

## Since when did legislating lead a jurisdiction into a l...

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The EU [has said of country-by-country reporting](#) that to demand publication of data for all the jurisdictions in which a multinational company trades could lead it into a legal minefield.

Now, of course one has to be cautious about an excuse offered by an unnamed official to a journalist on a document that may, or may not, have been officially leaked. The claim may not be true, if course, and may just look usefully convenient when the political will to act does not exist.

But suppose for a moment that the claim is true. Suppose that the EU - the largest supra-national legislator in the world - thinks it cannot legislate because of a legal minefield. Who created that minefield? What is the risk? And why can't it be cleared?

I [have already dealt with the likelihood that the USA is the real risk](#) and it's not threatening legal action: blackmail is more its line. So the risk cannot be from there, and it cannot be from EU member states, so it must come from companies.

The clear implication of this is unpalatable. As many of us have feared to be the inevitable direction of trade deals and agreements, the EU may now be signalling that it can only regulate companies to the extent that they concur with its wishes, and if they do not then the EU is recognising that the threat of legal action may be real.

In other words the rule of law is now conditional on the consent of those supposedly subject to it.

Corporate law may, then, be prevailing.

This is the route to the corporate state, and that is fascism.

The fight over country-by-country reporting is, then, no minor issue: this is about the right to decide who really rules and the stakes are very high indeed.