Shadow orders: clandestine non-state power in the international system

Bastrup-Birk, J.T.N.

Part I: Introduction and context

CHAPTER 1 – Introduction

The secret cable dispatched from the American embassy in Kabul to Washington D.C. struck a sombre tone. "Afghanistan's New Ansari hawala [money exchange] network," it reported in October 2009, "is facilitating bribes and other wide-scale illicit cash transfers for corrupt Afghan officials and is providing illicit financial services for narco-traffickers, insurgents, and criminals through an array of front companies in Afghanistan and the United Arab Emirates."[1] The account symbolised a key juncture in the United States' understanding of the sprawling cross-border linkages and complex relations that existed between different non-state actor groups as well as their connections to state actors. The embassy had already complained two months earlier about interventions by then-Afghan President Hamid Karzai that "authorised the release of detainees [...] and allowed dangerous individuals to re-enter the battlefield," whilst also expressing "concern over pre-trial releases and presidential pardons of narco-traffickers."[2] At the same time, American diplomats concluded rather reluctantly that they had no choice but to work with the Afghan elite. This included both Karzai and his brother, Ahmed Wali Karzai (widely referred to through his initials 'AWK'), the head of Kandahar's Provincial council with "a reputation for shady dealings" and "widely understood to be corrupt and a narcotics trafficker."[3] AWK was not everybody's friend, however. In July 2011, he was killed by three pistol rounds fired at close range by a local police commander whom, ironically, he viewed as a close confidant and who may or may not have been working under Taliban instructions.[4]

The dynamics at play in Afghanistan were certainly complex. Here were members of the national government, supported by external backers, enriching themselves on money from the opiate trade all the while fighting cross-border, narco-funded Taliban insurgents with ties to the Pakistani government and a range of other militant groups in the region. An infamous attempt by intelligence personnel to map the web of connections and relationships between these different parties on a single chart did not make things any clearer. "When we understand that slide, we'll have won the war," exclaimed General Stanley McCrystal, then in command of the military effort in the country.[5] Indeed, the political landscape of Afghanistan would have been difficult enough to understand even without the added complexity of external interference by both state and non-state actors as well as fluid alliances between different armed and criminal actors, each with their own agenda. As teams of analysts traced these connections backwards from conflict epicentres in Afghanistan and Iraq to other countries and regions, a complex picture was gradually coming into focus. It was one in which far-reaching social, economic and political networks coalesced, transacted and intersected in pursuit of a plethora of objectives.

Increasingly large network diagrams, when overlaid onto maps, were in fact revealing what looked like an alternative international 'order' – one in which different players could organise themselves in ways which transcended or circumvented state boundaries and agree on a separate set of rules. State actors such as the Afghan political elite dipped in and out this order, but the main protagonists consisted of a wide cast list of clandestine non-state actor groups – criminal, terrorist and insurgent – trading within a global marketplace where ideas, capabilities and services were being exchanged and where an active shadow economy was

[1] *Investigating an Afghan Money Exchange*, October 18, in *2009 Embassy Cable, State's Secret: A Selection from the Cache of Diplomatic Dispatches*, New York Times WikiLeaks Archive, June 19, 2011,
https://archive.nytimes.com/www.nytimes.com/interactive/world/statessecrets.html.
[2] *Karzai Intervenes in Drug Cases*, October 6, 2009 Embassy Cable in *Ibid*.
[3] *2009 Meeting with Ahmad Wali Karzai*, October 3, 2009 Embassy Cable in *Ibid*.
[4] J. Partlow and K. Sieff, *Ahmed Wali Karzai, half-brother of Afghan president, killed by trusted confidant*, Washington Post, July 12, 2011.
[5] E. Bumiller, *We have met the enemy and He Is PowerPoint*, The New York Times, April 26, 2010.

establishing deep roots. These actors had in common the fact that they actively sought to challenge, alter or subsume the status quo. Their business, accordingly, was that of secrecy, dark dealings, subterfuge and deceit – exploiting, outflanking, co-opting or infiltrating exiting formal structures, rewriting the rulebook and forging a whole range of relationships along the way.

At the same time as these revelations were taking place, tectonic shifts were occurring within the international system as the unipolar world frayed at the edges. The tremors of change, light at first, grew in size and regularity as new conflicts and old feuds (re)emerged around the world. With the global hegemon bogged down in expeditionary quagmires in Iraq and Afghanistan, other, rising powers were becoming more emboldened, willing to pursue expansionist geo-political agendas at a time of international flux. Thus, when the Arab Spring triggered unrest across the Middle East and North Africa, plunging Syria and Libya into civil war, foreign actors were quick to interfere, picking sides and seeking to alter balances of power in line with their regional interests. It was not just state actors, however, who were making the most of the moment. In early 2012, a coalition of Jihadi groups and Tuaregs began its sweep through Mali, bolstered by weapons flowing from Libya. A year later, al Qaeda in Iraq changed its name to the Islamic State in Iraq and Syria (ISIS), signalling its future intentions and bent on creating "a caliphate stretching from Aleppo in Syria to Diyala in Iraq."[6] It was perhaps unsurprising, therefore, that Russia turned to non-state actors ranging from outlaw motorcycle gangs to hacking groups for assistance in projecting its influence across the Donbass region following its annexation of Crimea in 2014. Indeed, it had become abundantly clear that these participants were a force to be reckoned with, also competing and vying for political and territorial gains as independent agents of influence within an increasingly multipolar international system.

