemented within countries, but reporting information would go to an organisation outside of the country; there would be associate signatories of the compact—international NGOs, institutional investors etc.—, who would oversee national reporting, but not take participation in the in-country process. Finally, workshop participants recognised that they needed to guarantee that when implemented in different countries, the compact would lead to comparable processes of payment/revenue

[169] It was attended by some 70 people (mostly officials, not politicians) who according to a DfID telegram, represented: "the G8, Angola, Azerbaijan, Belgium, Botswana, CAR, China, DRC, Ghana, Indonesia, Kazakhstan, Netherlands, Norway, Venezuela and Yemen; main private oil, gas and mineral companies; state owned companies in Azerbaijan, Angola, Algeria, Nigeria; industry bodies; IFIs; UNDP; OECD; and NGOs." Telegram, mid-February 2003, File n. 615728, EITI folder, BIS Matrix Archive.

[170] DfID. *The Extractive Industries Transparency Initiative. Discussion Paper for International Stakeholders Meeting 11-12 February 2003.* (Accessed 10 February 2017), available from http://webarchive.nationalarchives.gov.uk/frame/20030812004849/http://www.dfid.gov.uk/News/News/files/eiti_paper.pdf.

[171] The compact, if adopted, would require, as a "pragmatic first step", that signatory governments disclosed the payments they received from extractive companies operating on their territory; and signatory companies, disclosed what they paid to these governments. To oversee the compact's implementation by signatory parties, the multi-stakeholder structure of the workshop would be replicated as a multi-lateral governance mechanism, in particular via the participation of actors such as pro-transparency NGOs, investors and international financial institutions, interested in the disclosures. For this purpose, a category of "associate signatory" was proposed. By mid-2000s, this arrangement would be reorganised into the EITI Board. Reporting of payments/revenues information would be done through reporting templates, and participants of the workshop agreed that there should be an independent party collecting the templates. Most participants considered the World Bank or the IMF suitable for the role, although it was noted that further clarification would be needed. Although the voluntary compact was eventually rejected (see below), in one or another way, all these elements eventually became incorporated into the EITI.

reporting. They also saw that, if implemented, such a set-up would result in institutional tensions if responsibilities of different parties were not clearly defined. A post-workshop report published by DfID stated:

> There was considerable discussion about the need for an international standard with international monitoring, in addition to country-by-country application of the compact. It was agreed that the template should be internationally recognisable, setting minimal reporting requirements, but that appropriate flexibility should be practiced in country […] to reflect country-specific circumstances."[172]

Possibly as a partial solution to these tensions, it was suggested that there also be an in-country mechanism of governing the process of disclosures. The multi-stakeholder structure—which characterised the workshop itself, and whose perpetuation was recognised as one of the aims of the gathering—was proposed as a model for this mechanism:

> In contrast to the international collation of data, it was felt that the review and publication of data should happen at a national level. Although it was difficult to mandate centrally what form this should take, the model of a multi-stakeholder group, comprising government representatives, company representatives and NGOs seemed appropriate and had been proven to work in other similar situations.[173]

I have not found records that would elucidate how exactly the participants arrived at this suggestion. But I think it is significant that the proposed organisation of *governance* of the EITI, replicated the collaborative form that structured *discussions* of these proposals.[174] In other words, the proposed procedure replicated the multi-stakeholder arrangement of the group in which the proposal was being discussed. It is important to remember here that DfID had chosen to organise the discussions about the EITI in this

---

[172] DfID. *Report of the Extractive Industries Transparency Initiative (EITI) workshop,* 11-12 February 2003, para. 24. (Accessed 15 February 2017), available from http://webarchive.nationalarchives.gov.uk/frame/20030812004849/http://www.dfid.gov.uk/News/News/files/eiti_workshop_report_feb03.pdf

[173] DfID. *Report of the Extractive Industries Transparency Initiative (EITI) workshop,* 11-12 February 2003, para. 26. (Accessed 15 February 2017), available from http://webarchive.nationalarchives.gov.uk/frame/20030812004849/http://www.dfid.gov.uk/News/News/files/eiti_workshop_report_feb03.pdf

[174] The stakeholder group convened by DfID continued to function even after the February workshop and the June 2003 international conference where the agreements reached at the workshop were officially formalised.

collaborative, multi-stakeholder form, because they sought to recruit support for the EITI partnership by making the potential partners shape the rules of their own participation. Finally—and going one step back—this was only an option because of the earlier decision to organise the proposed policy as a multi-lateral partnership, rather than as any other kind of a voluntary scheme. This was how the early form of what later became the central organising form of the EITI—the collaborative, tripartite multi-stakeholder group—became enshrined in the policy.

The question of the collaborative form of the EITI is important, because in the next three chapters I will deal in great detail with how the social structures of the policy whose emergence we have traced here, played out when the UK eventually decided to implement the EITI in 2013. But before I turn to this, there is one last thing to be explained: namely, why did the British government not sign up to the EITI already in 2003, despite initial plans to do so, and all the while encouraging others to take part in it?

A sudden change in direction

After the EITI workshop in February demonstrated a broad support for the voluntary compact among potential stakeholders, the DfID EITI team began to work on a more detailed, technically and legally precise set of documents defining the Initiative. An international ministerial-level EITI conference was scheduled for June. Writing to Tony Blair and her Cabinet colleagues, Clare Short, the DfID Secretary of State, said that the conference's purpose would be to "keep the political momentum and offer an opportunity for supporters to sign up to the EITI voluntary compact".[175] In view of diplomatic considerations, Short proposed that "[t]o set the example for others, the UK would need to be a founding signatory of the voluntary compact."[176] Responses from other Cabinet ministers were positive.[177] Stressing that the UK's participation in the EITI would encourage other countries to participate, these responses did not mention at all whether greater transparency of the extractives was needed in Britain. Domestic effects of the EITI were not a concern for them.

[175] Letter of 21 February 2003, File n. 886155, EITI folder, BIS Matrix Archive.

[176] Letter of 21 February 2003, File n. 886155, EITI folder, BIS Matrix Archive.

[177] E.g. Letter of 21 March 2003, File n. 886190; Letter of 19 March 2003, File n. 886232, EITI folder, BIS Matrix Archive.

DTI functionaries involved in the "core" group of Whitehall officials working on the EITI, also agreed that UK's participation in the initiative of its own making was symbolically important. However, just as ten month earlier, they were still sceptical about the potential implications that the EITI could have for British oil, gas and mining companies. Explaining the Initiative to her departmental colleagues in mid-March 2003, one DTI official from the core group noted that there were two aspects to implementing EITI in the UK. One was the government disclosures— "preferably with as little extra work as possible"; the other, that the government "would be expected to encourage UK companies to sign up." She noted that, given that their government had initiated the EITI, it would be difficult to "get away" with "anything less than that". Echoing the DTI opposition to the mandatory reporting proposals in May 2002, she stressed that she would advise her minister and DfID colleagues against "any element of compulsion"[178] in corporate reporting or participation.

An "element of compulsion", however, was about to be reintroduced. This time around, the suggestion came not from another government department, but from the working group of UK stakeholders convened by DfID. Collective agreement of stakeholders made it more difficult to oppose; and as we will see now, this element of compulsion was a practically inevitable consequence of how the EITI had been conceptualised as a voluntary partnership.

As noted already, the voluntary compact, agreed in principle at the February EITI workshop, described a two-tier structure of the policy. Participation in the EITI was organised at an international[179] level: to take part in disclosures, companies and governments joined the compact. But disclosures themselves were supposed to take place at the country level (i.e., only the payments made/revenues received within that country would be reported). And whereas it was clear from the compact that participant governments would report their own resource revenues, it was not obvious at all from the compact what information would have to be reported by companies. At the time, only a few major corporations supported the EITI (BP, Shell, AngloAmerican, Rio Tinto). They would also be the first to benefit, as it was broadly recognised, from the reputation of being transparent. But any given country received revenues from many more—often

[178] Email of 14 March 2003, File n. 1026482, EITI folder, BIS Matrix Archive.

[179] The term is imprecise, but I use it for the lack of a better one. It is meant to capture a scale implied by the participation of governments and transnational corporations in the framework of the compact.

small, local—extractive companies that neither had international presence, nor would benefit much from the proposed disclosures. If these companies were to report what they paid to a government, they would first have to sign the international EITI compact, for which they had little incentive as long as it stayed voluntary. And if they did not sign the compact, then it would be impossible to compare corporate payments for extraction with government receipts, within the unit of a country. This comparison was the compact's main mechanism of detecting corruption (a difference between payments and receipts was expected to indicate embezzlement or underpayment).[180] Transparency could only be meaningfully achieved with full corporate participation in the EITI process within a given country. And this was difficult as long as participation was structured around signing the international compact, rather than some national-level mechanism.

These considerations (which are indirectly indicated in the cross-Whitehall correspondence I have seen,[181] and which otherwise can be reconstructed from the conceptual structure of the compact) must have informed DfID's discussions with stakeholders about the mechanisms of disclosures. In March, when a new iteration of the compact was being drafted, the problem of getting more extractive companies involved in country-level EITI implementation came up as a technical question of "language". The head of the DfID EITI team wrote to her DTI counterpart about the need to "devise an appropriate phrasing for the compact to ensure that it is not difficult for the UK or other countries to sign it". Specifically, she wrote, her team had discussed "the language around host [signatory] countries permitting/encouraging/requiring companies in their territory to sign"[182]. She wanted to know if DTI officials and their legal advisors would have any difficulties with either form of phrasing.

The DTI addressee of this letter—an official in the Corporate Law and Investigations (CLI) directorate who had been involved in the EITI work since May 2002—went on to consult her departmental lawyers. She also wrote to civil servants in other parts of her department, who were responsible for supporting and regulating oil, gas and mining

[180] See DfID. *Report of the Extractive Industries Transparency Initiative (EITI) workshop,* 11-12 February 2003, paras 11-2. (Accessed 15 February 2017), available from http://webarchive.nationalarchives.gov.uk/frame/20030812004849/http://www.dfid.gov.uk/News/News/files/eiti_workshop_report_feb03.pdf

[181] E.g. mentions of issues of participation in DTI emails. See the email thread of 14 March - 2 April 2003, File n. 1026519, EITI folder, BIS Matrix Archive.

[182] Email of 14 March 2003, File n. 1026482, EITI folder, BIS Matrix Archive.

industries. The ensuing correspondence within the DTI was partly about establishing who within the department's many directorates had the authority to opine about the EITI's implications; and, partly, on actually formulating a common departmental opinion in a dialogue between the knowledgeable CLI official, and many others who knew little about the EITI. If the UK signed up to EITI, they reasoned, it would not just be the large extractive companies who would be permitted or encouraged or requested to report, but also the smaller ones operating in the country. "Do you mean that all UK owned mining companies would have to fill out the templates regardless of whether or not they have signed up to the initiative? This would be a mammoth amount of work"—wrote an official from the Mining Directorate. The CLI bureaucrat objected: as she understood it, only those companies who actually signed up to the voluntary compact would have to report. She did not "want to see the compact go any further than a government commitment to encouraging companies to sign up."[183] Nevertheless, she argued, DTI officials had to prepare for anything: "What if ministers decided that they wanted to introduce an element of compulsion? […] What if there was a pressure from bigger companies on smaller ones to sign up? We need to be aware at least of the impact on smaller companies if we need to make an argument that they be kept out of EITI". The mining directorate official seconded her: "I assume that filling in the template will be burdensome and time-consuming, especially for small and medium enterprises."[184]

The CLI official wrote that she had made the point "very strongly to DfID that I could not advise the Secretary of State to support anything more than an encouragement for companies to sign up to EITI."[185] Still, at the end of March the stakeholder group convened[186] by DfID collectively decided to "revert to other HMG departments to check the feasibility of 'Requesting all companies operating in the country to provide information'." Our CLI official was not at the meeting, and later wrote to her colleagues in the department explaining that if the UK signed up to the compact, it would have to "request" all extractive companies in the country to report what they paid to the government. "While better than 'require'", she said, it was "not much better". She had no

[183] Emails of 19 March 2003, File n. 1026519, EITI folder, BIS Matrix Archive.

[184] *ibid.*

[185] Email of 20 March 2003, File n. 1026519, EITI folder, BIS Matrix Archive.

[186] Before the meeting, the DfID EITI team had revised a draft of the EITI voluntary compact, which as of 17 March included a line about signatory governments' commitment to "request all companies operating in [their] territory to provide the data described in the Company Template and make it available to the auditor". See EITI Voluntary Compact, 17 March 2003, File n. 886108, EITI folder, BIS Matrix Archive.

power over the wording: agreed by the stakeholder group—not only government officials[187]—, it was supported by corporate representatives.[188] Yet, in her opinion, "many companies would take a 'request' coming from the government as a requirement."[189] This was relevant in the UK, where a 'request' to report could have "huge implication" for small and medium enterprises neither involved, nor interested, in the EITI. Other officials from the DTI agreed that an "encouragement" was preferable.

This correspondence demonstrates the difficulty of distinguishing between voluntary and obligatory reporting when it was "requested" by the government. On 8 April, the CLI official wrote to the head of the DfID EITI team to "reiterate the importance of keeping the Initiative strictly on a voluntary basis." The "DTI policy view", she said, put importance on a voluntary character of the initiative; and if the word "request" was kept in the compact, the UK government would have to undertake a Regulatory Impact Assessment to evaluate the business costs of the regulation, since it would not be "purely voluntary". The official concluded: "The way the compact is drafted, it would potentially mean a burden on companies that are not involved in the problem that the EITI is trying to solve."[190]

The archival materials I have consulted lack a record of how the DfID EITI team reacted to DTI's renewed opposition to the policy. But DTI's disagreement with the "reporting burden" implied by the proposed change in the wording of the compact, was not the only difficulty that DfID officials were dealing with. There were disagreements with representatives of the US government and companies, fears that Britain would be the only signatory of the compact, and concerns among other G8 governments about the purpose

[187] All quotations from an email of 2 April 2003, File n. 1026519, EITI folder, BIS Matrix Archive.

[188] This was an echo of UK officials' earlier conversations with corporate representatives in the UK and France, in which companies (Shell, BP and TotalFinaElf) had reportedly expressed a preference for a mandatory disclosures scheme. Within the stakeholder group, the issue seemed most pressing for BP—possibly, because of the earlier difficulties that the company had experienced after the publication of their Angolan reports under Global Witness' pressure. The CLI official noted that the likely reason for this phrasing was that: "In countries with opaque extractive sectors, government contracts prevent companies from disclosing payments information unless they are required to do so for some other reason." This suggestion, of course, missed the point that companies in a particular country would not report without government's participation anyway.

[189] Email of 2 April 2003, File n. 1026519, EITI folder, BIS Matrix Archive.

[190] Email of 8 April, File n. 1026498, EITI folder, BIS Matrix Archive.

of their participation in an initiative focused on anti-corruption in the extractives industries (after all, wasn't grand corruption the ill of the developing world?).[191]

In mid-April 2003, the head of the DfID EITI team revealed the extent of these difficulties, when she circulated an assessment of the "way forward for EITI". There was a "slight change of plan", she wrote with an understatement: changes were significant indeed. Specifically, she wrote, "the US have drawn some lines in the sand, IMF are concerned about overcommitting themselves, and it has proved difficult to get a voluntary compact that could work equally well of the UK and Angola."[192] She summarised these changes as follows:

- we have shifted from a single global compact to in-country compacts;
- we have shifted from a focus on all types of countries piloting this, to focus on developing countries with significant dependence on extractives;
- the June EITI conference will agree a Statement of Principles and Agreed Actions, rather than signing a global compact.[193]

For the DTI "core group" official, this was a "collapse" of the voluntary compact idea as such. Whatever the reason for it, it was a "very welcome development", given that DTI had expressed a preference for a non-binding, voluntary approach from the very beginning.[194] Now, the UK would not be implementing the EITI at all. Thus, the EITI transformed from a partnership for which suitable and demonstrative enough partners had to be found; into a set of general principles, which later became a mobile policy model that the EITI is today.

The change of plan meant that rules of disclosure now would be negotiated *within* implementing countries. "Actual disclosure will be pursued on a country by country basis, in cases where there is a problem with a lack of transparency, through discussions between individual governments, companies and other stakeholders, with parties agreeing what each will disclose. The idea now is to start EITI as a pilot scheme in one or two willing

[191] Core group NGO paper on the future of the EITI, September 2004, File n. 2436670MIN1-00519577, EITI folder, BIS Matrix Archive.

[192] Email of 15 April, File n. 924755, EITI folder, BIS Matrix Archive.

[193] Email of 23 April 2003, File n. 1026505, EITI folder, BIS Matrix Archive.

[194] Email of 25 April 2003, File n. 1026505, EITI Folder, BIS Matrix Archive.

countries."[195] This eliminated the tensions of scales of participation and reporting, mentioned earlier. But at the same time, it meant that rules and mechanisms of disclosure would be developed within countries by their multi-stakeholder group on a case-by-case basis. The UK, not implementing the EITI itself, would instead focus on "testing out" the initiative in the signatory countries. In the concluding remarks that follow, I revisit and elaborate this and other points of the chapter.

Concluding remarks

In this chapter I have described the transformation of Global Witness' proposal for a government-implemented mandatory policy of corporate reporting, into a voluntary partnership of companies and governments, organised around a multi-stakeholder process of negotiation of the reporting rules. I have traced this transformation through various social arenas within and without the UK government. I have argued that the conceptual changes that the proposal underwent on path to becoming the EITI, had to do with how it was negotiated within the various institutional contexts that it traversed. The speculative conceptual architecture of the proposal itself was a key moving factor in the creation of new social fora (e.g. the stakeholder group convened by DfID) where it was debated.

I have described three moments in the development of the institutional design of the EITI between April 2002 and May 2003. The first moment concerned the transformation of the design from a mandatory reporting policy, to a voluntary one as a result of internal governmental disagreements. I have described just how central to the making of the EITI were the processes of coordination and negotiation within the UK government. The speculative design of the proposal had to be in accords with agendas of various government departments. Yet, these agendas were not always in agreement themselves, and the policy proposal had different meaning and implications for officials positioned differently within the government. The negotiations that began with a failure of PIU to consult with DTI officials, evolved as a gradual incorporation of DTI's preferences and domestic policy imperatives into the project design. The design of the policy as it emerged in early Summer 2002, reflected, in its main elements, the key moments of these negotiations, in particular the compromise that PIU officials made about the modality of policy implementation (mandatory/voluntary) in order to prevent it from being derailed by DTI opposition.

[195] Email of 12 June 2003, File n. 1306236, EITI Folder, BIS Matrix Archive.

I have argued that the negotiation of the policy design at this stage was about making it incorporate, replicate and perhaps reinforce policy interests of different departments (rather than contradict them). In order to gain support within the government, the design of the proposal had to accommodate interpretive and political differences among the negotiating officials. My material supports Mosse's (2004, 2005) argument that policy designs 'work' to enrol support from various actors. Conversely, Neumann (2012) demonstrates in his ethnography of the Norwegian Ministry of Foreign Affairs how the writing of official documents within the ministry is a collective endeavour that integrates different arguments, policy agendas, and social relationship in a self-conscious performance of institutional unity. My ethnography demonstrates that the design of the EITI was a result of a similar process within the UK government.

I have thus demonstrated that texts, or at least policy texts inscribed in official documents that mediate government work, both reflect *and* structure social relations. Describing the second moment of the EITI's development, I have shown how even provisional policy designs *have conceptual and social effects of their own* within the arenas where they are negotiated. This second moment had to do with a transformation of the EITI's provisional design into a voluntary multi-lateral partnership of companies and governments as a result of the World Bank's influence.

The transformation made a broad support for the policy an explicit condition of its possibility, and in fact elevated government and corporate participation in it to the status of the policy aim. Primary discussions about the policy proposal shifted from within the Whitehall, to a participatory multi-stakeholder arena set up to both enrol the support for the partnership, and to negotiate its rules. I have sought to demonstrate how meetings and workshops with actual and potential supporters and participants of the EITI, gradually gave substance to the idea that the EITI should be organised according to a model of a partnership between companies and governments. We have seen now how the meetings and workshops themselves "brought together", for the purpose of collective consultations, discussions, and eventually, decision-making (e.g. the collective agreement of the EITI Principles and Voluntary Compact), representatives not only of companies and governments, but also the World Bank and anti-corruption NGOs, including Global Witness.

I have suggested that these meetings and workshops provided not only a platform for discussions *about* the EITI and its rules, but themselves became a model of how the EITI should be governed: an informal mechanism of recruiting support and securing participation in the policy, became a mechanism of governing it. The place of the collective governance in the organisation of the EITI as we know it today, was a result of an interplay between the conceptualisation of the policy as a partnership, and forms of social coordination and organisation that this conception entailed within the context of British government's relations with other G8 countries, large oil companies, international financial institutions and anti-corruption NGOs. In other words, collaboration became central to the EITI because of the social logic of policy negotiation, rather than some external need to make up for the incapacity of any one government to deal with extractives' corruption, as Rich and Moberg (2015) suggest, writing of a "governance gap" that collaboration is supposed to address. If anything, the "gap" to which collaboration responded, had to do with the fact that the British government could not successfully launch a policy like the EITI on its own because of the international dimensions of the extractives' reporting.

Because the Initiative could only go forward if all partners agreed about the reporting rules and rules of participation, the rules themselves had to accommodate multiple interests. I have demonstrated how DfID officials attempts to involve maximum participation and support from among governments and companies, effectively put in contradiction the two goals of the EITI (achieving transparency of payments and revenues, and securing participation in the Initiative). This was because the more parties got involved in discussions about the rules of reporting, the less they could agree on, and the less willing they were to accept more stringent reporting options. We can see this in the preference for voluntary reporting among the participants in DfID's workshops; in the difficulty to agree a voluntary compact that would work equally well for all participants; and in the fact that disagreements and concerns among UK and other governments' representatives eventually led to a down-sizing of the EITI and a further shift of discussions about the rules to multi-stakeholder groups that would be established in each implementing countries. Contrary to the official narratives of the EITI and the theory of collective governance proposed by Rich and Moberg (2015), instead of facilitating greater transparency, multi-stakeholder collaboration undermined it.

The final, third, moment of the EITI's development that I described, concerned renewed opposition within the DTI to a particular way in which a small textual change to the voluntary compact could reframe the relations between governments and companies that it stipulated. I have described discussions within DTI about it, and pointed to how they could have influenced DfID's decision to change the direction of the EITI, making it an initiative for resource-rich developing countries only. This was when the EITI finally became the tool of regulatory export that it stayed for many years, during which the British government supported it abroad—a tool of international intervention that had very much been shaped by the parochial concerns of the British civil service.

It was only in 2013 that the government finally decided to implement the EITI in Britain, and in the following chapters I will describe how this happened, and how it led to new paradoxes and contradictions. Between 2003 and 2013, many things changed in the organisation of the policy. The Statement of Principles and Agreed Actions gradually gave way to an increasingly formalised code of rules that were the same for all participating countries, and which eventually became enshrined in the EITI Standard.[196] NGOs became formally recognised as a stakeholder group—the Civil Society—, and rules about independent audit by a third party were introduced. In 2006, the tension between the international and national dimensions of the EITI was resolved with the creation of the EITI International Secretariat and a multi-stakeholder Board. But many of these institutional arrangements germinated already during the discussions described in this chapter. Most importantly for the purposes of this dissertation, the collaborative form of the EITI remained the same.

The next chapter turns to the paradoxes of EITI implementation in the UK in 2013-15, tracing the interplay of the institutional structures of the EITI, with diplomatic concerns of both the UK government, and Global Witness and their partners in the Publish What You Pay Coalition. As will become clear in the next chapters, the structures of the EITI that emerged 2002-3, shaped the policy's implementation in Britain a decade later, exposing once again the importance of organisational coordination and navigation of social relationships in the complex world of policymaking.

[196] During the second EITI conference, EITI Principles developed and adopted in 2003, were supplemented by EITI Criteria which set common "rules of the game" in a manner reminiscent of the original Voluntary Compact. These rules were gradually transformed into more comprehensive EITI Requirements (in 2009 and 2011). The Requirements, in their turn, were superseded by the 2013 and 2016 EITI Standards.

Chapter Five
An example for others: national policy as a tool of global campaigning

In the previous two chapters, I have traced the development of the EITI model of collective governance in the early 2000s. In this and the next two chapters, I describe what happened when this model was put into practice in 2013-15. This chapter analyses how government officials and NGO campaigners performed the making of a national policy, the UK EITI, towards international arenas. The chapter contributes to the dissertation's overall aim of understanding the changing social world of policy-making, and the effects of collective governance on it, by examining how the implementation of the EITI model in Britain was paradoxically informed by the government's and the NGOs' attempts to promote it abroad. Central to this was the government's rhetoric of international leadership (discussed in the next section).

The chapter explores what I see as the paradox of the UK EITI, namely, that as a policy on transparency of domestic extractive industries, it was implemented for diplomatic reasons which had little to do with transparency in the UK; and it was supported in this capacity by international NGOs keen to instrumentalise the government's rhetoric about the UK EITI, in order to influence policy-making in other countries. When I began to research the UK EITI in late 2014, Elizabeth, Aimée and Stewart, the staff of the UK EITI Secretariat, occasionally talked about this discrepancy between the government's *diplomatic* reasons for implementing the EITI, and the Initiative's official aims of improving transparency and accountability of *domestic* extractive industries. But if the officials were keen to point out the contradictions of their policy, these did not present themselves as practical problems. The work of the Secretariat was focused on "delivering" the policy—getting it off the ground, making it work, and getting the stakeholders to agree—rather than on the more abstract questions of what the policy was for, or what it was aiming to achieve. International leadership, and the manner in which it only uneasily articulated with the UK EITI's domestic goals, receded into the background of the officials' day-to-day work.

I was therefore surprised to discover, when I first attended a UK EITI meeting, that the rhetoric of international leadership was alive and well. Unexpectedly, however, it was predominantly the NGO campaigners, rather than government officials, who talked about

the need to make the UK a "good leader" of extractives transparency. And they not only talked about it, but actively sought to introduce new, more stringent, transparency rules into the UK EITI. Justifying their agenda with claims about public interest and accountability, these campaigners admitted in private that there was little if any public interest in the UK EITI in Britain, and that they themselves were not interested in making the British extractives more transparent.

In this chapter, I demonstrate that their interests lay elsewhere, and will explore what they were, and how they played out within the formal organisation of the EITI, shaping the UK EITI. These interests were elsewhere quite literally: the campaigners participated in the UK EITI in order to make it into a model example of transparency policy, to which they could point in other EITI-implementing countries. Corporate representatives resisted this agenda, and on the whole managed to have the upper hand. However unsuccessful, however, the campaigners' attempts to turn the UK EITI into an exemplary model of EITI implementation reveal more general truths about collective governance and policy-making.

They demonstrate that despite the official emphasis on collaboration, disputes and divergent attempts to shape the policy according to one's interests were equally important modalities of collective governance. The paradox of the UK EITI also unsettles conventional ideas about autonomous and independent 'domestic' policy-making (Peck and Theodore 2015: 3). It also demonstrates the manner in which the supposedly global and mobile policy models are implicated in situated social arrangements of policy implementation (Burawoy 2001; Tsing 2005). At the same time, this paradox offers an opportunity to rethink the scale of policy not as an analytical given, but as an ethnographic artefact (Yarrow 2011: 108-18).

The material I discuss in this chapter shows that a national policy can be produced and animated by aspirations of transnational campaigning. These aspirations do not situate the 'national' within the 'global' in a manner of vertical encompassment (Ferguson and Gupta 2002: 996). Rather, the national and the global are different—and contingently related—ways of scaling the policy, which become emphasised in competing attempts of different stakeholders to perform the UK EITI to different audiences. As a result of these, the global reach of the UK EITI, as a model example of transparency, can be understood as implicated and encompassed within its national arrangements. The scale of the policy

is relationally made and constructed (Carr and Lempert 2016), and my ethnography demonstrates that for the NGO campaigners, scaling is a form of political intervention in its own right.

I suggest that the campaigners' attempts to turn the UK EITI into an arena and a tool of political intervention elsewhere, were possible not despite the formal organisation of the policy, but because of it. Besides the government's rhetoric of international leadership, of particular importance here was the tension between the abstract EITI model and its concrete implementation in the UK. It opened up an opportunity for the NGO representatives to pursue their goals in ways that did not immediately appear as situated within a 'national' or 'global' arena, and therefore allowed them to hold in view multiple levels of action at once (Cook 2016: 155-6; Riles 1998). This insight will be crucial to my analysis of the sociality and limits of collaboration in Chapter Six.

To explore these issues, in what follows, I first discuss the government's rhetoric of international leadership, and why the NGO campaigners claimed that they had "no interest" in the UK EITI, yet continued to be actively involved in this. I will then turn to one case of their involvement, the negotiation of the scope of the policy in early 2014. Reconstructing from internal documents the campaigners' proposal to introduce new forms of transparency through the UK EITI, I explore how they justified it by appropriating the government's rhetoric of international leadership. I then explain why claims to leadership and exemplarity made sense in the organisational context of the EITI. And to explore why new forms of transparency mattered to the campaigners, I relate them, on the one hand, to the institutional organisation of the EITI, and on the other, to the NGOs' campaigning practices more broadly.

In the final part of the chapter, I build on the preceding analysis in order to discuss the politics of collective governance in the context of the UK EITI. Returning to the paradox of the UK EITI, I explain the concrete social and cultural arrangements through which a supposedly domestic policy could become a vehicle for transnational interests. To conclude, I reflect on the implications of the UK EITI's paradox for our understanding of scale in policymaking.

The rhetoric of international leadership

In spring 2013, the British Prime Minister David Cameron announced that his coalition government would implement the Extractive Industries Transparency Initiative in the UK as a part of the government's transparency agenda for its 2013 presidency of the G8. Together with two other flagship policies on transparency on this agenda,[197] the UK EITI meant to demonstrate the British leadership in the sector, and raise "global standards of transparency". Some six months later, the BIS Committee of the House of Commons launched a comprehensive inquiry into the state of extractive industries in Britain. Knowledgeable of the government's transparency agenda, the parliamentarians asked Jenny Willott MP, a junior BIS minister responsible for the UK EITI, to appear before the Committee. Parliamentarians inquired: Why did the UK sign up to the EITI? Why did it take the government so long? Some were sympathetic to the government's transparency plans, others were sceptical that transparency could ever deliver on its promise of good governance. Willott responded:

> I think when it was originally set up it was intended to be for resource-rich developing countries for their companies to sign up to. The UK has, as you said, felt very strongly that it is an important area and has been really pushing it over the years. The Government came to the conclusion that we would be much more effective by taking a lead and signing up to it and that would help us to be able to encourage other countries to sign up, which is why we have now decided to sign up. Developed countries are now increasingly signing up to show that it is truly a global standard and that it is appropriate and possible for all countries to sign up to it.[198]

The exchange above gives a hint of Willott's answers: the government had signed up to the Initiative in order to set an example for other countries; the reasons were diplomatic. By and large, the Committee members were content with the explanation, and only scolded the government for not setting an example for other countries earlier.[199] In

[197] The transposition of the European extractives' mandatory reporting rules, and a policy on transparency of beneficial owners of British companies.

