

# Who Runs This Town?

Private Security Companies and their effect on security sector reform in Afghanistan

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# Abstract

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Security is a public good that is cheap to maintain in a stable system, but expensive to establish once it has been lost. Internally armed conflicts and civil war are detrimental to public security. Afghanistan has endured three decades of civil war which left its public security sector in shambles. Since 2002, there has been a national process of security sector reform, but it is far from complete, and the extensive use of private security companies, militias and other non-statutory forces pose a problem for the fragile state.

This thesis aims to explore how the use of private security companies affects security sector reform, giving special consideration to the state monopoly on the legitimate use of coercive force. It also questions how this, in turn, affects the legitimacy of the government of Afghanistan in the eyes of its population. The research has been conducted as a single-case study based on a series of qualitative interviews combined with information from secondary sources. The theoretical framework for the thesis was established through a review of relevant literature on security sector reform and private security companies.

The findings suggest that private security companies and local companies in particular, may have negative effects on security sector reform and government legitimacy, including the monopoly on coercive force. However, these effects would likely prevail despite the lack of a private security market, as they are linked to the warlords and commanders controlling these companies.

*I would like to dedicate this  
thesis to the unsung  
Norwegian heroes, who in  
the interest of their nation,  
have served in the global  
war on terror.*

# Foreword

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When I grew up, in a small town, people did not lock their doors. Not even at night. It was not really necessary either. There were instances of burglary, but they were few and far between. The police had a high success rate, regular jobs offered better rewards than crime. Breaking the law did not pay off.

Gradually, things changed. At least, I perceived that they changed. Private security guards slowly became the norm, rather than the exception, in business areas. People became dissatisfied with the police. They demanded an increase in police presence. When it became clear that the government lacked the resources to meet these demands, people wanted the government to employ private security companies to patrol exposed areas.

And this was in Norway, one of the most secure and safe countries in the world.

The case of Afghanistan is dramatically different. Going to Afghanistan, for a Westerner, might seem as stepping through a time portal, or going to another planet. During the last 30 years, the country has been ravaged by conflict. Due to this, public security was more or less absent when the Taliban were ousted from power in 2001. Most of the Afghan people lived with the impression that might was right. If you had power, you could pretty much do as you pleased. The environment was ripe for former warlords turned thugs. When the international community embarked on their state building project in Afghanistan, it presented a great opportunity for private military and security companies. An opportunity they took full advantage of.

When I first came to Kabul in 2007, one did not see many Western soldiers. But there were contractors all around. Burly men in caps, shades and bulletproof, trying their best to instill an impression of cool, albeit from the protection of blast walls and razor wire. Compared to the quiet area from Faryab, whence I came, it felt like a war zone. It was not. Appearances were deceiving. Private security companies were among those fuelling the insecurity they fed upon themselves.

This was something that fascinated me, and when the time came for me to write my master's thesis, I really wanted to do something on Afghanistan and private military and security companies. Inspiration is not enough. It also had to be feasible. A lot of people tried to dissuade me. The issue was too sensitive. I would never find any informants. Afghans did not

have informed opinions on these matters. Others gave me encouragement. The subject was important. It was unexplored territory. In the end Associate Professor Einar Berntzen, from the University of Bergen, pushed me into it. The critics were partially correct, however. It was difficult to find willing informants, an issue that was pronounced by the security situation in Kabul while I was gathering data. By that time, I was too far involved to let go. I had to run with what I had, and I think it came out okay in the end. Hopefully, you will find this thesis interesting. If nothing else, I hope it will have you reflect on the perceptions the use of private security might entail.

# Acknowledgements

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At the time of completion, I have spent nearly a year working on this thesis. It has not occupied all of my time, nor all of my attention, but it has always been in the back of my mind. During this time, I have received help and attention from a number of people. For that I am grateful. Without these people, this thesis would have sucked more energy out of me than I was willing to spend. Since monetary rewards are both inappropriate and impossible, I would like to offer these people my thanks.

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Finally, I would like to thank my family. They have endured a husband and a father, spending a lot of time tapping away on a keyboard, thinking about Afghanistan. Without you, this would not have been possible.

To those I have not mentioned, you are not forgotten.

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# Glossary

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ABP	Afghan Border Police, acronym used to indicate police units responsible for securing borders and airports in Afghanistan. They are tasked with preventing illegal entry and the smuggling of contraband.
ALP	Afghan Local Police, acronym used to indicate locally employed police units or <i>arbakai</i> in rural Afghanistan. Traditionally, these units are under control of the local <i>jirga</i> (tribal council).
ANA	Afghan National Army, acronym used to indicate the internationally trained Afghan army (2002 - ).
ANP	Afghan National Police, acronym used to indicate most police units in Afghanistan, excluding the Afghan Local Police (2003 - ).
ANSF	Afghan National Security Forces, acronym used to identify all state security forces, primarily ANA, ANP and NDS. It should be noted that some specialized units within the Afghan Ministry of Interior is covered by the term. This includes the Crisis Response Unit, Afghanistan's counter-terrorism police unit.
APPF	Afghan Public Protection Force, state owned enterprise tasked with providing commercial security services in Afghanistan.
APRP	Afghanistan Peace and Reintegration Program, government led program intended to bring former fighters back to their communities.
Arbakai	Tribal militias historically linked to the Pashto tribes in south-eastern Afghanistan.
ASG	Afghan Security Guard, acronym used to indicate militias directly recruited and paid for by US forces. May also be referred to as <i>Campaign Forces</i> or <i>Afghan Security Forces</i> by locals.
AUP	Afghan Uniform Police, acronym used to indicate the primary civil law enforcement agency in Afghanistan.
CF	Coalition Forces, acronym used to indicate US-led coalition participating in Operation Enduring Freedom. The operation is in charge of counter-terrorist operations in Afghanistan (part of the War on Terror).
DDR	Disarmament, Demobilization and Reintegration. Standard acronym for internationally sponsored demobilization programs.
DIAG	Disbandment of Illegal Armed Groups. Acronym used to indicate an

	internationally sponsored program intended to disband militias and other non-statutory armed groups in Afghanistan.
Eid al-Adha	The Festival of Sacrifice, important religious holiday celebrated by Muslims. The festival venerates Ibrahim's willingness to sacrifice his son Ismail as an act of obedience to Allah.
HNT	Host Nation Trucking, logistics contract providing trucking for the majority of goods distributed to US troops in the field.
ISAF	International Security Assistance Force, a multinational contingent of military forces deployed in Afghanistan from 2002 and onwards. ISAF is tasked to promote a secure and stable environment.
Jirga	Tribal council called to resolve immediate issues.
Khan	Notable person in rural Afghanistan.
L3 MPRI	Global provider of private military contractor services. Established in 1987 as Military Professional Resources Inc. Name changed to L3 MPRI following an acquisition by L3 Communications Corporation in June 2000.
Lashkar	Tribal army.
Loya Jirga	Grand assemblies were members of the National Assembly convene with chairpersons from the provincial and district councils. Others may attend, but have no right to vote. A Loya Jirga will be convened to discuss important national policies, to amend the constitution, or to prosecute the president.
Meshrano Jirga	The upper house of the bicameral National Assembly of Afghanistan.
Mujahideen	Arabic term meaning strugglers. In recent times, it is used to describe Muslims participating in armed jihad. In Afghanistan the term is normally used to describe the loosely aligned opposition groups which fought against Soviet in the Soviet war in Afghanistan. In the ensuing Afghan civil war, they fought each other.
Mullah	Islamic religious title. In Afghanistan the title is normally given to local Islamic clerics and mosque leaders.
NDS	National Directorate of Security, acronym used to indicate the domestic intelligence agency in Afghanistan.
NTM-A	NATO Training Mission Afghanistan, multinational military organization, activated in November 2009. Responsible for: higher-level training of the Afghan National Army and Afghan Air Force;

	doctrine development; and training and advising the Afghan National Police.
Padshahgardi	Originally a Persian term indicating the double-dealings engaged in by kings. In Afghanistan it usually refers to the strategies tribal chiefs and warlords use in their struggle for power.
PMC	Private Military Company, profit-driven organizations that trade in services of a military nature.
PSC	Private Security Company, profit-driven organizations that trade in security and/or military services.
Qawm	Social network that may be based on a number of affiliations.
RMC	Risk Management Consultancy, security companies specialized on consultancy services.
Shura	Tribal council (permanent).
SIGAR	Special Inspector General for Afghanistan Reconstruction, a government agency intended to provide objective and independent oversight of government funds used for reconstruction in Afghanistan.
UNAMA	United Nations Assistance Mission to Afghanistan.
USPI	US Protections and Investigations, private security company operating in Afghanistan between 2002 and 2007. The company's owners were later charged with defrauding the US government for USD 17 million.
Wolesi Jirga	The House of the People, the lower house of the bicameral National Assembly of Afghanistan.

# Introduction

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“I think we need to just be very clear about what we're trying to do in Afghanistan. Frankly, we're not trying to create the perfect democracy. We're never going to create some ideal society. We are simply there for our own national security [...]. That means having an Afghan government that is capable of securing its own country, and that is the key condition.” British Prime Minister David Cameron in an interview with Diane Sawyer (ABC News, 2010).

Security is a public good that is cheap to maintain in a stable system, but expensive to establish once it has been lost. Internally armed conflicts and civil war are detrimental to public security. Hence, post-conflict countries often display a need for security sector reform (SSR). Afghanistan has endured three decades of civil war. The state building efforts in Afghanistan are far from complete. While improvements have been made since 2001, institutions are still weak. The security sector is no exception. The extensive use of private security companies (PSCs), militias and other non-statutory security actors constitute a problem for this fragile state.

This thesis aims to explore how the use of private security companies affects security sector reform, giving special consideration to the state monopoly on the legitimate use of coercive force. It also questions how this, in turn, affects the legitimacy of the government of Afghanistan in the eyes of its population. The research has been conducted as a single-case study based on a series of qualitative interviews with relevant stakeholders, *id est* elite actors within the fields of security sector reform, governance, security provision or private security in Afghanistan.

Security sector reform is a process that “aims to remake the security sectors of transitional or failing states according to western democratic norms and values” (Sedra, 2006: 94). At the same time, the lack of public security creates a market for private security companies, i.e. profit-driven organizations that trade in security and/or military services (Singer, 2001: 186; Ministry of Interior, 2008: 4). When this occurs security is, *ipso facto*, no longer a public good. It is commoditized, and may even become a commodity reserved for the rich. Furthermore, an objection to privatized security is that it undermines the state’s monopoly on the legitimate use of coercive force. This monopoly, or rather, the understanding of the state as the sole legitimate source of coercive force, is the starting point of security sector reform or

any nation-building exercise (Abrahamsen & Williams, 2006: 5; Vendrell, 2009: 30). A successful security sector reform is dependent on the state's ability to retain or regain this form of legitimacy.

Before 2001, the private security industry was nonexistent in Afghanistan. The arrival of coalition forces, international non-governmental organizations and embassy personnel brought an influx of transnational private security companies. Local companies soon emerged from the remnants of former militias. Until today, the private security industry in Afghanistan has been thriving. Private security actors have undertaken various tasks, such as site protection, convoy protection, personal security details, consulting on security sector reform, training and mentoring of Afghan National Security Forces (ANSF), de-mining, poppy eradication, intelligence and risk management services, interrogation, electronic security and surveillance, and election support functions (Schmeidl, 2007: 10). In May 2010 there were 26,000 private armed contractors working in Afghanistan on US contracts (SASC, 2010: i). In 2012, the BBC reported the total number of armed contractors at 40,000 (BBC, 2012-03-21).<sup>1</sup> Intuitively, such a large presence of private contractors suggests that security sector reform is affected in some way. This is important, as security sector reform is "viewed as the foundation for the state-building project in Afghanistan" (Sedra, 2006: 94). The importance and expediency of a successful security sector reform has become even more pronounced today with the ongoing *Inteqal*. The *Inteqal* is a phased transition to Afghan security lead, and President Karzai's objective is that the Afghan National Security Forces should lead and conduct all military operations in all provinces by the end of 2014 (NATO, 2011). Concomitant, the Afghan government has made regulation attempts towards the private security industry. In 2010 President Karzai called for the dissolution of all companies. The plan was to replace these with a state owned security company, the Afghan Public Protection Force (APPF). This plan has been supported by NATO Training Mission Afghanistan (NTM-A), and in March 2012 they could boast some success.

At the time of writing, there is a veritable tapestry of security providers, official and non-official, in Afghanistan. Their legitimacy towards the use of coercive force is seemingly unrelated to whether they are governmental or not. This brings to mind Janne Haaland

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<sup>1</sup> Different reports give different estimates, and there are significant variations, ranging up to about 60,000 (in 2011). The common factor is that they all report that the numbers have been steadily increasing since 2001, and that the total number of armed private contractors is large when compared to the number of official security forces in Afghanistan. Several factors might contribute to the variation in estimates, including the most important being the lack of oversight and the problems with differentiating militias from local security companies.

Matlary's allusion to Western movies during her opening statement at the Norwegian Ministry of Foreign Affairs Conference on Security Policy on 29. September 2011. The phrase "Who runs this town" is just as fitting in Afghanistan as it was in the American Old West.

