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# TESTIMONY

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## Stabilization from the Bottom Up

SETH G. JONES

CT-340

February 2010

Testimony presented before the Commission on Wartime Contracting on  
February 22, 2010

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***Stabilization from the Bottom Up<sup>2</sup>***

**Before the Commission on Wartime Contracting**

**February 22, 2010**

Thank you for the opportunity to testify before the Commission on Wartime Contracting. I have just returned from spending much of 2009 in Afghanistan, and have been traveling to Afghanistan regularly over the past decade. Based on this experience, I strongly believe that it is important to better synchronize programs and contracts for inter-agency and international reconstruction. While I did not work specifically on contracting issues in Afghanistan, my experience provided some useful insights. I have divided my comments into several sections. The first argues that contracting and broader stabilization efforts in Afghanistan need to recognize the nuances of a decentralized society where power is inherently local. The second covers Commanders' Emergency Support Program (CERP) funding, especially the challenges of working in violent areas of the country. The third touches on contracting in the security sector. And the final section provides conclusions.

**I. Stabilization at the Local Level**

There is an on-going debate within the United States and other governments about governance and stabilization efforts in Afghanistan. How much work should be contracted through Kabul- or U.S.-based entities? And how much should be done at the local level? In addition, what role should the central government play in contracts? These are critical questions, though reality is never quite as dichotomous as these questions often imply. Some strongly believe that the solution needs to be top down, and that stabilization will ultimately hinge on building strong central government institutions that can establish security and deliver services. This argument has a tremendous impact on contracting. In many countries where the United States has engaged in state-building or nation-building, such as Japan after World War II, U.S. policy makers inherited a strong central government that allowed them to rebuild from the top down.<sup>3</sup> Even in

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<sup>1</sup> The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of RAND or any of the sponsors of its research. This product is part of the RAND Corporation testimony series. RAND testimonies record testimony presented by RAND associates to federal, state, or local legislative committees; government-appointed commissions and panels; and private review and oversight bodies. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors.

<sup>2</sup> This testimony is available for free download at <http://www.rand.org/pubs/testimonies/CT340/>.

<sup>3</sup> See, for example, James Dobbins, et al, *America's Role in Nation-Building: From Germany to Iraq* (Santa Monica, CA: RAND, 2003).

Iraq, Saddam Hussein amassed a powerful military and intelligence apparatus that brutally suppressed dissent from the center.

But Afghanistan is different. Power has often come from the bottom up, especially in Pashtun areas of the country, the focus of today's insurgency. It is striking that when considering Afghanistan's recent history, we often turn to the failed military exploits of the British or Soviet Union. A better – or at least equally relevant – focus needs to be spent on understanding what factors have contributed to Afghanistan's stable periods. The Musahiban dynasty was led by Zahir Shah, Nadir Shah, and Daoud Khan, who ruled Afghanistan from 1929 to 1978. It was one of the most stable periods in modern Afghan history, partly because the Musahibans understood the importance of local power. Many U.S. policy makers have not grasped this reality. Even Afghans have had to learn this lesson the hard way. Amanullah Khan, who ruled Afghanistan from 1919 to 1929, tried to create a strong central state in the image of Ataturk's Turkey and Reza Shah's Iran. This proved disastrous. The central government's attempt to push into rural areas sparked social and political revolts, first in Khowst in 1923 and then in Jalalabad in 1928. By 1929, local rebellions became so serious that Amanullah was forced to abdicate, and Afghanistan deteriorated into several months of anarchy.<sup>4</sup> Masses of rural Afghans today still reject a strong central government actively meddling in their affairs. In southern and eastern Afghanistan, which are dominated by Pashtuns, many consider the central government a foreign entity.