[198] House of Commons, Business, Innovation and Skills Committee, *Oral evidence: Extractive Industries Sector inquiry,* HC 832-v., 2014, Q 411.

[199] The record of the session suggests that neither the Committee members, nor minister Willott herself, knew of the government's plans to join the EITI already in 2003 (see Chapter Four). If they did, they would also know that already then the potential British participation in the EITI was described in moral terms of leadership and exemplarity. In 2013, as in 2003, the rhetoric of moral consistency, uprightness, and honesty, inherent in the narrative of "international leadership" of the extractives' transparency agenda, framed the government's official explanations about joining the UK EITI.

parallel with Willott's appearance before the Committee, Elizabeth Pierce and her team at the UK EITI Secretariat at BIS, submitted a paper explaining to the Committee the government's official position:

> The UK signed up to EITI to show leadership on extractives and to encourage other countries to follow suit. We are responding to concerns that potential EITI countries are deterred from joining the initiative due to the perception that EITI is designed for poor and corrupt countries. [By implementing EITI in the UK,] The Government aims to send a clear message that EITI is a global standard for both developed as well as developing countries. … The UK getting our own house in order will encourage others, including emerging economies, to sign up. As more countries join the EITI, overall global standards of transparency are raised[200].

The rhetoric of leadership, infused with normative aspirations and assumptions about the effectiveness of the UK's exemplarity, indirectly pointed to the diplomatic considerations that motivated the government's decision to implement the policy. Ever since the formal launch of the Initiative in 2003, the government had promoted the EITI model around the world. The Department for International Development and the Foreign Office provided financial and operational support to the international EITI and countries implementing the initiative,[201] and worked with many other countries to persuade them to implement it. By 2013, these attempts to disseminate the EITI had come under increased criticism from countries targeted by DfID's and FCO's diplomacy. British government officials with whom I spoke, hinted that many developing countries saw this diplomacy as a confirmation of the British neo-Imperialist mind-set: otherwise, why would the government promote a transparency policy that they themselves did not implement? Why would the government urge others to become transparent, if it itself did not do so? Responding to this scepticism, the UK EITI was meant to "send a message" and "give a signal" that the government was committed to the principles that it propagated in other countries. The very fact of the Initiative's implementation evidenced, in the words of one NGO campaigner, that Britain "not only talked the talk, but walked the walk". This, in its turn, was expected to encourage other countries to join the EITI.

---

[200] House of Commons, Business, Innovation and Skills Committee, *Written evidence: Extractive Industries Sector inquiry, submitted by the UK Department for Business, Innovation and Skills,* EIS 37, 2013, paras. 8.1, 8.5.

[201] For example, see a recent report on the amount of funding provided by DfID to the international EITI and NGOs promoting extractives transparency: "Releasing the Transformational Potential of Extractives for Economic Development," *Development Tracker*. (Accessed 1 March 2017), available from https://devtracker.dfid.gov.uk/projects/GB-1-203308.

No corruption—no interest

What did the staff of the UK EITI Secretariat make of the tension between the diplomatic reasons for implementing the policy, and its domestic dimensions?

One afternoon in early May 2015, Stewart and I were having coffee in the office. The room was half-empty; the parliamentary elections were coming in a couple of days, and after weeks of preparing to the wave of work that would hit BIS in the first days of the new government, many officials used the last calm week of *purdah*[202] to take leave. In the previous weeks, I had heard much guesswork about the composition and priorities of the new administration, and now Stewart was thinking aloud through various possible scenarios: what would happen if Labour won the elections? Or, to the horror of most civil servants in the team, who leaned left, the Conservatives? Would the UK EITI be slashed in a renewed drive to deregulation? Stewart was confident that whichever party formed the government, they would uphold the Conservative-Liberal Democrat coalition's[203] support for the UK EITI: "After all the government's talk about international leadership, it would be an embarrassment to leave the EITI. DfID need us to continue influencing other countries." Not to mention the harm that Stewart thought this would do to the reputation of the EITI as a whole: "Eddie [Rich, of the EITI Secretariat] keeps telling us that our participation has made a great difference to the EITI." This presumed continuity of diplomatic interest proved for Stewart the continuity of domestic implementation of the UK EITI. "You know," he said, recalling the decision to implement the policy, "we didn't give the domestic impact of EITI a second thought when we signed up. It was *all* about international leadership."

Having heard and read much about this, I had not seen any internal BIS document that would show how the domestic civil servants reacted to the DfID and FCO's diplomatic agenda of leadership by example. I asked Stewart about this.

We were sitting at adjacent desks, and he turned his computer screen in my direction. Navigating through neatly organised folders and sub-folders, he opened a Word file. Short

[202] The period between the dissolution of the parliament and the formation of the new government.

[203] The Coalition government was in power in 2010-15. It was replaced by a majority Conservative one in May 2015.

numbered paragraphs were here and there broken by tables with numbers running up to hundreds of thousands. This was an Impact Assessment of the UK EITI, Stewart explained: a formal evaluation of the policy's estimated costs and benefits, which he worked on together with Elizabeth. As he scrolled through the text and pointed to various paragraphs, I picked out key words. *Leadership*… *costs*… *rationale*… The Assessment noted the "foreign policy effect" of the UK EITI, but was sceptical about its domestic usefulness.

According to the EITI Standard, the main aim of the policy was to render transparent financial flows between extractive companies operating in a country, and the country's government. In the EITI model, this fiscal transparency was a tool of anti-corruption. It was expected to lead to better governance of extractive industries, faster economic growth, more investment and prosperity. Ever since its formalisation in 2003, this model had been promoted mostly among poor countries, supposedly lacking in the public goods that transparency was expected to bring about. The EITI was, so to speak, made for policy export; it aimed to create structures of accountability where there had been none. This was why the UK government, the World Bank, and the international NGOs such as Global Witness, Oxfam, and ONE Campaign promoted the EITI around the world.

But how could this model be useful in Britain? Here, I read in the Impact Assessment, corruption was simply "not a problem",[204] and various democratic structures of accountability were already in place. Except for the political-diplomatic benefits of demonstrating British international leadership, stated the Assessment, there was "no economic rationale" for the policy, and whatever political rationale there was, concerned international diplomacy.

Stewart printed the document for me, and as I read it line by line on my commute back home that evening, I understood what he had meant by saying that the officials had not given a second thought to the UK EITI's domestic impact: the assessment barely mentioned the political and economic domestic benefits of transparency promised by the EITI model. Rather, it implied that if corruption was not a problem in Britain, then the EITI's transparency was probably of no domestic use either. This reminded me of an interview I had in October 2014 with Andrew Naumin, who represented Publish What

[204] Department for Business, Innovation and Skills, *UK EITI Impact Assessment,* Unpublished internal document, 2013.

You Pay UK on the UK EITI multi-stakeholder group. In the interview, I recalled, Andrew forcefully made a similar point.

I went back to my interview notes. Andrew read English at university, graduating in the 1980s. Since the early 1990s, he worked as a writer and editor for various international development charities. Drafting their advocacy reports and publications, he eventually got involved in campaigning himself, and became the coordinator of the UK branch of the PWYP coalition in October 2011. The UK national coalition had 26 members, some of them the original founders of the PWYP such as Global Witness, Christian Aid and Oxfam GB. Others were large international development charities and small NGOs focusing on extractives industries abroad. From its inception as an offshoot of Global Witness campaign on Angola, PWYP had grown to some 800 members around the world, and at the time of my fieldwork PWYP UK was one among many national coalitions. These coalitions acted as coordinating and mobilising organisations; they were themselves coordinated by the PWYP International Secretariat, located near the Houses of Parliament in London, half a mile away from BIS.

Several members of the Secretariat's staff described the UK national coalition as particularly "strong": not in terms of the number of its members, but rather the consistency of their campaigning and capacity to influence policy. In Andrew's opinion, it was

> strong in terms of levels of commitment, the fact that Global Witness is based in the UK, which is kind of in a way the originator of the campaign, willingness to resource action, and effectiveness I would say. I'm not […] taking personal credit, but simply [saying that] the UK coalition has been very effective, and therefore one of the things we take interest in, is: what's going on in other countries?

In other countries, national PWYP coalitions usually advocated for extractives-related policies that concerned those countries only. But in the UK, the coalition's members did not restrict themselves to domestic issues. Where they sought to influence policy in London, it was always to affect activities of British companies abroad, rather than to increase the transparency and accountability of their operations in the UK.

Talking to Andrew, I wanted to know how this outward orientation of PWYP UK squared with the strictly national focus of the UK EITI. All but one of the Civil Society

representatives on the UK EITI's multi-stakeholder group were from PWYP UK organisations. Did the way in which they engaged in the UK EITI work reflect the foreign campaigning interests of the organisations they represented? I knew that in many countries national PWYP coalitions were practically synonymous with the EITI Civil Society constituencies. Was it the same in the UK? Andrew responded:

> No, it doesn't automatically follow [that PWYP coalition would represent the EITI Civil Society]. For example, in the US, I think the coordinator of PWYP is not closely involved in the EITI… But I think one of the differences with the US, is that there's a lot more interest in EITI among the citizens and civil society groups in the US, than there is in the UK. Because it's much more … there's a huge extractive industry in the US. In the UK, it's basically the North Sea oil and gas and that's it, you know, there's hardly any coal industry left… We have found that in the UK it's not a huge amount of interest. […] Put it this way: nobody suspects very much that oil and gas companies operating in the North Sea are cheating British citizens. *There is very little intrinsic interest in the UK EITI in itself.* We are not concerned that revenues are being stolen or mismanaged, probably as far as everyone is aware, the system is quite well-regulated and works reasonably well… [Emphasis added—TF.]

I will keep returning to Andrew's comment in order to consider its several implications. For now, however, let me note that Andrew had a first-hand knowledge about the lack of public interest in the UK EITI. When the BIS officials were setting up the UK EITI and needed to convene a multi-stakeholder group, they asked PWYP UK to coordinate the Civil Society constituency. At first the campaigners were reticent to do so (perhaps because, as I heard from Charlotte Reid-Wills, the head of the Corporate Governance team and the chair of the MSG, "they felt that there wasn't an added benefit of joining the UK EITI." Their campaigns focused on transparency in other countries, said Charlotte, and "they didn't necessarily feel that the UK EITI was the best use of their resources".) But very soon the campaigners agreed to form the Civil Society constituency, and Andrew became its coordinator. He sought to recruit participants from beyond the PWYP UK networks, reaching out to trade unions[205], environmental groups, and

[205] He had been on to a promising start with one large trade union representing oil and gas workers, but they refused to participate in the UK EITI once they realised that labour was not recognised as a special set of collective interests, and would have to be included within the Civil Society.

community organisations that could have an interest in extractive industries. But interest there was none, except among those who already participated in the PWYP UK coalition. As a result, at the beginning of my fieldwork, five out of six Civil Society representatives on the MSG were the coalition's affiliates.[206] Organisations from the wider British public, who in the EITI model were to be the main beneficiaries of corporate and governmental disclosures, turned out to be uninterested in the supposedly enlightening effects of transparency.

Andrew's comment above suggest that even those NGOs who did participate in the multi-stakeholder group, did so not because they found the UK EITI's disclosures inherently interesting (after all, they did not seem to think that corruption was a problem in the UK), but for some other reason. Telling me about this, Andrew explained that:

> The reason to get interested is not so much to see if we can find out whether BP is cheating the British Government, [but] to help make the UK a good leader in this whole debate, by not only talking the talk, but walking the walk.

This explanation points to the ethnographic puzzle that I want to interpret in the rest of the chapter. Namely, why was making the UK a "good leader" of the transparency "debate" a reason to devote hundreds of hours of campaign time to working on the UK EITI? International leadership, as we have seen, was the government's stated reason for signing up to the EITI. But why would the campaigners embrace it? In what follows, I will explore the campaigners' reason to support the UK EITI and seek to make it an "international leader" by turning it into an exemplary transparency policy. It will become clear that they embraced the government's rhetoric of international leadership not because they were complicit in the government's diplomatic agenda, but because this agenda allowed them to pursue their own goals. The way in which they chased their own aims, however, only deepened the paradox of the UK EITI.

I now turn to one example of how the Civil Society representatives negotiated the UK EITI rules with their Industry counterparts. Typical of discussions I witnessed during my fieldwork, this example is particularly revealing because it demonstrates the structure and

[206] The sixth member was an MP who had been long interested in extractives in sub-Saharan Africa. He later stepped down from the Parliament, and managed to bring in three other associates into the constituency, establishing a faction of the Civil Society representatives rival to PWYP UK.

rhetoric of the campaigners' arguments about the UK EITI, and shows the visions of transparency policy which they sought to realise.

Understanding why the campaigners sought to make the UK EITI an exemplary transparency policy, will help me clarify just what, if not an intrinsic interest in domestic transparency, was at stake for them in the UK EITI. To interpret the case, I will then return to my conversation with Andrew. He will help us understand how the entanglement of the government's diplomatic agenda, the campaigners' interests, and the formal structures of EITI implementation, turned the UK EITI into an arena for transnational advocacy interventions that sought to shape and use the policy, even if it had little to do with its official aims.

An exemplary policy?

Translating the Standard

Andrew claimed that the campaigners had no intrinsic interest in the UK EITI. However, this was not at all apparent from how they engaged in its collective governance. Andrew and his colleagues, in particular, Gary Dowell and Tim Craigs from Global Witness, and Jack Johnson from the Natural Resource Governance Institute, were among the most active members of the multi-stakeholder group. They chaired topical sub-groups that dealt with particular areas of the EITI Standard, debated with other stakeholders about how best to implement the Standard, wrote memos and long emails, and, overall, devoted much of their time to UK EITI work.

The character of this work largely depended on the EITI Standard. As mentioned above, the Standard is a set of rules about the organisation of collective governance of the policy, complemented by a list of requirements about what kinds of disclosure rules should be negotiated by the stakeholders. While stipulating the kinds of disclosures that should be made, the Standard leaves it up to the national multi-stakeholder groups to negotiate just what rules to put in place in order to achieve that.[207] This leads to a variety of different ways ("experiences", Elizabeth would say) of implementing the Standard among the EITI

[207] For example, the Standard stipulates that under the EITI, companies and governments should report all extraction-related payments and receipts, in particular, taxes, licence fees, infrastructural improvements, and so on. It provides a general classification of what should be disclosed, but it is up to the national multi-stakeholder groups to specify which concrete kinds of payments that exist in this country, fit the categories of the Standard.

countries. As Eddie Rich of the EITI International Secretariat put it to the House of Commons' BIS Committee in late 2013,

> The EITI is a standard, but it is very much a minimum standard. It has seven requirements. I always say there are 41 countries around the world implementing the EITI and there are 41 models of implementation of the EITI. We [the EITI International Secretariat] very much encourage that adaptation. I do not know if we are able to say "adaptation", because it is a standard, but it is beyond the minimum standard to use the process as a springboard for having the most meaningful conversation in each country.[208]

The national EITIs are therefore imperfect and modified copies of the EITI model (Walford 2015). The differences between the Standard and the concrete social, material and conceptual arrangements of policy are, in a sense, differences between the abstract and the concrete, which arise from the social mediation of the Standard within the MSGs.

It is useful to understand this process as a work of *translation* of the official abstractions of the EITI into concrete rules of governance and disclosure (e.g. Latour 1996: 86; Mosse 2005: 9). Translating the Standard, stakeholders have to decide not only what kinds of information should be disclosed, but also its level of detail, its temporal horizons and even its format. All these issues, as I witnessed while at the UK EITI Secretariat, could be contentious and lead to debates and disagreements (most often between the NGO and corporate stakeholders). Thus, it is not just the Standard that determines the character of the work of translation, but also the interests and agendas of the people involved in translating it into national policy.

In Britain, much of this work happened in the first year and a half of the UK EITI's existence. Internal memos and other records provide a good picture of what kinds of issues the stakeholders debated the most, and what mattered to whom. It is clear from these documents, for example, that the Civil Society were most active in negotiating optional areas of reporting, such as beneficial ownership disclosures (see Chapter Two), and left other aspects of the Standard to officials and Industry representatives to negotiate. Technical discussions about details of disclosure requirements gripped their attention

[208] House of Commons, Business, Innovation and Skills Committee, *Oral evidence: Extractive Industries Sector inquiry,* HC 832, 2014, Q 50.

only when they could lead to decisions that changed the kind and amount of information disclosed.

BIS officials, in particular Charlotte Reid-Wills, talked with irritation about what to them appeared as the campaigners' selective (and by implication, politically motivated) interest in the UK EITI. On several occasions, Charlotte told me that Civil Society representatives were often most interested in those aspects of the UK EITI, which they could hold as exemplary when campaigning for greater transparency overseas.

Charlotte's is an important insight into the politics of UK EITI negotiations; it takes us closer to answering the question of why these representatives of transnational NGOs were interested in the UK EITI at all. The flexibility of how the Standard could be translated into policy arrangements gave them an incentive to try and influence how the UK EITI enacted the Standard. Their selective interest in the optional areas of reporting, however, suggests that shaping these arrangements was not a goal in itself, and both Charlotte's comment, and the campaigners' reliance on the government's rhetoric of leadership, speak to this interpretation. To understand the campaigners' reasons for attempting to influence the UK EITI, let's explore one case when the campaigners strove to persuade their corporate counterparts that the UK EITI should "go beyond" the Standard.

Making the UK a "good leader"

In early 2014, in the midst of negotiations about how to translate the Standard, a group of Civil Society stakeholders (Andrew, Gary, Tim and Jack) circulated a 'concept paper' for attention of other stakeholders on the MSG. The paper outlined a number of new, additional areas of reporting that the campaigners deemed "relevant to the UK EITI". These additional areas of reporting were not part of the EITI Standard, but Andrew and his colleagues argued that Britain "should use its membership of EITI to usher a new era of resource governance": introduce new kinds of transparency rules that would overcome the Standard's limitations. They wrote:

> EITI reports establish a reporting methodology for what payments are received, yet citizens also require transparency over what payments are due. The EITI process cannot currently confirm that companies are paying the correct amount of tax, much less whether a Government's natural resource strategy is securing a fair deal for the country. It does not reflect the full extent of the benefit brought by

> extractive industries to the UK exchequer and to the wider British economy, nor whether these benefits are efficiently managed and sustainable in light of environmental concerns.

The campaigners proposed that the UK report should disclose all information necessary to understand not only what companies paid the government, but what they *should* pay it. This, they argued, was a matter of tax justice and resource stewardship in the context of fiscal austerity and climate change (problems that the EITI Standard still does not address). This was an argument for a broader conception of extractives' transparency than the one enshrined in the Standard. To support it, the campaigners invoked the government's own official rhetoric of leadership: as "a global leader in transparency," they wrote, "the UK reporting methodology should address all aspects of resource management". Grounding their claim in the moral stance of exemplary leadership, implied in the government's rhetoric, they said that changing the rules of the UK EITI was important not only for transparency in Britain, but for other countries too:

> The UK's EITI report should set a "gold standard" for countries developing their extractives potential for the first time; a guide to resource management and sustainable revenue flows. […] This will involve a shift in mindset from an industry accustomed to operational secrecy, yet it is essential that this shift happens.[209]

Suggesting that the scope of the UK EITI (the disclosures required by the policy) should go beyond the minimum of the EITI Standard and extend to new areas of reporting, the campaigners argued that this gesture would set a new standard of transparency, which was desirable because of its capacity to demonstrate and teach others about the possibility of new kinds of transparency. Similarly to Eddie Rich, Andrew and his colleagues understood the Standard as a minimum set of rules; if the UK EITI were to lead others by example, as the government had said it intended to do, the policy had to go beyond the minimum and include new forms of reporting.

These proposals, first discussed at an MSG meeting on 4 February 2014, were met with resistance from corporate representatives ("Industry raised concerns that these elements

[209] Here and above, all quotes from Department for Business, Innovation and Skills, UK EITI CSO Constituency, *Concept Paper (For discussion at the April MSG meeting),* Unpublished internal paper, 30 January 2014.

were beyond the scope of EITI reporting",[210] state the official meeting notes.) As often happened with debates that could prove contentious, Charlotte, the chair of the MSG, encouraged the stakeholders to have a separate meeting in a smaller format, where interested campaigners and corporate representatives could discuss the NGOs' proposal at length.

This gathering took place in early March 2014,[211] and the campaigners used it as an occasion to reinstate their arguments. They insisted that transparency of tax—not just the tax paid for extraction of minerals, already covered by the EITI Standard, but corporate tax arrangements more generally—were a matter of public interest. The public, they said, had the necessity to know whether companies paid the "right" and "fair" amount of tax. They asserted that there was nothing extraordinary about their insistence on doing more than required in the Standard: the UK EITI could go beyond the EITI Standard, because other countries had done so already in order to address issues of public interest:

> Certain EITI countries are looking at forestry and environmental issues:[212] a variety of initiatives and issues are within the coverage of EITI based on what is public interest in those countries. Better management of resources and stronger accountability is a matter of public interest. Identifying what is useful to different UK audiences can inform public debate and is at the heart of the principles.[213]

Andrew and his colleagues specified their demands: there was a need, they argued, for additional company-level disclosures of corporate profits, number of jobs and size of investment, and tax incentives. These would help to ensure not only corporate, but also governmental accountability, helping citizens to assess "whether the fiscal regime implemented by government is appropriate." The proposal was far-reaching, with a potential to re-qualify the UK EITI as a broad platform for corporate and government transparency.

---

[210] Department for Business, Innovation and Skills, UK EITI, *Multi-Stakeholder Group Minutes of the 3rd Meeting-Tuesday on 4th February,* Official meeting notes, 2014, para. 54. Available from http://webarchive.nationalarchives.gov.uk/20150608203213/https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/303279/Amended_Minutes_MSG3_V4.pdf

[211] On the Civil Society side, attendees included Andrew Naumin (PWYP UK), Gary Dowell, Tim Craigs (Global Witness) and Jack Johnson (Natural Resource Governance Institute), as well as representatives of ChristianAid and Tax Research UK and a number of other NGO members. Three senior Industry members representing BP, Shell and ExxonMobil joined them.

[212] These are not covered by the requirements or recommendations of the EITI Standard.

[213] Here and below, all quotes are from Department for Business, Innovation and Skills, UK EITI, *Concept paper: Agreed minutes of meeting of 5 March 2014,* Unpublished internal meeting notes, 2014.

In the "age of austerity," suggested the campaigners, state revenues from corporate taxation had to be made transparent and put under public scrutiny. They proposed that the UK EITI could be used as a "forum to push that forward", just like in other countries national EITIs were used for similar purposes. "In Tanzania [i.e. in the Tanzanian EITI], the issue of corporation tax started a debate around incentives and reform"; the "EITI can be used as a forum to push that forward the way that in Liberia they used contracts as a way to push it forward."[214] Extended corporate reporting of corporate profits, argued the campaigners, was the future, and there was "an opportunity in the UK EITI to start thinking about what this future of reporting [could] look like. […] The UK EITI is a useful test-bed for how we can move forward on this [i.e. new types of reporting], and influence in other countries."

Examples from Tanzania and Liberia demonstrated that it was possible or even necessary to introduce new kinds of reporting not mandated in the Standard in order to make the EITI process "meaningful". The UK EITI in itself could be a demonstration for others: "Civil society underlined the potential for the UK EITI to lead by example in its EITI process." Leading others by example, moreover, was something that the MSG had already sought to do, setting a precedent by opting for several 'optional' areas of reporting recommended (but not required) by the Standard:

> As an MSG we decided to go forward with that on the basis of maintaining a 'gold standard' and ensuring that the UK led the way. We should have a more robust EITI and should inspire other countries to do the same. We don't need to wait for other international standards to discuss these things as a group. Forestry and audits of environmental damage [in other countries] are big step outs and are nonetheless reported within the EITI because MSGs in individual countries decided it is in the public interest.

Unsurprisingly, the Industry representatives disagreed in almost every respect: new forms of disclosures would mean more work for their companies in the UK, and if the UK EITI indeed inspired other countries to follow suit, then these companies would have to deal with such disclosures in other countries, too. They disputed both the notion of public

[214] They cited Tanzanian and Liberian EITIs because both countries were implementing disclosures not mandated by the Standard, i.e. corporate tax and extractives' contracts, respectively.

interest, and the idea that other countries' examples could be relevant to the UK.[215] They, moreover, ignored the campaigners' claims that the UK EITI should be introducing new forms of disclosures to influence other countries. The meeting notes state that the discussion ended without much of an agreement. Both parties recognised that it was useful to have the discussion, and Industry representatives conceded that problems raised by the campaigners were important. They however insisted that the UK EITI was not the right forum for them, because it was a domestic transparency policy that had to reflect the collective will of all stakeholders.

That the Industry representatives successfully managed to resist the campaigners' arguments, points to the infelicitous character of campaigners' rhetoric, and demonstrates how a division in a collaborative arena of the MSG can in fact undermine new forms of transparency. But my point here is different.

The politics of examples

According to the meeting notes, the Industry representatives "asserted that civil society is trying to meet multiple objectives through these disclosure proposals". Indeed, the campaigners argued that going beyond the Standard was in the public interest. But they never defined neither what this interest was, nor who was the public, and at different moments, the word seemed to alternatively refer to UK citizens, and to foreign audiences who would benefit from the effects of the UK's exemplary transparency policy. If Charlotte suggested that the NGO representatives were interested in performing the UK EITI to the foreign, rather than national, publics, the meeting notes I have discussed does not allow to say with certainty that this was indeed the case. Rather, the corporate representatives' assertion about "multiple objectives" implies that the campaigners were trying to address both audiences, by enacting the UK EITI simultaneously as a national policy of transparency, and as a transnational example for other countries. It is difficult to say whether they did so genuinely (i.e. because they 'cared' about the UK EITI's domestic effects[216]), and in what follows, I will offer an interpretation of their goals. But it is clear that whatever these goals were, the campaigners sought to pursue them by

[215] For example, they stated that: "There may have been concepts looked at in other countries but every process needs to be considered within the specific country's context and where people are at that point in time. […] The industry constituency has a different view to what civil society describes as the role of the EITI and the MSG regarding what constitutes public interest. Civil society's view of public interest is very broad whereas Industry representatives consider public interest within framework of the EITI."

[216] Invoking the national publics might have helped them justify their agenda of using the UK EITI as an example for similar policies elsewhere.

holding in view two levels of action at once (Cook 2015: 155-6; Riles 1998), which had the effect of reconfiguring the scale of the policy.

In what follows, I will argue that this was possible because of the centrality of the notion of example, and the tension between the abstract EITI model and its concrete instances (dare I say, examples), to the structures and processes of EITI implementation. By focusing our attention on these issues, the campaigners' unsuccessful attempts of shaping the UK EITI demonstrate a more general truth about the politics of EITI, namely, the way in which the formal organisation of the EITI allowed for such campaign interventions in the first place. Understanding this, in its turn, can reveal just what kind of reason Andrew and his colleagues had in shaping the policy that was of no "intrinsic interest" to them.

As I observed during my time at the UK EITI Secretariat, the use of examples was in fact a common practice not only for campaigners, but also among government officials involved in the UK EITI. This was encouraged and made possible by the very structure of the EITI: as Stewart Barber explained to me, the fact that the international Standard provided a uniform abstract model of the national EITIs, meant that all countries "go through the same issues" when translating the Standard. This points to a dialectic of the abstract and the concrete, in which national EITIs are implicated: it is not just that the model is abstract, and the examples, concrete. Rather, the examples are simultaneously located and general; they can reveal something abstract about the EITI, particularly about other examples, in ways that the model cannot (Højer and Bandak 2015).

Thus, in the UK and elsewhere, concrete instances of EITI implementation were often used as examples of how to work with the EITI model. Officials at the UK EITI Secretariat referred to this as "peer learning." On many occasions, they were recruited by DfID and FCO to present the UK EITI, as a supposedly good example of the EITI, to various foreign delegations, keen to learn about 'good practices'. By the same token, particular examples of EITI implementation were routinely brought up in the work of the multi-stakeholder group and the UK EITI Secretariat. The stakeholders discussed the abstractions of the EITI Standard with constant awareness of examples of its implementation elsewhere; the work of translation "occur[red] in knowingly comparative terms" (Peck and Theodore 2015: xv).

Other countries' examples served as a heuristic for demonstrating the range of ways in which the Standard's abstractions could be translated into concrete policy arrangements. For instance, Andrew Naumin, who was in charge of producing one part of the UK EITI report, often referred to the Philippines EITI as a "good example" of an exhaustive, illustrative EITI report. Many corporate representatives, however, preferred the annual reports of the Norwegian EITI—an example of a concise EITI document without too much detail. Similarly, in disputes about interpreting this or that requirement of the Standard, stakeholders frequently relied on the demonstrative authority of foreign examples.

There were many ways in which knowledge about examples of EITI implementation circulated among the stakeholders. For one, the campaigners had privileged knowledge of other countries' EITIs because of their participation in the international PWYP coalition, which made them aware of how PWYP affiliates dealt with implementing the policy elsewhere. These Civil Society networks worked in parallel to the official structures of the EITI. Elizabeth, for instance, learned about other countries' "experiences" of the policy while attending international EITI Board meetings and conferences, where the International Secretariat, DfID and PWYP members organised workshops and presentations to facilitate peer learning. Knowledge was an explicit object of exchange (Riles 2000), and the International Secretariat produced regular newsletters and circulars to inform the several thousand participants of the national EITIs about the latest developments in the policy, and point to particularly successful examples of its implementation. Eddie Rich, a frequent guest to the UK EITI meetings because of his British citizenship and London residency, was another source of knowledge about the EITI, which he always illustrated with a prolific use of examples.

Giving examples of EITI implementation was a routine form in which practical knowledge about the policy circulated.[217] As Højer and Bandak (2015) suggest in their

[217] This, of course, is not peculiar to the EITI. Geographers Jamie Peck and Nik Theodore argue that such lateral mobility of policy knowledge and models is a general condition of contemporary policy-making almost everywhere in the world. In their view,

> The modern policymaking process may still be focused on centers of political authority, but networks of policy advocacy and activism now exhibit a precociously transnational reach; policy decisions made in one jurisdiction increasingly echo and influence those made elsewhere; and global policy "models" often exert normative power across significant distances. (2015: 3)

Although Peck and Theodore do not theorise policy mobility in terms of examples, exemplification is central to the empirical material that they deal with. Their book demonstrates that policy advocates, such

introduction to a special issue of JRAI on exemplification, examples are persuasive because of the demonstrative work that they do; their function is to "induce an imitative reproduction" among their audiences (Gelley 1995: 3). In the discussions about the scope of the UK EITI, outlined above, we can see how Andrew and his colleagues used foreign examples of the EITI to persuade their corporate opponents about going beyond the Standard. Here, examples were rhetorical instruments in the "symbolic play" of the MSG negotiation. Officials and their stakeholders constantly used foreign examples as cultural schemas "to influence and move one another"—schemas that were "themselves plastic and mutable, the material of constant symbolic play" (Carrithers 2008: 162, also 2005a, b). Such examples were of course neither given nor naturally ready for use: they had to be made, framed and emplotted in particular narratives through which the people implementing the UK EITI sought to persuade each other (for an extensive theoretical treatment of exemplification in anthropology, see Højer and Bandak 2015; also, Coleman 2015).