All these developments were certainly not lost on the Iranian-led so-called 'axis of resistance' seeking to erode Israeli and American power in the Middle East.[7] Thus, in June 2023, Iranian leader Ali Khamenei called for a meeting with Palestinian group Hamas in which he called for "greater unity and coordination among resistance groups," whilst hinting at the possibility of a "multi-front war" against Israel, which would amount to a "convergence of arenas."[8] This built on Iranian Republican Guard Corps (IRGC) efforts to increase operational-level synchronisation amongst various non-state militants located in the Palestinian territories, Lebanon, Yemen, Syria and Iraq.[9] The concept would involve harnessing the likes of Hezbollah, Hamas, the Islamic Jihad, Iraqi Shia militias and Yemen's Houthi as part of a coordinated network of (shadow) influence in the region. Moreover, Hezbollah's leader, Hassan Nasrallah, would be given the role of a quasi-diplomatic envoy, mediating as well as liaising between different factions of the axis. Iran's strategic logic essentially amounted to one of semi-deniable 'forward defence' – addressing and deterring perceived threats to its interests beyond its immediate borders by using an array of proxy (and often non-state) actors, whilst at the same time ensuring strategic depth.[10] By the time Hamas launched its bold and highly coordinated terrorist attacks on Israel a decade later in October 2023, the stage appeared to be set for a fundamental challenge to conventional, state-centric paradigms relating to *how*

[6] '*Timeline: The Rise, Spread, and Fall of the Islamic State'*, Wilson Centre, October 28, 2019, https://www.wilsoncenter.org/article/timeline-the-rise-spread-and-fall-the-islamic-state.
[7] P. Hafezedi, L. Bassam and A. Mohammed, *Insight: Iran's 'Axis of Resistance' against Israel faces trial by fire*, Reuters, November 2023.
[8] H, Azizi, *How Iran and Its Allies Hope to Sava Hamas*, War on the Rocks, November 2023, https://warontherocks.com/2023/11/how-iran-and-its-allies-hope-to-save-hamas/.
[9] R. Zimmt, *The Gaza war raises questions about the future of Iran's Resistance A*xis, Atlantic Council, November 2023, https://www.atlanticcouncil.org/blogs/iransource/gaza-iran-resistance-axis-hamas-hezbollah-israel/.
[10] H. Azizi and A. von Humboldt, *The Concept of 'Forward Defence': how has the Syrian crisis shaped the evolution of Iran's military Strategy?,* Geneva Centre for Security Policy, Research Project Paper 4, February 2021, pp. 1-31.

and *by whom* power could be wielded within the international system as well as to the notion of state monopoly over the use of force.

Despite all of these developments, the overall emphasis has largely continued to be placed on state actors as the chief architects of change within the international system – the sole players at the table of the chess game of grand strategy. To a large degree, the modern international system established by the victorious allies after World War II provides a resilient framework of political rules supported by a multilateral architecture and enforced by the most powerful nations.[11] For example, when then-Secretary of State Hillary Clinton (perhaps incorrectly) declared that "United States does not recognise spheres of influence," it was state actors that she was both referring to and trying to dissuade.[12] Indeed, the traditional Realist principle that states are the ultimate custodians of authority and power at the international level is one that has held its ground for generations.[13] Surely, Realist theorists might argue, Iranian-backed proxy groups remain exactly that: actors who serve as the behest of a state actor. Iran's Minister of Foreign Affairs, Hossein Amir-Abdollahian would disagree, arguing that different non-state factions in the region have their own distinct political identity.[14] Moreover, at the time of writing, Houthi attacks against vessels in the strategically important Bab-el-Mandeb strait continue to cause significant disruption to global supply chains passing through the Red Sea and Suez Canal. To be sure, cracks in the state-centric paradigm are increasingly visible, with the theory increasingly having to accommodate political and market forces operating at the sub-state level.[15] This, arguably, requires a recognition of the individual agency of non-state actor groups as well as their role in shaping regional and international politics.

1.1 Focus, argument and structure

This thesis was to a large degree born out of curiosity. After dozens of missions focused on a combination of organised crime, terrorism and insurgencies in different regions around the world, it became increasingly apparent to this researcher that existing policy and strategic thinking did not adequately reflect the full character of these organisations, particularly with respect to the ways in which they interacted and connected across borders. Indeed, the ability of such groups to wield significant power – even, at times, in more developed countries – and engage in complex relationships with both state and non-state actors appeared to constitute more of a rule than an exception.

For this reason, the dissertation adopts a comparative approach to establish whether there are identifiable and consistent patterns in the behaviour and characteristics of different clandestine non-state actors, particularly as these relate to challenging the authority of the state and projecting political power. In so doing, its central argument is that clandestine non-state actors need to be understood as independent, quasi-sovereign agents of political change capable of establishing their own micro spheres of influence, pursuing external, 'foreign' policies and adopting the range of levers of power available to states, albeit typically at a

[11] *Challenges to the Rules-Based International Order*, London Conference Background Paper, Chatham House, The Royal Institute of International Affairs, 2015, p. 1.
[12] G. Allison, *The New Spheres of Influence: Sharing the Globe with Other Great Powers*, Foreign Affairs, March-April 2020, https://www.foreignaffairs.com/articles/united-states/2020-02-10/new-spheres-influence.
[13] See for example D. Voelsen and L. V. Schettler, *International political authority: on the meaning and scope of justified hierarchy in international relations*, International Relations 2019, Vol. 33(4) pp. 540–562.
[14] N. Bozorgmehr, *Iran told US of its opposition to wider conflict*, Financial Times, November 18, 2023.
[15] See for example M. Ataman, *The Impact of Non-State Actors on World Politics: A challenge to Nation States*, Alternatives: Turkish Journal of International Relations, Vol.2, No.1, Fall 2003, pp. 42-66.

smaller scale. It also argues that technology has increased their ability to connect, trade, and cooperate as effective cross-jurisdictional networks in pursuit of a range of strategic aims resulting in the creation of alternative transnational power systems, or 'micro-orders', running parallel to, often intersecting with, and sometimes altering the 'formal' nation-based international system.

Furthermore, it attempts to highlight the extent to which clandestine organisations draw on a range of independent licit and illicit service providers, whose expertise has become increasingly available in the international marketplace and who have enabled organisations to establish complex and highly effective financial systems effectively amounting to a global shadow economy. Building on this analysis, the thesis underlines the geo-strategic importance of clandestine organisations, including their complex relationship with state actors and their potential contributions to the conduct of sub-threshold warfare and international influence campaigns. Finally, it outlines the risks posed by rigid normative, definitional and institutional boundaries that fail to recognise the adaptive, polymorphic and multi-faceted character of clandestine non-state organisations or the commonalities and interactions that exist between them.

