



**Third Generation Civil-Military Relations  
and the 'New Revolution in Military Affairs'**

Frederik Rosén

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## **FOREWORD: THIRD-GENERATION CIVIL-MILITARY RELATIONS AND DENMARK**

This paper identifies a new development in civil-military relations, which I suggest calling *third-generation civil-military relations*. Third-generation civil-military relations are the product of military organisations embarking on civil governance roles and the creation of deep partnerships between military and civil agencies. They appear to be less dramatic than ‘traditional’ civil-military relations (Blue Helmets, Provincial Reconstructions Teams) in that they do not create the same visible alignment on the ground between military and non-military identities. Yet they do represent a momentous development for the US military’s engagement in Afghanistan in particular, as well as challenging our understanding of the role of the military in global security, thus adding a new complexity to international security cooperation. This complexity concerns differing opinions with regard to what kinds of tasks the military should do and what it should not. It is about norms and principles rather than about violent consequences for civilians. There are many tasks for which most military organisations are unsuitable, because they lack the necessary expertise and institutional capability. But these are practical matters rather than being about the normative ‘should’ questions: Should the military train civil police? Should the military work on civil reform areas in the Afghan Ministry of Interior? Should the military engage in civil justice-sector reform? The common reply to such questions is – or has been – no. Yet developments on the ground point precisely towards such an expansion of military affairs.

Third-generation civil-military relations confront us with questions regarding international cooperation that are also of relevance to Denmark. Compared to the military organisations of other nations, Denmark has, with all due respect, a relatively conservative view of what the military should do and what it should not. It is still hard to find voices in the Danish military who believe that the military should be used to train civil police, even as a last alternative. And how many Danish military officers would argue that the Danish military should engage in civil law reform in a country like Afghanistan? Even if Denmark continues its functionally differentiated military conduct, with strictly guarded borders to other state functions, the paradoxes of third-generation civil-military relations call for attention on other ‘virtual fronts’ of Afghan reconstruction: Should the Danish civil commitment to Afghanistan team up with the US military on civil security-sector reform? Should it team up with US private security firms, which still are stigmatised as somewhat uncontrolled actors? If Denmark deems it appropriate to enter into such cooperation, how would this affect our understanding of the Danish involvement in Afghanistan and in global security management more generally?

The fact is that, through the European Police Mission (EUPOL) in Afghanistan, Denmark is already working in third-generation civil-military

partnerships with American military and military contractors. The future will certainly lead to an expansion of this partnership, because it is the American military that is presently pushing police reform in Afghanistan, including related civil governance reform. Also, EUPOL appears to lack a feasible alternative. So, what is the Danish attitude towards such partnerships? Is it appropriate for a European civil police mission to build an intimate partnership with the American military for civil state building? Is Denmark ready to support such a civil-military merger? Is Denmark ready, like the Norwegians, to support a US military-driven police and civil governance reform? Is Denmark ready to align development aid programs and/or participate directly in training and governance reform? And more generally, what are the possible consequences of such a merger for the expected protracted international presence in Afghanistan? This paper provides an opening for discussing these questions in an era where the military organisation is gradually losing its distinctive role as the provider of violent force in international affairs.<sup>1</sup> Today, the 'military' is much more than a force provider.

The paper does not provide answers as to whether it is good or bad that military organizations have started to work systematically on civil governance areas. To be sure, everyone agrees, including the Americans, that civil police building should be carried out, if possible, by organizations and individual police trainers with civil police backgrounds and mandates. Neither does the paper consider what kind of mission the US military is conducting, and nor, therefore, what kind of political project that cooperation with the US military merges into. The primary focus is the transgression of time-honoured distinctions between areas of governance and the challenges of such transgressions to both concepts and cooperation.

Since this paper was written in summer 2008, the leadership of EUPOL has changed, and the new Danish leadership is moving towards further integration with the American military, while the American military at the same time is increasing its involvement in civil governance areas. It is the opinion of the author of this paper that, *under the current circumstances*, this extraordinary civil-military cooperation on police-related matters is urgently and unquestionably desirable and should be pushed further. Reflections are, however, needed in order to comprehend what is actually at stake in such a merger in terms of norms and traditions, and how this affects the possibilities of cooperation.

<sup>1</sup> The paper builds on field trips to Afghanistan in 2007 and 2008. Interviews were conducted with, among others, staff from the Office of the European Representative, NORAF (Norwegian police mission), the US, Danish, Norwegian, Canadian, Swedish and British embassies, DIAG UNAMA, DACAAR, CSTC-A, EUPOL, and CARE International.

## **ABBREVIATIONS**

ANA	Afghan National Army
ANCOP	Afghan National Civil Order Police
ANP	Afghan National Police
AUP	Afghan Uniformed Police
CSTC-A	Combined Security Transition Command – Afghanistan
COIN	Counterinsurgency
DART	District Assessment and Reformation Team
DDR	Disarmament, Demobilization, and Reintegration
EUPOL	European Police Mission Afghanistan
FDD	Focused District Development
INGO	International Non-Governmental Organization
IPCB	International Police Coordination Board
IPT	Integrated Project Teams
ISAF	International Security Assistance Force
NGO	Non-Governmental Organization
NORAF	Norwegian Police Mission in Afghanistan

**ABSTRACT**

The encounter with insurgency violence in Iraq and Afghanistan has pressed the US Department of Defense to improve the US military's ability to conduct counterinsurgency. It has been argued that this shift may constitute a turning point in the history of the US military, which until now has focused its attention and resources on conventional warfare.<sup>2</sup> The analysis is that the US military is currently in the process of 'learning counterinsurgency',<sup>3</sup> but that it is still unclear whether this process will make counterinsurgency a US military priority.<sup>4</sup> This working paper contributes to this discussion by looking at a particular aspect of the ambitious stabilization work that the US Department of Defense has commenced in Afghanistan, in which the US military is carrying out holistic civil governance reform projects. Whether such work will become a part of the US military's standard repertoire depends on the degree of success and possible entrenchment of the current innovations. However, as will be argued, this expansion of the functions of the military organization into civil governance is historical, and it might bring about profound changes to the US military, perhaps even transforming the notion of military more generally.<sup>5</sup>

<sup>2</sup> Ucko, David: Innovation or Inertia: 'The US Military and the Learning of Counterinsurgency', *Orbis*, vol. 52, no. 2 (Spring 2008).

<sup>3</sup> *Ibid.*, 290.

<sup>4</sup> *Ibid.*, 309.

<sup>5</sup> This hypothesis is supported by a 2008 RAND publication, which argues that the US Department of Defense must reschedule curricula at military academies in order to prepare for close cooperation with national, foreign and international non-military state and non-state agencies and organizations. Michael Spirtas, Jennifer D. P. Moroney, Harry J. Thie, Joe Hogler, Thomas-Durell Young (2008): 'Department of Defense Training for Operations with Interagency, Multinational, and Coalition Partners'. Santa Monica: RAND Corporation.



## INTRODUCTION

This paper identifies a new development in civil-military relations, which I suggest calling third-generation civil-military relations. Such relations are a product of military organisations embarking on civil governance areas and the creation of higher-level partnerships between military and civil agencies. Third-generation civil-military relations appear to be less dramatic in that they do not create the same visible alignment on the ground between military and non-military identities, as is the case with the much debated Provincial Reconstruction Teams. Yet they represent a significant development, particularly in the US military's engagement in Afghanistan, challenging our understanding of the role of the military in global security and thus adding new complexity to international cooperation. This complexity is mostly about norms and principles in that the core puzzle is what kind of tasks the military should do and what it should not, rather than about violent consequences to civilians.

While the US military's development of civil capacities within the military organization is driven by counterinsurgency ambitions, this article suggests that the transformation be viewed as the emergence of a new form of civil-military relations. The aim is to emphasize how the long-established functional separation of military and civil reform tasks is being challenged by the US military's development of a civil governance capacity, and to draw attention to the challenges to international cooperation that result from this.