And in so far as examples are socially and culturally constructed, Andrew's and his colleagues' endeavour to introduce new kinds of disclosures into the UK EITI could be seen as an attempt to deliberately change the policy to make it a good example of the EITI. In their references to the Tanzanian and Liberian EITI, they construed these countries' EITIs as examples demonstrating that the UK EITI, too, could be made more than just another translation of the Standard. Whereas in the government's vision of international leadership, the implementation of the EITI was in itself enough to somehow lead others by example, the campaigners actively aspired to *make* it into such an example through new forms of transparency that they thought were innovative and, indeed, exemplary. In this logic, the policy had to go beyond the Standard in order to become worthy of being an example for others.

I have suggested that examples of the EITI model were implicated in a dialectic of the abstract and the concrete. Højer and Bandak point out that it is within this dialectic that examples gain their power: "The good example/exemplar is always less than everything and more than itself and, rather than doing away with general propositions, examples and exemplars point to a constant movement […] between the general and the specific" (2018: 8). Højer and Bandak direct our attention to the logic of exemplarity implicit in the

as, in my case, Global Witness and their PWYP allies, make policies move across borders by framing them as examples of ways to deal with some more general problems found in different contexts.

campaigners' arguments. Namely, to how, by being simultaneously concrete (local, emplaced) and abstract (general and more widely revealing of the EITI model and its examples), the UK EITI could become a good example of transparency for others. I would like to propose that for Andrew and his colleagues, the rhetorical power of the example in the context of their campaigning and work on the UK EITI, was not just a question of verbal rhetoric,[218] but of the example's capacity of "suggesting, proposing, and revealing new generalized 'wholes', standing for a broader class of phenomena" (*ibid.*) By paying attention to the 'wholes' the UK EITI gestured to in this way, we can understand both why the campaigners wanted to make the policy into an example for others in the first place; and how their doing so, scaled the UK EITI so as to make it simultaneously a national policy and a tool of transnational intervention. This is what I turn to in the remainder of this chapter.

The jigsaw of global transparency

Let's return to my interview with Andrew Naumin. As you recall, he noted that there was little public interest in the UK EITI because there was no suspicion that the North Sea oil and gas companies were cheating the government of tax. Explaining why, in spite of this, the British transnational transparency NGOs still decided to get involved, Andrew said:

> Where there is interest [in the UK EITI], it tends to be amongst the members of the PWYP coalition who see the UK EITI as a kind of an important part of the jigsaw of global transparency. Therefore, it's worth supporting the UK EITI simply as another way of reinforcing the movement towards global transparency.

Andrew's brief comment brings to the fore a vision of extractives' transparency agenda, shared among many campaigners I have talked to. In this vision, the UK EITI is part of a larger context, the "jigsaw" of interconnected transparency policies, in which Global Witness and its PWYP UK allies were simultaneously involved (Anand 2006). This global jigsaw consisted of various national EITIs, as well as mandatory disclosure policies in Canada, the EU and US. These policies, as I will explain in Chapter Six, shared the same basic principles, resulted from PWYP campaigns, and were all to some extent modelled on each other. The national EITIs, of course, also shared the basic structures of policy. By introducing new transparency rules into the UK EITI, Andrew and his

[218] As a sceptical reader might think, questioning whether the campaigners indeed wanted to make the UK an international leader in transparency, or pursued some other goals, justified with references to the government's rhetoric of leadership.

colleagues would change not only the UK EITI, but also intervene into the larger jigsaw of global transparency in which it was placed. Exemplification was important for this intervention, because it was through examples that knowledge about the EITI circulated among those implementing the policy. Moreover, creating in the UK a novel example of EITI implementation beyond the Standard, these campaigners would then be able to point to this example in other countries where they advocated for extractives' transparency (as Charlotte complained they wanted to do).

Andrew's comment also makes clear that for the campaigners the 'whole' to which the example of the UK EITI gestured, was not so much the total number of national implementations of the EITI, related through the EITI Standard and channels of peer learning, but rather all extractives' transparency policies, in which the PWYP coalition participated in one or another way. And because the particular example of the UK EITI implied the general whole, introducing new disclosure rules into the former, was a way of bringing them into the latter.

This explains why, without an "intrinsic" interest in the UK EITI, Andrew and his colleagues still got involved in the policy. Doing so, they endeavoured to use it as both an arena for intervention into a larger "jigsaw" of global transparency, and, construed as a model example, a tool of such intervention. The proposed introduction of extensive reporting of corporate taxation through the UK EITI, would thus be an instrument of a wider campaign, in which the UK EITI would serve as a mobile example to point to, just as Andrew and his colleagues pointed to Tanzania and Liberia's examples. Finally, in so far as the UK EITI was a copy of the EITI model, introducing and institutionalising new forms of reporting which were not part of the Standard, could in itself be a way of acting upon and "reinforcing" the model. This also points to the fact that the various extractives' transparency policies were brought into a single movement by the mediating social infrastructure of the PWYP coalition. It was only because there was such a coalition, and because it was internally coordinated, that acting upon a national EITI in the UK could be a way of acting upon other national EITIs, or at least creating a possibility of such action. In this way, the involvement in the UK MSG of Global Witness, NRGI and PWYP UK, whose main targets of campaigning were overseas, politicised the collective governance of the UK EITI in ways that were not predicted by either the Standard, or existing views about the politics of MSG negotiations.

For example, in their textbook on collective governance, Eddie Rich and Jonas Moberg of the EITI International Secretariat, argue that the multi-stakeholder group brings together actors with very different interests and agendas. It is a mistake, they imply, to see collaboration as devoid of conflict—if anything, conflict is its very fuel (2015: 39). "It is inevitable that relationships in collective governance groups are unbalanced. This leads to a complex power play in which consensus building is a constant challenge." (49) Describing the multi-stakeholder group as a political space in which stakeholders' multiple interests play out, Rich and Moberg argue that the structure of the group, and the requirement of consensual deliberation, force the disagreeing parties into agreement. The collaborative set-up of the policy moulds conflicts into cooperation around the stakeholders' common interest in transparency. In the case I have discussed above, the NGO stakeholders' plans to introduce new forms of reporting were indeed undermined by corporate representatives' dissent. The stakeholders had to settle on the lowest common denominator, which sabotaged the campaigners' plan. Contrary to Rich and Moberg's suggestion, this case demonstrates that the campaigners' interests were not intrinsically in the UK EITI as such. Even if at one level their debate with the Industry representative was about the proposed new rules for the UK EITI, at another level, it was not about the UK EITI at all, but about the campaigners' attempt to use the policy as both an arena and an (exemplary) tool of reinforcing the "global" movement towards greater extractives' transparency.

In other words, the politics of these negotiations had less to do with the policy in itself, and more, with how the campaigners sought to entangle it into their larger political projects of promoting extractives' transparency. It was ultimately in this way that the UK EITI was of interest to the campaigners.

Andrew's description of the transparency jigsaw and the campaigning movement as global, challenges the assumed division of policy into domestic and foreign. The curious effect of the participatory, collaborative policy-making is that the UK EITI became entangled in projects of transnational advocacy in ways that were not predicted by the binary of national policy and foreign diplomacy. The government's rhetoric of international leadership, I suggested at the beginning of this chapter, justified the domestic implementation of the EITI in terms of diplomatic considerations. The national and the international became thereby intertwined, but they still remained separate as scales of

policy intervention: Elizabeth and her Secretariat staff dealt with the domestic policy implementation; DfID and FCO officials promoted the EITI abroad.

In contrast, Andrew's comment, and my analysis of the negotiations between the campaigners and their Industry counterparts above, suggest that the NGO representatives became involved in the making of the UK EITI in order to use it both as an *arena*, and a *tool* for transnational advocacy. It was an arena, because it was a physical and metaphorical space of policy-making. By participating in it, the campaigners sought to make the policy into a model example of transparency in such a way that gestured to the broader, transnational context of interconnected transparency policies.

In contrast, by shaping concrete national rules of the UK EITI, Andrew and his colleagues intervened into the larger context of interconnected transparency policies, in virtue of how the UK EITI, performatively construed as an example, elicited and suggested the 'whole' of the global transparency puzzle (Coleman 2015: 149; Højer and Bandak 2015). Demonstrating the pragmatic redundancy of such categories as 'national' and 'international', 'domestic' and 'foreign' policy, this move reveals not so much "the active social and political connectedness of apparently different scales" (Smith 1992: 66), as the fact that scale is practically and relationally constructed (Ferguson and Gupta 2002). The scale of campaigners' actions here was not an analytical or a pragmatic given, but rather itself was a result of the actions and visions they sought to realise (Bauman 2016). By seeking to construe the UK EITI as simultaneously a domestic transparency policy with strong rules of disclosure, and, in virtue of those rules, a mobile exemplar for others, the NGO representatives attempted to make a political intervention simultaneously in the UK and elsewhere. They held two levels of action in view at the same time (Riles 1998), and this was possible because of the dialectic of the abstract and the concrete in which the UK EITI was implicated. In this manner, the "social formations that are temporally or spatially distant from the ecology of copresence" (Bauman 2016: 25) of the UK EITI's collaborative arena, became articulated through the situated interactions within this arena, implicating what was going in it, in global advocacy projects. Thinking in this way about the problems that this chapter has explored, we can begin to understand the scale of the policy as produced and contested from within the social world of the policy itself.

My analysis of the interview with Andrew suggests that the campaigners were more interested in the UK EITI's potential as a tool of campaigning elsewhere. To construe it

as such a tool, they first needed to see it as an element of a larger context or whole—not a *mere* example pointing only to its own particularities, rather than anything general beyond it (Højer and Bandak 2015: 7-8). And if scale is a relational artefact of commensuration (Carr and Lempert 2016), then implicating the UK EITI in the "jigsaw of global transparency" was an act of scaling, indispensable for Andrew's and his colleagues' political intervention. Scaling, it can be argued, was here a form of political intervention in itself.

Concluding remarks

The question of the scale of policy brings me back to the paradox of the UK EITI: a domestic policy of transparency driven by the government's attempts to promote it abroad, and the NGOs' endeavour to make it into a tool of advocacy elsewhere.

Throughout this chapter, I have sought to unpack this paradox and explain how and why the campaigners tried to make the domestic policy of the UK EITI into a vehicle for their transnational interests. The government's reason for signing up to the EITI, I have demonstrated, had little to do with the policy's official aim of bringing transparency into domestic extractive industries. Rather, this reason was diplomatic, and officials explained it through the idiom of international leadership. But if influencing other countries was the government's goal, it was the campaigners, rather than government officials themselves, who most often invoked this goal in the discussions about the UK EITI's *domestic* rules. In the name of international leadership, these campaigners attempted to shape the UK EITI from within, performing (in a way very different from the government's) the UK EITI to international audiences.

I asked why the campaigners embraced the government's diplomatic project, and suggested that the answer lies in their vision of their own advocacy practice as a global movement for greater transparency. For Andrew and his colleagues, the UK EITI was part of this movement, an element of the jigsaw of global transparency interconnected with other similar elements. Making the UK EITI disclosure rules more stringent, and introducing new kinds of disclosures through this policy, the campaigners would be able to reinforce the jigsaw as a whole.

But this vision of campaigning as a global practice, and domestic policy as its arena and tool, was not enough for them to make the kinds of proposals that I have described. Rather,

it was a confluence of various factors, not least of which the formal organisation of the UK EITI as a collaborative arena, in which Civil Society participation was required by the Standard, that allowed Andrew and his colleagues from transnational NGOs to get involved in the making of the UK EITI. As I have sought to demonstrate, by collaborating with government and corporate representatives, these campaigners sought to pursue a political project that had little to do with the formal aims of collaboration (Anand 2006).

Another enabling factor was the structure of the EITI implementation, namely, the tension between the abstract Standard and its concrete translations, and the role of examples in the circulation of knowledge about the policy. Exemplification is important in this context because it is wired into the structure of the EITI: as each national EITI is a modified replication—an example—of the EITI model. As I have argued, Andrew and his colleagues relied on the demonstrative logic of exemplification in order to make the UK EITI a vehicle for promoting transparency abroad. Describing how the campaigners sought to "do things with examples" (Mittermaier 2015), I have sought to contribute to the recent ethnographic explorations of the conceptual and political work of exemplification (see papers collected by Højer and Bandak 2015). This led me to suggest that for the campaigners, the forging of the UK example of the EITI was a form of transnational political intervention in its own right (Krøijer 2015).

Analysing the complexities of policy negotiations, I have demonstrated how the politics of collaborative governance of the UK EITI were affected by campaigners' political interests that were extrinsic to the policy. Literature in anthropology of policy is rich with examples of policies shaped by multiple interests at work in the social arenas of policy-making or implementation (e.g. Lea 2008; Mosse 2005; Tate 2015). In the previous chapters I focused on how various institutional interests affected the development of the EITI's design. In this chapter, I have explored how this design, when implemented in the UK, allowed the NGO representatives to pursue their transnational campaigning agendas from within the collaborative space established by the policy. Their attempts to do so, I suggested, were informed by a peculiar vision of campaigning as a global practice, and explicating this vision, I have argued that the campaigners' intervention scaled the UK EITI in ways that cannot be predicted by the binary differentiation of the scale of policy and politics into national and international. Rather, the scaling of policy was in itself a kind of political intervention, suggesting that we need to pay attention to the scalar politics of governance.

In the instances described in this chapter, the campaigners' attempt to make the UK EITI into an example for other countries failed. But explaining what made it possible and what was at stake in it, has allowed me to shed light on the manner in which a national policy could become shaped by political interests that did not necessarily pertain to its official goals, and which made it both an arena and a tool of political intervention styling itself as global. In the next chapter, I will build on the arguments I have developed here, in order to understand how both the campaigners' and their corporate counterparts' involvement in the "jigsaw of global transparency" affected the dynamics of their collaboration with each other and BIS officials.

Chapter Six
A crisis of collaboration: moral dimensions of collective governance

The emergence and spread of the EITI around the world exemplifies the rise of collective governance. An organisational 'device' assembling collective actors interested in transparency, multi-stakeholder collaboration overcomes the incapacity of governments, corporations and NGOs to deal with extractives' corruption on their own (Rich and Moberg 2015: 4). Collaboration allows these actors to do more together, and transforms their particularistic interests into a common agenda of transparency and accountability. Or so, at least, goes the theory of collective governance in extractive industries, proposed by Eddie Rich and Jonas Moberg of the EITI International Secretariat.

Defining collective governance,[219] Rich and Moberg build on descriptions of collaboration as a new mode of governance that "brings multiple stakeholders together in common forums with public agencies to engage in consensus-oriented decision making" (Ansell and Gash 2008: 543; also Donahue and Zeckhauser 2011). Collective governance, in this view, is about extending administrative authority to actors beyond the state (cf. Riles 2011). This view invokes a rich literature in the social sciences that has addressed a perceived shift from conventional forms of government to new forms of political ordering that are less dependent on state institutions (for overview, see Djelic and Sahlin-Andersson 2006; du Gay 2007: 158-175). The central argument of this literature is that new forms of governance emerge to accommodate the growing plurality of mediatory bodies between society and the state (Croce and Salvatore 2015: x). By bringing in "other agents in the state's field of relationships" (Clarke and Newman 1997: 29), these forms of governance challenge and change the regulatory role and authority of the state.

These conceptualisations of governance offer a useful guide to understanding governance not as an analytical solution to the problem of change in conventional modes of government, but as an ethnographic problem in itself. This chapter takes a cue from these conceptualisations to describe how the participation of corporate and NGO actors affects the relations of government and practices of policy-making in a context where collective governance is characterised by antagonism and conflict, as well as collaboration.

[219] They define the term as "the formal engagement of representatives of government, civil society and companies in decision-making and in public policy discussions." (Rich and Moberg 2015: 4)

This chapter contributes to the dissertation's aim of understanding how the social world of policy-making is made and inhabited by government officials and their stakeholders. It does so by exploring the political, relational and moral dimensions of collective governance (Bear 2015; Bear and Mathur 2015; John 2009, 2015; Telesca 2015). Moral considerations and expectations, I suggest, are an irreducible part of collective governance, or in fact, any practices of government. My argument is that if we are to understand how collective governance takes place, what problems and processes are at stake in it, and how they affect civil servants, we need to pay attention to how collaboration is informed and reworked not only by relations of power, but also by the relational and moral dimensions of collaborative encounters (Brown 2016: 592).

Collective governance, as Rich and Moberg (2015) understand it, is not peculiar to the EITI. To explore the problems outlined above, in this chapter I will discuss one compelling case of a collaboratively governed policy: the UK policy on mandatory disclosures of extractives' payments to governments. Conceptually, institutionally and socially intertwined with the (UK) EITI, the mandatory reporting regulations were implemented by BIS officials in close collaboration with the same stakeholders that later became involved in the UK EITI.

Similarly to the UK EITI, these regulations were collectively negotiated in a working group of stakeholders. Although this collaboration was informal,[220] corporate and NGO stakeholders were as a matter of fact involved in drafting many policy texts and shaping decisions.[221] However, there was one crucial difference between the UK EITI and the mandatory reporting policy: the latter became a focus of an intense dispute between the Industry and the Civil Society.[222]

The opening-up of policy-making to corporate and NGO stakeholders not only allowed for their collaboration, but also fuelled their antagonisms. At the time of my fieldwork,

[220] I.e. roles, obligations and authority of different parties were not formally defined, and civil servants retained the exclusive decision-making power that they had rescinded in the UK EITI.

[221] This, and the way in which the sociality of their collaboration affected the policy, make the case of the mandatory regulations comparable to that of the UK EITI. Indeed, in the dissertation's Conclusion I will explicitly make this comparison to analyse how collective governance challenges the authority of civil servants.

[222] Officials used the same constituency titles as in the context of the UK EITI, although there were no formal representational arrangements in place in the mandatory reporting working group.

these antagonisms led to an open conflict that, in the view of BIS officials, tore the relationships built during the months of collaboration. Because of how this mandatory reporting policy was socially intertwined with the UK EITI, the stakeholders' conflict about the former eventually hijacked the implementation of the latter.

The main focus of this dispute was the way in which corporate representatives interpreted some key ideas of the mandatory reporting regulations in a voluntary, non-binding document called the Industry Guidance. BIS invited these corporate stakeholders to write the Guidance as a form of weak self-regulation that complemented the law, and in campaigners' view they used it to undermine the mandatory reporting policy. The conflict demonstrated the transnational dimension of corporate and NGO lobbying, and the ways in which similarly to the UK EITI, the mandatory reporting policy was implicated in larger political projects of Civil Society's and Industry's advocacy (see also Chapter Five). For the officials, however, the conflict laid bare the limits of their authority vis-a-vis the stakeholders, because while it directly affected the civil servants and their policy, its sources and solutions literally lay *beyond* the government.

This chapter will provide a thick description of the premises and the dynamics of the dispute in order to explain why it occurred in the first place, and what it can tell us about the bureaucrats' moral responses to the changing social world of policy-making. I will analyse two competing ways of making sense of the conflict: the BIS officials', who described the Guidance dispute as the NGOs' moral failure to collaborate and discern collaboration's limits; and the campaigners', for whom the conflict was a moral necessity caused by a failure of collaboration.[223] My ethnography will demonstrate that the sociality of stakeholders' and officials' encounters, antagonistic or cooperative, engendered moral expectations of engagement and respect. For the civil servants and the campaigners, however, these expectations inhered in different orders of sociality. I will argue that they significantly shaped the conduct of collective governance, and led the officials and their NGO stakeholders to take opposite ethical stances with relation to the conflict.

I begin with a brief account about collaboration in the context of the mandatory reporting policy in order to explain how BIS officials involved corporate and NGO stakeholders into the making of policy, and why they thought it was a good idea. Adopting the

[223] I did not have access to corporate representatives, but analysis of documents and cross-referencing of other materials, allows for a fair assessment of their positions.

perspective of a participant observer, I will then describe how the Guidance conflict erupted, and what it looked like from the perspective of civil servants at BIS. This will lead me to explain why the conflict made sense from the perspective of the campaigners' transnational advocacy. I will then explain why BIS officials' understanding of the conflict was so different from the campaigners'. I will conclude the chapter with an analysis of what the campaigners' and officials' narratives of the conflict as a *moral*, rather than just a *political*, problem, reveal about the effects and challenges of collaborative policy-making.

Collaborative policy-making

The mandatory reporting policy

When the EITI was formalised in 2002-3, its voluntary, participatory set-up turned out to be far from the mandatory policy design originally proposed by Global Witness (see Chapters Three and Four). Dissatisfied with this distortion of their idea, Global Witness and other members of the newly created NGO coalition Publish What You Pay (PWYP), continued to advocate for an obligatory policy on extractive companies' reporting of payments to governments. As the EITI gradually normalised and legitimated the idea of extractives' transparency, PWYP grew in ranks and influence. It extended its membership and campaigns to many countries, but the founding members of PWYP retained their transnational focus (see Chapter Five). These London-based organisations are the key protagonists of this chapter.

By the end of 2000s, the advocacy of Global Witness and the US coalition of PWYP started to yield policy results. In 2010, rules on mandatory reporting of extractives' payments were included into the Dodd-Frank Wall Street Reform and Consumer Protection Act. Known as Dodd-Frank 1504[224] the requirement was a landmark achievement for the campaigners, and soon became a model for other similar laws in the EU and Canada. The key provision of Dodd-Frank 1504 was the requirement that resource companies had to publicly report their payments to governments in much greater detail than almost in any other form of tax disclosure before that. Whereas most corporations report tax as an aggregated sum for all countries of operation, under this law,

[224] For section n. 1504 in the law. Otherwise known as the Cardin-Lugar amendments. As I revise these pages (in February 2017), the Republican-led US Congress has voted to rescind the executive regulations implementing the law. As a matter of pure coincidence, ExxonMobil, whose former CEO Rex Tillerson is now the US Secretary of State, has been among the main opponents of extractives' mandatory reporting.

companies had to separately disclose information about payments for single extractive operations—'projects'—, such as one mine or an oil field. With the primary law in place, the US Securities and Exchange Commission (SEC) produced further executive regulations to give a technical legal definition of projects.

The detailed disclosures in 'project-level' reporting were important for campaigners, who claimed they needed as much information as possible to identify corrupt transactions. By the same token, they were a great nuisance for large transnational extractive corporations, which united in their opposition to the law and the SEC ruling, claiming that such disclosures were costly and made them less competitive. Under the aegis of the American Petroleum Institute (API), numerous American and European oil companies started a legal battle against the SEC, trying to weaken[225] the definition of the project and other reporting requirements. This corporate opposition to project-level reporting in the US would later have effects in the EU and Britain, and I will return to this later.

In 2010 the European Commission set out to develop a new Accounting Directive, announcing that it would follow the example of the US Dodd-Frank reforms and introduce project-level reporting for extractives. The reporting rules would be included in Chapter 10 of the Directive, but first the content of the Chapter and the design of the reporting regime had to be negotiated by officials representing all EU countries. The task of developing the official negotiating position of the UK government befell a small group of bureaucrats at BIS: the head of the Corporate Governance team Charlotte Reid-Wills and her two subordinates, Mary Lewis[226] and Catherine Barnes. This was the same team that would later host the UK EITI Secretariat, so as soon as I began my fieldwork with the Secretariat's staff, I realised that the mandatory reporting policy was being drafted in the same office. In the team, the mandatory reporting rules were known simply as the "extractives". (The shorthand referred to all components of the policy: Directive's Chapter 10, its subsequent implementation as a piece of UK legislation,[227] to which I will

[225] Here I follow the campaigners' use of the adjectives weak/strong. A stronger policy is one that has a more detailed and comprehensive set of reporting requirements, which lead to the disclosure of more information.

[226] Mary was only involved at the beginning, later taking up work on other aspects of the Accounting Directive. It was therefore Charlotte and Catherine who were involved in most of the events I describe here.

[227] In the UK, the final reporting rules from Chapter 10 were enshrined in *The Reports on Payments to Governments Regulations 2014*.

refer simply as the Regulations, and finally, the voluntary Industry Guidance interpreting the Regulations.)

Through office conversations and interviews, I also discovered that from the very beginning of the European negotiations about the reporting rules, BIS officials were developing their ideas about the design of the rules in conversation with corporate and NGO stakeholders. It was considered good practice at BIS and other departments (Maybin 2016) to consult with interested parties within the government and outside of it while making the policy. But as Charlotte explained to me, because of the changing approaches to government regulation, officials at BIS increasingly engaged their business and other stakeholders not only as outside consultants, but as co-authors of policy.

Corporate law and accounting, particularly in extractive industries, was a challenging area of specialist policy knowledge, and many officials told me that no-one but corporations themselves, knew how best to regulate their conduct. There was an expectation from the ministers that BIS would produce less regulation by allowing the subject of regulation to govern themselves through such forms of soft law as codes of conduct or guidances, checked and approved by the department. This approach to (de-)regulation, with which many civil servants at the Corporate Governance team agreed, also favoured collective governance of the policy through stakeholders working groups and consultative committees. Some officials suggested that such working groups, which included stakeholders into the making and management of policy, had an added benefit of reducing stakeholders' opposition to regulation, and prevented their criticism of the government.[228]

All these factors contributed to Charlotte's decision to establish an informal stakeholders' working group. She wanted the expert inputs of corporate representatives and was eager to work with corporate representatives as long as she had an upper hand in making the policy. But internal departmental correspondence also suggests that Charlotte and her officials were aware of the American Petroleum Institute's legal challenge to the mandatory reporting rules in the US. The oil company Shell, which participated in the API case, was aggressively lobbying the UK government (BIS and the Cabinet Office)

[228] As one cynical team colleague at BIS told me, involving stakeholders into some kind of policy work, even if most insignificant, allowed them to "opine about crap" and could even be substantively helpful. Charlotte made a similar, although politer, point. Maybin (2016) offers an insightful analysis of similar political manoeuvres at the UK Department of Health.

against strict mandatory reporting rules, threatening judicial review[229] if the government did not listen to them. Charlotte wanted to avoid a legal challenge. She must have also known of Global Witness' and PWYP coalition's campaign against the corporate attempts to weaken the US reporting regulations. Therefore, when the work on negotiating the Accounting Directive began, and the same corporations and NGOs that had tried to influence the SEC/Dodd-Frank 1504 rules started to lobby BIS,[230] Charlotte decided to get these people to "work together" on the policy. She recalled:

> initially they wanted to talk to us separately about the proposals [for mandatory reporting] and I wasn't keen about it. So, we had a couple of meetings with all of them, one of which the minister came to, basically to try and find some sort of common ground that we can get them to talk about to start with. And get used to working together. So, once we got over the hurdle of them shouting at each other across the table […] it was great. Because otherwise we were in this situation where we were trying to negotiate in Europe, and we were trying to handle the different views of the [stakeholders here]…

Working together as a group, corporate and NGO representatives would have to negotiate a "common ground" with each other and the officials, instead of trying to lobby civil servants separately.

Negotiating a "common ground"

The recollection above gives a small hint of Charlotte and her officials' vision of stakeholder collaboration. The officials described the work in the group as a process of negotiation and exchange, in which the stakeholders argued and formulated among themselves what they "wanted", and the officials decided whether to "give" it to them.[231] The two groups of stakeholders wanted opposite things from the future policy on mandatory disclosures, and this in many ways echoed the arguments they had made in

[229] A form of legal action against the government which entails a review of all policy decisions and their justification.

[230] Note that "lobbying" was my informants'—officials'—word to designate campaigners' and corporate representatives' attempts at influencing how they worked on and thought about policy. More often than not, civil servants reserved the word for attempts initiated by campaigners and corporate representatives, and so not for stakeholder meetings that officials organised themselves. I will use the word here for all stakeholders' activity that sought to influence policy, in line with how many campaigners saw the supposedly collaborative stakeholders' meetings as an opportunity to advance their organisations' goals.

[231] Similarly, transparency campaigners from various London-based organisations whom I spoke to, characterised their interactions with officials as a presentation of "asks"—i.e. policy suggestions and requests.

the US. This meant, in Charlotte's words, that different policy proposals had to be discussed in common, in order to "find a common ground". Reaching such ground "was very difficult, really, because each issue we worked on required some sort of negotiation around it." Many campaigners, too, described these negotiations in the idiom of exchange: one party wanted something, the other gave it, or sought a compromise, expecting reciprocity. Charlotte's and Mary's memories[232] of this working group, even if a distorted and interested representation of past events,[233] give a sense of how exchanges and discussions in the group made relationships, gradually resolved some of the stakeholders' differences, and built trust.

And while, in this view, collaboration changed how the stakeholders related to each other, it also informed how the officials negotiated the Accounting Directive, shaping the technical proposal they made for the extractives' mandatory reporting regime. Although Charlotte, Mary and Catherine did not formally transfer any decision-making powers to their stakeholders (as would later happen in the context of the UK EITI), they still preferred to consult about, and agree, these decisions with them. They implied that in many cases these decisions were in fact collective and consensual.

After the European Parliament passed the Accounting Directive in June 2013 (as Directive 2013/34/EU), the working group continued to meet in order to negotiate how the Chapter 10 mandatory reporting rules would be transposed into UK law. In parallel, this collective of stakeholders, already well-known to each other, gained a new—formally separate—existence[234] when the UK EITI was announced in summer 2013 and BIS officials asked corporate and NGO representatives to officially form the Industry and Civil Society constituencies of the Multi-Stakeholder Group. "It was good because I'd already got the relationships with the people"—remembered Charlotte, and when I asked what she meant by "relationships", she explained: "I knew them and we'd worked together for some 18 months on the Directive […]. So you knew how to work with people, you'd built some sort of personal relationship that helped, you know… There was a level of trust, a level of understanding. So I think that was good…" Charlotte's positive

[232] Unfortunately, for the lack of space I cannot reproduce these stories here even partially.

[233] In particular, these recollections might have been shaped by the experience of the Guidance conflict which tore the relationships that the officials claimed collaboration had made.

[234] Charlotte, who chaired the meetings of the informal working group, also became the chairwoman of the MSG.

recollections of these relationships would later become the background for her criticisms of the campaigners' behaviour in the Guidance conflict.

She said that the "same people, exactly the same people" were now meeting in two formally separate settings—the informal extractives working group, and the formal MSG—to discuss two closely intertwined policies on extractives' transparency. Now the stakeholders had to keep separate the roles that they played, and policies they discussed, in the context of different meetings. As it will become clear later in this chapter, this proved a challenge for the campaigners, who saw both the mandatory reporting policy and the UK EITI as elements of the same "jigsaw of global transparency" (Chapter Five).

