

It Takes a Thief to Catch a Thief: Illicit Power and the Intelligence Challenge

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Viewing the current chaos in the Middle East through a 2015 lens, it seems almost quaint that only a few short years ago, within certain defense circles, serious discussion and debate about the theories behind Islamic jihad was seen as a distraction. Not that people were not interested or that jihadists' motivations were deemed unimportant. Interest was high, and no responsible military commander would ever conclude that understanding the enemy was not a priority. But at the same time, there was an underlying sense of a limit to how much academic discussion was constructive while in the midst of prosecuting two wars. Was jihadist motivation really a military problem to solve? And how deep must one dive into philosophy or legal theory to address the immediate security imperatives in Afghanistan and Iraq?

So it should have come as no surprise that when a Department of Defense concept development team at U.S. Joint Forces Command (JFCOM) started writing its Unified Action Handbook Series in 2009, there was a bit of a struggle to include, in a subchapter about dealing with illicit and informal power structures, a brief summary titled "The Fiqh of Jihad."¹

"The Fiqh of Jihad" was the product of research by Pakistani political scientist Nasra Hassan, into why jihadists believe as they do, and how those beliefs affect Western efforts to resolve conflict and improve stability in the Muslim world. Here are Hassan's findings:

1. For the jihadis, the Holy Quran is divine, and their practices are firmly supported in the Book.
2. There is a general feeling that the concept of "nation states" is against the Book because sovereignty belongs to Allah alone.
3. Under Sharia, the only state entity is the caliphate; thus, man-made borders are irrelevant, and national laws made within those borders do not count.
4. Allah is the sole source of law, and duties are divinely ordained. Rights flow only from following duties. Thus, man-made laws conferring rights do not count.

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¹ The term "*fiqh*" refers to the various processes of Islamic legal thought and reasoning, including the decisions arrived at through them. The discussion of jihadi *fiqh* in this chapter was derived from a presentation by the former director of the UN Information Service in Austria. See Nasra Hassan, "The Fiqh of Jihad," paper presented at the Salzburg Global Forum on International and Islamic Law, "Finding Common Ground," (Oct. 29, 2008). A slightly longer version of Hassan's findings and conclusions was previously published by Michelle Hughes, David S. Gordon, et al., in the *Handbook for Military Support to Rule of Law and Security Sector Reform* (Washington, DC: JFCOM, 2011), www.dtic.mil/doctrine/doctrine/jwfc/ruleoflaw_hbk.pdf.

5. International law is not justice; it is arbitrary and exclusionary.
6. Territory must be conquered, reconquered, or liberated through jihad. The means determine the nature of the entity that emerges. Thus, elections do not confer legitimacy, nor do treaties.
7. Jihad must be permanent.
8. In the absence of a caliph, local leaders can issue a call to jihad.

The *Handbook* authors argued that “The Fiqh of Jihad,” while perhaps not authoritative, nonetheless represented the type of analysis that planners and policymakers needed to undertake if they were to fully comprehend how U.S. stabilization and reconstruction – particularly in the areas of law enforcement, governance, and the rule of law – would be perceived by power brokers (and their constituents) in the battlespace. This, in turn, would help both planners and operators more accurately mitigate risk and recognize opportunity. “Just because it [does not] make sense to us,” the authors argued, “[does not] mean it does not make sense to *them*. And we have to understand and accept, not dismiss, alternative perspectives on power and authority.”²

But senior military leaders wanted to see something less “ambiguous.” This was all very interesting, they said, but all it did was confirm how irrational the jihadists were. What was really needed, they believed, was more of a “template” that, when filled in with collected intelligence, would enable its users to sort and classify any organization into one of a set number of discrete categories. Tools, tactics, and procedures could then be applied accordingly.

At its core, the argument reflected two different ideas about what readers of the *Handbook* needed. Did they need a specific concept that could be universally applied, or did they need something that would prompt them to think in a different way about what they might encounter in the battlespace? What was the use, leadership wanted to know, of presenting a set of interconnected ideas that raised numerous possibilities but did not lead to clear answers and did not represent a repeatable, generalizable process showing input and output, and cause and effect?

“The Fiqh of Jihad” eventually made it into the *Handbook*, but only as an illustration of what is meant by “motivation,” which was a characteristic included in a template for understanding illicit power structures. The type of thinking it illustrated, and the way that such thought could be manifest throughout countries dealing with the problem of Islamist extremism and violence, was not further developed. It was not target oriented, and it simply did not fit well into intelligence or assessment models at the time.³

A recurring theme throughout the cases in this book is the challenge that (usually) Western interveners face when they try to understand the operating environment of a conflict, and the roles and risks that illicit power structures present within that environment. The problem is steeped in complexity. A single power structure can arise out of several quite different motivations. Illicit power structures are opportunistic. They re-

² Author’s notes and records of command guidance given during the 2009-11 drafting process for the *Handbook for Military Support to Rule of Law and Security Sector Reform* (2011).

³ *Ibid.*

flect political, cultural, religious, economic, criminal, and ideological grievances, alliances, and relationships. They thrive wherever they find gaps in governance, institutional capacity, and political will. They often operate in the gray areas between legitimate and illegitimate, moving back and forth across the spectrum of legitimacy in response to political and security imperatives, economic opportunities, and social need. They are a moving target. Thus, they present a cognitive nightmare for strategists, policymakers, military leaders, and law enforcement, all of whom have distinct information requirements that must be met if they are to mitigate illicit power's pernicious effects on peace and stability.

The intelligence community has struggled to respond to the challenge, primarily because it is looking for a different threat. Unlike an external threat that seeks to impose a new order (political, social, or religious) from without, many illicit power structures work from within the existing order and wish to maintain the status quo in order to further enrich a small, select portion of the population. And unlike conventional security forces with transparent structures and predictable modalities, illicit power structures do not fit neat templates used to generate information requirements, or set-piece frameworks for analysis.

To be accurate and predictive, analysis of illicit power must be multidimensional and – it is worth stressing – empathetic. If the intelligence focus is limited to a single aspect or dimension of a power structure, the resulting conclusions and, more importantly, the courses of action derived from them can lead to ineffective or even counterproductive responses and effects. When intelligence analysis is filtered through the lens of our organizations, functions, governance, and philosophies, it will reflect a distorted view of *us*, rather than an accurate view of *them*. In short, traditional intelligence gathering literally does not see the problem. Often, as a result, intelligence analysis can actually provide cover for illicit actors by focusing the consumer on the wrong problem.

Had the members of a NATO special-operations task force facilitating an Afghan-led rule of law shura in Northern Afghanistan in 2012 been asked whether they understood the problem of power in their operational environment, they likely would have concluded that however deep their own information gathering and analysis, it had not been enough to support this particular task.

The rule of law shura was the brainchild of Major General Sadat, the chief of antiterrorism prosecutions in the Office of the Afghan Attorney General. Frustrated by his inability to bring high-profile cases before provincial courts, Sadat was meeting throughout the country with provincial and district leaders to identify problems and negotiate solutions. The special-ops task forces in the provinces had been given the task of helping their Afghan counterparts make the transition from Coalition-led military operations designed to kill or capture Taliban operatives, to Afghan law enforcement-led evidence-based operations. Supporting Major General Sadat's initiative was a great idea that Afghans and Coalition alike agreed should have happened sooner.

The first part of the shura was relatively predictable and easy for the task force members to follow. Afghan prosecutors bemoaned the lack of solid investigative standards in the police; police commanders complained about corruption in the courts, and the lack of good intelligence; the governor and subgovernors demanded greater security and more say in setting the priority of efforts by all concerned – in other words, the usual litany of complaints. But the conversation took an unexpected turn when local

elders spoke up to describe their difficulty in communicating government objectives and authority to their people. They said that their people did not understand how the government (and the internationals) could enter their villages and just announce a set of rights and obligations that had never existed before.

