



Structuring Mr. Nice: Entrepreneurial opportunities and brokerage positioning in the cannabis trade *

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Abstract. A case study of the career of international cannabis trade smuggler, Howard Marks (*a.k.a.* Donald Nice), is conducted to investigate the crucial, yet oft-overlooked network mechanisms inherent in drug distribution chains. Using Marks' recent and substantially detailed autobiography of his 20-year participation within and around importation links in the cannabis trade, a series of analyses are conducted with specific convergence on the makings of his personal working network as well as on how this relational structure served in embedding the various entrepreneurial opportunities that triggered 14 importation ventures and 41 consignments therein. Marks' career demonstrates that the capacity to broker and seize information benefits needed and sought after by others allows some participants to achieve more control of entrepreneurial opportunities in illegal trades as well as explaining variations in success from one phase of the career to the next. This relational argument offers an alternative to more conventional instrumental violence explanations concerning the attainment of competitive advantage in illegal business settings.

In July 1988, Dennis Howard Marks (*a.k.a.* Donald Nice, Brendan McCarthy, Stephen McCarthy, Peter Hughes, Anthony Tunncliffe, etc.) was arrested by members of the Spanish National Police at his residence in Palma de Majorca, Spain. This arrest was the beginning of a judicial process which would have him extradited to the United States for prosecution under charges including conspiracy, money laundering, and participation in Racketeering-Influenced Corrupt Organizations (RICO). Following a two-year battle against his extradition and the charges laid out against him in the United States, Marks pleaded guilty to racketeering and conspiracy to racketeer. He was subsequently sentenced to two consecutive terms of ten and fifteen years. After serving seven years at Indiana's maximum security prison, Terre Haute Penitentiary, he was released (in April 1995) and immediately returned to England.

The investigation targeting Marks and the charges brought against him were rooted in a lengthy task force operation, known as "Operation Eclectic", headed by members of the Drug Enforcement Agency (DEA) in alliance with domestic police forces from various countries (United Kingdom, Canada,

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United States, Holland, Pakistan, Philippines, Hong Kong, Thailand, Portugal, and Australia). The law-enforcement tandem built a case against Marks that alleged that he was responsible for a series of cannabis smuggling schemes circulating across international borders dating as far back as 1970. Marks was argued to be the principle member of an international cannabis smuggling ring, referred to as the “Marks Cartel”, that DEA officials claimed was responsible for 15% of the cannabis entering the U.S. throughout the seventies and eighties.

Marks was indeed a cannabis trade participant for two decades. This capacity to persist on a consistent basis in the trade, however, was not achieved at the helm of any international smuggling cartel.¹ Marks wasn’t even a member of a cartel; nor was he a member of “organized crime” in its orthodox conceptualization. Marks was neither part of a monopolist nor oligopolist attempt to control the cannabis trade at any level or in any region. He was indeed a liberal-minded, free-willed, and independent illegal entrepreneur, but a closer analysis of the inner workings of his cannabis smuggling activities brings us to see that there was a structure to this apparent disorganization. The structure came in the form of his personal working network that, in its own waxing and waning, embedded his career in the international cannabis trade.

How may one endure for two decades as an illegal entrepreneur without having the organizing force and support of a reputed and resource-yielding criminal organization? While past studies have generally turned to either bureaucratic-like (orthodox organized crime) or market-based explanations in which violence is typically regarded as the principle regulator of competition, an alternative argument is available from the social network paradigm. Several authors have developed a series of insights on social networks and their structuring forces on purposive action² that are crucial for understanding illegal enterprise. How one’s actions are embedded by a network of contacts has much to do in explaining the processual twists and turns that a given illegal trade career may take.

The concept of social embeddedness is used to grasp the structuring force represented by social networks in curbing, ameliorating, and directing economic action. Such relational structuring of one’s business ventures is crucial to “generating trust and discouraging malfeasance”³ between co-participants. The network, rather than the market or hierarchy, becomes the principle governance structure designing the economic actions of individuals. “Actors”, as Granovetter states, “do not behave or decide as atoms outside a social context, nor do they adhere slavishly to a script written for them by the particular intersection of social categories that they happen to occupy. Their attempts at purposive action are instead embedded in concrete, ongoing systems of social relations”⁴.

Powell discusses the advantages of network organizations: "Networks are 'lighter on their feet' than hierarchies. In network modes of resource allocation, transactions occur neither through discrete exchanges nor by administrative fiat, but through networks of individuals engaged in reciprocal, preferential, mutually supportive actions. Networks can be complex: they involve neither the explicit criteria of the market, nor the familiar paternalism of the hierarchy. The basic assumption of network relationships is that one party is dependent on resources controlled by another, and that there are gains to be had by the pooling of resources"⁵. In elaborating the specific advantages of the network structure, Powell also pointed out that "[n]etworks are particularly apt for circumstances in which there is need for efficient, reliable information. The most useful information is rarely that which flows down the formal chain of command in an organization, or that which can be inferred from shifting price signals. Rather, it is that which is obtained from someone whom you have dealt with in the past and found to be reliable. You trust best information that comes from someone you know well"⁶. Such advantages of the network form, vis-à-vis other forms of organizations, have also been illustrated by Baker who accentuated its "flexible and self-adapting" qualities in business contexts⁷.

Burt tells us that having quicker access, timing, and referrals to and for information benefits in the competitive arena leads to some players achieving success in filling positions that allow them to seize the more rewarding opportunities available⁸. This competitive edge extends from the capacity to effectively and efficiently enrich a personal network with a proportionally higher set of entrepreneurial opportunities or *structural holes*. Because network ties, particularly in a business context, require time and energy to make and maintain, some contacts, in a sense, are better investments than others – "What matters is the number of nonredundant contacts. Contacts are redundant to the extent that they lead to the same people, and so provide the same information benefits"⁹. The term structural holes is used to grasp "the separation between nonredundant contacts"¹⁰ or the voids between unconnected players that are available for seizing. Fitting into a hole puts one in a position to broker a deal between previously unconnected players. This becomes a matter of choice and differential opportunities.

It is therefore through efficient networking and, more specifically, through one's capacity to broker and seize the information benefits needed and sought after by others, that some players achieve more control of opportunities in the network than others – "A player with a network rich in information benefits has contacts: (a) established in the places where useful bits of information are likely to air, and (b) providing a reliable flow of information to and from those places"¹¹. Those illegal entrepreneurs who attain such a nonredundantly char-

acterized brokerage position place themselves so that they control not others, but the information and resources that others need. This network-oriented edge offers an alternative mechanism for understanding competition for positions in illegal trades. Rather than assume that one's reputation or capacity for violence and membership in a formal organization are the main regulators distinguishing levels of success amongst trade participants, network analysis and Marks' career combine to provide the theoretical and empirical foundation in revealing a non-conflictual structuring of competition in illegal enterprise.

Howard Marks' career represents that of a relational player *par excellence* – of a cannabis trade participant that entered the business via an Oxford-based basin of strong ties during the late sixties, effectively and efficiently expanded an already prosperous working set of contacts throughout the early seventies, seized his way to a privileged between-link (between importer and exporter links in the distribution chain) brokerage position during the latter half of the seventies, attempted to retire to legitimate life in 1982, returned to the trade in 1983, and finally fell to a multi-national tandem of law-enforcement agencies in his return to cannabis smuggling. The paper traces the network processes that led to Marks becoming, maintaining, and losing the brokerage position in illegal enterprise.

His story is documented in his autobiography, *Mr. Nice*¹². Results extending from information extracted and organized from this source show that Marks was not the puppeteer of any criminal organization. He was a highly-resourceful player that fit in well with the needs and wants of other individuals or groups in the trade. Converging on the brokerage position amongst illegal entrepreneurs illustrates how in business contexts in which non-contractual transactions and relations prevail and the consequences of product illegality³ are continuous obstacles to any entrepreneur's livelihood and durability in the illegal trade, one's ability to reliably, consistently, and conveniently fit into the needs and wants of other participants offers a more privileged *position* than that of an authoritarian *role* in any formal organization. While illegal trades would seem to offer natural settings for the application of social network theory and methods, few explicit insights have been put forward in such regard. Implicitly, however, several insights on criminal networks do come forward while sifting through past research.

Entrepreneurial behaviour in illegal trades: Insights on criminal networks

Many would take the place of contacts in drug smuggling and illegal trades as given: because drug distribution and other illegal entrepreneurial behaviour is above all a transactional affair, it is obvious that co-participants or co-

transactors are needed for continual involvement in any given activity. The ability for one to suitably search and select one's co-offenders is a crucial necessity for increasing the scope of criminal opportunities. As already established, this ability to put together a "loose and open-ended network of weak and useful crime-relevant ties is here again anything but obvious and remains to be researched empirically"¹⁴. Following this lead, how Marks maneuvered through and positioned himself within the short-term and opportunistic sets of participants that were mobilized for cannabis smuggling activities throughout his career becomes a suitable inquiry for this particular research agenda. Few studies have focused on the relational aspects of illegal enterprise, *per se*¹⁵, but several have indirectly provided key insights on criminal networks.

Cooperation

Reuter and Haaga¹⁶ conducted interviews with 40 importers, wholesalers, and retailers incarcerated in American federal prisons. Their study revealed two findings that remain of interest here. First, it was found that "capital in this business consists almost entirely of an inventory which is turned over very rapidly and the 'good will' built up by knowing good suppliers and customers"¹⁷. A second finding revealed that "successful operation does not require creation of a large or enduring organization"¹⁸. Although formal organizations may have existed, they were not prerequisites for operational or financial success in the trade, hence, "trading relationships (...) were more like networks than like hierarchical organizations"¹⁹. Participants were perceived more as "independent salesmen" dealing in non-exclusive and decentralized "arms-length-buyer-seller relations"²⁰. Furthermore, the authors surmised that "the whole structure of the trades is based on asymmetries of information that would preclude formal organization"²¹. Informal cooperation, rather than formal organization, was therefore deemed a more suitable notion in describing the collective nature of participation in drug importing.