Collective decision-making and negotiations of policy design were not the only ways in which collective governance transformed the practices and relations of government. Having involved campaigners from international NGOs and representatives of transnational oil companies to work together, the BIS officials opened up their policies to the influence of actors whose agendas and interests were beyond the officials' control. With the same stakeholders taking part in both policies, it was only a matter of time that disagreements which could not be contained within the relational dynamic of collaborative exchange in the context of one policy, would spill over to the other.

In what follows, I will describe how this happened. I will explain how disagreements among the stakeholders matured into a full-blown conflict that undermined the relationships made during the times of collaborative negotiations.

The conflict from the perspective of a participant observer

The signs of the conflict

I joined the Corporate Governance team in February 2015 at a moment when the seams of collaborative governance were becoming visible. The Regulations had been passed, but the extractives working group continued to meet. Now, however, the role of the BIS officials in the working group changed. Following a public consultation about the Regulations, in which the corporate stakeholders opposed the proposed mandatory disclosures regime, the civil servants agreed that the Industry would write their own Guidance instructing companies about how best to follow the reporting law. It would be a document by corporations, for corporations. Whereas Charlotte and Catherine suggested to me that such self-regulation was a normal practice, some campaigners suspected the

Guidance was a giveaway aiming to soothe the corporate opposition to the law. The BIS officials would check if the Guidance was legally correct, and mediate between the NGOs and the authors of the Guidance, who had agreed to listen to the campaigners' feedback. This arrangement of roles was one of the factors that later contributed to the conflict.

Officially, the Guidance was being drafted under the auspices of two international bodies: the International Association of Oil and Gas Producers, and the International Council on Mining and Metals. But in practice, its authors were the very same people—a tax director from BP, and senior officials from Shell and ExxonMobil, among others—who participated in the extractives working group, and whose companies had also been involved in the legal challenge against the SEC reporting rules in the US.[235] Their history of involvement in lobbying against mandatory reporting added to the tensions in the working group.

I first witnessed signs of the Industry Guidance dispute in early February. It was one of those afternoons when the senior civil servants had left for meetings, and the work in the office slowed down. Officials took breaks for tea and discussed the day's news with each other. Chatter and laughter filled the office. Conversations about politics gave way to gossip about stakeholders and managers; but as soon as a manager entered the room, everyone switched topics.

There she was now, Charlotte Reid-Wills, just returned after a meeting. She crossed the room, going straight to Elizabeth: "It was horrible. Gary was quite aggressive. And Tim Craigs kept trying to write down as much as possible—they couldn't take a copy of the Guidance out; Industry haven't finalised it yet… He was quite… legalistic, you know. But Jack was more conciliatory…" I could not understand why exactly her meeting had been "horrible", but the names gave a clue: Gary Dowell and Tim Craigs were Global Witness campaigners whom I knew; and Jack Johnson worked for a fellow NGO, the Natural Resource Governance Institute (NRGI). All three represented the Civil Society constituency on the multi-stakeholder group of the UK EITI, and were part of the extractives working group. Besides the campaigners, George Cunningham, Director from BP had attended the meeting.

[235] These same individuals represented the Industry in the UK EITI.

The meeting, I learned, concerned the Industry Guidance. The document was nearly finalised, but to judge from Charlotte's words, the campaigners were stirring trouble. The dispute had been underway since late November, when Mr Cunningham first unveiled a draft of the document. Throughout February, the word "Guidance" resurfaced here and there in office conversations, and I gradually learned the clues necessary to discern the meaning of abbreviations, half-said sentences and cryptic descriptions of what was happening in meeting rooms where BIS officials gathered with campaigners and corporate representatives.[236]

Things started to change in the first days of March. In a month, on 30 March, the government would enter a period of *purdah*—the six weeks before the general elections, when all but the most essential business would stop, and no stakeholder meetings would be allowed until the new government formed in May. Whatever agreements and decisions were still pending in the Guidance negotiations, they had to be made by then, because the new government was likely to have different policy priorities. Work in the office picked up pace, but as the Guidance meetings became more frequent, and officials were ever keener for the stakeholders to conclude the negotiations, the progress of the negotiations stalled. And for me, the signs of the near-yet-distant dispute became easier to read.

The problem: an "element of latitude" in a legal definition

As I talked to colleagues in the office, I realised that the Civil Society representatives fundamentally disagreed with how the Industry had drafted the Guidance. Campaigners requested changes. The drafters made compromises, but the main paragraphs that campaigners found problematic, remained unchanged. The central point of disagreement (there were many) concerned that long-contested element of the mandatory reporting rules, the definition of the project in the framework of extractives' project-level reporting.

As with the US Dodd-Frank 1504 rules, project here related to the unit (a mine, an oil field) for which companies would have to publicly disclose their payments to governments. How this unit was legally defined affected what information had to be included in the corporate reports. The technical detail of the definition determined the

[236] This seemed typical of an office ethnography. Fieldworkers (e.g. Candea 2010) often describe the sense of being in a wrong place at a wrong time, as if the action was happening elsewhere. While this sensation is very much inherent to participant observation, it was peculiarly acute in my office fieldwork. Because things *did* happen elsewhere: if not in the virtual environs of MS Outlook, then in meeting rooms and cafes in other parts of the building, to which I was not always invited.

particular ways in which the law's formal abstraction of the project differed from the realities of extraction and accounting on the ground (Stinchcombe 2001), and thereby shaped which realities were legally visible, and which were not (Alexander 2001).

To put it somewhat simplistically, Charlotte's corporate stakeholders wanted the definition to be the least specific and stringent possible, which for the campaigners was a sure sign that corporations had something to hide. But the Industry representatives gave a different reason: the more detailed the project definition was, and the more information had to be disclosed, the costlier the disclosures became for companies. Even a tiny change in phrasing could affect the disclosure of billions of pounds of payments.

The Industry had sought to influence the same definition in the US SEC rules and the Accounting Directive's Chapter 10. They failed, but when Charlotte and Catherine were drafting the UK Regulations, they tried their luck again. The BIS officials were legally bound to follow the text of the Directive, and could not amend the definition. Catherine told me that drafting the Regulations, she also sought to "copy-out" the text of Directive as much as possible, so as to avoid the Industry and Civil Society lobbying her over legal minutiae. The problem was, she said, that "the Directive [was] not crystal-clear. So there [was] an element of latitude there." The ambivalence concerned one element of the project definition: the law was not explicit which legal and operational arrangements could be construed as a *single* project, leaving it to the reporting companies to interpret it. Drafting the Guidance to prescribe "best practices" of reporting, the corporate stakeholders seized on this "element of latitude" in the law to ever so slightly change the definition. This change was almost imperceptible to outsiders (See Box 1), but could have significant implications for reporting and transparency.

Box 1. The technicalities

The Directive and the UK Regulations defined the project as "the operational activities which (a) are governed by a single contract, licence, lease, concession or similar legal agreement, and (b) form the basis for payments liabilities with a government." (Reports on Payments to Governments Regulations, Reg. 2(1)) This was the unproblematic part of the definition.

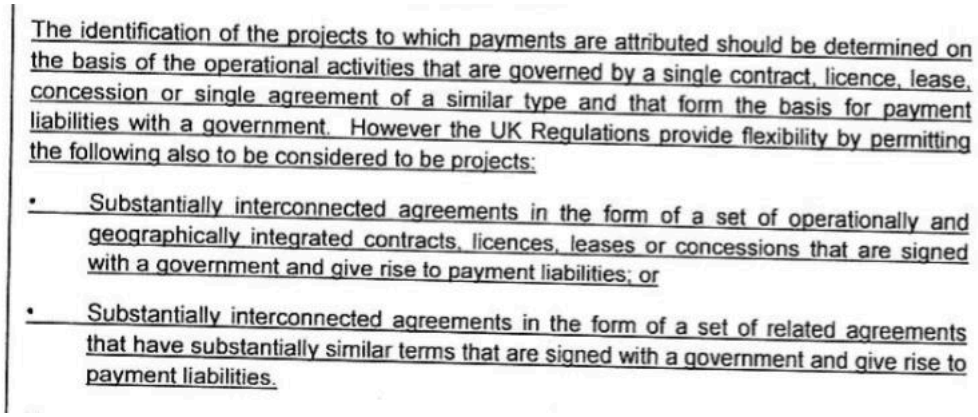
But the law also recognised that sometimes several extractive operations could be intertwined so that it made sense to report information about them as one. It therefore allowed for "substantially interconnected agreements" to be treated and reported as a single project. But the law was not clear about what exactly constituted "substantial interconnection". It stipulated that "'substantially interconnected' means forming a set of operationally and geographically integrated contracts, licences, leases or concessions *or* related agreements with substantially similar terms that are signed with a government, giving rise to payment liabilities." (Reports on Payments to Governments Regulations, Reg. 2(6), emphasis added)

The corporate drafters of the Industry Guidance seized on the ambivalence of the definition's syntax (the unpunctuated *or* above) to argue, in the Guidance, that substantially interconnected agreements could be defined in two ways, rather than one: as *either* interconnected geographically and operationally (e.g. several open mines situated nearby with shared infrastructure), *or* interconnected through legal agreements with similar terms (e.g. several mines for which the same model contract was used).

When the draft Guidance was presented in the extractives working group in late 2014, the campaigners were appalled. They protested that if followed by companies, the Guidance's definition would allow them to report distant and unrelated extractive operations as one project, as long as they were covered by contracts with similar terms.[237] Multiple payments to governments for different, unconnected operations could be lumped together. For the campaigners, this small definitional interpretation proposed by the Guidance's drafters defeated the whole purpose of project-level reporting. It promoted the opposite of transparency.[238]

[237] For example, in Angola, one campaigner from PWYP told me, all extractive operations of a given company would often be covered by almost identical template contracts, which would allow them to be treated as one project for purposes of disclosure.

[238] As an aside: this interestingly demonstrates that just as it takes a lot of work to make things transparent, legal and accounting labour is are also required to produce opacity (Maurer 2005; see also Chapter Two in this thesis).



The identification of the projects to which payments are attributed should be determined on the basis of the operational activities that are governed by a single contract, licence, lease, concession or single agreement of a similar type and that form the basis for payment liabilities with a government. However the UK Regulations provide flexibility by permitting the following also to be considered to be projects:

- Substantially interconnected agreements in the form of a set of operationally and geographically integrated contracts, licences, leases or concessions that are signed with a government and give rise to payment liabilities; or
- Substantially interconnected agreements in the form of a set of related agreements that have substantially similar terms that are signed with a government and give rise to payment liabilities.

Figure 6.1. An excerpt from the draft Industry Guidance (February 2015). Screenshot of a document released by BIS under a Freedom of Information Request.

In various exchanges during the winter of 2015, members of PWYP UK, supported by a formal letter of opinion from a senior barrister, insisted that the Industry amend the Guidance to remove the double basis for "substantial interconnection" in the project definition. The corporate representatives, however, maintained that the Guidance was legally correct as drafted. BIS lawyers, asked to assess the Guidance, also concluded that it was "not incorrect" (essentially meaning "permissible"), but would not affirm that it was in the spirit, rather than the letter, of the law. Ultimately, as Catherine later explained to me, it all came down to a difference of legal opinions, and opinions there could be many.

Putting pressure on officials

The BIS officials' plan was to publicise the Guidance once the document was finalised, giving it a weak form of departmental recognition as "best practice" to be followed. Now that *purdah* was approaching rapidly, and Industry had dug in their heels, the NGOs shifted their attention to Charlotte and Catherine, seeking to persuade *them* not to approve the Guidance as it was, and to pressure the corporate stakeholders into amending it.[239] The officials objected, saying they could do nothing about the Guidance as long as it was not legally incorrect. This was a document drafted by the Industry and for the Industry, they said, and it was inappropriate either for the officials, or for the campaigners, to demand changes.

[239] In a variation on the familiar story of exemplarity, given that Britain was the first country to implement the EU mandatory reporting rules, and the Guidance was formally authored by two international industry organisations, the campaigners were concerned that Industry would try to promote the same guidance in other EU countries, holding the UK up as an example or a precedent.

Figure 6.2. The leaflet. Author's photo.

The campaigners refused to accept this self-limitation of officials' authority, perhaps recognising that it had resulted in the first place from the bureaucrats' earlier decision to outsource the interpretation of the law to the Industry.[240] PWYP UK and its individual members started a publicity campaign on Twitter, addressing BIS as responsible for the Guidance. The U2 singer Bono, who had co-founded the ONE Campaign,[241] wrote to Jo Swinson and PM Cameron about the conflict, while ONE also encouraged their student members from Durham University to personally write to the BIS lawyer (a Durham alumnus) that he should denounce the Guidance as incorrect. One morning in mid-March, officials from the Corporate Governance team found activists from ONE at the entrance to the department, handing out leaflets directly addressed to the team members,[242] and urging them not to "give in to Big Oil" (Figure 1). There was plenty of joking about this later in the office, but the civil servants, used to enjoying personal anonymity behind the backs of their ministers (Drewry and Butcher 1988), were left feeling vulnerable and exposed. Charlotte and Catherine resented that the campaigners addressed them directly, as if the officials were personally reticent to reject the Guidance, rather than adhering to what they thought were the broader principles of impartial, balanced policy-making, in a politically complicated context.

And this context was becoming more complex because of the lobbying. Members of PWYP UK sent letters and sought meetings high up in the government hierarchy with the BIS minister Jo Swinson, top mandarins at the Cabinet Office, and even the Prime

[240] For comparative points about the effects of out-contracting and outsourcing on central or local state's capacity to execute policy, see Agar (2003: 372-9, 388-9) on computerisation and expertise in Whitehall, Bear (2015: *passim*) on port labour in Kolkata, and Fredericks (2012: 137) on waste management in Dakar.

[241] An active member of the PWYP UK and a party to the Industry Guidance talks.

[242] But misstating the name of the team.

Minister himself, while the Industry, particularly Shell, did the same. After each such letter or meeting, Charlotte and Catherine received phone calls and emails from Jo Swinson's aides and Cabinet Office functionaries, requesting that they sort out the conflict. Catherine told me that both the Industry and the Civil Society "knew how to get to power" and had had "a lot of access" to different senior bureaucrats and special advisors at the top of the Whitehall ladder, and had managed to persuade them to put in a word for their causes. As a result, Charlotte and Catherine often received contradictory requests from within the government about dealing with the Guidance dispute.

I recall one day in late March, when it all got a bit too much for Catherine. Having received another email from the Cabinet Office about dealing with the campaigners, she sighed and turned to Stewart and me:
— Cabinet Office gotta decide what they want: either the Guidance agreed with NGOs by the end of the next week, or us listening to Shell's demands to approve it!

She had explained that the Industry and the Civil Society had lobbied different parts of the Cabinet Office, who were now issuing conflicting requests to BIS, and said:
— Anyway, this is not EITI! They [the stakeholders] don't work together [here]. It's Industry's Guidance! NGOs can provide feedback, but they can't expect to have a final say…

Stewart shot back:
— Yeah, EITI got the NGOs used to thinking that that's how policy works! But it's not! Now they're expecting the same level of engagement, the same collaboration on the extractives [i.e. in the Guidance negotiations]…

Catherine was dismayed at the campaigners' demands and tactics:
— And now the director of Global Witness is going to have a phone call with [John Smith, an anti-corruption Director] at Cabinet Office… Do these people ever stop?!

Catherine was frustrated that the campaigners refused to accept that her hands were tied and she could not influence the drafting of the Industry Guidance, unless it was legally flawed in a way that was not a matter of different opinions. There had been mistakes and tactical reinterpretations in earlier drafts, which went against the department's approach to the mandatory reporting law. Then, Charlotte had demanded that the Guidance be

changed. But now, Catherine felt that there was very little that she could do without imposing an executive decision on either the Industry, or the campaigners. She resented the requests from the Cabinet Office that were pushing her in that direction. Overall, many members of the team, even those not involved in the Guidance talks (although following them with great interest), thought that Charlotte and Catherine were being dragged into a conflict not of their own making, and which they could not resolve if they were to maintain their chosen position of benevolent facilitators of stakeholder collaboration.

In Catherine's opinion, the campaigners, vitiated by the UK EITI, presumed they had a right to influence or veto the Guidance, whereas neither the Industry, nor the officials, thought so. This expectation, she thought, was an abuse of privileges of collaboration, and had resulted from the campaigners' failure to discern that even participatory policy-making had its limits. As I will demonstrate later, from the campaigners' perspective this expectation was a normal consequence of the sociality of their encounters with the officials and corporate representatives. Catherine, however, was put in an impossible position, because she could not resolve the conflict without undermining the principles of collaboration that had made it possible in the first place; yet, continuing the negotiations only further hindered the relationships built during the many months of working together with the stakeholders.

The boycott

Things got worse the closer *purdah* approached. Understanding that the officials were unwilling to intervene on either side of the conflict, the campaigners decided to use the last leverage that they had: the UK EITI. As one officer from the PWYP International Secretariat told me, participation in the UK EITI was the only thing besides publicity that gave the campaigners "a bit of power". He explained that unlike corporate lobbyists, whose channels of access to the government, and bargaining powers with it, were multiple, campaigners often had little choice but direct confrontation.

Successful implementation of the UK EITI, in which the government was so invested, and for which Charlotte was responsible as Elizabeth's manager, depended on the NGO' continuous participation.[243] If they withdrew, the policy would collapse without quorate

[243] Stakeholder participation was one of the Standard's requirements.

MSG meetings. Towards the end of March, officials received an email from a senior manager at the ONE Campaign, which threatened to do just that:

> Over the past few weeks, we've become extremely concerned that BIS will approve (openly or tacitly) guidelines drafted by companies working in the extractives industries that we consider illegal. […] *The situation is so serious that civil society representatives are considering withdrawing from the EITI process in protest.*[244]

The outcome depended on the stakeholders' meeting with minister Jo Swinson, scheduled several days before *purdah.* The minister would hear the arguments of both parties and decide what the department would do about the Guidance stalemate. Charlotte and Catherine had high hopes that the NGOs and the Industry would at last come to an agreement. Come the day of the meeting, however, the NGOs requested that Jo Swinson reject the Guidance as illegal. Charlotte and Catherine remembered, with disbelief and dismay, that the minister, who was projected to lose her seat in the Parliament after the elections, was prepared to do that, and only eventually gave in to the officials' exhortations not to ruin the department's relationship with the Industry.

Short of "rejecting" the Guidance, the minister nevertheless decided that BIS would neither officially approve, nor welcome, the document.[245] For the time being, and until the new government came to power, this was the end of BIS' involvement in the Guidance negotiations. The minister cancelled an upcoming meeting of the UK EITI to spare the department the embarrassment of a boycott, which set off the policy's schedule by some three months. As I will show in Chapter Seven, this caused great worry to Elizabeth Pierce of the UK EITI Secretariat. But for Charlotte and Catherine, who felt increasingly embattled by what had become of their collaboration with the stakeholders, Jo Swinson's decision, and purdah's prohibition on any meetings with stakeholders, brought great relief.

In my discussion so far, I have explained how the collaborative working group came to shape the UK mandatory reporting policy, and how the stakeholders' collaboration was

[244] ONE Campaign to the Department for Business, Innovation and Skills, email, late March 2015. Emphasis added.

[245] She encouraged the stakeholders to keep negotiating and working together, but given that purdah was about to begin, BIS officials would be unable to mediate their meetings.

then undermined by a conflict about legal interpretations of the one key element of the reporting regime. This conflict put a strain on the stakeholders' relationships with each other and the officials, and as will become clear in what follows, the social dynamics of the dispute defined the participants' moral evaluations of it as a crisis of trust.

As time passed, and Charlotte and Catherine gained distance from the dispute, they reflected on what had gone wrong. They evaluated the actions of different stakeholders, and came to reassess the negotiations as a moral failure. More precisely, from their perspective it was the *campaigner's* moral failure to collaborate, temper their expectations, and make compromises. Campaigners shared this view of the conflict as a moral crisis, but for completely different reasons. For them, confrontation and boycott were inevitable outcomes of the way in which the Guidance debacle symbolised their long-term adversarial relations with the Industry. I will explain these opposite views in the remaining part of the chapter.

The conflict from the campaigners' perspective

"The same people"

With time, I managed to speak with several campaigners from Global Witness and PWYP about the Guidance conflict. They seemed to have a certain urgency to explain themselves and demonstrate that their boycott of the UK EITI and aggressive campaign tactics were justified, or even inevitable. They maintained that their persistence in the negotiations and refusal to reciprocate compromises, which so alienated the officials, were only legitimate reactions to the Industry's tactics. These explanations worked in a discernible moral register of justifications and attributions of responsibility (Lambek and Solway 2001). Here, I want to present an account of one of the campaigners, Tim Craigs, whom I knew better than others, and whose commentary on the dispute expressed many of the themes and sentiments described by his colleagues, but in richer detail. To give more depth to Tim's account, I will also refer to other campaigners' explanations.

Tim was in his mid-thirties and worked for the Global Witness' Oil Campaign. A colleague of Mike and Bernard (sleuths from Chapter Two), he built on their investigations in his work. Tim wrote campaign texts, drawing on his specialist

knowledge of natural resource law, and represented Global Witness in the UK EITI meetings and the extractives working group.[246]

For one of our meetings, which usually happened in a small Italian cafe next to the offices of Global Witness in the City, Tim brought copies of two submissions to a BIS public consultation about implementing the extractives' mandatory reporting rules. One was from Shell, the other, from PWYP UK. Together, he said, they would help me understand what had gone wrong between the Industry and the Civil Society.

The consultation, I noted, had taken place six months before the Industry first presented a draft Guidance to the working group. But that was exactly Tim's point: the dispute between the campaigners and the Industry had begun much earlier. To grasp why the Guidance conflict began and developed the way it did, one had to read it as a part of a longer history of competing attempts to influence extractives' transparency policy in the US, EU, and Britain. Reflecting on this on one occasion, Tim half-jokingly said that this ongoing confrontation with the Industry lobbyists was what made his job exciting. He said:

> it does feel a bit like a game. If you actually look at the guys in the EITI room we're sitting in, they're the same guys who were campaigning on the Accounting Directive, the same guys who were campaigning on SEC rules [that is, the US Dodd-Frank 1504 rules]. And the same individuals are doing the work for Industry on these issues. We're campaigning on all of them, from the NGOs… so basically, everything you see in these debates, it has a wider context. You know that someone is saying something in their advocacy because it will help them somewhere else. So, the stuff that's been discussed in the UK setting, will find its way over to the SEC [the US Security and Exchange Commission] if it's helpful for them to do it.

Tim insisted that the antagonism between the campaigners and the corporate representatives not only had a history, but also a "wider context". Seen this way, the dispute unfolded on a larger scale than the altercations in the Guidance meetings. It was this way of scaling (Bauman 2016) the conflict as something unfolding beyond the

[246] In this he reflected the typical sociology of transparency NGOs, whose employees usually came into campaigning—an interdisciplinary profession par excellence—from backgrounds in academic or applied research, journalism and law. Similarly to most of his colleagues, Tim had a social science degree from one of the top universities of the Russell group.

"interaction order" (Goffman 1983) of the working group meeting, that from Tim's perspective gave the dispute a peculiar ethical connotation and made collaboration with the Industry increasingly difficult. Let me discuss this in more detail.

Speaking of a "wider context", Tim referred to Global Witness' and PWYP's long-standing campaign for extractives' transparency, which Andrew Naumin called the "jigsaw of global transparency" (see Chapter Five). In this context, the campaigners sought to lobby governments of different countries to influence the national implementations of the EITI and the mandatory reporting rules in the US, UK, EU and Canada, while seeking to counter lobbying by the "same people" from the same extractive companies.

These "same people", Tim said, played the same "game". On the one hand, the metaphor pointed to the predictability of participants' tactical repertoires and patterns of action; on the other, it highlighted the inter-relationship of particular instances of play (Telesca 2015). Whether it was the UK EITI, Chapter 10, or the Dodd-Frank 1504 rules, the game remained the same: influencing the reporting rules to increase the amount of information disclosed, and resisting the Industry's attempts to do the opposite. Crucially, winning the game in one country, helped to win it in another, because of how the policies could be (and were) used as model examples for one another.

Similarly to how the campaigners saw the UK EITI as relevant to their campaigning on a global scale, here too, the game and its stakes were beyond the formal control of UK officials and ministers. Once stakeholder collaboration became the key modality of developing the British mandatory reporting policy, the BIS officials were limited in what they could do about the concerns from elsewhere that their stakeholders brought into the meeting room.[247] Charlotte resented this; Elizabeth (as we will see in Chapter Seven), sought to resist it through different forms of personal detachment. But for Tim, this was simply how things were because that was how transparency campaigning operated. And as I will demonstrate, it was this transnational logic of the game that led him and his colleagues into the conflict.

[247] Archival materials suggest that officials routinely paid attention to Industry's and Civil Society's positions with regards to, say, the US mandatory reporting rules, and briefed their superiors about it. But in their own dealings with the stakeholders they insisted on separating between the UK mandatory reporting policy and other policies in the UK and elsewhere where the same stakeholders were involved.

"The same arguments"

Tim corrected himself: competing with the Industry lobbyists was a game, but a serious one. At stake was whether or not billions of dollars of resource payments would be made transparent. More concretely, the campaigners and the corporate lobbyists sought to influence elements of legislation and policy documents. One example of this was the stumbling block of the Guidance dispute—the definition of the project, the practical and symbolic significance of which for the campaigners can only be understood in relation to how they perceived even the smallest elements of a policy as part of a larger movement towards transparency. Having played the game time and again, Tim and his colleagues were familiar with the arguments of their opponents. Echoing their own attempts to make the UK EITI into a model example of transparency policy, Tim observed:

> Basically, the companies' priority on Dodd-Frank 1504, and on the Accounting Directive, and on EITI, overlap to an extent. Because some companies are required to report under all three, or will be reporting when the rules are finally passed. Also, the American oil companies, I think it's fair to say, don't want to see a strong precedent set in the UK, because it's gonna make it harder for them to oppose transparency in other countries. Because if American NGOs can point to an example of transparency rule in the UK, then it will be harder for the companies to make their argument… The arguments that are usually used against transparency is that data is commercially confidential, or there'll be competitive disadvantage, or it's illegal in some countries—we don't think that any of that is true. And the existence of an example in the UK which demonstrates that none of this is true, makes it very hard for them to argue for this in the US. So companies try to assure that nothing too strong comes out of this in the UK. That's the kind of… dynamic. We work on arguing for this… on the same standards everywhere. If they overlap, it'll be easier for companies who are caught by more than one [reporting regime]; it's easier for us to use the data if they all say the same thing.

The fact that the copying of foreign examples led to similar policies in different countries, was not a problem for Tim, —if anything, it was a desired outcome of transnational campaigning. The problem was, he suggested, that corporate lobbyists relied on the same tactic, trying to weaken (rather than strengthen, as campaigners did) reporting requirements in certain jurisdictions, and use *that* as an argument against stronger policies elsewhere. Explaining to me the claims in Shell's submission to the UK consultation, Tim said that lobbying against mandatory reporting rules in many jurisdictions, corporate

representatives repeatedly used the same arguments. The campaigners sought to disprove these arguments, and felt irritated that their counterparts brought them up again, even after the campaigners thought they had disproven them. This was the cause of the Guidance conflict, said Tim.

First, opposing the Dodd-Frank 1504 rules in the US, a group of oil companies,[248] represented by the American Petroleum Institute, filed a lawsuit against the Security and Exchange Commission. The legal challenge delayed the implementation of the rules, and the API hoped to force the Commission to change the rules to weaken its definition of the project and allow exemptions to reporting.[249] Their legal action was eventually successful, but it did not make the SEC change their rules in the way that the Industry wanted.

As the US court case was unfolding, many of the companies represented by the API sought to lobby officials in Brussels and London about the Accounting Directive's reporting rules, and later about the UK law implementing them. BIS officials told me that the SEC/Dodd-Frank regulations had been a model for the mandatory disclosures regime in the Accounting Directive. Now, corporate lobbyists were suggesting that exactly because the EU rules had been modelled on the US ones, and because the API challenged the SEC's rules in court, the EU reporting regime had to be put on hold until new reporting rules were produced in the US. They also sought to persuade EU officials to broaden the definition of the project and introduce exemptions.[250] Tim and his colleagues sent letters to, and held meetings with, the EU bureaucrats, to persuade them that these corporate arguments were flawed. Eventually, Brussels rejected the Industry's suggestions.

In spring 2014, when BIS launched a public consultation about implementing the EU mandatory disclosures rules in the UK, the same people from the Industry once again

[248] BP, Shell and ExxonMobil among others.

[249] The SEC/Dodd-Frank 1504 reporting rules, just like the EU and the UK ones, had extraterritorial reach: companies registered in the US or traded on US stock exchanges, had to comply with them. In companies' view, this could result in a conflict of law in countries where companies were prohibited from disclosing their payments to governments by confidentiality agreements. Several countries were cited, among them Cameroon, China and Qatar. The case of BP in Angola (see Chapter Three) was well known, and companies claimed the needed to be exempt from reporting payments to governments of these countries in order not be thrown out of business by governments opposed to transparency. However, both campaigners and policymakers in London and Brussels claimed that companies failed to produce legally convincing evidence that there was such risk.

[250] To be more precise, these lobbying attempts were going on simultaneously in Brussels, and in the UK extractives working group convened by Charlotte.

made requests about delaying the reporting regime, introducing exemptions, and diluting the project definition. By this time, Tim said, the campaigners knew what to expect, and anticipating the Industry's arguments, prepared parallel consultation responses to rebuke them. The BIS officials again rejected the corporate requests, confirming the campaigners' sense of victory over the Industry.

The situation in the UK, however, was peculiar because the BIS officials had agreed that the Industry would produce their own Guidance to the Regulations.[251] It was then that the corporate representatives seized on the legal ambivalence in the Regulations to redefine the extractive project. For the campaigners, this was the final straw. Tim complained:

> We're cynical about this by now. Because at *every stage* there has been a revision of laws, or rules, or guidance, or whatnot. There's always been some attempt from someone in the Industry to try and wreck the mandatory reporting rules. […] At every stage Industry's tried to water this down. And we're seeing the *same arguments* in the transposition process as in Europe, [just] in different ways. […] So we thought we've won that argument, and it's come back at—*every—bloody—stage* in this discussion. […] And a cynical point of view is that companies are doing this because they are making payments which they don't want to see the light of day.

This, Tim explained, was the wider context of the Industry Guidance conflict. The way in which he and his colleagues perceived their interactions with the Industry as part of a global transparency "game", informed their understanding of the corporate lobbying tactics as a morally flawed failure to collaborate, and justified confrontation and boycott. Let me explain how.

