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Why incorporating organised crime into analysis of elite bargains and political settlements matters:

Understanding prospects for more peaceful, open and inclusive politics

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About SOC ACE

The Serious Organised Crime & Anti-Corruption Evidence (SOC ACE) research programme aims to help 'unlock the black box of political will' for tackling serious organised crime, illicit finance and transnational corruption through research that informs politically feasible, technically sound interventions and strategies. Funded by the UK's Foreign, Commonwealth & Development Office (FCDO), SOC ACE is a new component in the Anti-Corruption Evidence (ACE) research programme, alongside Global Integrity ACE and SOAS ACE. SOC ACE is managed by the University of Birmingham, working in collaboration with a number of leading research organisations and through consultation and engagement with key stakeholders.

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Acronyms and abbreviations

DLP	Developmental Leadership Program
DFID	Department for International Development
ESID	Effective States and Inclusive Development
FCDO	Foreign, Commonwealth and Development Office
IDEA	International Institute for Democracy and Electoral Assistance
LSE	London School of Economics and Political Science
NGO	Non-governmental organisation
OCG	Organised Crime Group
OECD	Organisation for Economic Cooperation and Development
PRSP	Political Settlement Research Programme
SDG	Sustainable Development Goal
SOAS	School of Oriental and African Studies University of London
SOC	Serious Organised Crime
SOC ACE	Serious Organised Crime & Anti-Corruption Evidence Research Programme
TWP CoP	Thinking and Working Politically Community of Practice
TWP	Thinking and Working Politically
UNU	United Nations University
UK	United Kingdom

Summary

This paper argues that political settlements analysis and an understanding of elite bargains need to incorporate a deeper and more systematic exploration of serious organised crime (SOC), since this affects critical elements related to the nature and quality of elite bargains and political settlements. In particular, the paper examines how SOC affects these issues – from the elites that constitute a bargain or settlement, to violence and stability, to ‘stateness’, or the extent to which a state is anchored in society, state capacity and political will, to legitimacy and electoral politics. The paper draws on insights from a rich body of research on organised crime and its impacts on conflict, violence, governance and development to articulate how SOC can be more thoroughly integrated into research focused on political settlements and/or elite bargains to enhance its analytical depth, quality and accuracy. The paper also outlines lessons and implications that may guide further reflection in conflict and development circles on the nexus between organised crime, elite bargains and political settlements from a thinking and working politically perspective.

1. Introduction

One of the most important lessons in international development and (post-) conflict circles over the last 20 years is that the challenge of promoting change is not only technical, but also of a deeply political nature. Institutions matter, and behind institutions lie politics and power (see, among many others, DiJohn & Putzel, 2012; Khan, 2010; Unsworth, 2010; Booth, 2012; Hickey et al., 2014; Leftwich, 2014; Rocha Menocal, 2015a, 2015b, 2017; Khan, 2018; Hickey, 2019; Kelsall & vom Hau 2020). As a result, international actors have tried to incorporate a more politically informed lens in policy thinking and practice—or to ‘think and work politically’ (Rocha Menocal, 2014; TWP CoP, 2014; Piron et al., 2016; Hudson et al., 2016; Marquette, 2022a). With a focus on power relations, institutions, how resources are distributed, why, and to what effect, political settlements and elite bargains—or the kinds of deals, understandings, arrangements, and underlying ‘rules of the game’ that undergird a political system and determine how public authority is exercised and how power and resources are distributed—have become important concepts in thinking about conflict, fragility, and development and how these arrangements and understandings shape prospects to foster more peaceful, open, and inclusive states and societies (see, for example, DFID, 2010; AusAid, 2011; OECD, 2011; World Bank, 2011, 2017; Evans, 2012; Piron et al., 2016; Behuria et al., 2017; UK Stabilisation Unit, 2018; DFID, 2019; Kelsall & vom Hau, 2020).

This interest among international actors in political settlements and elite bargains as an analytical approach to better understand the political economy of and engage more effectively in conflict-affected and other developing contexts has also led to a considerable investment in research ‘to render legible the politics of development and, in particular, the way that governance and institutions work’ in the settings in which international actors are involved (see, for example, Behuria et al., 2017, p. 509; see also DiJohn and Putzel, 2012; Cheng et al., 2018; Kelsall & vom Hau, 2020; Heaven et al., 2022).

In parallel to this, while serious organised crime (SOC) has remained relatively understudied in development (Jespersion, 2015; Kleinfeld & Barham, 2018; Schultze-Kraft, 2016, 2018), it is now increasingly recognised as both a development concern and a security threat (see, for instance, Jespersen, 2015; De Boer & Bosetti, 2017; Schultze-Kraft, 2018; Marquette, 2019). SOC affects different dimensions of conflict, fragility and development—ranging from security, crime and violence to the economy, and from governance (including issues related to state capacity, justice and the rule of law, service delivery, vertical and horizontal accountability mechanisms and so on) to prospects for fostering more peaceful and inclusive states and societies—in ways that can be profoundly pernicious but are also complex and not always binary (see, for example, Felbab-Brown, 2017; Jespersen et al., 2020a). As a result, despite concerns that tackling SOC from a development perspective may lead to a further securitisation of the development agenda and to co-opting development goals to achieve international security, there is increasing recognition that SOC is also a fundamental development and governance challenge that needs to be addressed as such (Reitano et al., 2018; Jespersen, 2015; Jespersen et al., 2022a, 2022b). In fact, SOC is highlighted in the Sustainable Development Goals (SDGs) as both an explicit goal and a cross-cutting objective (Shaw & Reitano, 2021).

Yet, taking stock of the body of research funded by bilateral donors, such as the UK Foreign, Commonwealth and Development Office (FCDO) and others, anchored in political settlements and/or elite bargains to inform efforts to think in more politically aware ways and to draw out implications for working differently, some of which I have been closely involved in as a researcher, I have been struck by the fact that, with very few exceptions, this research has not systematically incorporated SOC as an integral component of analysis. This is an important gap in our understanding of both political settlements and elite bargains and for how change happens, and is the main issue addressed in this paper—which focuses specifically on donor-funded literature on political settlements and/or elite bargains to help seek pathways towards more peaceful, open and inclusive politics.

This research paper argues that political settlements analysis and understandings of elite bargains need to incorporate a deeper and more systematic exploration of organised crime because SOC affects critical elements related to the nature and quality of elite bargains and political settlements and to what effect—from the elites that constitute a bargain or settlement, to violence and stability, to ‘stateness’, or the extent to which a state is anchored in society, state capacity and political will (or the reasons and motivations for why power holders might commit to or act in favour of a certain issue or challenge or cause (see Marquette 2022a)), to legitimacy, to electoral politics. Members of organised crime groups (OCGs) may themselves be powerful economic and political actors who interact with or may even be part of other important and relevant actors in state and society (including government authorities, politicians, business elites, non-state armed groups) in complex ways, and as such they too influence the nature and shape of the ‘rules of the game’. Failure to take this into account more explicitly and consistently risks developing a partial or incomplete picture of how things work in practice, and may lead to misguided assumptions or diagnoses of what is going on in a particular setting, with implications for policy and practice, in terms both of unintended consequences and of the potential to do harm (Cockayne, 2016; Blattman et al., 2021).

Although organised crime has not been incorporated explicitly or as a core component of analysis in research on political settlements or elite bargains, this paper argues that there is considerable potential to do so given its focus on elites and their incentives, interests, and power base, as well as its emphasis on how formal and informal institutions and ‘rules of the game’ interact and to what effect. To articulate how SOC can be more thoroughly integrated into research focused on political settlements and/or elite bargains, and how these agreements and arrangements affect prospects for peace and stability, development and change, this paper draws on insights from a wider, and rich, body of research on organised crime and its impact on conflict, governance and development, as well as on the linkages between criminal and political violence (see, for instance, Briscoe & Kalkman, 2016; Briscoe & Goff, 2016; Cockayne, 2016; Schultze-Kraft, 2016, 2019; Cockayne & Roth 2017; Kleinfeld & Barham 2018; Jespersen et al., 2020a, 2020b; Domingo & Jespersen, 2022; Gutiérrez-Sanín & Gutiérrez, 2022; Pearce, 2022). Drawing on insights from this broader literature on SOC and development can help enhance the depth, quality and accuracy of political settlements analysis and to develop a fuller and more refined picture of how different arrangements, understandings and agreements emerge, what they look like in terms of the power balance that holds them together, how they evolve over time and why, how they work on the ground, and what this implies for fostering more peaceful, open and inclusive

politics. Building a bridge between the wider literature on SOC, politics and development (with no claim to cover that literature fully and comprehensively) and the more specific, donor-funded work on political settlements/elite bargains and development, this paper also seeks to draw out lessons and implications that may guide further reflection in conflict and development circles on the nexus between organised crime, elite bargains, political settlements from a thinking and working politically perspective.