First, the paper introduces the concept of *third-generation civil-military relations* with the aim of providing a historical-conceptual context for addressing this particular phenomenon. Secondly, it takes as an example

of third-generation civil-military relations a US military-driven 'holistic' civil police reform project in Afghanistan, the so-called Focused District Development. It explains the political background of the concept and the concept itself before discussing the challenges to cooperation posed by third-generation civil-military relations.

## FIRST- AND SECOND-GENERATION CIVIL-MILITARY RELATIONS

Until the end of the Cold War, the debate on civil-military relations was primarily a *domestic* debate about the military and the soldier's relation to the state. This discussion originally sprang from the paradox of the state setting up an organization with the capacity to take over the state.<sup>6</sup> The discussion is still ongoing and deals with topics such as the military economy, military technology,<sup>7</sup> military culture and organization,<sup>8</sup> military-industrial complexes, militarization, conscription, the military and the media, and the military and civilian leadership.<sup>9</sup> However, during the 1990s a

<sup>6</sup> The main reference texts are Samuel P. Huntington (1957): *The Soldier and the State. The Theory and Politics of Civil-Military Relations*, and Morris Janowitz' *The Professional Soldier: A Social and Political Portrait* (1960).

<sup>7</sup> Martin van Creveld (1991): *Technology and War*. Amsterdam: Elsevier.

<sup>8</sup> See also Luttwak, E. (1999): 'From Vietnam to Desert Fox: civil-military relations in modern democracies', *Survival*, Volume 41, Number 1, 1999, pp. 99-112(14).

<sup>9</sup> Richard H. Kohn (1994): 'Out of Control: The Crisis in Civil-Military Relations', *The National Interest*, Spring 1994, 3; and Marybeth Ulrich & Martin Cook (2006): 'US Civil Military Relations since 9/11: Issues in Ethics and Policy Development', *Journal of Military Ethics*, Volume 5, Number 3, November 2006, pp. 161-182.

new discussion on civil-military relations was kicked off by international peace-keeping operations. In the context of ‘complex humanitarian emergencies’, armed forces were assigned roles in which they worked close to or even with civilians, with the result that the line between the soldier and the civilian became ‘blurred’.<sup>10</sup> The ‘blue helmets’ debate was concerned mainly with the transformation of the humanitarian space and the neutrality of civilians and aid workers; a space of neutrality – originally developed by the International Red Cross – that also turned delicate due to the fragmented nature of what is today referred to as *New Wars*.<sup>11</sup> Lately, civil-military relations and discussions of them entered a new stage, as the international presence in Iraq and Afghanistan started to merge military and civil capabilities into the much discussed Provincial Reconstruction Teams. Provincial Reconstruction Teams

<sup>10</sup> See for instance Thomas G. Weiss (1999): *Military-Civilian Interactions. Intervening in Humanitarian Crisis*. New York: Rowman and Littlefield ; Gordonker, L. and Weiss, T.G. (eds.) (1991): *Soldiers, Peacekeepers and Disasters*. Hampshire: Macmillan Academic and Professional; Dominick Donald (2002): ‘Neutrality, Impartiality and UN Peacekeeping at the Beginning of the 21st Century,’ *International Peacekeeping*, Vol.9, No.4, Winter 2002, pp.21-38; Olara A Otunu and Doyle, Michael W. (2001): *Peacemaking and Peacekeeping for the New Century*. Oxford: Rowman and Littlefield; Michael Pugh (2001): ‘The Challenge of Civil-Military Relations in International Peace Operations’, *Disasters*, Vol. 25, No.4, pp.345-357; Hugo Slim (2001): ‘Positioning Humanitarianism in War: Principles of Neutrality, Impartiality and Solidarity’, in D.S Gordon and F.H. Toase (eds.): *Aspects of Peacekeeping*. London: Frank Cass Publishers, pp.125 – 140; Michael C. Williams(1998): *Civil-Military Relations and Peacekeeping*. Oxford: Oxford University Press for the International Institute for Strategic Studies.

<sup>11</sup> The reference books in the academic discussion of *New Wars* are: Mary Kaldor (1999) *New and Old Wars: Organized Violence in a Global Era*. Cambridge: Polity Press; Mark Duffield (1999): *Global Governance and the New Wars. The Merging of Development and Security*. London: Zed Books; Hefired Munkler (2004): *The New Wars*. London: Polity Press.

are provincially-based combined civilian and military teams, the former typically political advisors and development experts, the latter being mandated to provide security cover for reconstruction and local government. They differ widely in size, concept, policy, armament, and proximity to and acceptance by the local populations and their political leaders.<sup>12</sup>

Here I suggest that the blue helmets and the Provincial Reconstruction Team concept be classified, respectively, as first- and second-generation civil-military relations. These relations belong to the *international* domain and are thus different from the domestic puzzle concerning ‘the soldier and the state’. They can be divided into visible and non-visible relations. Visible civil-military relations are ‘front-stage’ relations in the form of observable physical interfaces between the military and civilians, including local communities, NGOs and international NGOs. To be sure, at the heart of any counterinsurgency are the civilians who are watching. Non-visible or ‘back-stage’ civil-military relations include exchanges of information on security and intentions,<sup>13</sup> as well as dialogue on projects and funding issues. The boundary between visible and non-visible relations obviously depends on the spectator’s access to the field, including surveillance technologies. These forms of frontstage and backstage civil-military relations, located at the operational and tactical levels, are those that are

<sup>12</sup> Robert Perito et al. (2008): ‘Provincial reconstruction teams – lessons and recommendations’ Princeton: Woodrow Wilson School of Public & International Affairs

<sup>13</sup> See for instance David Carment & Martin Rudner (ed.) (2006): *Peacekeeping Intelligence. New Players, Extended Boundaries*. New York: Routledge.

most commonly discussed in debates on civil-military relations.<sup>14</sup> Common to these relations and discussions of them is that they employ a relatively distinct separation of military and non-military forms of organization and action.

A central assumption of much of the literature on global security is a deeper merging of civil and military objectives and capabilities, what is referred to as the ‘security–development nexus’. Yet, evidence from Afghanistan informs us that the sophisticated wordings of academics and policy-makers (Concerted Action, Integrated Approach, 3D, Holistic Approach, Security-Development Nexus) seldom find their way into the conduct of civil-military relations out in the districts.<sup>15</sup> Instead we can

observe a rather unrefined conduct of military-led, military-supported or in some instances joint military-NGO ‘quick-impact’ projects, where the military’s proximity to local communities or NGOs is more often than not unbalanced and highly sensitive. Hence the distinction between the military and the non-military remains the defining code for observing each other. Both first- and second-generation civil-military relations and discussions of them are characterized by operating ‘civil’ and ‘military’ as conceptually distinct governance areas, including when it comes to various ‘holistic’ approaches. One can with reason question to what extent the so-called ‘security-development nexus’ has materialized on the ground.

<sup>14</sup> There are various coordination organs in Afghanistan that aim at tackling the challenges of such civil-military relations – including the Afghan Management and Information System (AIMS) and coordination bodies such as the NGO Civil-Military Working Group (monthly meeting chaired by ACBAR – mainly with representatives from the NGOs and ISAF HQ, particularly CJ9 – Provincial Reconstruction Teams are not present), the Comprehensive Approach Team (CAT) and the Provincial Reconstruction Team Working Group. The CAT is hosted every Sunday by ISAF HQ and is mainly attended by ISAF and political representatives from both troop-contributing and non-contributing countries. Some NGO representatives are normally present. The Provincial Reconstruction Teams Working Group serves as the interface between Provincial Reconstruction Teams and the Afghan Government. However, these forums only provide for very shallow conversations that cannot really be considered as either dialogue or coordination. Finally, the UN has one not very resourceful post with a few CMCoord officers assigned to coordinate civil-military relations. The UNAMA humanitarian affairs office, of which the CMCoord officer is a part, tends to step in on the area as well. Amongst their other functions, the Afghan NGO Safety Office (ANSO) and the Agency Coordination of Afghanistan Relief (ACBAR) seek to be platforms for the coordination of NGOs regarding civil-military issues.