Embeddedness and a common front

McCarthy and Hagan's work on homeless youth street networks in Toronto and Vancouver²² made the link between the relational and the learned. They merged social embeddedness, social capital, and Sutherland's general differential association statement in arriving at the following synthesis: "Embeddedness in tutelage relationships with those already proficient in crime is a source of social capital, for example, as a channel of information. This flow of information provides access to skills and knowledge about crime in the same way that contacts, associations, or ties in more conventional lines of work supply actors with leads to jobs and other business-related knowledge"²³. Fur-

ther arguments maintained that because of its tutelage function, such “criminal capital” facilitates successful participation in crime. A later article, building on studies by game and social dilemma theorists, further pursued the makings of criminal capital by converging on offenders’ decisions regarding who to cooperate or co-offend with in crime²⁴. They suggested that in “instances of uncertainty, the decision to co-offend is influenced by people’s mutual use of collective rationality and their willingness to trust others”²⁵. In inquiring on what makes criminal participants risk the chance of trusting other criminal participants, they inquired on the place of adversity within such decision-making – “people in dire straits may be even more willing than others to make or accept cooperative overtures to pool resources and co-offend”²⁶. For participants in the drug trade, tutelage and criminal capital are themselves key requirements for endurance and any level of achievement. While not all drug trade participants may be considered people in dire straits, all have one common adversary – law-enforcement officials and the conventional system that the law represents. This recalls Sutherland’s assertion that “[r]egardless of how strong the ill feeling between two thieves, neither of them would want to see the other pinched, and each would exert much effort to prevent it”²⁷. It also revives Jack Black’s personal observation that “the masonry of the road and jungle would protect him against the common enemy – the law”²⁸. Beating the conventional system of rules and formal control may therefore be perceived as an added incentive in illegal trades. While subcultural theories of crime have accentuated a cohesive normative social environment that brings segments of the offender population together under a similar way of life, the common front framework put forward here emphasizes cooperation amongst extensively different criminal participants who pool resources and transmit information in a process that extends from a learned collective incentive to beat the systemic odds facing them all. The main theoretical distinction is therefore between a normative/pull versus an anarchic/ rejection process designing working relations between outlaws.

Resource pooling

Once in cooperation, there is a considerable collective interest for co-transactors in a given venture to keep a good thing going. This “good thing” is not simply the potential financial yield that may result from such continuous cooperation and resource mobilization, but the opportunity to repeatedly cooperate within the boundaries and security of trusted and network-worthy contacts. Research on illegal enterprise offers further enhancements to this inquiry. Haller²⁹, in discussing “criminal partnerships”, coincides directly with Powell’s network conceptualization provided earlier: “a partnership model posits that each enterprise is a separate enterprise that pools resources and

provides local management. (...) [R]eliability as a partner (or, at least, the appearance of reliability) is important for career success. Smart entrepreneurs fulfill their obligations in order to be offered future opportunities. (...) [S]uccessful early cooperation [is] the key to more lucrative opportunities in subsequent years³⁰. Illegal trade entrepreneurs must be able to overcome the consequences of product illegality and particularly the risk of detection by law-enforcement. Haller accentuates the need for illegal entrepreneurs to remain proactive and flexible in their activities. The social network theory applied in this paper tells us that for this to be possible, the entrepreneur must have access to an efficient network of working contacts. The ability to raise capital and mobilize a venture is therefore a function of an entrepreneur's extended pool of contacts.

As for future commitments not implemented in on-going criminal ventures, it may very well be that two individuals interacting for the first time in an illegal transaction may never see each other after that particular event, but Reuter and Haaga did maintain that interests for suppliers and customers (at various intersections of links along the distribution chain) "were held together by considerations of long-term mutual benefit; neither side would press its advantage in negotiating a single transaction to the point where the long-term relationship was destroyed"³¹. The more general scenario would therefore have criminal participants who are motivated to stay in contact with each other and continue maintaining proper, trusting work relations. In this sense, future commitments are not obligatory, but a good contact, marked by reliability, trustworthiness, and a capacity to offer consistent access to new or stable opportunities, is a contact which much be retained. Since one cannot realistically trust everyone, those who have established themselves as reliable and trustworthy are usually those with whom additional transactions will subsequently be made. The limited selection of accomplices and partners in crime means that one's criminal opportunities for action are embedded within the realms of one's personal network of family, friends, and acquaintances. One's direct contacts' contacts (friends of friends³²) also entail a latent pool of co-participants available through one's personal network. The network therefore wraps the suitable social basin from which outlaw partnerships, enterprises, and organizations extend from.

Informal working structures and inner positioning

Block and Chambliss's study, as well as Block's article on the cocaine trade in New York (*circa* 1910–1917)³³, like Adler's ethnography of cocaine and marijuana smugglers in the southwest United States³⁴, found that "decentralization was clearly the norm"³⁵. The shape or structure of business-oriented cooperation was found to be "fragmented", "kaleidoscope", and "sprawling"³⁶.

Somewhat differently, Adler revealed the deviant business and social subculture within which smugglers were clustered to insulate themselves from the potential outgrowths of their illicit trafficking activities³⁷. Block and Chambliss explained the transitory and opportunistic nature of trade combinations as follows: “their informal structures and probably short life spans were exceptionally responsive to the necessities of the drug trade. First of all, entry into the trade was fairly simple, involving few costs beyond the initial capital investment, few contacts in the area of supply, and hardly any organization for distribution. (...) It would be foolish to stake one’s criminal career around a particular combination, given the chances that there would be nothing to sell. (...) It demanded entrepreneurs who were flexible, who had numerous contacts, and who were able to raise capital at unexpected times and to pull together a small organization with little effort”³⁸. Such entrepreneurial flexibility is indicated by the capacity to control the resources needed by others. Simultaneous operating comes with one’s ability to place himself in the interests of others. Positioning oneself on the efficient side of the informational asymmetry makes one attractive to others who are seeking to supplement and ameliorate their own actions by accessing better quality information benefits. Such social resourcefulness blends naturally with other necessary illegal trade resources as Marks’ story tells us.

Operational design from the autobiography of an illegal entrepreneur

That Marks’ autobiography lends itself to the feasibility of a network analytical strategy was not simply a chance occurrence. Such life histories provide a wide array of research opportunities for studying the makings of criminal networks from the points of view of participants in outlawed activities. One of the most striking characteristics readily evident to any reader of such literature is the consistent relational flow that serves as the backbone for many of these accounts. This is the egocentric-network quality of many criminal memoirs. The chronology of a participant’s evolution from his initial entry into a given illegal activity, gradual rise and establishment of a reputation, and eventual fall³⁹ generally takes place via a contact to contact narrative pattern. Associating major events and turning points throughout one’s career with a name or group of names is common practice amongst writers of such accounts. The aim of the researcher should therefore be toward identifying various transitions, events, or outcomes, and subsequently localizing the pertinent participants implicated in and around each.

Constructing Marks' working network

For this study, I extracted Marks' personal working network that was documented throughout his autobiography. Figure A-1 (see Appendix A) represents the 58 contacts or network nodes that were directly implicated in the various cannabis trade activities described. Marks (Node 1 or N1) is assigned "ego status". He had made direct working contact with all but 3 (indicated by a dotted line) of the nodes in his personal network. Each contact is designated by the year in which he first came into contact with Marks and by the already established contact that connected him to Marks. For example, James Morris (N28) first co-participated with Marks in 1973 and was encountered through Graham Plinston (N3), who Marks met on his own in 1966. Six of the nodes in Figure A-1 were never stated by the author as being implicated in cannabis trade activities (non-trade members are those underlined), however, because they led to contacts with later trade co-participants, they were included in this representation.

Ventures, consignments, and entrepreneurial opportunities

In addition to extracting Marks' personal working network throughout his career, all cannabis trade ventures, arrests, and incarcerations documented in *Mr. Nice* were retained for analysis. The ensemble of this information is illustrated in Figure A-2 (see Appendix A) and superimposed on a cumulative working network distribution that grasps the additive-count of contacts entering and exiting Marks' network from one year to the next⁴⁰. His cannabis trade network, for example, began with 2 contacts made in 1966, peaked at 20 contacts from 1975 to 1977, and fluctuated diversely throughout various phases. This 20-contact peak and the 15-contact average coincides with findings and estimations made by Adler, who found that smuggling crews were generally composed of 3 to 8 members⁴¹. Marks was not a member of any specific crew of smugglers. He had a consistent pool of contacts in place to turn to when necessary, but who he dealt with varied from venture to venture. If one considers that Marks was involved in roughly 2 ventures per year (assuming that the entire venture was executed with the same co-participants) and that each venture corresponded with Adler's own findings, then the autobiographical information may be taken as offering reasonable estimates for a participant operating in or around the importation segment of cannabis distribution.

The two axes in Figure A-2 identify Marks' arrests and incarcerations (lower axis) and his cannabis trade scams (upper axis). Each cannabis trade venture is initiated by an entrepreneurial opportunity (E.O.). These entrepreneurial opportunities are represented by co-participants who were directly

linked to Marks' capacity to participate in the trade – they were essentially the vehicles of Marks' opportunities. Fourteen ventures or scams were compiled from the information provided throughout *Mr. Nice*. Venture 1 (V1), for example, had Marks as an initial planner, but was only executable with the addition of Jim McCann (N23 in Figure A-1). Venture 9, quite differently, had the same E.O. in McCann, but for a scam designed by McCann and offered to Marks. Each venture/scam is comprised of a series of consignments (ranging from 1 to 10) that were part of the same set-up. The temporal order of scams follows the onset of a venture (the initiation of the first consignment). Overlap between ventures, as Figure A-2 shows, was observed.

Secondary sources

Some level of triangulation of the primary data source was required. The principal venue for finding the minimal secondary or back-up data sources available was Marks' personal internet home page⁴². Two sources were located at this site that permitted some cannabis trade ventures to be confirmed. Newspaper clippings from the 1980s are available and provide a media confirmation of Marks' and his co-participants' larger drug-busts and judicial experiences. Confirmation for activities taking place throughout the 1970s were unattainable (aside from the newspaper clippings available within the autobiography), however, the scope of activities throughout this earlier period in his career proved consistently smaller (no shipments from the 1970s surpassed the acceptable 1 ton consignment of cannabis) than for later, more ambitious periods. Marks also provides his web-page visitors with access to the actual DEA electronic surveillance recordings from the first half of 1986 that were used in building a case against him. These recordings situate him and his co-participants within the context of his venturing with the largest loads of his career. Confirmations (newspaper clippings and electronic surveillance) were therefore retrievable for the largest consignments and less for the more conceivable and standard one-ton shipments. Finally, while the tapped telephone conversations put him in contact with many of the contacts and events documented throughout his autobiography, several new, undocumented names appeared as well. These latter names were excluded from the set of possible contacts because of their absence in the principal data source.

Accessing players in illegal trades remains a principle obstacle for most interested in studying various aspects of these clandestine activities. Autobiographies written in such consistent detail remain valuable sources of information for pursuing such matters. *Mr. Nice* offers a vision of the middleman or broker's place in the illegal trade. His story begins in his native Wales, but his initial encounters with the cannabis trade are revealed in his years as an undergraduate and graduate student at Oxford's Bailliol College and other

English academic institutions. He was initially on his way to embarking on an academic career – he opted, instead, for one in dope. The next section briefly describes his quick entrance into the trade and the subsequent expansion and refinement of his working network.