The paper is structured as follows. Section 2 offers an overview of political settlements and elite bargains, and why they are important to enable ways of thinking and working that are more politically aware. The section also discusses the importance of incorporating SOC into analysis both of political settlements and elite bargains. Section 3 explores how SOC can be more thoroughly integrated into this analysis, arguing that is this especially relevant and in (post-)conflict settings and other contexts undergoing significant processes of transformation, including democratisation in particular. Building on the insights from the broader literature on SOC, politics and development, this section emphasises that a clear and neat distinction between SOC and the state cannot be taken for granted, and it explores how SOC interacts with and affects critical dimensions of political settlements and elite bargains. Section 4 concludes by drawing out some reflections, implications and principles for those working on issues of conflict and development in thinking about the nexus between political settlements and organised crime in ways that are anchored in contextual realities.

2. Why it is important to incorporate SOC into an analysis of political settlements and elite bargains

2.1. Understanding political settlement and elite bargains

Over the past 20 years, with the growing recognition that promoting change is not only a technical but also a deeply political challenge, both ‘political settlements’, and, more recently, elite bargains’ have become increasingly popular concepts in international policy-making circles (Rocha Menocal, 2015a, 2015b; Behuria et al., 2017; World Bank, 2017; Meehan, 2018; Cheng et al., 2018; UK Stabilisation Unit, 2018; Kelsall & vom Hau, 2020). The concept of political settlements may have first made an appearance in the international development community in the 1990s with the work of scholars like Mushtaq Khan, Adrian Leftwich, Sue Unsworth and others critiquing the ‘good governance’ agenda and the claim that building more effective formal institutions was the key to addressing state fragility and generating economic development (Khan, 1995, 2010; Di John & Putzel, 2009). Anchored in a political economy approach, political settlements analysis focuses on underlying power relations and the dynamic interaction between formal and informal institutions and ‘rules of the game’ to better understand why a formal institution that works effectively in one context may work completely differently elsewhere.

Interestingly, until recently, the term ‘political settlements’ has not been commonly used in academic literature, except for a few exceptions such as Mushtaq Khan (2010, 2012) and Adrian Leftwich,¹ while that of elite bargains has longer, more extensive body of literature and has been more widely used (see Box 1). However, much of the evolving interpretation within the (post-)conflict and development communities of the dynamics and processes that political settlements embody enjoys a rich tradition in academic thinking both on elite bargains—which tends to focus on agency, leadership and the choices leaders make—as well as on processes of state formation and political, social and economic transformation, which explore the kinds of institutional and structural frameworks within which actors operate and how these shape their interests and incentives and the choices they make in a mutually constitutive manner (see Rocha Menocal, 2015b; Heaven et al., 2022).

¹ As the founding Director of Research of the Developmental Leadership Program (DLP), Leftwich anchored much of DLP’s work in the notion of the political settlement (see also Hudson & Leftwich, 2014).

Box 1: Elite bargains in academic literature

There is a rich academic literature on actors and agency that focuses on elite pacts, bargains, and the relationships between elites after periods of turmoil and transformation, especially in settings characterised by division and fragmentation. For example, ‘consociationalism’, and the work of Arend Lijphart (1977, 1999) in particular, focuses on the role of elites in preserving unity and stability in otherwise deeply divided societies. There is also an important body of peacebuilding literature that looks at post-conflict transitions and power-sharing arrangements in settings as diverse as Northern Ireland, the former Yugoslavia—Bosnia, Kosovo, Macedonia, Serbia—and South Africa (see Noel, 2005; Wolff & Yakinthou 2011, among others). The ‘transitology’ school developed a framework to understand the transitions to democracy in Latin America and Eastern Europe in the 1980s from an agency perspective based on elite divisions, uncertainty and contingent choice (see O’Donnell & Schmitter, 1986, among others). Higley and Burton (1992; 1998, p. 98) further emphasise the need for pacts and ‘deliberate and lasting compromises of core disputes among political elites’ to consolidate (democratic) regimes post-transition.

Source: Rocha Menocal (2015b)

Political settlements remains a contested term. There are concerns that it is too vague and is subject to multiple interpretations depending on how it is used (Laws & Leftwich, 2014; Kelsall & Vom Hau, 2020). Part of the confusion and ambiguity regarding the concept of political settlements may stem from how these relate to elite bargains, and how this relationship is understood and interpreted in (post-)conflict and development circles. The World Bank’s 2017 *World Development Report*, for example, uses the language of ‘elite bargains’ rather than political settlements, but the way it defines these is closely aligned with the concept of political settlements, as outlined below. Other literature in the field offers a narrower definition of elite bargains, seeing them as an important component of broader underlying political settlements, which they shape in a dynamic and iterative process (see Meehan, 2018; Cheng et al., 2018). This is the approach taken in this paper. Following Cheng and colleagues (2018), elite bargains can be understood as ‘a discrete agreement, or series of agreements, that explicitly sets out to re-negotiate the distribution of power and allocation of resources between elites’. As Cheng et al. (2018, p. 11) elaborate further, ‘elite bargains are the product of conscious, calculated behaviour to determine who holds political office, governs economic resources and controls the means of violence ... which cumulatively shape and change the overarching political settlement’.

Although the term may lack definitional clarity, there seems to be consensus about the substance of political settlements. At their core, political settlements are about taming politics so they stop being a ‘deadly, warlike affair’ (Higley & Burton, 1998, p. 98). Political settlements constitute a common understanding or agreement, principally among elites, on the balance and distribution of power, resources and wealth, and on the rules of political engagement that leads to a significant reduction in anti-systemic violence and other forms of disruption (Jones et al., 2012; Laws & Leftwich 2014; Kelsall & vom Hau, 2020). Tim Kelsall and Sam Hickey (2020, p. 1) elaborate further on this definition, arguing that this common understanding among powerful groups about the rules of the political and economic game is what ‘keeps the peace by providing

opportunities for those groups to secure a distribution of benefits (such as resources, rights, and status) they find acceptable.

The 'rules of the game' underpinning a political settlement and how power and resources are organised and distributed include both formal institutions and, crucially, informal ones. For Mushtaq Khan (2010), a durable political settlement is a combination of power and institutions that are mutually compatible and sustainable in terms of economic and political viability, and are thereby essential in maintaining peace and stability. Khan argues that political settlements can be sustained only when equilibrium is reached between the interests of powerful actors and the institutions that govern the behaviour of individual actors (Parks & Cole, 2010). It is precisely this interplay between how formal and informal institutions interact that helps explain why settings that share similar formal institutional compositions (as well as endowments) can have different development trajectories and outcomes. Political settlements define who has power and, crucially, who does not. They outline the parameters of inclusion and exclusion in a given political system, be it in terms of process (such as who is included in decision-making) or outcomes (for instance, how wealth is distributed), or both (see, for instance, Hickey et al., 2014; Rocha Menocal, 2015b, 2017; Schultze-Kraft, 2017; Khan, 2018; Kelsall & vom Hau, 2020; Kelsall & Hickey, 2020). As such, political settlements embody 'combinations of power and institutions [that are] crucially implicated in maintaining peace and stability, [and] directly shape some of a society's most important political, economic and developmental outcomes' (Kelsall & vom Hau, 2020, p. 3).

Far from being static, though, political settlements are dynamic, ongoing political processes that involve elite bargains and processes of negotiation and contestation of the power relationships between key elite figures that come together across different groups into a governing coalition, as well as between elites and the wider array of interests in society. Political settlements thus involve both horizontal dynamics and interactions between elites but also vertical linkages between elites and segments of the broader population (Yousuf, 2018). These different dimensions are what Kelsall and vom Hau (2020) refer to as the concentration of power and the social foundation of political settlements in the typology they have developed. Political settlements evolve and may endure or break down as elites and different groups in state and society continue to contest and redefine the nature of their relationship and relative power through a combination of horizontal and vertical interactions (Laws & Leftwich, 2014; Rocha Menocal, 2017).

In sum, political settlements can be understood as ongoing and dynamic processes of negotiation and contestation to define the 'rules of the game' that define how power is organised, how authority is exercised, and how resources are distributed, while elite bargains 'represent specific attempts to re-negotiate the distribution of power between elites, which cumulatively shape and change the overarching political settlement' (Cheng et al., 2018, p. 11). As this paper will show, understanding these is directly relevant for SOC research as well as for policy and practice.

2.2. Political settlements, elite bargains and Thinking and Working Politically

The above suggests that there is a need for a solid understanding of who are the critical political, economic, and social elites (national, subnational, transnational) influencing a political system, how they interact with each other as well as with the wider array of groups in society, and to what effect. This is essential to help identify and assess the kinds of factors that harness or constrain progress and to develop approaches to reform that are more nuanced, realistic, effective and sustainable—which is at the heart of Thinking and Working Politically (TWP) (see Box 2).

Box 2: Why does thinking and working politically matter?

Thinking and Working Politically (TWP) is an umbrella term that has come to describe the need for policy-makers and practitioners to integrate an understanding of how politics affects their work, in ways that can undermine even technically sound, well-funded initiatives. Evidence over time has shown that promoting reform—whether in relation to trade, the civil service, health and education, women’s empowerment, democracy and anti-corruption, or state- and peace-building, and so on—is not a simple technical exercise that is linear and relatively straightforward. Rather, change is profoundly political. It creates winners and losers and threatens vested interests—and as such it is complex, often contested, and uncertain.