<sup>15</sup> Barbara J. Stapleton (2007): ‘A Means to What End? Why PTRs Are Peripheral To The Bigger Political Challenges in Afghanistan’, *Journal of Military and Strategic Studies*, Fall 2007, Vol. 10, Issue 1.; See also David Chandler (2007) ‘The Security Development Nexus and the Rise of ‘Anti-Foreign Policy’’, *Journal of International Relations and Development*, 2007, 10, p. 363

### **THIRD-GENERATION CIVIL-MILITARY RELATIONS**

It is, however, possible today to observe newfangled forms of civil-military relations in that during 2007 the US military in Afghanistan commenced projects aimed at reforming the Afghan National Police. Importantly, the project comprised governance functions nesting the police, including the justice sector, the Ministry of Interior, and provincial and district governance. As the work progresses, the US military’s Combined Security Transition Command – Afghanistan (CSTC-A), which is running the program, is building up capability with regard to governing civil reform areas. This includes know-how on civil reform projects, the capability to manage partnerships with civil state branches, and improved contracting practices. It can be argued that this ‘learning process’ – which is still embryonic and hampered by the US military’s rigid organizational structure – falls under

the US army's policy of 'learning to do counterinsurgency'.

But even if counterinsurgency objectives are the driving forces behind the new forms of civil-military relations, it would be wrong to reduce this tendency to a strategy of counterinsurgency, which in itself is a rather unclear concept with a wide range of ideas and strategies. Also, while most would agree that counterinsurgency is a political issue, resources overall go into military work. Yet, the US strategy towards Afghanistan has in the recent years turned into being above all about *stabilization*. Any US withdrawal from Afghanistan will depend on the existence of a functioning Afghan security apparatus, including a functioning bureaucratic structure to nest it. Rival regional powers will be more than happy to fill any power vacuum. Another point to be made is that the US military's 'learning process' also is a consequence of the lack of other donors showing the will and capacity to move forward the needed reform.

I suggest that the US military's development of civil capability *and* the various civil agencies cooperating with the US military – which includes the United Nations, European Police Mission in Afghanistan, donors, and the Afghan Ministry of Interior – be regarded as a new form of civil-military relations. The reason for not examining these civil-military relations from the perspective of counterinsurgency is to emphasize instead the functional separation of military and civil reform tasks and the particular challenges to military identity and system posed by these new civil-military relations. Another aim is to draw attention to the challenges to international cooperation that stem from the military pushing such civil-military relations, challenges that by

and large are an effect of differing normative opinions on the functional limit of military operations. Nor are questions regarding neutrality and the humanitarian space of much importance in the discussion of these new forms of civil-military relations. In addition, they move beyond the civil-military distinction by other organizational constructs than merely the military working on civil reform areas. For instance, the US Department of Defense has seconded a large number of contracted DynCorp International<sup>16</sup> mentors to the Afghan Ministry of Interior. Although DynCorp is contracted by US State Department, the DynCorp mentors are in practise working under CSTC-A. From the point of view of an academic, conceptually challenging 'civil-military relations' can be observed in the relations between the US State Department, DynCorp, and the Afghan Ministry of Interior. This is not an isolated example, but perhaps rather a paradigmatic example of how Washington conducts its involvement in Afghanistan. The change is driven by a feedback effect between new ambitions in both the military organisation itself and the political structure that nests it, as well as in the promotion of new strategic frameworks (counterinsurgency and stabilisation) and the creation of new capacity and professional competence within the military organization. This is not really a top-down policy, but rather something that grows through actions, and which general policies allow space for. Altogether, this suggests a whole new agenda for discussing civil-military relations.

Here I suggest looking at these innovations in civil-military relations as *third-*

<sup>16</sup> DynCorp International is an American defence contractor.

*generation civil-military relations.* This concept aims to seize the more deep-seated amalgamation of military and civil ambitions and functions that can be observed in the US military's counterinsurgency and stabilization work. This amalgamation goes further than the military simply providing security for civil development projects and local governance, the embedding of civil advisories in military units, the partly civil leadership of military units (the Provincial Reconstruction Team concept), or building and managing partnerships between military organizations and civilian agents. Third-generation civil-military relations are the product of extending the ambitions and functions of the military organization far beyond conventional military goals and professional capacity into all sorts of tasks that are necessary for engineering key aspects of civil governance. The US military now works in a systematic way on traditional civilian governance areas and links up with civil deputies in civilian offices in the country of deployment. A defining feature of third-generation civil-military relations is the vanishing difference between military and civil work areas. This could also be described as the vanishing of the functional differentiation between military and other tools of international politics. The vanishing differentiation contrasts with first- and second-generation civil-military relations, which generated a perception of a clash between 'military' and 'non-military' that sustained the conceptual distinction between the two areas of governance. Third-generation civil-military relations do not bear the same sort of directly observable harm to the humanitarian space as did those in the first two generations. They appear less dramatic and less controversial and therefore have not aroused the same

attention. The objections to the US military's expansion of work areas are mostly based on normative claims about what the military should do and what it should not. This normative disagreement is visible in the politics of cooperation on projects pursuing third-generation civil-military relations.

The historical expansion of US military functions into civil governance might indicate a reformulation of the US military project. To be sure, the military can be trained and used for any kind of task, and the limits to military functions rely purely on normative assumptions about the military's role in national, international and global affairs. The thesis is that the observable change in the US military towards civil governance might bring about deeper changes to our general understanding of the military as a certain executive function of the state. One could describe this as a change in the military *system*. System is here understood as the commonly established social codification of the concept of military force and describes how the military organization as a military force provider fits into national and international policy and bureaucracy. The military system is defined and observed by and through the military system's relations with or coupling to other core societal institutions such as law, politics, economics and religion. Hence the concept of the military system concerns the military's virtual place in society at large, the military's self-description and society's description of the military, and the ways in which military identity and functions are conceptualized. The military's professional culture rests on the military system's differentiation from the other branches of the state. The system can be observed as the medium for answering the question, What

are we talking about when we talk about the military? When we talk about the military, we do not normally talk about children's schools, a financial actor, politicians, legal institutions or religious clerics, but rather about organized strike capability, as the military function of a society that has separated and organized its various governmental and societal functions into relatively distinct domains of social activity and thus reduced complexity. The question of the military system and its codes and how these have evolved over time belongs to a larger academic discussion of social systems and modern society.<sup>17</sup> This is not the place to pursue this discussion further. For present purposes it is enough to recognize that the military is a fluid concept with unstable codes, and that the military organization does not rest on any pre-given idea. The idea of the military and the function of the military organization can easily change, third-generation civil-military being a good example of this. The next section will consider the US military's police reform program in Afghanistan, the Focused District Development (FDD), which is a major engine in Afghanistan for the development of third-generation civil-military relations.

<sup>17</sup> See Gorm Harste (2003): 'Society's War: The evolution of a self-referential military system', in Mathias Albert, Lena Hilkermeier (2003): *Observing International Relations*. London: Routledge; William Rasch (2000): 'Niklas Luhmann's Modernity. The Paradoxes of Differentiation'. Chicago: Stanford University Press.

## **FDD BACKGROUND: THE STRUGGLE TO MAKE SSR WORK IN AFGHANISTAN**

Why did the US military embark on the civil governance role? What prompted this, some would say, strange expansion of military functions? To understand this, it is useful to consider briefly the errors of state-building in Afghanistan.<sup>18</sup> It is commonly agreed that the need to rebuild governance institutions and civil policing from the beginning was overshadowed by a reconstruction paradigm prioritizing military and anti-terrorism measures. Police building in Afghanistan has suffered from a lack of common visions, diverging approaches, a failure to consider the different requests to the police in different parts of Afghanistan (especially the north-south divide), a failure to account sufficiently for local power structures, putting quantity before quality, poor vetting, and too short training periods. To this can be added the failure to create a proper police administration and a prosecutor-driven justice sector.