Going up: Network expansion as an importation coordinator⁴³

Adler and Adler found that middle-level entry traffickers, as opposed to less ambitious low-level entry dealers, were more likely to advance and expand in the trade through their access to established dealing friends who allowed the newcomer entry into the scene and its fast-paced lifestyle – “Individuals who found this lifestyle attractive became increasingly drawn to the subculture, building networks of social associations within it”⁴⁴. The present section demonstrates how the building phase of an illegal entrepreneur’s career takes place precisely within the builder’s scope of relationally-defined opportunities and not necessarily within the scope of an established subculture. Marks entered the cannabis trade in an apprentice-like relationship with his principal hashish dealer, Graham Plinston (N3 in Figure A-1), who he met at Oxford during the mid-sixties and remained in contact with while gradually shifting from being a relatively heavy consumer (20 joints per day), to a progressively popular provincial retail dealer, to a London wholesaler and trans-border courier. Through Plinston, Marks was able to make contact with key exporters in a matter of two short years in the trade. This movement had him jumping from retail dealer to importer during the same period.

Concentrated contact allotment

Figure A-1 shows that of Marks’ personal network members throughout his twenty-year career, Plinston (Node 3) was the largest contact provider. Only Ernie Combs (N26), Plinston and Marks’ main American importer, neared Plinston’s network provision to Marks. Almost half of the contacts in Figure A-1 came either from Marks’ direct encounters (10 contacts; 17.2%), indirectly through Plinston (8 contacts; 13.8%) or through Combs (10 contacts; 17.2%). Such concentrated contact allotment (high accumulation of eventual contacts extending from a relatively few number of network providers) should be somewhat expected in that the consequences of product illegality limits not only the scope and size of criminal organizations and consistent working groups⁴⁵, but also the boundaries within which illegal entrepreneurs have to work – that being the size and amplifying qualities of their networks of potential co-participants, accomplices, and information sources.

Plinston figured even more considerably as a central player in Marks' career when we take into account that Marks met Combs through him. From the 8 working ties in Figure A-1 that Plinston put into contact with Marks grew an additional 36 network members resulting in 4.5 (36/8) subsequent ties per tie already made. Combs' proved much lower at 1.7 (17/10). In many ways, Plinston *made* Marks in the cannabis trade, but not in the ritualized, formalized, and required exchange that is often found for traditional organized crime contexts. In Marks' business, being made meant gaining direct access to the resources of the maker. One may have been expected to return a favour, but such reciprocity was neither absolute nor enforced.

The business relationship between Plinston and Marks eventually grew from a strict apprenticeship to a gradual partnership. Both had become independent British cannabis importers together in 1970 when they attained contact, through Radcliffe (N10), with James McCann (N23), an IRA, gun smuggling, pot-smoking "living legend" who was ready and able to import hashish sent by Plinston's export contacts. Ventures 1 to 3 in Figure A-2 represent the building phase of Marks' career. It was between 1971 and the turn of 1974–1975 that Marks made his own place and reputation amongst an increasingly propagating web of business ties in the trade.

Vouched network expansion

Tremblay has argued that "the search for suitable co-offenders involves the attempt to combine two goals: the search for the strongest ties possible with co-offenders so as to minimize the chances of betrayal and failure; and the search for weak but useful ties so as to increase the scope and value of crime opportunities"⁴⁶. Marks, during this building phase, succeeded in using a few strong ties to extend towards reaching weaker, yet vouched for, ties.

During this 5-year period (1971–1975), Marks' working network increased from 14 to the 20 contact peak in 1975 (see Figure A-2). Cumulatively, 29 new contacts were added to the network during this period, while 12 exited. Figure A-1 denotes the co-participants entering this already prosperous network. The first 3 years of this period were largely due directly or indirectly to Plinston (N3). This gave Marks his links to various exporters in Pakistan (N11 and N25) and Lebanon (N12), as well as to a motley set of other co-participants.

While a cumulative increase of 6 contacts between 1971 and 1975 may seem rather meager as a network building indicator, the fact that Marks was operating within early links in the drug distribution chain must be accentuated. The ensemble of suppliers and clients increases as the distribution chain nears the street level or final sale to the actual consumer. Within and around the importation link in the distribution chain, an addition of 6 new con-

tacts and an indirect access to contacts in their respective personal networks substantially increases one's pool of potential opportunities. Furthermore, network expansion and exposure is a delicate matter amongst illegal entrepreneurs. Six new contacts means six additional persons who are aware of your illegal activities and who may subsequently diffuse such knowledge across their respective personal networks. This building phase required that Marks open his network to further contacts and opportunities. Such expansion resulted in Marks attaining increased and quicker access to useful information for seizing more lucrative opportunities. Unlike in legitimate contexts, however, the illegal setting renders the task of searching for new contacts a more constrained and selective process.

Greater access to information and therefore opportunities, as Granovetter pointed out in a study on legitimate job searchers, is a result of the number of weak ties in one's personal network⁴⁷. For illegal entrepreneurs, dealing with weak ties is necessary if one seeks to increase opportunities and achieve upward mobility for similar reasons as in the legitimate arena of action. However, and in another contrast to legitimate actors or players, seeking such network expansion increases exposure and risks of defection by weakly-linked co-participants. Building one's reputation and increasing the scope of one's opportunities and activities in criminal networks calls for ambitious participants to take such risks. Marks succeeded in surviving this precarious stage of an increasingly international cannabis trade career, but was able to come out of it all with strong links with both exporters and importers. Marks, however, had the "illegitimate means"⁴⁸ to seize new opportunities to begin with in that all new working contacts that were encountered were met through an already established contact. All were new and weak ties, but all were also contacts that were vouched for by established (trade or non-trade) members of his working network, with most, once again, having their network roots with Graham Plinston (N3). Marks consistently used those people that were already relationally in place to advance his own career. Some mutual contacts were weaker ties than others (i.e. meeting N27 through N4 in contrast to meeting N32 through N6 or N26 through N3), but the vouch was nevertheless present and necessary.

It may very well be that personal networks amply filled with new and vouched-for opportunities are far from reachable for most participants in illicit trades. That Marks had access to such a network and was able to maintain and further improve the make-up of this network for cannabis trade purposes was a sign of his force in the trade. Which position one finds himself in and what one's role becomes in any given trade revolving around the distribution of illegal goods and services has much to do with who one knows and how one is able to depend and use his personal network to adapt and

better one's place within the trade. Money and wealth is clearly a facilitator for such upward mobility, but without the social capital in place to convince other participants to trust and accept participants with high financial capital as investors, partners, or associates, it remains questionable whether any cooperation will evolve. Marks had, first and foremost, the social capital component to participate on a full-time basis in the trade; financial capital soon followed.

By-passing the maker

Early ventures generally had Plinston dealing with Combs (i.e. V3 in Figure A-2). While still partnering with Plinston (N3), Marks began communicating directly with Combs (N26), which eventually led to the two establishing a direct business relationship for later consignments in the same scam. The partnership with Plinston, at that point, went through some important changes. Plinston had continued side-dealing with the more erratic Jim McCann (N23), while Marks was more hesitant toward pursuing unnecessary risks with the Irish importer. Curiously, it was McCann, during the first venture (V1 in Figure A-2), who first tried to convince Marks to operate without Plinston. At that time, Marks was quite aware of the value of Plinston's resources as his response to McCann tells us:

Jim, we need Graham. I don't know anyone else who can send stuff from Pakistan and Afghanistan" (p. 88)⁴⁹.

Such contacts were eventually attained by Marks through Plinston. Three years later, he was in a position to operate without him.

Marks focused his business on Combs' American importation schemes and this eventually grew to a complete by-passing of Plinston's involvement:

Ernie [Combs] gave me \$100,000 for my assistance. Graham [Plinston] said that I could keep it all. He wouldn't interfere with any deal I made with Ernie as long as I did not interfere with deals he intended doing with McCann. We would remain partners on all other deals and could invest in each other's individual deals without participation (p. 119).

This was the beginning of the end of the partnership with Plinston who had become a redundant contact for Marks the moment that a direct working link was made with Combs. Through one strong tie (N3), Marks accessed a series of key trade participants that further developed his status, abilities, and reputation amongst other players. Plinston's influence may not have been the sole explanation for Marks' ascendancy in the trade, but it would be difficult to see this progression without his presence and network allotment.

Plinston fell completely out of Marks' working network by 1974, but not before leaving him in contact with his Pakistani exporter (N11) and his

associate (N25), his Lebanese exporters Sam Hiraoui (N12) and Lebanese Joe (N9), his American importer Ernie Combs (N26), and a wide array of other useful contacts that were able to move and distribute cannabis across international borders and within the boundaries of the United Kingdom. Plinston gave Marks direct working contact with key and reliable exporters from producing/exporting nations and a strong contact with an established importer in the United States.

While Adler and Adler have explained that the specific social milieu within which their own cannabis and cocaine traffickers resided and operated “facilitated forming connections and doing business at the upper levels of the drug world”⁵⁰, this analysis of Marks’ own building experience demonstrates how such ascendancy in an illegal trade may be a function of less cultural and more relationally-embedded individual purposive actions. The individual, in this sense, is not offered a subculturally-defined set of opportunities to seize in as much as he is making the most of those resources that extend from his own personal network.

Figure A-2 shows that Marks was arrested in the Netherlands in 1973. This arrest was linked to the Rock-Group scam (V3). Marks was transferred to England for prosecution, granted bail after 3 weeks in Brixton Prison, and headed for a minimum 3-year sentence. He eventually skipped bail. This context is described as follows:

I had just skipped bail. The trial had started without me the previous day, May 1, 1974. My co-defendants pleaded guilty and got sentences ranging from six months to four years. Ernie [Combs] had promised to pay off any sureties demanded by the judge as the result of my skipping bail. He felt indebted to me because at the time of my arrest in Amsterdam I was the only person in the world who knew his whereabouts, and I had not disclosed them to the authorities (pp. 130).

For the next six-and-a-half years, Marks would flourish in the cannabis trade while remaining a fugitive from the law.

Attaining positional privilege: Liaison and representative brokerage

The network of exporters, importers, wholesale distributors, and other trusting co-participants that Marks had successfully put together through his apprenticeship and partnering with Plinston had become a rather efficient relational working base for a cannabis trade smuggler. By the turn of 1974–1975, Marks reached his peak in terms of network expansion (see cumulative working network distribution in Figure A-2). While Burt⁵¹ and Granovetter⁵² argue that larger networks are better when attempting to increase potential opportunities extending from weak ties or nonredundant contacts (larger networks

increase the potential for both types of contacts), the *illegal* entrepreneur is often faced with upper boundaries in regard to expansion. This coincides with Erickson⁵³ and Baker and Faulkner⁵⁴ who argue that groups, organizations, and individuals operating under risky and clandestine circumstances are distinct in that the need to maximize security often surpasses desires for efficiency. This peak or limit in network expansion is not necessarily a sign of failure. It may, however, spell failure for many who push the limits further in that one is increasingly exposed to a wider set of weak, albeit vouched for, ties and, therefore, an increased likelihood of exposure to external regulatory agents and defections amongst co-participants.