### **Importance of the Study**

Even though my thesis focuses on a single case, and in that regard is limited, similar cases are likely to occur in the future. The recent events in Syria and Libya are two examples. Foreign intervention and intrusive forms of state building (democracy building) seems to be the new order of the day for world peace and stability (Burnell, 2000: 358). Such areas are potential markets for the private security industry, and several companies are adjusting to such tasks. However, the use of private security actors has been criticized, and it has been suggested that the use of private actors affect the necessary processes to bring peace and stability to a country. Security sector reform is such a process; a process of vital importance in post conflict areas. History has shown that private security companies may influence security sector reform, as with Military Professional Resources Incorporated (MPRI; known as L3 MPRI from June 2000) in the Balkans in the 90s. My thesis may help increase the awareness to some of the potential implications of hiring private security companies. In addition, the study may act as a recommendation to commercial security providers: what should they do to optimize their performance in such regions?

### **Limitations**

Even though the research question is limited in itself, the topics and context of the question are fields of study in their own right:

- Cultural aspects and politics in Afghanistan;
- The monopoly on coercive force and legitimacy;
- The national process of security sector reform; and
- Private Security Companies (in Afghanistan)

The scope of this thesis does not allow me to cover each of these topics in detail. As such, I do expect that the reader is knowledgeable in these topics. However, for purposes of clarity and context, and to provide the reader with the necessary framework to understand the analysis and conclusion, each topic will be addressed. Readers who want a better understanding, especially in regards to Afghan culture and politics, should refer to the list of literature at the end of the thesis.



I will conclude this chapter by defining private security companies, security sector reform and the state monopoly on the legitimate use of force.

## **Defining Private Security Companies**

Today, private security is a billion dollar industry. Companies come in different flavors, offering commercial services ranging from mall security up to and including military force. They differ from state security actors, who normally enjoy monopoly on the use of military force, in two fundamental, yet related, ways: (1) their commercial orientation and (2) their capacity to offer their services to a range of different clients, including non-state actors (Caparini, Alexandra and Baker, 2009: 1).

However, private security companies do not have a clear-cut definition, and one can easily be confused. Authors use a wide variety of terms to describe more or less the same concept. Often, the terminology depends upon which connotation the author wants to imbue in the reader. Hence, there is a sharp contrast between the terminology of the media (mercenaries, soldiers of fortune, contractors, etc.) and the academic world (private military and security companies, private military companies, etc.).

In this thesis, I have defined private security companies as profit-driven organizations that trade in security and/or military services (Singer, 2001: 186; Ministry of Interior, 2008: 4). The term private security companies covers companies that offer offensive and defensive services. The activities of these companies range from logistic functions like catering, transport and camp building to military training and front line combat (Holmqvist 2005:3-6). Some readers might note that this definition is better suited for private military and security companies. I agree there is a difference between services that are related to security issues and those that are of a more military nature. Hence, using the term private security companies might be misleading. However, official Afghan documents concerning the regulation of such companies, uses the term private security companies. Considering the fact that said attempts at regulation are an important aspect of this thesis, I have decided to use the same term as these documents. As such, the reader should regard the term as used in a broad definition.

As mentioned, private security companies might offer different kinds of services. Due to this, it is usual to classify private security companies. This is done using the *Tip of the Spear* typology. Companies are classified according to three different categories based on their level of force and services rendered. The tip of the spear symbolizes the front line, where *military*

*provider companies* deliver their services. Such companies might provide soldiers that are engaged in actual fighting as specialists, or in command staff. On the other hand, *military consulting companies* normally offer training and advisors. The last type, *military support companies*, provides supplementary military services such as technical support, intelligence and logistics (Singer 2003: 91-100).

## **Security Sector Reform**

Earlier in this chapter, I offered a short and effective definition of security reform quoting Mark Sedra. However, security sector reform is too complex a concept to be thoroughly defined in just one sentence. In fact, the offered definition should invoke at least one question in the reader: what encompasses the security sector? To answer this and other relevant questions, I will use a couple of paragraphs to explain how the concept of security sector reform should be understood in regards to this thesis.

According to *A Beginner's Guide to SSR*, security sector reform

“aims to create a secure environment that is conducive to development, poverty reduction, good governance and, in particular, the growth of democratic states and institutions based on the rule of law” (GFN-SSR, 2007: 1).

As such, the intended effect of security sector reform goes beyond the immediate range of security actors. A holistic approach is needed, but in practical terms the reform process will vary according to the context. Since the reform context will differ between countries, each will provide a special case. As such, there is general agreement that there is no common model for security sector reform. However, some contexts for security sector reform have similarities, and may be defined for analytical purposes. The post-conflict reconstruction of failed states is one such context. Security sector reform in this context may be labeled security sector reconstruction (Hänggi, 2004:1). Afghanistan clearly belongs in this group.

In regards to defining what constitutes the security sector, there seems to be a convergence on a general definition, varying in scope according to the adopted perspective as shown in table 1:

**Table 1: Definitions of the Security Sector (Hänggi, 2004: 3)**

Perspectives	Definition A	Definition B	Definition C	Definition D	Focus
<b>Narrow</b>	Security forces	Groups with a mandate to wield instruments of violence	Core security actors	Organizations authorized to use force	<b>State-centric</b>
	Civilian management and oversight bodies	Institutions with a role in managing and monitoring	Security management and oversight bodies	Civil management and oversight bodies	
<b>Broader</b>		Judiciary, penal system, human rights ombudsmen	Justice and law enforcement institutions		
			Non-statutory security forces	Non-statutory security forces	<b>Human-centric</b>
				Non-statutory civil society groups	

Following the Geneva Process, the process of security sector reform in Afghanistan was divided into five pillars. Each pillar was to be overseen by a lead-donor nation:

- Military reform (US)
- Police reform (Germany)
- Counter-narcotics (UK)
- Judicial reform (Italy)
- Disarmament, demobilization and reintegration (Japan) (Sedra, 2006: 96).

This implies that security sector reform in Afghanistan fits the state-centric, but broad perspective of definition B in table 1. It may be argued that non-statutory security forces have been involved in the security sector reform process on the basis of the regulation made towards private security companies. However, as the aim of this regulation is clearly to remove such actors from play, it is clear that the Afghan government does not welcome non-statutory forces as part of the nation’s security sector.

### **The Monopoly on Coercive Force**

Weber argued that a state fulfilled its core task if it maintained exclusive rights on the legitimate use of coercive force (Weber, 1964: 154). As such, Weber regarded the monopoly

on coercive force is the defining aspect of the modern state, a view shared by Elias and Tilly. Whether one subscribes to this or not, the state monopoly on the legitimate use of coercive force remains integral to the conceptualization of the modern state in political science and international relations.

Legitimacy must have a source; someone has to grant it. In regards to the monopoly on coercive force, this means that someone has to accept that others are allowed to use physical force on their behalf. As argued by Margaret Levi “the extent to which the state has a monopoly of physical force and the extent to which the use of physical force is legitimate are variables, not elements of a definition” (Levi, 2002: 40). In a Westphalian ideal state, this is unproblematic. Jurisdictions are clear and borders are sharply drawn. However, the nation states of today have lost or transferred part of its sovereignty to other entities, be they on higher or lower levels (Wulf, 2007: 21), and actors other than those designated by the state might obtain legitimacy to the use of coercive force. Private security companies differ from state security actors, who normally enjoy monopoly on the use of military force, in two fundamental, yet related, ways: (1) their commercial orientation and (2) their capacity to offer their services to a range of different clients, including non-state actors. Naturally, this brings commercial security providers in conflict with the norms of moral theorizing and legal regulation of organized coercive force, including the state monopoly on such force, “the citizen army as the paradigmatic form for its organization”, and the illegitimacy of mercenary military forces (Caparini, Alexandra and Baker, 2009: 1). Hence, it should come as no surprise that most scholars seem to agree that the state monopoly on coercive force is profoundly changing (Singer, 2003; Avant, 2005; Krahnemann 2007; Leander, 2010b).

## **A Short Guide to the Thesis**

In the next chapter I will try and determine the current state of play in regards to the research question and the specific case of Afghanistan. This will be achieved through a review of the relevant literature, followed by the promulgation of three hypotheses. In *Methodological and operational considerations* I will present how the research was conducted, including the difficulties in conducting qualitative research in a post-conflict area, with high levels of human insecurity and ongoing counterinsurgency operations. The analysis has been broken down into four chapters. The first of these, *Through the Looking Glass: The Afghan Context* describes the context of the case, and is primarily based on secondary sources. *Going Corporate: Warlords, Militias and Private Security, Fuelling the Insecurity and Regulation of the*

*Industry* are dedicated to the proposed hypotheses. These chapters mainly rely on information obtained during interviews. In the final two chapters I offer some conclusions for this study, and suggest areas for future research.

# State of Play: Literature review and Hypotheses

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Not too many years ago, there was little research available on private security companies. Today, the situation has changed. Private security has enjoyed some popularity, or perhaps one should say infamy, in both media and academia in recent years. In regards to security sector reform and the monopoly on coercive force, those topics have been popular for quite some time. And they still seem to instill interest among researchers. Concomitant, most published works on the commercialization of security are focused on the aspects of understanding the market and sorting out accountability along with the transformation of statehood. However, most questions are still unanswered or contested (Leander, 2010b: 216).

There is no common or definite understanding of security sector reform. As stated in the introduction, one definition might only entail official institutions providing physical security, whereas other definitions might involve both private and official actors, along with the entire judicial system. And, as I have mentioned earlier, the monopoly on coercive force is more often used as a defining aspect of the modern state, rather than a dependent variable.

In this chapter I will provide a review of the relevant literature. I will cover the topics of increased privatization of security and the subsequent need for regulation and state control of this industry, including the role of private security in fragile states and their reconstruction. Given the research question, the latter is important in regards to the process of security sector reform. However, I will not go into detail in regards to the art of security sector reform. The reason for this is simple. While the actual application of security sector reform is complex and difficult, the general idea is simple. It is all about building the necessary institutions, while adhering to the context of the recipient country. In the end of the chapter, I will present the three hypotheses promulgated as core for the analysis.

## **The Rise of Private Security Companies**

While the idea of selling military services is hardly new, the last decades has seen a tremendous increase in the commercialization of security. The US use of contractors in Iraq and Afghanistan might provide the most striking examples (Schwartz, 2011). Most commentators agree that the rise was brought forth by a number of factors, the most important

being the end of the Cold War (Singer, 2003; Avant, 2005; Leander, 2010a: 202; 2010b: 209).

This phenomenon can be analyzed in a number of ways, including:

- The end of the Cold War
- A shift towards new public management and outsourcing
- The dehumanization of war
- The Somalia Syndrome

After the Cold War, before 9/11 put international terrorism on the world agenda, the world saw a period of reduction in military expenditure and defense manpower. In the US, it was argued that there was no clear and present danger from other countries. Servicemen and women, who had made their careers in the military, found themselves unemployed (Schreier and Caparini, 2005: 4). Pushed to provide for themselves, this created a market (Leander, 2010a: 202). The end of apartheid in South Africa had much of the same effect in regards to Africa (Gumedze, 2007: 5-7). Revolutions in military affairs brought forward high-tech weaponry and systems requiring special expertise. Such expertise often had to be hired from the private sector (Singer 2001:195).

Concomitant, the end of superpowers supporting client states, meant that the realities of poor governance, corruption, ethnic tensions, weak security *inter alia* came to the fore (Singer, 2003: 49). State instability increased concurrent to a demand for security expertise (Howe, 1998:1). This might be linked towards the shift towards new public management in Western democracies during the early eighties. The crucial point of new public management is the efficiency of markets as the mechanism for allocating resources. Outsourcing tasks to a free market will create better and more cost-efficient solutions. Security was no exception. In the US, the Department of Defense, during the Clinton administration, started looking for cheaper alternatives in the private sector (Maddow, 2012: 161; Krahmman, 2007: 99; Scahill, 2008: 44-45).

Since then, new and increasing security demands have emerged, partially due to the war on terror. Instead of reforming and expanding national armies and police forces, many countries have relied on private contractors for support instead (Krahmann, 2007: 111). The resources required to pursue operations in post-conflict areas are tremendous. From a military perspective, fighting insurgents employing guerilla tactics require a lot of manpower. The action is bound to be asymmetric. While Western forces are likely to enjoy air control, superior technology *inter alia*, the insurgents have the advantage of terrain, they can hide

amongst the civilian population until taking part in offensive engagements, and they often enjoy the support of the local population. Their center of gravity is an ideology, something that cannot be attacked directly by the means of coercive force. In such cases, private security companies may serve as a force multiplier by keeping uniformed units engaged on the front lines (Schwartz, 2011: 5). According to Schreier and Caparini, this is also an effect of budget restraints that have led Western forces to focus on redefining and maintaining core competencies (2005: 4). Contractors may have special skills related to the operating theatre in regards to languages, terrain and culture. Employing contractors only as needed is probably cheaper than maintaining these capabilities in-house long term (Schwartz, 2011: 5). As a result of downsizing and focus on core activities, armed forces have increasingly become professionalized. This is interesting to note, as this also has affected the degree of professionalization within the private security industry. Private security is a commodity limited to those who are willing to pay. In return they can expect professionalism and quality of service. As a result, the private security industry has become a lucrative career venue for former soldiers and police officers (Gumedze, 2007: 7).

