The Illicit and Illegal in Regional and Urban Governance and Development

Corrupt Places

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1 Grey governance and the development of cities and regions

The variable relationship between (il)legal and (il)licit

Francesco Chiodelli, Tim Hall, Ray Hudson and Stefano Moroni

Introduction: Key questions on the illicit and the illegal

It has long been recognised within political, legal, criminal justice, media and civic circles that a range of illicit actors and acts have been – and continue to be – part of the processes and institutions of urban and regional governance and development across a diverse, international terrain. There are numerous historical and contemporary examples that have caught the broader imagination and upon which this view is founded. They include: the deep embedding of criminal organisations within the societies, economies and cultures of countries such as Italy and Japan (Glenny, 2008; Hill, 2005; Paoli, 2005; Sergi and Lavorgna, 2016); the criminalisation of the Russian economy during the phase of its chaotic transition to a market economy during the 1990s (Castells, 2000; Dunn, 1997; Galeotti, 2005a and 2005b); the significant revenues derived from illegal markets such as those associated with drug and people trafficking in places such as Afghanistan, Colombia and China (Bagley, 2005; Castells, 2000; Goodhand, 2009; Goodhand and Mansfield, 2013; Goodhand and Sedra, 2015; Scott-Clark and Levy, 2008); internationally dispersed cases of corruption (Brown and Cloke, 2007); and the deep involvement of illicit actors in money laundering and the investment of illicit finance in real estate and urban development (Unger and Ferwerda, 2011). These illicit actors and activities have, for example, been cited as significant players in the development of cities as diverse as Las Vegas (McCracken, 1997) and Mumbai (Weinstein, 2008). It should be stressed, however, that the influence stretches far beyond this handful of examples – something that this collection will demonstrate.

The roles that illicit and illegal activities have played in urban and regional development and governance are also extremely diverse. They include the generation of economic revenues, in some instances within urban and regional contexts otherwise characterised by poverty and a lack of legitimate economic alternatives; social governance through fear; the threat of violence and normative influence over urban and regional cultural spheres; political governance through the development of symbiotic relations with the state at regional and urban scales; and corruption and the capture of the state and its associated development institutions and processes.

Despite the presence and significance of the illicit and the illegal in the governance and development of cities and regions, in its many forms, systematic attention by academics interested in these issues has been extremely limited. Those contributions that have emerged have tended to be very restricted in their disciplinary range, and they have been largely confined to the literatures of anthropology, criminology, sociology, policing and, to some extent, political science. However, these debates have impinged little on cognate literatures, not least those of economic and political geography, regional studies, planning and urban development, which remain almost entirely undisturbed by such issues. The editors of this volume have all independently been engaged in attempts to open up the space for the discussion of these issues within the aforementioned disciplines (Chiodelli and Moroni, 2015; Chiodelli, 2017; Hall, 2013; Hudson, 2014).

This volume aims to open up debates in urban and regional studies to the questions posed by the involvement of illicit and illegal actors and acts in urban and regional governance and development. In so doing, its intention is not only to extend empirically the scope of debates in urban and regional studies, but also to question conceptually the hitherto dominant discussions of governance and development that have been rooted largely or entirely in the realm of the licit and legal. It will seek to open up a multidisciplinary perspective, which critically interrogates both empirical and theoretical material.

The dialogues that this volume seeks to foster will be organised around four groups of key questions. These are obviously closely intertwined, but they can be separated at least from an analytical viewpoint. These key questions are as follows:

- First, *conceptual and definitional questions*, which refer, for instance, to the way in which we conceptualise and define what is licit and what is illicit, what is legal and what is illegal. Issues related to the variability of these definitions and to their shifting and blurred boundaries are very relevant here.
- Second, *empirical and explanatory questions*, which refer to the description of the phenomenon. These examine, for instance, the features and forms assumed by illicit and illegal acts in a specific context, and the reasons why a certain illicit or illegal act is performed (that is, its determining cultural, socio-economic and institutional factors).
- Third, *evaluative questions*, which refer, broadly speaking, to different aspects of societal judgement of an illicit or illegal act.
- Fourth, *policy questions*, which refer to what can be done and who has the power to act (for instance, in terms of public actions) in order to deal with illicit and illegal acts.