The elders explained that their people were uneducated. Many of the villagers had heard the terms “democracy” and “human rights” for the first time only recently, through Western communications. Based on their inexperience, the villagers had processed those terms to mean that the government had no authority to detain them unless they, the individuals, voted to allow it. Applied to arrests and detentions, democracy meant, therefore, a “right to release” because, after all, were not individual human rights more important than government rights? That was what international forces and development specialists had told them. Besides, the only true law came from Allah, anyway.

The elders further explained, the net effect was that whenever a member of the village was arrested on insurgency-related charges, the villagers demanded that the individual be released and his crimes be addressed through their own local process. This was why they were not cooperating with the formal prosecutorial investigations. No one disputed that the detainee had committed a crime; it was the governmental process and authority that they did not understand.

The Afghan leaders at the rule of law shura seemed to suffer no confusion over the logic and instead debated ways to work around these troublesome attitudes. But after the shura, the task force members struggled to process what they had heard. All of them had studied Afghan culture before their deployment. They had received countless briefings on the Taliban, warlordism, and the hierarchical lay-down of the numerous known power structures they would confront in the battlespace. Many had studied Islam so they would recognize difficult cultural issues they might encounter, and had already completed multiple deployments. Several were civilian police officers in their home countries, chosen for this deployment because of their experience with the rule of law. But none had looked at how *informal* power and authority was conferred, and no one could describe how an isolated, uneducated Afghan population perceived government authority and the law.

In fact, the Coalition operators felt as though they had fallen through the looking glass. To them, this whole crazy village idea about democracy and authority was completely illogical. It showed what happens when you are dealing with people who have no formal education, and it was just one more example of how nothing in Afghanistan made any sense. But it *did* make sense – to the Afghans. In many ways, their belief system on authority mirrored the *fiqh* of jihad, which the Taliban and the warlords – both disruptive illicit power structures in the region – knew and understood. The warlords and the Taliban had been able to communicate jihadist thinking effectively to exploit local perceptions and undermine the legitimate exercise of government authority by Afghan law enforcement. The Coalition task force, meanwhile, continued to be baffled. It was clear that even as they prepared for the end of their mission, they were still trying to understand the environment in which both warlords and Taliban fighters continued to operate with impunity.⁴

This chapter acknowledges how difficult it is to understand the problem of power,

4 Author’s personal observations and conclusions from fieldwork and interviews with U.S. and Swedish special-operations task force members in Afghanistan, Oct.-Nov. 2012.

particularly in places that we do not control. As the cases and vignettes throughout this book illustrate, failure even to recognize the presence of illicit power structures, let alone grasp how they arise and thrive, is a central challenge to confronting impunity. This chapter looks at some of the issues and lays out a basic sequence and structure for identifying critical information requirements. It discusses common attributes of illicit power structures, provides a start point for understanding them, and discusses fundamental questions that should be asked and answered – in the initial planning phase of an operation and throughout execution. Finally, we will look at some examples of how to find relevant information and piece it together in a way that works. Ultimately, there are no silver bullets or neat templates. The challenges are real. But with flexible, adaptive, creative approaches, the challenge is surmountable.

Analyzing the Environment: Why this first?

It might seem counterintuitive to look at the environment that surrounds an illicit power structure before looking at the structure itself. But as this volume’s case studies show time and again, power brokers and power structures arose out of conditions that created opportunities and grievances, concentrated authority or resources in the hands of bad actors who otherwise would not have gotten them, or exposed gaps in sovereign capacity to check power or control behavior. Into the vacuum, illicit power emerges both to exploit and to create violence and instability. For this reason, it is critical to conduct a *vulnerability assessment* of the operational environment, focused specifically on inhibiting the rise of illicit power.

Table 10.1 Vulnerabilities that Allowed Illicit Power Structures to Emerge

Case Study	Impact	Vulnerabilities that Enabled the IPS to Emerge
Afghanistan: Traffickers and Truckers	Illicit economy; obstruction of peace process	Corruption; lack of oversight and accountability (theirs and ours); nonfunctioning licit economy
Afghanistan: Criminal Patronage Networks	Capture of state institutions	Corruption; lack of oversight, accountability, and political will; inattention to justice capacity building
Liberia: Durable Illicit Power Structures	Capture of state institutions; illicit economy; state’s inability to maintain legitimate monopoly of force	Entrenched system of political and personal patronage and uncontrolled illicit economic activity; perversion of justice and security systems
Odessa Network: Russia/Ukraine Weapons Trafficking	Capture of state institutions and critical transportation infrastructure, thus limiting options to cut off flow of weapons to conflict zones and bad actors	Absence of legitimate control over commercial and investment activity; inattention to economic development; corruption, patronage, and unchecked use of violence to gain economic control

Table 10.1 Vulnerabilities that Allowed Illicit Power Structures to Emerge (cont.)

Case Study	Impact	Vulnerabilities that Enabled the IPS to Emerge
Timor-Leste: Security Sector Reform	Failure of reconstructed security institutions; restoration of partisan power bases	Unresolved political power sharing exacerbated by external, regional interests and interference; identity-based patronage
Iraq: Jaish al-Mahdi	Perception of lawlessness and insecurity that permitted competing illicit groups to take matters into their own hands; rise of uncontrolled militias and economic competition for resources and infrastructure	Ambiguity between licit and illicit power; presence of strong, entrenched criminal organizations; unanticipated and misjudged political factionalism; presence of newly demobilized security forces
Colombia: Fuerzas Armadas Revolucionarias Colombianas (FARC)	Endemic violence; human rights violations; emergence of drug trafficking organizations, and consolidation of ungoverned spaces by illicit, antigovernment actors	Tradition of rebellion and guerrilla warfare, combined with absence of government control; proliferation of nonstate security actors working hand in hand with unaccountable government forces
Haiti: Gangs of Cité Soleil	Co-optation of security, justice, and law enforcement; rampant human rights violations; unchecked violence, predation, and criminality; unending cycles of poverty and violence; mass migration and humanitarian disaster	Governmental corruption and extreme incompetence; formal and informal security forces as tools of regime repression and control
Philippines: Moro Islamic Liberation Front	Sustained religious and ethnic strife and competition for resources and recognition; uncontrolled banditry and armed aggression	Dysfunctional, nonrepresentational statebuilding; unequal economic rights and minority protection
Sri Lanka: Liberation Tigers of Tamil Eelam (LTTE)	Uncontrolled violence and insecurity; fraudulent elections; discredited government; withdrawal of international support; ungoverned territory and, ultimately, civil war	Government oppression; caste and gender inequity; rampant human rights violations; no accountability of security forces or state-sponsored nonstate actors
Sierra Leone: Revolutionary United Front (RUF)	Fraudulent elections; capture of state resources; crippled and discredited government and government security institutions; uncontrolled violence and insecurity	Governmental ineptitude; repression; corruption; unchecked illicit economic activity

The vulnerability assessment goes beyond mere situational awareness. Viewed one way, an illicit power structure begins in much the same way as a burglar casing a neighborhood for potential victims. The burglar notes who has a dog or an alarm system, who is consistently away from home during specific hours, and who has expensive cars and, by extrapolation, valuables that will yield the greatest return for the risk. Illicit actors do the same: continually looking for exploitable weaknesses in the aftermath of war and transition. Ineffective governance, poor accountability, high levels of corruption with weak enforcement mechanisms, incompetent or inexperienced security forces, unaccountable donor assistance, political infighting, poor communications between population and government, unresolved grievances, poverty – all these conditions create an environment ripe for consolidation of power by bad actors.