These failures have in many places simply reproduced or even empowered the clan or patronage structures, including violent strongmen or militia rule and crime. Warlords and the leaders of illegal, armed groups remain stakeholders in the police system, and people do not really feel protected from crime by the police, but rather see them as criminals themselves. Some Afghans even consider the unsoundness of

<sup>18</sup> One should of course ask what could have been accomplished if the initial strategy had been different. Is it at all possible to build a centralised state out of the Afghan reality? Constructing a functioning police and justice system in a country that suffers from decades of war, lack of resources and severe government gaps is a rather ambitious project. Still, the general judgment is that the planning and task allocation could have been better.

the current police legacy as more confusing than Taliban justice, which was predictable and simple to understand.<sup>19</sup> Notwithstanding the improvements in funds, training, police skills, equipment and facilities, the Afghan police sector today suffers from diseases that critics consider as at best very hard to cure and at worst incurable: the police force as a whole remains poorly skilled and organized; appointments are ethnically and politically biased; payrolls are inconsistent and payment low and unstable; funds and equipment are misappropriated; corruption is endemic; the police are increasingly involved in human rights abuses and crime; drug abuse within the police is rising (in some districts up to 80 percent of the police have tested positive for opium or THC (hashish),<sup>20</sup> indicating a very low starting point for reform); and in the south, local commanders are still not only involved in organized crime<sup>21</sup> and poppy and opium production and trafficking, a problem which is also recognized by the Afghan government<sup>22</sup>, but also in acts of opposition to the local and central government.<sup>23</sup> The misconduct of the police institution

continues to tear down the Afghans' belief in the police as a national institution as well as their belief in the capability of the international presence as having the will and power to create a better future for Afghanistan. This is a vicious circle, where the declining legitimacy of the police discourages the police officers to be loyal to their profession, which again creates further misconduct. As of summer 2008, not one single out of Afghanistan's 433 police units was working properly. Out of these, about three-fourths were assessed at the lowest capability range.<sup>24</sup>

It is commonly acknowledged that one of the (many) failures of Security Sector Reform (SSR) in Afghanistan was the sharply sector-differentiated lead-nation approach to state-building in the country, which did not really do the trick. Instead it reified and misrepresented the entwined nature of state institutions and produced a reconstruction environment with rigid sector perceptions and different speeds of reconstruction. The fundamental lesson learned is that a police force cannot exist on its own, but needs political-legal structures to guarantee accountability and due legal process in the investigation and prosecution of crime, as well as it depends on a general bureaucratic capacity to manage payrolls, other financial matters and political and economic affairs in general. The functional differentiation of the state – the sector differentiation, the tripartition of power, and so on – is the condition that permits the coupling, intertwining and formalizing of dependency relationships

<sup>19</sup> As explained by Susanne Schmeidl, Swisspeace (for European Peace Building Liaison Office), presentation at CivCom Meeting (EU), 19. January 2007.

<sup>20</sup> Interview, Kabul, June 2008.

<sup>21</sup> Sarah Lister and Andrew Wilder (2005). 'Strengthening Subnational Administration in Afghanistan: Technical Reform or State-Building?', *Public Administration and Development*, 25: 39-48.

<sup>22</sup> Islamic Republic of Afghanistan Ministry of Interior: Review of the Quality, Structure and Accountability of the Afghan National Police, (ANP), January 2008, p. 2.

<sup>23</sup> Tonita Murray (2007): 'Police-building in Afghanistan: A Case Study of Civil Security Reform', in *International Peacekeeping*, 14:1, 108-126 (110).

<sup>24</sup> US Government Accountability Office (2008): 'Afghanistan Security. US Efforts to Develop Capable Afghan Police Forces Face Challenges and Need a Coordinated. Detailed Plan to Help Ensure Accountability', GAO-08-883T.

between state institutions, or what is normally referred to as bureaucracy. Conversely, the tripartition of powers can only work if the general bureaucracy underpins its organization. If these components fail, policing also fails, as it is doing every day in Afghanistan. And hence the dominant approach to state building, namely that security must be achieved before ‘the rest’ of the state can grow, misrepresents the concept of security by detaching it from the area of state bureaucracy. The police form part of the broader function of policing. The security sector cannot stand alone. An obvious example from Afghanistan is the difficulties involved in mainstreaming police salary across districts and the failure to ensure regular payment, a major obstacle in preventing officers from choosing to abuse their skills and positions to enrich themselves through illegal activities.<sup>25</sup> The difficulty in securing payment at the sub-national level of governance is a huge and general problem,<sup>26</sup> exacerbated by the lack of a functioning money-transfer system. Hence there is general agreement between the actors involved in police reform in Afghanistan that its success ultimately depends on reform of the Afghan Ministry of

<sup>25</sup> Dysfunctional governance structures between the Afghan Ministry of Interior (MoI) and the provincial, regional and district levels leave the Afghan police with feeble accountability (also) with regard to the payment of salary. As of December 2007, the Joint Commission Monitoring Board (JCMB) reported that only 24,775 of the 75,000 police personnel were paid by Electronic Funds Transfer. Also, there is a poor registration of who is on the payroll of the police. The numbers of employed police personnel are not clear due to weak personnel records. JCMB reported in 2008 that only 48 percent of a count of 80 percent of the police payrolls had ID cards. Many are paid who are not on the payroll as well as the other way around.

<sup>26</sup> Evans, et al. (2005): ‘Assessing Progress: Update Report on Subnational Administration in Afghanistan’, AREU Report, June 2005, pp. 15-18.

Interior. Yet to date no one has come up with a feasible solution to the police problem.

## THE FDD CONCEPT

This is the context in which the US military initiated the Focused District Development. FDD is placed under CSTC-A and is thus a part of Operation Enduring Freedom (OEF). The program is funded from an annual budget of USD 2.5 billion.<sup>27</sup> For a military project, it has a surprisingly holistic design that rethinks ordinary SSR elements, such as the ‘police’ and the ‘justice sector’, and seeks to intertwine these with broader development objectives as integrated parts rather than as separate areas for reform. The original conceptual template of the FDD program is a twenty-page strategy paper<sup>28</sup> that charts out the project’s ideological and strategic goals and sets out guidelines for implementation. The concept paper, written by a well-articulated academic hand, fleshes out an ambitious program for the US military’s engagement in Afghan civil governance affairs. It is explicit about the failure of former attempts to create a functioning Afghan police force, and it accommodates a range of recommendations found in the recent reports on SSR from the Afghanistan Research and

<sup>27</sup> This budget is an estimate based on interviews with FDD staff. It is hard to obtain a clear overview of the actual costs of the FDD. One aspect is the actual budgets which fund concrete FDD activities, including training costs, logistical operations, compound building, equipment (cars, weapons, uniforms), and so on. Another aspect is the management part which draws on various units within CSTC-A, which already are there.

<sup>28</sup> ‘Enhancing the Capabilities of the Afghan National Police: A Focused District Development (FDD) Strategy’, FDD Concept Paper, CSTC-A, 2007 .



Evaluation Unit and International Crisis Group.<sup>29</sup> The FDD concept paper refers to the US military's success of reforming the Afghan National Army (ANA),<sup>30</sup> in particular the creation of an Afghan Ministry of Defense and 'the focus on the battalion as the building block of the army' (p. 3). In a similar manner, the reform template focuses on the district level police 'as the building block of the ANP [Afghan National Police]' and 'the immediate face of the government to the people on the local level' that is 'the centerpiece that establishes the legitimacy of the government' (p. 3f). To achieve the goals,

"the focused district approach would essentially treat the police of a district as a 'unit', while reconstituting each district police cohort as a complete package of police capability. Accordingly, an advantage of this Focused District Development (FDD) approach will be to enhance AUP [Afghan Uniformed Police] capabilities across the spectrum of their organizational competencies, including the AUP district level police service's training."

The FDD is described as a 'quality in-

stead of quantity' police training program that assesses and recruits police officers at the district level mainly out of the existing police force. To start an FDD cycle for a district, CSTC-A will propose the list of districts together with MoI, and with input from the International Community, and possibly also NGOs.<sup>31</sup> This proposal is sent for approval to the US embassy in Kabul, the International Security Assistance Force (ISAF) and the Afghan Ministry of Interior before going to the International Police Coordination Board (IPCB) for information. Finally, the proposal is sent to President Karzai for final approval. When the districts have been selected, CSTC-A forms a District Assessment Reconstruction Team (DART), which includes a wide range of civilian actors from the United Nations Assistance Mission in Afghanistan (UNAMA) and EUPOL to Afghan deputies and local political representatives.<sup>32</sup> The DART teams will then travel to the district to identify the needs for training, reorganizing, and reequipping, including scheduling the renovation or construction of facilities and the vetting of the police force. The DARTs also consider local governance and RoL issues. After the vetting, the whole

<sup>31</sup> See discussion of the buy-in concept below.