The spatial dimension in the study of illicitness and illegality

It should be stressed that, with reference to each of these key questions, the role of the spatial dimension is important. To mention just one example, consider the spatial variability of definitional questions, that is, the fact that the definition

of what is (il)legal and (il)licit changes – sometimes profoundly – in different geographical contexts. The example of cybercrime neatly illustrates this spatial contingency. Cybercrime, in its now many guises, is universally prohibited in law. Despite this, there is compelling evidence that it, or rather practices that, empirically, do not differ from what is recognised in law as cybercrime, have been practised by governments, or their agents, from nations such as Russia, China, North Korea, the USA and the UK. In addition to this illegality, cybercrime tends to be regarded as a socially unacceptable illicit practice. However, this is not universal. In some contexts, such as in Nigeria, it is seen, even celebrated, as a socially licit, politically and economically motivated act. For example, the hugely popular song 'I Go Chop your Dollar' was a celebration of 419 (cyber) scams that targeted Western victims. This particular view of cybercrime arose out of combinations of a number of factors specific to Nigeria, including a history of early pioneering of fax and computer scams, a lack of opportunities within the legitimate economy, a history of predation by Western colonial powers and a more recent history of aggressive exploitation, and the associated environmental damage, by Western corporations (Glenny, 2008: 207–210). Cybercrime in Nigeria would appear to be viewed there through discourses of economic necessity, cultural legitimacy and political revenge. Such locational analyses of potentially criminal activities open up the often multiple discourses of licit and illicitness attached to them across international space.

When the disciplines of anthropology, criminology, economics, political science and sociology have engaged with issues concerning the presence of illicit and illegal activities within developmental and governance spheres and their impacts, they have framed them in distinctive ways and considered a number of the questions outlined above. However, the spatial dimensions of the illicit and the illegal are often neglected within the perspectives of these disciplines. This is a significant omission, since many illicit and illegal activities (such as corruption and organised crime) tend to have specific spatial aspects and contexts that are yet to be fully articulated within academic literatures. On the other hand, the disciplines that focus mainly on socio-spatial concerns, spatial forms and their generative social processes (such as geography, urban and regional studies and planning) rarely recognise and analyse the relevance of the illicit and the illegal in regard to those issues.

There are, however, a number of examples of human geographers who have explored various dimensions of criminal markets, examining, for example, the circulations, networks and local impacts associated with the international drugs trade (Allen, 2005; Rengert, 1996; Taylor *et al.*, 2013), and the spatialities of financial corruption (Brown and Cloke, 2007). Nevertheless, despite the pioneering nature of many of these studies, their focus on the influence of illicit and illegal actors and acts on urban and regional development remains exceptional within human geography and other spatially oriented disciplinary literatures. In short, the spatial disciplines such as geography, planning and urban and regional studies have done little to date to acknowledge that illicit/illegal actors and the realms that they influence constitute processes with both global reach and local significance.[1]

Given the only very limited engagement of these spatial disciplines with the illicit/illegal as a factor in urban and regional development, it should be of little surprise to find that scholars from other disciplines concerned with various aspects of the illicit/illegal have not turned to the literatures of geography, planning and urban and regional studies for inspiration (and vice versa). However, there are reasons to argue that more sustained dialogues between these disciplines and their varying treatments of the issues would do more than merely expand the empirical horizons of geography, planning and urban and regional studies. It would appear, then, that there is potential for the literatures of geography, planning and urban studies to engage with and make contributions to the wider articulations of the illicit/illegal that have traditionally emerged across its multidisciplinary terrain. This has the potential, as this volume hopes to demonstrate, to produce more nuanced understandings of the illicit and the illegal, and their varying significance spatially (and temporally).

Conceptual and definitional questions: What do we mean by (il)licit and by (il)legal, and what is the nexus between them?

It is widely recognised that it is difficult to draw a line among categories such as licit and illicit, legal and illegal, formal and informal within the processes of economies, urban and regional governance and development and their spaces (Aas, 2007; Bhattacharyya, 2005; Chiodelli and Moroni, 2014; Hall, 2013; Hudson, 2014; McFarlane, 2012; Nordstrom, 2007; Payne, 2002; Roy, 2005; Wilson, 2009). This refers both to the difficulty of tracing the *internal* boundary of each category (between, for instance, what is licit and what is illicit, or between what is formal and what is informal)[2] and to the difficulty of tracing the *external* boundaries among those categories, for instance, between what we mean by illicit and by illegal.

With reference to *internal boundaries*, the problem is mainly related to the limitations of reading the question as a strict dichotomy. However, we define the components of this dichotomy. The threshold between licit and illicit (or legal and illegal) is often not clearly definable. In fact, licit and illicit acts and practices can be most properly conceived as relationally defined, as the extremes of a complex continuum, of a single system composed of 'different "bundles of lines", representing the different flows and practices of the urban world' (McFarlane, 2012: 101). Moreover, the threshold is not static. On the contrary, it is fluid, spatially and temporally determined:

Because of inconsistent definitions of crime across different jurisdictions and the absence of a sovereign international authority, it may not always be possible to attribute a single category of 'legal' or 'illegal' to practices and flows that cross national boundaries … Legal restrictions often come up against socially sanctioned practices, and while this may have the effect of driving these practices into the sphere of formal criminality, it does not eliminate them nor does it necessarily force them into hiding. Likewise, the absence of the law does not imply that all is permissible. Prevailing social mores

can work in the opposite direction as well, to sanction practices that are not legally prevented and indeed to cause the law to be adjusted in order to reflect dominant social values.