Research question and hypotheses:

The above focus of investigation is centred around a central research question and three accompanying, hypotheses. These were generated via the detailed examination of both existing theory, including relevant literature, and of a wide sample of case studies (the details of which is described in the methodological section of this chapter and further evidenced via the theoretical chapters 3-5).

Research question: To what extent, and in what ways, do different clandestine non-state actors (CNSAs) operating in the international system display recurring approaches and behaviours with respect to challenging the authority of the (sovereign) state, projecting power and pursuing their individual strategic interests?

Hypothesis 1: There is an established body of evidence highlighting the extent to which CNSAs of various denominations display the characteristics of *political* actors. However, the agency of CNSAs extends to articulating and balancing complex policy choices, carving out (local) spheres of influence and securing multi-vector partnerships.[16]

Hypothesis 2: The morphologies and organisational structures of CNSAs are both adaptive and shaped by similar considerations, including the need to mitigate threats (such as disruption by state actors) and a willingness to seize specific political and economic opportunities. At the same time, their structural design is also influenced by their ideology as well as strategic and political culture.

Hypothesis 3: CNSAs consistently apply a variation on the types of levers of power available to states, including with respect to the conduct of warfare; the pursuit of economic and financial interests; and strategic communications.[17]

[16] Multi-vector partnerships refer to developing relations with multiple (and at times competing) entities, actors or powers.

[17] These hypotheses are also built on the assumption that CNSAs differ fundamentally from other non-state organisations such as licit businesses, who do not typically seek to challenge the authority of the state, develop advanced armed capabilities, or face the direct threat of physical disruption measures by the latter.

By investigating the above research question and accompanying hypotheses, **the dissertation seeks to contribute to advancing existing theory and knowledge by filling at least three gaps in the evidence base**. Firstly, it attempts to advance the 'state of the art' by breaking down and looking across traditional academic and definitional boundaries and partitions of nomenclature, comparing organisations of different clandestine denominations (this will be explained in more detail below). Secondly, it proposes a new analytical framework with direct policy value and of particular relevance within the fields of intelligence analysis and national security. Thirdly, it makes the case for the existence of an alternative clandestine international 'order' and accompanying power systems, running parallel to – and often intersecting with – the 'rules-based' international system.

1.2 Navigating definitions

"Keep it tight, but keep it loose" Miles Davis

One of the most significant challenges in producing this dissertation consisted of adopting an analytical approach that allowed for an open as well as inductive means of systemically investigating different types of non-state actor organisations, whilst still applying a degree of differentiation between them. Critical, here, was to avoid the temptation to retrofit emerging findings into static, predefined typologies. At the same time, a comparative study would not be possible without some broad contours and delineations offering, in effect, a chart with which to navigate the analytical and definitional complexity surrounding the object of study. To be sure – and as May Darwich explains – non-state actors of an armed or violent nature constitute a relatively novel area of inquiry in Foreign Policy Analysis.[18] Moreover, and as another set of observers note, "there is no universally accepted definition of non-state actors," partly owing to the fact that these do not neatly fit conventional international relations paradigms that are largely "based on a state-centric world view."[19] To a large extent, and as will be explored in the subsequent chapter, the only real point of consensus is that these actors can be characterised with respect to their position in relation to the state. Beyond this, the way that they are treated as well as defined varies significantly from one academic or professional field to another as well as between legal and normative frameworks, such as with respect to what is considered or defined as 'illicit', as opposed to 'licit', activity. This complexity is perhaps best illustrated through a cross-cutting synthesis of the relevant literature, with a focus on various attempts at definitions.

Existing definitions of organised crime constituted the first port of call of this exploration. Any glimmer of hope that the primary instrument of international law – the United Nations Convention on Transnational Organised Crime (UNTOC) – might offer a workable definition quickly dimmed. Its only attempt at defining the phenomenon was one that describes it as "a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences," with a view to "obtaining […] financial or other material benefit."[20] Theoretically, this could therefore include any manner of petty criminal gangs with limited reach and precious few resources. A subsequent emphasis on activities carrying higher prison sentences (a factor emphasised within the legalistic debate) was insufficient to rescue the definition. Perhaps international law enforcement could succeed where the United Nations had failed. In its 2017 Serious and Organised Crime Threat Assessment, Europol, the European law enforcement agency, recognised what it considered to be fundamental flaws in UNTOC's definition, noting that the latter "[did not] adequately

[18] M. Darwich, *Foreign Policy Analysis and Armed Non-State Actors in World Politics: Lessons from the Middle East*, Foreign Policy Analysis, Vol.17, Issue 4, October 2021, pp. 1-8.
[19] *Armed Non-State Actors: Current Trends and Future Challenges*, DCAF & Geneva Call, Horizon 2015 Working Paper No. 5, 2015, p.7, https://www.files.ethz.ch/isn/144858/ANSA_Final.pdf.
[20] Articles 2(a) and 5(1)(a)(i) of the *United Nations Convention against Transnational Organised Crime*, Adopted by General Assembly resolution 55/25, November 15, 2000.

describe the complex and flexible nature of modern organised crime networks."[21] It followed this critique with a lengthy, somewhat meandering description of the phenomenon which, despite its best efforts, did not amount to a credible alternative.[22] INTERPOL, meanwhile, offers little additional clarity to the debate, suggesting only that organised crime involved "many different types of criminal activities spanning several countries" which, in turn, included "trafficking in people, drugs, illicit goods and weapons, armed robbery, counterfeiting and money laundering."[23] The US Federal Bureau of Investigation's (FBI) similarly describes organised crime groups as "self-perpetuating associations of individuals who operate, wholly or in part, by illegal means and irrespective of geography." [24] Somewhat more convincingly, and perhaps revealing its long legacy of observing criminal syndicates, it also adds that such organisations "constantly seek to obtain power [and] influence" alongside monetary gains."[25] Overall however, all of these definitions convey a tendency to characterise organised crime as what Adam Edwards and Peter Gill describe as a dichotomy between 'upper world' (i.e., those with monopoly over enforcing order) and the 'underworld' (i.e., those standing against it).[26]