<sup>29</sup> For instance, the five recommendations set up by AREU are: 1. Develop a shared vision and strategy for the ANP [instead of the US-German divide in reform strategy]; 2. Replace SSR pillars with an integrated and comprehensive rule of law strategy; 3. Make donor assistance conditional on comprehensive Mol reform 4; Prioritize quality over quantity; and 5. Prioritize fiscal sustainability of the security sector (Wilder, 2007: xi).

<sup>30</sup> It is not always agreed to what extent the reform of ANA can be considered a success. Critical voices claim that the success of ANA really depends on embedded international soldiers and commanders who fight on par with the Afghans and that it is unclear how the Afghan forces would function on their own.

<sup>32</sup> The District Assessment Reconstruction Teams (DART) are composed of: Ministry of Interior senior officer (Team Leader); district-level Police Mentor Team (PMT) w/ CivPol; Afghan Regional Security Integration Command (ARSIC) representative; ISAF RC representative; Provincial Reconstruction Team representative; Regional and/or Provincial Police Chief representative; Attorney General Office (AGO) representative; Afghan local leadership representative(s); Mol recruiting and personnel team; ANCOPI liaison; CSTC-A functional representatives as required; EUPOL representative; UNAMA representative; linguists; appropriate security forces to protect and move the team (Mol provides FP, transport, and linguists for themselves); and Ministry of Rural Rehabilitation and Development representative (Source: CSTC-A, FDD meeting Ministry of Interior, 11. of June 2008 10:00-12:00).

force is transferred to one of the regional police training centres, where it receives an eight-week course of individual and collective training. Biometrics and personal data are filed away to build up a central archive on the police force. During the training period, Afghan National Civil Order Police (ANCOP) are deployed in the districts to guard security. After the training period, the police are reinserted into the district but continue to be shepherded by CSTC-A police mentoring teams. The mentoring teams remain with the district units from the initial assessment until the new police service is in place and thereafter conduct periodic assessments and retraining, if necessary. While the training is divided into three courses, depending on an individual's skills, the last week of training and the mentoring period after returning to the district are both collective.

Overall the FDD concept has four distinct and innovative features:

- a) the replacement of the unsuccessful functional separation of SSR tasks into five 'pillars' (police, military, Disarmament Demobilization and Reintegration (DDR), justice sector, army) with an integrated approach, which links the police training with general social and economic development;
- b) the focus on district-level reform;
- c) the shift to collective training and long-term mentoring of the police force; and
- d) the buy-in design.

In the following, each of these dimensions will be described.

### **District focus**

The FDD has a sequential form that started out with a handful of districts before moving on to districts one after an-

other over a three- to four-year period until all of Afghanistan's districts had been through the program. In this way, the FDD concept breaks down the geographical reform areas to district levels. By doing so, prepared by DART assessments of each district, the FDD pursues a *bottom-up approach* in which reform is tailored for each separate district. This approach differs significantly from the Kabul-centered reform programs, which up to now have dominated governance reform in Afghanistan. Sub-national governance reform was not seriously put on the agenda before 2005,<sup>33</sup> and the FDD concept can perhaps be seen as a leg of that development. The novelty of turning to a bottom-up focus on the district – the place where central government and not least policing is, or at least should be, felt – should thus also be seen in the light of local governance being a surprisingly neglected area in the state-building literature.<sup>34</sup>

### **The integrated approach**

The shift away from the functional separation of SSR tasks to a more integrated approach was made because of the failure of the lead-nation approach. *On the horizontal level*, the FDD objective is to create better internal organization on the district level by enhancing skills for police cooperation, and to facilitate cooperation between the district, regional, provincial and national levels. *On the vertical level*, the FDD aims to

<sup>33</sup> Sarah Lister (2007): 'Understanding State-building and Local Government in Afghanistan'. Crisis States Research Centre, Working Paper no. 14, May 2007, p. 12.

<sup>34</sup> Sarah Lister (2007): 'Understanding State-building and Local Government in Afghanistan'. Crisis States Research Centre, Working Paper no. 14, May 2007, p. 1.

clarify authority structures and to improve reporting and general communication between the districts and MoI. This includes the adjustment and legal regulation of authority lines at all levels in compliance with the national legal templates for police work. To accomplish these goals, the FDD is pushing Rule of Law reform, led by CSTC-A's Rule of Law Working Group, simultaneously with police training. The aim is to strengthen or build 'a prosecutor-driven justice system' that can help strengthen and formalize the links of the Afghan Uniformed Police with provincial, regional and national leaders and staff "with the aim of transforming the AUP into a service loyal to the Afghan people and Afghan national interests".<sup>35</sup> Simultaneously with the police training and judicial reforms, the FDD aims to promote development projects and public information campaigns at the district level in order to buttress overall security structures and police legitimacy. The ambition is to pursue partnerships with NGOs and other agents of development. Hence, CTSC-A is currently working with relevant branches of the Afghan government in order to examine the possibility of aligning their respective activities. The hope is that the FDD's efforts to tie 'public work programs such as water wells, schools, small business incentives and others' (p. 3) to the police reform program will encourage key actors in the districts to cooperate better than has been seen up to now with regard to police reform.

### **Mentoring and collective training**

The district focus, the collective training and the view of the police as cooperative

units rather than as separate individuals constitute a new approach to police training in Afghanistan, compared to the thousands of individually trained police officers who have been fanned out by the US-lead police training centres. In line with this, one can see the FDD project as a military-driven police *mentoring* program. Mentoring was made a significant aspect of police training programs in 2005, but the various programs have suffered from difficulties in finding international mentors who were ready to spend longer periods of time in remote and conflict-ridden areas of Afghanistan.<sup>36</sup> Also, police mentoring is more vulnerable to the insurgency than mentoring the military, since the latter is a maximum-security organization with heavy equipment and arms. However, the FDD mentoring approach is a move towards a greater focus on the reform of the informal social structures that govern local police cooperation. The aim is to improve the *esprit de corps* and change the ethos of police work away from being subordinated to local patronage towards professional *emancipation* of the individual police officer. This is also a move from a technocratic approach to the social engineering of police culture and group behaviour. To create a structure for thinking about and organizing police ranks and career development within the police, CSTC-A is developing matrixes for rank reform in cooperation with MoI and EUPOL. These can also be viewed as social technologies for the development of identity and selfhood within police ranks.

### **The buy-in design**

A major problem in reconstructing Af-

<sup>35</sup> FDD concept paper, in possession of author.

<sup>36</sup> Wilder, 2007: ix.

ghanistan has been the competing visions of different lead donors and their reluctance to intervene in each other's business. The lead-nation approach facilitated this division of policies. To avoid the "many cooks" syndrome and ensure a comprehensive and broadly informed process that funnels the multiple national and international voices into a single approach *before* building, the FDD concept provides an outline of a long list of actors who are involved, or at least invited to participate, in the shaping of the FDD. For instance, the DARTs are in principle open to anyone, and donors, NGOs and the United Nations are invited to participate. The FDD's ambition is to put the Afghans in the driving seat and install the international community on par with the Americans under the bonnet. In fact, the buy-in concept of the FDD not only opens up the program to numerous actors, but also presents FDD success as being dependent on the buy-ins.