(Abraham and van Schendel, 2005, pp. 18–19)

This emphasises that definitions of both the illicit and illegal are *spatially* contingent. They vary over space (as well as through time) and reflect qualitatively different features which characterise a specific place – such as the institutional, regulatory and legal frameworks, but also social perceptions, customs, cultures and practices (see Table 1.1). Spatial contingency means that context matters. The definitions of, and boundaries between, the licit and the illicit (the same point can be made with respect to the legal and the illegal) vary between places at any given point in time.

This variability, the shifting, permeable and blurred boundaries, complicates conceptualisation and definitional issues in a globalising economy. As the literatures of global commodity chains and global production networks emphasise (for example, see Yeung and Coe, 2015), the globalising economy is characterised by complex flows and high levels of mobility of capital, commodities and people. Over the course of their diverse journeys, they pass between different places and jurisdictions with differing definitions of what is legal and illegal, and what is licit and illicit – although this is rarely acknowledged in the mainstream globalisation literatures (on this issue see Windsor and Getz, 1999; Gregson and Crang, 2016). In this context of differing definitions and crossovers from (il)legal to legal, (il) licit to licit as money and people move from place to place, and material commodities move from their places of production to those of consumption, simple binaries can become difficult to maintain and, indeed, a barrier to understanding.

With reference to *external boundaries*, the difficulty is related to the identification of a clear and complete meaning for each word. However, despite the impossibility of having a perfect, comprehensive and shared definition of each term, we can be satisfied with a 'thick' definition which identifies (il)legal in terms of the political and the state regulatory system in a given time/space, and (il)licit in terms of moral judgement, customary practice and social acceptability in a given time/space. In other words, an illegal act is something which violates the letter of the law in a specific time/space context, while an illicit act is one that is considered as unacceptable in terms of the dominant social perception, custom and practice in a specific time/space context. Obviously, this implies that there can be licit and illicit legal acts, as well as licit and illicit illegal acts (and vice versa). For instance, a legal act like tax avoidance can be seen as illicit, that is, socially disapproved. Or a formally illegal act like smoking marijuana for medical purposes can be socially accepted and hence be seen as licit. It should be acknowledged, of course, that within any specific social context there will inevitably be considerable variation in the views of its members as to what is licit and illicit. Acts can be seen as both licit and illicit by different groups. Indeed, study of this internal contestation of the definitions and boundaries of the licit and illicit is a potentially revealing endeavour. The interplay between these categories determines different (ideal-typical) situations in terms of behaviours and domains of governance (see Table 1.1).[3]

Table 1.1 Ideal-typical situations of (il)licitness and (il)legality in terms of behaviours and domains of governance

		The domains of social perceptions, custom and practice	
		Licit	**Illicit**
The domain of formal and legal definitions	**Legal**	(A) The formal economy and society. Governance is via state and markets, formal regulatory systems and people behaving according to the law, etc.	(B) Behaviours that are legal and governed as such, but which are subject to social disapproval. These might include aspects of the arms trade and privatised security and military economies which may shade into other categories.
	Illegal	(C) A wide spectrum of activities. They include those of the 'informal' economy, and a range of illegal activities seen as acceptable in relation to custom and practice. These may be illegal activities per se or legal activities but performed by people who are not legally entitled or qualified to do so – however, their actions are seen as socially legitimate, as a way of 'getting by'. Furthermore, illegal business practices are routinely accepted as legitimate in the everyday conduct of the formal 'legal' economy. Governance is via social relations of tolerance, trust among citizens and colleagues outside formal regulatory structures or concealment of practices within them.	(D) Illegal behaviours that are seen as socially unacceptable, such as tax evasion, human trafficking, trafficking hard drugs, arms dealing, money laundering. Governance is via a combination of trust among criminals and others carrying out such activities and fear – and, if necessary, physical violence and murder by powerful social groups ('mafias').

Empirical and explanatory questions: What are the roles and impacts of the illicit and the illegal?

Developing reliable and valid empirical evidence on the extent of the impacts and influence of illicit and illegal behaviours within urban and regional development is beset with difficulties. This has long been a barrier to critical understanding of the illicit/illegal. These difficulties are not only conceptual, as we have stressed in the previous section with reference to definitional questions (how can we measure something which is inadequately conceptualised and defined, or not defined at all, or whose definition varies through space and time?) (Holmes, 2016). These difficulties are also methodological – and would endure even if we were able to reach a satisfactory conceptualisation and definition.