A moral crisis

Describing the campaigners' struggle against the "same arguments" repeated by the "same people", Tim was explaining why it had become *morally* impossible for the campaigners to maintain peaceful collaboration with the Industry in the way that Charlotte and Catherine wanted them to. The Industry's arguments, he said, were "plainly wrong": "wrong in ways that go to the heart of what we're trying to achieve here [as campaigners]. We fought very hard for project-level reporting; and suddenly [projects

[251] Tim suggested that this was so because the officials were wary of Industry bringing up a legal challenge against the Department in a similar manner that they had done in the US.

are] going to be aggregated, on spurious bases." Some of Tim's colleagues, enraged by the Industry representatives' refusal to change the Guidance, allowed themselves to raise voice and personally attack their counterparts in stakeholder meetings. Tim admitted that these expressions of anger were a step too far, but also recognised that the anger was legitimate. I could see he was angry too, many weeks after Jo Swinson and *purdah* had left the dispute in suspension. His anger was not just a reaction to how the Guidance hijacked the campaigners' aspirations about project-level reporting. Rather, it had to do with their moral expectations of respect and recognition resulting from the sociality of collaboration and dispute.

What Tim found most reprehensible about the corporate lobbyists' actions, was their repetition of the same "defeated" arguments, which for him demonstrated their blatant disregard for rational debate. Because if one's statements had been proven false, he reasoned, how could they be repeated again, and again, in encounters with the same people, about essentially the same policy? And if earlier the campaigners could rebut the Industry's lobbying in other fora, there was little they could do with the Guidance because of how it had been construed as a piece of Industry's self-regulation into which the officials refused to intervene. The Guidance so infuriated the campaigners because it symbolised their lack of power vis-a-vis the corporate lobbyists who evidently neither shared the campaigners' vision of collaboration (in which a defeated argument could not be brought up again), nor recognised the validity of campaigners' own claims. From Tim's point of view, it was only just that the discussion about the Guidance could no longer be contained within the limits of polite debate in the collaborative working group. In this logic, conflict was the only way out because the corporate representatives had rejected the very relational premise of the debate—the understanding that one ought to make compromises if proven wrong.

This was why the campaigners from PWYP UK found it increasingly meaningless to continue the negotiations with the Industry, and to participate in the meetings of the collaborative working group. The very fact that they would still have to be negotiating about project definition and exemptions after having repeatedly "won the argument" about them, was for Tim a testament to the failure of collaboration. For this reason, Luke, a senior colleague of Tim's, did not think that the campaigners' boycott would have any effect on their relationship with the Industry:

> The relationship with the Industry has always been… in a mess, anyway. On the one hand, we're having to collaborate on the EITI, on the other, we're being totally shafted on the Guidance process. So that's what that [boycott] was about. [It was about] Saying: "Hang on, we can't have… we're not going to pretend this is one thing when it's… when it's the same discussion with the same people". I think it does get to a point where we have to just… call out what we see as a double standard!

For Luke, ceasing to negotiate with the corporate representatives and boycotting the UK EITI was not only a political necessity, but a moral one: it had become a matter of the campaigners' personal ethical consistency. Likewise, Tim insisted that the problem with the Industry Guidance had transcended the acceptable limits of difference of opinion, and become a moral problem of personal dignity and respect for self and others:

> The reason for [the boycott of the MSG] was that things had come to such a point with the Guidance, that it was just a total breakdown of good faith and trust between us and the people who were representing the Industry constituency. Because they're the same people having these debates with us on the Guidance. We thought we were treated in, really, a not good-faith way by the Industry people with regards to the Guidance… So it was very… very hard to sit in the room on EITI and [work] on a multi-stakeholder report when you know that they have taken you for a ride on the Guidance. That's how it felt… So this was a point at which we said, okay, right… is there a limit to how we can wear different hats here? […] That was the last straw. We didn't feel we were [treated correctly] on the Guidance.

From this perspective, it was morally necessary for the campaigners to refuse to negotiate about the Guidance and put an ultimatum to the officials. Tim was sorry for how their decision to boycott the UK EITI alienated the officials, who, he recognised, were caught in the cross-fire. But he also thought that the boycott was inevitable if the campaigners were to preserve their moral credibility vis-a-vis what they perceived as utter disrespect.

Seen as a result of a longer history of interactions between the "same people" in the NGOs and the companies, the Guidance conflict did not appear as the *campaigners'* failure to collaborate and make compromises. If anything, in Tim's story it was the Industry representatives who had failed to do so because they did not honour the unwritten rules

of debate and good faith. Implicit in Tim's narrative of the conflict was the campaigners' expectation to be treated with respect—an expectation that had arisen from the sociality of their collaborative encounters with the corporate representatives, but which, they thought, was ultimately not honoured. Crucially, he and others saw their participation in the BIS' working group as part of a long-term adversarial relations with the Industry, and it was from *this* sociality of the transparency "game", that their expectations had emerged. Invested in seeing the UK mandatory reporting policy as a part of a wider context of the "movement towards global transparency" (Andrew Naumin's phrase, see Chapter Five), the campaigners could not but attribute the responsibility for the Guidance conflict to the Industry.

Tim's explanation of the conflict reveals the importance of moral expectations to the practices and relations of collective governance. As he talked about the campaigners' decision to boycott the UK EITI, I thought about how different it all looked from the perspective of the civil servants at BIS. They had no stakes in seeing it as a part of a long history of antagonistic encounters, many of which had happened outside of the UK, and did not directly concern British policy. Charlotte and Catherine were preoccupied with getting the mandatory reporting regulations off the ground. Collaborative work on the policy entangled them in relationships with their stakeholders which they wanted to maintain. I could see why they were so frustrated by the NGOs' resistance to the seemingly minor technical detail in the Guidance. The detail could not but appear insignificant, and the resistance irrational, as long as the officials remained focused on the immediate context of their professional goals and everyday interactions with the stakeholders.

I have sought to explain why the conflict made sense, and was morally justified, for Tim and his colleagues. Charlotte and Catherine, too, framed the conflict as a moral crisis, but this framing did a very different kind of ethical work for them. In the next section I explore why they understood it so differently from the campaigners, and what their explanations of the conflict can tell us about their responses to the challenges and effects of collective governance on practices of policy-making.

The conflict from the officials' perspective

Differences of interpretation

Several months after the abrupt end of the Guidance dispute, Charlotte and I sat down to talk about it in the office. Charlotte was bitter that things had turned out this way. I remembered how stressed she had been before *purdah* about the relentless stream of campaigning and her superiors' conflicting demands. Although she insisted that she had "got over" her "disappointment" with the NGO campaigners, it was evident both from her implicit praise of the harmonious stakeholder collaboration before the dispute, and her painstaking attempts to distance herself from the conflict during our conversations, that some of that disappointment still lingered. I asked her about why the conflict had happened. She explained:

> Now, I think in retrospect, what happened there, was that Civil Society's *expectations* of what working with the Industry meant, were different from what the Industry organisations had actually committed to do. And I think that's *partly*—I know you're after the specifics, but I think it's quite important to make this more general point first—I think it's because, to a certain extent, the Industry organisations have become victims of the collaborative approach that Government had taken with the organisations… And, I think, because of that [approach], the NGOs expected that the collaboration would continue into the work on the Industry Guidance.

On an earlier occasion, Charlotte had told me how her collaborative work with the stakeholders had led her to develop relationships with them, and built trust among them. Recall my discussion of the relations of collaboration as a form of exchange—exchange that, I suggested, led to expectations of reciprocity and recognition. Now Charlotte was suggesting that it was these expectations, taken too far, that had undermined the Guidance negotiations. Her NGO stakeholders, she said, had failed to see the limits of collaboration and expected that the Industry would cooperate, where they did not have to.

Catherine, with whom I spoke about the dispute around the same time as with Charlotte, also thought that the campaigners' expectation of extensive collaboration made it difficult for them to compromise about the Guidance. She blamed this on their misunderstanding of the terms on which they related to the Industry in the working group. Glossing this misunderstanding as a matter of differences of opinions, she recalled:

> We had a meeting [in late February] with the Industry and Civil Society where they both present their views. It got quite heated. [John Doe from an NGO] got very upset—visibly angry. And I thought, Industry [representatives] were quite measured, and [settled on] quite a lot… and Gary Dowell, from Global Witness, got angry too, saying: "We've been arguing for this [mandatory, project-level reporting] for 10 years, and now you're trying to undermine it with this shoddy Guidance!.." They were quite aggressive in the meeting and they said: "This is the starting point, we want this to be a starting point with the Guidance, and you have work with us, we have to agree." And… I don't think anybody had ever said that the Guidance had to be *agreed* with the Civil Society. That's a difference of interpretations. Clearly, somewhere along the line, Civil Society [had] thought that they would be agreeing the Guidance with the Industry. Whereas Industry didn't [think so].

Similarly to Charlotte, Catherine insisted that it was *Industry's* Guidance: a document they had prepared for their own constituency, and shared for comments with the NGOs only out of their good will. Stressing that the campaigners had misunderstood the Industry's intention, and abused their benevolence, Catherine implied that the problem was nothing else but a matter of subjective differences of interpretation. This view ignored the differences of power between the corporate and NGO stakeholders (e.g. the fact that Shell, should things come to that point, could afford to bring up and pay for a legal challenge against a government policy, whereas the campaigners could not), as well as the broader context of their competition for political influence on the government. But narrow as it was, this framing of the conflict focused Catherine's account on the problems of infelicitous interactions and misunderstandings within the bounded context of the working group. As I want to suggest, seeing the problem as inherent to this interactional context (rather than, say, a transnational transparency "game"), had consequences for how the officials understood the moral implications of the dispute.

The difference of legal opinions about the Guidance's (re-)definition of the project was a similar matter: "It *can* be interpreted the way Industry interpreted it…"—she said: "It's *not incorrect*. It [also] might be interpreted as far as Civil Society wanted to go; but it's not—our lawyers feel that [Industry's interpretation] is *not* incorrect. Another QC [lawyer] might think it is, and yet another might think it isn't." These being mere interpretations subject to legal debates, the appropriate position for her and Charlotte, as

government representatives, was to stay out of such discussions. The government's role, she said, was to make law, not to interpret it: "it's not for us to do that. […] The law has been made, it's there to be interpreted [by others]."

From Catherine's perspective, the campaigners' attempts to get the officials to intervene into the drafting of the Guidance were inappropriate, because it was not the government's role to stand within the field of relative differences of opinion (see Chapter Seven). The campaigners, however, did not think theirs was an interpretation—for them, it was a fact that the Guidance was incorrect, but neither the BIS lawyers, nor Charlotte and Catherine, shared this view. This perspective on the conflict as a matter of different interpretations led the BIS officials to seek distance from the dispute, appropriate to their view of themselves as an impartial authority. The officials' moral commitment here was to objectivity, as they saw it, but from the campaigners' point of view, officials' abstention from action confirmed that they were biased towards the Industry; this made them suspicious that the bureaucrats were secretly negotiating with the Industry.[252] Yet bias was exactly what the officials were trying to avoid by not intervening on either side. "So how do you bring that together? *How?*", asked rhetorically Catherine, saying that she saw no reasonable way out of the dispute.

The only way out, it seemed, was to overrule either the NGOs' or the Industry's demands with a clear decision that asserted the department's authority vis-a-vis the stakeholders—just as the campaigners had demanded. Doing so, however, could ruin the department's relationships with the powerful Industry stakeholders, whom the officials did not want to alienate because of a possible legal action of the corporations against BIS. Moreover, any intervention would likely contradict the very principles of collaborative policy-making on which the relationships with the stakeholders were based. Projecting their own sense of impasse, Charlotte and Catherine, and their colleagues in the team who listened to their regular briefings about the extractives, lamented the campaigners' insistence on BIS' intervention as "irrational".

Obligations and complaints

Catherine also suggested that if the dispute was a matter of interpretive differences, then it was inappropriate for the campaigners to insist that their interpretation was the correct

[252] This suspicion led Bernard from Global Witness to submit a Freedom of Information request to BIS, for detail of all meetings between the officials and representatives of large oil companies.

one. They could only do so at the expense of others' views. This contradicted the spirit of collaboration, according to which each party was expected to take account of the relative positions and differences, make compromises to adjust, or resign if these were impossible. On the one hand, this was an ultimate failure to collaborate (a failure that, as Charlotte suggested, could have resulted from excessive expectations engendered by collaboration itself). On the other, this failure indexed the campaigners' disregard for obligations to their counterparts, incurred in the process of collaborative exchange.

Remembering the misunderstandings and disagreements among the stakeholders, Catherine occasionally punctuated her story with asides about the manner of the stakeholders' interactions. Just as she had been upset about the campaigners' behaviour during the conflict, now, too, she found their actions "aggressive", in contrast with the "measured" conduct of the corporate representatives. These complaints expressed expectations of civility, tempered argumentation and reciprocal compromise that stemmed as much from the cultural form of the meeting (Schwartzman 1989; Yarrow forthcoming), as from the spirit of collaborative work that the officials wanted to uphold. The campaigners' departure from these norms during the conflict, demonstrated to Catherine that they had broken both the unwritten rules of collaboration, and the unspoken moral expectations arising from these.

In Charlotte's opinion, the campaigners' threat to boycott the UK EITI was the apotheosis of this moral crisis of collaboration. When I asked her whether the campaigners' actions had disrupted trust and relations[253] within the working group, she gave me an extensive reply, stuttering and pausing for reflection:

> I think, I think it's unfortunate that civil society have chosen that route, I think that…. [Pause] Well, you know… [pause] It is… What can you say… I think that [some representatives of] Industry had fairly *low* expectations of Civil Society's behaviour. They certainly felt that Civil Society won't ever be going to be satisfied or you know, work with them, so… Even through this whole process, a lot of it was to encourage people to work together and see some benefit from it. So I think, that sort of behaviour… especially when it was about an unrelated… it was an unrelated argument, [the disagreement about the Guidance] wasn't an EITI argument… I know that it's the same people, but it wasn't an EITI argument. […]

[253] Elizabeth used these words to describe what had happened.

> I think it does set it back a bit—it sets back that relationship. Because, you know, when you disagree with people, you can't just sort of… Well, adults generally don't sort of behave like that, and sort of refuse to speak to people in any venue whatsoever. It's not very professional, really. […] So they basically just chose to turn their back on EITI because they were having a problem with the Industry Guidance on the Directive— it's not a way to negotiate, it's not a way to build that relationship… You can say that you aren't happy, that you don't agree with people without actually refusing to talk to them. […] Certainly the Industry people I've spoken to about it, seem to feel that it's, "What else can you expect of them?" […] And then I sort of think, that's a set-back too, you know. I mean, we've tried [to make collaboration work]… If you don't respect the other people around the table, then you know you [can't have a conversation]. (My emphasis — TF.)

Evocative and communicative, Charlotte's silences and pauses only highlighted that she felt that the campaigners' boycott was damaging to the relationships in the working group, which she so valued. For her, the boycott was an irrational ("not adult") failure to engage in an appropriate form of negotiation. Whereas the campaigners' explanations focused on a wider context of the transparency "game", Charlotte framed the conflict as an outcome of the relational context of negotiations. As a result, she could not accept that it could have resulted from rational political calculations, let alone from a sense of moral wrong that Tim had sought to communicate. For her, the cause of the dispute lay not so much in a substantive disagreement or incompatible political agendas, as in a moral flaw of the campaigners' characters. This flaw, she implied, manifested itself in their lack of respect for the expectations of others, inability to behave appropriately and engage in rational argumentation.[254] She conceded that it was the campaigners' job to be "loud" and create spectacular publicity, but even this was to emphasise that the boycott and "aggressive" campaigning were not a result of legitimate, politically situated disagreements underpinned by a disparity in means of influence, but a trait that characterised who campaigners were as people and professionals.

Although Catherine and Charlotte did not dispute that it was the Industry's refusal to change the Guidance that had provoked the campaigners, they still placed the responsibility for the conflict with the NGOs. Catherine told me how the Industry

[254] Granted, Charlotte attributed some of this view to members of the Industry and thus distanced herself from it. But from other occasions it was understandable that she herself thought as much.

members had changed their position and made small compromises to appease officials and the campaigners, whereas the campaigners had not. If the stakeholders' group functioned through a process of exchange, then according to the officials' logic, the campaigners had failed to properly participate in this exchange by reciprocating a compromise: this was a moral failure. The comment above demonstrates the officials' ethical commitment to a particular process of negotiation, underscored by an ideological commitment to the broader 'public good' of appropriately balancing the lobbying interests of the stakeholders.[255] Because the campaigners had insisted on their being right in a manner that upset the officials' balancing, and because the campaigners' behaviour undermined the due course of the process of negotiations, Charlotte and Catherine thought that the conflict was ultimately their fault.

In place of conclusion

In this chapter, I have analysed how the UK extractives' mandatory reporting policy was affected by a dynamic of collaboration and conflict between the corporate and NGO stakeholders, in order to explore the relational and moral dimensions of collective governance. I have demonstrated that concerns about morality of social relations were not coincidental to the practices of collective rule at BIS, but constitutive of them. Contributing to anthropological studies of governance that have explored complexities of relations of political ordering between state and non-state actors (e.g. Anders 2009; Chalfin 2010; Ferguson 1990; Gupta 2012; Li 2007), my ethnography suggests that power is not all there is to governance. In line with recent ethnographic studies of bureaucracies (Bear 2015; Bear and Mathur 2015; Brown 2016; John 2009, 2015), it shows that to focus on power only, would be to miss something very important about the way in which collective governance operates within, and challenges, structures of government.

I have argued that moral expectations of fair treatment, recognition and respect, informed how the BIS officials and campaigners navigated and made sense of relationships of collective governance. These expectations, however, led these people to very different interpretations of the Guidance conflict. Both parties described the dispute as a moral crisis of collaboration, precipitated by one party's failure to honour their obligations and behave how others expected them to. But if for the campaigners these obligations and expectations inhered in the longer history of their relationships with the representatives

[255] See also Chapter Seven on the question of balancing between the stakeholders' perspectives.

of the Industry, for the officials they resulted from the "interaction order" (Goffman 1983) of the collaborative working group itself.

In other words, at stake was the commitment to two different visions of ethics, two different versions of what a good form of collaboration was. If for the campaigners this was a commitment to a particular *perspective* on transactions between them and the Industry representatives, for the officials it was a commitment to a certain *process* of negotiation. Tim claimed that the conflict had to be seen in a "wider context". In a way, however, the officials' narrative can be also seen as invoking a wider context, albeit differently construed: not a context of an international transparency "game", but one of the bureaucratic ideas about impartiality and proper relations with stakeholders.

Both narratives invoked visions of an open and consensual decision-making process, in which there were ethically right and wrong ways of acting, but they did so differently, and therefore attributed responsibility for the conflict to different people.

We have seen, through Tim Craigs' narrative of the dispute, that the officials' way of talking about the conflict as a moral problem was neither a necessary, nor the only possible one. I have suggested that the campaigners were invested in seeing the conflict in a larger context, because that was the context in which they understood their own work, and its political and moral significance. But what kind of commitment informed the officials' focus on the interactional context of the Guidance negotiations? What was at stake for them in this explanation? Addressing these questions, this section brings together the main themes and arguments of this chapter in order to understand what the case of the Guidance conflict, and the campaigners' and officials' explanations of it, can tell us about the effects of collective governance on relations and practices of government.

Tim depicted the campaigners' anger and their aggressive tactics as a justified and, indeed, inevitable *reaction* to the moral failures of the corporate lobbyists. In a similar way, when the officials blamed the Civil Society for the conflict, they not only attributed responsibility for it, but also defined the limits of their own agency in the dispute. Charlotte's redescription of the conflict first as campaigners' failure to collaborate, and then as their flaw of character, displaced the problem of the dispute from the dimension of situated political differences, into the dimension of relative interpretations, and then onto the terrain of absolute, a-contextual (for a lack of better terms) moral difference. The

effect of this redescription was to erase the officials' agency from the narrative of the conflict: first, it suggested that there was little that the officials could do within the collaborative framework which granted legitimacy to different interpretations of the law; and then, it made them appear even more powerless in the face of the irrational boycott that in any case was not a response to a particular political problem, but a manifestation of the campaigners' belligerent character. (Because: whatever you do, "what else could you expect of them?") This was a way to state that the solution to the conflict was well beyond the reach of acceptable means of interventions available to officials.

There is an interesting parallel between the civil servants' own construction of their agency as limited, and the manner in which collective governance of the policy affected the practices and relations of government, restricting Charlotte and Catherine in how they could go about their work.

Promising to reduce opposition to the mandatory reporting policy by incorporating the stakeholders into the making of the regulations, collaboration in fact made the civil servant vulnerable to stakeholders' agendas, interests, and conflict. As long as officials wanted to perpetuate their collaboration with the stakeholders (once started, ending it would cause much criticism for the government), they had to carefully navigate these people's complexly articulated sensitivities about the policy. Collaboration also engendered expectations which further affected the relationships among the participants in the working group.

These political, relational, and moral constraints of collaboration did not reduce the bureaucrats' authority per se. Rather, they made the context of policy-making strikingly more complex. Once the officials invited the representatives of transnational companies and NGOs, they could do little about the concerns and adversarial histories that these people brought with them into the meeting rooms at BIS. These backgrounds, of which the officials were not always aware, shaped the stakeholders' interactions in ways that the civil servants could not affect. As my description of the competing lobbying claims and orders from the Cabinet Office suggests, stakeholders' access to, and strategic use of, the different institutions and levels of the government, added to the complexity of policy-making, and put further pressure on the officials. All this changed how exactly the officials could exercise their authority vis-a-vis the stakeholders, making it necessary to

negotiate decisions, and calculate and factor in stakeholders' agendas much more than would have been necessary otherwise.

In this context, we can interpret the officials' narrative of the conflict as a response to the ways in with their capacity to act and make sense of their work, were diminished by the new complexity of collective governance. The appealing moral simplicity of Charlotte's and Catherine's explanations of the conflict stand in stark contrast to this complexity. The officials' explanations focused on a very narrow interactional context, and referred to expectations and obligations arising from this context, and this allowed them to clearly attribute the blame for the dispute, and redefine their own agency in it.

Unlike Charlotte and Catherine, who located the problems with the Guidance within the order of situated interactions in the meetings, in Tim's version of the events, the antagonism had a history, and this history unfolded on a different scale than the officials' recollections. And while similarly to the officials Tim saw the dispute in a distinctively moral light—as a breakdown of collaboration and "good faith"—the differences of scale and perspective gave Tim's story markedly different ethical connotations. His synecdochical depiction of the conflict as a part of a wider adversarial context, or "game", suggested that the Guidance dispute had originated in events and concerns far beyond the control of the BIS officials. It was perhaps because of this that the civil servants focused their explanations in the context of interactions directly available for their evaluation, without recognising the many ways in which they lacked control over the Guidance conflict, and ultimately, their policy.

In the next chapter, I will focus on the attempts of the officials in the UK EITI Secretariat to prevent the Industry Guidance conflict form spilling over onto their policy. We already know from this chapter that these attempts were futile. Exploring them, however, can teach us something important about the role of official formality in maintaining the relational infrastructures of policy on which the implementation of the UK EITI relied, and which were threatened by the Industry Guidance conflict.

Chapter Seven
Maintaining relationships: impartiality and consensus in the UK EITI

In the Introduction to this dissertation, I describe the EITI as a participatory policy organised around a set of collective forms, such as the multi-stakeholder group and the three stakeholder constituencies. Mandated by the EITI Standard, these forms establish a relational infrastructure that frames and enables negotiations among the representatives of many organisations, who bring in their own interests and agendas into this arena of collective governance (see Chapter Five). As a condition of successful validation of national EITI implementation, the Standard also requires that deliberation within the multi-stakeholder group happen by consensus, and that all constituencies continuously participate in the policy. This structurally gears the implementation of the EITI towards the maintenance of relationships among stakeholders.

This description is a rough simplification, but the point I want to make is that the implementation of the EITI, as I observed it in London, is explicitly imagined and enacted as a process of negotiation of the divergent interests of the three constituencies. In so far as the EITI Standard prescribes a blueprint not only for what a national EITI report should consist of, but also what the social infrastructure of the policy must be, relational complexity is built into the very structures of policy-making. In a sense, it is both a condition and an objective of the policy to establish and maintain such social forms as the multi-stakeholder group, with its constituencies and meetings of different kinds. The sociality of the (UK) EITI is further complicated by the explicit requirement of constant and equal participation of all constituencies, without which collective decisions will not be deemed valid. The voluntary nature of the EITI in Britain meant that deliberation happened by consensus, and so participants of the UK EITI meetings were always busy negotiating not only the EITI rules, but also relationships with each other. It was obvious to all participants, that the success of the policy depended on these relationships.

What happens, then, when disagreements and unruly sociality of collective governance threaten to unmake the possibility of consensus by undermining the relationships that hold the multi-stakeholder group together? This is the ethnographic problem that this chapter examines. I approach it from the perspective of the civil servants at the UK EITI

Secretariat, whose job it was to mediate between the stakeholders, manage their relationships among each other, and support the multi-stakeholder group as a whole.

The previous chapter has examined the case of the Industry Guidance conflict, exploring how a collaborative space of the extractives working group became an arena of a dispute that at the end of March 2015 led to the NGOs' boycott of the UK EITI. Throughout February and March, I watched the conflict at a distance, from the offices of the Corporate Governance team. I sought to understand what was going on through Charlotte's and Catherine's comments about it in the office and occasional discussions at the fortnightly meetings of the Corporate Governance team. Elizabeth, Aimée and Stewart from the UK EITI Secretariat did the same. And as the dispute developed and the prospect of its resolution became more unlikely, the Secretariat officials grew increasingly anxious, discussing far-fetched scenarios of how this conflict could affect the UK EITI, and drawing up contingency plans.

Although the Reports on Payments to Governments Regulations and the UK EITI were formally separate as policies, they were historically, conceptually and socially interconnected, in particular through the participation of the same corporate and NGO stakeholders. Initially, this interconnection had not been problematic (in fact, it was sometimes desirable for the BIS officials, and I will describe how, in this chapter). But as the Guidance dispute threatened to undermine relationships among the stakeholders in the context of the extractives' mandatory reporting policy, Elizabeth and her staff sought to prevent the conflict from "contaminating" the UK EITI and undoing the ties of collaboration that held the multi-stakeholder group together.

From the previous chapter, we know that their attempts were futile. In this chapter, however, I take them as an ethnographic entry point to explore the larger problem of how the staff of the Secretariat maintained the relational infrastructures on which the implementation of the UK EITI relied. As Chapter Five demonstrated, the design of the (UK) EITI created uncertainties around its implementation in the UK. Some of these uncertainties had to do with the translation of the Standard's requirements into national UK EITI rules. Others, however, flowed from the fact that the collaborative set-up of the policy brought together representatives of many organisations with multiple interests and agendas, engendering complex social relationships which overflowed the formal dimensions of collaboration. (Thus, Chapter Five described how the NGO stakeholders

in the UK sought to turn the UK EITI into an arena and a tool of transnational campaigning interventions, thereby informally subverting the official aims of the policy.) Because most of the work on the policy had to be done within this complicated and often unpredictable social context, and this work had to be done within a defined period of time, Elizabeth and her staff at the Secretariat sought to contain and govern the unruly sociality of multi-stakeholder collaboration.

Exploring how these officials sought to order this sociality, and maintain the relationships necessary to keep the UK EITI going, this chapter sheds light on the role of formality in organising the social world of policy-making. From the previous chapters, the reader might have realised that this world was in constant flux, and that the many agendas of its protagonists subverted and undermined the policies that had to be governed through collaboration. A question to which I have paid less attention, perhaps, is how order and stability are achieved in this dynamic world (Alexander 2001: 467). To address this question, I analyse how officials at the Secretariat dealt with the threat of the Guidance conflict engulfing the UK EITI. Their attempts, I suggest, were focused on keeping the two policies separate by emphasising that the positional identities of the stakeholders in the context of the UK EITI meetings were different from those in the context of the extractives working group. Another important tactic was to attempt to control what was said publicly in formal meetings. As such, these attempts point to a more general imperative for the Secretariat and its stakeholders, namely, avoiding divisive arguments in the context of formal assemblies. This reveals a repertoire of formal practices to which the civil servants were committed in their work. I analyse two groups of these practice. One concerns impartiality, detachment, and keeping to official roles and formal boundaries of policies when there was a danger of relationships getting blurred by conflict. The other concerns practices that bring people together in formal meetings in such ways as to produce consensus, avoid conflict, and consolidate their relationships as participants of official process of collective governance of the UK EITI.

Anthropologists studying policy and project work in national and international bureaucracies, diplomatic bodies and non-governmental organisations, have demonstrated the importance of concerns about organisational form, processes of coordination and replication, and the non-linear relationship between policy and practice (Fresia 2013; Holm Vohnsen 2011; Lea 2008; Mosse 2005; Neumann 2012; Riles 2001). Building on this work, I suggest that the focus on management of disputes reveals

something more general about the social world of policy-making that I observed: namely, the way in which the work of the Secretariat and the meetings among the UK EITI stakeholders, reflexively focus on enacting and maintaining the very matrix of formal relations through which the implementation takes place (Lea 2008; Mosse 2005). The UK EITI is interesting in this context because the formal organisation of the policy (on which below) makes social coordination and maintenance of relationships into explicit objectives of the policy on par with the substantive work that this coordination enables.

Beginning with the Secretariat officials' responses to the threat of the NGO boycott of the UK EITI, I suggest that when faced with a threat of open conflict among stakeholders in meetings, the Secretariat officials sought to avoid mentioning disagreements and disputes, or denied their knowledge thereof. Although one might interpret this communicative strategy as organisational concealment and opacity (as some of my informants would do), I argue for a different interpretation. Namely, I posit that these strategies should be understood as officials' commitment to bureaucratic professionalism—in this case, by insisting on enacting formal arrangements prescribed by the structure of the UK EITI, and maintaining detachment that was key for organisational objectivity. Situating my ethnographic case in a broader context of how arguments are dealt within, and through, the formal organisation of stakeholder meetings, I demonstrate that avoidance of conflicts and maintenance of social relationships among stakeholders, can be traced to the requirements put on the implementation of the UK EITI by its very organisation around an infrastructure of collective forms, voluntary participation and consensus deliberation.

I begin with an ethnographic vignette that demonstrates one strategy through which officials at the UK EITI Secretariat sought to deal with the threat of the conflict. I then situate this vignette in a broader analysis of the UK EITI meetings. I conclude with a reflection on the importance of maintaining social relationships, in the context of a policy that puts multi-lateral negotiations at the centre of its implementation.