The definitional quest continued within the sinuous corridors of the academic literature. Here, the main revelation was the extent to which consensus had not been reached beyond what Matjaz Jager describes as "the dangerousness of the nebulous 'thing' which should, without delay, be struggled against."[27] Letizia Paoli suggests that organised crime amounts to little more than a "fuzzy and contested umbrella concept" and that this has resulted in "broad, lowest-common denominator definitions."[28] Edward Kleemans explains that "the history of organised crime research is not only the history of shifting theoretical perspectives, it is also the history of oscillating empirical phenomena."[29] Klaus von Lampe, one of the foremost thinkers on organised crime, points to a "thin and fragmented" literature amounting to an "eclectic patchwork" in which "the various references to other disciplines have added to the confusion that already existed on the conceptual level."[30] According to von Lampe, moreover, theorists and practitioners have in effect given up on defining organised crime, suggesting that the debate has instead shifted to ways of measuring it.[31] Definitions specific to 'transnational' organised crime, meanwhile, are even more nebulous, spanning from the ventriloquising of domestic definitions to broad brush accounts that coble together activities ranging from drug

[21] *European Union Serious and Organised Crime Threat Assessment (SOCTA)*, EUROPOL, February 2017, p. 13.
[22] The SOCTA's definition combined and somewhat confused different variables such as activities and structural characteristics. The risks and limitations associated with definitions produced (solely) by law enforcement will be described in more detail in subsequent chapters.
[23] *Organised Crime*, INTERPOL, https://www.interpol.int/en/Crimes/Organized-crime.
[24] *Transnational Organized Crime*, Federal Bureau of Investigation (FBI), https://www.fbi.gov/investigate/organized-crime.
[25] *Ibid.*
[26] A. Edwards and P. Gill (eds.), *Transnational Organised Crime: Perspectives on Global Security*, London, Routledge, 2003, p. 9.
A similar binary definition relationship is described in M. van Dijck, Discussing Definitions of Organised Crime: Word Play in Academic and Political Discourse, HUMSEC Journal, Issue 1, p. 83, http://www.humsec.eu/cms/fileadmin/user_upload/humsec/Journal/van_Dijck_OC_Definitions.pdf.
[27] M. Jager, '*In the quest for essence: The principal-agent-client model of corruption',* in P. C. van Duyne *et al.*, *Threats and Phantoms of Organised Crime, Corruption and Terrorism: Critical European perspectives*, Wolf Legal Publishers, Nijmegen, 2004, p. 228.
[28] L. Paoli (ed.), The Oxford Handbook of Organized Crime, Oxford, Oxford University Press, 2014, p. 2.
[29] E. Kleemans, *'Theoretical perspectives on organized crime'*, in L. Paoli (ed.), p. 32.
[30] M. E. Beare (ed.), *Transnational Organized Crime*, London, Routledge, 2013, p. 79.
[31] K. von Lampe, *'Measuring Organised Crime: A Critique of Current Approaches'*, in P. C. van Duyne *et al.*, p. 85.

trafficking to economic espionage.[32] Michael Woodiwiss, for his part, attributes the concept of transnational organised crime to the 'Americanisation' of international law enforcement as well as to Reagan-era drug control strategies.[33] The term, Woodiwiss argues, also reflects a long-held 'alien conspiracy' position within parts of the American establishment in which organised crime is viewed as an unamerican activity imported by foreign actors such as Italians and Latin Americans.[34]

The next logical line of investigation consisted of (international) terrorism definitions, given that these organisations would also form a central component of this research. Striking here, although perhaps unsurprising to observers, was the lack of a universal definition even within international law.[35] One attempt by the Special Tribunal for Lebanon in 2011 at examining existing customary international law relating to 'transnational' terrorism specifically did point to three components, namely "the perpetration of a criminal act [...]; the intent to spread fear among the population [...] or indirectly coerce a national or international authority to take some action;" and "a transnational element."[36] However, this account remains broad whilst overlapping quite significantly with definitions of organised crime (indeed, a number of criminal groups could be defined along similar lines). There is at least a degree of consensus amongst more scholarly attempts at defining the phenomenon in that these, on the whole, tend to emphasise the use of violence, the propagation of fear and the pursuit of political objectives.[37] Walter Laqueur thus defines terrorism as "the use of violence, a method of combat, or a strategy to achieve certain targets," whilst highlighting the importance of publicity as "an essential factor in the terrorist strategy."[38] Martha Crenshaw speaks of terrorism as a "conspiratorial style of violence" which, in turn, is "calculated to alter the attitudes and behaviour of multiple audiences."[39] Furthermore, whilst a number of definitions attribute acts of terrorism to both state and non-state actors,[40] Bruce Hoffman, one of the most seminal writers on the topic, specifies that these are instead conducted by *organisations* "with an identifiable chain of command or conspiratorial cell structure (whose members wear no uniform or identifying insignia), and perpetrated by a subnational group or non-state entity."[41]

Achieving any degree of clarity on the possible conceptual boundaries that can be drawn around terrorism and organised crime is further complicated when these activities are observed through the lens of modern conflicts. Here, armed non-state actors such as insurgencies, many of whom have cross border connections, frequently employ a combination of guerrilla warfare and terrorist tactics, whilst also engaging in criminal activities and even