### **General note on the concept**

Viewed alone, the novelty of the FDD concept is that it places police reform in a broader social, political and economic context, thus embodying a more holistic and cross-sectored approach than is usually seen in SSR projects. The concept would have been interesting even if it had been introduced by United States Agency for International Development (USAid), EUPOL, or other civil donor agencies. It represents a shift from having boots on the ground to bureaucracy, from armed guards to policing, from shooting skills to the social dynamics of policing, and from training to mentoring. It is also a move from Kabul-centrism to a focus on the district level, from top-down to bottom-up approaches, and from grand (or no) plans to differentia-

tion and sequential planning and evaluation. It can also be seen as a US move away from US-EU polarization towards a framework for cooperation. Still, the FDD is a US military-driven program in which the ability to amalgamate its ambitions and functions with civil agencies, including NGOs, is essential to success. It is not only about dovetailing action, as was the idea with the Provincial Reconstruction Teams, but also about setting up much more intimate partnerships in which ambitions, leadership and the activities of military and non-military agencies merge.

This all sounds very beautiful. Yet compared with the Afghan challenges, the FDD concept paper does appear somewhat limited and utopian, and it also contains flawed assumptions, as is explicitly recognized by the FDD team in Kabul.<sup>37</sup> It does, however, function as a compass for CSTC-A / US military ambitions, and thus as a template for the US military learning to do civil governance work.

### **FDD PRACTICE**

It is not the aim of this working paper to evaluate the successes and failures of the FDD, yet it is appropriate to add a few lines about its implementation. The FDD has moved forward discretely, and information on it is still sparse. Information has not by any means been confidential, but the program has tried to keep a low profile about its activities, partly to avoid resistance groups infiltrating meeting committees in FDD districts, but also to avoid floating new big promises that, if they fail, may lead to a further weakening of trust in

<sup>37</sup> Interview, Kabul, May 2008.

the international presence in Afghanistan.<sup>38</sup>

As could be expected, the FDD has encountered a number of problems, including: The DART concept has suffered from various problems. It has proved extremely difficult to bring together DART participants physically. On some occasions, the DART leaders were not convinced that the DARTs were composed of the right mix of people.<sup>39</sup> They have suffered from different levels of commitment between members, and on one occasion a DART implementation was reported to have been “more a ‘DARI’ than a DART” because it took the effort of a single individual to make it happen.<sup>40</sup> And in some cases, DART assessments and feedback were not sufficiently clear or precise to allow CSTC-A to provide corrective measures.<sup>41</sup> It has proved difficult to get the district police to cooperate. For instance, a recurring problem has been the district police hiding their good weapons and equipment and bringing old ones to the training centres.<sup>42</sup> Thus at one assessment in June in a district in Kandahar Province, the police showed up without weapons or vehicles.<sup>43</sup> FDD will in most cases provide the police with new equipment because there is no time to go

through the districts to find any hidden equipment that might be there. Furthermore, lack of security has distracted mentoring, both because it has limited the possibilities for training, and because the police repeatedly have to break off training to go and fight. There has been a shortage of non-commissioned police officers who can be ‘grown’ into officers. Recruiting has been difficult.

The starting point for FDD training is very low, including a lack of basic driving skills and the resulting ruining of police cars; the drugs problem is very present, illiteracy is a huge problem, there is a lack of testing for eye glasses, and so on.<sup>44</sup> There have been logistical challenges, like getting fuel to vehicles. As regards equipment, the FDD’s rapid launch has caused difficulties with regard to supplies of helmets, weapons, uniforms and other equipment. And there are continuing payment problems. Yet, currently the biggest FDD challenge is the provision of mentors. As of April 2008, only 32 percent (746 out of 2,358) of the military mentors required were present in Afghanistan,<sup>45</sup> and the shortage will in all probability lead to a slowdown of the project.<sup>46</sup> Also equipment shortages and the

<sup>38</sup> Interview, Kabul, December 2007.

<sup>39</sup> FDD after action review, Camp Eggers, ‘the swamp’, Kabul, December 7th 2007.

<sup>40</sup> FDD after action review, Camp Eggers, ‘the swamp’, Kabul, December 7th 2007.

<sup>41</sup> FDD after action review, Camp Eggers, ‘the swamp’, Kabul, January 4th 2008.

<sup>42</sup> Interview, Kabul, June 2008.

<sup>43</sup> FDD meeting at Mol 11 June 2008 10:00-11.30.

<sup>44</sup> The fact that testing for glasses and checking of driving skills have been forgotten, reminds us of the blindness with which western countries often approach non-western countries. In a country like Afghanistan, police officers do not necessarily have a driving license, and glasses are not at all usual. The lack of testing for glasses and driving skills unfortunately indicates that similar basic aspects are also forgotten.

<sup>45</sup> GAO report number GAO-08-883T (2008): ‘Afghanistan Security: US Efforts to Develop Capable Afghan Police Forces Face Challenges and Need a Coordinated, Detailed Plan to Help Ensure Accountability’ (released on June 18, 2008), p. 34.

<sup>46</sup> CSTC-A plan to use this slowdown over summer 2008 as an opportunity for adjusting the project.

difficult working environment, including the bureaucracy, are the main obstacles to taking the FDD process further. It is, however, very difficult to measure the impact of the FDD program because – as with many other aid projects in Afghanistan – there is no systematic evaluation and thus a lack of clear evidence to show that the FDD is bringing any positive change to the FDD districts. Systematic evaluation is not a CSTC-A priority.

With regard to the buy-in component, steps have been made, although they cannot be considered very successful. There are various reasons for this. First, there is a weighty scepticism towards the US military, and in particular a very sceptical attitude towards a military doing civil police reform. This normative attitude is a crucial aspect of the politics of FDD cooperation and confirms that normative assumptions regarding the kind of task that the military can do are a main issue in the politics of third-generation civil-military relations, rather than the negative impact on humanitarian space and on the neutrality of civilians. Another, more pragmatic issue is the speed and forcefulness of the FDD, which works on a fast, flexible and resourceful US military budget. Even Canada, which has supported and worked closely with the FDD from the start, had difficulties in allocating the USD 5 million framework budget to meet the demands of its own FDD in Kandahar.<sup>47</sup> Other agents of reconstruction have complained that CSTC-A kicked the FDD cans down the road without giving possible buy-ins any chances whatsoever to rearrange their work. It is neither easy nor attractive to change al-

ready approved plans and budgets just because a new, uncertain project appears out of the blue.

Other frequently raised criticisms are that the FDD is not a properly developed project, that it has not been properly planned, and that it lacks expertise on Afghan society. Here, a major gap in approach exists between EUPOL and the FDD. While EUPOL requires consistent strategies before taking action, CSTC-A works in accordance with the motto 'learning through action'. Another institutional gap exists because of the rapid rotation of CSTC-A personnel. Donors complain that the rotation makes it difficult to sustain a dialogue with CSTC-A. One hears that the FDD concept is a humble, open-minded, much needed alternative. But one also hears that the CSTC-A has done very little to reach out to other actors and demonstrate that they are sincerely interested in cooperation, and that it has proved difficult for actors who did try to buy in to align themselves with the FDD. Another common attitude is that since the FDD now is there, really has no alternative and has a great concept, it should be supported by all means – US military or not. Opinions are many and generally badly informed due to lack of available information on the FDD. But the problem of using a military organization to conduct civil-police training is central in much of this scepticism.

### **FDD-EUPOL DISPARITY**

EUPOL/CSTC-A disagreements are a good example of some of the difficulties in respect of FDD cooperation. EUPOL has made some big promises but still lacks the plans, finances, staff and a political mandate to offer any consistent program. In the

<sup>47</sup> Interview, Kabul, June 2008.

meantime, as one senior EUPOL officer described it, “a great white elephant has appeared in the room which cannot be overlooked”, namely the FDD. The paradox that the FDD presents to EUPOL is that, if EUPOL were to come up with a plan of its own, it would have to compete with the FDD from day one, which from the very start would contain its own contradiction: one of the chief objectives of the EUPOL mission is to mainstream action between donors and thus overcome the futile lack of coordination, competing visions and different speeds of reconstruction that have so far hampered the reconstruction of Afghanistan. To be sure, the EUPOL mandate relates to the provincial level, and it would therefore not be possible for EUPOL to work with the FDD on district level. But it would be possible for EUPOL to start partnerships with CSTC-A on the provincial level, and also to work together on MoI issues. Altogether, the EU has, despite its ‘comprehensive’ ambitions in the area of police reform, been extremely hesitant about cooperating with the FDD, even on a smaller scale. By June 2008 it had still not offered any noticeable commitment to the project, which at that time was running at full speed. CSTC-A is at the same time explicit about its urgent need for the very high level of police professionalism within EUPOL.