Keeping the policies separate

On the morning of Wednesday 25 February 2015, Charlotte Reid-Wills came by to the part of the office where Elizabeth, Aimée, Stewart and I usually sat, to talk with us about a meeting. In two days, Charlotte said, she and Catherine would be hosting a meeting between the representatives of oil companies and lobby groups, and the members of the

Publish What You Pay coalition. The purpose of the meeting was to negotiate a way out of the Industry Guidance dispute, which had reached the point where both parties refused to scale back their demands and to recognise each other's requests as valid. For the first time, the senior management of the NGOs and companies would attend a meeting of the working group meeting. Charlotte wanted someone from the Secretariat team to come along to take formal notes. She said: "*I don't want detailed notes… Just bullets, to cover myself.*" Bullets were bullet point notes. Unlike the UK EITI meetings, which were usually documented in detail, most assemblies of the working group went unrecorded. This facilitated the negotiations, and the fact that Charlotte wanted to have an official record of the meeting suggested she was anticipating the gathering to be confrontational: a record of who said what could be used as a protection against possible legal or disciplinary action, should either side in the conflict decide to turn against the officials.[256]

Charlotte looked at all three of us, awaiting an answer. Aimée kept shtum and so did I, difficult as this was. I was curious about the meeting, and it could be a chance to observe negotiations that many informants had told me about, but to which I had had no access. My facial expression must have given away my interest, for as Charlotte spoke, I felt Elizabeth's heavy look on me, trying to dissuade me from saying anything. "*So,*—Charlotte finally asked,—*would Aimée or you, Elizabeth, be able to come?*"

"*I think,*—Elizabeth said calmly,—*it's important to keep the EITI separate from [the Regulations]*." It was better, she implied, if someone else than her or Aimée went. This (keeping the policies separate) was something she had already said on multiple occasions when Charlotte or Catherine mentioned the Industry Guidance.

"*And… What about Taras?*"—asked Charlotte. She couldn't see that Elizabeth, fixed with her eyes on me, was slightly shaking her head. Elizabeth responded before I had a chance to: "*But it's your day off on Friday, isn't it?*"

It was, indeed, and so I had to give up on the idea of observing the meeting. Charlotte went off to ask someone else for the favour, and bemused, I quietly asked Elizabeth to explain what it was all about. "*I don't know! I don't want to know! Because when Global*

[256] The bullets, like many forms of official documentation (Gitleman 2014: 2), aimed at a possible adverse future (cf. Strathern 2006), in which they could serve as evidence of the meetings' proceedings.

Witness campaigners come up to me at an EITI meeting asking how's the progress on [the Regulations], I can say,—she shrugged her shoulders,—*I can say, 'I don't know!'*"

The incident perplexed me. It seemed paradoxical at first: Elizabeth's will to ignorance appeared unusual for a civil servant, and in fact seemed to contradict both her actions in other contexts, and her idea about what it meant to be a good civil servant. Did Elizabeth *really* not know? What could her knowledge or ignorance do if demonstrated to the stakeholders, and how did that relate to her desire to keep the Industry Guidance conflict separate from UK EITI? Finally, why would she want to keep separate policies that she herself had deliberately sought to align earlier? These questions open up the incident to analysis, and I begin with the last one.

Alignment and separation

Before the Industry Guidance conflict, the overlap between the extractives' mandatory reporting policy (the Regulations) and the UK EITI was never a problem, except that it caused regular confusion among officials and their ministers. (So much so that when writing submission to ministers, Catherine and Elizabeth would often include disambiguation clauses explaining the differences between the policies.) As I have suggested, this overlap had several dimensions.

Historically, the policies originated from the same campaign of Global Witness. In many ways, the NGO's continued advocacy for the mandatory reporting policy was a result of how the UK government officials had transformed this idea and turned into what became the EITI (see Chapters Three and Four). *Conceptually*, therefore, there were many similarities between the requirements of the two policies—a result of both the historical connection between them, and deliberate attempts of officials drafting the reporting rules in the Accounting Directive, and the UK Regulations, to "align" them with the EITI Standard where possible. In the UK, such alignment was to a great extent a result of the government's approach to corporate regulation. Most extractive companies operating in the UK, would have to report under both the UK EITI and the Regulations. Understanding regulations and disclosures as a "burden" on companies, BIS officials *and* their corporate stakeholders wanted the reporting rules and forms of both policies to be as similar as possible. This would make it cheaper for companies to comply with the policies. The NGOs supported this, because as Tim Craigs suggested (see Chapter Six), having the

same information reported in the same way under different policies, allowed the campaigners to compare the data, and enhanced transparency.

The BIS officials decided that because the Regulations were legally binding, and the UK EITI wasn't, the latter would be aligned with the former where possible, and where the UK EITI multi-stakeholder group consented.[257] As a result, the Regulations became a constant, and often contested, point of reference for all parties of the multi-stakeholder group.

Whenever the Industry members of the MSG made implementation proposals for the UK EITI which the Civil Society saw as "weaker" than the Regulations, the Regulations were put in as an example: the UK EITI could not be weaker than the law. The Industry representatives similarly invoked the Regulations to object to Civil Society's proposals which they perceived as excessively demanding or going beyond the minimum requirements of the EITI Standard. The corporate and the NGO stakeholders, and sometimes even Government representatives, used the Regulations as an exemplar to be replicated through the UK EITI rules, making the process of "alignment" into a subtle political struggle—one of the many that unfolded between NGO campaigners and representatives of extractive companies.

Alignment was therefore a deliberate goal for the civil servants and a source of negotiation rhetoric for both the Industry and the Civil Society. Keeping the two policies separate in this way had never been a problem. But, as Chapter Six demonstrated, the overlap between the policies was also *social.* Both the UK EITI and the Regulations were implemented by civil servants from one team, and the head the team, Charlotte Reid-Wills, chaired stakeholder meetings on both UK EITI and the Regulations. The stakeholders themselves were "the same people". The officials and stakeholders participating in both policies understood that despite the overlaps and alignment, the two policies were officially distinct, which also meant that the formal roles played by officials and their stakeholders in the contexts of the two policies, were separate, too. Before the Guidance dispute, this separation of roles had been diligently observed. Now, Elizabeth was worried that the stakeholders would stop honouring this separation of positional

[257] For example, the reporting threshold in UK EITI —the sum of company's payments to the (UK) government that triggers the obligation to report—was chosen to be the same as the threshold dictated by the Regulations, at £ 86,000 per year.

identities. Similarly to Tim Craigs, they understood that "there [was] a limit to how long you can pretend you're wearing different hats when meeting the same people."

Elizabeth once told me that in some other countries, notably Germany, EITI Secretariats were completely independent from government institutions, and staffed by consultants. In the UK, however, it was part of the Department for Business. Elizabeth was all too aware that her Industry and Civil Society stakeholders knew that she, Aimée and Stewart[258] worked in the same office with Charlotte and Catherine. (Some of the stakeholders took it as an indication that the Secretariat's staff were also working on the mandatory reporting policy, which was not the case.) In Elizabeth's opinion, this put an extra emphasis on the need to demonstrate the Secretariat's independence from the agenda of the department, and the Government constituency of the UK EITI more broadly. Let me explain this in more detail, because grasping the logic of representation and separation at work within the UK EITI, will help us better understand why it was important for Elizabeth to keep her policy separate from the Regulations/Industry Guidance, and why feigning ignorance was a way to do so.

Difference and detachment

The notion of independence was an important structuring ideal in the EITI Standard and Elizabeth's work of implementing it. The Standard mandated that the Industry and the Civil Society constituencies had to remain independent of government influence, although it was not always clear whether that meant the influence of government officials, or representatives of the Government constituency. At the same time, the Secretariat had to be independent of the constituencies, in particular the Government, because its role was to support and represent the multi-stakeholder group as a whole, and not the interests of its constituent parties. For Elizabeth and her staff, this implied coordinating the work of the stakeholders without being seen as constantly favouring the interests of any of them. To do so, the officials sought to cultivate and perform certain forms of impartiality and detachment (Candea, Cook, Trundle and Yarrow 2015), which I want to briefly describe here.

Elizabeth's job (and so also Aimée's and mine) was to mediate between different stakeholders and make sure that negotiations among the members of the multi-

[258] And me, too, in so far as I was formally attached to the UK EITI Secretariat for the duration of my fieldwork at BIS.

stakeholder group progressed and were not disrupted by disagreements. She was a skilful diplomat, and being "independent" for her meant performing impartiality—detaching herself from partial opinions and interests of any of the constituencies, while moving between them all the time. As a government employee, Elizabeth had to particularly carefully distance herself from appearing as a part of the Government constituency in the UK EITI meetings. This can be understood as a fulfilment of the bureaucratic ethos of neutrality and virtuous detachment that has historically characterised the British civil service (du Gay 2000), and which Elizabeth regularly emphasised in our conversations. But there was more to this than just bureaucratic neutrality: the Secretariat officials' demonstrations of independence were inflected by their understanding of the MSG as a space of difference.

It is worth recapitulating here that the multi-stakeholder group was explicitly imagined as a space of collective representation, and the constituencies were recognised as having their particular interests expressed and transcended in the process of collective governance (Rich and Moberg 2015). The members of the MSG therefore acted within the group not as private persons, but as holders of office[259] or positional identities (Irvine 1979) who spoke and acted on behalf of their constituencies. Differences of constituency interests were commonly expressed during the negotiations about how to translate this or that requirement of the Standard into policy (see Chapter Five for examples). Expressing an opinion about a matter under negotiation, the stakeholders were expected to do so in a way that reflected the stance of their constituency. (On several occasions, one confused Civil Society representative said something that was expected of an Industry stakeholder, and Elizabeth commented, in private, that this person was "doing the Industry's job for them".)

The point here is that whereas the multi-stakeholder group was formally a space of difference, in order to remain independent and impartial, the Secretariat officials had to avoid being seen as representing any party in particular.[260] This entailed, among other

[259] Office here means not the structured office of a bureaucrat (du Gay 2008; Weber 1978), but rather the generic term denoting a persona (La Fontaine 1985), a social role or a status (Fortes 1962: 57), which are distinct from the "whole" person of the individual.

[260] As with bureaucratic formality (Alexander 2002; Stinchcombe 2001) and moral codes more generally (Laidlaw 2014: Chapter 4), the separation of the personas of the Secretariat and government official, which had to be made explicit in formal MSG meetings, was often muddled in other, less formal, contexts. Members of the Secretariat still took part in so-called "officials' meetings" (preparatory meetings of all civil servants who attended MSG meetings) at which the officials coordinated their common position as a Government constituency. As far as I observed during my fieldwork, Industry and Civil Stakeholder did

things, not saying or doing anything that could be perceived as expressing or advancing the interests of one of the constituencies (unless such acts were explicitly marked as reporting the view of others, and made in the interest of mediation among the stakeholders—see below), because this was the prerogative of constituency representatives.

Serving the MSG as a whole, the Secretariat officials had to demonstrate their impartiality by recognising, and giving equal attention to, the interests, problems and perspectives of the stakeholders. To borrow Paolo Quattrone's term (2015: 428), it can be said that Elizabeth's and her staff's performances of impartiality were predicated on demonstrating "in-difference"—that is, on being "in the middle of difference" constituted by distinct interests and agendas of the constituencies.

Because one of the main ways in which the Secretariat supported the MSG as a whole was by mediating among its members in situations of disagreement, being in the middle of difference often entailed moving between, reporting, and even arguing for, the stakeholders' points of view (even when one did not agree with them[261]). This had to be done, however, in such a way that the mediator was not seen as consistently favouring either side in the negotiations. In this context, detachment from, and indifference to, constituency agendas, could be demonstrated through what Stewart referred to as "balancing" between the perspectives. This balancing, he said, entailed giving equal attention to the stakeholders, informally exchanging information with all of them (rather than just one party), etc., and its express purpose was to bring the stakeholders closer to consensus. In this sense, as Hannah Knox and Penny Harvey (2015) point out in relation to practices of detachment in engineering practice, indifference did not reduce social complexity—one could say, difference—, through bureaucratic rationality (cf. Graeber 2012; Handelman 2004; Herzfeld 1992). Rather, it allowed the civil servants to navigate

not know what was discussed at officials' meetings, nor did they know that the Secretariat staff participated in them. At MSG meetings, however, Elizabeth would stay aside and not demonstrate her support of the position of the Government Constituency that she would have been negotiating with other civil servants just a week earlier. Because there were not enough officials to represent the Government in the work on the UK EITI, Elizabeth sometimes had to participate in sub-group meetings, explicitly representing the Government. In such cases, she would at times change "hats" (as she said), and make clear when she spoke as a representative of the government constituency (or BIS), and when, as a member of the UK EITI Secretariat. This can be understood as an instance of balancing between the different positional identities or perspectives of the stakeholders—see below.

[261] As Rich and Moberg write, the Secretariat officials "will have to make the case for some of the stupid [suboptimal] ideas themselves as part of a mediation role" (2015: 55).

and negotiate the relationships among the UK EITI stakeholders, while recognising, and in fact making use of, their complexities.

This is why, when Charlotte asked Elizabeth to attend the Industry Guidance meeting at the end of February, Elizabeth refused immediately: if her Civil Society and Industry stakeholders saw her (or Aimée, or me) at the meeting, not only would this undermine the formal separation between the policies, but the stakeholders would also perceive the Secretariat as being squarely on the government's side of difference. Elizabeth therefore wanted to avoid being seen as involved in the Guidance dispute, or as supporting the position of the Department for Business in it,[262] because she thought this could undermine both the Secretariat officials' ability to remain impartial, and broker the collaboration of the stakeholders.

Feigning ignorance

But how could claiming ignorance of the conflict demonstrate impartiality and indifference; and how would these forms of bureaucratic objectivity allow for separating the two policies? Given the social overlap among the stakeholders in the context of the UK EITI and the Regulations, Elizabeth wanted to prevent any disagreements among them from being carried over into the UK EITI meetings. To understand what role ignorance could play here, I take one insight from the emergent anthropological literature on ignorance:[263] namely, that people come to chart spaces and possibilities of social relations and action through their (claims to) ignorance as much as through their (claims to) knowledge. This usefully directs attention away from the cognitive status of ignorance that Elizabeth claimed, and towards the performative character of the claim itself (Austin 1962; Duranti 1986); in other words, to what Elizabeth would be trying to achieve by saying that she didn't know about the Industry Guidance work if her stakeholders asked her about it.

[262] Elizabeth also thought that Charlotte Reid-Wills, as the Chair of the MSG, had to be equally impartial. She suggested that Charlotte's participation in the Industry Guidance talks, and the way in which she had to support the departmental position in them, made such impartiality impossible.

[263] The main theme of this anthropological (and related social science) scholarship is that ignorance should be understood not as an inverse of knowledge, but "as a substantive historical phenomenon that in each particular case might incorporate certain knowledge, logics, ethics, emotions, and social relationships." (High, Kelly and Mair 2012: 3). Scholars argue that ignorance can be productive (Sedgwick 2008: 4); have strategic uses (Heimer 2012: 1); become intertwined with personal and organisational action (Luhmann 1998; McGoey 2007); and can be ethically desirable for how it inflects social relations (Chua 2008).

I want to suggest that for Elizabeth, the issue was not about *not knowing* about the conflict, but rather about *not being seen as knowing* about it. If Elizabeth or any of her staff—i.e., me or Aimée —, went to a meeting where the stakeholders gathered to discuss the Industry Guidance, neither of us would be able to claim ignorance of the conflict. Elizabeth thought that this could make her own policy into an arena where the conflict was discussed, which in its turn could polarise and politicise the UK EITI negotiations in ways that had nothing to do with the official aims of the policy.

Interestingly, however, Elizabeth simply could not afford not knowing about the Guidance conflict if she were to do her job well. She constantly communicated with the stakeholders. Managing relationships between and among them, was an important part of her job, and she always tried to anticipate how particular people would react to certain policy innovations, and what would be the best ways to overcome their potential resistance. This diplomatic work required not only knowing what interests these people stood for in their social roles of constituency representatives, but also being informed about their traits of character and interpersonal conflicts that transcended their official personae. While claiming the opposite, Elizabeth *had* to know about the Industry Guidance conflict, because the dispute had started to shape the interpersonal relationships among her stakeholders. Accordingly, she sought out information about it from her colleagues participating in the negotiations, in order to know what to say, and what not to say, and to whom, in the context of the UK EITI. Knowing about the conflict was important for Elizabeth for the same reason that claiming ignorance about it, was. She was afraid that the conflict could polarise the stakeholders to such an extent that they would no longer be able to distinguish neither between their positional identities (or "hats") with regards to the two policies, nor between the policies themselves.

The meeting in which Elizabeth refused to participate, came and went, and far from not wanting to know, she tried to squeeze the last drop of gossip from Charlotte and Catherine, who had visited it. At the meeting, it turned out, Andrew Naumin, the coordinator of PWYP UK and the Civil Society constituency of the UK EITI, hinted to Charlotte that if the companies refused take into account the NGOs' comments about the Guidance, the Civil Society would disengage from the UK EITI process. NGOs' boycott would effectively undermine the implementation of EITI in so far as the Civil Society's participation was necessary for the due process. It would also, Elizabeth reasoned with Aimée and Charlotte, "break the relationship" between the stakeholders from Industry

and Civil Society. This only reinforced Elizabeth's desire to keep the two policies separate, for now the threat of the collapse of this separation was becoming ever more serious.

The following week, Elizabeth and I were preparing to a meeting with the Andrew Naumin and other stakeholders. The meeting was one of the so-called sub-group meetings, at which the stakeholders would discuss one part of the first UK EITI report, called Contextual Information. I was going to the meeting because I helped Andrew and others to draft the Contextual Information section. Although Elizabeth did not contribute to this work, she usually attended the sub-group meetings in order to be informed about the progress of the policy, and learn about any potential disagreements that she could help resolve.

Representatives of all three constituencies were to attend, and Elizabeth was concerned that some of the people who had been present at the Industry Guidance meeting the previous Friday, would come to our sub-group meeting. As usual, Aimée, Stewart, Elizabeth and I sat down to discuss different potential scenarios. The main question was whether the attendees who had also been present at the Industry Guidance meeting, would be able to keep the two policy areas separate and not "confuse" the imperative of cooperating on EITI, with their assumed desire to argue about the Guidance. (In other words, whether they would only act and relate to each other in their EITI personas, while keeping them separate from their Industry Guidance personas.) For us (Elizabeth and me), as for the stakeholders, this entailed acting as if the "same people" in the room were not actually the same, at least in their official capacities. I asked Elizabeth for advice on how I should behave in view of the Guidance debacle.

"*We, we don't know anything about it,*" —she said, intentionally posturing as if to stress that if I knew something, I had to pretend I didn't. She continued: "*Just look perplexed about it all. We need to keep the two policies separate, the [Regulations and the Industry Guidance] have nothing to do with EITI, and should not influence our policy.*"

Despite all the overlaps between the two policies, now their formal separation had to be upheld and explicitly performed in the context of the UK EITI assemblies. Given how in the past the two policy areas had not been kept separate *conceptually,* keeping them separate *socially* now meant feigning ignorance about the tense relationships among the

stakeholders in the context of Industry Guidance. In a situation when the Civil Society threatened to boycott UK EITI, it became much more important to show that EITI had "nothing to do" with the Industry Guidance. The demonstration of our ignorance,[264] if required, would make clear that we only related to these people in their roles/personas as EITI stakeholders. It would also make clear to them that we, the members of the Secretariat, acted in just that capacity, and not as civil servants dependent in their mandate on the official position of BIS. Similarly to how the UK EITI had to be kept separate from the Regulations and the Industry Guidance conflict, we had to demonstrate that we were "separate"—independent—from Charlotte and Catherine, who were involved in the Guidance negotiations.

Separation had to be demonstrated by implication. As I have suggested, in the context of the UK EITI, stakeholders' interventions in, and opinions about, matters of policy, were routinely expected to express a collective interest of their constituency. One's speech and acts thereby also indexed one's belonging to, and representation of, a constituency. By the same token, taking a perspective on the Guidance conflict could index what collective interests (NGOs', companies', government's) one represented, and this was exactly what Elizabeth and I had to avoid. "Not knowing anything" about the conflict, and "looking perplexed", precluded the very possibility of having an opinion about it, which implied Elizabeth's (and mine) separation from the interests of other BIS officials involved in the dispute. Ignorance of the conflict was a demonstration of detachment and impartiality *par excellence* (Mair 2015). It was a demonstration of our being "in the middle of difference".

Ready to appear confused and not know about the Guidance conflict, I went with Elizabeth to the Contextual Information sub group meeting. I was waiting for something to happen, which would unravel the usually heated, but non-confrontational discussion about the future EITI report—an underhand comment, a stab in the back, an overt reference to the Guidance—but nothing materialised. The meeting went as usual. After all our speculations and thinking about how to behave should anything happen, that normality in itself was a reason to look perplexed. We did not have to feign ignorance of the conflict, for the meeting went without a single mention of the Industry Guidance. Those in the room who knew about the conflict, stayed silent; some others simply did not come, perhaps not to be present in the same room with their opponents. The stakeholders

[264] I suspect that Elizabeth framed it in terms of "not knowing", rather than "hiding knowledge" or dissimulation because of the negative overtones of the latter two.

seemed to be playing their roles of UK EITI representatives well, separating the UK EITI from their disagreements about the Guidance.

As Chapter Six has demonstrated, the Secretariat officials' attempts to keep the UK EITI separate from the Guidance conflict did not prevent the NGOs' boycott of the policy. Over the course of my fieldwork, however, I realised that these attempts were part of a larger repertoire of practices through which the Secretariat officials sought to manage the relational complexity of the multi-stakeholder group in order to prevent disruptive disagreements, maintain relationships, and facilitate collaboration and consensus. In what follows, I sketch out this repertoire in order to better understand the role of formality in organising the collective governance of the UK EITI.

Management of disagreements among stakeholders in UK EITI meetings

The implementation of the UK EITI was organised around regular meetings of differing form and thematic focus, as well as work done privately by the stakeholders in-between, and in preparation to, the meetings. With respect to participation and purpose, the meetings were of two kinds: sub-group meetings where a sub-set of the representatives from the multi-stakeholder group with relevant expertise discussed particular issues—e.g., technical aspects of proposed petroleum tax reporting rules of UK EITI, or the UK EITI communication strategy, or disclosures of beneficial ownership of extractive companies. There was a number of topical sub-groups, each of them with its own Chair appointed from among the stakeholders; as a rule, each sub-group met at least once in-between the meetings of the multi-stakeholder group. These, then, were the second kind of meetings; they occurred every two months. The entirety of the MSG—some 30 people—gathered in order to negotiate and agree decisions that, it was commonly understood, needed to be consensual. Only statements made and recorded during the MSG meetings had an official validity, which made these four-hour long assemblies into something of a ceremonial, celebratory performances (Lamp 2015) where no real negotiation—with display of disagreements and attempts to transcend them—could happen.

Making consensus

The movement between these two kinds of meetings provided for an institutional space where most if not all decisions could be agreed through a gradual resolution of differences. Deliberation in these meetings happened by consensus, and although there

was a mechanism to go to a vote, Elizabeth proudly told me that they did not have to resort to voting a single time. If that had happened, she reasons, she would have felt that she failed as a coordinator of the MSG: the group as such existed for the sole purpose of "bringing people" with different interests together so that they could negotiate. Voting would mean that one part of the group prevailed over another, which for Elizabeth, whose Secretariat supported the MSG as a whole, was unacceptable.

To avoid voting on matters that could not be immediately resolved, stakeholders met in sub-group meetings. In virtue of their focus on particular elements of EITI implementation, sub-groups allowed more time for discussion than MSG meetings. Sub-group gatherings were, Elizabeth put it once to me, the "level" at which arguments took place: "The idea is you have the argument at the sub-group level, and figure out why the one side doesn't want what the other wants, and try to reach a compromise." If the sub-group as a whole reached a compromise—for which it could take a number of meetings, one-to-one telephone calls between Elizabeth and the relevant stakeholders, and informal conversations among the stakeholders—, it made a recommendation for the whole of the multi-stakeholder group.

As I have observed myself, the absence of a communal recommendation from a sub-group indeed resulted in prolonged and usually unhelpful debates at MSG meetings: the meetings normally lasted for four hours and could not accommodate the kind of discussion that was necessary to resolve all disagreements; for practical reasons, discussions had to be returned back to the sub-group level; but now in addition to group discussions in an sub-group a meeting, there would also be informal one-to-one talks in email conversations and on the telephone, in which stakeholders sought to resolve their disagreements. There would be a prolonged period of to-ing and fro-ing, as constituency delegates would report back from sub-group meetings, in order to seek support for particular decisions from their constituents.[265] By the time the sub-group as a whole made a recommendation, all major disagreements would be ironed out. In Elizabeth's words, "When [a recommendation] comes to the MSG, the path has been smoothened for a decision" to be taken by general consensus.

[265] Each constituency also held preparatory gatherings (like the officials' meeting I referred to above), at which they coordinated their common position—something that allowed the constituency to speak in "one voice", and thus become "stronger", as a campaigner from Publish What You Pay once told me.

All this points to the fact that consensus had to be actively built. This seems typical of an EITI Secretariat official. In their book on collective governance, Rich and Moberg write that consensus needs to be constructed:

> It is time-consuming but it is core to the success of collective governance. To avoid lack of consensus [in meetings], a significant percentage of a governance entrepreneur's [i.e. a coordinator like Elizabeth] time will be spent on one-to-one conversations with the members of the collective governance group and their constituencies, providing background information, facilitating working groups and committees, getting opposite views to talk to one another before coming into the board room, hosting networking opportunities to relax board members with one another socially, and so on. (2015: 45)

Similarly to the mediation among the stakeholders, which Rich and Moberg describe, and which I have discussed in the previous section, the formal organisation of the meetings facilitated the building of consensus because of how it ordered their relations and interactions.

Avoiding conflicts and organising the meetings

Because consensus had to be made, the Secretariat officials and their stakeholders were careful not to unmake it, or preclude its possibility, with their own words. In both sub-group and MSG meetings, participants were as a rule very careful in talking about topics considered divisive (i.e. ones which no amount of negotiations in UK EITI fora could resolve, for example, opinions about the role of oil companies in the climate change, or, for that matter, interpretations of the Industry Guidance[266]). Sometimes (as suggested by Elizabeth's desire to be able to claim ignorance suggests), they preferred not to mention disagreements that, as they felt, could not be resolved, or disguise them through vague, metaphorical or passive speech (Brown and Levinson 1987; Duranti 1994).

This avoidance of conflict could be attributed to the voluntary nature of the UK EITI and the lack of institutional mechanisms of constraint, which made it impossible for any particular party to impose their will on others, turning dialogue, persuasion and tactical compromise into the main forms of transcending difference. This adds to my previous explanation of Elizabeth's insistence on keeping the Industry Guidance conflict out of the

[266] See Chapter Five for an example.

UK EITI: the latter provided no mechanisms for resolving stakeholders' disagreements about the former—because these were two officially separate policies and the separation had to be upheld and enacted formally; but also because voluntary negotiations were the only way to deal with conflict within the UK EITI, and this was failing in the Guidance meetings already.

Avoidance of conflict and "dangerous talk" (Brenneis and Myers 1984) sometimes made the multi-stakeholder group meetings (more than the sub-group ones) seem like ritual performances aimed at enacting the ideal collective form of the multi-stakeholder group where different constituencies—not individual persons!—"talked to each other" (Charlotte) to reach consensus. But however much MSG meetings seemed to be scripted and predictable, there always was an element of surprise, precisely because they were large gatherings of people with very different agendas and characters. ("If people weren't people, implementing UK EITI would be easy. It would go according to plan," Elizabeth noted once.) Spontaneous discussions and disputes, sometimes with personal undertone, often erupted from underneath the semblance of cooperative discussions. This was exactly the kind of situation that Elizabeth feared would happen at the sub-group meeting where I was instructed to pretend not to know anything about the Guidance Conflict, should the matter be mentioned. If anything, both sub-group and MSG meetings were all too unpredictable, calling upon the meeting chair to impose discipline, and cut conversations and remarks perceived to deviate from the formal agenda (Schwartzman 1989). Maintaining a situational focus of the meetings (Goffman 1963; Irvine 1976) on implementation work was necessary for pragmatic purposes. But it also contributed to the appearance of the UK EITI meetings as formal gatherings, whose attendees interacted in their official capacity of constituency representatives.

Ordering through writing

Both sub-group and MSG meetings were recorded in writing—minuted. The sub-group minutes were much less detailed in comparison to MSG minutes, and, crucially, were only a form of documenting group recommendations and proceedings with the aim of later demonstrating them to the multi-stakeholder group. Sub-group minutes were never published—only circulated to all members of the multi-stakeholder group in advance of the MSG meeting. In contrast, MSG minutes were much more detailed. Aimée, who prepared them, sought to capture all discussions that took place in the assembly. This way, the discussions were represented to wider audiences. Stakeholders had to be careful not

to talk themselves and constituencies they represented into positions from which it would be difficult to extricate themselves later.

As Elizabeth once observed, regarding a careful ambivalence of statements of one Industry representative, the talk at the MSG meeting was performed as much to the audience in the room, as to various audiences beyond it through the minutes. Since the MSG meetings took place under the Chatham House rule, minutes recorded participants' affiliation, but not their name. In the final minutes, one could read phrases such as "Industry stressed" or "Civil Society recognised and agreed". In this way, events and decisions documented in the minutes, were redescribed as artefacts of the relational/interactions dynamics resulting from the gathering of the representatives of the three constituencies, rather than private individuals. The minutes formalised the assembly, ordering and representing its sociality through categories of the official EITI structure. It can be said that the minutes were an extension of the celebratory performances (i.e. announcement of compromise, reporting of implementation progress etc.) that took place in the meetings, and tended to emphasised agreement and collaboration among constituencies as collective bodies.

Given this publicity of multi-stakeholder group's meetings,[267] it is perhaps unsurprising that most discussions that unexpectedly emerged or erupted from underneath the chill of formal play, were "taken back" for sub-groups to (re)consider, sometimes with extraordinary sub-group meetings arranged in order to work out an "option" for consensus and explicitly avoid having discussions at an MSG meeting. Disagreements that were accidental or not important enough to be taken back, were often not mentioned in the minutes at all.

But they could be, if Elizabeth and Aimée decided to "shame" someone by mentioning their misbehaviour in the minutes—a situation that happened once. Documentation of meetings through minutes in itself was a way to regulate and tone down the discussion, in view that whatever was said, could be recorded for the future (recall Charlotte's plan to take minutes of the Industry Guidance meeting; something similar also happened in the EITI context). This echoes Lisa Gitelman's (2012: 2) suggestion that the process of

[267] The MSG meetings were also open to members of the public who applied to attend in advance. Journalists, however, were not usually admitted, because it was recognised they could observe, and write about, disagreements and arguments.

documenting, and documents resulting from it, operate with an implicit "horizon of expectations" that is "accountability". Gitelman writes: "documents help define and are mutually defined by the know-show function, since documenting is an epistemic practice: the kind of knowing that is all wrapped up with showing, and showing wrapped up with knowing." (2012: 1)

In this respect, official MSG meetings represented the sociality of collective governance of the UK EITI, and did so in a way that emphasised collaboration, consensus and order, rather than disagreement, politicking, and unruly debates, which sometimes occurred in these assemblies. On several occasions, I heard from Aimée, Elizabeth and their Industry stakeholders that MSG minutes were "aspirational": they upheld a vision of what a meeting should have looked like, rather than what it actually did.