It is often said that “it takes a thief to catch a thief,” but it is not as if we had not done this type of empathetic analysis before. In their 2012 book *The Endgame*, Michael Gordon and Bernard Trainor provide several examples in which smart, well-intentioned people tried to look at power from the perspective of those who presented the greatest risk of exercising it illicitly – only to be shut down or ignored by policymakers and senior leaders. In one account, a “red team” of military officers and civilian analysts conducted a classified review of America’s military strategy in Iraq, a year and a half before the 2007 “surge.”⁵ Examining the extant counterinsurgency strategy, the red team’s report concluded that the effects of a strategy, which was already perceived to be failing, on bad actors’ ability to hinder regional peace and stability were enormous. “The insurgency is resilient and capable of regenerating itself,” the report noted. “The Coalition and the Iraqi government have not been able to suppress the insurgency in an enduring way,” and it might be emboldened if it thought that the main American goal was to disengage from Iraq. The insurgents would then be “less likely to cut the political deals that would be needed to shore up the new Iraq.” The report went on to conclude that Iraqis who had stood by the Americans might also lose confidence in their ally: “Fears of abandonment might lead the Iraqis to hedge their bets by developing greater reliance on Iran.” If the transition to self-reliance takes place before the defeat of the insurgency, the Iraqi government and the insurgents could seek external support from neighboring states (e.g., Syria and Iran) in order to fight on, potentially leading to “civil war along the lines of the one in Afghanistan in the 1990s.”⁶

Red-teaming is a doctrinal element of operational design, and what this particular red team did in 2005 was exactly the sort of analysis that needs to be done when thinking about illicit power structures.⁷ By looking at conditions, possibilities, and risks from the perspective of the potential power brokers and their allies, it may be possible to preclude or at least limit their emergence as enemies of peace. By not looking at these issues, we almost guarantee that opportunities to limit the rise of impunity will be lost.

Most current intelligence frameworks do a good job of laying out the essential issues within any operating environment, and these can also be used effectively to guide the analysis of vulnerability to illicit power, *provided that intelligence collectors and analysts*

⁵ Michael Gordon and Bernard Trainor, *The Endgame: The Inside Story of the Struggle for Iraq, from George W. Bush to Barack Obama* (New York: Vintage Books, 2012), Kindle ed. location 3248-3269.

⁶ *Ibid.*, Kindle location 3263.

⁷ JP 5-0 at III-6.

look at the problem specifically through the lens of illicit power. When illicit power is not viewed this way, critical warnings and indicators are consistently and predictably overlooked, underemphasized, or misunderstood. Certainly, analyst bias or inexperience plays a role, but so does the attempt to shoehorn information into prescribed categories that, although relevant, were not developed specifically to address what we know about the particular problem.

To illustrate, a common construct used by U.S. military analysts for both analyzing and visualizing the environment is PMESII—the acronym for “political, military, economic, social, infrastructure, and information” systems.⁸ But as comprehensive as PMESII may seem, there are questions about vulnerability to illicit power that need to be asked but that do not fit neatly within the framework. And even where they appear to have a category, their inclusion is not part of conventional application. So, for example, a variation on PMESII that begins to uncover overlooked issues might include the following:

Governance (instead of “Political”). Does the host nation government have the political, technical, and institutional capacity to control its territory, protect its sovereignty, and uphold its laws? If not (which is likely), then who or what is most likely to fill the gap? Political will aside, does the sovereign government even have the specialized oversight and audit, investigative, prosecutorial, and judicial competence to prevent, detect, and punish complex crimes such as corruption and graft?

Military. To what extent are security institutions influenced by nonstate power brokers and informal power structures? Do the security institutions have bureaucratic and procedural checks and balances that can inoculate them against corruption, graft, undue influence, and abuse of power? What is the history of accountability within the security apparatus? What discipline and accountability mechanisms have traditionally worked?

Economic (with the added dimension of “Economic Infrastructure”). What is the extent and nature of the relationship between the licit and illicit economies before, during, and after the conflict? How might it evolve, and why? If there was illegal trade in licit goods before the conflict, in what ways will trade networks merge or expand to include illicit goods such as weapons and drugs? In what ways can the existing licit trade networks be co-opted for illicit purposes? What law enforcement vacuums will allow illicit networks to expand?

Commercial (as a separate dimension of “Economic”). What are the normal business relationships between people, organizations, governments, and political factions? When a reconstruction contract is let, for example, who benefits, and why? What are the business interests of key political figures, and how are they likely to influence strategic decisions and the consolidation of governmental power?

⁸ According to U.S. military doctrine, analyzing the adversary’s PMESII systems can lead to identifying key nodes, links, and vulnerabilities, which can then be targeted kinetically or nonkinetically to achieve desired effects. JP 5-0 at III-8.

Social. Do illicit power structures and their networks and activities generate positive benefits for the population? For stabilization? For society? How will those benefits be replicated by licit authorities if they are taken away? On the other hand, what might be the benefit to the illicit power structure if legitimate authority does not step in to control them?

Cultural (as a separate dimension of "Social"). What are the cultural attitudes toward power, patronage, and authority? How are they conferred? What keeps them going? How is legitimacy or illegitimacy determined? Is there any expectation of reciprocity between the people and those in power over them? If so, what forms does it take?

Information. Is there a culture of transparency? How are public records assembled, maintained, and accessed? What are their vulnerabilities to manipulation? How competent are the media to report on politics, power, and crime? Does the legal system support free speech, civic participation in governmental oversight, and a free press?⁹

Hundreds of variations on these themes can be used to guide the acquisition of relevant information and to assess both the likelihood and the potential effects of an illicit power structure emerging as a threat to stabilization. What matters most is not which framework is used, but that the analysis is done specifically to address the potential risks from illicit power. This is a critical first step.

Analyzing Emerging Illicit Power Structures: Who are we dealing with, and what do they want?

As illicit power begins to emerge, the analysis acquires another layer: the taxonomy of the power structure itself. Because power is multidimensional, the analysis must be multidimensional as well. If the focus is limited to a single attribute or dimension of a power structure, the resulting conclusions – and, more importantly, courses of action – can lead to ineffective or even counterproductive responses and effects.

In almost all cases, illicit power has four defining attributes: (1) objectives, (2) motivations, (3) organizational structure, and (4) behavior. Each attribute should be viewed as a critical information requirement, and each must be addressed as a vital aspect of any effort to neutralize the negative impact of an illicit organization.

⁹ This has been a particularly difficult area for Westerners to evaluate accurately and illustrates the problem of “mirroring” when doing assessments. Our tendency is to evaluate media capacity by measuring technical skills and intellectual capital within the host nation’s media, the extent to which civil society is present, and whether freedom of the press is enshrined in national law. Often overlooked are the ways that state and media collaborate to create the *perception* of what is real and what is not. Russia’s manipulation of the entire field of journalism, from print to television, to social media, is a prime example. Everything looks good on the surface, but the underlying reportage is carefully controlled and subtly, consistently skewed so that neither the population nor the international community ever gets the real story behind the version presented.

Objectives: What do they hope to achieve?

Illicit power structures are generally distinguished by the type of objective they pursue. They seek either (a) destruction of the international order or its component parts—including individual states—and their replacement with an alternative order; or (b) redistribution of power, position, and resources within the existing state, in the interest of the members of the illicit power structure.

Objectives can evolve and change, and *both may coexist within the same organization* at different levels or even within the same level, even though this may appear illogical at the time. The case study in Chapter 2, on the Jaish al-Mahdi in Iraq, illustrates this phenomenon. Its authors, Phil Williams and Dan Bisbee, describe the changes in the organization's motivations, principal players, and constituent parts over the course of the Iraq War, in response to the situation on the ground, political choices made by both the Iraqi government and the international community, and challenges and opportunities presented by each. In this case, both objectives did indeed coexist within the JAM leadership at various times, but U.S. decision makers either could not, or chose not to, recognize them. That was unfortunate because where both objectives are present, they create opportunities to exploit the internal inconsistency and weaken or even neutralize the organization.

When the ideology, intentions, and objectives of a power structure are fundamentally at odds with the underlying principles of a rule-based system of sovereign states, then any accommodation satisfactory to both state power and illicit power is unlikely. For example, it is hard to imagine how groups seeking to do away with the state system altogether—such as those promoting a global proletarian revolution or a global Islamic caliphate—will accept any *long-term* outcome based on the modern system of individual sovereign states. It is also difficult to imagine that an organization with an unwavering commitment to destroy the state in its current form can be accommodated within a process of political compromise with the ruling state authority.

Those opposed to the existing system who will not compromise within the context of that system can be described as “intransigent,” “revolutionary,” or “absolutist.” But this does not mean that no accommodation is possible with the power structure's more moderate factions—which could neutralize its more extremist members' ability to carry out their intransigent agenda. And meanwhile, of course, the absolutists may be targeted individually.