In fact, there are inherent difficulties in measuring phenomena that are clandestine in nature and are most successful when they are most able to avoid external scrutiny (the least successful illegal actors are likely to be those who are most visible and standing trial or already incarcerated). As a result, there are questions of access, and, at times, ethics and researcher safety (Brooks, 2014; Lunn, 2014). Given these issues, it is perhaps unsurprising that there has, so far, been little critical discussion of empirical approaches to exploring the scale of illicit/illegal activities and their impacts – with the exception of a small and emergent literature that has begun critically to discuss some of the political, conceptual and technical problems that have bedevilled empirical studies of the illicit/illegal produced by both academic researchers and government agencies (Hobbs and Antonopoulos, 2014; Holmes, 2016; Midgley *et al.*, 2014). Thus, it is safe to conclude that measuring the extent and scale of illicit/illegal activities is a very difficult endeavour (Holmes, 2016: 42). Therefore, official spatial data relating to the illicit and the illegal are frequently missing or too unreliable to be treated with any degree of confidence (Inkster and Comolli, 2012: 15–16; Levi, 2014: 8; Midgely *et al.*, 2014: 18).

Furthermore, all too frequently there is a paucity of reliable data produced through careful social scientific research. However, this challenge should not impede efforts to expand our empirical and broader understanding of the roles and impacts of the illicit/illegal (Hudson, 2014: 781). For instance, in this case more than any other, it seems that we are critically in need of 'thoroughly executed case studies' (Flyvberg, 2006: 242) in order to make our knowledge in the field more effective and grounded. If an overall quantitative account of these phenomena cannot be reached with an acceptable degree of accuracy, we should not stop at the formulation of general theories; we should at least build exemplary case studies, most probably using a multi-methods approach. In fact, the somewhat scant urban and geographical research available at present lacks in-depth explorations that would provide greater insights into the real function of illicit and illegal practices, for instance, revealing the inner mechanisms, channels and specific actors involved.[4] Empirical questions developed through case studies, and the methodologies with which they are approached, are central to the majority of chapters in this volume.

From this viewpoint, empirical and explanatory efforts should also focus on investigating the specific role of geographical variables. In fact, the illicit and the illegal are connected to place and space[5] in many and complex ways. This does not refer only to the simple fact that certain specific places are used for illicit and illegal activities, and that this determines a different geography of these activities. It refers also to other, less obvious spatial situations. Broadly speaking, the nexus between the illicit/illegal and the spatial materialises in four main forms: (i) distributions of the illicit and the illegal across space; (ii) the use of places and space for illicit and illegal activities; (iii) illicit and illegal acts on space; (iv) 'illicit spaces'.

First, there is a specific geographical distribution of illicit and illegal activities. Obviously, not all the places around the world are characterised by the same amount of illegal and illicit activities. For instance, this is well represented by the maps provided by Transparency International (2015) on the global spread of corruption: even if the phenomenon is global, there are some countries which are much more affected by corruption than others. At the same time, there is also a geographical variability of illegal and illicit activities within each country – and within each region and city. Description of these local differences is far less frequent, as is their explanation: for what reasons is a specific area (for instance, a region or a neighbourhood) characterised by a larger amount of these activities than another? Are any of these reasons related to the actual *geography* of that place, for instance in terms of localisation or physical conformation (Hall, 2010)?

Second, a space or particular place can simply be used for illicit/illegal activities, such as drug smuggling. However, even in this case, the relationship between space, place and the illicit/illegal is complex: in many instances, the features and structuring of the space impinge on illicit/illegal acts. For example, some places allow and favour illicit activities, because their spatial conformation makes control by the police difficult.

Third, illicit and illegal acts can change the social character and the physical features of place. For instance, this happens through the illegal distortion of public policies and decisions, such as decisions related to building and land transformation (e.g. via illegal pressure to obtain a specific change in a zoning plan, or the illegal building of a house on farmland) or to the location of public infrastructures (e.g. preferring location X for infrastructure W in order to favour A) (Chiodelli & Moroni, 2015). But this can happen also through illicit and illegal practices outside the public sphere, as in the case of the spread of illegal housing. Also, territorial control by illegal actors (such as gangs and organised crime) falls within this latter category. In all these cases, the use of a specific space or place for illicit activities impinges on its features, for instance, in terms of social practices and use by the inhabitants (and, in some cases, also in terms of physical conformation).

The fourth case is that of what we can label 'illicit spaces'. Offshore financial centres and tax havens (which are not only located in the Global South) are an important category of illicit space. By creating environments facilitating illicit activities, such as money laundering, they are central to the contemporary global economy and closely linked to, and even in some cases present within, major OECD economies (Hudson, 2014: 787; Roberts, 1999: 132; Unger and Rawlings,

2008: 332; 335; 349). They may also provide a place for the illegal as a result of the opacity of their regulatory environments. In diverse ways, they demonstrate the centrality of the illicit and the illegal to many processes and spaces which tend, conventionally, to be seen as legal and 'mainstream'.