For Marks, such weak ties proved rather useful and reliable until this phase, but he did adapt to those privileged circumstances that were before him at the onset of his fugitive years. One privilege extended from a contextual change which had him receiving offers to participate rather than seeking opportunities to initiate, compliment, or complete his own coordinating ventures. What was sought from Marks by other trade members was his ability to fit in between exporting and importing links as a liaison or importation representative amongst exporters. Attaining this *between-link* brokerage position had Marks in a most convenient arrangement in that he was able to simultaneously increase his own security, while assuring and even increasing the efficiency of his working network. Both advantages and risks of this position will be outlined in the following sections.

Between-link advantages

According to Adler⁵⁵ and others⁵⁶, few participants in drug dealing, trafficking, and smuggling have the capacity to coordinate and meet all resource requirements (i.e. financial, connections, skills, experience) necessary to conduct a successful drug smuggling venture. However, amongst co-participants, there are positions which result in some achieving a competitive and safer edge than others.

Baker and Faulkner stated the following in their price-fixing study: "As an agent of a company, an individual conspirator wants to be a *central player* in the illegal network. (. . .) Personally, however, an actor wants to be a *peripheral player* (if a player at all) to avoid detection, prosecution, and sanctioning"⁵⁷. It may be assumed that delegation is a common strategy for central players to protect themselves and the most privileged players (and likely the most cautious players) are those who are able to establish cushions of social contacts between themselves and the actual activity under surveillance. Brokers are such peripheral players. They are players who remain relatively distant from the actual distribution of illegal goods (hence, decreasing the risks of detection) while consistently receiving a portion of the profits extending from the circulation process. Being at the center of the action, in this

sense, does not necessarily mean that one has a privileged role in the distribution process and mobilization procedures across a chain. Social distance from the actual passage of the illegal goods in question is an asset in illegal enterprise – it offers a player ampler insulation and a capacity to invest one's time and energy in simultaneous ventures.

Such incentives for security over efficiency also influence how the circulation process from one end of a distribution chain to the other is structured. The business of mobilizers found *within* each link in a given chain ceases the moment that the illegal commodity moves into the boundaries of the succeeding link (i.e. from exporter link to importer link). Marks' main Pakistani exporter (Malik: N40) during the latter part of his career, for example, implied this on a series of occasions:

Where product ends up and with who it ends up is not my concern. I meet only you, D.H. Marks. How I give product, you say. How you give money, I say (p. 219)

and

My commitment is to you, not to any American. You are most welcome to accompany me to NWFP to my tribe's factory near Peshawar in Khyber Pass. You can choose quality. You can make inspection. But no American can go there. (. . .) If you are satisfied, I will bring hashish to Karachi and out in warehouse. Then, if you want, you can show to Americans. That is your affair (p. 291).

The drug distribution process is a take-and-give procedure. The image is more reminiscent of a children's game of hot potato than it is of a formal organisation structuring and authoritarian control of passage. The privileged positions along the chain go to those players who achieve in taking part in the action, but who also remain distant from the proof that is actually sought after in law-enforcement targeting. Such positioning is illustrated in the liaison or representative brokering that represented Marks' place in the trade during his post-Plinston years.

While between-link brokers may be found along various segments of the distribution chain, it is clearly between geographically distant and considerably relationally time consuming exporting and importing links that they would seem to fit in most appropriately. Marks' personal network, by 1975, was exquisitely designed for him to seize such a position. Successful illegal trade brokers are those players who are not exclusively dependent on any one participant. Their nonredundant positioning and needed resources has it that they are more likely sought after by others than vice-versa.

Adler, in her assessment of intermediaries or "middlers", found evidence of 2 types of brokering – that initiated by suppliers and that initiated by in-

terested buyers⁵⁸. Somewhat differently, Marks' brokerage experiences were initiated exclusively by buyers (by importers). Although Marks was neither an exclusive insider amongst importers nor exporters, between-link brokerage opportunities consistently came from importers looking to make the link with exporters, whereupon he would either represent importers' interests within the exporter link or serve as a connecting vector in liaison fashion. Although Adler found middling to be a "last resort" form of dealing or a position held by peripheral and struggling dealers who proved "unable to successfully establish and maintain regular buying and selling connections"⁵⁹, a re-interpretation of this brokerage position would seem to merit additional insight which would further support Ekland-Olson, Lieb, and Zurcher's assertion that because "[t]he possibilities of making a profit by dealing drugs within any given friendship circle are limited[, i]t is persons able to bridge otherwise separated groups who are in a particularly profitable position"⁶⁰. This profitable brokerage position, however, does not come without its risks.

Compensating the sucker's pay-off

While all players in a chain make some form of investment, the between-link broker is placed in a rather privileged position in that although he may invest his energy and time to a considerable extent, he does not generally make a financial investment in the actual mobilization process. By investing his social capital (or connecting nonredundant contacts), however, he takes the risks that come with vouching for and investing the financial resources of two otherwise non-connected parties. If one party does not fulfill his part of the brokered contract, it is the broker who becomes responsible in compensating the second, unfulfilled party. Although the broker is in a highly profitable position (in terms of financial returns per initial investment) when all turns out well, he risks facing substantial financial losses if one of his contacts decides to break his side of the deal. In a non-contractual setting, such as the cannabis trade, there are consequences of product illegality that are unique to the broker.

Marks explains this arrangement quite clearly:

There is a general rule in most hashish-smuggling ventures: if the scam gets busted by the authorities, the scam shareholders lose their investment, pay any costs, and no one else is held responsible for the loss. There is another general rule: if there is any kind of rip-off, the shareholders do not lose their investment, get paid their profit, and the person who ripped off is held responsible. The logic is sound: bonding together against the enemy during troubled times but paying the penalty for trusting the wrong person during untroubled times (p. 160).

The second of these rules may be modified and coined the “broker rule” because if the person behind the rip-off is not found, it is he who vouched for his trust that is held responsible. This was the experience faced by Marks when he coordinated a venture between his Pakistani hashish exporting contacts and Anthony Woodhead (N22), a consistent co-participant in several of Marks’ ventures during the building phase of his career. Woodhead, in V5, defected from the venture’s arrangements and was never found. As Marks writes:

According to the rules, I owed \$750,000 to Raoul [N25] and Durrani [N11] (p. 161).

If the rip-off would not have occurred, Marks stood to make 25% of \$1 000 000 (p. 160) for brokering the deal. His initial financial investment was 0\$.

Between-link brokers gain a percentage of the profits (Marks’ details allow general estimates to be made at approximately 15% of after-sales profits going to liaison brokers and about 20% for representatives) that would otherwise be split amongst succeeding within-link participants. If one party defects, the broker is fully responsible and losses become considerable – in the rip-off detailed above, this amounted to three times more than what the expected reward would have been. The broker is in the business of controlling and assuring type 1 results (no defectors or mutual cooperation) of the Prisoner’s Dilemma that is consistently in place between (directly or indirectly) transacting illegal entrepreneurs. He pays when the result takes on a sucker’s pay-off (one player defects from the deal). He invests his time and energy making and breaking relations and tending to those who have proved trustworthy and reliable on a consistent basis. Although players in succeeding links lose a proportion of the profits to be made in employing a broker to vector the deal, the incentive is quite understandable. The broker serves as a buffer between buyers and sellers in the illegal trade while, at the same time, providing a guarantee that their financial investment will come through whether the consignment runs accordingly or not. In a business lacking the formal and conventional fallbacks for regulating contracts, the use of a broker for within-link participants serves to overcome a large part of the risks linked to the non-contractual nature of illegal trades.

Network closure

Marks’ positional privilege came as a result of a cumulative process of seizing and accessing one entrepreneurial opportunity after another until he himself became the entrepreneurial opportunity to be seized by others. His favourable reputation established with those players with whom he was in business, particularly Ernie Combs (N27), added to the circumstances which led to his fitting between-links in the trade. The mix of becoming an entrepreneurial

opportunity for others and his between-link positioning is partly indicated in Figure A-2 by the stability of his cumulative working network between 1975 and 1977 and the subsequent drop in this distribution throughout the years leading to his arrest in 1980. During this period, Marks' network contracted. The 20-contact peak in Figure A-2 persisted for three years, henceforth dropping to 17 in 1978 (3 new contacts in, 6 former contacts out) and 1979 (2 in, 2 out) and 13 in 1980 (2 in, 6 out). This network closure coincides with the height of Marks' fugitive years and the introduction to his network of additional exporters (N37 and N40), importers and investors (mostly through Combs), as well as other key participants for his various scams.

The ability to select incoming opportunities from such a privileged position means that one may choose to participate only on relatively safe and profitable terms. The drop in cumulative contacts and the consistency in cannabis trade ventures in Figure A-2 that represented Marks' career from the mid-seventies to 1980 illustrate how he was able to continue participating, while, at the same time, decreasing the overall number of people with which he had to deal. This tells us that Marks was involved less extensively with new contacts and for those rare new contacts that did enter his network during those years, most came with a vouching of trust by Combs. As a between-link broker, he was also in direct contact with a fewer number of co-participants for each venture. Here, we are able to see the network closure pattern that is a strategic reaction to the formal control and sanctioning process confronting offenders⁶¹. It remains, however, that although Marks did partially decrease the number of contacts in his overall working network, he did so in a context in which his entrepreneurial opportunities did not follow suit – in fact, they increased. Privileged positioning means that one may stay away from the action, work and get into contact with as few other participants as possible, select the choice opportunities that are offered, reap the profits that come with brokering, and dabble simultaneously in a number of similarly-designed ventures. This represents Marks' networking that structured his trade activities during the height of his career.

The makings of a good scam

The combination of durability, stability, and consistent profit define the makings of a successful scam. This mix provides the incentives for all players involved and entering the venture to keep a good thing going:

If,

as Marks tells us,

a scam works, it is rational to repeat it (p. 266).

Marks provides the summations of his most successful scam (V4 in Figure A-2) that was finally busted by the DEA in 1979:

Between 1975 and 1978, twenty-four loads totaling 55,000 pounds of marijuana and hashish had been successfully imported through John F. Kennedy Airport, New York. They had involved the Mafia, the Yakuza, the Brotherhood of Eternal Love, the Thai army, the Palestine Liberation Organisation, the Pakistani Armed Forces, Nepalese monks, and other individuals from all walks of life. The total profit made by all concerned was \$48,000,000. They'd had a good run (p. 166).