The peace settlement with the RUF in Sierra Leone is an example of how this two-track approach can inform not only the peace agreement itself but also subsequent institution building and community reconciliation.¹⁰ In the case of the RUF, intransigents and absolutists were identified and isolated from their (reconcilable) former colleagues. Some were filtered into a judicial process. The rest faded into obscurity. They ceased to matter once their power base ceased to exist.

Illicit power structures that do not fundamentally oppose the principle of the state but, rather, wish to achieve a better position within the state can be classified as having *limited* objectives. They may wish to reform the state in the larger public interest (real or

¹⁰ See chapter 8 of this volume: “Sierra Leone: The Revolutionary United Front,” by Ismail Rashid.

perceived) or exploit the state to pursue narrow parochial interests, as is often the case with those who seek to capture state institutions for personal profit, power, or ideology. For obvious reasons, the tactics and strategies for countering them will vary. But the important thing is to recognize that no successful or enduring power structure will remain static. Thus, it is necessary to constantly reevaluate illicit power structures in order to ensure that we are not misreading their fundamental goals and objectives as we try to counter or neutralize the threats they present, and as they react to our attempts.

Motivation: What makes them behave as they do?

In war and transition, a common mistake is to assume that belligerents want conflict resolution, peace, or cessation of hostilities or have broader social aspirations such as reconstruction, stabilization, democratization, or development.¹¹ In fact, some belligerents—often in the form of illicit power structures—benefit substantially from conflict and therefore protect their material interests by fueling and sustaining the conflict that keeps them in business. These are often referred to as “conflict entrepreneurs.” Their motivation is the same as any other entrepreneur’s: profit. It is well documented that during the Balkan Wars of the 1990s, the criminal elements of all three major ethnic groups involved made extensive fortunes during the fighting and that the peace established in late 1996 cut into their profits dramatically. Similarly, Gretchen Peters, in her study of Afghanistan’s Pashtun trucking networks, points out that as organized crime and corruption became the norm, and profits from drugs and weapons increased because of continued insecurity, the prospects for peace and reconciliation decreased accordingly. This phenomenon is not restricted to nonstate actors. At the same time that the Taliban was profiting from the ongoing conflict in Afghanistan, Afghan political leaders were, too.¹² As conflict entrepreneurs become more entrenched and diversified, the overlap between illicit and licit activities, whether economic, social, or political, increases. And so do the complexity and the disincentives for peace.

Theories hold that greed is the fundamental motivation behind all illicit power structures and that without a nexus between illicit power and illicit wealth, there is no illicit power structure, but something else instead—some other kind of spoiler or belligerent that, while certainly not good, is otherwise undefined. This oversimplifies the analysis and is not supported by the cases. Identity politics remain a critical motivator, as do injustice and economic or political deprivation. The latter motivators are referred to as *grievance* or *need* based. The existence of organizations such as al-Qaeda and Hezbollah in the Middle East, the FARC in Colombia, the Interahamwe in Rwanda, and, looking back, the Bolsheviks in Russia confirms the continued emergence of organizations motivated to conflict by belief, creed, or need, as opposed to mere greed.

In fact, it is most likely that illicit power structures are motivated by a combination of factors. These factors may be inconsistent within the group and can rapidly change because of internal evolution or external pressures. Generally, however, one factor will be the key motivator that drives those in leadership positions to direct the behavior of the overall organization. It is important to be realistic in determining what that pre-

¹¹ David Keen, “The Economic Functions of Violence in Civil Wars,” *Adelphi Papers* 38, no. 320 (1998).

¹² See chapter 5 of this volume: “Traffickers and Truckers,” by Gretchen Peters.

dominant factor is, yet be vigilant in continually reassessing all assumptions about what motivates illicit power.

Organization: How are they structured?

Organizational structure represents one of the most basic intelligence requirements. Its primacy is evident in the emphasis on command and control, leadership, equipment, and supporting infrastructure that is so often heard when planning with military and law enforcement. A fuller assessment also requires that key leaders be identified, along with their roles, responsibilities, and personalities. This last factor is particularly important because many illicit networks function under charismatic leaders with authoritarian styles, and organizational behavior becomes an extension of the leadership style.

Organizational analysis is critically important; this much is self-evident. But the intelligence and information challenge is our tendency to look for structures that mirror our own concepts of efficiency, control, authority, and autonomy. Because of this bias in both collection and analysis, we have difficulty recognizing and understanding structures that may be less hierarchical and more relationship based and organic than we are used to.

In an effort to create an organizing principle to collate information around, researchers have often classified the basic distinction between illicit power organizations as hierarchical versus networked.¹³ While there are numerous varieties of each, this core distinction goes to the very essence of the organization, determining its patterns of communication, command, and control.

Table 10.2 Basic Organizational Structures

Hierarchical Organizations	Networked Organizations
<ul style="list-style-type: none"> • Well-defined chain of command • Clear lines of authority • Enduring vertical subordinate-superior relationships, decision making, and communication patterns 	<ul style="list-style-type: none"> • Less defined chain of command • Decentralized decision making • Decentralized channels of communication • More adaptive, rapid, and flexible • Less predictable

The way an illicit power structure is organized reveals critical information about its propensities, strengths, and vulnerabilities. Rigidly hierarchical organizations can be hobbled by disruptions in the chain of command, but negotiations with hierarchical organizations are likely to follow a more predictable course than negotiations with decentralized networks. Hierarchical organizations are also generally thought to be vulnerable to “decapitation” – the removal or isolation of the highest level of leadership. An example of this is the weakening of the Peruvian Maoist insurgent group Sendero Luminoso after the capture and incarceration of its leader, Abimael Guzmán, in 1992.

¹³ For a discussion of hierarchical and networked organizations, see John Arquilla and David Ronfeldt, *The Advent of Netwar* (Santa Monica, CA: RAND, 1996).

For years following Guzmán's capture, it was generally believed that Sendero Luminoso had been completely neutralized. But surviving factions later turned to narcotics trafficking and, during the first decade of the twenty-first century, engaged in sporadic violence, primarily against government security forces, in an effort to force a reconciliation process. Because the Peruvian government considered the resurgent violence manageable, however, no negotiations occurred.

Co-opting or otherwise alienating mid-level commanders from the high-level commanders can be effective in diluting the impact of hierarchical organizations. So can alienating the organization from the general population. This is a modification of modern counterinsurgency strategy, which states that in a COIN environment, the emphasis must be on "the populace, host nation, and insurgents." External support is considered a subset of popular support for insurgents.¹⁴ Our analysis elevates external support, making it a key consideration in its own right. Networked organizations may have more difficulty reaching categorical and final decisions, and they can be compromised if their communications network is disrupted, but they are also harder to map with any certainty and may require equally networked responses.

In 1996, researchers from the Rand Corporation developed a theory known as Netwar.¹⁵ Netwar emphasized the use of advanced communications and information technology as a basis for neutralizing the operations of highly networked organizations. The idea included the concept of *swarming*, which features striking "from all directions at a particular point or points, by means of a sustainable 'pulsing' of force and/or fire, close-in as well as from stand-off positions." This represented a technical solution targeting the specific organization of networks.

Networked organizations may also be weakened by disrupting network communications, picking them off one node at a time until the network no longer possesses critical mass to exert significant effects, or by eliminating critical, less redundant nodes, such as bomb makers, ideologues, technicians, and financiers. Recent trends in U.S. and allied approaches to countering extremism in the Middle East reflect this thinking. Of the nine core elements of the 2014 U.S. strategy to counter ISIS, three were focused on attacking critical enablers.¹⁶

Behavior: How do they operate?

Illicit power structures have idiosyncratic organizational cultures and dominant behaviors. Because objectives, motivations, and organization are frequently invisible to outsiders, the behaviors—a power structure's "modality"—are what we see. As a result, modality, or behavior, is usually the primary lens through which outsiders assess an illicit or informal power structure. An organization's capacity or propensity for engag-

¹⁴ Dept. of the Army, *FM 3-24 Counterinsurgency Field Manual*, Dec. 2006, 79, 104, <http://usacac.army.mil/cac2/Repository/Materials/COIN-FM3-24.pdf>.