It is worth noting that the kinds of spatialised illicitness and illegalness previously mentioned can occur at different scales (international, national, local); obviously, this both reflects and affects the features of the illicit and illegal activities that take place. Much of the literature that has explored the spatialities of the illicit/illegal has been characterised by the adoption of a single-scale approach, choosing to focus on either the global (Bhattacharyya, 2005; Glenny, 2008), national (Galeotti, 2005b) or local scale (Hobbs, 2013). However, there have recently been many calls in the social sciences generally, but specifically within economic geography, that have questioned the validity of these relatively narrowly conceived scalar approaches. They question, for instance, which single scale can adequately capture processes that operate and are constituted across multiple scales. For example, many recent empirical studies on organised criminal actors and markets have chosen to locate their analysis at either the national state or global scale. These have drawn criticism, however, for their supposed lack of local nuance and detail, and for their failure to articulate with the connected realities of a globalised world (Abraham and van Schendel, 2005; Aas, 2007).

It is possible to discern two primary responses to these criticisms (in particular with reference to economic geography). The first is recognition that analysis should reflect the multiple scales across which processes unfold over space (Coe *et al.*, 2007: 20). However, it is rare to find examples of such multi-scalar approaches within the multidisciplinary literatures of the illicit/illegal. The second response emerges from a set of approaches broadly labelled 'network ontologies'. Despite being influential in many fields of social research, and despite finding particular traction within the literatures of economic geography (Dicken *et al.*, 2001; Sheppard, 2002), network ontologies have made little impression to date on the study of the illicit and the illegal within disciplines such as anthropology, criminology, economics, political science and sociology. Network ontologies seek to transcend many of the enduring dualisms, such as local-global, that have dominated much social science theory and research in recent decades. Provided that they remain sensitive to power asymmetries within networks (Hadjimichalis and Hudson, 2006), they appear to offer alternatives to the scalar approaches which have prevailed within the research literatures on the illicit/illegal (see Hall, 2010).

Evaluative questions: Are illicit and illegal acts bad or good? And why?

Generally speaking, we can approach the evaluation of the illicit and the illegal from two ethical viewpoints: a *deontological* one and a *consequentialist* one.[6] According to deontological (i.e. non-consequentialist) arguments, illicit and illegal acts are *bad in themselves*: they are intrinsically, inherently wrong. They clash with the fundamental principles of fairness and respect for the rules of the

game. For instance, a public role requires in itself a certain kind of transparent and accountable behaviour; telling the truth to the client is intrinsically required of any practitioner or technician; keeping promises and respecting contracts is what an honest entrepreneur must do. To sum up: it is the 'eidos' of role/situation X doing/being B.

If one assumes a deontological viewpoint, *all* illicit and illegal acts are bad. However, the situation changes if one adopts a consequentialist stance. According to c*onsequentialist* arguments, illicit and illegal acts are bad if *their (cumulative) effect is bad*. This is the case, for instance, with instances of corruption in land use transformations which do not favour the more 'performative' developers (hence, they reduce competition and experimentation) and alter the allocation of public funding. As is obvious, this viewpoint implies that illicit and illegal acts can also be good if their effects are good (regardless of the illicit/illegal nature of the action). Typically, illicit/illegal actors and activities are portrayed as predatory, although there is evidence that they can perform important and positive governance and development functions in some circumstances, where legitimate state institutions are either absent or where their reach is incomplete or contested (Bhattacharyya, 2005: 118; Glenny, 2008: 291; Goodhand, 2009; Van Dijk, 2007: 54). This raises the provocative question of those times, places and circumstances in which the illicit and the illegal may be developmentally progressive (Méon and Weill, 2010). For instance, several authors have discussed the potentially positive developmental outcomes of illicit and illegal activities – particularly in Global South contexts where there are few, if any legal alternatives (see for instance Bhattacharyya, 2005; and Goodhand, 2009).[7] This refers also to important material impacts on the places and spaces where illicit and illegal markets and activities take place, and upon the political governance and regulatory functions of those areas. This raises the question of whether it could be legitimate to govern with illicit and illegal actors who are able to extend governance and development into such difficult to reach spaces. In some senses this question is already answered by the many instances where collaborative forms of governance, either through direct collaboration or implicit co-operation through governmental tolerance and uneven policing of illegal activities which bring positive or desired economic, political or social outcomes which span aspects of the licit/illicit, legal/illegal spectrum, have been observed (Bhattacharyya, 2005; Goodhand, 2009; Nordstrom, 2007; Woodiwiss, 2001).

Consider for instance the fundamental role played by informal housing (that is, illegal housing) in many urban areas of the so-called Global South, where informality is the only way in which the poor can access a roof over their heads in the city, hence becoming 'a normal and stable mode of life in contemporary cities' (AlSayyad, 2004: 7). It is exactly in light of informality's positive outcomes that for several decades there has been international agreement that informality is part of the solution to housing problems, and that recognition and regularisation policies are needed, instead of a repressive approach based on demolition of such housing (Chiodelli, 2016).