As noted at the start of this paper, while this particular terminology has arisen from debates in international development over the last 20 years, the need to understand how politics affects reform initiatives, policy implementation and strategy—and how to work more adaptively to take on board the implications of this understanding—has relevance and resonance well beyond the development field. The ability to think and work politically may not invariably unblock obstacles to progressive change, but it does provide a compass to help navigate the political complexities we face in our work.

Sources: Rocha Menocal (2014); TWP (2014); Rocha Menocal & Aston (2012); Marquette (2022b)

Over the past two decades, the international community has made considerable investments in developing research and analytical tools to understand a wide variety of (post-)conflict and development challenges from a political economy perspective, and to think and work in more politically informed ways (Rocha Menocal, 2014; TWP CoP, 2014; Hudson et al., 2016; Marquette, 2022a and 2022b). This has included efforts to deepen understanding about how peace- and state-building efforts unfold and evolve, as well as to draw out implications for how to foster more peaceful, open and inclusive states and societies (including in (post-) conflict and other settings undergoing processes of transformation, such as democratisation) from a political economy perspective (see, for example, Unsworth, 2008; Pycroft, 2010; Carothers & de Gramont, 2013; Booth & Unsworth, 2014; Fritz et al., 2014; Rocha Menocal, 2014; Hudson et al., 2016; Piron et al., 2016; Teskey, 2017; Rocha Menocal et al., 2018; UK Stabilisation Unit, 2018; Sidel & Faustino, 2020; Marquette, 2022b; Piron et al., 2022; Rocha Menocal & Aston, 2022; Teskey, 2022).

As part of this, the idea of the political settlement in particular has acquired considerable salience in international policy-making (Rocha Menocal, 2015a, 2015b; Behuria et al., 2017; Kelsall & vom Hau 2020), and has become an influential ‘framing concept’ for work in both conflict-affected states and more stable settings (Behuria et al., 2017; Meehan, 2018, p. 24). According to Kelsall and vom Hau (2020, p. 2) ‘[f]ew concepts have captured the imagination of the conflict and development community in recent years as powerfully as the idea of a “political settlement”’. For example, political settlements—and the question of how to move from narrow elite bargains towards more inclusive political settlements—have been placed at the centre of a variety of donor frameworks and other international initiatives like the International Dialogue on Peacebuilding and Statebuilding to promote pathways towards greater peace, resilience and inclusion in conflict-afflicted and other low- and middle-income countries (for example, DFID, 2010; AusAid, 2011; OECD, 2011; World Bank, 2011; for an overview and summary of such frameworks and initiatives, Evans, 2012; Castillejo, 2014; Rocha Menocal, 2015a, 2015b). A political settlements framing has also become more commonly used among non-government organisations (NGOs) focused on peacebuilding and conflict resolution, such as Conciliation Resources (see, for instance, Yousuf, 2018). As for elite bargains, the World Bank 2011 *World Development Report* emphasises the centrality of ‘inclusive enough’ elite coalitions to lay out the foundations for peace and stability and avoid the recurrence of violent conflict in fragile settings; while the 2017 *World Development Report* highlights the role of elite bargains in shaping prospects for development and inclusion—with the caveat noted above, namely that the way it uses elite bargains is the same as how others understand political settlements more broadly (World Bank, 2011, 2017). For some donor agencies, notably the UK’s former Department for International Development (DFID) and its successor, FCDO, political settlements analysis has become a required component of country programming (Kelsall & vom Hau, 2020).

Donor agencies’ interest in political settlements and elite bargains as an analytical approach to better understand the political economy of and engage more effectively in conflict-afflicted and other settings has also led to a considerable investment in research ‘to render legible the politics of development and, in particular, the way that governance and institutions work’ in the contexts in which international agencies are involved (Behuria et al., 2017, p. 509; see also Kelsall & vom Hau, 2020). This has included the funding of major research programmes and projects, such as the Developmental Leadership Program supported by Australia, and several others supported by the UK (see Box 3). This work has also generated a rash of publications, from flagship reports and working papers to articles, special journal issues and books, as well as colloquia, workshops, and other events (see Kelsall & vom Hau, 2020).

Box 3: DFID/FCDO-funded research on political settlements and elite bargains

Political settlements and elite bargains have been an important focus of major DFID/FCDO-funded research programmes and projects. These include most notably:

The [Crisis States Research Centre](#) (LSE)

The [Political Settlements Research Programme](#) (PRSP)/Peace and Conflict Resolution Evidence Platform (University of Edinburgh)

The [Effective States and Inclusive Development](#) (ESID) Research Centre (University of Manchester)

The [Anti-Corruption Evidence SOAS](#) consortium

A research project on [Elite Bargains and Political Deals](#) (SOAS and King's College London)

A research project on [Deals and Development](#) (UNU-Wider Policy Lab)

A research project on ["From Elite Bargains to More Inclusive Politics"](#) (University of Reading and ODI).

Many other research programmes and projects funded by DFID/FCDO also look at politics and change using different conceptual frameworks—including the Serious Organised Crime & Anti-Corruption Evidence ([SOC ACE](#)) Research Programme. This is a reminder that political settlements and elite bargains or deals are not simply synonyms for 'politics'. They mean something specific and fill particular gaps in our understanding, as this paper seeks to demonstrate.

Sources: DiJohn & Putzel (2012); Behuria et al. (2017); UK Stabilisation Unit (2018); Cheng et al. (2018); Meehan (2018); Pospisil (2019); Kelsall & Hickey (2020); Kelsall & vom Hau (2020); Werker & Sen (2021); Heaven et al. (2022)

Donor-funded research that is grounded in or uses an analysis of political settlements and/or elite bargains has addressed a broad set of questions and concerns related to conflict, fragility, and development (Behuria et al., 2017; Meehan, 2018; Kelsall & vom Hau, 2020). These include understanding why countries emerging from civil war may or may not relapse into violent conflict (for example, the 2011 *World Development Report* (World Bank, 2011) and 'inclusive enough' coalitions; Lindemann (2008) and 'inclusive elite bargains' in sub-Saharan Africa); what pathways from violent conflict towards sustainable post-war transitions might look like (Cheng et al., 2018); whether and how (post-) conflict states and societies may evolve into political orders that are more broadly inclusive (Heaven et al., 2022); how more/less inclusive institutions may emerge and whether and how they may foster more inclusive development (Rocha Menocal, 2017; Rocha Menocal & Aston, 2021); why similar institutions perform or function differently in different settings (Khan, 2010, 2018; DiJohn & Putzel, 2012; Rocha Menocal, 2017); what factors may enable or constrain industrial transformation and sustained economic growth (Khan, 2010; Whitfield et al., 2015; Pritchett et al., 2017, 2018; Werker & Sen, 2021); what the developmental consequences and policy implications of different political settlement types are (Kelsall & vom Hau, 2020); why some states pursue more effective and inclusive health and education policies than

others (Kelsall et al., 2016; Levy et al., 2017; Hickey & Hossain, 2019); and why some states implement gender legislation more/less effectively than others (Nazneen et al., 2018), among other issues.

2.3. Why incorporating SOC into analysis of political settlements and elite bargains is important

I have worked on some of this donor-funded research and been involved in a variety of programmes and projects on political settlements and elite bargains which aim to inform more effective international engagement in conflict-affected and other settings undergoing processes of transformation (such as democratisation) that is grounded in TWP. As part of this, I have published widely and collaborated with colleagues on producing a variety of outputs and activities, ranging from a special journal issue (Pospisil & Rocha Menocal, 2017), to panels and workshops, to safe spaces with policy-makers and other relevant stakeholders to draw out implications from research for more politically informed international efforts to foster more peaceful, open and inclusive states and societies.

Taking stock of this rich and diverse body of work, which seeks to understand why things work in the way they do on the ground and what this might mean for prospects to promote change from a politically aware perspective rooted in contextual realities, I have been struck by the fact that, with very few exceptions, this research rooted in both political settlements and elite bargains has not systematically incorporated serious organised crime (SOC) as an integral component of analysis. A vast majority of the publications produced by the different research programmes and projects listed above do not look specifically at organised crime, and when they do mention SOC, it is mostly in passing. Aside from a couple of publications from the Political Settlements Research Programme (PRSP) that incorporate SOC as part of an analysis of violence and conflict in the context of COVID-19, the most meaningful exception to this is the research on Elite Bargains and Political Deals.² Several, though not all, of the case studies undertaken as part of that project place SOC at the core of understanding elite incentives and power dynamics (notably Colombia (Brett, 2018), Mali (Guichaoua & Desgrais, 2018), Somalia (Menkhaus, 2018) and Tajikistan (Heathershaw & Mullojonov, 2018), while the synthesis report (Cheng et al., 2018) makes a conscious effort to raise SOC as a relevant (but by no means fully integrated) issue in understanding whether and how elite bargains that reduce violence can be secured and sustained. It is also interesting to note that, while the 2011 *World Development Report* brought organised crime into the mainstream of donor thinking, highlighting the stress that organised crime places on weak states (World Bank, 2011; Briscoe & Kalkman, 2016; Schultze-Kraft, 2016, 2018), the 2017 *World Development Report*, which focuses on elite bargains, provides a breakdown of elite groups that does not include criminal organisations or actors (World Bank, 2017). Markus Schultze-Kraft (2016, 2017) identified organised crime as a crucial but understudied issue in the (post-)conflict and development literature on political settlements, and this seems to remain the case in more recent research.