Despite EUPOL hesitance, there is already some formal EUPOL-FDD cooperation through the International Police Coordination Board (IPCB) and in the so-called Integrated Project Teams (IPTs). IPTs are EUPOL/CSTC-A teams working with Afghan deputies within the Ministry of Interior on reform issues such as Rule of Law, the development of rank matrixes for police officers, and logistics and adminis-

trative issues. However, CSTC-A’s substantial allocation of mentors to MoI completely out-performs EUPOL on the staffing front. CSTC-A altogether has 6000 persons,<sup>48</sup> as well as an unknown number of DynCorp International and MPRI<sup>49</sup> contractors. In contrast, EUPOL has had a hard time filling even half of its 400 man-payroll. Also, the EUPOL members of the IPTs spend less time in the Afghan Ministry of Interior, where CSTC-A personnel have their own offices. To this should be added the fact that EUPOL officers are prevented from working late hours due to EUPOL’s extensive security restrictions. EUPOL’s and CSTC-A’s different resources and security requirements thus hamper partnership building.

The other formal EUPOL-CSTC-A interface is the International Police Coordination Board (IPCB), a joint EUPOL/CSTC-A board for the development of overarching strategies on approaches to police reform, the coordination of various donor initiatives, and the monitoring of training and mentoring. Currently the IPCB office is based at the EUPOL headquarters in Kabul, but the plan is to move it to the MoI. What cannot be drawn from the ambitious press releases is that it took a great deal of effort to set up the IPCB due to severe communication difficulties between EUPOL and CSTC-A, and actual IPCB cooperation is still meagre. EUPOL prioritizes the strategic level, while CSTC-A puts its resources into practical matters such as training and mentoring.

<sup>48</sup> CSTC-A fact sheet at <http://www.cstc-a.com/mission/CSTC-AFactSheet.html>

<sup>49</sup> MPRI is an American defence contractor similar to DynCorp International.

Another example of the troubled FDD-EUPOL cooperation is the FDD Rule of Law working group in CSTC-A, which among other things assesses the police's compliance with the rule of law at the district level and is drawing up Rule of Law manuals for the FFD. EUPOL was originally invited to co-chair the FDD RoL working group, and EUPOL was positive about this, even though it meant working at the district level. Unfortunately, EUPOL could not find the right people to appoint to this role, and instead of sending their second best, they declined to become involved. Consequently, CSTC-A developed the FDD Rule of Law approach without EUPOL expertise.

Besides the International Police Coordination Board, the PCB and the Integrated Project Teams, there is plenty of unofficial and ad-hoc interaction between EUPOL and CSTC-A. EUPOL staff frequently takes part in the supervision of FDD District Assessment and Reform Teams, and EUPOL staff who are with the Provincial Reconstruction Teams typically participate in the district assessment. EUPOL has recognized the need to keep track of and manage the growth in non-official EUPOL participation in the FDD, for which reason they created the position of FDD liaison officer in spring 2008.

Clearly, if European values with regard to planning, transparency and evaluation were also more explicitly represented by the FDD in practice, then the Europeans would without doubt be more inclined to join the FDD. This turns the question of a European FDD buy-in into a Catch 22: the Europeans would probably buy in to the FDD if it expressed European values more strongly, yet the EU has to join the FDD in order to embed its values in the project.

One could claim that cooperation between European police and the American military on civil police training through FDD could be kept out of the diplomatic limelight, as one close observer has suggested,<sup>50</sup> and thus could avoid being subjected to political discussions on the aptness of EUPOL/US Military cooperation on civil police training. This suggestion can also be seen as an indication that such cooperation *is* somewhat controversial. In many European countries, it is almost enough to mention the word 'American militarism' to justify European non-engagement in the FDD. The Americans know this. For example, CSTC-A considered adding a military component to the FDD in the most dangerous districts to provide security cover for mentors. CSTC-A was worried about this, being afraid that adding a military component would leave CSTC-A alone with the FDD, given that European donor countries do not want to mix up the military and the police.<sup>51</sup> Lastly, EUPOL/CTSC-A cooperation has also been disadvantaged by some personal aversions stemming from bad relationships between the German leadership of EUPOL and the US military leadership, which has criticized Germany strongly for not having fulfilled its obligations on police reform.<sup>52</sup> This is perhaps irrelevant to the institutional problems of cooperation, but it does tell us something about the complexity of establishing cooperation in missions such as Afghanistan, a complexity that cannot be understood without considering the atti-

<sup>50</sup> Interview, Kabul, June 2008.

<sup>51</sup> Interview in Kabul, March 2008.

<sup>52</sup> Interview, Kabul, June 2008.



tudes and sentiments of people in positions of leadership.

The example of the delicate EUPOL relationship with CSTC-A illustrates the kind of problems of cooperation that stem from the development of third-generation civil-military relations or partnerships. The dilemma in respect of Afghanistan National Police reform is manifest because, as of summer 2008, there has only been one alternative, and that is the FDD. Consequently, development agencies, international organizations and NGOs must decide whether they want to build partnerships with the US military on civil governance issues, or whether they prefer not to. The decisions not to do so will inevitably have some negative impact on the prospects of improving the functions of the Afghan police. On the other hand, to engage in cooperation involves serious practical problems due to the huge differences in organizational culture, budgets and manpower. Furthermore, the decision to cooperate will also imply trespassing on time-honoured distinctions between areas of governance. The political dilemmas of third-generation civil-military relations are above all those of norms and principles. Lastly, it must also be noted how the buy-in structure of the FDD introduces an interesting failure structure, in that the US can point to the reluctance of the Europeans, the UN and other civil donors to cooperate as an obstruction to FDD success. Conversely, these actors can point to US militarism as a good reason for not joining in. For the critic, the buy-in concept and Afghan ownership can be viewed either as strategies for evading responsibility, or as a sincere reaching out.

### **THIRD-GENERATION CIVIL-MILITARY RELATIONS AND PROTRACTED PRESENCE IN AFGHANISTAN**

This working paper has argued for a concept of third-generation civil-military relations in order to develop a broader perspective on the military embarking on civil governance than is suggested by the counterinsurgency discussions and literature. It has emphasized the FDD as a program that strives to merge civil and military affairs beyond the conventional military/non-military distinction, which until now has provided the conceptual template for constructing the role of the military in world affairs. Even if the FDD concept leaves much to be desired, it does stand out as an example that might lead towards more profound changes in the US military and its role in world affairs. Like the argument of this working paper, a 2008 RAND Corporation<sup>53</sup> publication also calls attention to how current challenges in military affairs “require US forces to work with a wide range of organizations outside of the US Department of Defense”<sup>54</sup> and “to work successfully with interagency (IA), multinational and coalition partners”.<sup>55</sup> RAND’s analysis views local governance building, the fostering of economic growth, and responses to natural disasters as challenges requiring the use of a variety of tools simultaneously. The main challenge is how to

<sup>53</sup> RAND Corporation is a US-based research institution with offices worldwide.

<sup>54</sup> RAND (2008): ‘Department of Defense Training for Operations with Interagency, Multinational, and Coalition Partners’. Santa Monica: RAND Corporation, p. iii.

<sup>55</sup> *Ibid.*, p. xiii.

control close cooperation with non-military organizations on a wide range of governance tasks that are no longer seen as belonging strictly to either the civil governance or military domains. The RAND publication is basically an extensive list of recommendations to the Department of Defense's training curricula with the aim of improving the military organization's capability to establish and manage deep cooperation with coalition partners, US non-military state branches, organizations and corporations, and foreign non-military and non-governmental organizations. The RAND report can thus be seen as a manual governing third-generation civil-military relations, many of its recommendations being of direct relevance to the FDD program.