"My allegiance is to my family first, then to my village, sub-tribe, and tribe," one tribal elder from Kandahar told me last year. The government played no meaningful role in his daily life.<sup>5</sup>

I have often been struck by the disconnect between the center and periphery when traveling through areas where, as recently as this year, some villagers had never heard of President Hamid Karzai, who has led the country since 2001. In a few cases, they even thought U.S. military forces I was with were Soviets, not realizing that the Soviet army withdrew in 1989. The lessons of Amanullah Khan were not lost on the Musahibans. While they managed to build a strong army and competent government technocrats, they exempted many Pashtun tribes from military service and established a fairly effective tribal engagement strategy in southern and eastern Afghanistan.

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<sup>4</sup> See, for example, Louis Dupree, *Afghanistan* (New York: Oxford University Press, 1997); M. Nazif Shahrani and Robert L. Canfield, eds., *Revolutions and Rebellions in Afghanistan: Anthropological Perspectives* (Berkeley, CA: Institute of International Studies, University of California, Berkeley, 1984); David B. Edwards, *Before Taliban: Genealogies of the Afghan Jihad* (Berkeley, CA: University of California Press, 2002).

<sup>5</sup> Author interview with Kandahar tribal leader, October 2009.

The result was clear: Law and order were established by a combination of local institutions *and* the central government. When rebellions occurred, as they sometimes did, the government could temporarily move into rural areas and crush them. The Soviet-backed regimes never learned the Musahiban lesson, and tried to establish order largely from the top down. The United States and much of the international community made a similar mistake, conceiving of success as emanating only from a powerful central government. But this reflects a quintessential Western understanding of the nation-state. Stabilization needs to increasingly come from the bottom up, not the top down. The reason is straightforward: politics in Afghanistan is local. Since 2002, the United States has crafted its Afghanistan strategy on the assumption that stability will be achieved by building a strong central government. While this is an admirable long-term objective, as a strategy it is fatally flawed.

Understanding this reality has significant implications for contracting, especially since there has been such pervasive corruption at the central and provincial government levels. The World Bank ranks Afghanistan among the top one percent of countries worldwide as most corrupt, and Transparency International ranked Afghanistan 176 of 180 countries worldwide as most corrupt.<sup>6</sup> The local nature of politics makes such funding sources as the Commanders' Emergency Support Program (CERP), which can be used at the village level, particularly important.

## **II. Commanders' Emergency Support Program**

CERP continues to play an important role in Afghanistan, though there have been challenges. CERP-funded projects are intended to gain the confidence of local residents and leaders, as well as discourage them from cooperating with insurgents. U.S. CERP funds have been used by conventional military forces and U.S. Special Operations Forces for rapid implementation of small-scale projects. Based on my experience, CERP funds can be a particularly useful tool for forces in violent areas of the country – where there is little or no activity from international or Afghan development agencies. This is the case in significant parts of southern and eastern Afghanistan, especially in rural areas, where U.S. Special Operations Forces' Detachment Alpha (ODA) teams are active.

There are at least two issues that impact CERP spending. One is designing programs and issuing contracts that have an important *counterinsurgency* impact. The new NATO and Afghan strategy is focused on the local population, including establishing security and delivering services to locals. As General Stanley McChrystal has argued, "Our strategy cannot be focused on seizing terrain or

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<sup>6</sup> World Bank, *Governance Matters 2009: World Governance Indicators, 1996-2008* (Washington, DC: World Bank, 2009); Transparency International, *Corruption Perceptions Index* (Berlin: Transparency International, 2008).

destroying insurgent forces; our objective must be the population.”<sup>7</sup> This means utilizing CERP funds that can be helpful in conducting counterinsurgency operations. In Konar Province, for instance, U.S. military forces have done an effective job of using CERP and other projects for counterinsurgency purposes. Konar Province has significant agricultural activity, though the mountainous terrain and poor roads have made it difficult for farmers to transport their goods to markets in major cities such as Asadabad. Consequently, U.S. military and civilian personnel identified road construction as critical. But the important issue was *how* they built roads, since it meant directly engaging the local population. U.S. and Afghan government officials negotiated with village elders about what was best for the village. Once approved, they contracted locals to build the roads. This strategy gave locals a personal stake in protecting the road, increased local support and trust, and provided economic benefits by facilitating the movement of goods to market.<sup>8</sup>

A second issue is using CERP funds for *sustainable* programs when and where feasible. There may be a need to utilize quick impact projects, such as canal cleaning. But much better is the use of CERP for sustainable projects. In southern Afghanistan, U.S. Special Operations Forces have effectively worked with local communities to establish village-level security and to develop sustainable programs, such as poultry farms, which provide sustainable food to Pashtun communities.