² See <https://www.gov.uk/government/publications/elite-bargains-and-political-deals>

This is an important gap that matters for our understanding of both political settlements and elite bargains and for how change happens. While for a long time, organised crime has remained relatively understudied in development (Jespersion, 2015; Kleinfeld & Barham, 2018; Schultze-Kraft, 2016, 2018), more recently SOC has become increasingly recognised as both a development concern and a security threat (see, for example, Jespersen, 2015; De Boer & Bosetti, 2015, 2017; Schultze-Kraft, 2018; Marquette, 2019)—and it has been incorporated in the Sustainable Development Goals (SDGs), both as an explicit goal and a cross-cutting objective (Shaw & Reitano, 2021). SOC affects different dimensions of conflict, fragility and development—ranging from security, crime and violence to the economy, and from governance (including issues related to state capacity, justice and the rule of law, service delivery, vertical and horizontal accountability mechanisms and so on) to prospects for fostering more peaceful and inclusive states and societies—in ways that can be profoundly pernicious but that are also deeply complex and not always binary (see, for instance, Felbab-Brown, 2017; Jespersen et al., 2020a).

As the literature on peace-and state building evolved, anchored in a deeper understanding of the politics of state fragility and governance blockages, questions of state capture, fragmented state authority and control over the monopoly of violence, and so on have acquired greater analytical interest and prominence. Alongside this has been the growing recognition in international policy-making circles that, while dominant responses to SOC continue to rely heavily on law enforcement and the military, SOC is also fundamentally a development and governance challenge that needs to be addressed as such (see, for example, Jespersen, 2015; Reitano et al., 2018). Although there have been fears that tackling SOC from a development perspective may lead to a further securitisation of the development agenda and to the co-optation of development goals to achieve international security, there is also increasing emphasis on the fact that development efforts have the potential to tackle SOC both directly and indirectly, even if such efforts are still ill-equipped to confront the challenges posed by organised crime effectively (Reitano et al., 2018; Jespersen, 2015; Jespersen et al., 2022a, 2022b).

Box 4: Serious organised crime and development

Organised crime is a highly complex, amorphous, evolving and dynamic economic, political and social phenomenon involving a universe of shifting and expanding set of actors and organisations, activities and networks in response to changing contexts and technological developments (Global Initiative, 2016; Allum & Gilmour, 2019). These range from illegal protection and extortion rackets and the trafficking and/or smuggling of illegal drugs, firearms, wildlife, and people and modern slavery, to cybercrime, illegal mining, oil theft, to money and asset laundering and other economic crimes, fraud, bribery and corruption (Schultze-Kraft, 2016; Uribe Burcher & Sample, 2017; UK Home Office, 2018).

Organised crime has remained relatively understudied in development (Jespersion, 2015; Kleinfeld & Barham, 2018; Schultze-Kraft, 2016, 2018), even if SOC and its effects on conflict, state-building processes, governance, and development more broadly are not new phenomena (Tilly, 1985). The Sicilian Mafia, dating from at least the nineteenth century, is one of the most iconic examples (Acemoglu et al., 2020), while organised crime also played an important role in mid-century US urban politics (Jacobs, 2020). More recently, however, SOC has become increasingly recognised as both a development concern and a security threat

(see, for example, Jespersen, 2015; De Boer & Bosetti 2015, 2017; Schultze-Kraft, 2018; Marquette, 2019).

Reflecting this growing awareness about the impact that organised crime might have on prospects to build more peaceful and prosperous states and societies, SOC was included in the SDGs both as an explicit goal and a cross-cutting objective (Shaw & Reitano, 2021). This has placed organised crime as a challenge that is central—if not exclusive—to the mandate of development actors (Reitano, 2018), even if there remains work to be done to problematise some of the assumptions embedded in the SDGs about the root causes of criminal violence, which tend to overlook the fact that these are deeply political in nature and may therefore lead to misguided diagnoses about how they can be addressed, and cause harm as a result (Blaustein et al., 2018).³

In the UK, in 2017 the government commissioned various studies⁴ on the links between organised crime and governance and organised crime and conflict (see De Boer & Bosetti, 2017; Cockayne & Roth, 2017). As part of an effort to contribute to implementing the UK government's 2018 Serious Organised Crime Strategy through new programmes intended to address the socioeconomic, governance, and criminal justice factors that underpin SOC, FCDO also commissioned Rapid Evidence Assessments on both the impact of SOC on development, with particular focus on areas linked to the SDGs—including peace, security and governance, basic needs and services, and economic growth and prosperity (Jespersen et al., 2020a) and on 'what works' in tackling SOC (Jespersen et al., 2020b).

Political settlements analysis thus needs to incorporate a deeper and more systematic exploration of organised crime because SOC affects crucial dimensions related to the nature and quality of elite bargains and political settlements and to what effect—from the elites that constitute a bargain or settlement, to violence and stability, to stateness, state capacity and political will, to legitimacy, to electoral politics. Organised crime groups (OCGs), which are as diverse as the activities they engage in, and may include mafias, gangs, drug cartels, other trafficking networks, and the like, are themselves powerful economic and political actors who interact with or may even be part of other important and relevant actors in state and society (including government authorities, politicians, business elites, non-state armed groups) in complex ways, and as such they too influence the nature and shape of the 'rules of the game'. Failing to incorporate issues related to organised crime more explicitly and consistently thus risks developing a partial or incomplete picture of how things work in practice, and why that leads to misguided assumptions or diagnoses of what is going on in a particular setting, with implications for policy and practice, in terms both of unintended consequences and the potential to do harm (Cockayne, 2016; Blattman et al., 2021).

³ SDG16 objective 'to significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime' is one of the 169 targets of the SDGs. Crime also features as a cross-cutting threat to development in several other targets, including for example the elimination of human trafficking and sexual exploitation and environmental crimes). See Shaw and Reitano, 2021.

⁴ See <https://cpr.unu.edu/research/projects/the-crime-conflict-nexus-assessing-the-threat-and-developing-solutions.html#outline>

Although organised crime has not been incorporated explicitly or as a core element of analysis in political settlements or elite bargains work, there is considerable potential to do so given its focus on elites and their incentives, interests, and power base, as well as its emphasis on how formal and informal institutions and ‘rules of the game’ interact and to what effect. This paper draws on insights from a wider, and rich, body of research on organised crime and its impact on conflict, governance and development, as well as on the linkages between criminal and political violence (see, for example, Briscoe & Kalkman, 2016; Briscoe & Goff, 2016; Cockayne, 2016; Schultze-Kraft, 2016, 2019; Cockayne & Roth, 2017; Kleinfeld & Barham, 2018; Jespersen et al., 2020a, 2020b; Domingo & Jespersen, 2022; Gutiérrez-Sanín & Gutiérrez, 2022; Pearce, 2022) to explore how SOC can be more thoroughly integrated into research focused on political settlements and/or elite bargains and how these agreements and arrangements affect prospects for peace and stability, development and change. Drawing on insights from this broader literature on SOC and development can help enhance the depth, quality and accuracy of political settlements analysis and to develop a fuller and more refined picture of how different arrangements, understandings and agreements emerge, what they look like in terms of the power balance that holds them together, how they evolve over time and why, how they work on the ground, and what this implies for fostering more peaceful, open and inclusive politics. Building a bridge between the literature on SOC and development and political settlements/elite bargains and development, this paper also seeks to draw out reflections, lessons and implications that can guide further thinking in conflict and development circles on the organised crime-elite bargains/political settlements nexus from a thinking and working politically perspective.

3. How SOC can be more thoroughly integrated into analysis of elite bargains and political settlements

From a (post-)conflict and development perspective, the incidence of organised crime is especially relevant in contexts which are undergoing complex and uncertain processes of transformation—including those emerging from violent conflict and/or seeking to democratise (Briscoe & Kalkman, 2016; Jespersen, 2016; Uribe Burcher & Sample, 2017). In such contexts, a focus on political settlements and/or elite bargains that more explicitly and purposefully incorporates organised crime at the core of analysis among other relevant, powerful actors can be especially useful to develop a more grounded and politically aware understanding of how SOC actors relate to and are integrated into elite bargains and political settlements, how they affect power dynamics, the distribution of resources, and peace- and state-building processes more broadly, and to what effect. These questions have been explored in a wider literature on organised crime and its impacts on conflict and governance that can help to inform the kinds of issues related to SOC that an analysis of political settlements and/or elite bargains needs to take more consistently into account in order to provide a fuller and more accurate picture of realities on the ground and implications for change. Otherwise, there is a danger that such analysis overlooks important levers of power that fundamentally shape how and why things work the way they do and fails to capture the nature of the challenges at hand and how these can be better addressed.