They minutes redescribed what happened in the meetings, constructing sanctioned representations of the sociality of the UK EITI, which, despite Aimée's declared desire to record everything that happened, were purged of any mention of divisive arguments. Similarly to how stakeholders' consensus was constructed through backstage mediation and several rounds of meetings, and to how the avoidance of conflict reinforced this consensus and maintained relationships on which it was based, official minutes of the MSG meetings integrated the multi-stakeholder group through writing by formalising its procedures and recording them for posterity (cf. Alexander 2001).

Concluding remarks: maintaining relationships

The various kinds of formality (the architecture of meetings, control of meeting procedures, official minutes), through which official order of the collective governance was achieved, might at first seem unrelated to my discussion of detachment and impartiality in the first part of the chapter. Such an impression would be misguided.

The problem that I have described in the vignette, was about dealing with a threat of a conflict that could not be resolved within the official structures of the policy, and yet could undermine its very existence by "breaking relationships" (Elizabeth) among the UK EITI stakeholders. (In fact, it did—for a short while; see Chapter Six)

In so far as the UK EITI had to maintain a working multi-stakeholder group, in which the three constituencies participated voluntarily and equally, and as long as the policy-making

work (drafting of papers, negotiations etc.) was done mostly not by the civil servants, but by the stakeholders themselves, maintenance of relationships among them was necessary for the policy's progress. The relational complexity of the UK EITI was a result of the policy's organisation according to the EITI Standard's blueprint, which prescribed that the implementation had to happen through an infrastructure of collective social forms, such as the three constituencies with their representatives, the multi-stakeholder group, and the Secretariat. This structurally engendered complexity led to a very real social necessity to avoid conflicts or resolve them outside of the main formal arena—the MSG meeting—in which the work done elsewhere was formally ratified, and progress celebrated.

The formal structure of the UK EITI turned the maintenance of relationships among the stakeholders from an implicit condition of policy work (Lea 2008; Mosse 2005), into its explicit goal—at least for Elizabeth and Aimée, whose role it was to manage and mediate such relationships. It is in this context that we should understand Elizabeth's preoccupation with avoiding the "contamination" of UK EITI discussions with the Industry Guidance conflict. As I have suggested, Elizabeth perceived her job as managing her own relationships with stakeholders, relationships among them, and her relationships with them in view of their relationships among each other. These relationships were not confined to those entailed by the positional roles that individuals assumed when representing their constituencies. She wanted to know about their personal characters and antipathies, for example to avoid seating two people who disliked one another next to each other in meetings. At the UK EITI Secretariat—and the Department for Business more generally—I found that contrary to critiques of social scientists (e.g. Graeber 2012; Herzfeld 1992; Scott 1998) who describe bureaucratic knowledge as reductive and operating through almost automatic simplification, civil servants I worked with developed intimate understanding of social environment they inhabited. This was an indispensable aspect of their work, rather than something that happened in spite of the officials' practices of formality. Far from blinding them to the relational intricacies of collective governance, official formality allowed the bureaucrats to successfully engage with these, while also ensuring that the official structures of the UK EITI were reproduced, and stakeholders achieved consensus.

For the Secretariat officials, the ability to do their work professionally depended in many cases on being able to navigate social relations with/among their stakeholders with great

care and subtlety, which would be difficult without good knowledge of personal biographies, characters and predilections. For this very reason, minimising opportunities for conflict—through bureaucratic indifference or detachment, separation of policies, and manufacturing of consensus in formal meetings—was important in so far as professional relationships among stakeholders had to be maintained.

As the Industry Guidance conflict was becoming ever more bitter, the possibility of its resolution through negotiations waned. It was exactly the kind of situation that had to be avoided in the context of the UK EITI. This chapter, then, has explored the practices of formality through which the officials of the UK EITI Secretariat sought to maintain the relational infrastructures which underpinned the collective governance of their policy. Beginning with the Secretariat's attempts to prevent the Industry Guidance conflict from engulfing the UK EITI, I have shown that demonstration of detachment and impartiality was central to the Secretariat officials' role as mediators among the stakeholders. These officials had to stay in the middle of the stakeholders' difference in order to bridge it, and make consensual deliberation possible. Detachment and impartiality, I have proposed, were part of a larger repertoire of formality, with which officials sought to navigate, manage and mediate the relational complexities of collective governance. All these practices have to do with bringing people together in meetings, and maintaining relationships among them, to make and consolidate group consensus through which the UK EITI is governed.

These practices are informed by the structural focus of the UK EITI on stakeholder participation and consensual deliberation, and are key to preventing and managing disputes and disagreements. I have argued that stakeholders try to avoid arguments that can break relationships among the stakeholders beyond the possibility of reconciliation; and that the formal organisation of UK EITI meetings contributes to dispute resolution. The impartial mediation of the Secretariat officials, the presence of different "levels" of meetings, avoidance of conflict and consolidation of consensus through writing, all order the sociality of collective governance in ways that validate the official ideal of the UK EITI as a collaborative project.

Conclusion: the effects of collective governance

This thesis has explored the changing social world of policy-making in the British central government. To explore new forms of governance that engage international corporations and non-governmental organisations into the making of state policies in the UK, it has focused on the case of the Extractive Industries Transparency Initiative. In particular, it has examined the emergence of the EITI's collaborative model 1999-2003, and its implementation in the UK a decade later.

This archival and ethnographic exploration of policy-making has led me to argue that the UK EITI exists a part of a social and institutional context in which it draws on existing social relations and makes them anew; and that to understand this world, we need to explore how the projects of anti-corruption campaigning come to articulate with the political and institutional agendas of the central government bureaucracy. Thus, in Chapters Two and Three, I explored how Global Witness campaigners constructed claims about corruption and its structural relation to secrecy and transparency, and how these claims came to inform their attempts to influence government policy. Chapters Four and Five dealt with the emergence of the collaborative model of the EITI 2002-3, and some effects of its implementation in Britain in 2013-15. Chapters Six and Seven further explored the sociality of collaborative policy-making, by focusing on the UK EITI's sister transparency policy, the frictions resulting from stakeholders' disagreements about it, and the UK EITI Secretariat officials' attempts to contain these frictions by insisting on official formalities.

The EITI poses a challenge to conventional understandings of policy. As a set of official abstractions, the rules of the EITI Standard primarily govern not the production of transparency in extractive industries as such, but relational infrastructures of collective governance where this production is negotiated. It is the genealogy and functioning of this dimension of collective governance of transparency that I have explored in this thesis. As a result, I have not focused on the UK EITI rules for transparency or their effects on companies and government institutions. Deliberately limiting the scope of inquiry in this way, I have revealed the relatively poorly understood questions of the sociality of policy, namely, how and by whom policy is 'made' and governed; and how the agendas, commitments and ethical projects of those who make it, and their relations with each

other, both shape policy models and their enactments, and are themselves transformed by them.

By bringing together the main analytical threads of my dissertation, in this conclusion I want to approach the central problem of my ethnographic inquiry, namely, the effects of collective governance on the relations and practices of policy-making. To address this issue, I present one last ethnographic example to describe how Elizabeth and Charlotte understood the ways in which the formal collaborative set-up of the (UK) EITI challenged their authority. Revisiting the core arguments of the thesis—about the relations between official abstractions and practices of policy; the sociality of policy; and expert practices and ethical projects informing policy and inflecting its governance—I will offer an alternative interpretation of collaboration's effects on practices of government. This discussion will then allow me to restate the contribution of this dissertation to the anthropology of policy and the state.

***

Soon after I joined the UK EITI Secretariat for fieldwork, Elizabeth Pierce asked me to write a speech about her policy. I suggested that we record a mock interview, which I would then use as the material for the text. And so, one day in early March 2015, cups of tea and folders of papers in our hands, we went to a meeting lounge across the corridor from our office at BIS. Sounds of traffic were coming through the large windows overlooking Victoria Street; across the room, several groups of people were leisurely discussing their work, sitting on low sofas. I put two identical print-outs—a speech plan I'd prepared the previous day—on the formica table between us, and we started the recording.

Elizabeth explained that she wouldn't normally use a script for a presentation, but now wanted one to "hold on to". On many occasions, before she would present the UK EITI to outside visitors, I saw her jot down a schematic plan—"bullets"—of main points to make, which she would then expand on with great ease. This time, however, the speech had to be some 40 minutes long. It was a lecture to students and academics at a university in Scotland. As part of the UK EITI Communications Plan, Elizabeth had several such lectures planned to "raise awareness" about the policy and possibly recruit someone from her academic audiences to "engage" with the future reports of the UK EITI reporting.

Elizabeth said that in wanting a script, she was merely being cautious: as a representative of BIS and the UK EITI Secretariat, she had to speak on behalf of many other people, and did not want to say anything odd, or reveal too much about the internal tensions and disagreements of the policy. On an earlier occasion, I saw her do just that. "I will not say anything controversial", she had warned me before we began our very first interview, yet almost immediately proceeded to tell me that the UK EITI was full of tensions among the stakeholders; that the Civil Society constituency was represented by the "wrong" NGOs who were more interested in international transparency campaigning than in the domestic impact of the UK EITI; and that certain people on the MSG were constantly creating trouble and misbehaving. As I saw during my fieldwork, such tensions were an indispensable element of collective governance in the context of the UK EITI. Chapter Five demonstrated that as a collaborative space, the multi-stakeholder group was an inherently political site, which brought together groups of people with very different interests. The infrastructure of collective forms—the three stakeholder constituencies, which met regularly in assemblies of different kind and function—was geared to mediating stakeholders' differences, and to resolving disagreements. But if it was part of Elizabeth's daily job to deal with such disagreements and tensions, she preferred not to disclose them to outside audiences during an official presentation of the policy.

As a way of beginning the interview, I suggested that Elizabeth explain how the EITI compared with other policies she had worked on before. "You've got to work a lot with other people," she began, reiterating how the implementation of the EITI Standard established a collaborative set-up in which Elizabeth had to work with officials outside her department, as well as with Civil Society and Industry stakeholders. But that, she said to my surprise, was no different from what she had been used to at her previous job.

Before joining the Corporate Governance team, Elizabeth had worked at the National Contact Point (NCP) for the OECD Guidelines for Multi-National Enterprises, located at the Department for Business. The OECD Guidelines, to which the UK adheres, provide a set of non-binding principles and standards for corporate social responsibility. Working at the NCP, Elizabeth handled complaints of alleged human rights and environmental abuse, filed against transnational corporations registered in Britain by various activist groups. She said that while at the NCP, she worked more with civil servants at DfID and FCO, than with her colleagues at BIS. Similarly, "working across government" was an

important part of Elizabeth's job at the UK EITI Secretariat, and in this respect, the UK EITI was not that different from her previous work.

As my historical exploration of the EITI's early development demonstrated, cross-departmental coordination and negotiations are a normal part of the "village life" (Heclo and Wildavsky 1976) of Whitehall civil servants. Chapter Four described how the collaborative model of the EITI emerged 2002-3 out of a dynamic of negotiation and conflict among different departments of the UK government, and between government officials and their counterparts in the World Bank, other G8 governments, and extractive corporations and NGOs. I argue that diplomacy and navigation of intricate institutional relations are inherent to large bureaucratic organisations that government departments are; and this cannot but affect not only how policy is made by negotiation, but also what this policy ends up being. My description sheds light on how the model of collective governance—which Elizabeth and her colleagues ended up implementing in 2015—emerged from Global Witness' original policy proposal, which underwent a series of conceptual transformations and displacements as government officials tried to accommodate various institutional interests within the government. The sociality and politics of writing and talking the policy proposal into existence required that the proposal have support within the government, but also among the potential international partners. Government departments and other institutions (such as the World Bank) that participated in this negotiation, differed in specialisation, remit and political influence; their support hinged on the policy proposal's coherence with their respective institutional imperatives. As a result, the policy design had to accommodate a multiplicity of interests, while remaining practically implementable.

The most important of these transformations that the EITI proposal underwent in this period, was one that saw it change from a voluntary disclosures mechanism, implemented by a government, to a multi-lateral partnership in which governments and companies could make commitments to transparency. This shift effectively freed the Cabinet Office functionaries from the need to agree the proposal with their dissenting counterparts at DTI. If the design of the policy was informed and shaped by institutional relations, so it also changed these relationships and opened possibilities for new connections and disconnections. Thus, once the planned policy was turned into a multi-lateral partnership (on the suggestion of World Bank officials, who themselves were planning a similar policy in parallel), Cabinet Office functionaries had to find potential partners and recruit

their support. This led to further transformations of the policy, because, in order to broaden its appeal, the speculative design of the policy was amended several times to make it ever more inclusive of multiple agendas of new supporters.

These negotiations were organised through a working group that included representatives of the UK government, extractive companies and NGOs—Global Witness and their allies from the PWYP campaign. As a result of discussions in this collaborative group, and later again within the departments of the UK government, the negotiated design of the EITI became transformed into a policy defined by general principles of participation and collaboration, rather than concrete disclosure rules. Finally, the participatory multi-stakeholder forum in which these discussions took place, provided the model for how the emergent partnership should be organised.

When the government signed up to the EITI in 2013, Elizabeth and her team were tasked with implementing the model of collaborative governance the basic structure of which had emerged a decade earlier out of the complicated dynamic of disagreement and compromise between the DTI officials and their counterparts at the Cabinet Office and DfID.

***

Back in the meeting lounge where we were now talking, Elizabeth recalled how difficult the first cross-departmental meetings about the UK EITI were. Not because the officials were not used to meeting with their counterparts from other departments—that was a normal practice, she said—but rather, because the formal set-up of the EITI challenged the "usual ways" of making policy in the government. "This is what's different about the EITI", added Elizabeth. "Usually, policy is done differently: you have a problem, you devise a solution, you consult with stakeholders, and take away from the consultation what you need to make a decision. But the decision is yours." With the EITI, there was none of that: decisions had to be made collectively, by consensus. "You go through a process of consultation within the Government constituency, you work out a common position, and present it to the MSG." Her comment pointed to the fact that the Government was just of the three constituencies, whose voice in the making of the policy was formally equal to those of the Civil Society and Industry. Explaining that as a result of the formal structure of the EITI, officials did not have the control over the policy that the government had signed up to implement, she said:

> There was some nervousness [among government officials] about working with a multi-stakeholder group and not being totally in control, and having to compromise and move your position. From the government's angle, it's quite difficult to take a step back and let the Industry and Civil Society work it out, because sometimes it's not the most important thing in our world—we'll step in, of course, when it is important…

This "nervousness", she said, was typical among government officials of other countries. Speaking to her colleagues in Norway, she had discovered very similar tensions between different departments about who was responsible for what. In the case of the UK EITI, as Elizabeth explained, these tensions gradually eased and disappeared when civil servants got used to working in the multi-stakeholder group.

Charlotte Reid-Wills, comparing her working group of stakeholders negotiating the mandatory reporting policy (see Chapter Six) with the UK EITI multi-stakeholder group, said she found the UK EITI more challenging:

> Charlotte: Whatever happened with the Directive [during the negotiations], in the end it was our decision, it was the government's decision. I could listen to those views [of stakeholders], and I could try and get people into some point of agreement. But in the end, I made the decision. I said, Okay, it looks as if it will work for the majority of people. If they had actually two divergent views, and we couldn't find our way through, I decided what we gonna do.
>
> Taras: So, was it easier this way?
>
> Charlotte: It's always easier to make the decision yourself [laughs]. So I made the decision, I made a recommendation to the ministers, we negotiated it that way… It's always easier to make your own decisions [laughs again]. […] But certainly for me, personally, it was initially quite hard in the meetings [of the UK EITI], to allow other people… to not have that decision-making role myself. That was actually quite difficult. It's a *very different* way of… You can influence it [the decisions of the MSG], but in the end, the group has to agree, whereas before [in the working group on the Directive], the group didn't *have* to agree. It's very different with EITI, it's a more *consensual* challenge, a very different way of working. It may not appear very different. But in reality, it is.

As both Elizabeth and Charlotte commented, one of the challenges of the EITI collaboration was in how it affected the way in which government officials could exercise their authority. Executive decisions could no longer be imposed on other stakeholders, and most aspects of the policy had to be negotiated and agreed upon collectively in the course of the multi-stakeholder group and sub-group meetings. That was, as Charlotte pointed out, the formal difference of collaboration in the context of the MSG, from that in the informal working group of the extractives' mandatory disclosures policy. In this view, the challenges of collaboration to conventional forms of bureaucratic policy-making lay in its effects on the forms and powers of official decision-making.

***

Contrary to the contrast that Charlotte drew between the challenges of collaboration in the Accounting Directive working group, and in the UK EITI multi-stakeholder group, my ethnography in Chapters Five and Six suggests that the challenges and effects of collaboration are comparable in both cases. I argue that these have to do not so much with how formal and informal ways of collaboration change the authority of civil servants, but with how collaboration with representatives of transnational oil companies and international NGOs, made the officials vulnerable to forms of political practice and contestations of power— "games", as Tim put it—, which played out at different scales simultaneously. Moreover, in the case of the EITI, the formal organisation of collaboration and its logic of collective representation and bargaining, occluded this scalar complexity of the politics of collective governance.

Chapters Five and Six described the social organisation of the collaborative arenas of the MSG and the informal working group. In particular, they depicted how collaboration is underpinned by a logic of collective constituency representation, which in the case of the EITI, is formalised through the Standard. Chapter Six told the story of a collaborative working group's establishment in 2010, as remembered by Charlotte and Catherine, in which representatives of corporations and NGOs competed with each other and negotiated with officials about the new European rules on mandatory disclosures. The NGO and corporate lobbyists had by then participated in similar discussions in the US and in Brussels—they were playing the same "game" of contesting the mandatory disclosures rules. Participants of this game, played over and over again, were the "same people", and much to the campaigners' disappointment, they repeated the same arguments, too. The rooms at BIS where these campaigners met with their corporate

counterparts and government officials, were just one of the stages where the game of extractives' transparency campaigning took place. But as Chapter Six described, it was exactly because corporate lobbying and NGO campaigns on extractives' transparency regulations happened simultaneously in different locations and jurisdictions that, in each of these, they tried to argue for the same changes to the planned regulations. Each such stage, or instance of policy, whether it was in the US, Canada, or Brussels, could serve as an example for other instances elsewhere. Campaigning in the UK was, for Global Witness and their PWYP allies, a way of "reinforcing the movement towards global transparency", as Andrew Naumin of PWYP UK put it to me.

Chapter Five dealt with a similar problem of the collision of scales. It explored the apparent paradox of the UK EITI as a national policy for extractives transparency which both the government, and the NGOs participated in, because they wanted to present it as an example of transparency abroad. The chapter described how, in seeking to make the UK EITI an exemplary case of EITI implementation to which they could point in their campaigns overseas, Civil Society stakeholders argued for new forms of disclosure that were not part of the EITI Standard. In this way, the meetings of the UK EITI stakeholders were turned into an arena where the NGOs made political interventions orientated towards their campaigning goals elsewhere. The UK EITI, for these campaigners, was "an important part of the jigsaw for global transparency"—not because of how it made the North Sea oil and gas companies transparent, but because of new disclosure rules that it codified.

In both of these cases, the space of collaboration had been set up for the stakeholders to discuss and negotiate relevant transparency policies. The same participants represented corporations and NGOs, which operated simultaneously in many jurisdictions, and engaged in negotiations of many similar transparency policies overseas. As we have seen, the discussions among stakeholders about both the Regulations/Industry Guidance and the UK EITI, were informed by long histories of disputes, interests and agendas that were not inherent to the policies under negotiation but instead concerned policies and campaigns abroad. We have also seen that, in this process, the collective governance of both policies, was a result not so much of collaboration, as of dispute or outright conflict: confrontations whose stakes had little to do with formal objectives of the policy. Chapter Six, in particular, described how this conflict was not only about contestations of power,

but also about trust, good faith, expectations of fair treatment and rational discussion, concerns that point to the moral and affective dimensions of collective governance.[268]

Instead of limiting officials' authority by redistributing decision-making powers and forcing them to make collective deliberations, these complexities of collaboration (which had to do both with *who* participated in this collaboration, and *how* collaboration was formally organised as a process of collective bargaining among groups representing particularistic interests), affected BIS officials' control over their transparency policies by introducing new problems and concerns over which officials had no control by definition. Civil servants recognised and lamented this, but their jurisdiction was clearly limited and they were bound to reproduce the policies as national interventions cut off from what the NGOs saw as a global jigsaw of interconnected policies. The problem, therefore, was a result of the formal framing of collaboration and the ways in which it was blind to the complexity of stakeholders' interests and scales at which these were pursued.

Paying attention to these issues, my ethnography has demonstrated that that the effects and limits of collaborative policy-making as it was practised in the context of the UK EITI, lay in the sociality of collaboration. It has suggested that conflicts and frictions among stakeholders occurred *because of* the formal arrangements and social dynamics of collective governance, rather than in spite of them.

***

This thesis began by questioning the coherence of Eddie Rich's narrative of the EITI's history. My ethnography led me to focus on organisational contexts in which the policy—the (UK) EITI—was made and negotiated. This has allowed me to demonstrate the practices and relationships among various people and institutions, which underpin policy. I have shown how these practices and relationships both sustained the official policy representations and forms, and were affected by them. Throughout this dissertation, I have shed light on the "hidden transcripts" (Scott 1990) of policy, exploring the agendas of various actors involved in it, and disjuncture between official policy models, and

[268] In the case of the UK EITI, there was one further aspect to this complexity of scales and social relations which squared uneasily with how government officials saw and organised the process of collaboration. It had to do with the fact that equal stakeholder participation and collaboration were inscribed as formal requirements of the EITI Standard, which produced further interdependencies among the stakeholders because if any side withdrew from collaboration (as the Civil Society temporarily during their boycott), the whole policy would collapse.

practices, that these agendas generate (Lewis and Mosse 2006; Mosse 2005). My task has been to understand the social organisation of policy-making without seeking to presume that the processes of organising and ordering (Law 1995) the UK EITI falls neatly within the assumed boundaries of formal organisations.

But my ethnography has also gone beyond uncovering the hidden transcripts, agendas, and disjuncture by demonstrating the ways in which official policy forms and models are intertwined with various kinds of practices—be they those of producing knowledge about corruption and theorising solutions to it (Chapters Two and Three); coordinating departmental policy agendas (Chapter Four); or negotiating a slippery terrain of conflict by enacting bureaucratic detachment and impartiality, while seeking to pursue knowledge of individual characters and relationships (Chapter Seven). My ethnography demonstrates how domestic policymaking in contemporary Britain (particularly, the making of the policy on extractives' transparency) happens not only within government institutions, but also in advocacy organisations; how it is informed by moral and political agendas of NGO campaigners; how various kinds of knowledge become incorporated into the policy; and how domestic departmental concerns come to inform policies that become mobile transnational standards. It has demonstrated how the institutional set-up of policy that puts various scales of action in relation (think of the 'global' EITI Standard and its national replications), connects specific moral projects and knowledge practices of campaigning with otherwise unrelated diplomatic arenas (Chapter Five).

In particular, this thesis has taken as its central problem and object one official form of the (UK) EITI, namely, collaboration, through which the policy is collectively governed, in order to understand how collective governance happened, and what was at stake for various people involved. This has led me to unpick the various apparent ironies and paradoxes of the (UK) EITI:

- Although the EITI was a mobile and supposedly global policy model ("standard"), it had emerged, on the one hand, out of very concrete knowledge practices and moral considerations of Global Witness campaigners, and on the other, from parochial agendas and disagreements within the UK government.
- The UK EITI was shaped by multi-directional diplomacy in institutional contexts that one normally does not associate with *national* policy-making. When it was rolled-out in Britain, the UK EITI structured the context of policy negotiations in

ways that simultaneously gestured to domestic policy concerns, other similar policies in the UK and elsewhere, and international development diplomacy.

- Despite being a policy officially aiming to make domestic extractive industries more transparent and accountable, the UK EITI was implemented by the government mainly to encourage other countries to adopt the Standard. At the same time, it was supported by the NGOs who sought to strengthen what they saw as a global jigsaw of transparency policies.[269]
- Finally, it was a policy that was brought to a halt (albeit temporarily) because of a complicated history of disputes between the NGO and corporate stakeholders, which per se had nothing to do with the UK EITI.

This dissertation's attention to the paradoxes and ironies of the (UK) EITI has highlighted the complex and fragmented nature of government policy (Shore and Wright, 2007, 2011; Holm Vohnsen, 2011). Juxtaposing a genealogical reconstruction of the UK EITI's model of collaboration with a detailed description of how this model was put into practice in 2015, this thesis contributes to our understanding of the complex and non-linear relations between policy and practice (Mosse 2005). Whereas recent research on state bureaucracies has explored the material and documentary mediation of the state (Hull 2012; Mathur 2015), my ethnography highlights the centrality of relational concerns, mundane diplomacy, interpersonal and institutional ties to the making of policy and day-to-day business of the central government. And while the anthropology of policy has tended to take policy texts and models as given (Holm Vohnsen 2012 and Lea 2008 are rare exceptions), this thesis shows how official formalisations of policy models emerge at the intersection of situated practices, epistemic and relational commitments of government officials and anti-corruption campaigners. Drawing on recent ethnographies of governance, management and the state (Bear 2015; Bear and Mathur, 2015; Brown 2016; John 2009, 2015; Telesca, 2015), this dissertation has argued that relations of power are not the only relations of governance; collaborative policy-making, because of its relational dimension, is informed by diverse moral projects and ethical commitments, the breach of which can lead to the break-up of collaboration.

[269] This calls for a further exploration of the problem of scale in the context of government—a problem that I have only briefly explored (Chapters Five and Six), and that requires further ethnographic detail.

The EITI's collaborative model was put into practice in an already very complex organisational context, where much of what officials were doing was about navigating relationships with others and figuring out agendas. The EITI's model further complicated that situation. Institutions of government are always maintained and run through collaboration among their various inhabitants (Page 2003). But the way in which collaborative *governance* was organised in the context of the UK EITI, opened up policy and the state to influence not only by different kinds of lobbying organisations, but also at different levels of the state simultaneously.

Collective governance has had, in this context, unpredictable effects because it granted corporate and NGO representatives access to various levels of the government bureaucracy (Chapter Six), and allowed them to act out agendas that sat uneasily with the goals of policy pursued by the bureaucrats. Collaboration and agreement, which, as I have argued, have to be performed in the context of the UK EITI (Chapter Seven), create and mobilise reference points and official representations of policy that narrow down decision-making possibilities for (some of) the collaborating parties (Chapter Five). In this manner, collaboration transforms policy-making because it brings into play social interests, relations, and practices, which are rarely associated with state bureaucracies.

At the same time, the framing of collaboration can also leave out of view powerful agendas that these outside actors bring in. These agendas can create problems in policy-making contexts, the solutions to which are beyond the reach of government officials, leaving these officials without effective mechanisms of controlling the various ways in which the NGOs and corporations seek to influence policy. The ways in which this collective governance is formally organised in the context of the UK EITI, restrict the government's control over the policy that it makes by redefining its role as one of the three equal societal constituencies with its own partial interests that need to be transcended in the name of transparency, this new public good.

Through an ethnography of the UK EITI, my dissertation has demonstrated how policy models can have effects within the very contexts of their negotiation in the central government, yet result in processes of governance unfolding *beyond* government and outside of government officials' control.

References

Abrahamsen, R. 2005. Blair's Africa: The Politics of Securitization and Fear. *Alternatives* 30, 55–80.

Agar, J. 2003. *Government Machine: A Revolutionary History of the Computer*. Cambridge, MA and London: MIT Press.

Alexander, C. 2001. Legal and Binding: Time, Change and Long-Term Transactions. *Journal of the Royal Anthropological Institute* 7, 467-485.

Alexander, C. 2002. *Personal States: Making Connections between People and Bureaucracy in Turkey*. Oxford: Oxford University Press.

Anand, N. 2006. Planning Networks: Processing India's National Biodiversity Strategy and Action Plan. *Conservation and Society* 4, 471–487.

Anders, G. 2009. *In the Shadow of Good Governance: An Ethnography of Civil Service Reform in Africa*. Leiden: Brill.

Ansell, C. & A. Gash 2007. Collaborative Governance in Theory and Practice. *Journal of Public Administration Research and Theory* 18, 543-571.

Amoore, L. 2013. *The Politics of Possibility: Risk and Security Beyond Probability*. Durham and London: Duke University Press.

Appadurai, A. 1986. Introduction: Commodities and the Politics of Value. In *The Social Life of Things: Commodities in Cultural Perspective* A. Appadurai (ed.), 3-63. Cambridge: Cambridge University Press.

Apthorpe, R. & D. Gasper 1996. *Arguing Development Policy: Frames and Discourses*. London: Frank Cass.

Austin, J.L. 1962. *How to Do Things with Words*. London and New York: Oxford University Press.

Bairoliya, R. 2014. *The Investigative Journalist's Guide to Company Accounts*. London: The Centre for Investigative Journalism.

Bannon, I. 2003. Preface. In *Natural Resources and Violent Conflict: Options and Actions* I. Bannon & P. Collier (ed.), ix-xi. Washington, D.C.: The World Bank.

Bannon, I. & P. Collier 2003. *Natural Resources and Violent Conflict: Options and Actions*. Washington, D.C.: The World Bank.

Bashkow, I. 2010. *An Anthropological Theory of the Corporation*. Chicago: Prickly Paradigm Press.

Bashkow, I. 2014. Afterword: What Kind of a Person Is the Corporation? *Political and Legal Anthropology Review* 37 (2): 296–307.

Bateson, G. 1979. *Mind and Nature: a Necessary Unity*. New York: E.P. Dutton.

Bateson, G. 1987. *Steps to an Ecology of Mind: Collected Essays in Anthropology, Psychiatry, Evolution, and Epistemology*. Northvale, NJ and London: Jason Aronson.

Barry, A. 2013. *Material Politics: Disputes Along the Pipeline*. Malden, MA and Oxford: Wiley-Blackwell.

Bauman, R. 2016. Projecting Presence: Aura and Oratory in William Jennings Bryan's Presidential Races. In *Scale: Discourse and Dimensions of Social Life* E. Carr & M. Lempert (eds.), 25-51. Oakland, CA: University of California Press.

Bear, L. 2015. *Navigating Austerity: Currents of Debt along a South Asian River*. Stanford, CA: Stanford University Press.

Bear, L. & N. Mathur. 2015. Introduction. Remaking the Public Good: A New Anthropology of Bureaucracy. *The Cambridge Journal of Anthropology* 33, 18-34.

Boltanski, Luc. 2014. *Mysteries and Conspiracies: Detective Stories, Spy Novels and the Making of Modern Societies*. Cambridge and Malden, MA: Polity Press.

Boström, M. & C. Garsten (eds.) 2008. *Organizing Transnational Accountability*. Cheltenham: Edward Elgar.