¹⁵ See generally, John Arquilla and David Ronfeldt, *Networks and Netwars: The Future of Terror, Crime, and Militancy* (Santa Monica, CA: RAND, 2001).

¹⁶ White House, "FACT SHEET: Strategy to Counter the Islamic State of Iraq and the Levant (ISIL)," Sept. 10, 2014, www.whitehouse.gov/the-press-office/2014/09/10/fact-sheet-strategy-counter-islamic-state-iraq-and-levant-isil.

ing in violent behavior influences its modality. Modality, in the sense of an illicit power structure's efforts to exercise influence and power, can usually be classified into three types: (a) persuasion, (b) coercion, and (c) inducement.

Although the three types of behavior will most frequently be used in combination, one is usually prevalent. Thus, if an organization's primary modality is persuasion, we may not be terribly concerned, since some degree of nonviolent persuasion is acceptable political behavior. Unfortunately, coercion and inducement are the means more typically used by illicit power structures to exert influence on their environment. These behaviors are inherently corrupt and often violent. They perpetuate insecurity, subvert the legitimate exercise of governmental power and authority, and undermine stability, development, and sustainable peace. The willingness of an organization to move from nonviolent persuasion to more venal behaviors, or to tolerate coercion and violent inducement from its members or associates, is often the signal that the organization has turned away from the government or that its objectives have changed.

Any response to an illicit power structure should be conditioned by the objectives and motivations of that structure. But in the near term, understanding the dominant *behavior* will likely be the key to finding the most effective immediate counteraction.

Analyzing the Enabling Environment

Understanding the operational environment is considered essential if the commander is to be able to visualize the problem and the desired end state and devise an operational approach that turns current conditions into a desired end.¹⁷ U.S. military doctrine describes "operational environment" thus:

The composite of the conditions, circumstances, and influences that affect the employment of capabilities and bear on the decisions of the commander. It encompasses physical areas and factors of the air, land, maritime, and space domains and the information environment (which includes cyberspace). Included within these areas are the adversary, friendly, and neutral actors that are relevant to a specific joint operation. Understanding the operational environment helps the JFC to better identify the problem; anticipate potential outcomes; and understand the results of various friendly, adversary, and neutral actions and how these actions affect achieving the military end state.¹⁸

Illicit power is part of that operational environment. But in considering how to address the problem of illicit power structures from their own perspective, it can be more useful to think of their operational environment as an "enabling environment." This more accurately captures the opportunistic nature of most illicit power. As the cases demonstrate, illicit power structures fill gaps in licit frameworks and activities and take advantage of failures in leadership, accountability, and institutional capacity. But they do not usually create anything new. Instead, they tend to feed off existing systems, networks, relationships, and infrastructure. Even hardcore intransigents such as the RUF in Sierra Leone relied on existing commercial networks for their ability to traffic

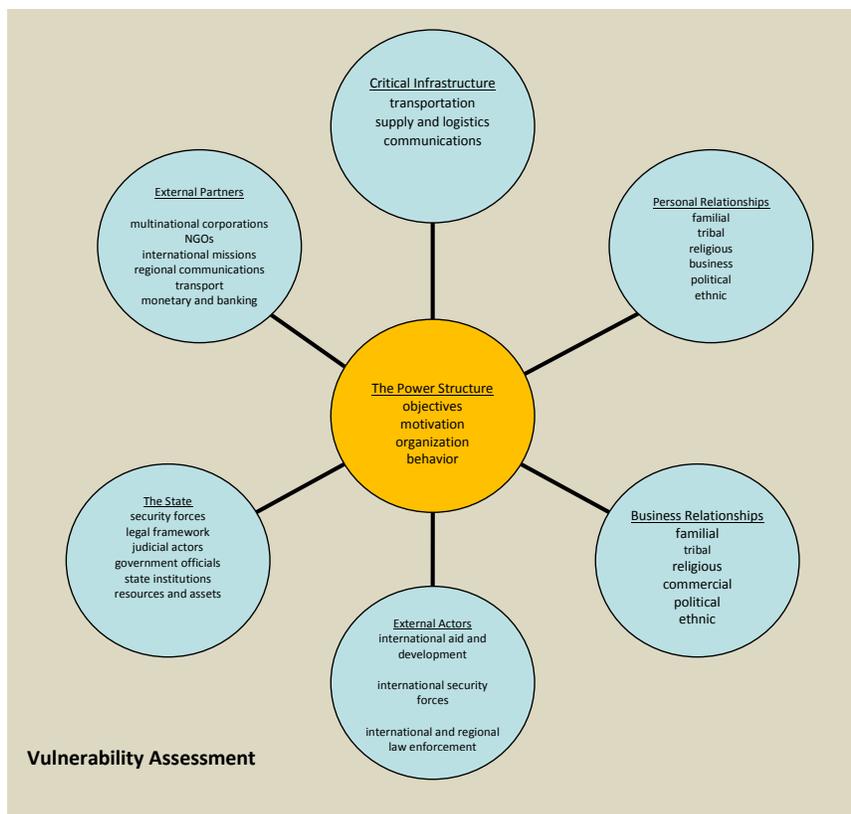
¹⁷ Ibid.

¹⁸ Joint Chiefs of Staff, *Joint Operation Planning (JP 5-0)*, Aug. 11, 2011, III-8, www.dtic.mil/doctrine/new_pubs/jp5_0.pdf.

in diamonds. And the weapons dealers in the Odessa Network built their entire business model on the back of the licit shipping and transportation industries and the legal frameworks that govern them. As a third layer of analysis, merging an understanding of the enabling environment with the vulnerability assessment, and with the taxonomy of the power structure itself, creates a more complete picture. It is this layer that facilitates development of realistic, actionable recommendations.

What does this enabling environment look like? Doctrinal publications contain exhaustive (and exhausting) lists of characteristics, factors, and acronym-inspiring elements. But looking across multiple examples of illicit power types, we can come up with a more simplified model that provides a start point for asking the right questions and searching for the right data without being unnecessarily formulaic:

Figure 10.1 Illicit Power Structures: A Framework for Analysis and Understanding



This model shows how the world looks (generally) from the perspective of a would-be illicit power broker or structure. It merges the three different types of analysis that are necessary for us to develop an accurate picture of the operational environment. The vulnerability assessment that was done during planning (and updated as conditions change) represents the conditions that allow the power structure to emerge. The emergent illicit power structure is shown in the middle, described by the four main characteristics as noted above. Finally, the illicit power structure’s enabling environment is represented by the spheres that surround it. Each sphere represents a general category of influencers and enablers that can be properly understood only if viewed in the context of the vulnerabilities in the operational environment. This model is not prescriptive.

Rather, it is a guide that helps us ask the right questions, focus our data collection, and more accurately develop strategies to counter the threat.

Economic Enablers

As experience shows us, there are priorities. Business relationships are vitally important to illicit power analysis. The nexus between illicit power and economic interests is undeniable. Even ideologically motivated organizations such as the FARC eventually networked with drug trafficking organizations. Less creed-based organizations rely on a web of contacts, contracts (written and unwritten, legal and illegal), and profit-motivated organizations and individuals to support their enterprise. They leverage licit economic structures and transactions, creating financial, political, and personal risk for those who never had any intention of getting involved in illicit activity, and profit motive for those who do not mind getting involved.

During the war in Afghanistan, a task force was specifically set up to look at contracting by the International Security Assistance Force (ISAF) Coalition in an effort to root out corruption. As the task force members began to look across functional areas to find the threads of corruption, they realized that understanding the business relationships – in this case, within the trucking industry – gave them a truer picture of the political environment in Afghanistan than did much of the other network analysis they were seeing. They began to gain a picture of the relationships, not just among contractors but also between power brokers at the highest levels of the Afghan government. By further tracing the contractual relationships of Afghan and other regional contractors, they quickly realized that every contract let by the international community was underpinned by a web of commercial interests that crossed political, ethnic, and even national boundaries.