In general, counterinsurgency and sustainability should go hand-in-hand. Sustainable programs in eastern, southern, or western Afghanistan without a significant counterinsurgency impact can be tactically useful but strategically irrelevant. Yet programs with a positive counterinsurgency impact that are not sustainable can be counterproductive over the long run. Indeed, the U.S. Agency for International Development has established a framework to identify, prioritize, and mitigate the causes of instability – and to serve as a baseline for development aid – called the Tactical Conflict Assessment and Planning Framework (TCAPF). It includes a range of questions to ask villagers, such as: Have there been changes in the village population in the last year? What are the most important problems facing the village? Who do you believe can solve your problems? What should be done first to help the village?

Based on my experience, a key goal for contracting in insurgent-affected parts of the country should be to implement sustainable projects with a counterinsurgency focus. Indeed, the

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<sup>7</sup> Memorandum from General Stanley McChrystal to Secretary of Defense Robert Gates, Subject: COMISAF’s Initial Assessment, August 30, 2009.

<sup>8</sup> On the Konar example, see Seth G. Jones, *In the Graveyard of Empires: America’s War in Afghanistan* (New York: W.W. Norton, 2009); David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (New York: Oxford University Press, 2008).

objective should not necessarily be to improve literacy or infant mortality rates, but to encourage more people to turn against insurgents.

### **III. Contracting on the Security Front**

One significant lesson from Afghanistan is the risk of using contractors for some security missions, such as running police training. International efforts to build the Ministry of Interior and Afghan National Police have been challenging over the past several years – and littered with mistakes. In the course of several years, control over helping build and mentor the police was shifted among several organizations, from Germany in 2002, to the U.S. State Department in 2003, and finally to the U.S. Department of Defense in 2005. DynCorp International set the tone for some of the challenges early on, and was contracted by the State Department to implement police training efforts across Afghanistan. The State Department and DynCorp focused largely on “output” measures, such as the number of police trained, rather than “outcome” measures such as local security and police performance against insurgents. DynCorp and State had too few people, too few resources, and too little experience building a police force in the midst of an insurgency.

The quality of DynCorp police trainers varied widely. Some had significant international police training experience and were competent in dealing with police in a decentralized society in the middle of an insurgency. But many other DynCorp trainers had little experience in such an environment. DynCorp was executing the contract they were given, and one can’t entirely hold them responsible for how the contract was structured. But numerous Afghan police officials have documented the difficulties in working with contractors. As a former Afghan Minister of Interior said to me, “The DynCorp police trainers were a mixed bag. I personally rejected a number of DynCorp contractors because they had little or no useful background for training police in Afghanistan.” He noted that DynCorp “checked boxes” – they were more interested in completing a contract, not in creating a competent, viable police force.

While it may be necessary to utilize contractors to help execute some security programs – including *helping* U.S. military or other government officials conduct some police training – contractors should not be the lead entity, as they were from 2003 to 2005.

### **IV. Conclusions**

These observations lead to several conclusions. First, stabilization efforts – including the utilization of contracts – need to stop conceiving of Afghanistan as a strong centralized state with central government institutions that can stabilize the country, especially in rural areas. This is a

Western concept of Afghanistan and is ahistorical. Based on my experience, U.S. contracting efforts tend to (a) minimize corruption, fraud, and waste and (b) maximize effectiveness in helping ensure stability when they are done at the local level and through legitimate local governance institutions (such as *shuras* and *jirgas*). This may be particularly true of CERP, which are used for the rapid implementation of small-scale projects.