To be sure, there is no rational limit as to what kind of tasks the military can undertake. The limit is set by norms and principles, which find concrete expression in the disagreements on third-generation civil-military relations. That said, there are, of course, many tasks that present military organizations are really not suited for because they lack expertise and organization capability. But this is a practical matter, not one about principles. The real question is then perhaps not whether military organizations should embark on civil governance or not, but whether the current experiments of 'learning by doing' are politically and economically acceptable.

In any case, the FDD indicates that US policies with regard to Afghanistan have rounded a corner. Perhaps it also indicates a revolutionary turn in military affairs, defined by the reorganization and recoding of the military, including the scope of tasks that is considered military tasks. Will the US military grow into a state-builder and administrative agency for ungovernable

states? On the one hand, personnel- and budget-wise, the FDD is an insignificant project compared to the larger US military entity. On the other hand, the FDD is piloting a project in Afghanistan that is of the greatest significance for broader US ambitions in Afghanistan and the wider region of the Middle East.

In her summer 2008 Foreign Affairs article, Condoleezza Rice requested "long-term partnerships with other new and fragile democracies, especially Afghanistan."<sup>56</sup> She also suggested that "the provincial reconstruction teams that we [the US] deploy in Afghanistan and Iraq are a model of civil-military cooperation for the future" (Rice, 2008: XX). There is reason to believe that the FDD offers a model for the kind of long-term partnership that Rice was advocating. First, there is currently no prospect of a stable Afghan state emerging.<sup>57</sup> The capacity in core Afghan ministries is still at a level where people do not show up in the morning and find it hard to write an e-mail. It would be wrong to think that the dysfunctionality of Afghan government structures is a matter of tribal affinities and corruption.<sup>58</sup> The lack of institutional underpinning means that the Afghan police will not be capable of controlling security and crime in the foreseeable future. Secondly, while close partnerships with and

<sup>56</sup>: "We [the US] must now build long-term partnerships with other new and fragile democracies, especially Afghanistan" (Rice, 2008).

<sup>57</sup> As also recognized in a recent Pentagon report, 'Report on Progress towards Security and Stability in Afghanistan', June 2008. Report to Congress in Accordance with the 2008 National Defense Authorization (Section 1230, Public Law 110-181).

<sup>58</sup> This assessment is based on the author's visit to numerous Afghan ministries during November 2008. See Rosen (2009).

the improved qualifications of Afghan counterparts are deemed necessary to govern the reform process, the biggest obstacles to Afghan security-sector reform are located at the Kabul government and local governance levels. FDD partnerships are mostly located at the deputy, mid-level manager, and provincial and district levels of governance, thus tending to bypass the highly politicized level of central Afghan ministries. In this way, the FDD has the potential to create a firm partnership between the US military and the inner ‘mechanics’ of Afghan governance. To be sure, apart from kinetic force, the US influence on Afghan governance aspires to build on subtle means of persuasion, dependency and local ownership politics – the ‘Afghans steer, we row’ model. Thirdly, weakening security simply makes the military a more suitable agent of police reform than the civil alternative: Some operational capability is required to enter districts in the first place. Finally, due to regional power struggles (Iran and Pakistan, but also China), the US cannot afford to lose its grip on Afghanistan. More important, however, may be US efforts to contain Russia. To be sure, it makes a lot of sense to read US Afghanistan policy through the lens of the growing tensions between the US and Russia. A protracted US military presence is thus the most likely future scenario for Afghanistan.

From the perspective of a US protracted presence, personal ties to Afghan FDD counterparts on various levels of the Afghan branches of the police, justice and governance can prove highly valuable. In fact, the more US agencies are knitted together with Afghan governance institutions in partnerships, the greater the possibility of the US military to ‘govern the governance’ of Afghan security. One should also

remember that politics in Afghanistan, *including* when it comes to donors and international agencies such as the UN and EUPOL, is profoundly coloured by personal agency and affective ties rather than formalized institutional politics. In addition, the FDD has acquired a substantial amount of information concerning Afghan civil governance structures and police organization, including biometrics, information that might also prove useful in a scenario of protracted presence.

Also, the FDD is promoting third-generation civil-military partnerships not only between the US military and the branches of Afghan governance, but also between the US military and the international community, the EU, donors and other actors with interests in security-sector reform. Recently, a UN Special Reporter stated that “[t]he FDD program has, in an unexpected manner, pointed the way toward genuine reform”.<sup>59</sup> In fact, the FDD’s buy-in concept makes it possible to view the FDD as a military-driven platform for international cooperation on civil governance reform in Afghanistan. The pursuing of third-generation civil-military relations has, however, made the FDD a problematic subject in Afghan reconstruction, where international cooperation so far has built on a distinct separation of military and non-military affairs. So far this includes the Provincial Reconstruction Teams model. Yet, since third-generation civil-military relations will in all probability be pushed fur-

<sup>59</sup> Statement by Professor Philip Alston, Special Rapporteur of the United Nations Human Rights Council on extrajudicial, summary or arbitrary executions, Kabul, 15 May 2008 available at <http://www.unhchr.ch/huricane/hurricane.nsf/view01/676D6941A0FA3BA5C125744A0036A992?opendocument>

ther by the US military establishment in particular, third-generation civil-military relations are something that a broad range of actors will have to take a stand on. The question is how the ensuing dissolution of the classic distinction in governance will affect international relations and cooperation on matters of global security, conflicts and instability.

### **DENMARK AND THIRD-GENERATION CIVIL-MILITARY RELATIONS**

The US Department of Defense is moving in the direction of further engagement in civil governance reform and partnership-building with non-military state and non-state agencies and organizations. Third-generation civil-military relations are something that Denmark also has to develop an attitude towards. This is well exemplified by the FDD case. To return to the opening questions of this working paper: Should the Danish civil involvement in Afghanistan team up with US military and US private security firms, and is Denmark ready to align development aid programs and/or participate directly in US military lead training and governance reform?

Here, NORAF, the Norwegian police mission in Afghanistan, may provide an example for Denmark to look to. NORAF has followed the FDD since the beginning. Due to its small level of capability, NORAF has had no ambitions to acquire a larger say regarding the FDD process. It does have issues with the FDD, and it has some thoughts of its own about how its FDD participation might merely be furnishing this US military project with a dash of Scandinavian legitimacy. However, it also believes in the importance of support-

ing the FDD, despite all its problems, and has also used it to win an opportunity to adjust some nuts and bolts along the way. NORAF has been very sceptical of EUPOL reluctance regarding the FDD and sees here a great opportunity lost. NORAF has therefore continued to work with the FDD. However, NORAF's strong support for the FDD has given rise to disputes with Oslo, which has decided to support EUPOL and has argued that NORAF should therefore not work with the FDD, because this does not match EUPOL's position. This has also led to some public discussion in Oslo about NORAF, which has been ordered "to stop making politics" in Kabul<sup>60</sup> (a good example of how donor countries' official policies not always match the ideas and actions of their delegates in Afghanistan). The EUPOL affair has been the crux of the disagreement. Despite the quarrel with Oslo, NORAF kept attending the weekly FDD meeting, which is open to anyone. Its representatives noticed how the FDD lacked a gender program and could not handle the training of female police, and they kept raising the gender issue so as to 'tone the flag'. In CSTC-A, NORAF promoted the question of how to get women into the FDD. By late June 2008, CSTC-A was ready to open a separate FDD training centre in Kabul for women. Another spin-off for Norway by following the FDD closely is that today the country has considerable knowledge of the FDD program.

Thus, relevant questions could also be: How can Denmark utilize the FDD plat-

<sup>60</sup> 'Lensmannen i Kabul', i Norske Dagbladet 10.03.2008.

form to push for key Danish issues? What would be the benefit of Danish involvement in the weekly FDD meetings? How could Denmark add Danish values and principles to the FDD? How could Denmark reconcile its involvement in EUPOL with FDD cooperation? And what does Denmark think of the EUPOL project vis-à-vis the FDD? Is Denmark ready to pro-

mote third-generation civil-military relations? Answers to these questions must take into consideration the normative problems of third-generation civil-military relations. Of course, the military can do any kind of task. The boundary between what the military should and should not do is maintained only by tradition, norms and principles: Changes loom large.



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