However, such perspectives are not shared by other authors, who strongly argue that the illicit and illegal cannot and should not be used as a basis for development:

more than being *oil* which greases the wheels, illicit and illegal action seems to always be, in the end, *sand* in the (institutional and social) machine (Ades and Di Tella, 1997; David-Barrett, 2014; Kaufmann, 1997). There is then a clear lack of consensus around these questions. Advances beyond the polarised position that currently characterises the literature are likely to be sustained primarily through empirical research.

Policy questions: How to deal with illicit and illegal acts?

When addressing the question of how to deal with illicit and illegal acts, if we think that we must – and also think it is possible[8] – to fight them, we can consider three general strategies.[9]

The first is based on 'virtue ethics' (that is, Aristotelian-style arguments) (Everett *et al.*, 2006). This perspective is based more on the characteristics of actors than on behaviour according to principles. In this view, cultural and social actions – such as education and activism – are fundamental in order, for instance, to change bad habits, increase collective awareness, activate collective attention, consolidate social capital and increase the moral costs of illegal and illicit acts. The effectiveness of specific virtue ethics-based strategies is obviously closely related to the features of each social and geographical context.

The second strategy is based on 'rule ethics' (that is, Kantian-style arguments). This perspective is focused more on behaviour according to principles than on the characteristics of actors. If we want to fight the illicit/illegal, from this perspective we must reduce the institutional incentives to commit illicit and illegal acts, and increase the costs of acting in these ways. These actions may include the reform of (central and local) institutions in order to: increase transparency and accountability; reduce discretionality and *ad hoc* public powers; reduce bureaucracy; and increase the effectiveness of controls and sanctions (for public officials, practitioners and entrepreneurs). All these actions can also be applied to illicit and illegal acts in the specific sphere of urban and regional development. Take, for instance, the case of illegal and illicit activities in the domain of urban planning, such as corruption and infiltration by organised crime (Chiodelli, 2017). The incentives for these activities may be decreased through reform of the planning system aimed at reducing discretionality in land use decisions (which is the basis of traditional spot-zoning) and the economic returns associated with them, and a reform aimed at reducing bureaucracy and the number of agencies that can intervene in assessing and permitting land use transformation or building, (e.g. using a 'single window' to grant permits and introducing appropriate electronic systems) (Chiodelli and Moroni, 2015). This raises important questions as to the times and places in which these differing strategies to deal with illicit and illegal acts can be adopted. This would suggest the applied value of the spatial perspective explored by all the authors within this volume.

This second strategy (based on rule ethics) refers exclusively to institutional design and public policies; the first (based on virtue ethics) refers mainly to cultural and social action. Obviously, the two approaches are not mutually exclusive and can be combined.

A third strategy, collaborative governance, was briefly alluded to in the previous section, and it entails working in patterned formation with illicit or illegal actors and practices. Certainly, this has been widely observed across extensive historical and geographical terrains. Such collaborations tend to remain, where they involve direct collaboration between governments and illicit/illegal actors and practices, clandestine processes or where this collaboration is effected through tolerance of some illicit and illegal acts, beyond the formal policy arena. Where this collaboration is a formally acknowledged aspect of policy, as in the case of informal housing noted above, it would seem relatively rare and, further, relatively little acknowledged and commented upon within critical academic literatures. This third strategy, particularly if this collaborative governance is articulated through policy, potentially challenges both of the previous strategies outlined above and is perhaps a barrier to reform.

Overview of the volume: Multiple views on the interplay of the spatial and the illicit/illegal

The volume offers an innovative multidisciplinary collection of studies exploring the roles of illicit and illegal activities and actors of various kinds in processes of urban and regional governance and development. It also explores the effects of illicit/illegal networks on the spaces and places in which they are grounded and to which they are connected. In fact, the main purpose of the book is to analyse simultaneously two issues, the illicit/illegal and the spatial, issues that have not previously been engaged together in their multiple and varied connections (as we have already stressed, the spatial disciplines do not as a rule consider the role of illicit/illegal acts, and disciplines more properly interested in the illicit/illegal tend to omit the key role played by spatial variables).

The chapters investigate these issues with reference to a variety of geographical contexts, including, but not limited to, places traditionally considered to be associated with extensive illicit/illegal markets and activities such as some regions in the so-called Global South: case studies touch upon a number of regions and countries, such as the Sahara desert in Mali and Niger, the India–Bangladesh borders, East Timor, Spain, rural California and New Jersey, and cities like Bangalore, Ishinomaki (Japan), London, Medellín, Moscow, Palermo, Rome, Tbilisi and Valencia. The comparative perspective of the volume demonstrates that the illicit and the illegal are under-appreciated structural aspects of current urban and regional governance and development across the globe.