The increasing degree of interventions, democracy assistance, and development assistance has also lead to a market for security among aid workers. Humanitarian crisis situations rarely occur in safe environments. Since aid workers loathe the assistance of military forces, this creates a need for private security companies to protect the aid workers and their property (Gumedze, 2007: 10). Both governmental and non-governmental aid agencies, including UNHCR and the World Food Programme, have employed the services of private security companies in conflict areas (Schreier and Caparini: 2005: 5; Holmquist, 2005: 19). The fact that UN organizations employ private security services implicitly lends legitimacy to the providing companies.

The development may also be analyzed on a philosophical level. Whereas the ancient Greeks offered their "warriors the realization of their own humanity" (Coker, 2002: 58), soldiers of our age no longer die for their beliefs. They might give their lives for their fellow comrades, but not for the interests of their nation (Wong, Kolditz, Millen and Potter, 2003; Shils and Janowitz, 1948). Furthermore, while soldiers might have strong ties to the military (Moskos and Wood, 1988), it can be interpreted from Coker's analysis that the soldier is not viewed as directly connected to national identity. Modern warfare is "determined almost entirely by what it takes to kill members of the opposing side" (2002: 59). This correlates with Huntington's idea of objective control. The members of the armed forces are specialists in the



application of violence directed by the government (Huntington, 1957). When warfare is no longer viewed as a personal way of asserting the national identity, it does not have to be totally integrated in the national military. The government can loosen its control. When war is considered as an expense like any other, it may be outsourced.

The Somalia Syndrome (Dawoud, 2004) explains another incentive for using private security actors, especially in regards to the US. During Desert Storm in 1991, US forces led a military campaign in Iraq where own losses were less than two hundred American soldiers were killed in action (Maddow, 2012: 169). When the US forces entered Somalia as part of UNITAF during Operation Restore Hope in 1992, the US public expected much of the same. Naturally, the US public was shocked when 18 US soldiers lost their lives during an attempt to catch a Somali warlord on 3 October 1993. Among the fallen were two operators from 1<sup>st</sup> Special Forces Operational Detachment Delta, one of the US tier one counter-terrorism units. The news of the humiliating defeat spread around the world, and pictures of mutilated soldiers being dragged through the streets of Mogadishu left a strong impression on the US public (Bowden 1999). The failed operation put heavy pressure on President Clinton. Following heated statements by members of the Congress, Clinton decided to withdraw all US forces, leaving Somalia in a state of anarchy. The story illustrates one of the great challenges confronted by the US when it decides to engage in armed conflict. Military actions leading to the loss of US lives can make political leaders unpopular. Representative government encourages a reversal of disastrous policies because citizens can punish parties in power with defeat in the next election (Doyle 1997: 280). Paradoxical as it may sound, the US government therefore hesitates to engage in conflicts where there is a risk US lives will be lost. This might have been the reason why the US did not intervene to prevent the genocide in Rwanda in 1994 (Mamdani, 2001: 213). Conversely, during Operation Urgent Fury in Grenada, 1983, 19 US soldiers lost their lives. 17 of these casualties can be attributed to accidents or friendly fire. In addition, 320 Americans were wounded. The invasion was deplored by the United Nations; the vote in the Security Council went 11-1, with the US exercising its veto power. Yet, the invasion received an approval rating of 90 percent (Maddow, 2012: 89-93).

Naturally, this is problematic when the US faces a problem where the application of military force is deemed necessary for a solution. Deploying the national armed forces may lead to unpopular losses and cost the government its power. Lack of action may be equally unpopular, at least in the eyes of the world, as was the case with Rwanda. This dilemma acts

as an incentive for the government to find means of using force without losing political support. This is where military provider companies may offer a solution. In addition to military expertise, commercial actors may provide the government with cover to conceal unpopular losses and controversial operations (Tepperman, 2002). The US employment of MPRI to mentor and advise the Croatian army during Operation Storm in 1995, which ethnically cleansed and reclaimed Krajina, is an example of this. Employing US troops would, to put it mildly, been politically problematic. There are several other instances of the US using private entities as foreign policy tools. Another example, though involving military support companies, is the private entities used in the funneling of weapons and funds during the Iran-Contra affair. This was an instance of outsourcing that was not only cost effective, but profitable, and ultimately illegal (Maddow, 2012: 106-112).

### **Changing Patterns of Security Governance**

A normal objection to the commercialization of security is that it undermines the state's monopoly on the use of coercive force (Leander, 2010b: 211). By its very nature, private security will change who controls force and through which processes (Avant, 2009: 106). This is problematic, due to the axiom, attributed to Weber, that the definition of a state is a human community that successfully claims the monopoly of the legitimate use of coercive force within a given territory (Weber, 1964: 154). However private security is not incompatible with the Weberian monopoly on violence if one considers cases where the state actively delegates authority, and thus retains some level of control over the use of force (Gumedze, 2007: 3). In such instances, privatization is a delegation of public services to non-state organization, not a total renunciation of state functions or the control thereof (Wulf, 2009: 195). A study for the US Department of Justice argued that worldwide there is an increasing separation between those who authorize policing from those that deliver it. Both functions are moving away from governments and "many nongovernmental [sic] providers now perform the same tasks as the public police" (Bayley & Shearing, 2001: vii). Indeed there is an acceptance that changing views of sovereignty have contributed to the willingness of certain states, mainly Western or European, but also in southern Africa, to privatize policing functions (Shearing, 2004).

Whatever the factors may be, the growth of private security companies seems unstoppable global phenomenon. This might affect the public provision of security:

“The global reach of private security companies requires the prior commodification of security, and the existence of a global market reflects the extent to which security has become delinked from public and political visions and rendered instead a commodity or ‘service like any other’ that can be traded in a global market place.” (Abrahamsen and Williams, 2010).

Research seems to suggest such a trend. In 1996, Bayley and Shearing stated that there were three times as many private police as public police in the US, and twice as many private security agents as public police officers in the UK (Gumedze, 2007: 1). More recently it has been estimated that the ratio of private security guards to police is 3:1 in developed countries, and possibly as high as 10:1 in developing countries (Abrahamsen and Williams, 2006: 2).

The increased commercialization of security may also lead to changes in how security is understood in regards to both speech and practice type securitization. Leander maintains that relevant questions largely remain unanswered, but indicate that changes are occurring (Leander, 2010b: 213). Commercialization may have tilted the balance in the security discourse towards cost-effectiveness and feasibility rather than national interests. Likewise, it may increase the pressure on both private and public security professionals “to sell their message about insecurity and appropriate responses” (Leander, 2010b: 213).

Along with this trend, a demand for greater regulation has risen.

## **Reining in the Dogs of War: Regulating Private Security Companies**

“If a prince holds on to his state by means of mercenary armies, he will never be stable or secure. Mercenaries are disunited, ambitious, undisciplined and disloyal. They are brave with their friends; with their enemies, they are cowards. They have no fear of God, and they keep no faith with men. Their ruin is deferred only as long as an attack is deferred. In peacetime you are plundered by them, in war by your enemies. The reason for this is that they have no other love nor other motive to keep them in the field than a meager salary, which is not enough to make them want to die for you” (Machiavelli and Bondanella, 2005: 43).

While Machiavelli wrote about mercenaries, the quote shows an early recognition on the need to control private security forces, and the inherent dangers of their application. However, theories on control vary. Huntington (1957) argued that the key issue was the functionality of

those employing force on behalf of the state and whether they did so effectively. Others argued that those who apply violence on behalf of the state should do so within a political and societal framework, such as force only being allowed under democratic guidance without giving advantage to one particular grouping – thus, for example, removing the possibility of a *coup d'état* (Finer, 1962). Janowitz (1960) argued that the state should only employ minimum force and respect international laws of war. Moreover the transnational and global reach of private security makes this a key issue because societal norms and expectations vary from country to country and what may be acceptable in one area is intolerable elsewhere. This makes the question of regulation more difficult. Some states seek to regulate the activities of both their citizens and companies abroad. The South African legislation preventing its citizens taking part in unauthorized military ventures and the *US Foreign Corrupt Practices Act* are two examples. Others seem to push the services of their private security industry. For example, in March 2011 security contractors made up 21% of all DOD contractors, and were equal to 1 % of the total US troop presence (Schwartz, 2011). Thus a regulating state may wish to apply different standards to its companies domestically and abroad. The real clash comes, as in Iraq and Afghanistan, when the regulating host state is at normative or philosophical odds on the subject of private security with the sending state.

Demands for the regulation of the industry began in earnest during the late 90s. At the time, there was a tremendous growth in commercialized security across Africa. Several companies became interlinked, and a few companies almost synonymous, with issues of regime stability and control of lucrative resources. Shearer (1998) predicted a continual increase in private security, and that domestic and international legislation alone would be insufficient to control the industry. He argued for a welcoming approach, which would bring these companies into the open, rather than pillorying them as mercenary organizations. Others called for tougher legislation on the grounds that these new private security and military companies were nothing more than a new iteration of the old mercenary organizations that had caused problems in post-colonial Africa during the 60s and 70s. Those activities which led to the 1977 *Organization for African Unity Convention for the Prohibition of the Mercenary Activities in Africa* – the first attempt to regulate private military actors in Africa (Schreier & Caparini, 2005: 147). However African states have been slow to apply a consistent set of regulatory measures to private security in Africa, perhaps because some of the African leaders rely on private security to safeguard their own personal or party commercial interests (Gumedze, 2007).

Europeans have been even slower to react, although the rapid increase of private security companies in the Balkans led to the *Sarajevo Process*, aimed to draw up a guide for donors to try and ensure responsible contracting with legitimate companies, and a Code of Conduct for the companies themselves (SEESAC, 2006). Simultaneously, the Swiss government led an initiative to develop an international standard for private security companies and their use. The principles were stated in the Montreux document, which also includes clearly defined standards for host countries, outside powers and corporations. While the Montreux document is not a legally binding document, and needs to be followed up with domestic legislation, several countries have ratified the document (Cordsman, 2010: 1). In addition, the International Code of Conduct for Private Security Companies was developed on the basis of the Montreux document. As of April 2012, the code had 357 signatory companies from 55 different countries (ICoC PSP, 2012). The UK produced a 'Green Paper' putting forward ideas for regulation in 2002 but has failed to follow that up with any legislation.

In total, the current state of regulation is generally under-developed and contentious across different nations, leading to gaps which the transnational private security companies in particular can exploit.

## **Private Security and Good Governance**

Whilst the literature generally agrees that the growth of private security is unstoppable and that there is a need for regulation, opinions differ as to whether private security can play a positive role. Doug Brooks from the International Peace Operations Association (an advocacy organization for private security companies), has written extensively arguing on behalf of the industry, referring to private contractors as both "messiahs" and "welcome pariahs". He has contrasted the willingness and speed of response of the commercial sector as opposed to the bureaucracy of the UN and individual countries in regards to peacekeeping operations, peace enforcement and humanitarian rescue. He has also argued that the bias against legitimate providers will cause less desirable armed groups to flourish (Brooks, 2000; Brooks, 2002). In a similar vein, in 2006 Blackwater offered to send a brigade-sized force to Darfur, or similar conflict zones where the international community were unwilling, "in a third of the time and 60 % cheaper" (Scahill, 2008: 414-424).

The literature concentrates, as does this thesis in the case of Afghanistan, on fragile, weak or failed states where the rule of law and governance in general is poor. Thus state control is less

rigorous and questionable activities by private security can flourish. Indeed it was initially from the cases of the collapsed states of Africa in the 1990s the industry acquired its poor reputation for being more interested in profit or plunder than peace; indeed continued insecurity provided continued employment to private security so in some cases they had little incentive to solve underlying problems (Lock, 1999). Moreover they were often linked to other multinational companies whose prime concern was the extraction of resources and for whom the security aspect could involve regime change or control of a specific territorial area in which the resources were based (Douglas, 1999: 196-197; Cilliers, 1999: 5-6). While the critics are numerous, the position is not straightforward. Executive Outcomes, perhaps the prototypical firm in the industry, used applied violence actively when delivering on their contracts (Spearin, 2008: 366). However, they also went to extraordinarily lengths to improve living conditions in local villages in Angola, where their operations also pushed the UNITA rebels to sign a peace accord. It is also likely that the company was instrumental in forcing RUF to the negotiation table in Sierra Leone. Sandline, a British company, succeeded in assisting the restoration of a legitimate government in Sierra Leone. However, the circumstances of alleged breaking of a UN arms embargo and whether the UK Government knew of it, obscured what could have been seen as a positive outcome. Furthermore, it has been argued that private security companies have sensed the market's boundaries; they are loath to use violence proactively and embrace the defensive. They leave the offense to state security actors (Spearin, 2008: 366).

The US Government has been more eager to utilize the services of commercial actors, even employing DynCorp to provide the US contribution train UN police forces in the Balkans. Kathryn Bolkovac, a DynCorp employee serving in the Balkans, blew the whistle on her fellow employees for sexual misconduct and human trafficking. Bolkovac was fired, but the British tribunal that looked into the case, stated that her dismissal was wrongful (O'Meara, 2002; Tepperman, 2002). Indeed, former DynCorp employees have stated that the company has tried to defraud the US government on several occasions (Tepperman, 2002). Despite this, DynCorp were still awarded contracts to both guard President Karzai and train the Afghan police in 2002. This led to accusations that the US Government to conduct foreign policy in secret, and with plausible deniability, by using unaccountable private security companies as proxies; proxies that are immune to criminal sanctions, difficult to monitor, and hard to control. Furthermore, critics stated that outsourcing security in the Balkans had not decreased spending as expected, nor did anyone in the government know how many contractors were

employed (Tepperman, 2002). The US Government has nonetheless persisted with increased use of commercial security providers to carry out a variety of tasks in Iraq and Afghanistan.