Perhaps the most important insight from the wider literature on organised crime and politics that can substantially enrich the kind of political settlements and/or elite bargains research supported by international actors seeking to promote more peaceful, open and inclusive states and societies in more politically informed ways is that a clear and neat distinction between SOC and the state cannot be taken for granted (see, for instance, Kupatadze, 2012; Kleinfeld & Barham, 2018; Rosen et al., 2019; Gutiérrez-Sanín & Gutiérrez, 2022; Pearce, 2022). This is especially true in settings undergoing processes of transformation, including from violent conflict to peace and from authoritarian rule to democracy, because in such fluid contexts informal institutions are often not aligned with formal rules, and consequently the rule of law is weak. As suggested by a growing body of work on state capture (for example, Cockayne, 2016; Jespersen, 2017; Chabat, 2019), state penetration is a core focus of criminal groups as they seek to pursue their activities and maintain order. As such, organised crime needs to be understood as part and parcel of transformed power relations and ongoing economic, political and social processes of contestation, negotiation and bargaining between a range of different actors to define the ‘rules of the game’.

This can be seen in contexts and regions ranging from Africa to Latin America to Eurasia, where the links between organised crime and politics have played an instrumental role in shaping state-building trajectories and the quality of governance (Kupatadze, 2012; Ellis & Shaw, 2015; Briscoe & Goff, 2016; Jespersen, 2017; Uribe Burcher & Sample, 2017; Kleinfeld & Barham, 2018; Moriconi & Peris, 2019; Lewis & Sagnayeva, 2020; Gutiérrez-Sanín & Gutiérrez, 2022; Pearce, 2022). As such, SOC should not be seen as an 'alien threat' (Schultze-Kraft, 2016) or 'foreign body' (Briscoe & Kalkman, 2016) that is exogenous to the politics of power (Bojicic-Dzelilovic et al., 2015). Rather, it has to be treated as a systemic element of governance and competitive state-making in all sorts of transition settings (; Briscoe & Kalkman, 2016; Felbab-Brown, 2017).

Organised crime groups play diverse roles in political processes. Some non-state armed actors may be primarily political but depend on resources from organised crime activities (such as trafficking or smuggling) to pursue their goals. Others may be engaged mainly in illegal accumulation. And there are combinations of these. In all cases, these actors need to engage with politics and the state, while state actors may come to rely on them too, also in multiple ways (Pearce, 2022). As Nicholas Barnes (2017, p. 973) put it, '[a]ll violent organizations across the criminal/political spectrum are engaged in strategic interactions with the state that determine ... the nature of political authority in any given context'. Thus, assuming a stark divide between 'criminality' and 'politics' can obfuscate the origins and persistence of ongoing forms of violence, not all of which aim at bringing a state down, and the expansion of criminal organisations through their penetration of political institutions and alliances with state actors at both the local and the national levels (Pearce, 2022). So, to gain a fuller and more fine-grained picture of why things work the way they do, which is the ultimate aim of political settlements and/or elite bargains analysis, there is a need to focus on relations that anchor organised crime within political, social and economic processes at different levels, and to understand how these dynamics work as SOC actors interact with the state and other powerful elites from the local to the national to the transnational and global.

The nexus between criminals and other elites can include a variety of relations that will shape the nature of the political settlement. The activities and strategies of OCGs and their networks and organisational forms are multiple, adaptable and dynamic. These can be violent, adversarial or predatory, parasitic or consensual, and even symbiotic, based on co-optation (Uribe Burcher & Sample, 2017; Allum & Gilmour, 2019). They may involve the threat and use of violence but also varying types of non-violent interactions and transactions, such as clientelism, corruption, bargaining and pact-making, both explicit or more tacit, between a range of formal and informal power-holders and their constituencies (Barnes, 2017; Uribe Burcher & Sample, 2017). One crucial dimension of this interaction is the extent to which SOC and state actors collaborate or are complicit, or they compete, what these arrangements might look like on the ground, and what their impact might be in terms of not only the criminal-state nexus but also broader linkages with local populations, state-building processes and systems, and prospects for fostering more open and inclusive states and societies (Barnes, 2017; Uribe Burcher & Sample, 2017).

Barnes (2017) outlines four such schematic arrangements of competition or collaboration between SOC and state actors that vary from confrontation (high competition), to enforcement evasion (low competition), to alliance between the two

(low collaboration), to integration (high collaboration). This framework is useful to help political settlements and/or elite bargains analysis explore and better understand the diverse composition of criminal activity, linkages between organised crime, politics, the economy, public authorities and the ‘rules of the game’, how and why organised crime engages with or competes with the state and other elites and builds linkages with local populations—and the effect all this has on state-building processes and prospects for fostering more peaceful, open and inclusive states and societies. The framework also points to a promising area of future research in international development, as the mechanisms through which OGCs engage with states and their agents in different ways in different settings, and how they influence politics and the economy as a result, remain understudied and need further exploration (Barnes, 2017; Jespersen et al., 2020; Gutiérrez-Sanín & Gutiérrez, 2022). According to Briscoe and Kalkman (2016) these issues are, however, daunting in the scale and complexity.

The discussion below begins to explore key questions related to this gap through various dimensions that are at the core of political settlements and elite bargains, and on prospects for more peaceful, open and inclusive states and societies.

3.1. Relevant elites

Elites may well be the ‘bread and butter’ of political settlements and/or elite bargains analysis. Having a contextually grounded understanding of who are the relevant elites in a given context, the relative balance of power between them, what shapes their interests and behaviours, what determines relationships and hierarchies between different elites and between elites and their constituents, and how such relationships change over time—all of these and more are at the core of what it means for international development actors to think and work politically.

Yet, as discussed earlier, little of the donor-funded research on political settlements and/or elite bargains has incorporated SOC actors as relevant elites in a substantive and systematic way. This is critical, since SOC actors are themselves integral elite players who contribute to shaping and re-shaping elite bargains and underlying political settlements and ‘rules of the game’, and hence will have considerable influence on prospects for peace and prosperity. As Charles Tilly (1985) famously put it, organised crime groups and networks (such as protection rackets) have been an essential component of state-building in the west (see also Acemoglu et al., 2020), and they remain a crucial and highly influential (f)actor in processes of bargaining and contestation in countries and regions the world over (Briscoe & Kalkman, 2016; Barnes, 2017).

A driving interest and concern for SOC actors is the pursuit of financial and other material gains by illegal and criminal means (Kupatadze, 2012; Ellis & Shaw, 2015; Schultze-Kraft, 2016; Barnes, 2017; Uribe Burcher & Sample, 2017; Albarracín, 2018; Allum & Gilmour 2019). If elite bargains are in part ‘provision pacts’ held together by the distribution between elites of exclusive economic privileges and opportunities, or rents (Cheng et al., 2018), then SOC is an integral part of this. For instance, in countries ranging from Afghanistan to Guatemala and Iraq to Nigeria, the existence of vast parallel or shadow economies, such as illicit drug-trafficking, illegal mining and oil theft, coupled with systemic public-sector corruption, provide the resource base that underpins both

more discrete elite bargains and political settlements more broadly (Schultze-Kraft, 2016). As recent research has suggested, however, the actions of criminal organisations should not be reduced simply to this economic/financial drive or incentive (Schultze-Kraft, 2016, 2019; Gutiérrez-Sanín & Gutiérrez, 2022; Pearce, 2022). While organised crime actors may not aspire to take formal control of, replace, or break away from the state, they also have political interests and ambitions, and as such they need to be recognised as relevant political actors. In particular, (post-)conflict and other transition settings offer a crucial opportunity for embedding criminal power within the political system—and the underlying political settlement—ensuring that the new ‘rules of the game’ are enforced in ways that maximise criminal actors’ control of criminal markets and rents (Cockayne, 2016; Briscoe & Goff, 2016; Cockayne & Roth, 2017; Uribe Burcher & Sample, 2017).

Importantly, as the above discussion suggests, organised crime involves a range of actors well beyond professional criminals. Organised crime infiltrates politics and business: criminal interests span the public–private divide and involve non-state and state actors (Schultze-Kraft, 2016). As Markus Schultze-Kraft (2016, p. 3) has noted, ‘[t]he people who plan, steer and implement these operations varyingly include mafia bosses, drug kingpins, paramilitary and insurgent commanders, warlords and gang leaders—but also politicians, military and police officers, civil servants, investment bankers, cargo ship captains and accountants, among representatives of many other professions’. The extent and scope of the dark underworld of organised crime, and ‘its ability to launder not only its money, but also its kingpins and profiteers, through the traditional systems of business, high finance and politics have become increasingly brazen’ (Shaw & Reitano, 2016).

By building highly resilient organisations, accumulating vast resources, and marshalling the effective use and threat of violence to operate—often enabled by all sorts of political, economic, social, technological, environmental, and legal developments—OCGs wield considerable economic and political power (Ellis & Shaw, 2012; Kupatadze, 2012; Briscoe & Goff, 2016; Schultze-Kraft, 2016; Barnes, 2017; Uribe Burcher & Sample, 2017; Allum & Gilmour, 2019; Jespersen et al., 2020a). Among other things, organised crime networks have sought political muscle not just to secure control of or access to illicit markets, but also to shape policies (for instance in relation to extradition), access lucrative public contracts, acquire state resources, influence the outcomes of electoral contests at different levels, assert territorial control and authority, provide order, and make the rules that govern society in the areas where they operate (Barnes, 2017; Uribe Burcher & Sample, 2017).