While these efforts should focus on the rural areas, they should not exclude the central government. Provincial and district governors can participate in *shuras* and *jirgas*, and Afghan central government ministries can implement projects in areas where they have a presence. But the insurgency is a rural one, and the central government is largely absent from rural areas of Afghanistan. Some organizations, such as the Ministry of Rural Rehabilitation and Development (MRRD), have been able to develop a local stabilization program with a connection to the central government. But MRRD is still not operating in a number of critical insurgent-affected areas.

Second, the local nature of politics makes it critical to synchronize funding at the local level. Synchronizing funding in Afghanistan is challenging for several reasons. To begin with, there are stabilization projects at the national, provincial, district, and village levels. In addition, there are projects done by the conventional U.S. military, U.S. Special Operations Forces, USAID, other NATO governments, international organizations such as the United Nations, non-government organizations, and Afghan ministries (such as MRRD). Synchronization is clearly important at the national level among governmental and non-governmental agencies, as well as at the regional level with the introduction of senior civilian representatives in Regional Command South, Regional Command East, and other areas. But synchronization is particularly important at the local level where the implementation of projects actually happens. In Arghandab, Kandahar, for example, this has required close coordination between U.S. Special Operations ODAs in the district, USAID's Office of Transition Initiatives, Task Force Stryker, and relevant Afghan ministries. Over the past year, they have been effective in synchronizing efforts – including through contracts – because they began joint coordination during the planning stage and involved both civilian and military officials.

Third, the following excerpt lists key requirements for CERP. While this checklist ensures accurate accountability and reporting, it (1) significantly increases the workload placed on U.S. Special Operations teams as well as the staff, and (2) slows down the approval process for approving projects.

1. \_\_\_\_\_ Completed CERP Project File Checklist
2. \_\_\_\_\_ Appointment Records (DD Form 577) & Training Certificates (PM/PO/PA) (as applicable)
3. \_\_\_\_\_ Letter of Justification (for projects >\$50K, endorsed by the commander at each level required)
4. \_\_\_\_\_ Proof of Regional Commander & nearest PRT/TF Coordination (as applicable; not required for bulk fund draws)
5. \_\_\_\_\_ Afghan Development Report (ADR) (Including Performance Metrics and grids, in CIDNE, including at least two grid coordinates for roads, and signed by appropriate commander(s))
  - a. \_\_\_\_\_ Updated cost estimate for RAF (Request for Additional Funds)
  - b. \_\_\_\_\_ Storyboard slide (for all projects >\$500K)
6. \_\_\_\_\_ Funding Documents & Funds Increase Memorandums (DD Form 3953, Purchase Request & Commitment (PR&C) or DD Form 448, Military Interdepartmental Purchase Request or DD Form 1149)-with proper signature blocks, and it must include project title, project number, and valid PM, PO and PA name (if applicable).
7. \_\_\_\_\_ Independent Government Cost Estimate (endorsed by a USG engineer for construction projects only)
8. \_\_\_\_\_ Statement of Work
9. \_\_\_\_\_ Land Use Agreement (for vertical construction)
10. \_\_\_\_\_ Contract (draft required for project nomination (if less than \$500K); signed contract required for project file records after approval (with appropriate name listed in block 31) and all modifications (to include cost increases, decreases, terminations, and change in terms.)
11. \_\_\_\_\_ Blueprints, Drawings, Maps, Photos, where applicable (maps will be submitted for horizontal construction projects, such as roads and bridges)
12. \_\_\_\_\_ Legal Review(s) (Required for all projects/HA requests)
13. \_\_\_\_\_ Signed Sustainment Memorandum of Agreement from the responsible Ministry (>\$50K)
14. \_\_\_\_\_ Payment Documents
  - a. \_\_\_\_\_ SF Form 44(s) (for cash only)
  - b. \_\_\_\_\_ DD Form 250(s) (for EFTs)
  - c. \_\_\_\_\_ DD Form 1081(s)
  - d. \_\_\_\_\_ SF Form 1034(s)
15. \_\_\_\_\_ Project Clearance Letter and RM Office endorsed ODS print-out
16. \_\_\_\_\_ Transfer of Authority Document (for RIP/TOA) (required for projects not completed prior to RIP/TOA)
17. \_\_\_\_\_ Final Project Report (This report articulates if and how the project met its goals and the desired effects. This can be documented in the *Project Closure* section of the ADR.)