Others blame private security companies for blurring the distinction between non-profit organizations working for humanitarian purposes and corporations working for pecuniary gains. The conflicts in Afghanistan and Iraq in particular have encouraged the growth of for-profit actors in the humanitarian-reconstruction business that rely on private security companies, as well as a number of security companies diversifying to include humanitarian aid delivery, reconstruction and logistics to secure market opportunities. This is also problematic on another level, as exemplified by the *Baghdad Bubble* where 10-36 % of the costs directed towards security, governance and reconstruction projects went to the provision of security (Spearin, 2008: 364-369). In Afghanistan it was expected that up to 15 % of the costs for building military bases and training centers for the Afghan military and police would go to private security companies (Perito, 2009: 1). Thus the blurring of the lines is not entirely the fault of the companies, but also of the contracting parties. However, as noted earlier, in a number of conflicts it is humanitarian non-governmental organizations themselves that have employed private security, sometimes at the insistence of donor governments or just because it is a choice between that and leaving.

As indicated earlier, an important allegation against private security is that it actually usually worsens the security situation within fragile states. Private security firms are sometimes merely the cover for warlords and criminals to maintain private armies; they become adversarial to state-run organs in security provision and therefore have the potential to be a threat rather than a benefit (Schneckener, 2007: 15; Gumedze, 2007: 2-3); or they have links to government officials that cause potential conflicts of interest (Richards & Smith, 2007: 8); costs of security detract from money being spent on humanitarian aid and reconstruction (USAID, 2010: 20-21); higher salaries tempt people away from service in the regular armed forces of both the host nation and assisting nations, weakening state capacities (Schmeidl, 2007: 15; Spearin, 2008: 376); they lack public ethics and therefore are an obstacle to, or actively oppose the promotion of human rights, human security, and accountability to civil society (del Prado, 2008); security moves from becoming a public good to being a commodity only for those that can afford to pay (Gumedze, 2007; Schmeidl, 2007: 26.); private security can also contribute to the illegal drug trade (Schmeidl, 2007: 15). All of these concerns are what feed into the calls for the stricter regulation previously discussed.

## **The Case of Private Security and Security Sector Reform**

As stated in the introduction, one may view the scope of the security sector in a number of ways. In some countries, non-statutory forces may be non-existent. In others, existing legislation may be adequate to regulate the activities of commercial security vendors, rendering the need to involve the private sector in the reform process unnecessary. However, recent history alone should be sufficient to prove that post-conflict countries and failing states are veritable cornucopias for private security companies. Demand is high, regulation is absent, and the government is unable to exert control.

Available literature on the interface between private security and security sector reform is limited. Most studies seem focused on questions of transparency, accountability and control; and the efficiency and effectiveness of private security companies as opposed to uniformed personnel (Krahmann, 2007: 103; Perito, 2009: 3-6). Private security companies will have multiple principals: the donor state, the recipient state and their corporate leadership. As an example, private companies want to maximize profit, hence reducing costs (Gumedze, 2007: 8). This may come in conflict with the goals of the donor and the needs of the recipient. In addition, the administrative and normative structures for security sector reform suggest the use of uniformed personnel, not private contractors (Krahmann, 2007: 103). The employment of non-uniformed personnel may send mixed signals. Will the contractors be seen as legitimate representatives from the donor country (Schmeidl, 2007)? Does the donor consider the task as too lowly for their soldiers? It is also been suggested that private security contractors might not be the donor nation's best ambassadors. The Blackwater Baghdad shootings in Nisour Square and allegations of DynCorp contractors involved in rape, trafficking and prostitution testify to this (Maddow, 2012: 166). While such matters are important, they affect donor countries more than the recipients. These studies often focus on transnational security companies actually contributing to the security sector reform process, such as DynCorp (Afghan National Police and the Presidential Protection Service), L3 MPRI (Afghan Ministry of Interior) and US Training Center (Afghan Border Police) (DODIG and OIG, 2011: 4).

Other studies are focused on local companies. In a sense, the situation in post-conflict areas may be compared to the situation in the West following the Cold War. Following the fighting, there is a large influx of young men skilled in soldiering and little else into the job market (Lock, 1999: 31-32). The degree of human security prevalent in such contexts suggests a market for security services (Gumedze, 2007: 5). Local initiatives within the private security



market are likely to appear. This will be counterproductive in regards to processes for demobilization, disarmament and reintegration (DDR), especially in regards to weapons proliferation, and the disbandment of illegal armed groups (DIAG) (Schreier and Caparini, 2005: 5; Schmeidl, 2007: 34). Private security companies may act as cover facilities for private militias, criminal groups and insurgents (Lock, 1999: 27). This is crucial as the impact of private security companies on state building may affect the political processes and social norms through which force is allocated; capable security instruments can undermine state building if they enable the use of force for individual or sub-group gains (Avant, 2009: 105-106). The essence of this was so beautifully captured by a US civilian official quoted in military analysis of the situation in Kandahar in 2010: “What used to be called warlord militias are now Private Security Companies” (SASC, 2010: i). These may act as spoilers for state building efforts, such as security sector reform (Schneckener, 2007: 9-15; Schmeidl, 2007: 36-37; SASC, 2010). Accompanying this is the risk of violence regulating economic transactions; security is a precondition for successful transactions, and the search for security becomes a major occupation. This may take on the form of a rapidly escalating internal arms race, creating a context where society is a short step away from armed conflict (Lock, 1999: 20).

While very few accusations have been made at private security companies involved in security sector reform (Krahmann, 2007: 105), most commentators seem to agree that the private security industry should be regulated as part of the reform process (Krahmann, 2007: 107-111; Holmquist, 2005; Schreier and Caparini, 2005: 117; Abrahamsen and Williams, 2006: 17-20). According to Richards and Smith, failure to address the problems of the private security sector:

“has [in some cases] had obvious detrimental effects to human security and governance. A good example of this is Bulgaria where the move away from Communism in 1990 allowed for a rapid privatisation [sic] of security which until 1998 saw the industry dominated by organised [sic] criminal groups. This occurred in tandem with programmes [sic] of military and police reform which were undertaken without due recognition of their potential effects, both positive and negative, on the privatisation [sic] of security” (Richards and Smith, 2007: 5).

## **Hypotheses**

This thesis aims to explore how private security affects security sector reform, particularly the state monopoly on the legitimate use of force, in the specific case of Afghanistan. Based on the foregoing review of literature, I have established three hypotheses:

### **Local private security personnel are linked or synonymous with armed groups that may challenge the Afghan government.**

As of March 2012 there were reputedly 40,000 armed private security contractors working in Afghanistan. Many of these are associated, or even synonymous, with armed groups outside the control of the Afghan government (SASC, 2010: ix; Schmeidl, 2008: 30). Several Afghan private security companies are controlled or influenced by powerbrokers (Forsberg and Kagan, 2010: 1; Sherman and DiDomenico, 2009: 1). Such private security companies are little more than corporate versions of the warlords' old forces. This is problematic. In pre-modern Afghanistan, whoever gained power and could hold on to it while providing security and fending off rivals, was deemed as legitimate (Barfield, 2010). Times may have changed, but the same still holds true, especially in rural areas. In addition, Afghan society is characterized by patronage networks. Warlords and powerbrokers wield both power and influence through these networks. In return, they are expected to provide protection for their clients.

Arguing the case of regulation, Herbert Wulf has stated that:

“There is a real danger that the state instruments of force may fall into the hands of non-state actors such as criminal gangs, insurgents, militias and rebels, or they will be handed over to privately operating companies. Efficient rules are urgently required to uphold the public monopoly of violence, especially in weak states” (Wulf, 2009: 199).

I expect that warlords and powerbrokers in control of private security companies might challenge the legitimacy of the government in their spheres of influence. If nothing else, their companies grant them a high degree of readiness to engage in another civil war.

### **The use of private security companies may cause people to view public security as inadequate, in turn affecting their view of the government as a security provider.**

In a study conducted by Swisspeace, respondents wondered whether private security companies, through their presence, fuel the insecurity they feed upon, keeping those in funds

willing to pay for armed guards (Schmeidl, 2007: 27). On a similar vein, Lock has stated that a boom in the private security has a self-promoting effect:

“The visibility of activities nourishes perceived insecurity, no matter what the real crime situation [sic], which feeds back into the growth of the sector [...] The new order translates economic inequality into the social inequality of security” (Lock, 1999: 26).

This is a variant of the problem of induction. How people perceive the security situation depends on knowledge and understanding. Popper argues that knowledge is advanced through modification of earlier knowledge; it cannot start from nothing (Popper, 2002). Furthermore, according to Gadamer, understanding is equally concerned with what is common, by comparison, and what is unique, by intuition (Gadamer, 2004). Historically, the presence of armed personnel in Afghanistan has indicated a volatile security situation. Hence, when there are a lot of armed contractors around, the security situation is likely to be perceived as bad, perhaps worse than it really is. While some argue that private security actors only respond to an existing demand. However, it has also been suggested that private security companies change security understandings through their activities: “they promote security products, heighten awareness of insecurity and hence alter security perceptions” (Leander, 2010a: 205; Leander, 2010b: 212).

While public security is available in Afghanistan today, the Afghan National Army (ANA) has reached its goal of 195.000 troops and the Afghan National Police (ANP) are close to their goal of 157.000 (Radin, 2012), the use of private providers is widespread. Hence, security is a commodity, and can be purchased in the regular economy (private security companies), in the grey area (bribing state agents), the informal sector (militianisation), or even in the criminal sector (from a racketeer). The state monopoly on use of coercive force erodes (Lock, 1999: 20-26). Furthermore, though the needs of those employing private companies may differ from those of the public in general, I expect that this may lead the public to believe the state as incapable of providing adequate public security. This affects legitimacy by itself, but it may also be interpreted as weakness of the state, also affecting legitimacy.

**Private security companies are de facto security providers in Afghanistan. Success, or failure, in regulating the private security companies will affect the legitimacy of the Afghan government and the private security companies themselves.**

Private security companies operating in Afghanistan are, whether the Afghan government likes it or not, *de facto* security providers. Private security companies are profit driven, and they cater to a demand. This should come as no surprise, as private security companies operate in developed countries as well, albeit mostly unarmed and properly regulated. It is unlikely that the market for private security companies in Afghanistan will cease to exist. To retain the monopoly on violence, the government of Afghanistan needs to regulate the private security industry as part of the SSR (Abrahamsen and Williams, 2006; Sherman and DiDomenico, 2009: 10). The Afghan government has made several attempts at regulation earlier, with varying degrees of success. The latest initiative intends to dissolve local private security companies and integrate their employees into the Afghanistan Public Protection Force (Mohammadi and Ghani, 2011). The intent is to strengthen the state monopoly over the armed forces (Lefèvre, 2010: 13). However, at this time the process is still in a bridging phase, and the outcome is uncertain. I expect that the success or failure of the Afghan government in implementing the regulation will influence legitimacy. In addition, failure to regulate private security companies may make them seem as a law unto themselves, thus affecting their legitimacy.

# Methodological and operational considerations

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In this thesis, I have documented and analyzed how the use of private security companies affects the security sector reform in Afghanistan. This is a contemporary phenomenon, studied in its real-life context. As a researcher, I have no control over the related events. Because of this, I have conducted my research as a case study, based on Yin's arguments. According to Yin, the case study is preferred to other research methods, when answering "how" questions about contemporary phenomena (Yin, 2008: location 313).

Initially, I considered doing a multiple-case study; however, I did not find other cases where the context was similar enough to offer a proper comparison. As such, Afghanistan is a unique case. As argued by Yin, this represents a rationale for doing a single case study. With regard to the research question, one might also state that Afghanistan is a revelatory case. The situation I have studied is contemporary and thus previously unavailable for social inquiry (Yin, 2008: location 1204-1226). With this in mind, I considered a single case study as best suited.

The research question in my thesis is suggestive of descriptive research. However, during the project design phase, I conducted several informal talks with members of Afghan civil society, and researchers working in Afghanistan. One conclusion from these talks was that information on the Afghan private security market is scarce. Furthermore, as indicated by the preceding chapter, there has been limited research on the intersection of private security and security sector reform in Afghanistan. Due to this, my thesis is mainly exploratory in nature.

Afghans have little culture for form filling, and people are none too literate. Readily available data, statistics in particular, are lacking. Combined with the security situation, this made quantitative methods unsuitable for my thesis. Hence, I chose to gather information through a series of qualitative semi structured interviews. The answer to the research question is based on perception rather than variables. As such, I also consider a qualitative approach more suitable than a quantitative one. This approach has enabled me to choose informants that have both knowledge and interest in the research question, resulting in more informed answers.