Bouquet, M. 1993. *Reclaiming English Kinship: Portuguese Refractions of British Kinship Theory*. Manchester: Manchester University Press.

Boyer, D. 2008. Thinking Through the Anthropology of Experts. *Anthropology in Action* 15, 38–46.

Boyer, D. 2013. *The Life Informatic: Newsmaking in the Digital Era*. Ithaca and London: Cornell University Press.

Brenneis, D. & F. Myers. (eds.) 1984. *Dangerous Words: Language and Politics in the Pacific*. Prospect Heights, IL: Waveland Press.

Brown, H. 2016. Managerial relations in Kenyan health care: empathy and the limits of governmentality. *Journal of the Royal Anthropological Institute* 22, 591-609.

Brown, P. & S.C. Levinson. 1987. *Politeness: Some Universals in Language Use*. Cambridge: Cambridge University Press.

Burawoy, M. 2001. Manufacturing the Global. *Ethnography* 2, 147-159.

Candea, M. 2010. *Corsican Fragments: Difference, Knowledge, and Fieldwork*. Bloomington: Indiana University Press.

Carr, E. & M. Lempert 2016. Introduction: Pragmatics of Scale. In *Scale: Discourse and Dimensions of Social Life* E. Carr & M. Lempert (eds.), 1-24. Oakland, CA: University of California Press.

Carrithers, M. 2005a. Anthropology as a Moral Science of Possibilities. *Current Anthropology* 46, 433-456.

Carrithers, M. 2005b. Why Anthropologists Should Study Rhetoric. *Journal of the Royal Anthropological Institute* 11, 577-583.

Carrithers, M. 2008. From Inchoate Pronouns to Proper Nouns: A Theory Fragment with 9/11, Gertrude Stein, and an East German Ethnography. *History and Anthropology* 19, 161-186.

Chalfin, B. 2010. *Neoliberal Frontiers: An Ethnography of Sovereignty in West Africa*. Chicago and London: University of Chicago Press.

Checketts, J. 2016. *The pulse of policy: Mapping movement in the Australian indigenous policy world.* PhD dissertation, Australian National University.

Chua, L. 2009. To Know or Not to Know? Practices of Knowledge and Ignorance Among Bidayuhs in an 'Impurely' Christian World. *Journal of the Royal Anthropological Institute* 15: 332–48.

Clarke, J. & J. Newman 1997. *The Managerial State*. London: Sage.

Coleman, S. 2015. Anthropological tropes and historical tricksters: pilgrimage as an 'example' of persuasion. *Journal of the Royal Anthropological Institute* 21, 144-161.

Collier, P. & A. Hoeffler 1998. On Economic Causes of Civil War. *Oxford Economic Papers* 50, 563-573.

Collier, P. & A. Hoeffler 2000. *Greed and Grievance in Civil War.* (World Bank Policy Research Working Paper 2355). Washington, DC: World Bank.

Collier, P. & A. Hoeffler 2002. Greed and Grievance in Civil War. *Oxford University, Centre for the Study of African Economies, Working Paper 2002–01*.

Comaroff, J. & J. Comaroff 1992. *Ethnography and the Historical Imagination*. Boulder, CO: Westview Press.

Cook, J. 2016. Mindful in Westminster: The politics of meditation and the limits of neoliberal critique. *HAU: Journal of Ethnographic Theory* 6, 141-161.

Crewe, E. 2015. *The House of Commons: An Anthropology of MPs at Work*. London: Bloomsbury Publishing.

Croce, M. & A. Salvatore 2015. *Undoing Ties: Political Philosophy and the Waning of the State*. New York and London: Bloomsbury.

Davies, P. 1997. *Principles of Modern Company Law*. 6th ed. Hebden Bridge: Sweet and Maxwell.

de Goede, M. 2012. *Speculative Security: the Politics of Pursuing Terrorist Monies*. Minneapolis and London: University of Minnesota Press.

Deutsch, K. 1963. *The Nerves of Government: Models of Political Communication and Control*. New York: The Free Press.

DfID, 2000. *Eliminating World Poverty: Making Globalisation Work for the Poor, Cm. 5006*. London: HMSO.

DfID, 2001. *Public Expenditure Management*. London: HMSO.

Dilley, R. 1999. *The Problem of Context: Perspectives from Social Anthropology and Elsewhere*. New York and Oxford: Berghahn Books.

Djelic, M. & K. Sahlin-Andersson 2006. Introduction: A World of Governance: The Rise of Transnational Regulation. In *Transnational Governance: Institutional Dynamics of Regulation* M. Djelic & K. Sahlin-Andersson (eds.), 1-28. Cambridge: Cambridge University Press.

Donahue, J. & R. Zeckhauser 2011. *Collaborative Governance: Private Roles for Public Goals in Turbulent Times*. Princeton, N.J.: Princeton University Press.

Drewry, G. & T. Butcher 1988. *The Civil Service Today*. Oxford and Cambridge, MA: Basil Blackwell.

du Gay, P. 2000. *In Praise of Bureaucracy*. London: Sage.

du Gay, P. 2000. *In Praise of Bureaucracy*. London: Sage.

du Gay, P. 2007. *Organizing Identity: Persons and Organizations 'After Theory'*. Los Angeles: Sage.

du Gay, P. 2000. *In Praise of Bureaucracy*. London: Sage.

Duranti, A. 1986. Audience as Co-Author: an Introduction. *Text* 6 (3): 239–47.

Duranti, A. 1994. *From Grammar to Politics: Linguistic Anthropology in a Western Samoan Village*. Berkeley, Los Angeles and London: University of California Press.

Eco, U. & T.A. Sebeok (eds.). 1983. *The Sign of Three: Dupin, Holmes, Pierce*. Bloomington, IN: Indiana University Press.

Eisenhardt, K.M. 1989. Agency Theory: An Assessment and Review. *The Academy of Management Review* 14, 57-74.

Engelke, M. 2008. The Objects of Evidence. *Journal of the Royal Anthropological Institute* 14 (Issue supplement S1), S1–S21.

Fenster, M. 2010. Seeing the State: Transparency as Metaphor. *Administrative Law Review* 62, 617-672.

Fenster, M. 2015. Transparency in search of a theory. European journal of social theory, 18, 150-167

Ferguson, J. 1990. *The Anti-politics Machine: "Development," Depoliticization, and Bureaucratic Power in Lesotho*. Cambridge: Cambridge University Press.

Ferguson, J. & A. Gupta 2002. Spatializing States: Toward an Ethnography of Neoliberal Governmentality. *American Ethnologist* 29, 981-1002.

Firger, D. 2010. Transparency and the Natural Resource Curse: Examining the New Extraterritorial Information Forcing Rules in the Dodd-Frank Wall Street Reform Act of 2010. *The Georgetown Journal of International Law* 41, 1043-1095.

Fortes, M. 1962. Ritual and Office. In *Essays on the Ritual of Social Relations* M. Gluckman (ed.), 53-88. Manchester: Manchester University Press.

Fortun, K. 2001. *Advocacy After Bhopal: Environmentalism, Disaster, New Global Orders*. Chicago: University of Chicago Press.

Foucault, M. 1972. *The Archaeology of Knowledge*. London: Tavistock.

Foucault, M. 1984. Nietzsche, Genealogy, History. In *The Foucault Reader* P. Rabinow (ed.), 76-100. London: Penguin.

Fredricks, R. 2012. Devaluing the dirty work: gendered trash work in participatory Dakar. In *Economies of Recycling: The Global Transformation of Materials, Values and Social Relations* C. Alexander & J. Reno (eds.), 119-142. London and New York: Zed Books.

Fresia, M. 2013. The Making of Global Consensus: Constructing Norms on Refugee Protection at UNHCR. In *The Gloss of Harmony: the Politics of Policy-Making in Multilateral Organisations*, B. Müller (ed.), 50–74. London: Pluto Press.

Garsten, C. & M. De Montoya 2008 (eds.). *Transparency in a New Global Order: Unveiling Organizational Visions*. Cheltenham: Edward Elgar.

Gell, A. 1998. *Art and Agency: an Anthropological Theory*. Oxford: Clarendon Press.

Gelley, A. 1995. Introduction. In *Unruly examples: on the rhetoric of exemplarity*, A. Gelley (ed.), 1-24. Stanford University Press: Stanford.

Giddens, A. 2007. An intellectual in politics: A talk by Professor Lord Anthony Giddens. *Twenty-First Century Society* 121-129.

Gilbert, P. 2015. Money Mines: An Ethnography of Frontiers, Capital and Extractive Industries in London and Bangladesh. PhD dissertation, University of Sussex.

Gillies, A. 2010. Reputational Concerns and the Emergence of Oil Sector Transparency as an International Norm. *International Studies Quarterly* 54, 103-126.

Ginzburg, C. 1983. Morelli, Freud, and Sherlock Holmes: Clues and Scientific Method. In *The Sign of Three: Dupin, Holmes, Pierce*, U. Eco & T.A. Sebeok (eds.), 81–118. Bloomington, IN: Indiana University Press.

Gitelman, L. 2014. *Paper Knowledge: Toward a Media History of Documents*. Durham, NC: Duke University Press.

Global Witness, 1998. *A Rough Trade: The Role of Companies and Governments in the Angolan Conflict*. London: Global Witness.

Global Witness, 1999. *A Crude Awakening: The Role of the Oil and Banking Industries in Angola's Civil War and the Plunder of State Assets*. London: Global Witness.

Global Witness, 2002. *"All the President's Men": The Devastating Story of Oil and Banking in Angola's Privatised War*. London: Global Witness.

Global Witness. 2013. *Azerbaijan Anonymous: Azerbaijan's State Oil Company and Why Extractive Industries Transparency Initiative Needs to Go Further*. London: Global Witness.

Goffman, E. 1963. Behavior in Public Places. New York: Free Press.

Goffman, E. 1983. The Interaction Order: American Sociological Association, 1982 Presidential Address. *American Sociological Review* 48, 1-17.

Goodsell, C. 2005. The Bureau as Unit of Governance. In *The Values of Bureaucracy* P. du Gay (ed.), 17-40. Oxford: Oxford University Press.

Graeber, D. 2012. Dead Zones of the Imagination: on Violence, Bureaucracy, and Interpretive Labor. *Hau: the Journal of Ethnographic Theory* 2: 105–28.

Grasseni, C. 2009. Introduction. In *Skilled Visions: Between Apprenticeships and Standards*, edited by Cristina Grasseni, 1-19. New York and Oxford: Berghahn.

Green, M. 2012. Framing and Escaping: Contrasting Aspects of Knowledge in International Development and Anthropology. In *Differentiating Development: Beyond an Anthropology of Critique* S. Venkatesan & T. Yarrow (eds.), 42-57. New York and Oxford: Berghahn.

Gupta, A. 2012. *Red Tape: Bureaucracy, Structural Violence, and Poverty in India*. Durham, N.C.: Duke University Press.

Handelman, D. 2004. *Nationalism and the Israeli State: Bureaucratic Logic In Public Events*. Oxford: Berg.

Hann, C. 1996. Introduction: Political Society and Civil Anthropology. In *Civil Society: Challenging Western Models* C. Hann & E. Dunn (eds.), 1-24. London: Routledge.

Heclo, H. & A. Wildavsky 1974. *The Private Government of Public Money: Community and Policy inside British Politics*. London: The Macmillan Press.

Heimer, C.A. 2012. Inert Facts and the Illusion of Knowledge: Strategic Uses of Ignorance in HIV Clinics. *Economy and Society* 41 (1): 17–41.

High, C., A. Kelly, & J.Mair. 2012. *The Anthropology of Ignorance: an Ethnographic Approach*. C.High, A. Kelly, & J.Mair (eds.). New York: Palgrave Macmillan.

Hennessy, P. 1989. *Whitehall*. London: Macmillan.

Herzfeld, M. 1992. *Herzfeld The Social Production of Indifference: Exploring the Symbolic Roots of Western Bureaucracy*. Chicago: The University of Chicago Press.

Højer, L. & A. Bandak 2015. Introduction: the power of example. *Journal of the Royal Anthropological Institute* 21, 1-17.

Holm Vohnsen, N. 2011. *Absurdity and the Sensible Decision: Implementation of Danish Labour Market Policy*. PhD dissertation, Aarhus University.

Holmes, D. & G. Marcus. 2008. Cultures of Expertise and the Management of Globalization: Toward the Re-Functioning of Ethnography. In *Global Assemblages Technology, Politics, and Ethics as Anthropological Problems*, A. Ong & S.J. Collier (eds.). Malden, MA: Blackwell.

Holmes, D. 2014. *Economy of Words: Communicative Imperatives in Central Banks*. Chicago: University of Chicago Press.

Hood, C. 2006. Transparency in Historical Perspective. In *Transparency: the Key to Better Governance? Proceedings of the British Academy (135)* C. Hood & D. Heald (eds.), 3-23. Oxford: Oxford University Press.

Hull, M. 2012. *Government of Paper: The Materiality of Bureaucracy in Urban Pakistan.* Berkeley: University of California Press.

Human Rights Watch. 1999. *Angola Unravels: The Rise and Fall of The Lusaka Peace Process*. New York: Human Rights Watch.

Institute for Government. 2015. *Whitehall Monitor 2015: The Coalition in 163 charts*. London: Institute for Government.

Irvine, J. 1979. Formality and Informality in Communicative Events. *American Anthropologist* 81, 773-790.

John, G. 2009. *Relations that Unite and Divide: A Study of Freedom of Information Legislation and Transparency in Scotland.* PhD dissertation, University of St Andrews.

John, G. 2015. Ways of Knowing: Freedom of Information, Access to Persons and 'Flexible' Bureaucracy in Scotland. *The Cambridge Journal of Anthropology* 33, 65-80.

Keane, W. 2010. Minds, Surfaces, and Reasons in the Anthropology of Ethics. In *Ordinary Ethics: Anthropology, Language, and Action*, M. Lambek (ed.), 64–83. New York: Fordham University Press.

Karl, T. 1997. *The Paradox of Plenty: Oil Booms and Petro-States*. Berkeley, CA: University of California Press.

Knight, P. 2000. *Conspiracy Culture: From Kennedy to the X Files*. London and New York: Routledge.

Knox, H. & P. Harvey. 2015. Virtuous Detachments in Engineering Practice—on the Ethics of (Not) Making a Difference. In *Detachment: Essays on the Limits of Relational Thinking*, edited by M. Candea, J. Cook, C. Trundle & T. Yarrow (eds.), 58–78. Manchester: Manchester University Press.

Kopytoff, I. 1986. The Cultural Biography of Things: Commoditization as Process. In *The Social Life of Things: Commodities in Cultural Perspective* A. Appadurai (ed.), 64-91. Cambridge: Cambridge University Press.

Krøijer, S. 2015. Revolution is the way you eat: exemplification among left radical activists in Denmark and in anthropology. *Journal of the Royal Anthropological Institute* 21, 78-95.

La Fontaine, J. 1985. Person and Individual: Some Anthropological Reflections. In *The Category of the Person: Anthropology, Philosophy, History* M. Carrithers, S. Collins & S. Lukes (eds.), 123-140. Cambridge: Cambridge University Press.

Laidlaw, J. 2014. *The Subject of Virtue: an Anthropology of Ethics and Freedom*. Cambridge: Cambridge University Press.

Latour, B. 1987. *Science in Action: How to Follow Scientists and Engineers Through Society*. Cambridge, MA: Harvard University Press.

Latour, B. 1996. *Aramis, or the love of technology*, trans. Catherine Porter. Cambridge, MA and London: Harvard University Press.

Latour, B. 2000. When things strike back: a possible contribution of science studies. *British Journal of Sociology* 5, 105–23.

Lambek, M. & J. Solway 2001. Just Anger: Scenarios of Indignation in Botswana and Madagascar. *Ethnos* 66, 49-72.

Lamp, N. 2015. The Receding Horizon of Informality in WTO Meetings. *Queens University Legal Research Paper* 60: 1–15.

Law, J. 1994. *Organizing Modernity*. Oxford and Cambridge, MA: Blackwell.

Law, J. & E. Ruppert 2013. The Social Life of Methods: Devices. *Journal of Cultural Economy* 6, 229-240.

Lea, T. 2008. *Bureaucrats and Bleeding Hearts: Indigenous Health in Northern Australia*. Sydney: University of New South Wales Press.

Levitt, T. 2009. *The Shadow of Enlightenment: Optical and Political Transparency in France, 1789-1848*. Oxford: Oxford University Press.

Lewis, D. & D. Mosse 2006. Encountering Order and Disjuncture: Contemporary Anthropological Perspectives on the Organization of Development. *Oxford Development Studies* 34, 1-13.

Li, T. 2005. Beyond "the State" and Failed Schemes. *American Anthropologist* 107, 383-394.

Li, T. 2007. *The Will to Improve: Governmentality, Development, and the Practice of Politics*. Durham, NC and London: Duke University Press.

Luhmann, N. 1998. *Observations on Modernity*. Translated by William Whobrey. Stanford, CA: Stanford University Press.

MacLeod, R. 1988. Introduction. In *Government and Expertise: Specialists, Administrators and Professionals, 1860-1919* R. MacLeod (ed.). Cambridge: Cambridge University Press.

Mair, J. 2015. The Discourse of Ignorance and the Ethics of Detachment among Mongolian Tibetan Buddhists in Inner Mongolia, China. In *Detachment: Essays*

on the Limits of Relational Thinking M. Candea, J. Cook, C. Trundle & T. Yarrow (eds.), 236-255. Manchester: Manchester University Press.

Manning, R. 2007. Development. In *Blair's Britain, 1997–2007*, 551-571. Cambridge: Cambridge University Press.

Marcus, G. E. (ed.). 1999. *Paranoia within reason: A casebook on conspiracy as explanation*. Chicago: University of Chicago Press.

Marquette, H. 2003. *Corruption, Politics and Development: The Role of the World Bank*. Basingstoke: Palgrave Macmillan.

Mathur, N. 2016. *Paper Tiger: Law, Bureaucracy and the Developmental State in Himalayan India*. Cambridge: Cambridge University Press.

Maybin, J. 2016. *Producing Health Policy: Knowledge and Knowing in Government Policy Work*. London: Palgrave Macmillan.

Maurer, Bill. 2005. Due Diligence and 'Reasonable Man,' Offshore. *Cultural Anthropology* 20, 474–505.

McGoey, L. 2012. Strategic Unknowns: Towards a Sociology of Ignorance. *Economy and Society* 41: 1–16.

Mehrpouya, A. 2011. The Making of Meanings: The Role of Institutions and Actors in the Co-construction of field level interpretations and meaning systems. PhD dissertation, ESSEC Business School.

Merry, S. 2006. *Human Rights and Gender Violence: Translating International Law into Local Justice*. Chicago and London: The University of Chicago Press.

Mittermaier, A. 2015. How to do things with examples: Sufis, dreams, and anthropology. *Journal of the Royal Anthropological Institute* 21, 129-143.

Miyazaki, Hirokazu. 2004. *The Method of Hope: Anthropology, Philosophy, and Fijian Knowledge*. Stanford, CA: Stanford University Press.

Mosse, D. 2004. Is Good Policy Unimplementable? Reflections on the Ethnography of Aid Policy and Practice. *Development and Change* 35, 639-671.

Mosse, D. 2005. *Cultivating development: An ethnography of aid policy and practice*. London and Ann Arbor, MI: Pluto.

Mosse, D. 2005. Global Governance and the Ethnography of International Aid. In *The Aid Effect: Giving and Governing in International Development* D. Mosse & D. Lewis (eds.), 1-36. London and Ann Arbor, MI: Pluto.

Mosse, D. 2006. Anti-social anthropology? Objectivity, objection, and the ethnography of public policy and professional communities. *Journal of the Royal Anthropological Institute* 12, 935-956.

Mosse, D. 2011. *Adventures in Aidland: The anthropology of professionals in international development*. Oxford: Berghahn.

Mosse, D. & D. Lewis (eds.). 2005. *The Aid Effect: Giving and Governing in International Development*. London and Ann Arbor, MI: Pluto.

Müller, B. 2013. Introduction—Lifting the Veil of Harmony: Anthropologists Approach International Organisations. In *The Veil of Harmony: The politics of Policy-making in Multilateral Organisations* B. Müller (ed.), 1-20. London and New York: Pluto.

Müller, B. 2013. The Loss of Harmony: FAO Guidance for Food Security in Nicaragua. In *The Gloss of Harmony: The Politics of Policy-making in Multilateral Organisations* B. Müller (ed.), 202-226. London and New York: Pluto.

Munro, R. 1996. Alignment and Identity Work: The Study of Accounts and Accountability. In *Accountability: Power, Ethos and the Technologies of Management* R. Munro & J. Mouritsen (eds.), 1-19. London: International Thompson Business Press.

Nader, L. 1969. Up the Anthropologist: Perspectives Gained from Studying Up. In *Reinventing Anthropology* D. Hymes (ed.), 284–311. New York: Pantheon Books.

Naffine, N. 2003. Who Are Law's Persons? From Cheshire Cats to Responsible Subjects. *Modern Law Review* 66, 346–67.

Neumann, I. 2012. *At Home with the Diplomats: Inside a European Foreign Ministry*. Ithaca and London: Cornell University Press.

Nouvet, E. & T. Jakimow 2016. Moral sentiments in Aidland: Aid and development as moral experience. *Critique of Anthropology* 36, 223-227.

Nyqvist, A. 2011. Sweden's National Pension System as a Political Technology. In *Policy Worlds: Anthropology and the Analysis of Contemporary Power* C. Shore, S. Wright & D. Però (eds.), 205-221. New York and Oxford: Berghahn.

Page, E. 2003. The Civil Servant as Legislator: Law Making in British Administration. *Public Administration* 81, 651-679.

Peck, J. & N. Theodore 2015. *Fast Policy: Experimental Statecraft at the Thresholds of Neoliberalism*. Minneapolis and London: University of Minnesota Press.

Power, M. 1996. Making things auditable. *Accounting, Organizations and Society* 21, 289-315.

Price, R. 1998. Reversing the Gun Sights: Transnational Civil Society Targets Land Mines. *International Organization,* 52, 613-644

Quattrone, P. 2015. Governing Social Orders, Unfolding Rationality, and Jesuit Accounting Practices: a Procedural Approach to Institutional Logics. *Administrative Science Quarterly* 60: 411–45.

Rajak, D. 2011. *In Good Company: An Anatomy of Corporate Social Responsibility*. Palo Alto: Stanford University Press.

Rhodes, R. 2011. *Everyday Life in British Government*. Oxford: Oxford University Press.

Rich, E. & J. Moberg 2015. *Beyond governments. Making collective governance work: Lessons from the Extractive Industries Transparency Initiative*. Sheffield: Greenleaf Publishing.

Ricoeur, P. 1970. *Freud and Philosophy: an Essay on Interpretation*. New Haven: Yale University Press.

Riles, A. 1998 Infinity within the brackets. *American Ethnologist* 25, 378–98.

Riles, A. 2001. *The Network Inside Out*. Ann Arbor: University of Michigan Press.

Riles, A. 2006. Introduction: In response. In *Documents: artifacts of modern knowledge* A. Riles (ed.), 1-38. Ann Arbor, MI: University of Michigan Press.

Riles, A. 2011. *Collateral Knowledge: Legal Reasoning in the Global Financial Markets*. Chicago: University of Chicago Press.

Riles, A. 2012. Too Big to Fail. In *Recasting Anthropological Knowledge: Inspiration and Social Science*, M. Petrovic-Steger and J. Edwards (eds.), 31–48. Cambridge and New York: Cambridge University Press.

Ross, M. 1999. The Political Economy of the Resource Curse. *World Politics* 51, 297-322.

Ross, M. 2001. *Extractive Sectors and the Poor: An Oxfam America Report*. Boston, MA: Oxfam America.

Sampson, S. 2005. Integrity Warriors: Global Morality and the Anti-corruption Movement in the Balkans. In *Corruption: Anthropological Perspectives* D. Haller & C. Shore (eds.), 103-130. London and Ann Arbor, MI: Pluto.

Schudson, M. 2015. *The Rise of the Right to Know: Politics and the Culture of Transparency, 1945–1975*. Cambridge, MA: Harvard University Press.

Schwartzman, H. 1989. *The Meeting: Gatherings in Organisations and Communities*. Boston, MA: Springer.

Scott, J.C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Heaven and London: Yale University Press.

Sedgwick, E. 2008. *Epistemology of the Closet*. Berkeley, Los Angeles and London: University of California Press.

Shaxson, N. 2008. *Poisoned Wells: The Dirty Politics of African Oil*. New York: Palgrave Macmillan.

Shore, C. & S. Wright 1997 (eds.). *Anthropology of policy: Perspectives on governance and power*. London: Routledge.

Shore, C. & S. Wright 2011. Conceptualising policy: Technologies of governance and the politics of visibility. In *Policy worlds: Anthropology and the analysis of contemporary power* C. Shore, S. Wright & D. Però (eds.), 1-26. New York and Oxford: Berghahn.

Shore, C., S. Wright & D. Però 2011 (eds.). *Policy worlds: Anthropology and the Analysis of Contemporary Power*. New York, NY: Berghahn.

Smith, N. 1992. Contours of a Spatialized Politics: Homeless Vehicles and the Production of Geographical Scale. *Social Text* 33, 54-81.

Sousa, L., P. Larmour & B. Hindess (eds.). 2009. *Governments, NGOs and Anti-corruption: The New Integrity Warriors*. London: Routledge.

Stiglitz, J. 1999. On Liberty, the Right to Know, and Public Discourse: The Role of Transparency in Public Life. Lecture presented at the Oxford Amnesty Lecture, Oxford. 27 January 1999.

Stinchcombe, A. 2001. *When Formality Works: Authority and Abstraction in Law and Organisations*. Chicago: University of Chicago Press.

Strathern, M. 1995. *The Relation: Issues in Complexity and Scale.* Cambridge: Prickly Pear Press.

Strathern, M. 1996. Cutting the network. *The Journal of the Royal Anthropological Institute* 2, 517–535.

Strathern, M. 2000. The Tyranny of Transparency. *British Educational Research Journal* 26, 309-321.

Strathern, M. 2000. Introduction: New Accountabilities. In *Audit Culture: Anthropological Studies in Accountability, Ethics and the Academy* M. Strathern (ed.), 1-18. London and New York: Routledge.

Strathern, M. 2014. Reading Relations Backwards. *Journal of the Royal Anthropological Institute* 20, 3–19.

Stryker, R. & R. González (eds.). 2014. *Up, Down, and Sideways: Anthropologists Trace the Pathways of Power*. New York and Oxford: Berghahn.

Sudetic, C. 2011. *The Philanthropy of George Soros: Building Open Societies*. New York: Public Affairs.

Taggart, Chris. 2014. Can companies be good for development? Lecture at OpenDevelopment camp, Amsterdam, 9 October 2014. (Accessed 31 August 2016), available from http://blog.opencorporates.com/2014/10/21/watch-chris-in-action-at-open-development-camp-2014/

Tanzi, V. 1998. Corruption Around the World: Causes, Consequences, Scope, and Cures. *IMF Staff Papers* 45, 559-594.

Tate, W. 2015. *Drugs, thugs, and diplomats: U.S. policymaking in Colombia*. Stanford, California: Stanford University Press.

Taylor, C. 1990. Modes of Civil Society. *Public Culture* 3, 95-118.

Taylor, R. 2007. New Labour, New Capitalism. In *Blair's Britain, 1997-2007* A. Seldon (ed.), 214-240. Cambridge: Cambridge University Press.

Telesca, J. 2015. Consensus for Whom? Gaming the Market for Atlantic Bluefin Tuna through the Empire of Bureaucracy. *The Cambridge Journal of Anthropology* 33, 49-64.

Trouillot, M. 1995. *Silencing the Past: Power and the Production of History*. Boston: Beacon Press.

Trundle, C. 2012. The Transformation of Compassion and the Ethics of Interaction within Charity Practices. In *Differentiating Development: Beyond an Anthropology of Critique* S. Venkatesan & T. Yarrow (eds.). New York and Oxford: Berghahn.

Tsing, Anna Lowenhaupt. 2005. *Friction: An Ethnography of Global Connection*. Princeton, N.J.: Princeton University Press.

Tsoukas, H. 1997. The tyranny of light. *Futures* 29, 827-843.

van Oranje, M. & H. Parham 2009. *Publishing What We Learned An Assessment of the Publish What You Pay Coalition*. London: Publish What You Pay.

Venkatesan, S. & T. Yarrow (eds.). 2012. *Differentiating Development: Beyond an Anthropology of Critique*. New York and Oxford: Berghahn.

Walford, A. 2015. Double Standards: Examples and Exceptions in Scientific Metrological Practices in Brazil. *Journal of the Royal Anthropological Institute* 21, 64-77.

Watts, M. 2004. Resource Curse? Governmentality, Oil and Power in the Niger Delta, Nigeria. *Geopolitics* 9, 50-80.

Weber, M. 1978. *Economy and Society*. Berkeley, Los Angeles and London: University of California Press.

Welker, M. & D. Wood. 2011. Shareholder Activism and Alienation. *Current Anthropology* 52 (S3), S57–S69.

Welker, M., D. J. Partridge & R. Hardin. 2011. Corporate Lives: New Perspectives on the Social Life of the Corporate Form. *Current Anthropology* 52 (S3), S3–S16.

Welker, M. 2014. *Enacting the Corporation: An American Mining Firm in Post-authoritarian Indonesia*. Los Angeles: University of California Press.

West, H.G., & T. Sanders (eds.). 2003. *Transparency and conspiracy: Ethnographies of suspicion in the new world order*. Durham, NC and London: Duke University Press.

Weszkalnys, G. 2011. Cursed resources, or articulations of economic theory in the Gulf of Guinea. *Economy and Society* 40, 345-372.

Weszkalnys, G. 2013. Oil's Magic: Contestation and Materiality. In *Cultures of Energy: Power, Practices, Technologies* S. Strauss, S. Rupp & T. Love (eds.), 267-283. Walnut Creek, CA: Left Coast Press.

Witte, J., C. Streck & T. Benner (eds.). 2003. *Progress or Peril? Networks and Partnerships in Global Environmental Governance. The Post-Johannesburg Agenda*. Berlin: Global Public Policy Institute.

Yarrow, T. 2008. Paired Opposites: Dualism in Development and Anthropology. *Critique of Anthropology* 28, 426-445.

Yarrow, T. 2011. *Development Beyond Politics*. Basingstoke: Palgrave Macmillan.

Yarrow, T. forthcoming. Where Knowledge Meets: Heritage Expertise at the Intersection of People, Perspective and Place. *Journal of the Royal Anthropological Institute.*

Yarrow, T. & S. Venkatesan 2012. Anthropology and Development: Critical Framings. In *Differentiating Development: Beyond an Anthropology of Critique* S. Venkatesan & T. Yarrow (eds.), 1-20. New York and Oxford: Berghahn.