[32] See for example P. Dobriansky, *The Explosive Growth of Globalized Crime*, The Information Warfare Site, http://www.iwar.org.uk/ecoespionage/resources/transnational-crime/gj01.htm
[33] M. Woodiwiss, *Organised crime, the mythology of the Mafia, and the American/Anglo Response*, Policy Paper, History and Policy, November 1, 2012, http://www.historyandpolicy.org/policy-papers/papers/organised-crime-the-mythology-of-the-mafia-and-the-american-anglo-response.
[34] P. C. van Duyne *et al.*, p. 3.
[35] The United Nations, for example, has not produced one despite passing a number of terrorism-related resolutions over the years. These include UNSC Resolution 1566 (2004) and General Assembly resolution 49/60. See for example *'Defining Terrorism'*, United Nations Office on Drugs and Crime, https://www.unodc.org/e4j/en/terrorism/module-4/key-issues/defining-terrorism.html.
[36] M. J. Ventura, *Terrorism According to the STL's Interlocutory Decision on the Applicable Law*, Journal of International Criminal Justice 9, October 2011, pp.1025-1026.
[37] J. Matusitz, *Terrorism and Communication: A Critical Introduction*, Los Angeles, SAGE Publications Inc., 2013, p. 2.
[38] J. S. Tuman, Communicating Terror: The Rhetorical Dimensions of Terrorism, p.9
[39] M. Stohl *et al.* (eds), *Constructions of Terrorism: An Interdisciplinary Approach to Research and Policy*, Oakland, University of California Press, 2017, p. 82.
[40] J.S. Tuman, pp. 9-11.
[41] M. Eid, *Exchanging Terrorism Oxygen for Media Airwaves: The Age of Terroredia,* Hershey (PA), Information Science Reference, 2014, p. 24.

various forms of warlordism.[42] Indeed, Alex Schmid explains that terrorism can both "be viewed within a criminal justice model as a 'very serious crime' [or] within a war model as a special variant of '(guerrilla) warfare'."[43] Perhaps as a result, insurgency-derived terminology is favoured by some commentators seeking more flexibility in describing groups employing a variety of tactics and *modus operandi*. For example, Oscar Palma describes the emergence of 'commercial' insurgencies who, he argues, are guided by criminal interests and operating as transnational networks capable of conducting political, military and criminal activities.[44] Frank Hoffman, meanwhile, points to complex, 'neo-classical' insurgencies shaped by transnational relationships, drawing on globally dispersed diaspora groups, capitalising on the 'information dimension' and characterised by hybrid operating structures.[45] According to Hoffman, the very notion of the insurgent battlespace is becoming increasingly difficult to define as is the task of "defining the nature of the opponent, and assessing his strategy, structure, and means."[46] Commenting on modern wars and their protagonists, David Betz thus argues that these "can only be understood in context, which is to say in the light of the overarching preconceptions, ideals and myths and delusions of their time."[47]

The opaque fog surrounding definitions relating to violent and criminal non-state actors – let alone those involved in transnational activities – calls for a nomenclature that better captures their multifaceted character, whilst also avoiding legalistic traps. The term '*clandestine* non-state actor', in turn, offers significant advantages. For example, Robert Rodes argues that the term offers "greater nuance […] than current legal judgments."[48] It also provides an overarching label that allows the inclusion of multiple actors and activities as long as these demonstrate a propensity to act in a secretive manner and to engage in acts that are not 'officially allowed' (in other words sanctioned by the laws of states in which those activities take place),[49] implying a sense of irregularity. Even here, of course, there are limitations. For example, the propensity for terrorist organisations to publicise their aims, including through high profile acts of violence, does not at first seem to easily fit the classical notion of clandestine activity. However, the fact remains that terrorist groups remain covert in the planning and conduct of their operations, as indeed do cross-border insurgencies and organised crime groups (at least until the point where their territorial or political control is such that secrecy is no longer required). Indeed, such discretion tends to be an existential requirement for the survival of such organisations, protecting them from disruption and dissolution. Thus, Schmid at the very least concedes that terrorism involves "action employed by semi-clandestine [...] actors."[50] Thus, the term can be employed with a degree of flexibility on the basis that discretion, concealment and/or infiltration constitute either central strategic axioms or necessary operational principles for all of the organisations under study.

Nevertheless, as a comparative study of different transnational organisations, this thesis still employs terrorist, insurgent and criminal terminology in order to provide analytical 'start points' as well as descriptive delineations and boundaries between different groups.[51] In doing so,

---

[42] See for example A. Giustozzi, *The Debate on Warlordism: The importance of Military Legitimacy*, Crisis States Research Centre, Discussion Paper No.13, London School of Economics, October 2005, p. 5.
[43] A. Schmid, *Terrorism - The Definitional Problem*, Case Western Reserve Journal of International Law, Vol. 36, Issue 2, 2004, p. 384.
[44] O. Palma, *Transnational networks of insurgency and crime: explaining the spread of commercial insurgencies beyond state borders*, Small Wars & Insurgencies, 26:3, March 2015, pp. 476-496.
[45] See F. G. Hoffman, *Neo-Classical Counterinsurgency? Parameters* 37, No. 2, 2007, pp.71-87.
[46] Ibid, p. 75.
[47] D. Betz, *Carnage and Connectivity: Landmarks in the Decline of Conventional Military Power*, London, Hurst & Company, 2015, p. 27.
[48] R. E. Rodes, *On Clandestine Warfare*, Washington and Lee Law Review, Vol.39, 1982, p. 334.
[49] *Clandestine*, Cambridge dictionary definition, https://dictionary.cambridge.org/.
[50] A. Schmid, p. 382.
[51] This approach is described in more detail in the methodological section.

the analysis draws a distinction between, on the one side, terrorist, insurgent and guerrilla organisations whose primary activities gravitate around political change and, on the other, criminal organisations whose activities are primarily of an economic nature (accepting, of course, that these may also support political objectives). This is done in full acknowledgment of the flaws, traps and limitations of such a binary differentiation. In fact, the dissertation's use of existing nomenclature helps to build the case for its subsequent claim that a shift in the terminology is required in order to better reflect the fluid and multifaceted nature of modern non-state actor networks. Finally, any account of the lexicon contained in this thesis would be incomplete without a mention of the various terms and synonyms used to allude to clandestine non-state actor groupings (i.e., networks consisting of multiple individuals connected in the pursuit of specific objectives). Here, and broadly reflecting the literature, the terms 'group', 'organisation' and, to a lesser degree, 'movement' are employed interchangeably for the purposes of stylistic variation.[52]

1.3 Methodological approach

As briefly outlined above, the overall qualitative approach that underpins this thesis consists of three interlocking components. The first amongst these is **a theoretical review exploring the concept of (clandestine) non-state actors, including as this relates to the notion of the sovereign state and political legitimacy**. This same component thus provides broad conceptual parameters and contours within which this thesis' subsequent analysis can be situated, whilst highlighting prevailing concepts and biases within the existing academic literature. The review also provides challenges to established and mainstream concepts as well as normative paradigms, including with respect to the characterisation of clandestine non-state actors.