## **Strategy for informant selection**

The Afghan population may be viewed as the primary stakeholders in the national process of security sector reform. As such, the research question for this thesis is relevant for most Afghans. On the other hand, the majority of the Afghan population has little knowledge of security sector reform, private security companies or theories on the monopoly on coercive force. However, a defining aspect of Afghan society is the *qawm*, perhaps best described as patronage networks (Durkin, 2009: 9-10). Due to this, the distance between peasants in rural Afghanistan and key players in Kabul is often quite short. As such, interviewing opinion leaders in Kabul might provide an insight in the views of the Afghan population. Due to this, and the prevalent security situation, I decided to collect data through interviews with opinion leaders and stakeholders in the process of security sector reform and private security companies. This is difficult in Afghanistan. People's loyalties are first and foremost to their *qawm*. Professional considerations are normally secondary. Furthermore, these stakeholders are busy people; representatives of the international community conduct meetings with them all the time. This, coupled with the difficulty of obtaining contact information, made it necessary to rely on introductions, i.e. convenience sampling. Due to this, I have contacted various people with experience from Afghanistan and people I know from previous work in Afghanistan. In turn, these have provided introductions to relevant informants. To negate the downsides of this approach, e.g. informants belonging to the same network of people, I used a variation on snowballing. In those instances where I considered potential informants to be too closely affiliated, I asked them whether they could identify other people I should interview. I specified that I wanted them to direct me to people who were outside their own circles. This did involve quite a bit of work, as I had to get in touch with the people they identified. This was achieved through a so-called fixer, a local specializing in setting up meetings. However, quite a few lead-ins proved to be dead ends. At any rate, the final result was a group of 30 identified as potential informants. Considering the challenges I had, I consider this a rather decent result.

## **Interviews**

From the group of potential informants, I conducted 21 interviews. For the 15 informants presumed to be stakeholders in security sector reform and / or the private security industry, I conducted semi structured interviews, based on an interview guide. The interviews with the six expatriates and researchers were conducted as informal talks, rather than semi structured

interviews. The main reason for this is that their common denominator, in regards to this study, is that they have specific knowledge related to the study. As such, these interviews were focused towards their areas of expertise, rather than a wider array of topics. Finally, there were nine informants that I was unable to interview, mainly due to the security situation. Security issues also caused a few interviews to be conducted through a combination of telephone calls and e-mails.

**Table 2 – Breakdown of informants**

	Politicians		Civil society	Governmental institutions		Private security	Expatriates	Academia	Totals
	Regime	Opposition		Administration	Afghan National Security Forces				
<b>Relevant</b>	3	1	2	2	1	1	0	1	11
<b>Irrelevant</b>	0	2	2	0	0	0	0	0	4
<b>Informal talks</b>	0	0	0	0	0	0	2	4	6
<b>Not conducted</b>	3	2	1	0	0	1	2	0	9

**Relevant:** The informants provided seemingly reliable information relevant to the study.

**Irrelevant:** The informants stated that he could not offer informed opinions and answers to issues related to the research question. As such, the informants themselves felt that their answers would negatively affect the outcome of the thesis.

**Informal talks:** Based on specific topics directly related to the hypotheses, and the informants’ areas of knowledge, instead of the interview guide.

This might seem a low number, but in regards to the situation in Kabul during my three weeks there in November 2011, I am quite satisfied. The stay coincided with the religious celebration of *Eid al-Adha*, and the grand assembly (*Loya Jirga*) on a strategic partnership with the United States. The threat level was judged as extreme for five days, there was a lock down for another four. Several significant incidents occurred in the city, including two rocket attacks and a few suicide attacks. These issues were also the main reasons for interviews being cancelled. Among the cancelled interviews, two of the informants have professional duties relating to the research question, whereas one is a major stakeholder in the process of regulating private security. However, I do not feel that these cancellations have been detrimental to the study. Other informants that were interviewed cover the same areas. Neither

is there any discernible pattern to the cancelled interviews. As such, it is doubtful that informants have cancelled the interviews due to conflicting interests. However, the sample is small, and it is difficult to state that unequivocally.

As shown in table 2, there are six informants that might be regarded as in line with the sitting regime (elected and appointed politicians and officials from governmental institutions), whereas seven informants belong to the opposition and civil society. This might be perceived as an imbalance, since four of the informants in the opposition and civil society categories did not offer opinions relevant to the research question. This is not the case. I have used the regime label to group informants that are elected or appointed, i.e. those that are in formal position of power. Such individuals might have their own bases of power, e.g. former warlords, or they act as agents for others that do. Those informants I have labeled as belonging to the opposition are politicians that are neither elected nor appointed, and with no discernible power base. In Afghanistan, this is a difficult position, as the likelihood of being elected or appointed to a formal position without foundation in a power base is nigh on impossible. The Afghan people might support their ideas, but generally speaking they vote according to the best interests of the social structures and patronage networks they belong to. However, it is interesting to note that all of the interviews that were irrelevant to the research questions were held with informants belonging to the opposition or civil society categories. The informants stated that they could not offer informed opinions on the matter. This was reflected in the interviews; they were focused on ideology, electoral reform and human rights. In regards to their views on security, they were primarily concerned with the Afghan Peace and Reintegration Program (APRP), i.e. the negotiations with the Taliban, and the planned withdrawal of NATO forces.

One might argue that I have not studied the private security companies themselves in great depth. I only managed to conduct one interview with a top level manager from a private security company actually working in Afghanistan. Most contractors in Afghanistan are low level employees, guards and their like, and not too eager to talk to students or journalists or other people with an inquisitive disposition. However, I have observed private security companies in action during my tours in Afghanistan from 2007 until today. Finally, what the managers and employees of the companies think, is not that all that relevant to the question at hand. At the end of the day, it is the Afghan people that are the main stakeholders in the security sector reform; it is their perception that counts. I also consider that the sample of



informants for my study has the necessary breadth to cover key sectors and position relevant to the research question.

### **Semi-structured interviews and the interview guide**

Based on my previous experience from Afghanistan, I knew that structured interviews would be difficult. Conversation is an important part of Afghan culture; it is difficult to pose a question without having a discussion. In addition, the thesis is exploratory in nature. Although I had defined three hypotheses, my experience from Afghanistan suggested that other conjectures might come to light during the interviews.

At the same time, I knew there was great chance that I would be unable to conduct all interviews in person. This, along with a need to focus the interviews and ensuring collecting data related to all identified units of analysis, necessitated an interview guide (appendix A). As such, I identified the semi-structured interview as ideal for my purposes.

The interview guide was formulated to best cater my needs. Although the topics and questions followed a logical order in its presentation, they could be presented in different ways depending on the informant. Most questions were open-ended, and the informants were given a chance to offer their reflections on central topics.

### **Source criticism**

When dealing with people as sources of data, there is always a possibility of subjective answers and bias. In Afghanistan, this holds especially true. Everyone, from peasant to politician, has an agenda. As mentioned, most belong to one or more patronage networks. As such, they are obliged to promote the interests of these networks. This is difficult to negate. However, in an interview one has the benefit of asking follow up questions on certain topics. By introducing different perspectives on the same question, it is possible to paint a clearer picture, e.g. making the data more representative. I have tried to achieve this, both in the structuring of the interview guide, but also during the interviews themselves. I have also tried to get sources that are unlikely to belong to the same patronage networks, due to ethnicity, clan and similar factors.

Interviewing Afghans might be difficult at times. Afghans are eager to discuss most issues, and they oft times they are not too concerned with details. They can be quite categorical when answering questions. Opinions might be presented as facts, but not with deception in mind. It is part of the local rhetoric. Normally, the level of detail is good, except for dates, times and

numbers. This is something the interviewer has to be aware of, especially when using an interpreter. Follow-up questions have to be asked to clarify details. If this is done correctly, Afghans are good data sources. They come from a culture with a strong oral tradition, and are often able to give good accounts of specific events. The fact that four of the informants regarded their opinions in regards to the research question as irrelevant, due to lacking knowledge, goes to show that they wish to provide accurate accounts. This correlates with my previous experience in Afghanistan.

### **Personal observations and previous interviews**

From 2007 until today, I have spent 14 months in Afghanistan. During these stays, I have conducted close to 300 interviews and / or informal talks with members of the Afghan society. Although not related to my research, the security situation has been discussed in most instances. In addition, I have seen changes in Afghan society over a period of four years. Due to this, I have decent knowledge of Afghan society, and good knowledge about the security situation, including security sector reform and private security companies. Even though I have not incorporated my own observations and previous interviews in the data set, I have used my experience when framing the thesis and analyzing the data.

### **Secondary sources**

To supplement the information from interviews and personal observation, I have obtained information from a number of secondary sources. I have mainly relied on academic research and official publications, but some data was only available from news media. While journalists in Afghanistan often offer valuable information, they have limited possibilities for serious source criticism. The information has been judged accordingly. Furthermore, I have avoided using material from media sources owned by influential Afghans, as these are notoriously biased.

### **Data collection in a conflict area**

Afghanistan is a country ravaged by war. Even as the international community discusses the withdrawal of troops in 2014, both NATO and Afghan National Security Forces combat insurgents in the countryside. In Kabul, insurgent attacks are a common occurrence. The security situation is bad. This makes academic field work difficult. As mentioned, this has also been the case for me.

When working in a conflict area, your first and foremost concern should be your own personal security. By combining my academic work with my duties for the Norwegian government, I have been able to rely on resources that provide layers of security. These include physical measures, like body armor and armored vehicles, but also access to threat warnings and situation updates. But just as important as information through official channels, are the warnings and information given to me by informants and local interpreters. As members of the local society, they have a keen sense of the security situation. By paying heed to their advice and information from official channels, I have been able to reduce risk.

The fact that I have conducted my research along with official duties has been challenging. When in Afghanistan, I was not at liberty to go where I wanted, when I wanted. I had professional duties that had priority over my studies. It was paramount to cut a clear line between my official duties and my studies when conducting interviews. I was strict on informing that I conducted the interviews for a study, not on behalf of the Norwegian government. I also specified that the findings in no way would influence Norwegian policy towards Afghanistan, but that a copy of the final thesis will be sent to the Norwegian Armed Forces. In retrospect, this proved less of a problem than I had imagined, in regards to the Afghans I met. In fact, it seemed the opposite held true. Many of the Afghans I interviewed considered it positive that an officer in the Norwegian Armed Forces took the time to write a thesis on Afghanistan. More than once, I was complimented on my efforts and ambition. The difficulty lay in juggling my time between what needed to be done, i.e. my professional duties, and what I wanted to do, i.e. my studies.

In regards to research ethics, it is just as important to keep the security of your informants in mind. In my case, the research question could be perceived as sensitive, given the fact that some local private security companies are involved in the illegal economy. To mitigate the risks for the informants in this thesis, I have paid special attention to the need for anonymity when presenting the study to the informants. In addition, I have paid heed to the informants' wishes in regards to where to conduct the interviews. For informants in official positions, I have also observed proper protocol. Proper protocol might vary, but generally speaking, one has to make sure that there is transparency in regards to the meeting, i.e. the meeting is kept "on the books". This is done by arranging the meeting through a secretary, conducting the meeting in the officials' office, registering in the anteroom when arriving for the meeting, and so forth. This might seem detrimental in regards to the need for anonymity. However, if Afghan officials meet Westerners outside of protocol, this might draw unwarranted attention

and suspicion from local security services. This is due to several factors, among these corruption and intelligence activities.

## **Analysis**

The collected data has been analyzed using topic based text analysis. This has been done using two matrix displays, where the matrix has been developed with a descriptive intent. The initial matrix was developed using categories based on collected data and the proposed hypotheses. This matrix is used in order to connect information from the informants with the hypotheses. Afterwards, a second matrix was used, for each hypothesis. In this matrix display, information from the informants identified in the first matrix, is broken down into factors. The information is thus analyzed by factor in regards to each hypothesis (blank versions of the matrix displays can be found in appendix B). This was conducted according to the guidelines described by Thagaard (2009: 173-180).

I also tried to use some of the information in a social network analysis. While this showed interesting potential, the process was too time consuming compared to the expected outcome.

## **Units of analysis**

The unit of analysis was the process of SSR in Afghanistan. However, I identified logical subunits relevant to the research question. As such, a holistic design would have kept the research at a purely abstract level. Furthermore, given the contemporary nature of the phenomenon being researched, there was a real danger of a shift in the case study, i.e. a situation where the research design would no longer have been appropriate for the research question. Such slippage would have necessitated a new research design. To provide the necessary operational detail and to increase the sensitivity to slippage the following embedded units were included in the design (Yin, 2008: location 1257-1293):

- The Afghan National Security Forces
- The Government of the Islamic Republic of Afghanistan (the Afghan government), including the Parliament (*Wolesi Jirga* and *Meshrano Jirga*)
- Alternate power structures, i.e. former warlords and local powerbrokers
- Private security companies operating in Afghanistan
- The Afghan population, including its subgroups
- Afghan civil society

## **Factors**

Since I have used a qualitative research method, I have deferred from using the terminology of statistics and quantitative research. Nevertheless, some factors were defined beforehand to facilitate the analysis. The main factor observed is the *criteria for legitimacy*. I had to discern what stakeholders in the Afghan security sector reform process perceive as relevant sources of legitimacy, and analyze how these were affected by the use of private security companies. Special attention was given to *government effectiveness*, measured by ANSF perception and the ability of the Afghan government to regulate private security companies, *perception of power* and *patronage*. Furthermore, not all private security companies are created equal; hence the *characteristics and activities of respective private security companies* were taken into account. International donors, ISAF and US military contingents use billions of dollars on the private security industry. These monies could be used to strengthen public security instead (Sherman and DiDomenico, 2009:10). Hence, I intended to analyze *private security expenditure*. It proved impossible to obtain estimates, let alone accurate numbers, so this aspect had to be dropped from the analysis.