The author provides details on 10 of the 24 consignments that made up this particular venture. The ensemble of these consignments demonstrates the similarities between criteria for success (a good thing) in illegal and legitimate forms of enterprise.

Figure A-3 (see Appendix A) illustrates the logged weights for all 41 consignments (see Appendix B for operational details) documented in *Mr. Nice*. The attainment of Marks' most successful phase begins with consignment 16, the onset of V4 in 1975. This phase ends with consignment 30, a busted 1979 scam (V8) that resulted in Marks' subsequent arrest. The attainment phase consignments (16 to 30) illustrate a relatively stable operating period in Marks' career. During these years, he was consistently involved in consignments made up of about 1000 kilograms (or 3 logged kilograms). The first four ventures (V4 to V7 in Figure A-2) were designed to operate in one-ton standard and the most successful of these ventures (V4) ran steadily for almost 4 years with few interruptions. Such stability is less apparent during the building phase and even less so during the final years of Marks' career. The failure of consignment 30 is in itself an indication of the problems that may extend from a more erratic operating system. Between consignments 16 and 29, Marks had prospered in the trade. While his networking and between-link positioning had much influence on the endurance of this peak period, it also remains that Marks had consistently implicated himself in scams which more or less fit the same operating model – in regard to his own positioning and shipment weights. Marks was a between-link broker who was most effective in moving one-ton consignments of cannabis. A good scam is one that could be repeated. The more it could be repeated, the better the scam. During this attainment phase, Marks had experienced such operational stability as an illegal entrepreneur. The scam that ended this peak period had Marks smuggling 15 tons of marijuana from Colombia to the UK. Such sizable ventures do guarantee the illegal entrepreneur large sums of profits if successful, however, Marks' story tells us that such over-ambitious venturing spelled his downfall more than anything else. It remains that his most successful period was that

which represented a proven working system, a manageable weight for each shipment, privileged positioning, and regularity, albeit not maximization, in profits.

In 1980, Marks' lengthy six-and-a-half-year flee from justice came to an end with an arrest in England following the bust of consignment 30. He spent just over 2 "easy" years in Brixton Prison:

The two years had gone by quickly enough, and I'd beaten the real charge (p. 194).

Upon release, he found himself in a rather financially-sound situation in that most wholesale profits from the unseized portion of the busted consignment had been collected. This triggered the onset of his first retirement. He succeeded in remaining fully legitimate for roughly one year before re-entering the trade in 1983.

Going down: The network dynamics structuring an illegal entrepreneur's career

The present section wraps up Marks' career by extending the focus to the final phase of his international cannabis trade career and analyzing, with the use of Burt's structural hole⁶² measures, the relation between event and career-based outcomes and personal network strategies. This final phase begins with his decision to re-enter the trade in 1983 and ends with his fall, in 1987, to the international law-enforcement tandem that had been targeting his actions and those of his regular co-participants.

Two forms of outcomes were operationalized for this study. The first consists of logged weights (kg) per consignment. Total weight indicators were excellent proxies for the less complete percentage-cut or profit measures. Second, Marks' rise, attainment, and fall in the drug trade constitute career outcomes in themselves. Relations between Burt's observed size, effective size, and network efficiency⁶³ (see Appendix B for operational details) and the two set of outcomes proved telling in fitting a model to Marks' activities and overall career.

Consignment outcomes

Correlation results between logged weights and observed size for each smuggling network assembled for the 41 consignments proved strong and positive ($r = .408$; $\alpha < .01$). This finding may seem somewhat given in that larger consignments do call for larger networks to be mobilized. That Marks was, himself, in direct contact with increasingly more people (the observed size of his network), however, is less obvious, and, as the phase transition analysis

will demonstrate, an indication of his own operating from one stage of his career to the next.

Similarly, the number of nonredundant contacts (effective size) across consignments also varied in a strong positive relation with the size of consignments ($r = .590$; $\alpha < .001$). In legitimate network terms, bigger is better⁶⁴ but as already pointed out earlier, privileged positioning comes with greater efficiency – that is by having the most proportionally nonredundant network possible. From this level of analysis, the number of nonredundant contacts remains closely related to the observed size of a working network ($r = .599$; $\alpha < .001$). However, this does not entail that more nonredundant contacts through larger networks results in higher efficiency. A quadratic relation between network efficiency and logged weights ($r = .44$; $\alpha < .01$) indicates the nonlinearity of this relation. The fit establishes the initial increase and subsequent dampening-off pattern that network efficiency takes when in relation with consignment weights. It was also found, in observing the height of the network efficiency and logged weights relation, that Marks was at his most efficient when dealing with 1000 to about 3000 kg (between 3 and 3.5 logged kg) shipments. Although he had the personal network in place to receive offers to participate in multi-ton consignments, a downward trend was observed beyond the 3.5 logged kilogram point (more than 3 tons), illustrating that he was decreasingly efficient as a broker and therefore losing his competitive edge in comparison with consignments dealing with more personally optimally-sized 1-ton shipments. This results in decreasing returns for increasing network efficiency. Limits are therefore observed in regard to Marks' own brokerage strategies. These limits would appear to correspond with upper boundaries in the size of the tasks he chose to take part in. It also remains that the series of multi-ton and decreasingly inefficient brokered consignments (the downward trend) took place in Marks' return to the trade after 1983.

Career-phase transitions

Marks' career in and around importation segments of the cannabis trade may be divided into three separate phases that highlight the principal transitions throughout the two decades. Distinctions between these phases emerge when focusing on variations from one transition to the next in regard to the three network variables. The 41 consignments in Figure A-3 were regrouped in the following manner: the building phase groups consignments 1 to 15; the attainment phase groups consignment 16 to 29; and the last return or "fall" phase is represented by consignments 30 to 41. Means for each of Burt's structural hole indicators were subsequently calculated for each phase.

Figure A-4 (see Appendix A) illustrates the patterns extending from these brokerage measures for the three phases across Marks' career. Results show

that the building phase had Marks in direct working contact with the most co-participants (an average of almost 5 contacts per consignment), at his least effective (approximately 2 nonredundant contacts) and, therefore, at his least efficient (a low 39.7%). Although his brokering seems somewhat inferior to the two later phases in his career, it must be noted that during this phase in which he was building his network as a within-link importation coordinator, he was not venturing with the same sizable shipments as he later would. Also, he was not yet a reputed player in the trade nor was he an obvious target for law-enforcement agents.

The attainment phase seems rightly coined. Marks, while being, on average, in direct contact with the least number of co-participants per consignment (3.33 – recall also the drop in his overall network of contacts during this period in Figure A-2), was at his most effective (2.4 contacts), and therefore at his most efficient, in regard to filling his consignment-based networks with the most nonredundant contacts possible. For those consignments located during this phase of positional privilege, Marks averaged an efficiency of 78% nonredundant contacts per all direct contacts. This illustrates a considerable increase from the approximate 40% that he averaged during the building phase. Fitting-in between links in the trade increased his efficiency and decreased his exposure to other co-participants. If we also take into consideration that, at this point, his trade activities were at their most stable (as indicated in Figure A-3 and discussed earlier) with steady ventures in motion offering repeated shipments and consistent profits from 1-ton loads, it becomes clear that the late seventies in Marks' career were indeed his most prolific and successful.

His return to the trade in 1983, although increasing the average effective size of his consignment networks (to 2.76), also had him dealing directly with a slightly higher number of co-participants (observed size = 4.5). We have already seen in Figure A-2 that Marks re-opened his network during this phase while continuing to fill the privileged between-link position. While he successfully closed his network during the attainment phase and therefore decreased the risks that come with increasing exposure, he was no longer practicing the same relational strategies in this return phase. The increase in observed size resulted in a decrease in his brokerage strategy as indicated by the drop in network efficiency (64.7%). Marks re-opened his network, but unlike his early years in the trade (the building phase), his reputation within the trade (in popular venues and amongst law-enforcement officials) was no longer as discreet and low-key. It was therefore more necessary for his actions to be properly insulated. He had attained a public figure status with the publication of one book on his career and the media circus linked to his past arrests, trials, and subsequent incarceration. He had been released

from prison just one year before this return to the trade. Such celebrity status and past reputation within law-enforcement circles made him an obvious target for surveillance. Throughout many smuggling episodes during this last phase, it was quite evident that Marks and many of his co-participants were increasingly under the surveillance of DEA officials stationed in various cities across the world.

While the information extractable from *Mr. Nice* did not offer any suitable indicators for accounting for the level of surveillance that was targeting Marks from one phase to the next, a demonstration may nevertheless be made to make the link between Marks' most successful and network efficient period as constituting the period in which he was arguably the least likely targeted. During the attainment phase of his career (1975 to 1980), Marks was a fugitive for the entire 6-year period. The name Howard Marks, *per se*, did not figure in any transaction throughout this entire spell. Instead, Donald Nice, Marks' principal alias during this period, was the identity or front in usage. If there was any form of physical detection on Marks, he would have presumably been arrested and subsequently tried for the smuggling charges that had been established in 1974. As a fugitive, he would have been removed from the trade whether he was smuggling or not. Because he lasted for over 6 years as a fugitive under another identity, it may be assumed that he was not physically targeted. This provides some evidence for the level of insulation he maintained during the smuggling ventures throughout this prolific period. A plausible assertion extending from this finding accentuates the likely positive relation representing the interplay between network closure, network efficiency, and insulation from external regulatory agents. This, of course, assumes that the player has the relational capacity and privilege to practice network closure while remaining operationally efficient.

The combination of increasing exposure within his personal network, decreasing efficiency while operating, increases in the size and amplitude of each consignment, and the obvious potential of being a prime target of external regulatory agents amount to the circumstances that led to his ultimate downfall. Overall, the structural hole measures illustrate how Marks' cannabis trade activities throughout his career and the transitions between each were structured by his personal working network and his own positioning within.

Conclusion: On illegal entrepreneurial networks and instrumental violence

Marks was indeed a major international cannabis trade player for a relatively lengthy period of time. This status, however, came more from his resourcefulness, than from his ability to directly control the actions of others within

a common organization. More specifically, Marks' ability to mobilize drug smuggling assignments for others and serve as a network vector between key suppliers and buyers in early links of several cannabis trade chains led him to play the brokerage position within a specified network of participants to an increasingly greater extent. The distinction must therefore be made between "international trader" and "transnational boss"⁶⁵ – the former he was; the latter he was not.