Thus, the ways in which OCGs exercise power—economic, political, social, cultural—and how they interact with and forge, maintain, and/or break links with other elites at different levels, from the local to the global, profoundly affects the nature of elite bargains and underlying political settlements and how they evolve over time. Political settlements and elite bargains analysis that does not incorporate SOC may end up focusing on the ‘usual suspects’ in business, politics, the military, and so on, in ways that overlook the effect of organised crime on development and prospects for more peaceful, inclusive and resilient states and societies.

3.2. Violence and the (relative) stability of elite bargains and political settlements

The literature on political settlements and elite bargains has highlighted that political settlements that are inclusive at the elite level are crucial to avoid a recurrence of violent conflict in the short term (see Rocha Menocal, 2015a for an overview). On the other hand, this research has also increasingly found and recognised that while political settlements and elite bargains may provide crucial sources of stability, this does not mean that they fully contain political violence. For example, work on elite bargains and political deals undertaken by Christine Cheng and colleagues (Cheng et al., 2018) highlights the importance of understanding different types of violence and the purposes or functions they may serve. They distinguish between *competitive* violence, which may lead to the collapse of a political settlement, violence *embedded* in elite bargains, which is in fact integral to how a political settlement operates, and *permissive* violence, whereby the state does not have monopoly on the use of violence, and violence coexists as part of the system without being embedded in it (Cheng et al., 2018; Meehan, 2018; see also Berdal & Zaum, 2013). In other words, violence may not simply be the reflection of political crisis, but may also be a core characteristic of the very making, functioning and reproduction of political settlements and elite bargains (Pospisil and Rocha Menocal, 2017; Schultze-Kraft, 2017; Cheng et al., 2018; Heaven et al., 2022)—and it can thus be a defining mechanism for building political order and stability (see, for example, Perera, 2017; Schultze-Kraft, 2017).

Critical questions arising from this are what ‘crimi-elite’ (Williams, 2018) power, or what Cockayne (2016) has referred to as ‘criminal peace, and Schultze-Kraft (2016) calls ‘crimilegal’ governance, looks like, how it works within a given socio-political order, and how it affects prospects to foster more peaceful, open, inclusive, equitable and representative politics. Incorporating such questions more fully and explicitly in work on political settlements and elite bargains can help researchers and practitioners explore in greater depth how organised crime affects issues related to violence and stability and what might be the connections between SOC and state actors.

3.3. Stateness, state capacity and political will

Closely related to the issue of violence is the question of stateness. Understanding how the state functions and why is at the very core of political settlements and elite bargains analysis. As much of that work has highlighted, the state is not monolithic, nor is it ever a finished product. It is always in the making, as is public authority (see, for instance, Hickey et al., 2014). In many conflict-affected and other transition contexts, the state is often not sufficiently autonomous, does not wield uncontested authority or legitimacy, and does not have a monopoly over the means of coercion throughout its territory. Rather, it faces competing sources of power, legitimacy, violence and ideology. The state’s nature and orientation, and its linkages with society, are thus fundamentally shaped by processes of bargaining and contestation among groups within and outside the state (see, for example, DiJohn & Putzel, 2009; Khan, 2010; Hickey et al., 2014; Rocha Menocal, 2015, 2017; World Bank, 2017; Cheng et al., 2018; Khan, 2018; Hickey & Hossain, 2019; Kelsall & Hickey, 2020; Heaven et al. 2022).

But, as highlighted above, the ways in which the state operates, at both the subnational and national levels, cannot be fully understood without looking at how organised crime interacts with it and affects stateness. Where power is located, and how formal and informal institutions interact in ways that give substance and meaning to parallel structures and centres of non-formal authority, will also be shaped by organised crime actors. As work from across Asia, Africa, and Latin America shows, the state can be experienced in uneven and contradictory ways (Kupatadze, 2012; Ellis & Shaw 2015; McCullough, 2015; Mcloughlin, 2015; Gledhill, 2017; Pansters 2018; Kleinfeld & Barham, 2018; Moriconi & Peris, 2019; Domingo & Jespersen, 2022). As Domingo and Jespersen (2022) have put it in the case of Latin America:

‘Sophisticated state capabilities, for instance, in central bank governance, can coexist with high levels of state capture by or complicity with organised crime or limited state capacity to provide and protection to the population. Arguably, all societies have differentiated experiences of stateness. But susceptibility to such factors as capture by criminal organisations and related corruption and conflict will have an impact on the quality of state presence and how even and legitimate it is or is perceived to be.’

The Latin American experience also shows that state presence also varies and takes different forms at subnational levels and over time. This in part reflects shifting political and economic alliances in relation to organised crime and whether they are useful to or threaten local political and social life (Maldonado, 2018; Pansters, 2018; Moriconi & Peris, 2019; Domingo & Jespersen, 2022).

A greater recognition of how SOC affects stateness can be especially useful in terms of problematising simplistic and linear notions of both state capacity and political will, which once again lie at the core of what political settlements and/or elite bargains analysis and political economy analysis more generally seek to do (for example, Hudson et al., 2016; Rocha Menocal, 2015b, 2017; Hickey, 2019; Kelsall & Hickey, 2020; Marquette, 2022). How SOC and the state interact at different levels, and the kinds of violence these dynamics engender, will shape both. A fundamental assumption in mainstream development thinking on conflict and fragility is that countries that have high levels of violence are weak—interpreted as lacking both state capacity and political will. But if we explore both capacity and will through an appreciation of the criminal–politics nexus along the lines that have been suggested above, including for example an understanding of the degree of competition or collusion that may exist between state and SOC elites (Barnes, 2017), and the different kinds of violence these arrangements generate, a more complex and nuanced picture emerges.

So, for example, in contexts where the state has little presence, it may agree to co-exist with SOC actors, in a quasi-alliance arrangement, following Barnes’s (2017) framework, and turn a blind eye to the activities and methods of OGCs in areas that the latter control. In such instances, the core problem may indeed be related to weak state capacity, though political will itself may not be lacking: an alliance with SOC is more of a strategic choice or calculation given the prevailing conditions. As Cheng and colleagues (2018, p. 33) found, ‘lootable and diffuse resources such as drugs in Afghanistan and alluvial diamonds in Sierra Leone are more difficult for state actors to monopolise and

tax, commonly leading to ‘joint extraction’ agreements between state and non-state actors’. These would be instances of permissive violence whereby elite bargains, mediated through brokers at the subnational level, prove pivotal to stability.

In other cases, where the collusion between SOC and state actors is more intense and the links between the state and criminal activity become increasingly difficult to untangle, elites across the criminal–political spectrum may have incentives that favour privileging the logic of their narrow bargain or settlement and preserving their vested interests rather than tackling underlying causes of state capacity. In such cases, maintaining weak formal institutions may be the very point. The Sicilian Mafia provides a historic example of this. The Mafia has played a defining role in Sicilian politics and the economy for at least 150 years, and has been one of main factors for why Sicily has lagged behind many other regions in Italy in economic and social development (Acemoglu et al., 2020). As the chief prosecutor at the Palermo Court of Appeal, Diego Tajani, put it back in 1875, ‘[t]he Mafia in Sicily is not dangerous or invincible in itself. It is dangerous and invincible because it is an instrument of local government’ (quoted in Acemoglu et al., 2020, p. 538).

This is also the argument, confirmed by their evidence, that Rachel Kleinfeld and Elena Barham (2018) develop in their research on why some high-capacity democracies have high levels of internal violence, looking at countries across various regions including Europe, Latin America, West Africa and the Sahel. In countries such as Guatemala, Honduras and Mexico in Latin America, and Mali and Nigeria in the Sahel and West Africa, criminal activity can be deeply embedded in political economies, especially at the subnational level, and this often generates relatively stable dynamics of acceptance, tolerance, and complicity among local elites (Reitano & Shaw, 2015; Jespersen, 2017; Schultze-Kraft, 2017; Maldonado, 2018; Williams, 2018; Briscoe & Keseberg, 2019). As these histories evolve in response to context as well as specific policy responses (including in neighbouring countries), the nature of crime-related violence also changes (Domingo & Jespersen, 2022), which will in turn affect issues related to state capacity and political will.

3.4. Legitimacy

Legitimacy is another deeply contested process at the heart of state–society relations that is crucial in shaping the sustainability of political settlements as they evolve. As the 2011 *World Development Report* (World Bank, 2011) put it, legitimate institutions constitute the ‘immune system’ of a functioning and resilient state. Once again, understanding how organised crime may affect legitimacy and states–society relations is a dynamic that ought to be at the core of political settlements and/or elite bargains analysis in international development, as it is likely to have a significant impact on the resilience of a given elite bargain and underlying political settlement, and how broadly accepted or contested it might be. An analysis of legitimacy that considers the importance of SOC actors more purposefully and systematically is essential for effective strategies and practice because it should help to problematise assumptions that increasing state presence and public services will seamlessly help to tackle organised crime, tease out tensions and dilemmas that may arise, and surface potential unintended consequences. Such assumptions need to be assessed and tested taking into account how SOC and state actors interact, and the extent to which they compete or collude.