Secondly, and building on this foundation, the thesis introduces **a qualitative analytical framework inductively drawn from the examination of the relevant (theoretical) literature and a wide sample of case study examples**. This involved an iterative as well as inductive process in which broad categories relating to the characteristics, functions and behaviours of clandestine organisations were identified and extrapolated from existing theory and real-world examples and labelled thematically. This approach also allowed for identified categories to be refined, broken down (e.g., into sub-categories) and/or reorganised as new evidence came to light. Whilst this framework constitutes a key output in and of itself (with value, for example to strategists and intelligence analysts), its primary value to this thesis is that it provides a basis for the subsequent granular analysis of selected case studies, as will be explained in more detail below. Consistent with the age-old principles put forward by Karl Popper, the inductive nature of the investigation also provided a means of 'improving' the analytical framework as new evidence came to light.[53]

In order to develop the analytical framework the research borrowed from *qualitative content analysis*, a method initially developed within the disciplines of social psychology, sociology and anthropology and calibrated towards understanding the intentions, structures and attitudes of different types of organisations and social systems.[54] Indeed, the method permits empirical observation to be conducted both inductively and intuitively in a way that draws on

[52] These terms are also used at different times and by different theorists, departments and agencies to refer to the same clandestine actors.
[53] See also I. Grattan-Guinness, K*arl Popper and the 'The Problem of Induction': A Fresh Look at the Logic of Testing Scientific Theories*, Erkenntnis (1975-), Vol. 60, No. 1, 2004, pp. 107–20.
[54] See V. J. Duriau *et* al., *A Content Analysis of the Content Analysis Literature in Organization Studies: Research Themes, Data Sources, and Methodological Refinements,* Organizational Research Methods volume 10 Number 1, January 2007, pp. 6-16.

a wide range of empirical materials.[55] It also allows for data – such as case study material – to be catalogued under specific fields and categories, including those selected deductively from existing theory. Moreover, the method allows these same categories and associated content to be reordered as part of the analytical process, offering a means of gradually carving out an ontological framework.[56] Finally, and in contrast to traditional typology-based approaches, it tolerates a degree of overlap between different analytical categories on the premise that qualitatively derived content can be assigned simultaneously to more than one analytical category.[57]

This same approach to classifying and organising data is both explained in **Table 1**, below, and further illustrated in **Annex B**, which provides a visual example of the collated and labelled dataset used to develop the framework.

Field	Description
1.Type of finding	This field recorded whether a particular insight was gleaned via the theoretic literature or through real-world case studies.
2. Historical period	This field captured the decade in which a particular occurrence or characteristic either took place or manifested itself.
3. Overall level (or 'class') of finding	This field captured the macro 'levels' within which a particular development or finding could be situated, aggregating to a strategic framework. Through iterative analysis, these were refined to reflect three levels, namely: (clandestine) policy choices and strategic direction; organisational structures; and levers of power.
4. Category of finding	Flowing from the above 'level' field, this specific field consisted of labelling a particular finding or insight by category, such as whether it pertained to a group's strategic logic (under the policy choices field); membership (under the organisational structure level); or use of communication and propaganda (under the levers of power level).
5. Characteristic	This field labeled and recorded more granular or specific traits, attributes and Modus Operandi pertaining to the above categories. For example, characteristics flowing from the communication and propaganda category included the use of online and digital methods of dissemination.
6. Detail	This free-form field allowed the capture of qualitative detail pertaining to identified characteristics, adding further contextual granularity to the analysis.
7. Reference	Sources were captured in order to ensure academic rigour and for the purpose of referencing and citations.

Table 1: *description of the fields used to capture and label data as the basis for developing the thesis' analytical framework.*

[55] Such materials can include personal and historical accounts, interviews, texts and observations. The approach also adheres to the naturalistic paradigm, recognising meaning as both socially constructed and context-dependent – a vantage point that appeared particularly appropriate for a research topic focused on organisational processes and group experiences. See for example H. Hashemnejad, *Qualitative Content Analysis Research*, Journal of ELT and Applied Linguistics, Vol.3, Issue-1, March 2015, p. 56.

[56] See for example H.F. Hsieh S. E. Shannon, *Three Approaches to Qualitative Content Analysis*, Qualitative Health Research, Vol. 15 No. 9, November 2005, pp.1281-1283; and R. Weber, *Basis content analysis (2nd ed.)*, Sage Publications, Thousand Oaks, CA, 1990 p. 2.

[57] See also R. Tesch, *Qualitative Research: Analysis Types & Software Tools*, Falmer Press, Bristol, PA, 1990; and Y.S. Lincoln and E.G. Guba, Naturalistic Inquiry, Sage Publications, Beverly Hills, CA, 1985 in B. M. Wildemuth (ed.), p. 4; B. Li *et al.*, *Agent Based Modelling on Organizational Dynamics of Terrorist Network*, Discrete Dynamics in Nature and Society, Vol. 2015, November 2015, pp. 1-18; W. Enders and X. Su, *Rational Terrorists and Optimal Network Structure*, The Journal of Conflict Resolution, Vol. 51, No. 1, 2007, pp. 33–57; S. T. Zech and M. Gabbay, *Social Network Analysis in the Study of Terrorism and Insurgency: From Organization to Politics*, International Studies Review, Vol.18, No. 2, March 2016, pp. 1-31; J. Comas *et al.*, *Terrorism as Formal Organization, Network and Social Movement*, Journal of Management Inquiry, Vol. 24, Issue 1, June 2014, pp. 47-60; and P. Campana, *Explaining criminal networks: Strategies and potential pitfalls*, Methodological Innovations, Vol. 9, 2016, pp. 1-10.

Moreover, **Table 2** (below) details the relevance of the analytical framework, including its key levels of analysis, to the investigation's initial hypotheses. Specifically, it shows how this is geared towards examining key aspects of those same hypotheses.