At every level, businessmen and politicians were perverting the ISAF contracting system to siphon money and material out of the support structure that was essential to security operations and transition. Those who wanted to resist were nearly powerless. They were caught in a web of enforceable commercial agreements. Not only was the personal cost of integrity too high, but if they could not perform their obligations, the legal and financial costs would also have been too high.¹⁹

Governmental Enablers

The role of state actors and the institutions, assets, and legal framework within the state is another priority area that is underestimated and not well understood. We discussed the importance of the state in the vulnerability assessment, but the state as an enabler has many dimensions that must be reexamined against the specific threat posed by emergent power. Governance matters, and as with the illicit power structure itself, we must understand key governmental leaders, their direct and indirect involvement, and their incentives. In her book *Thieves of State*, journalist and Carnegie Foundation fellow Sarah Chayes describes how, at the extreme end of the spectrum, the state itself becomes a

¹⁹ Conclusions presented by Gert Berthold, a former team member on Project 2010, at the NATO Building Integrity Expert Consultation (unclassified), National Defense Univ., Dec. 3-4, 2014.

criminal organization and a full participant in illicit activities.²⁰ Our case studies support her research. As we have seen, illicit power structures almost never function without some level of complicity by various state individuals and institutions.

In other instances, only certain security forces, state institutions, or rule of law actors will have been co-opted. Or they may simply be incapable of doing their job. Once identified, they can often be replaced or retrained, or an acceptable substitute capability can be found. In Kenya, for example, a failing train-and-equip mission to help the Kenyan Navy interdict extremists coming out of Somalia was turned around simply by changing out the law enforcement partner that the Navy relied on for the law enforcement component of its concept of operations (CONOPS). The partner in the original CONOPS was the Kenyan National Police. When they proved unequal to the task (due to corruption and ineptitude), they were replaced by members of the Kenyan Wildlife Service, who both had the jurisdictional authority to make arrests in Kenyan territorial waters and were competent to perform the necessary maritime investigations.²¹

State assets and resources, when poorly or corruptly managed, also become tools in the hands of an illicit organization. And where the legal framework itself contains loopholes and exceptions, illicit actors will fully exploit the gaps.

External and Internal Enablers

External actors are almost always enablers. Regional and multinational corporations and infrastructure provide a backbone for illicit activities, especially trafficking, transportation, communications, and support. Multinational businesses can provide a cloak of legitimacy, and the legal structures that protect their licit operations can be manipulated to also protect their illicit partners. Other regional state actors provide direct and indirect support and sanctuary and impede law enforcement and cross-border operations. International missions inadvertently enable illicit power by limiting their own mandates in ways that constrain their security forces and development partners, not allowing them to address root causes of conflict or preventing them from requiring stricter accountability or law enforcement as a condition of aid. The influx of foreign aid that internationals bring to the environment provides incentives for graft and corruption and distorts normal patterns of commerce and trade, creating disincentives for long-term accountability and reform.²²

Although not listed specifically in the model above, the population itself is also an enabler. The state and the illicit power structure may interact, but they do so within the context of the people. Dissatisfied or intimidated populations provide support for illicit power structures and the patronage networks that sustain them. While in many

²⁰ Sarah Chayes, *Thieves of State: Why Corruption Threatens Global Security* (New York: Norton, 2015).

²¹ Author's observations from a joint security-sector reform assessment she conducted with Coalition Joint Task Force—Horn of Africa, Oct. 2006, Manda Bay, Kenya (unclassified).

²² On external states using warlords as proxies to advance their foreign-policy interests, see Kimberly Marten, *Warlords: Strong-Arm Brokers in Weak States* (Ithaca, NY: Cornell Univ. Press, 2012). On external support to insurgencies and terrorist organizations, see Daniel Byman, *Deadly Connections: States that Sponsor Terrorism* (Cambridge, UK: Cambridge Univ. Press, 2005); Daniel Byman et al., *Trends in Outside Support for Insurgent Movements* (Santa Monica, CA: RAND, 2001), www.rand.org/content/dam/rand/pubs/monograph_reports/2007/MR1405.pdf.

ways the populace may be seen as a passive victim, it must also be seen as comprising a dynamic set of actors in their own right.²³ For example, typically, when conditions become intolerable for the people, they revolt—not against the illicit power structure, but against the government. There are some exceptions, such as in Mexico, where the citizenry in some areas took up arms against drug traffickers, or Afghanistan, where villagers have occasionally revolted against the Taliban. Depending on where one sits, this can be argued as reassertion of the rule of law in the absence of state action. But it can also be vigilantism, and eventually, the government will have to step in and retake control. Otherwise, it becomes just another opportunity for illicit power to emerge.

As a final note on the analysis, it is important to remember that the framework described here, and the three levels within it, are neither static nor linear. There will be significant overlap between the areas of analysis. Some state actors, for example, may be members of the illicit power structure that the state should theoretically be fighting, but because of political expediency or government reforms, they may find themselves on the other side, challenging the same illicit power structures that they themselves are a part of. The populace may selectively provide support or withdraw it from either the illicit power structures or the government. Likewise, external actors may provide significant on-site support, financing, or resourcing for illicit power brokers one day, and withdraw that support the next, causing an external support structure to collapse. All are dynamic entities, whose interactions must be evaluated, then reevaluated continually as conditions change.

Overcoming the Collection Challenge

Intelligence agencies—particularly military intelligence agencies (who are likely to be prevalent in conflict zones)—generally do not collect the types of business-, population-, and governance-centered intelligence required to understand how an illicit power structure arises and thrives. To win the support of the population, the legitimacy of the government is key to strategic success. In such situations, however, intelligence collection rarely focuses on the types of information required to understand the roots of the problem.²⁴

Barriers and Impediments to More Comprehensive Collection

Western intelligence has become very good at tracking command and control, particularly in hierarchical organizations, and understanding tools, tactics, and procedures.

²³ Few academic studies rigorously assess the role of the population with insurgent or other illicit power structures. Two excellent ones are Stathis Kalyvas, *The Logic of Violence in Civil War* (Cambridge, UK: Cambridge Univ. Press, 2006); and Jeremy Weinstein, *Inside Rebellion: The Politics of Insurgent Violence* (Cambridge, UK: Cambridge Univ. Press, 2007). But many other authors have written on the role of the population vis-à-vis insurgent forces. See, for instance, David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (Oxford, UK: Oxford Univ. Press, 2011).

²⁴ For an in-depth examination of this issue as it relates to the insurgency in Afghanistan, see Michael Flynn, Matt Pottinger, and Paul Batchelor, “Fixing Intel: A Blueprint for Making Intelligence Relevant in Afghanistan,” CNAS, Jan. 2010, www.cnas.org/files/documents/publications/AfghanIntel_Flynn_Jan2010_code507_voices.pdf.

And we are getting better at following the money, although, as the Joumaa Web case (Chapter 12) points out, we are less good at achieving enduring impact through financial intelligence-based operations. Once we leave our own borders, we understand even less about local or national personalities, patronage networks, ties to criminality, the roles of external actors and external security forces, and the unwritten “rules of the game” for exercising power and influence within a particular society or culture. The information exists but is largely invisible to more traditional, threat-oriented collectors during wartime.

Part of the problem is that this information is accessed through very different channels. For example, governance specialists may generally understand the workings of both formal and informal government. But those specialists often reside on an embassy political staff or in a nongovernmental (NGO) or intergovernmental organization (IGO) rather than inside an intelligence agency or law enforcement organization. Information on criminal networks may be held by various law enforcement, financial, or regulatory bodies. But it may be subject to limited distribution because of legal constraints such as privacy and espionage laws, rules of evidence, criminal procedure codes, and intelligence and law enforcement oversight mechanisms. The news media may have extensive information networks and nuanced contextual understanding but, for obvious reasons, will be reluctant to share sources and methods with intelligence organizations and personnel.