The existing literature highlights two issues in particular related to legitimacy that are especially relevant from an elite bargains/political settlements perspective: (state) performance in relation to core functions such as security and the provision of other basic services; and social responses to SOC and its (real or perceived) linkages to the state.

In terms of state performance and public services, research and evidence (in international development and more broadly) have found that state authorities are not the sole repositories of legitimacy, and that non-state actors often vie for, and gain, legitimacy, through among other things filling real or perceived gaps in state performance (McCullough, 2015; McLaughlin, 2015). The potential impact of organised crime on legitimacy is also a question that is beginning to be explored in more detail in international development as well as in the broader literature (see, for example, Felbab-Brown, 2017; Jespersen et al., 2020a; Domingo & Jespersen, 2022), though for the most part this research has not been framed through an political settlements and/or elite bargains lens. Emerging findings from this body of work suggest that organised crime actors are not always and automatically perceived as illegitimate. On the contrary, at times they can successfully compete for legitimacy in relation to other relevant actors in state and society, at both the subnational and national levels (Felbab-Brown, 2017; Moriconi & Peris, 2019; Schultze-Kraft, 2019; Jespersen et al., 2020a, 2020b; Gutiérrez-Sanín & Gutiérrez, 2022).

Among other things, illicit activities and economies can be a crucial source of resource distribution to marginalised populations, and this can greatly increase the political capital of SOC actors. This is one of the findings in the review by Jespersen and colleagues (2020a) on the impact of organised crime on development. As Felbab-Brown (2017) has argued in relation to conflict zones—but is also frequently the case in other transition settings, where state presence is weak or contested, by sponsoring illicit economies (see, for example, Barnes, 2017; Williams, 2018; Córdova, 2019; Blattman et al., 2021; Gutiérrez-Sanín & Gutiérrez, 2022)—SOC actors fill a vacuum and/or successfully compete with state efforts and policies in terms of providing basic or alternative livelihoods and real-time security and social and economic benefits to local populations, including clinics, roads, sewers, schools and employment in SOC activities. In the process, they also provide a modicum of stability.

Recent research also suggests that, in settings ranging from Afghanistan to Colombia to Kosovo, SOC actors have powerful incentives to provide such services to local populations, and even to set up parallel systems of governance (Cockayne & Roth, 2017). In the case of Medellín in Colombia, for example, Blattman and colleagues (2021) found that criminal groups resolve disputes, police neighbourhoods, enforce contracts, and tax businesses in their territories—not necessarily to step into a vacuum left by the state, but because establishing their authority and purposely excluding the state or keeping it weak protects other illicit businesses, such as drug dealing. As Briscoe and Keseberg (2019) have documented, local political contexts shaped by cronyism and rent-seeking have been at the forefront of the interests of organised crime owing to the opportunities to co-opt underpaid local police, gain public contracts to launder money and/or divert public funds for illicit enrichment while also benefiting from comparatively lower levels of oversight.

In these different ways, what may be considered illegal or illicit from the outside could be seen as highly legitimate or beneficial by local populations. This will mediate the extent to which a local population welcomes or at least tolerates the presence of SOC actors, and relevant authorities collaborate or turn a blind eye. In the process, SOC actors become potent power brokers and political actors (Cockayne & Roth 2017; Felbab-Brown, 2017; Blattman et al., 2021), fundamentally shaping elite arrangements on the ground and underlying ‘rules of the game’.

Another critical dimension of legitimacy that needs to be integrated more fully in donor-funded research on elite bargains and political settlements relates to social responses to organised crime and the criminal–political nexus. As an emerging body of literature suggests (see, for instance, Domingo & Jespersen, 2022), social groups will respond in various ways. Some of these may be violent, others less so.

One important—and violent—response has been the emergence of paramilitary/self-defence groups in local communities to provide protection and security against the activities of SOC actors. In the case of the State of Michoacán in Mexico, for example, where the state has not been actively controlling criminal violence, self-defence groups have arisen to take matters into their own hands, accruing considerable legitimacy and trust from the local population as a result (Domingo & Jespersen, 2022). Self-defence groups may not be acting to advance the greater public good. Nevertheless, in the words of Domingo and Jespersen (2022) ‘they have been hailed as bearers of order and protection by the communities or interest groups that they represent or that have called [up]on them to address the violence of criminal organisations’. However, the linkages and dynamics between these kinds of armed non-state actors SOC groups and the state are also highly complex, as there are different levels of competition and complicity among all three (as can be seen in the case of Mexico as well as in countries like Colombia and Guatemala), and these need to be analysed more thoroughly, including through political settlements and/or elite bargains analysis.

Another widespread social reaction to SOC, and in particular the state’s complicity with crime in its different manifestations (direct, indirect, overt, tacit, proactive or passive) has been what Briscoe and Kalkman (2016) have described as ‘near-universal discontent’ with elites that are seen as irredeemably corrupt and out of touch, and dissatisfaction with political systems—in countries ranging from Albania, Brazil and Mexico to Nigeria, Serbia and Ukraine—that, while ostensibly democratic, are perceived as dysfunctional and failing to provide for citizens’ needs and aspirations. This disillusionment has profoundly undermined the legitimacy of and the trust that citizens place in the state and its formal institutions (Briscoe & Keseberg, 2019). It has also fed polarisation, fragmentation, growing popular protests and mass mobilisation, as in the so-called ‘colour revolutions’ in Georgia, Kyrgyzstan, and Ukraine (Kupatadze, 2012; Briscoe & Goff, 2016), and at times even a severe backlash in the form of support to extremist groups, as in Mali and Nigeria (Briscoe, 2014; Schultze-Kraft, 2019).

In some instances, this anger and frustration has been channelled into efforts to promote reform and positive change, including through demands for greater transparency and accountability (as in the protests that brought down Guatemalan President Otto Pérez Molina in 2015 for his complicity in orchestrating a customs racket), and the establishment of different forms of local participation to seek security

and protection from violence, not only from organised crime/gangs but also from complicit state bodies (see, for example, Briscoe & Goff, 2016; Briscoe & Kalkman, 2016; Domingo & Jespersen, 2022). However, these very often fail to break the criminal-politics nexus in more fundamental ways (as witnessed by the fate of the various ‘colour revolutions’ in Eurasia and what has happened in Guatemala since Pérez Molina was ousted; see also Domingo & Jespersen, 2022).

3.5. Electoral Politics

One of the most significant ways in which SOC infiltrates political systems is through electoral politics, including in terms of their influence on elections at both the national and especially the local level, as well as political parties. This question of how criminal actors seek to capture and shape their political environment through the electoral process, and what effects this might have on governance and state-society relations—especially in (post-)conflict and other democratising settings—is a concern that is also increasingly recognised in the field of international development.

The work on ‘protecting politics’ that International IDEA has undertaken over the course of several years to explore the nexus between organised crime and elections, political parties, service provision and accountability is a prominent example of this recognition (for example, Briscoe & Goff, 2016; Andía & Hamada, 2019, among many more related publications available on the International IDEA website;⁵ see also Jespersen et al., 2020a). For the most part, however, this question has not been explored through the lens of political settlements or elite bargains—although it could not be more relevant. This nexus poses a set of challenges to current conceptions of fragility, pathways from conflict, and prospects for fostering more open and inclusive politics in these and other transition settings.

How do SOC actors influence electoral politics?

Evidence suggests that the impact of the flow of illicit money into electoral politics and associated networks of political corruption can be especially pernicious in relation to the quality of representation and democratic governance more generally (see, among many others, Briscoe & Goff, 2016; Albarracín, 2017; Barnes, 2017; Blume, 2017; Felbab-Brown, 2017; Uribe Burcher & Sample, 2017; Allum & Gilmour, 2019; Andía & Hamada, 2019; Jespersen et al., 2020a). In principle, political corruption is distinguishable from organised crime. In practice, however, the boundaries separating them are far less clear-cut, and the two are frequently closely entangled (Briscoe & Goff, 2016; Cockayne & Roth, 2017; Morris, 2019).

Electoral politics can be extremely expensive, and the necessity of winning elections for political survival, or what Tom Carothers (2006) has referred to as ‘relentless electoralism’, often generates incentives between SOC and political parties/politicians seeking office that are at the core of elite bargains, spoken and unspoken arrangements, and underlying political settlements and ‘rules of the game’. As Briscoe and Coff (2016),

⁵ See: <https://www.idea.int/search/node/protecting%20politics>

Schultze-Kraft (2016), Barnes (2017), Allum and Gilmour (2019), Andía and Hamada (2019), Córdova (2019) and others have highlighted, there are considerable networks of cooperation and complicity among political actors seeking advantages in competitive elections and criminal groups angling for protection or impunity. Entrenched systems of political patronage, including campaign funds, serve as mechanisms through which SOC can support political parties and candidates, at the national level but especially at the local level. In the words of Schultze-Kraft (2016, p. 14), 'it takes two to tango, as it were: organised crime is acting in concert with political and other elite sectors in the context of political systems and governance structures often characterised by clientelism, patronage, informality, corruption and illegality'.