Framework level (class of finding)	Corresponding hypothesis
Policy choices and strategic direction	Hypothesis 1: There is an established body of evidence highlighting the extent to which CNSAs of various denominations display the characteristics of *political* actors. However, the agency of CNSAs extends to articulating and balancing complex policy choices, carving out (local) spheres of influence and securing multi-vector partnerships.
Organisational structure	Hypothesis 2: The morphologies and organisational structures of CNSAs are both adaptive and shaped by similar considerations, including the need to mitigate threats (such as disruption by state actors) and a willingness to seize specific political and economic opportunities. At the same time, their structural design is also influenced by their ideology as well as strategic and political culture.
Levers of power	Hypothesis 3: CNSAs consistently apply a variation on the types of levers of power available to states, including with respect to the conduct of warfare; the pursuit of economic and financial interests; and strategic communications.

***Table 2**: relevance of the analytical framework to the investigation's hypotheses.*

One of the many challenges presented by the object of study consisted of selecting those organisations and groups that could inform the development of a broad analytical framework derived from the aforementioned approach and those that would constitute the focus of a more granular case study investigation aimed at both testing and validating this same framework, ultimately with a view to answering the research question. Identifying the first sample of groups (i.e., those studied in order to inform the development of the analytical framework) involved casting a wide net to cover over thirty clandestine non-state actors spanning across both geographies and historical periods. The full list of these actors is catalogued in **Annex A,** whilst the overall distribution of groups by category is illustrated **in Figure 1**, below.[58] This approach stemmed from the assumption that a larger data sample would help to uncover some of the more enduring forces and cross-cutting characteristics pertaining to these same protagonists. Moreover, and as highlighted above, examining of a wide sample of groups provided a means of further testing and refining insights gleaned from the theoretical literature.

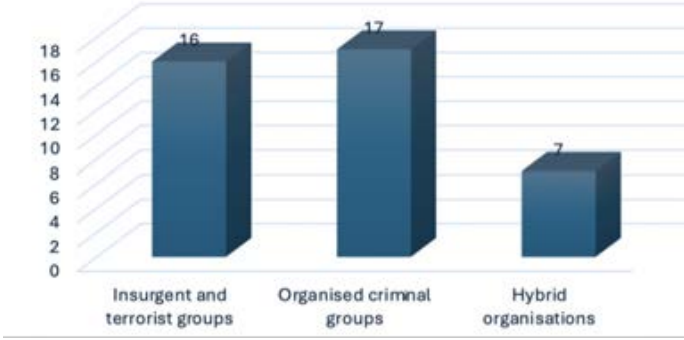

***Figure 1:** Overall distribution of case study groups by category type.*

[58] Further selected historical and contemporary examples were also added to the framework in order to test, refine or add to the analysis, even if these were not catalogued as systematically as the core case-study sample.

Thirdly thus, **the thesis applies the above framework to a much smaller as well as granular sample of case studies**. The objective this time was to narrow the analytical aperture considerably both as a means of validating the framework through detailed empirical as well as comparative analysis and of extrapolating further insights of relevance to the research question. This component of the thesis drew on existing best practices relating to case study analysis, design and research, including the heavily peer-reviewed work of Robert K. Yin.[59] Central to Yin's guidance is ensuring that investigations of contemporary phenomena are situated within a real-world context and that these are approached both rigorously and systematically.[60] He also highlights the value of logic models (which, in the case of this thesis, is provided in the form of the aforementioned analytical framework) as a means of matching empirical observations to theoretically predicted or derived occurrences.[61] Moreover, while this thesis' analytical framework adheres to Matthew B. Miles and A. Michael Huberman's advice of identifying, categorising and clustering "chunks of data that go together", the subsequent detailed analytical case study analysis reflects their guidance on working towards "an organized, compressed assembly of information that permits conclusion drawing".[62]

Critically, this same component of research also involved the selection of the more granular case study sample as the basis for comparative investigation. After careful consideration, the decision was taken to examine groups spanning across the clandestine non-state actor spectrum: an organised criminal organisation; an international terrorist organisation; and a guerrilla group or insurgency. Whilst there were a number of case study options available within each of these categories, this researcher settled on the highly transnational 'Ndrangheta branch of the Italian Mafia; al Qaeda, a terrorist organisation whose ideology and *modus operandi* had been emulated by other groups in very different contexts; and the Fuerzas Armadas Revolucionarias de Colombia (FARC), a guerrilla movement that also displayed some of the characteristics of a narco-insurgency. The reasons for doing so were threefold. Firstly, all three organisations had a relatively long track-record (at least as far as clandestine organisations go), which allowed for a more accurate analysis of evolutions in their respective strategic 'journeys'. Secondly, the three actors remain, to very different degrees, operational,[63] whilst having also demonstrated the ability to operate effectively across geographical borders. Thirdly, there existed a reasonably large body of reporting, including primary data, pertaining to these groups.

Case study data collection involved trawling through a significant volume of relevant sources and capturing (primarily qualitative) data, using the aforementioned framework as an investigatory handrail. Specifically, the various categories of analysis identified as part of that framework provided a vehicle for searching and organising raw reporting, including as the basis for subsequent synthesis. As per methodological best practice, primary sources were privileged at this stage. These included legal and court case files, testimonies, witness statements, digital, video and social media content[64] and field manuals. Moreover, large troves of declassified primary data – such as the material seized during the United States special forces raid on Osama bin Laden's compound outside Abbottabad, Pakistan – provided invaluable insights into the most inner sanctum of the organisation. Leaked documents, such

[59] R. K. Yin, *Case Study Research Design and Methods (5th ed.)*, Thousand Oaks (CA), Sage Publications, 2015.
[60] *Ibid*, p.16.
[61] *Ibid*, p.155. See also K. M. Eisenhardt, *Building Theories from Case Study Research*, The Academy of Management Review, Vol. 14, No. 4, 1989, pp. 532–50
[62] M. B. Miles and A. M. Huberman, *Qualitative data analysis: An expanded sourcebook* (2nd ed.), Thousand Oaks, CA: Sage Publications, 1994, p. 11.
[63] As the case study will show, only dissident elements of the FARC continue to operate.
[64] Twitter (now X) and Telegram, for example, revealed themselves to be favourites for violent political groups and insurgencies, whilst Instagram was favoured by (junior) members of some organised crime groups.

as those pertaining to the Mossack Fonseca law firm (the so-called 'Panama Papers')[65] and internal correspondence within the FARC (dubbed 'FARC files'), offered additional insights into decision-making processes.[66] Meanwhile, secondary data included a wide range of historical documents and manuscripts, investigative journalism and press articles, biographical accounts as well as edited volumes, journals and academic literature, all of which are documented in more detail in the bibliography. Wherever possible, careful attention was paid to recognising instances of circular reporting (where multiple sources are based on the same sources) as well as recognising cultural and linguistic biases, such as in the use of terminology. For this reason, this study involved the examination of English, Spanish, French, Arabic and Italian texts and sources.