In selecting chapters to include in the collection, we favoured works which are grounded in empirical evidence, filling a significant gap in the existing literature. However, we have not been prescriptive as to the type of methodology or form of evidence (or theory) to be used in order to approach the research. The theoretical and methodological eclecticism of the chapters collected in this volume, while they remain united in their focus on the illicit and the illegal, maps out the variety of perspectives available to students of the illicit/illegal working within, and indeed across, a number of disciplines, but who are explicitly concerned with the *interplay between the spatial and the illicit/illegal*.

This collection is composed of 15 chapters (including this introduction). They are not grouped and enclosed into sub-sections so as not to break the continuity amongst the issues they deal with and their constant interplay. The book starts with two chapters on illicit/illegal flows in border regions. The first, by Luca Raineri, shows the transformative nature of illicit/illegal flows of various kinds of goods (such as illegal drugs). These flows are shaping the places (and, in particular, a border region in the Sahara Desert between Mali and Niger) through which they are organised, contributing especially to fuelling land grabbing and articulating a peculiar, hybrid form of territorial control, which includes both formal state actors and non-state informal/illicit/illegal actors. The second chapter, by Hosna J. Shewly and Md. Nadiruzzaman, in contrast, analyses how the geography of the India–Bangladesh border shapes illicit/illegal flows across it. The authors, in particular, focus on the circuits of illegal and provisional migration from one country's coastal zone to the other country's megacities, and on how the journeys and methods of these migrations adapt to the spatial features of this border region.

Then, the book moves to the analysis of the interplay between space/places and illicit/illegal organisations of various kinds. The chapter by James Scambary deals with the relations of an array of informal and illegal groups (such as gangs, martial arts groups and informal security groups) with formal institutions, and shows how these groups have been institutionalised, becoming part of the formal governance of East Timor, leading to the emergence of a clientelist, neo-patrimonial State. The following contribution, by Vincenzo Scalia, moves to the scale of the city and analyses, within an historical perspective, the relationship between criminal organisations and urban development. It demonstrates that the Mafia played a prominent role in the massive urban transformation of Palermo (Italy) between the 1950s and 1970s (the so-called 'Sack of Palermo'), moulding the spatial development of the city according to its own interests, thanks to its control of the territory, as well as its network of relations with politicians, professionals and entrepreneurs. This is followed by a chapter by Svetlana Stephenson and Evgeniya Zakharova, which, in the same vein as the previous chapter, points to the scale of the city, but, in this case, the focus is on the micro-governance at the neighbourhood scale in Moscow (Russia) and Tbilisi (Georgia). Here, actors who are illegal but licit within these social contexts (such as peer groups of young people variously connected with members of criminal communities) form neighbourhood organisations, which have a fundamental role in the management of various aspect of the daily life of the local community. The chapter by Laure Leibler also centres on the governance role of illegal actors at the neighbourhood scale. However, in this case the focus is on Medellín (Colombia), and on the role of organised crime groups in shaping the daily practices of inhabitants and the space of the neighbourhoods they control. The pivotal role of controlling the space of these areas for building and keeping the power of these armed groups is highlighted.

The chapter by Sasha Jesperson offers a different perspective. After several case studies, Sasha Jesperson proposes a theoretical exploration of the governance and development roles of criminal groups in fragile and conflict-affected

states. She shows that governance and development vacuums not only provide opportunities for criminal groups, but can also open new entry points to address organised crime.

The rest of the chapters address the interplay between the spatial and the illicit/illegal from different points of view: the focus is less on illegal/illicit flows and actors, such as gangs or organised crime, and more on illegal/illicit activities carried on by legal and formal actors.

The first three of these chapters analyse, in different contexts and from different viewpoints, the mobile and porous borders between what is conceived as legal and illegal, and what is conceived as licit and illicit. The chapter by Michael Polson centres on the impacts within the realm of both governance and development of the shift between legality and illegality. The author explores these links between development, governance and (il)legality through the rise and fall of marijuana regulations in the city of Eureka in Humboldt County (California, USA). The following chapter, by Barbara Pizzo and Edoardo Altavilla, questions the clear separation between illegality and illicitness focusing on three cases of informal/illegal/illicit housing in Rome, against the backdrop of the planning policies that shaped the transformation of the city in the last decades. Here, informal housing practices and markets materialise the constant interplay between what is defined and perceived as (il)legal and (il)licit. Subsequently, Margrete Bjone Engelein, John Edom and Hannah Wood apply architectural theory to the realm of the illicit. The authors investigate how understandings of the licit and illicit inscribed in the aesthetics of the urban space of Ishinomaki (Japan) changed after the reconstruction of the city that followed the Great Tōhoku Earthquake and Tsunami of 2011, and how the reconstruction process led to the emergence of new non-state groups as legitimate urban actors in Japan.