In addition, there are a few categories where some restrictions hinder the commanders' ability to execute counterinsurgency. One is battle damage repair/condolence payments. The restriction to first see if the claim should fall under the Foreign Claims Act (FCA) is sometimes too laborious for counterinsurgency operations, particularly in Afghanistan. When a party has been wronged in Afghanistan, there is an expectation of immediate restitution, which is significantly hindered by the bureaucratic process of determining if a payment should be under FCA or CERP. CERP should be the agreed standard of restitution in Afghanistan to streamline staff approval processes. Having to sort through our own legal code to achieve the objective of meeting *Pashtunwali* (Pashtun code of conduct) can be burdensome.

Another is rule of law and governance. CERP can be used to construct new rule of law or governance facilities in a local community. However, before beginning the project, the commander must verify that the community already had rule of law or governance operations ongoing. For example, if a community did not operate a court house, a jail, or an administration office, the use of CERP is inappropriate to create that infrastructure. But where a community was – or – is executing government operations, CERP projects are appropriate to add capacity. This is overly restrictive because one of the primary weapons of the insurgency is to provide shadow governance and rule of law functions. If the only judge is a Taliban judge, then we have ceded control to the insurgency. Thirty years of war have destroyed or precluded the development of formal rule of law facilities. U.S. forces and civilians must be able to enable local authorities to show demonstrable extensions of the rule of law to counter the Taliban as the source of local dispute resolution.

Fourth, while it may be necessary to utilize contractors to help execute some security programs – including *helping* U.S. military or other government officials conduct some police training – contractors should not be the lead entity, as they were from 2003 to 2005. In addition, DynCorp has apparently been told its policing contract will not be renewed, though it has appealed the ruling. At the very least, the U.S. government needs to carefully scrutinize DynCorp's past effectiveness, evaluate whether there continues to be a need for private contractors in such areas as police training, and systematically examine possible options.

Fifth, I witnessed countless contracted projects that were never completed, such as in Chamkani District, Paktia Province. Even more egregious, many projects never compiled and analyzed useful Measure of Effectiveness (MOEs) tied to counterinsurgency goals – especially population-centric ones. In general, contracts should serve clear counterinsurgency goals and maximize sustainability. They should also be measured. Measures of effectiveness can be divided into three types: inputs, outputs, and outcomes. Inputs refer to such elements as the amount of money and labor used to build a project. “Outputs” are the first-order results of the assistance program and include such examples as trained police officers and soldiers, functional courthouses, and refurbished prisons. While helpful in some ways, they tell us little about the strategic effect of contracting efforts. Consequently, “outcomes” refer to conditions that directly affect the population. Outcomes are not what governments and international institutions do, but rather represent the consequences of their efforts. Without the ability to measure performance, policymakers lack an objective method for judging success and failure in ongoing crises, making midcourse corrections more difficult. On the security front, examples include insurgent or crime rates (particularly factors that impact the local population) and local perception of security (including safety in traveling to neighboring villages and districts).

In sum, stability in Afghanistan will require a combination of top-down efforts from the central government and bottom-up efforts from local communities. It is therefore critical to better synchronize programs and contracts for reconstruction, especially at the local level, where they have so far been inadequate. After all, former U.S. Speaker of the House of Representatives Tip O'Neill could have been talking about Afghanistan when he quipped that "all politics is local."