Briscoe and Goff (2016) document, for example, that rural voters in Guatemala have been highly supportive of various local drug traffickers when they provide local employment or fund social welfare (as highlighted earlier), which in turn makes these criminal actors attractive allies to both national political and local political parties and political bosses. Other scandals in the region also illustrate this intense collusion between SOC actors and political parties and politicians/political bosses at work, including the so-called *parapolitica* scandal in Colombia, in which considerable numbers of elected members of Congress have been indicted for colluding with local landlords and narco-paramilitary groups since 2006 (Grajales, 2015; Briscoe & Goff, 2016; Barnes, 2017; Uribe Burcher & Sample, 2017; Andía & Hamada, 2019), and Operation *Lava Jato* or Car Wash in Brazil, which has been described as 'the biggest corruption scandal in history' for its vast links to transnational organised crime networks (Watts, 2017; see also Andía & Hamada, 2019; Briscoe & Keseberg, 2019).

In other instances, where crime-politics dynamics are more competitive and confrontational, SOC actors may seek to influence electoral processes and their outcomes in more violent and coercive ways. Research suggests that SOC-related electoral violence, including the assassination of politicians and candidates running for office, is more likely when there is greater fragmentation among political and criminal groups and the 'rules of the game' and/or arrangements and understandings (over who controls a market, or a network, or who is in whose pocket, and so on) are contested and in the process of being renegotiated (Barnes, 2017; Blume, 2017).

Mexico is a powerful illustration of this. Cartels have proven hugely successful in infiltrating electoral processes from the municipal to the state to the national levels through collusion with different parts of the political (and economic) establishment (Morris, 2019), but they have also engaged in a much more ferocious and brutal struggle to establish their authority and control through electoral violence, including in terms of who can run for office, especially at the subnational level (see Barnes, 2017; Blume, 2017; del Pilar Fuerte Celis et al., 2019; Álvarez-Rodríguez et al., 2020; Domingo & Jespersen, 2022). According to Blume (2017), for instance, cartel-related violence in Mexico was responsible for the assassinations of 82 mayors and 209 politicians between 2005 and 2015. Mexico's 2021 mid-term elections were the most violent to date, resulting in the intimidation, harassment or assassination of hundreds of political activists, campaigners, and candidates by competing cartels, especially at the municipal level (Justice in Mexico, 2021).

As this discussion suggests, politicians and criminal groups interact in electoral politics various ways, depending on the extent to which they collaborate or compete, using Barnes's (2017) framing. At times they can work as 'conjectural allies', while at others they may clash in efforts to exercise control and win over the loyalty of certain populations, especially at the local level (Albarracín, 2018)—and these different strategies often co-exist and overlap. What is clear is that the criminal-politics nexus has far-reaching consequences for the exercise of power and public authority, which actors and whose voices have greater weight and influence and why, and what this means for the quality of (democratic) governance and state-society relations, and prospects for more open and inclusive politics. So, it is essential to understand how these dynamics work, whether they result from collusion or competition or both, and to what effect.

4. Conclusion

As this paper has shown, a more thorough and purposeful incorporation of SOC can enrich the substance, quality, depth and detail of how we understand political settlements and elite bargains analysis. This is important for both international and domestic actors to enable them to sharpen their understanding of and capture more accurately how things work in a given context and why, and what this implies for prospects to foster more peaceful, open and inclusive states and societies. With its emphasis on elite incentives and interests, power relations and institutional dynamics, political settlements analysis is well suited to integrating SOC more fully and explicitly. Failing to do so, on the other hand, risks omitting from the analysis powerful actors who have considerable influence in shaping the ‘rules of the game’ and pathways for change, which could lead to misguided assumptions or diagnoses of what is going on in a particular setting and why, and policy approaches and responses that can generate unintended consequences or even do harm (Cockayne, 2016; Blattman et al., 2021).

SOC actors are far from being unusual outliers in development. Rather, they are a systemic element of governance and state-making in all sorts of settings undergoing important processes of transformation, including from violent conflict to peace and from authoritarian rule to democracy. As it has been increasingly recognised in international policy-making circles, while dominant responses to SOC to date continue to rely heavily on law enforcement and the military, SOC is also a challenge to development and governance and needs to be better understood as such (see, for example, Jespersen, 2015; Reitano et al., 2018). Although there are concerns that better incorporating a focus on SOC in development programmes may lead to further securitisation, or even the militarisation of development, there is also a growing acknowledgement that development can make a valuable contribution to efforts to tackle organised crime (Jespersen, 2015).

Drawing on insights from a wider body of research on organised crime and its impact on development, politics and governance, as well as the linkages between criminal and political violence, this paper has examined how research on elite bargains and political settlements can explore SOC more consistently and systematically through a politically informed focus. A deeper exploration of how SOC affects the nature and quality of elite bargains and political settlements, and to what effect, is essential in order to unpack and refine our understanding of crucial dimensions related to elite bargains/political settlements, from violence and stability, to stateness, state capacity and political will, to legitimacy, and electoral politics.

Some of the questions that this paper has tried to highlight in order to guide more purposeful thinking on the crime–politics nexus include:

- What are the relations and power dynamics that anchor organised crime within political, social and economic processes at different levels, and how do these dynamics work as SOC actors interact with the state and other powerful elites, from the local to the national to the transnational and global?
- How do SOC actors/networks influence the state at different levels? Do they collaborate, or compete—and when, how and why, and to what effect?

- What does ‘crimi-elite’ (Williams, 2018) power, or ‘crimilegal’ governance (Schultze-Kraft, 2016) look like in practice? How does it work within a given socio-political order, and how does it affect prospects to foster more peaceful, open, inclusive, equitable and representative politics?
- What do these interactions and links imply for violence, stability, and prospects for peace? For presumed weak state capacity and lack of political will, including in terms of how the state functions and how authority is exercised and by whom? For legitimacy and how it is constructed and contested and what this implies for the relationship between states and citizens and the resilience of given political orders? For electoral politics and whose voices may count more or less, why, and to what effect?
- How do all these dynamics affect the nature and substance of elite bargains and political settlement and how these evolve over time?

Answers to these questions are, of course, context-specific and they will need to be examined empirically, through research and policy lesson-learning. However, the literature that has been analysed and illustrated in this paper helps to articulate key insights about the complex nature of the nexus between SOC, political settlements and elite bargains that need to be more thoroughly incorporated into analysis of political settlements and elite bargains in order to develop a more nuanced and accurate understanding of prospects to foster more resilient, peaceful, and inclusive and open states and societies.

Among other things, some key findings and insights that have emerged include:

- Countries and other settings in the midst of transformation processes (in particular from violent conflict to peace/stability and authoritarian rule to democracy), which play out against a backdrop of fragmented political systems and weak formal institutions that are not aligned with informal ones, provide fertile ground for functional alternatives to arise in concert with organised crime.
- Different forms of violence are interconnected and it is essential to stop thinking of violence as taking place in self-contained silos (either conflict-related or criminal violence) that do not spill into other areas.
- Violence can be the result of a breakdown of an elite bargain or underlying political settlement, or it can be a key factor in sustaining a given arrangement and ‘rules of the game’, with very different implications for policy.
- Organised crime actors are not only financial/economic but also political, and can have a profound impact on political settlements and ‘rules of the game’.
- Organised crime involves a wide range actors well beyond professional criminals, and state and economic elites, as well as transnational actors, are often linked to criminal networks.
- A thorough understanding of organised crime actors, their power in relation to other actors, and the interests, incentives and objectives that drive them, need to be incorporated into any analysis of political settlements and pathways towards more inclusive politics.

- There are vast opportunities in the SOC–politics link, particularly at the local level.
- Any assessment of national and international policies on organised crime, and their shortcomings in practice, must begin by recognising the ways in which crime is deeply embedded in society and politics.
- Significant tensions, dilemmas and trade-offs are likely to emerge from such analysis, which will not be easy to navigate or address. As Cheng and colleagues (2018) note, '[s]ignificant trade-offs exist between stabilising violent conflict, promoting economic development, tackling illicit economies and organised crime, and pursuing poverty reduction' (p. 2). These tensions and dilemmas are also clear in the forms of horizontal inclusion required to stabilise violent conflict and attempts to foster more peaceful, open and inclusive politics over the longer term, *while SOC brings additional layers of complexity to this challenge that need to be considered*.
- Electoral politics are a particularly powerful example of this, which SOC actors have thoroughly infiltrated as a means to protect their interests, either in collusion with other crucial stakeholders in state and society, or in active confrontation, or a combination of both.
- All these linkages also have considerable international/global dimensions that involve actors and interests not only in (post-) conflict or other transition settings, but also in well-established democracies and other highly functional states.
- Possibilities for innovative policy responses to the nexus between SOC (and other crime) and politics—involving broader institutional or judicial reform, or even efforts at cultural change—are themselves conditioned by the embeddedness of criminal influence in national elites, and particularly in central governments.

The analysis developed in this paper is intended to invite further dialogue on the nexus between serious organised crime and political settlements/elite bargains. The discussion has highlighted the need to encourage greater cross-fertilisation between experts in organised crime, international development and foreign affairs, and to build more synergies across different literatures and conceptual approaches to draw out more nuanced implications for policy and practice. This paper has sought to contribute to this by building a bridge between the wider literature on SOC, politics and development and the literature on political settlements/elite bargains, suggesting how SOC can be integrated more purposefully into the latter.

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