## **Mitigating threats to validity and reliability**

To ensure the quality of the research design, I have incorporated some tactics to deal with validity and reliability.

To achieve construct validity I have use multiple sources of information: interviews, personal observations and secondary sources. The informants belong to different groups. This was done to increase the likelihood of different backgrounds and perspectives, negating the effects of bias. As mentioned, I have relied on informants that have the knowledge necessary to give informed answers. In addition, I have utilized articles, academic contributions and official documents as secondary sources and in the literature review.

Since I have done a single-case study, external validity was maintained by the use of theory. Hopefully, this will offer some degree of generalization in the future, based upon the findings of the study. Where possible, I have tried to use theories which are applicable in other geographical and cultural contexts.

Finally, I have tried to achieve reliability by a combination of measures. Yin (2008, location: 1804-2072) recommends the use of a case study protocol. I have not used a case study protocol *per se*, but the necessary information was provided in a project design, the interview guide, and an updated timetable. Furthermore, I have maintained a case study database. This

was done electronically, separating data and case study documents from my own work. Following each interview I wrote narratives. The narratives described how I integrated the collected data with the available evidence. This made it somewhat easier to distinguish how my experiences from the field influenced the data I received, helped maintain a chain of evidence – the links between questions asked, data collected and conclusions drawn (Yin, 2008: location 2571-2597).

# Through the Looking Glass: The Afghan Context

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"I don't understand you," said Alice. "It's dreadfully confusing!"

"That's the effect of living backwards," the Queen said kindly: "it always makes one a little giddy at first." (Carroll, 2010:86).

In Afghanistan, many things are different from what we know from the Western hemisphere. Indeed, Afghanistan provides a unique case in several aspects. It is a crossroads between civilizations. Within its borders lies a variegated terrain with a rich blend of traditions and myriad tribes, peoples, solidarity groups and cultures. Due to the interplay between history, geography and religion, there is no single, nation-wide Afghan national culture or set of norms (Slaughter, 2010: 5). One cannot equate Afghanistan's government with any in the Western hemisphere. Our Western political narrative is too different. Naturally, studying phenomena in Afghanistan necessitates that you do so in regards to the Afghan context, observing the heterogeneity and fragmentation of the society, *id est* the regional and local differences between the subcultures and geography within Afghanistan (Slaughter, 2010: 5). Therefore one needs to understand some basic concepts of Afghan society. If not, it is easy to become confused, even though things are not entirely backwards.

As previously mentioned, it is beyond the scope of this study to provide the reader with the necessary knowledge to understand Afghanistan. Several books, if not volumes, have been written on the subject. Yet many of these fail to impart the required knowledge on the reader. This is perhaps best illustrated by the fact that Western military forces, despite their intelligence apparatus, repeatedly fail to succeed in Afghanistan.

In this chapter, I will describe some key aspects necessary to understand the Afghan context. I will start by describing the concept of *qawm*, vital to understanding just about anything in regards to Afghan society. Building on this, I will describe how Afghans regard power and legitimacy, and how this affects the Afghan understanding of the state monopoly on the legitimate use of coercive force. Before proceeding with the main analysis, I will conclude this chapter with a short brief on private security companies in Afghanistan from 2001 until today.

## The Qawm: Social Networking in Afghanistan

In Afghanistan, people draw their sense of identity or belonging from the *qawm*. Some translates this as tribe, but that misses the mark. *Qawm* is more fundamental, yet fluid, concept. It refers to any form of identification an individual or group may have based on kinship, location of residence or even occupation (Durkin, 2009: 9). As such, a tribe may be a form of *qawm*. However, most Afghans have a stronger affinity towards sub-tribes or clans. The important thing is that all Afghans have affinity towards some group, and this constructive unit, bound by some set of close ties, constitutes the *qawm*. It serves many functions, providing solidarity, protection from other *qawms* and the state, and a sense of identity for its members (Slaughter, 2010: 15).

It is important to remember that *qawms* are neither singular nor static. They are highly adaptable, changing according to the demands of the situation or the environment. The term itself is flexible and expandable, so its reference is contextual depending on who is asking (Barfield, 2010: 19). In Afghan society, the *qawm* is what separates *us* from *them* (Barfield, 2003: 3). Furthermore, given their pragmatic nature, it is only natural that an Afghan may belong to a number of different *qawms*. Precedence is determined by the degree of identity (Durkin, 2009: 9). The system is perhaps best described in the terms of social networking used in Google Plus:

“The *qawm* system may be seen as concentric circles starting with the immediate family and circling wider and wider to encompass such groups as the clan, the village, the subtribe, the tribe (or ethnolinguistic group), the nation, the *ummah* and so on.<sup>2</sup> It may also be viewed as multiple rings fanned out from any given individual or small group and intersecting ring systems of other individuals and small groups with various levels of inclusivity and overlap” (Slaughter, 2010: 16).

As a system, the *qawm* caters to the basic needs of the individual. Afghans look to their clans and villages for identity as well as protection and justice. In turn, loyalty is owed to the *qawm*, rather than an external government system or the rule of law: “It is me against my brothers; it is my brothers and me against our cousins; and it is our cousins, my brothers and me against the world” (Durkin, 2009: 10).

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<sup>2</sup> *Ummah* is an Arabic term which in the context of Pan-Islamism refers to the whole Muslim world.



### The Qawm Power Trinity

In view of the ongoing reform and state building processes in Afghanistan, it might be difficult to grasp that it is a country with a strong tradition for governance and rule of law. However, it is exercised effectively only at the local level, while national institutions are marginalized. Governance is driven by tension and competition between tribal institutions (*jirgas* and *khans*); religious functionaries (*shuras* and *mullahs*); and the government representative (*malik*), district governor and local Afghan National Police chief (Slaughter, 2010: 22). In stable times, the competition between the players in the triad is healthy; they compete for power and status in the *qawm*. To gain or retain influence, they form and shift alliances in order to protect the interest of the *qawm*, according to situational demands.

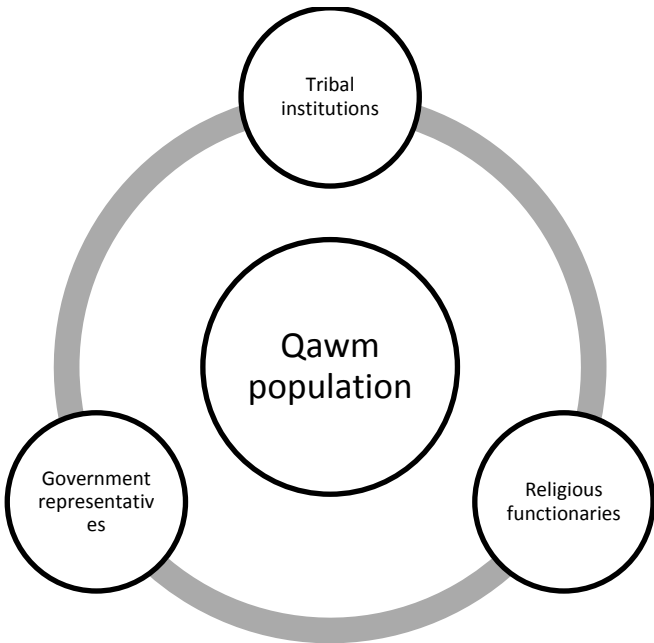


Figure 1: The Qawm Power Trinity (Slaughter, 2010: 22)

### The Players of the Triad

A *khan* is a person that is selected by a *qawm* to a leadership position. The *khan* will be more influential than other individuals in the *qawm*; he leads by indirectly by influence rather than control. Normally, a *khan* will be a wealthy landowner with many dependents. His role is to provide for the community. The *khan-qawm* relationship works because it does not operate contrary to individuality and self-determination, values of paramount importance to Afghans. While the *khan* may wield more influence than a single individual, the individual feels he retains some power over the *khan*. He is selected, and can be removed if he does not provide.

Afghans expect returns on their investments when they bestow power upon individuals or institutions. This aspect of the *khan-qawm* relationship is also visible in Afghan's view of the central government. If they feel that the central government does not provide for the *qawm* through the provision of basic services deemed government purview, it will hurt legitimacy. A lack of government presence whatsoever creates a void that will be filled by local power brokers and traditional institutions such as *khans*, warlords, *jirgas*, and *shuras*. Once these power brokers and traditional institutions gain hold in *qawm* life, they are difficult to remove (Slaughter, 2010: 25-29).

To alleviate the potential tension between the central government and the *qawm*, a *malik* will act as a go between. A *malik* is a local leader elected by *qawm* elders. His role is to protect the *qawm*'s interests, and to shield them from the government. However, unlike the *khan*, he is not expected to provide for the *qawm*. The role is important considering that those few Afghan rulers who have governed Afghanistan with the most success, are those that have been skilled in the interplay between the central government and the *qawm* (Barfield, 2010).

The *jirgas* and *shuras* are probably the best known, and strongest, traditional institutions in Afghanistan. These institutions are collective consensus and decision-making bodies. They operate on any level, from villages to the national *Loya Jirga* (Barth, 2010: 28-29). For the most part, they are locally oriented, and in much of Afghanistan's rural area, they are the only available decision making bodies.

While a *jirga* has no formal legal authority, its power within the *qawm* is substantial. When a decision is made, a group of men has to act according to the consensus if something is to happen. However, this group of men should expect little or no resistance to their actions (Barth, 2010: 28). The *arbakai* or *lashkars*, or tribal police or armies (Lefèvre, 2010: 3), answer to the *jirga*. The *arbakai* is both used to protect the *qawm* from outside threat, as well as enforcing *qawm* rules and *jirga* decisions. It is interesting to note that during the time of Ahmad Shah Durrani, the *lashkars* that enabled his conquests were loyal to their commanders. Hence, Durrani had to employ a quasi-feudal system to make tribal leaders dependent upon him for their wealth and success. Hence, Durrani was able to organize the various local *qawms* to meet his ends (Durkin, 2009: 23-26). The *jirgas* enjoy strong legitimacy in rural Afghanistan today, at the cost of the central government (Slaughter, 2010: 31-34). The *shura* is an institution similar to the *jirga*. The main difference lies in the fact that *jirgas* tend to be called to resolve immediate issues, whereas *shuras* are standing entities.

Throughout history, the political legitimacy of regimes in Afghanistan has been anchored in the ruler's ability to maintain order and provide security (Barfield, 2009: 105; Durkin 2009: 36). But it should come as no surprise that power, authority and legitimacy in Afghanistan originate at the local level (Durkin, 2009: 36; Slaughter, 2010: 25). While a national *qawm* exists, it is more a romantic ideal than anything else. Afghans will refer to it when discussing previous conflicts, such as the Anglo-Afghan wars or the Soviet war in Afghanistan, when the population united in ousting the invaders. Although Afghan *sardars* (tribal commanders) and *qomandans* (village / mujahideen commanders) in overall were committed to the common cause of fighting the invaders, instances of infighting were usual. Indeed, a characteristic of warfare in Afghanistan is that commanders will collude with other parties, depending on the context, in order to maximize their winnings. The case of Gulbuddin Hekmatyar laying siege to Kabul in 1994, while he was prime minister, is an example of this. He wanted to prove that the President, Burnahuddin Rabbani, and his defense minister, Ahmad Shah Massoud, were unable to protect the population of Kabul. *Qawms* are, for the most part, locally oriented, and this will probably be the case in the near future. Indeed, while the *qawm* is a source of local solidarity, it is a fundamental force in driving Afghanistan towards fragmentation on the national level (Slaughter, 2010: 18). This makes the idea of warlords turning businessmen by reshaping their militias into private security companies disconcerting. The local populace is likely to accept such entities as legitimate security providers, as long as they belong to the *qawm* and provide security (Schetter and Glassner, 2009: 119). Instead of being disbanded, they will retain their weapons. The security situation in most of Afghanistan allows for a steady income, while illegal activities such as drug trafficking, extortion, land theft and illegal taxing may provide added value. In this regard, the importance of the poppy economy cannot be understated. While the Karzai administration has remained the internationally recognized party and recipient of aid, foreign aid has had limited potency in garnering support for the government. The significant capital of the poppy economy has created a set of parallel structures of power and authority (Suhrke, 2009: 234). Hence, ventures into the private security sector have empowered warlords, and even granted some the legitimacy and resources of a government position.

### **No Country for Young Men: Warlordism and Power in Afghanistan**

Afghanistan has a young population with a median age of 18.2 years and a life expectancy of 49.72 years (CIA World Factbook, 2012). Some view the young generation as a potential

solution to the Afghan problem, but Afghanistan remains a country run by old men. As described by Thomas Barfield:

“Within the government itself [the] younger people make up the bulk of the technocrats with skills needed to make the country work, yet they find themselves taking orders from uneducated political appointees who treat their offices as vehicles for plunder” (Barfield, 2010: 347).