The next and final stage of the case study analysis process involved data synthesis and the reporting of findings. Here, careful attention was given to capturing group-specific nuance, thus mitigating the risk of generalisation and confirmation bias. Inductive analysis and iteration was also reintroduced at this stage in order to identify patterns within the raw data, particularly as new information came to light. Moreover, the synthesis and reporting phase involved a degree of flexibility and did not therefore attempt to shoehorn data rigidly into framework (sub)categories that were not explicitly relevant to the investigated organisation. This is why chapter case studies outlined in this thesis may place a lesser or greater emphasis on different group characteristics (reflecting, for example, specific expertise or individual capabilities). Such an approach also adhered to the logic of approaching case study analysis as "an empirical enquiry that investigated a contemporary phenomenon within its real-life context."[67] In order to retain coherence, clarity and readability, the reporting of findings contained in the case study chapters follows a consistent structure in which key themes are first described and then supported by way of empirical evidence. The systematic approach and reporting structure described above also allowed for observation of consistent patterns and insights *across* case studies, which are captured in the thesis' conclusion.

The interlocking nature of this thesis' approach to the object of study is illustrated in **Figure 2**, below. This shows how the different components described above build on each other as part of a structured as well as systematic investigation.

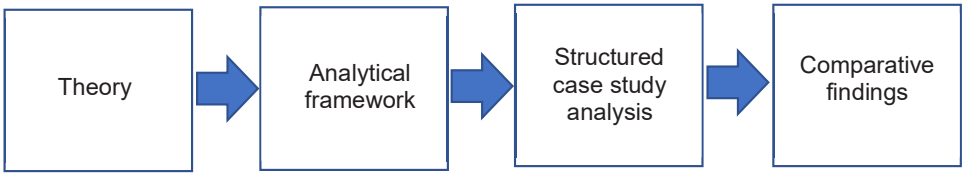

Figure 2: *Methodological components of the research.*

Methodological limitations:

Perhaps inevitably given the object of study, this researcher encountered a number of methodological hurdles calling for difficult choices during the course of the analysis. Some of these related to the usual complexity of distilling robust findings from qualitative research, whilst others were slightly more specific to the object of study. Thus, the first challenge consisted of whether to opt for breadth or depth with respect to case study analysis. A wide case study sample had the advantage of reflecting a larger number of groups, thus increasing

[65] The so-called Panama Papers were the result of the leak of 11.5 million files from the database of Mossack Fonseca, the world's fourth largest offshore law firm.
[66] Government-leaked documents were used selectively where it was deemed that their incorporation did not, when combined with other sources, reveal sensitive state-owned capabilities or methods.
[67] R. Yin, p. 13.

the empirical weight of observations. At the same time, such an approach ran the risk of diluting findings by capturing primarily general patterns, rather than underlying characteristics, motivations and behaviours. This is why the investigation settled on the dual approach of first drawing on a wider case study sample as part of the analytical framework development process (breadth) before applying this same framework on a much smaller comparative sample (depth). The second challenge pertained to data collection, including the difficulty of accessing groups directly and/or conducting on-the-ground fieldwork as well as interviews with members of the investigated groups. This was considered, but ultimately not pursued, because of the safety considerations involved in contacting and engaging directly with clandestine organisations.[68] Returning to Popper, a further critique of the approach could be that the sample of detailed case studies – in effect three organisations that have at different times and in different ways shown themselves as being adept at projecting power – had a higher likelihood of being able to confirm the thesis' hypotheses. Here again, the researcher endeavoured to establish analytical safeguards, including by actively seeking to test whether the analytical framework (which reflected the examination of a much larger sample of organisations) could in fact be applied beyond the three case studies. The thesis' conclusion also highlights where there were observed disparities and differences between the case study actors.

Thesis structure:

This thesis is organised into four interlocking parts. Part I provides a conceptual **overview of clandestine non-state actors**, exploring their determinant characteristic – namely their position in relation to the state. Specifically, Chapter 2 examines the centrality of the (sovereign) state as the main paradigm used to explain the international system, whilst introducing an alternative theoretical lens through which to conceptualise non-state political mobilisation and power projection. Part II then introduces **a framework for structured comparative analysis of clandestine organisations**, drawing both on existing theory and case study examples from around the world as a bridge between conceptual and empirical analysis and as a means of answering the research question. In line with this same research question, the framework deconstructs and outlines the main, recurrently observable components of clandestine non-state actors, namely: their ability to formulate policy choices (Chapter 3); structural patterns in their organisational design (Chapter 4); and their consistent and repeated use of specific levers and instruments of power in pursuit of their strategic objectives (Chapter 5). In Part III, **the framework is subsequently applied to three more granular case study investigations** – the Italian 'Ndrangheta (Chapter 6), al Qaeda 'core' (Chapter 7) and the Fuerzas Armadas Revolucionarias de Colombia (Chapter 8). Finally, in Part IV, **key findings of the comparative analysis and their applicability to the research question and hypotheses are outlined in the thesis' conclusion** (Chapter 9), the latter of which also highlights considerations relating to the evolving role of clandestine non-state actors within the international system.

[68] This researcher has nevertheless had direct access to clandestine organisations within a professional capacity, which has also helped to guide the research, albeit indirectly.