The remaining chapters move the analysis to questions more related to corruption and to its link with the spatial. The chapter by Sue Penna and Martin O'Brien reminds us of the presence of the illicit at the heart of the capitalist economy and show how lightly regulated global financial spaces set up environments where the illicit and illegal are potential activities that become actualised. They focus on two different places – New Jersey in the United States and London in the United Kingdom – where, due precisely to the regulatory features of these areas, various actors can move easily and at their own convenience from the sphere of the legal to the illegal and vice versa. In so doing, the authors highlight the artificial analytical distinction between legal and illegal actors and practices, and suggest that organised crime is a symptom of corruption, rather than its agent.

The following two chapters centre on corruption in the field of local urban development in Spain. The contribution by Monica Garcia Quesada and Fernando Jiménez Sánchez analyses potential explanations for the causes of corruption in this sector and it identifies the consequences for the functioning of subnational political systems. In the pursuit of this aim, it proposes a comparative analysis, based essentially on a quantitative approach, of different local councils affected by scandals from across Spain. In contrast, Jorge Ignacio Selfa Clemente focuses on a specific case, related to the creation of a free-trade zone in the municipality

of Paterna, in the metropolitan area of Valencia. The project of the free-trade zone of Paterna was at the centre of a harsh public and political debate for alleged cases of corruption, lack of transparency and waste of public funds, which led to the cancellation of the project and which contributed to a replacement of the local government. This analysis is an opportunity for raising relevant questions relating to the rhetoric about corruption, and on its conceptualisations as central object of political debate in the midst of the economic crisis. Jayaraj Sundaresan concludes the volume with an investigation of land use planning violations in Bangalore, India. Through an ethnographic analysis of planning and violation networks, the author discovers that, in Bangalore, planning violations are driven in particular by a strong collective 'demand' by many sectors of the society (individual landowners as well as specific social groups like the urban poor, middle class or neighbourhood groups and political parties). This demand materialises through various forms of corruption and illicit pressures towards public officials, and gives rise to a specific form of 'vernacular urban governance', where public decisions and norms are constantly negotiated and reshaped in informal ways.

Notes

1   The literatures of economic geographies, for example, rest upon empirical foundations almost exclusively derived from analysis conducted within the licit/legal economy. Given the prevalence of illicit and illegal activities in many spheres of the economy, this is a major limitation. Accounts of regional and urban development are the stock in trade of many economic, political and development geographers. However, it is rare for these accounts to seek to describe the roles played by illicit/illegal actors, illicit/illegal governance and the development that stems therefrom, despite there being clear evidence from other accounts of their significance within fragile regional trajectories in the so-called Global South (Bhattacharyya, 2005; Kilcullen, 2013; Madsen, 2009; Nordstrom, 2007; Potter, 2001).

2   This problem is less significant in the case of the legal/illegal dichotomy: in fact, generally speaking, the legalistic definition of what is legal (or illegal) in a specific context can take as a (relatively) solid frame of reference the legal system of that context. That said, the definition of such boundaries is typically socially contested, as different groups seek to draw the line in a way that favours their interests. The situation become far more controversial in contexts where the legal system is less defined (for instance, because a Western-liberal legal system coexists with a traditional-customary one) or if one wants to take transnational spaces which encompass differing legal systems and flows among these into consideration.

3   A similar matrix is proposed by Abraham and van Schendel (2005, p. 20) with reference to the political space emerging from the interaction between formal political authority and non-formal social authority.

4   For instance, this gap is particularly evident in the field of urban planning. Although there are several general accounts of the problem of illegal and illicit activities in the planning domain (such as problems of corruption; see for instance: Gardiner and Lyman, 1978; Cullingworth, 1993), and although some explanatory theories have been developed (Chiodelli and Moroni, 2015; Murray and Frijters, 2016), there is no research describing the specific everyday functioning of those illegal practices.

5   For further elaboration of this distinction, see Beynon and Hudson (1993).

6   For the distinction between deontological and consequentialistic approaches, see for instance Cooper (1993: 148–190). On consequentialism in general, see Mulgan (2001).

For the critical debate on consequentialism, see Scheffler (1998). For an empirical analysis of consequentialist and deontological approaches in urban planning, see Heller (1994).

7   It is worth stressing that, in many cases, their arguments tend to focus on economic and developmental benefits, paying less attention, for instance, to social and environmental harms.

8   In fact, we could also assume a sceptical or nihilistic stance: the illicit/illegal will be always with us, for instance, because it is intrinsic to human nature; therefore, nothing can be done to fight it.

9   For the distinction between *rule-based* and *virtue-based* ethical systems: see, for instance, Pojman (1990: 91–135). On virtue ethics, see for instance Crisp and Slot (1997), Oakley and Cocking (2001) and Swanton (2003). For a defence of virtue ethics, see MacIntyre (1981).

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