Most people in real positions of power, official or not, are old hands from previous wars. Former warlords wield a tremendous amount of influence in Afghan society. Some have more or less been put in their positions through their cooperation with the Western powers in 2001. Others have support from regional patrons, such as Pakistan and Iran. There are those who have the support insurgents, whereas some have built their power base on the drug trade, or through war plunder. In many cases, it is a complex and wonderful combination of the above. The reason is simple. While Kabul and the international community regarded these warlords, many accused of war crimes, as oppressive commanders, that needed to be removed in 2001, they were held in a favorable light by their coethnics. These warlords promised to bring both security and prosperity to their home regions (Barfield, 2010: 283). Karzai could not easily dispense with them. To gain acceptance from the *qawms*, Karzai had to co-opt or bribe these warlords (Slaughter, 2010: 26-27). Hence, the warlords rose from the mud of the battlefield to the zeniths of power.

This is nothing new in Afghanistan. The Persian expression *padshahgardi* refers to the double-dealing engaged in by kings. In Afghanistan, the term comes with a unique flavor: historically it signifies the strategies used by tribal chiefs in pursuit of power. And Afghan history is clear on one thing. When rulers are about to lose their power, Afghans keep their options open and weapons ready. When the time is ripe, they will throw their lot, hoping to gain the favor of the new ruler in the process (Tomsen, 2011: location 649-651). So while war is generally considered bad for business, it is always important to have the military resources available to command the attention of other power brokers, whether statutory or not.

These power dynamics, related to both military forces and bases of patronage, still influence political life in Afghanistan. While there are democratic political parties in Afghanistan reminiscent to those in the West, they are marginalized by the *tanzims*. Most Afghans use this term to describe the mujahideen parties that fought the Soviets between 1978 and 1992. As such, *tanzims* are structured along the lines of *qawms*; they are patronage bases controlled by

former warlords. They have a clear advantage because they occupy positions of formal and informal power, maintain armed militias and have illegal access to government and external resources (Ruttig, 2009: 104). Within the *tanzims*, political ideologies are few and far between. Naturally, both manifest and latent conflicts exist between *tanzims*. However, just like political parties in the West compromise to reach their political objectives, their Afghan counterparts will collude in maneuvers for increased power.

## **Private Security in Afghanistan from 2001 until Today**

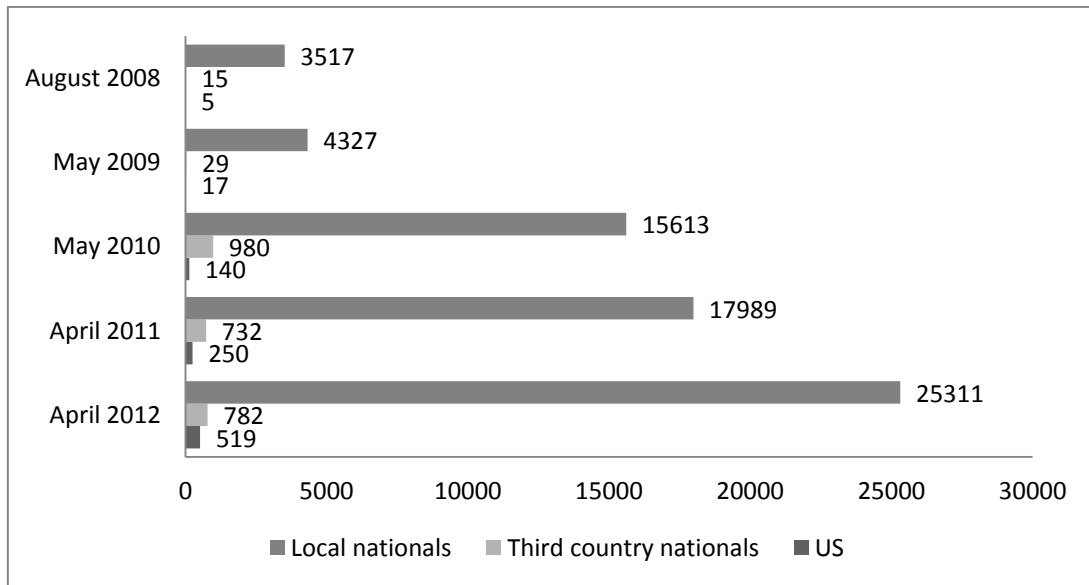
Prior to 2001, there was no private security industry, in the form of purely commercial interests, in Afghanistan. Before the emergence of the modern Afghan state in the mid-19<sup>th</sup> century, security was provided by tribal levies (*lashkars* or *arbakai*). Indeed, the fusion of traditional practices and a limited centralized military apparatus has been recurring paradigm in the project to develop a modern army in Afghanistan. The other paradigm has favored a modern centralized institution based inspired from Western tradition. During the days of the Shah, there was a national army with tribal levies (Sedra, 2009: 83). The Soviet era from 1972 until 1992 was a period with a strong security apparatus provided by the state. This apparatus was to some extent maintained in the following period by the mujahideen and Taliban governments until 2001. As such, there was no need for commercial security providers.

Upon the arrival of coalition forces in late 2001, the situation quickly changed. Embassies were re-opened, and the men and women staffing said embassies required safekeeping. A new market for private security opened. The big vendors, such as DynCorp, USPI and Blackwater (currently operating as Academi) were quick to act. In remote areas, Special Forces were establishing forward operating bases. At the time, there was no official Afghan army. With limited personnel, and keeping in line with the idea of Afghan involvement, they collaborated with local commanders for manpower and intelligence. These commanders received their pay directly from the foreign forces, dividing some of the income with their men. This was the beginning of the first Afghan private security companies (Sherman and DiDomenico, 2009: 3), and more specifically the Afghan Security Guard. While some have argued that these militias were of little importance, there is evidence to support that some warlords built their current empires on such funds (Forsberg and Kagan, 2010: 1). It has also been claimed that the activities empowered local groups that were actual or potential opponents to the government (Suhrke, 2009: 239). In regards to the Afghan Security Guard, little information is available on this entity, but there is evidence to support that they have been employed by

both US Special Forces and an implanting partner of USAID in recent years (Cavendish, 2011a; 2011c; USAID, 2010: 15). Many Afghan power brokers either own, or have previously owned, private security companies (van Bijlert, 2011: 2; Lefèvre, 2010: 14). Several of these companies were illegal even before Karzai's decree in 2010, due to their ties to government officials (van Bijlert, 2011: 2; Ministry of Interior, 2008: article 20). The bridging strategy issued in March 2011, demanded that these companies should be disbanded within 90 days (Mohammadi and Ghani, 2011). At the time of writing, most of these companies were still operating in Afghanistan, either illegally or with extended licenses (Afghan Public Protection Force, 2012a).

Keeping in line with retaining the state monopoly on coercive force, the Afghan government started the pilot project for the Afghan Public Protection Force in 2009. The basic idea was to abolish private security companies, handing over their contracts to a force owned, and controlled, by the Afghan government. This was followed up with Karzai's presidential decree demanding the dissolution of private security companies in August 2010. Karzai was immediately met with criticism. Western diplomats proved unwilling to have Afghans provide security on their premises. Others, including Afghan government officials, did not regard the Afghan Public Protection Force as a serious alternative, and many still do not (Orange, 2011).

Even with the advent of the Afghan Public Protection Force, the fact remains that a large number of private security companies still operate in Afghanistan. This includes military provider companies as well as military consulting and support companies, both Afghan and transnational. As shown in figure 2, the trend seems to be increasing, both in regards to local nationals and US citizens, whereas there has been a decrease in third country nationals. It should be noted that the contract administration for the Afghan National Police Training Program was transferred from the Department of State (DoS) to the Department of Defense (DoD) in 2011; this may be the cause of the increase in US citizens on DoD contracts. There are no readily available data from USAID, its implementing partners or the US State Department, all big private security customers. This makes it difficult to determine whether the increase in private security consumption is consistent all over the board, or unique to the Department of Defense. In any event, this increase remains significant by itself, and the prevalent view is that the deteriorating security situation has led to an increased demand for pay-for security (SIGAR, 2012a: 3; Orange, 2011).



**Figure 2: Private security contractors on US Department of Defense contracts in Afghanistan (CENTCOM, 2012)**

According to the bridging strategy all private security contracts to protect development and reconstruction projects should have been terminated on 20 March 2012 (Checchia, 2011: 4). The date has passed, and little has changed. The Afghan government has granted extensions to both Afghan and foreign security firms for up to ninety days, and the extensions are renewable (Glass, 2012). The prospects for the second phase of the bridging strategy, the scheduled termination of all private security contracts for ISAF, in March 2013 look bleak; as of May 2012 several international private security companies were recruiting US nationals for security work in Afghanistan, including site security at Bagram. At the same time, the Afghan Public Protection Force has no more than 6,000 armed guards ready to replace the 40,000 private security contractors currently employed in Afghanistan (BBC, 2012-03-21). In addition, embassies and entities with diplomatic status are free to retain the services of whichever private security companies they prefer, provided these companies are in good standing with the Afghan government (Checchia, 2011: 4). Ironically, the *Vienna Convention on Consular Relations* (1963) states that the protection of consular officers and their premises is a host nation responsibility. Hence, this is the one case where the Afghan government is bound by international law to either provide, or bear the cost of, security services for foreign entities.

While the case of Afghanistan lack seriously scandalous incidents such as the Blackwater shootings in Nisour Square in 2007, there are issues. Schmeidl, through focus groups

expressing the views of the ordinary people in Afghanistan, brings out a lot of the concerns about the accountability of private security covered in foregoing literature review, in particular the links between private security companies and criminals and / or warlords, legal impunity, blocking of access for ordinary people, and cowboy-like behavior, offset in a small way by their contribution to the local economy in terms of jobs and expenditure (Schmeidl, 2007). A number of the same themes emerge in a paper from the Center on International Cooperation which comments that the use of private security companies, particularly unlicensed ones, detracts from the credibility of the Afghan Government. However, the paper also notes that the companies “do fulfill a need for which there is no clear, immediate alternative” (Sherman and DiDomenico, 2009: 1).

Even US Government reports are becoming increasingly critical of their own management and use of private security in Afghanistan. The “frat-boy” behavior of the ArmorGroup guards that protect the US Embassy made the news headlines and the Senate Subcommittee described it as “a case study of how mismanagement and lack of oversight can result in poor performance” (United States Senate Committee on Homeland Security & Governmental Affairs, 2009: i). In 2010 the USAID Inspector General identified serious shortcomings in USAID’s use of private security subcontractors, including contracts made with unlicensed companies and lack of security standards in contracts (USAID, 2010). Another report, from the US Congress, described that: the principal private security contractors employed to protect the logistic chain were warlords, strongmen, commanders and militia leaders, thus empowering them with “money, legitimacy, and a *raison d’etre* for their private armies”; that the entire scheme was a protection racket, where the security companies attacked those convoys that were unwilling to pay; that payments often went to insurgents; that the system undermined the whole counter-insurgency approach; and that the Department of Defense lacked effective oversight and management of the security sub-contracting (United States House Committee on Oversight and Government Reform, 2010: 2-4).

Afghanistan has proved a permeable market for private security; when the need arose, warlords had both the manpower and equipment to deliver security services. There is little doubt that the security market has proved a lucrative avenue of entrepreneurship for former warlords and power brokers. Not only as a source of wealth, but as a vessel for power: it enables warlords to keep their own personal armies equipped and readily available (Schmeidl, 2007: 17). In Afghanistan, this is a pre-requisite to play for power and influence. Whether



they brand their men as security contractors or not, there should be no doubt that the warlords have gained from the War in Afghanistan:

“Afghanistan is still one of the four poorest countries on earth; but now it’s one of the four poorest countries on earth with a neighborhood in its capital city that looks like New Jersey in the 1930s and ’40s, when Newark mobsters built garish mansions and dotted the grounds with lawn jockeys and hand-painted neo-neoclassic marble statues” (Maddow, 2012: 2-3).

# Going Corporate: Warlords, Militias and Private Security

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As noted in *Through the Looking Glass: The Afghan Context* warlords enjoy an important place in Afghan society. In fact, in the absence of a reliable state, many Afghans actually consider warlordism to be a “system of political life that is better than an unpredictable future” (Schetter and Glassner, 2009: 119). Most, if not all, warlords in Afghanistan employ some sort of a militia. There are many variations, but as pointed out, the emergence of a commercialized security market has led many warlords and commanders to sell the services of their militias, *de facto* becoming private security companies. Even though their companies may be illegal, that does not exclude them from conducting business. Evidence suggests that illegal companies are hired both directly and indirectly by US forces (SASC, 2010; United States House Committee on Oversight and Government Reform). The warlords secure a stream of revenue and are able to keep their men on a permanent retainer. By controlling their own private armies, the warlords are able to further consolidate their power (Purple, 2012). It grants them impunity; the population will rely on them for protection – or face the consequences less they accept subjugation; they become a force to be reckoned with by the government.

When the populations in an area look to warlords for protection, they accept these warlords may apply violence legitimately. This may challenge the legitimacy of the government:

“In a state the monopoly on coercive force belongs to the government, elected by the people through public votes in a democratic state [sic]. Once this monopoly is challenged, the whole legitimacy of the government is threatened. The people lose their confidence in the government and distance themselves from them [sic]. This is exactly the case in Afghanistan today” (Brown, 2011).