The intelligence community also may not be familiar with alternative, nontraditional information sources in a given area. It may be unwilling or unable to tap into open source networks. There may be barriers between actual languages or between the lexicons used in different fields. Senior leaders often hesitate to use information based on sources of uncertain reliability or that fall outside standard information security channels. Indeed, intelligence professionals and military leaders often view unclassified information as “second class.” Distribution of information is also difficult. For example, because of legal and (more often) “cultural” differences between military forces and law enforcement, their intelligence collection efforts will remain stovepiped to a degree, even where interagency coordination efforts are working well. Other information sources, such as IGOs and NGO networks, may not be accessible at all.

Also, intelligence collection rarely focuses on the types of information that define business relationships. Contractual relationships, domestic and international regulatory compliance (real or feigned), and custom and practice in how business is conducted within the operational environment require a different perspective from the normal security-oriented collection effort. To be truly effective, both collectors and analysts must not only understand how illicit activity works; they also have to understand how *licit* activities are conducted. Because illicit networks often live off licit systems, only by understanding how legitimate activity is conducted can we detect the anomalies. But collection against licit actors is often constrained by legal, policy, and privacy concerns. This means that much of the collection depends on the use of open sources, public records, and public communications.

Is it intelligence, or is it evidence?

Another factor complicating the challenge of intelligence collection against illicit power is that the problem is fundamentally one of law enforcement. Thus, traditional collection activities may be effective in identifying security threats and facilitating military targeting. But they are not as helpful in the transition from military-led security operations, under the law of armed conflict during wartime, to evidence-based law enforcement operations under the host nation's domestic law in the transition to peace. Information and intelligence has to be usable to effectively prosecute members of an illicit power structure in both foreign and domestic courts. The process by which information is collected and handled becomes as relevant to the effort's success as the information itself.

The Public Domain

What makes illicit power structures so interesting from a detection standpoint is how frequently they hide in plain sight. Business entities are registered, regulated, and taxed. Their assets (real and personal property and profits) are often publicly declared. Their websites describe what they purport to do, who their leaders and staff are, who they work with, and what services they claim to provide. Both the Odessa Network and Joumaa Web case studies illustrate the tremendous amount of information about an illicit power structure's enabling environment that can be found in the public domain. In the case of the Odessa Network, the entire network analysis was completed using only publicly available information. But to access it, we have to know what we are looking for. A key factor in C4ADS's success in collating that publicly available information was that the C4ADS analysts knew their topic – they knew what questions to ask and where to go for answers. They also spoke the language and knew generally how things worked on the ground. Their techniques were closer to those used by good investigative reporters than those used by intelligence services.

For more traditional intelligence organizations, this can be a real challenge because this type of problem is not their core skill. To close the information gap, new sources of information collection, processing, and distribution may be required.²⁵ Collection plans may need to include a process for regularly interviewing specialists: those who work in various government ministries; advisory or liaison teams who work with local elites, aid agencies, NGOs, and multinational corporations; and so on. Local and external news media reporting should also be reviewed, both as a source of information and for possible disinformation. And, of course, social media have become another critical source.

Institutional capacity building within the host nation also comes into play. The host nation government is, after all, our primary transition partner in most instances. But this means that our capacity building activities have to include robust technical development, within the host nation's law rather than our own. Effective intelligence-led policing, for example, requires specialized training for police *and* prosecutors so they know how such operations can be technically managed and properly applied within the existing legal system, and so they know what is required in order to bring evidence collected through such investigations to trial. Their training must be not only complementary but

²⁵ Flynn, Pottinger, and Batchelor, "Fixing Intel."

also collaborative. To be effective, they have to be able to work a case as a team. Judges may require specialized training and continuing professional education so they can try complex cases against illicit organizations.

Anyone operating in a domestic legal environment will need to have a solid understanding of existing laws and codes of criminal procedure. Where reform is required, legislative engagement with the host nation needs to be carefully thought through, and conducted with continuity of effort. It must also be coordinated with related institutional reform. Intelligence requirements also have to be considered when designing institutional reform strategies and programs. Each institution has its own unique set of information requirements and intelligence needs. But too often, international missions look only at the obvious ones: first, the need for a national intelligence service to protect the country from external threats; and second, a law enforcement intelligence capacity to address threats to national security. The information and intelligence requirements for other institutions to conduct their business securely, competently, and accountably falls to a distant third.

Resources for Intelligence Professionals

This section focuses on some newer resources that may not be well known to intelligence analysts. While military doctrine and civilian agencies' handbooks are important, resources outside standard intelligence channels can also be useful in confronting the collection challenge. In some instances, outside organizations have created specific guides or regularly produce information that is helpful in mapping illicit power structures and their enablers. These resources are unclassified and easily accessible to security professionals.

Appropriate Engagement with NGOs

Nongovernmental organizations also routinely publish reports and analysis that provide useful insights and alternative perspectives. NGO workers in the field often have an excellent understanding of the societies where they work; some NGOs even provide references and other sources specifically geared toward security professionals. The most notable is Transparency International's Defence and Security Programme (TI-DSP).²⁶ At one time, TI trained NATO troops for operations in Afghanistan. Its handbooks not only outline best practices for undertaking stabilization and peacekeeping in highly corrupt, criminalized societies but also explain how to conduct accountability- and anti-corruption-focused training for security forces. They outline methods for doing country and regional assessments of the levels of corruption within security forces and defense ministries. Their work can be used to guide collection and analysis on one of the most critical vulnerabilities in the operational environment, and one of the key enablers of illicit power.²⁷ TI specifically addresses intelligence considerations and provides guid-

²⁶ For a library of its publications, see TI UK, "TI-DSP Reports," 2015, www.ti-defence.org/publications/dsp-pubs.html.

²⁷ See TI, "Corruption as a Threat to Stability and Peace," 2014, <http://ti-defence.org/publications/dsp-pubs/257-corruption-threat-stability-peace.html>. This compilation of case studies from Afghanistan, Kosovo, and West Africa demonstrates how corruption hinders stability in postconflict states and under-

ance on criminal patronage networks, narcotics trafficking networks, and land mafias, as well as such groups' use and abuse of foreign aid and military contracts. For military practitioners, Transparency International summarizes the existing military doctrine and guidance related to corruption and criminal patronage networks.²⁸

Another excellent source is the Asia Foundation's handbook on how political settlements between elites work in conflict-prone societies.²⁹ Addressing the problem of conflict entrepreneurs, the Asia Foundation illustrates how, in many cases, the states that provide the most conducive environment for illicit power structures function under what the Asia Foundation terms a "political settlement." Elites, both legal and illicit, band together to settle large-scale violence by essentially dividing the "spoils" the country has to offer. Actors in conflict situations create political settlements to limit the violence and disburse the rents to various power brokers. The Asia Foundation's handbook is especially noteworthy because it gives practitioners practical advice on how to map the various power-broker networks that keep these actors in power, as well as strategies for marginalizing them and bringing reformist actors more to the fore.

The United Nations is also a great resource for intelligence and rule of law practitioners. The UN Office of Drugs and Crime website provides a wide variety of assessments, assessment tools, and handbooks that are useful for understanding various criminal networks, markets, and banking and logistics systems that illicit power structures use to finance and resource themselves.³⁰ The UN Department of Peacekeeping Operations contains national and regional assessments of current and past peace operations and is a trove of material on best practices for institutional development, including comprehensive assessment frameworks that can also guide intelligence collection and analysis.

Many tools for national security professionals are cowritten by military leaders or others well steeped in military issues. For example, the United States Institute of Peace has developed a number of handbooks for practitioners.³¹ It also provides fact sheets, studies, and reports on specific countries and groups within those countries. The number and range of think tanks is ever expanding, but many have been around for decades and have established a solid reputation. These organizations publish everything from short, one-page fact sheets to longer, book-length works.³²

Some think tanks and NGOs focus on specific topics that are particularly useful in confronting the problem of illicit power. The Fund for Peace publishes the yearly "Fragile States Index" as well as a variety of reports on various transnational threats.³³ Global

mines peace worldwide, and offers solutions for international organizations seeking to mitigate the risk.