Whether Marks' form of "flexible opportunism" or "robust action"⁶⁶ proves to be atypical for an illegal entrepreneur remains a question of inquiry on its own. Past researchers have found evidence of intermediaries and middlemen in drug trade settings⁶⁷, but this position has been largely left in the shadows of more conventional exporter, importer, wholesaler, or retailer categories. Brokers have been identified in these past studies, but they have yet to be fully assessed. Few suggestions, at the same time, have been made to further investigate this seemingly crucial position within distribution chains of various illegal commodities. Deeper consideration of the broker in illegal trades shows, however, that although those trade participants occupying this position are clearly not controlling the chain or a given link in any formal authoritarian way, they are pivotal players for many buyers and sellers and therefore for the overall informal circulation process.

Interestingly, some of the most revealing insights on intermediaries in illegal trades extends from analyses of traditional organized crime. Whether as power brokers⁶⁸, arbitrators of illegal market disputes⁶⁹, or suppliers of protection⁷⁰, the middling roles and positions of Sicilian and North American mafia-based entrepreneurs have been considerably raised as valid conceptualizations throughout recent decades. One principal difference, however, between mafia-linked brokerage and Marks' own brand is the apparent dependence on violence (or the threat of violence) in the former and its irrelevance in the latter.

Violence is often argued to be the obvious mechanism regulating competition in illegal trades. Burt's structural hole argument offers an alternative way for framing competition – that is, from a more cooperative angle. Marks' career provides evidence that it is possible to persist and actually succeed in illegal enterprise without having to rely on instrumental violence. Structuring one's personal working network to include trade members who are not directly connected to each other but who may have interests in dealing with one another represents a cooperative way of being competitive. The combination of reputation, know-how, consistent and quick access to privileged information sources, and non-redundant personal networking gives a player the competitive edge needed for further advancement. Whether many others have been able to endure for several years in illegal enterprise without

experiencing the typical violence associated with this particular line of work remains a question on its own, however, it does remain rather clear that our preconceptions of organized crime and illegal enterprise often have us following the thread of violence to begin with.

Violence is seemingly one strategy used in attaining transitions towards more prestigious positioning within an illegal market or traditional organized crime setting, but Marks explains that away for his personal experiences by presenting the context within which he generally operated and the changes that were gradually arising:

The money we had made tended to dwarf that made by robbers, fraudsters, and thieves. (...) Accordingly, many heavy criminals had begun to deal dope, all kinds from anywhere. Some of the results were predictable. A lot more ruthlessness and violence was injected into dope-trading activity. *Rip-offs and guns* became more common (p. 181).

Whether instrumental violence in a given illegal trade is a consequence of prolonged prohibition or the natural inclinations of illegal entrepreneurs themselves may be partially responded by observing that non-violent cannabis smuggling, as documented by Marks, did indeed precede violent cannabis smuggling. Arlacchi elaborates on the consistent alternative working option between trust and violence that are available to illegal drug trade participants⁷¹. Trust is the initial contractual force. This force is entrenched within a player's or group's relational strength in a segment of the trade. Violence is the long-term sanctioning reaction for regulating disrespected informal contracts and not a proactive mechanism for personal advancement. The "rip-off", in this sense, precedes the "gun". A trade or market setting that was initially structured on trust, loyalty, and therefore network-bases may, after repeated obligations to turn to violence to sanction uncooperative players, evolve into a setting designed on coercive and persistent fraudulent methods for domination⁷². Trust and relational mechanisms precede the development of violence. Mutual aid precedes outright regulatory competition. Within such a framework, instrumental violence becomes a supplementary or back-up resource used when one's overall relational force within this prohibited transactional setting proves insufficient in assuring proper and expected working protocol between co-participants. The matter, however, does warrant additional research attention in contexts where violence is indeed made obviously visible.

Appendix A:

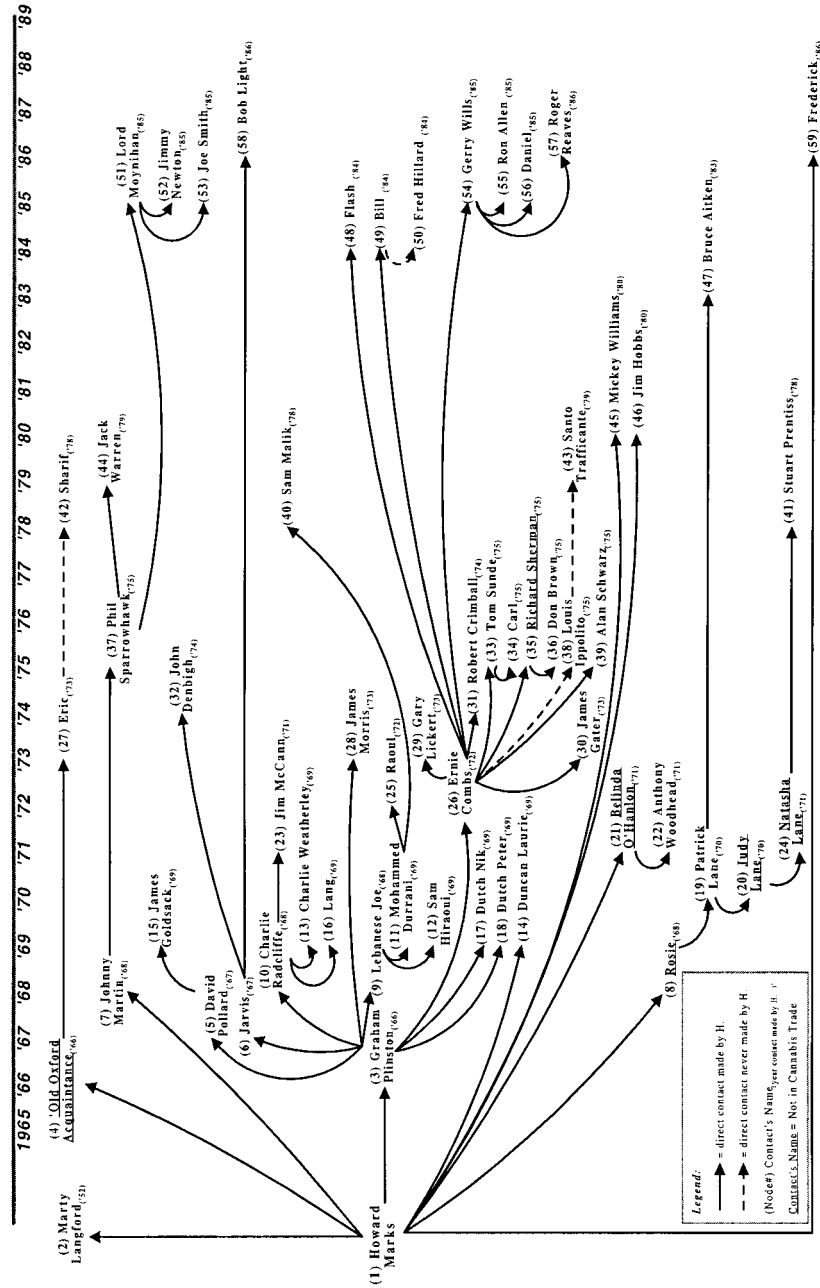


Figure A-1. Marks' working network.

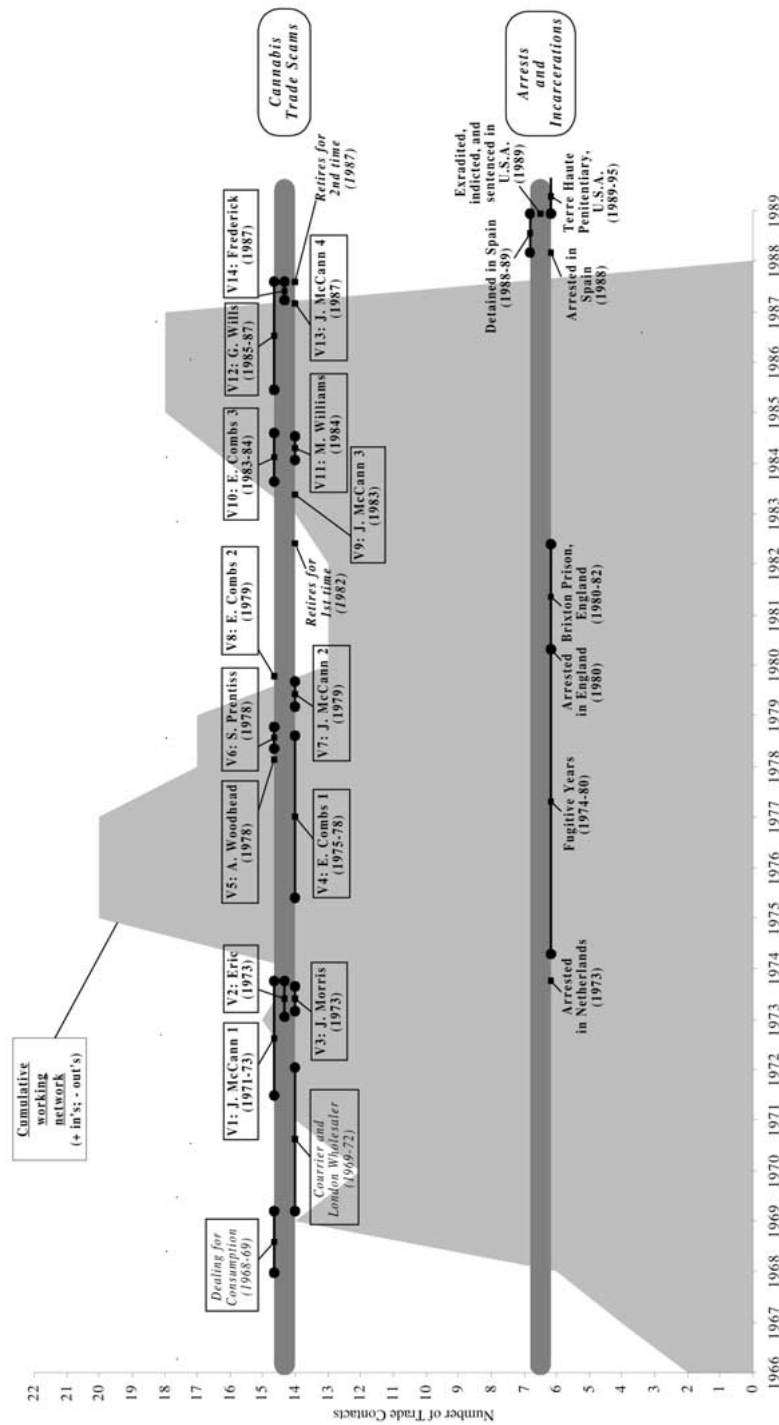


Figure A-2. Marks' cannabis trade seams, arrests, incarcerations, and cumulative working network, 1966–1989.

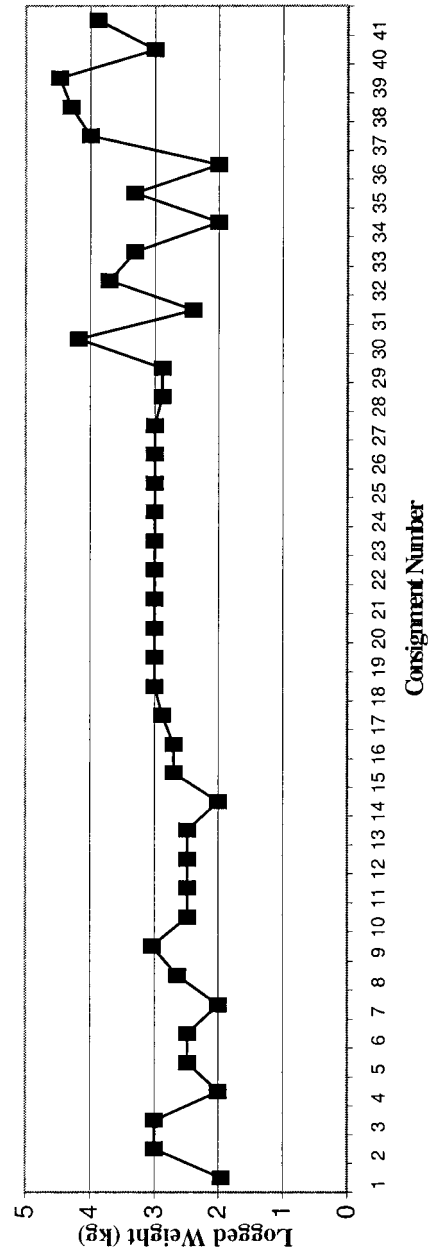


Figure A- 3. Weight of consignments across Marks' career.

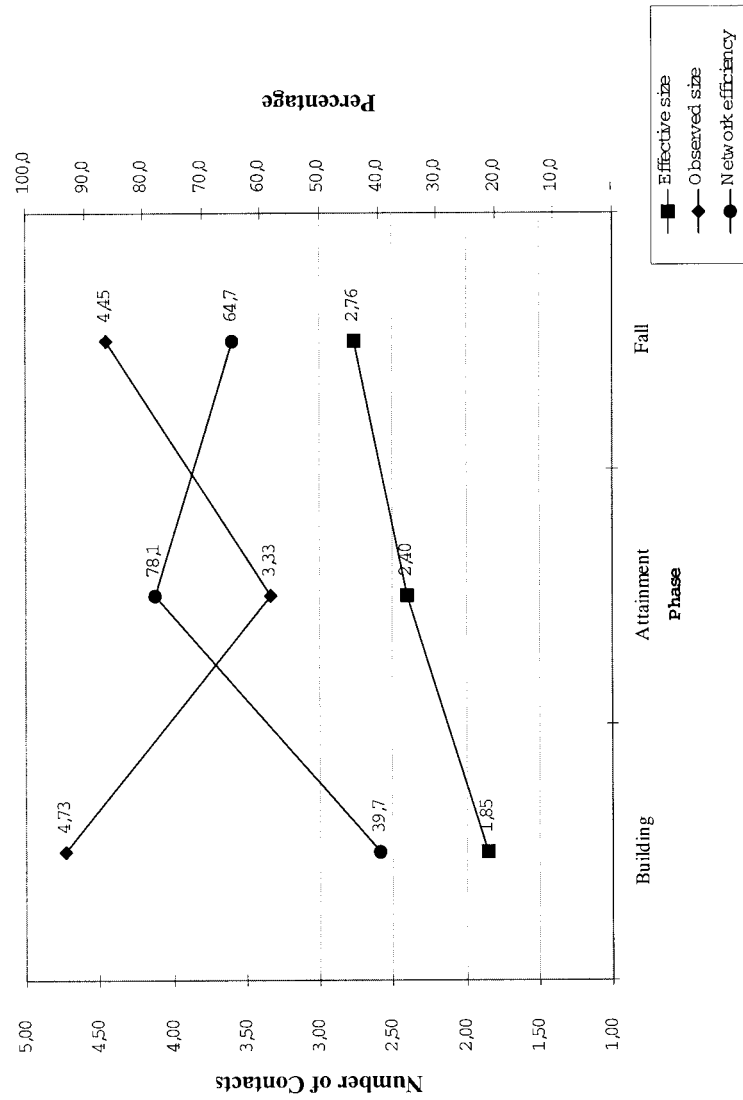


Figure A- 4. Marks' personal network transitions per career phase.

Appendix B: Outcomes, structural hole measures, and consignment matrices

Profits and consignment weights

A consignment-based outcome variable was designed by using logged weights (per consignment). Complete information was obtained on 35 of the 41 consignments in regard to the weight of each shipment. Estimations for the remaining consignments were established in accordance with the overall design and systematic weight of a venture that the consignment was part of. Indications, for example, were made on a number of occasions that a “load” of cannabis referred to a one-ton shipment. Regarding Marks’ personal profits, valid information was derived for only 19 consignments. Correlation tests, however, proved strong and positive between the weight of a consignment and the actual profits obtained by Marks ($r = .97$; $\alpha < .001$). Since individual smuggling profits are generally a percentage cut of successful consignments, weights were therefore deemed suitable proxies for Marks’ financial returns in the trade. These weights were subsequently logged in order to reduce the outlying effects of 3 considerably large consignments (10, 20, and 30 tons).

Nonredundancy and other relational properties

Three of Burt’s structural hole measures are used to account for Marks’ networking strategies throughout his career and the 41 consignments detailed in *Mr. Nice*. *Observed size* measures the number of alters or direct ties that ego is connected to in a given setting (each of the 41 consignments). *Effective size*⁷³ measures the number of nonredundant contacts that ego is connected to in these same settings. *Network efficiency* indicates the proportion of nonredundant ties per all direct ties (effective size / observed size). Efficiency is an indication of brokerage in that pure brokerage is denoted by maximum 100% efficiency (indicating that all observed contacts are non-redundant). Symmetrical network matrices (see below) were designed for each of the 41 consignments in accordance with the information made available in Marks’ account.

*Consignment matrices*⁷⁴

1 (V1-1):

	1	3	19	23	25	2	11	6	10	13
N1	–	1	1	1	0	1	0	1	1	1
N3	1	–	1	1	1	1	1	1	1	1
N19	1	1	–	1	0	1	0	1	1	1
N23	1	1	1	–	0	1	0	0	0	1
N25	0	1	0	0	–	0	1	0	0	0
N2	1	1	1	1	0	–	0	1	1	1
N11	0	1	0	0	1	0	–	0	0	0
N6	1	1	1	0	0	1	0	–	1	1
N10	1	1	1	0	0	1	0	1	–	1
N13	1	1	1	1	0	1	0	1	1	–

2 (V1-2):

	1	3	2	23	11	25	22	7	15
N1	–	1	1	1	0	0	1	1	1
N3	1	–	1	1	1	1	1	1	1
N2	1	1	–	1	0	0	1	1	1
N23	1	1	1	–	0	0	1	1	0
N11	0	1	0	0	–	1	0	0	0
N25	0	1	0	0	1	–	0	0	0
N22	1	1	1	1	0	0	–	1	1
N7	1	1	1	1	0	0	1	–	1
N15	1	1	1	0	0	0	1	1	–

3 (V1-3):

	1	3	23	17	18	15	6	2	11	25
N1	–	1	1	1	1	1	1	1	0	0
N3	1	–	1	1	1	1	1	1	1	1
N23	1	1	–	1	1	0	0	1	0	0
N17	1	1	1	–	1	0	0	1	0	0
N18	1	1	1	1	–	0	0	1	0	0
N15	1	1	0	0	0	–	1	1	0	0
N6	1	1	0	0	0	1	–	1	0	0
N2	1	1	1	1	1	1	1	–	0	0
N11	0	1	0	0	0	0	0	0	–	1
N25	0	1	0	0	0	0	0	0	1	–

4 (V2-1):

	1	27	12	22	3
N1	–	1	1	1	1
N27	1	–	1	0	1
N12	1	1	–	0	1
N22	1	0	0	–	1
N3	1	1	1	1	–

5 (V3-1):

	1	3	28	26	12
N1	–	1	1	1	1
N3	1	–	1	1	1
N28	1	1	–	1	0
N26	1	1	1	–	0
N12	1	1	0	0	–

6 (V3-2):

	1	3	11	28	26
N1	–	1	1	1	1
N3	1	–	1	1	1
N11	1	1	–	0	0
N28	1	1	0	–	1
N26	1	1	0	1	–

7 (V2-2):

	1	3	22	11	25
N1	–	1	1	1	1
N3	1	–	1	1	1
N22	1	1	–	1	1
N11	1	1	1	–	1
N25	1	1	1	1	–

8 (V1-4):

	1	3	23	28	22	11	25	15	19	6
N1	–	1	1	0	1	0	0	1	1	1
N3	1	–	1	1	1	1	1	1	1	1
N23	1	1	–	0	1	0	0	0	1	0
N28	0	1	0	–	0	0	0	0	0	0
N22	1	1	1	0	–	0	0	0	0	1
N11	0	1	0	0	0	–	1	0	0	0
N25	0	1	0	0	0	1	–	0	0	0
N15	1	1	0	0	0	0	0	–	1	1
N19	1	1	1	0	0	0	0	1	–	1
N6	1	1	0	0	1	0	0	1	1	–

9 (V3-3):

	1	3	23	28	22	11	25	26
N1	–	1	1	1	1	1	0	1
N3	1	–	1	1	1	1	0	1
N23	1	1	–	0	1	0	0	0
N28	1	1	0	–	0	0	0	1
N22	1	1	1	0	–	0	0	0
N11	1	1	0	0	0	–	1	0
N25	0	0	0	0	0	1	–	0
26	1	1	0	1	0	0	0	–

10 (V3-4):

	1	3	2	26
N1	–	1	1	1
N3	1	–	1	1
N2	1	1	–	0
N26	1	1	0	–

11 (V3-5):

	1	3	12	28	27	19
N1	–	1	1	1	1	1
N3	1	–	1	1	1	1
N12	1	1	–	0	1	0
N28	1	1	0	–	0	0
N27	1	1	1	0	–	0
N19	1	1	0	0	0	–

12 (V3-6):

	1	26	28	30	7
N1	–	1	1	1	1
N26	1	–	1	1	0
N28	1	1	–	1	1
N30	1	1	1	–	1
N7	1	0	1	1	–

13 (V3-7):

	1	26	30	29	28
N1	–	1	1	1	1
N26	1	–	1	1	1
N30	1	1	–	1	1
N29	1	1	1	–	1
N28	1	1	1	1	–

14 (V2-3):