²⁸ See, for example, TI Germany, "Corruption Threats to Stabilisation Missions and Defence Capacity Building," Robert Bosch Stiftung, Feb. 2015, www.dropbox.com/s/dlpa0xbpde80bsj/150206%20Policy%20Paper%20Stabilisation%20and%20Capacity_Building%20Transparency%202015.pdf.

²⁹ Thomas Parks and William Cole, "Political Settlements: Implications for International Development Policy and Practice," Asia Foundation Occasional Paper no. 2, July 2010, <http://asiafoundation.org/resources/pdfs/PoliticalSettlementsFINAL.pdf>.

³⁰ UNODC, "UNODC ENews," June 23, 2015, www.unodc.org/unodc/enewsunodc/index.html.

³¹ USIP, "Articles and Publications," 2015, www.usip.org/publications.

³² See, for example, Council on Foreign Relations, Brookings Institution, Carnegie Endowment for International Peace, Center for Strategic and International Security, and International Institute for Strategic Studies.

³³ Fund for Peace, "Fragile States Index 2015," <http://global.fundforpeace.org/>.

Witness publishes reports on how natural resources help a wide array of illicit actors fund and resource conflict in many locations worldwide. The Stockholm International Peace Research Institute (SIPRI) provides information on armaments and smuggling networks as well as group and regional analysis.

Leveraging Social Network Analysis

Illicit power structure linkages can be mapped and understood using social network analysis. This is one of the principal tools for understanding the organizational structures and their patronage networks. But many intelligence analysis personnel have no background in this type of analysis. Fortunately, there are books, YouTube videos, and free MOOCs (for “massive open online courses”) that provide a basic understanding of how to conduct social network analysis. Doctrinally, *FM 3-24 Counterinsurgency Field Manual’s* Appendix B provides a basic glossary of key terms on social network analysis, as well as other analytical tools. And the British *Joint Doctrine Publication 3-40 Security and Stabilisation: The Military Contribution* provides additional considerations for key players who should be mapped, as well as some additional analytical and technical tools for such mapping. Specialized software packages can greatly help analysts conducting network analysis, but whiteboards, chart paper, and other low-tech means can also be tremendously effective. Network analysis will have to include not only the power brokers themselves but also their families, protégées, economic interests (e.g., front companies, banks), and criminal interests.

Using information from certain sources does require some delicacy. NGOs are highly sensitive to being openly exploited for information purposes, but often willingly share their expertise and experience. Outside organizations have political sensitivities that need to be respected, and security considerations as well. Their ability to operate in hostile environments (including politically hostile environments where their legal risk is significant and real) depends largely on their being perceived as neutral. They are increasingly vulnerable to accusations of colluding with a hostile entity or, worse, spies. As the recent spate of kidnappings and murders in the Middle East and the Horn of Africa has shown, this is a risk both to organizations and to their personnel.³⁴ Thus, formal and informal information-sharing agreements and rules of engagement for working with different organizations, even on an ad hoc basis, may have to be developed. Risks and benefits must be carefully weighed.

Conclusion: The “So What” for National Security Professionals

Even armed with nontraditional resources, deeper, more comprehensive background study, and a more empathetic approach, security professionals will always find illicit power elusive, tenacious, and persistent. But does it “take a thief to catch a thief,” or can illicit actors understand the illicit without having to step over the line themselves? Going back to our burglar-casing-a-neighborhood analogy may be instructive.

³⁴ Scott Feil, “Laying the Foundation: Enhancing Security Capabilities,” in *Winning the Peace: An American Strategy for Post-Conflict Reconstruction*, ed. Robert C. Orr (Washington, DC: Center for Strategic and International Studies, 2004), 53.

First, it is an obvious point but worth remembering that for all we know about catching and prosecuting thieves, thefts occur everywhere, every day. Effective policing reduces the risk to a manageable level and makes successful prosecution more likely, but it does not eliminate the problem of theft any more than we can eliminate illicit power. As discussed earlier, bad actors are always waiting in the wings of chaos and transition, looking for opportunities to emerge. The goal of greater understanding is more effective containment – keeping the problem at a manageable level and ensuring that illicit power does not preclude sustainable peace. So it is interesting to note that the techniques for managing the burglary problem are strikingly analogous to the approach we advocate here for managing illicit power.

The Center for Problem-Oriented Policing (POP), a nonprofit organization that draws on practitioners, academics, and researchers to codify best practices in community policing, emphasizes the importance of understanding the operational environment from the thief's perspective (our "vulnerability assessment"): "Analyzing the local problem carefully will help you design a more effective response strategy. Your main emphasis should be on understanding the environmental settings in which the thefts occur in your suburban residential communities, and identifying those people in your community who can help change those settings."³⁵

As thefts occur (or as illicit power emerges), the task shifts from the environment to the thief (our "taxonomy"): "The most important first step must be the collection of relevant data. It is only through the systematic collection of information concerning characteristics of location, times, and methods used by offenders that a clear picture of the problem will emerge." Understanding the problem from the thief's perspective is critical. "Interviewing offenders as to their motivation and methods can help police develop new approaches to the problem, and to determine which efforts they have employed are effective and which are not. The San Diego police used this method and determined that the perpetrators in their area typically focused on apartment complexes, worked in pairs and traveled to the area by car from several miles away."³⁶

The focus then shifts to the enabling environment, with the purpose of developing realistic and practical courses of action: "Gathering detailed information from offenders can reveal the type of offender and suggest proper courses of action. . . . For example, if your analysis reveals that professionals are stealing vehicles for stripping or resale, investigation can focus on identifying suitable locations for the thieves to carry out such an operation."³⁷

The POP approach makes sense for countering neighborhood theft, and on paper, our methodology retrospectively supports the lessons from case studies in the book. But will it really make a difference in our effort to understand and confront the problem of illicit power? Would it have helped the special-operations force (SOF) in Afghanistan? With peace negotiations in Sierra Leone? With capacity building in Timor Leste?

The answer is probably yes. By the time of the conversation with the elders regarding detainees, special-ops forces in Afghanistan had been doing superb work for almost ten

³⁵ Center for Problem-Oriented Policing, "Thefts of and from Cars on Residential Streets and Drive-ways," Guide no. 46, 2007, www.popcenter.org/problems/residential_car_theft/.

³⁶ Ibid.

³⁷ Ibid.

years in the province where the rule of law shura took place. But their focus had been on military security operations, not civilian-led evidence-based operations. That is, they had been dealing with a different set of issues and objectives. The local population's perceptions of law enforcement authority, while certainly of interest, had not been a primary concern. For the task force, attitudes about such lofty ideals as democratization and human rights were the purview of others, such as NGOs and civilian members of the provincial reconstruction teams. But even if the NGOs and civilians were asking the right questions, they were not asking them from the perspective of security and detection of illicit power, and they likely did not understand the significance of these attitudes to the SOF initiative. As many of the SOF team members said later, had they understood the villagers' [mis]perceptions about democracy, human rights, and governmental authority, they would have approached the problem of evidence-based operations differently. They would likely have spent more time facilitating the type of dialogue that took place during the Afghans' rule of law shura. They would have worked more closely with their Afghan partners to describe "democracy" in the Afghan context, and their communications strategy with the community would have been different in both its substance and its delivery.

There is no magic formula for getting the information and intelligence picture right, but ultimately, it comes down to knowing how to ask the right questions, at the right time, of the right people, in the right places. Those accustomed to standard enemy-focused intelligence collection and analysis may resist the expanded scope of information needed to detect, understand, and counter illicit power. In conflict and political transition especially, information-gathering resources are already spread thin; access to public information may be severely constrained. Both analysts and collectors must contend with the competing requirements of day-to-day operations over long-term, contextual understanding. But at the same time, leaders, policymakers, planners, and commanders need to be reminded that parallel information-gathering networks and ready sources of information already exist, and that learning how to work collaboratively with them will be not an extra requirement, but a true force multiplier. And as the cases in this volume demonstrate, a deeper understanding of the risks from illicit power, illicit power structures, and their enabling environment will enable more focused and effective response.