	1	27	22	3
N1	–	1	1	1
N27	1	–	1	1
N22	1	1	–	1
N3	1	1	1	–

15 (V1-5):

	1	23	3	2	13
N1	–	1	1	1	1
N23	1	–	1	1	1
N3	1	1	–	1	1
N2	1	1	1	–	1
N13	1	1	1	1	–

16 (V4-1):

	1	26	6	32	36	33
N1	–	1	1	1	0	1
N26	1	–	0	0	1	1
N6	1	0	–	1	0	0
N32	1	0	1	–	0	0
N36	0	1	0	0	–	1
N33	1	1	0	0	1	–

17 (V4-2):

	1	26	32	36
N1	–	1	1	0
N26	1	–	0	1
N32	1	0	–	0
N36	0	1	0	–

18 (V4-3):

	1	26	31	36
N1	–	1	0	0
N26	1	–	1	1
N31	0	1	–	0
N36	0	1	0	–

19 (V4-4):

	1	26	11	25	12
N1	–	1	1	0	1
N26	1	–	0	0	0
N11	1	0	–	1	1
N25	1	0	1	–	1
N12	1	0	1	1	–

20 (V4-5):

	1	12	36	26	11
N1	–	1	0	1	1
N12	1	–	0	0	1
N36	0	0	–	1	0
N26	1	0	1	–	0
N11	1	1	0	0	–

21 (V5-1):

	1	22	11	25
N1	–	1	1	1
N22	1	–	0	0
N11	1	0	–	1
N25	1	0	1	–

22 (V4-6):

	1	26	36	25	11	19
N1	–	1	0	1	1	1
N26	1	–	1	0	0	0
N36	0	1	–	0	0	0
N25	1	0	0	–	1	1
N11	1	0	0	1	–	0
N19	1	0	0	1	0	–

23 (V4-7):

	1	26	36	25
N1	–	1	0	1
N26	1	–	1	0
N36	0	1	–	0
N25	1	0	0	–

24 (V4-8):

	1	26	36	25	39
N1	–	1	1	1	1
N26	1	–	1	0	1
N36	1	1	–	0	1
N25	1	0	0	–	0
N39	1	1	1	0	–

25 (V4-9):

	1	26	37	36	31
N1	–	1	1	1	0
N26	1	–	1	1	1
N37	1	1	–	0	1
N36	1	1	0	–	0
N31	0	1	1	0	–

26 (V4-10):

	1	26	37	36	31
N1	–	1	1	1	0
N26	1	–	1	1	1
N37	1	1	–	0	1
N36	1	1	0	–	0
N31	0	1	1	0	–

27 (V6-1):

	1	41	42	27
N1	–	1	0	1
N41	1	–	1	0
N42	0	1	–	1
N27	1	0	1	–

28 (V7-1):

	1	23	37	31
N1	–	1	1	1
N23	1	–	0	0
N37	1	0	–	1
N31	1	0	1	–

29 (V7-2):

	1	23	37	6
N1	–	1	1	1
N23	1	–	0	0
N37	1	0	–	0
N6	1	0	0	–

30 (V8-1):

	1	41	15	6	7	32	19	26	33	39	2	38	43
N1	–	1	1	1	1	1	1	1	1	0	1	0	0
N41	1	–	1	1	1	1	1	0	1	0	1	0	0
N15	1	1	–	1	1	1	0	0	0	0	1	0	0
N6	1	1	1	–	1	1	0	0	0	0	1	0	0
N7	1	1	1	1	–	1	0	0	0	0	1	0	0
N32	1	1	1	1	1	–	0	0	0	0	1	0	0
N19	1	1	0	0	0	0	–	1	0	0	1	0	0
N26	1	0	0	0	0	0	1	–	1	1	0	1	1
N33	1	1	0	0	0	0	0	1	–	1	0	0	0
N39	0	0	0	0	0	0	0	1	1	–	0	0	0
N2	1	1	1	1	1	1	1	0	0	0	–	0	0
N38	0	0	0	0	0	0	0	1	0	0	0	–	1
N43	0	0	0	0	0	0	0	1	0	0	0	1	–

31 (V9-1):

	1	23	45
N1	–	1	1
N23	1	–	0
N45	1	0	–

32 (V10-1):

	1	26	40	49	33	34
N1	–	1	1	1	1	1
N26	1	–	0	1	1	1
N40	1	0	–	0	0	0
N49	1	1	0	–	0	0
N33	1	1	0	0	–	1
N34	1	1	0	0	1	–

33 (V10-2):

	1	26	37	49	46
N1	–	1	1	1	1
N26	1	–	0	1	0
N37	1	0	–	0	1
N49	1	1	0	–	0
N46	1	0	1	0	–

34 (V11-1):

	1	45	37	46	6
N1	–	1	1	1	1
N45	1	–	1	1	0
N37	1	1	–	0	0
N46	1	1	0	–	0
N6	1	0	0	0	–

35 (V10-3):

	1	26	49	40	50	6	33	34
N1	–	1	1	1	0	1	0	1
N26	1	–	1	0	1	0	1	1
N49	1	1	–	0	1	0	0	0
N40	1	0	0	–	0	1	0	0
N50	0	1	1	0	–	0	0	0
N6	1	0	0	1	0	–	0	0
N33	0	1	0	0	0	0	–	1
N34	1	1	0	0	0	0	1	–

36 (V11-2):

	1	37	45
N1	–	1	1
N37	1	–	1
N45	1	1	–

37 (V12-1):

	1	54	40	56	55	32	6	19	47
N1	–	1	1	1	1	1	1	1	1
N54	1	–	1	1	1	1	1	0	0
N40	1	1	–	0	1	0	0	0	0
N56	1	1	0	–	1	0	1	0	0
N55	1	1	1	1	–	1	1	0	0
N32	1	1	0	0	1	–	1	1	0
N6	1	1	0	1	1	1	–	0	0
N19	1	0	0	0	0	1	0	–	1
N47	1	0	0	0	0	0	0	1	–

38 (V12-2):

	1	40	54	56	48
N1	–	1	1	1	1
N40	1	–	0	0	0
N54	1	0	–	1	1
N56	1	0	1	–	1
N48	1	0	1	1	–

39 V12-3):

	1	37	56	57	6	58	55	32	54
N1	–	1	1	1	1	1	1	1	1
N37	1	–	0	1	0	0	1	1	1
N56	1	0	–	0	1	0	1	0	1
N57	1	1	0	–	0	0	1	0	1
N6	1	0	1	0	–	1	1	1	1
N58	1	0	0	0	1	–	1	1	1
N55	1	1	1	1	1	1	–	1	1
N32	1	1	0	0	1	1	1	–	1
N54	1	1	1	1	1	1	1	1	–

40 (V13-1):

	1	23	57	7
N1	–	1	1	1
N23	1	–	1	0
N57	1	1	–	1
N7	1	0	1	–

41 (V14-1):

	1	59	58	32	37
N1	–	1	1	1	1
N59	1	–	1	0	0
N58	1	1	–	1	1
N32	1	0	1	–	1
N37	1	0	1	1	–

Notes

1. A cartel is “a conspiracy in restraint of trade, an illegal clique of businesses determined to restrict quantity, divide up the market and push up prices”: Naylor, R.T., “From Cold War to Crime War: The Search for a New ‘National Security’ Threat”, *Transnational Organized Crime* 1995 (1:4), 40.
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3. Granovetter, "Economic Action (...) Embeddedness", *American Journal of Sociology* 1985 (91:3), 490.
 4. Ibid., p. 487.
 5. Powell, W.W., "Neither Market (...) Organization", *Research in Organizational Behavior* 1990 (12), 303.
 6. Ibid., p. 304.
 7. Baker, W.E., "The Network Organization (...) Practice", *Networks and Organizations* 1992, 422.
 8. Burt, R.S., *Structural Holes* (1992).
 9. Ibid., p. 17.
 10. Ibid., p. 18.
 11. Ibid., p. 15.
 12. Marks, H., *Mr. Nice: An Autobiography* (London: Minerva, 1997).
 13. Reuter, P., *Disorganized Crime: The Economics of the Visible Hand* (Cambridge: MIT Press, 1983).
 14. Tremblay, P., "Searching for Suitable Co-offenders", in R.V. Clarke and M. Felson's (eds.), *Routine Activity and Rational Choice: Advances in Criminological Theory* (New Brunswick: Transaction, 1993).
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 18. Ibid., p. 54.
 19. Ibid., p. 54.
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 24. McCarthy, B., J. Hagan and L. Cohen, "Uncertainty, Cooperation, and Crime: Understanding the Decision to Co-offend", *Social Forces* 1998 (77:1), 155–176.
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 30. Ibid., p. 222.
 31. Reuter, P. and J. Haaga, *The Organization of High-Level Drug Markets* 1989, 48.

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36. Ibid., p. 56.
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38. Block, A. and W.J. Chambliss, *Organizing Crime* 1981, 56.
39. I include the fall among the general phases of the criminal (auto-)biographical account with a respectable level of certainty. While not all criminal participants are expected to experience a career fall, its potential amongst those who have had their stories published, many of them being informants to begin with, is clearly much higher.
40. Contacts "exiting" Marks' working network were determined by the last period during which they were mentioned as participants in a given venture, when they were arrested and imprisoned and no longer alluded to in later accounts, when they were revealed to have become junkies, or simply stated as dead. Although many of these contacts may be assumed to have been continuous network members, they were no longer introduced as participants in any of the subsequent ventures.
41. Adler, P.A., *Wheeling and Dealing* (1993), p. 65.
42. Marks' web page may be located at www.mrnice.co.uk.
43. "Coordinator" and later "liason" and "representative" concepts are based on Gould and Fernandez's brokerage classification: Gould, R.V. and R.M. Fernandez, "Structures of Mediation: A Formal Approach to Brokerage in Transaction Networks", in C. Clogg's (ed.), *Sociological Methodology*, 1989 (Oxford: Basil Blackwell, 1989).
44. Adler, P.A. and P. Adler, "Shifts and Oscillations in Deviant Careers: The Case of Upper-Level Drug Dealers and Smugglers", *Social Problems* 1983 (31:2), 198.
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49. All excerpts appearing in *italics* throughout the article are extracted from Marks's autobiography: *Mr. Nice: An Autobiography*, 1997).
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72. Ibid., p. 40.
73. Effective Size = $n - 2t / n$; where t = the number of ties between ego's alters (not including ties to ego).
74. All matrices are indicated by the venture (from top axis in Figure A-2) and consignment number within that venture (V-1, for example, presents the network matrix for the first consignment in venture 1). All are presented in the order in which they took place. Extreme left columns and top rows for each matrix indicate the node designations for Marks' contacts in Figure A-1 that participated in each consignment. Connected and unconnected participants in a given consignment were respectively coded 1 and 0.