## **Tipping the Scales of Power**

As part of the state building process in Afghanistan, the international community initiated programs intended to disband illegal armed groups (DIAG) and to disarm, disband and reintegrate former fighters (DDR). While such efforts are necessary to decrease the potential for violent action, they are inherently problematic. A normal problem is the fact that these processes leave a lot of former fighters unemployed. Such situations are not dissimilar to

those of the end of the Cold War and Apartheid, both of which led to an emergence of private security companies. In the case of Afghanistan, objections have also been made as these programs have upset the power balance in many areas. While some groups have been disarmed, others have been permitted to continue as local defense initiatives. Some have also been branded as insurgents. While some fates have been decided by the president or other important actors among Kabul's political elite, others have been helped by US forces. As mentioned previously, when US forces hired local militias to provide security and intelligence, they bestowed them with power (Green, 2012). The fact that these groups received funding, training and equipment from the US forces made it especially difficult. "Most people thought they were directly linked to NATO" (Orange, 2011). Thus, the hiring of these militias by the US was contrary to the goals of these two programs within the process of security sector reform. Furthermore, the fact that these groups were perceived to be legitimate forces by the population – through the identification with NATO – runs contrary to the idea of the state monopoly on coercive force. In effect, US Special Forces units, by decisions made low down in the chain of command, were able to imbue warlords with authority and legitimacy.

### **Private armies**

A clear majority of the informants were concerned that most local private security companies, including the Afghan Security Guard, may function as *de facto* mobilization armies for former warlords. They offer a perfect loophole to avoid DDR and DIAG-processes, while providing an income at the same time. The problem is both important and relevant. The informants seem to agree that a new period of intra-Afghan violence is inevitable if the West withdraws its forces and funding in the foreseeable future; a view shared by many prominent researchers on Afghanistan. Simultaneously, the scale of this problem is difficult to judge. Even though the Ministry of Interior has a list of registered companies, a US official has stated that they have given up cataloging all private security companies working for them "because there are so many" (Lefèvre, 2010: 14). There is also a question of causality. The warlords already had militias before the market for commercialized security emerged. The question is whether they would be able to keep their men on retainer without revenue from security provision. While the informants claim that warlords reap substantial gains from private security, they state the same in regards to criminal activity. Furthermore, one informant claimed that only ten percent of the revenue went to salaries (Yellow, 2012). Former fighters are also likely to return to

their warlords when called upon due to *qawm* relationships; warlords have sufficient stores of weapons available (Pink, 2011).

## **Crime, Impunity and Empowerment**

While the Afghan National Police may be better at fighting insurgents than policing, they also have a reputation for avoiding violent confrontations. Hence, having a private army on retainer in the form of a private security company may grant impunity.

During my time in Afghanistan, I often heard the claim that private security companies were involved in all sorts of criminal activities, ranging from extortion and protection rackets to kidnappings and assassinations. In the beginning, I was a bit nonplussed by the information. Granted, I had heard the stories of Executive Outcomes in Africa and Blackwater in Iraq, but this seemed a little too much. If nothing else, these companies would surely lose their clients as no foreign government would hire companies accused of such crimes following Nisour Square. I was wrong. I had not taken the local companies into account. Whereas I thought these were just involved in securing local banks, hotels, guest houses and restaurants, the reality was different. Almost every private security guard in Afghanistan is Afghan (figure 2). Factoring in the illegal companies, the majority of companies are also owned by Afghans.

During the course of my interviews, several of the informants suggested that local companies are heavily involved in the illegal economy. As stated by one informant:

“In the rural areas, it is quite common that the employees from local [security] companies are involved in crime. They cannot be trusted to protect anything, as they are likely to steal what they are paid to protect” (Amber, 2011).

Opium trafficking, theft, highway robbery, larceny and kidnappings were frequently given as examples. As mentioned earlier, the extent of the poppy economy in Afghanistan should not be underestimated; it is a multibillion dollar industry involving Afghans from every stratum of society and from this economy flow both money and power (White, 2011; Grey, 2011).

The fact that warlords have managed to illegally expropriate the entire Shirpur area of Kabul, filled the area with luxurious mansions, and secure the area with guards from illegal companies, is just one testament to this. The fact that this is widely known, illustrates that these warlords also enjoy impunity. Their private armies render them virtually exempt from criminal prosecution. As previously mentioned, many of these militias also sell security

services commercially, and several of my informants stated that owning a PSC would put you above the law. Two informants went even further. According to them, an individual could easily employ the services of a PSC and achieve the same (Grey, 2011; White, 2011). However, none of the informants claimed that foreign companies were involved in criminal activities, or that they granted protection to warlords. However, some claimed that foreign companies subcontracted security works to warlords / commanders and their militias. The case of the Afghan Security Guard, when US Special Forces hired militias directly, was also mentioned.<sup>3</sup> One of the commanders on their payroll, Azizullah, has been accused for a number of serious abuses (Cavendish, 2011a). According to Human Rights Watch, the UN has documented incidents where commander Azizullah has been in extrajudicial executions, mutilation of corpses, arbitrary detention, illegal house raids, shootings, and allegations of the abduction and rape of boys (Human Rights Watch, 2011: 50). While Azizullah has engaged in these activities on his own time, it remains problematic. His militia is funded, trained and equipped by US Special Forces, to the extent that identification with US forces is inevitable (Cavendish, 2011a). The US is the lead nation in security sector reform, and US Special Forces have also been directly engaged in the process by training and mentoring units from the Afghan National Army. His relation to US forces might also grant him immunity from the law; in any event, concerns have been raised with US Special Forces, but Azizullah remains free (Human Rights Watch, 2011: 50).

In the case of legal companies, foreign and domestic, subcontracting work to illegal ones, oversight might be difficult for the client. However, it is not impossible, and should be addressed. The main revenue stream in the private security market comes from international actors, e.g. the US Host Nation Trucking Contract, an indefinite delivery / quantity contract that covers 70% of the logistic needs of the US Department of Defense (United States House Committee on Oversight and Government Reform, 2010: 10). Several security companies have been involved on the contract through subcontracting from the trucking companies. The work has been lucrative. Watan Risk Management, which has taken the largest share of security work on the contract, making several tens of millions dollars per year (United States House Committee on Oversight and Government Reform, 2010: 23). All of the principal security subcontractors have been identified as “warlords, strongmen, commanders and militia leaders who compete with the Afghan central government for power and authority” (United States House Committee on Oversight and Government Reform, 2010: 17). The general

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<sup>3</sup> The Afghan Security Guard might also be referred to as campaign forces by Afghan civilians.

consensus in my interviews was that the employment of local private security companies empowered warlords in a way that created a potential spoiler for the stability of Afghanistan, and challenged the legitimacy of the government. Through the HNT contracts, and similar contracts, warlords are able to maintain private armies. These armies enable them to establish fiefdoms where they enjoy legitimacy on behalf of the government.

## **Warlords and their Fiefdoms**

Earlier in this thesis, I described how Afghans bestowed legitimacy upon those that provide them with security. In light of the above, it is natural to draw the conclusion that Afghans, especially in rural areas where the central government has limited presence, will look to warlords for protection. Given the societal structure of Afghanistan, warlords will often be happy to comply, granted there are no conflicting interests in regards to *qawm*, or better deals to be made. If the population is satisfied with existing security arrangements, the warlord may establish a protection racket of sorts, where the aim is influence rather than money (Grey, 2011). In return for protection, the population offer influence, through votes, relationships and social networks (Tan, 2011). In addition to protection, these warlords also offer employment and the revenue from their business benefit the local society (White, 2011). The cunning warlord knows the value of this and uses it to his advantage. The central government may be able to crush a warlord and his army, even receiving the help of ISAF to do so, by branding them as insurgents, a warlord with a solid patronage base will sit more firmly. Adroitly executed, the potential for influence and control is exceptional:

“It is impossible to move a truck through Kandahar without employing the services of Commander Rohullah. Unless you pay him, you will even run the risk of being ambushed by the local police. He controls them all. And we all make money from his operations, from the security guard on the ground to the top officials in the Ministry of Interior and the Presidential Palace” (Orange, 2011).

## **Funding the Insurgency**

Apart from strengthening the fiefdoms of warlords, hiring local private security companies might also fund the insurgency. There have been several reports that private security companies have hired the Taliban to ambush companies unwilling to pay for protection. In other cases, they have bribed the Taliban for safe passage (Bricet des Vallons, 2011; United

States House Committee on Oversight and Government Reform, 2010: 34-40). During the interviews, several of the informants suggested that this was a problem, but mostly related to local companies hired as subcontractors by other private security companies or transport companies. None of the informants had any specific knowledge of the scope of this problem, but four informants meant it was so significant that it threatened the stability of Afghanistan (Orange, 2011; Purple, 2012; Yellow, 2012; Green, 2012).

## **The Lifeblood of Non-State Actors: Funding, Recruitment, Information and Support**

Funding, recruitment, information and support are key systems for non-state actors, be they terrorists, insurgents or adversarial. Without these, non-state actors will have slim chances of achieving their goals. The indirect funding of insurgent groups is a serious issue by itself, obviously threatening the stability of Afghanistan, which in turn affects the perceived legitimacy of the government. However, as we have seen, many local private security companies are linked to warlords. While these warlords are not necessarily adversarial to the sitting government, the majority of informants claimed that they remain potential spoilers to a safe and secure environment. Their forces have no obligations towards the government; their loyalties, if any, are with their liege lord. Furthermore, the existence of warlords and their militias are contrary to the national process of security sector reform in Afghanistan.

The findings suggest that employing private security companies run by warlords provide them with funding. The funding, in turn, facilitates recruitment. In Afghanistan, even members of Taliban expect to be paid. Their families all have to eat. And if they die, they expect that their families will be provided for. Able warlords will also be able to employ these forces in order to gain the support of their communities, making them difficult to approach by both international and Afghan Forces. During my interviews, I have not heard any explicit claims that warlords are able to obtain information and intelligence through their private security companies. However, it is implicit. Whenever they provide security for international or official actors, they will be given information that may be easily processed into actionable intelligence, e.g. attacking a convoy you are supposed to protect is a simple operation.

Most local private security companies are run by warlords. As such, the hiring of local private security companies will have a negative effect on security sector reform, weaken the monopoly on coercive force, empower warlords that by their very nature challenge the

legitimacy of the government, and finally threaten the stability of Afghanistan. However, it should be noted that while all warlords have control some kind of militia, not all militias operate as commercial security companies. For the most part, those who do are neither registered with the government or legal. As such, while this undoubtedly has negative effects on security sector reform and reflect poorly on the government with a view to both the monopoly on coercive force and legitimacy, those affects are better ascribed to militias rather than security companies (Orange, 2011; Pink, 2011).



# Fuelling the insecurity

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The second hypothesis states that the presence of private security companies in Afghanistan weakens people's perception of state security forces. There are two primary aspects to this: private security companies make state forces look bad, and they contribute to speech and practice type securitization. To judge whether this is true or not we need to determine what people think of state security forces, international forces, and finally private security companies.

## **Public Perception of State Security Forces**

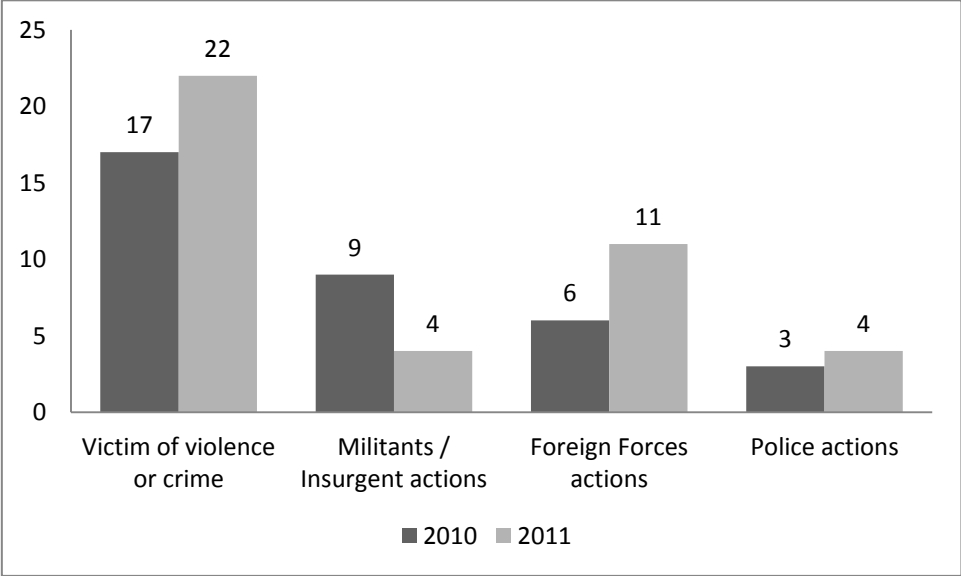
As stated in the literature review, the combined manpower of the Afghan National Army and Afghan National Police were close to the stated goal of 352,000 in May 2012. Quantity is only one part of the equation. Quality is at least equally important. According to surveys conducted by the Asia Foundation, the Afghan population has shown a steadily improving perception of the Afghan National Security Forces.

The overall public assessment of the ANP is positive: 85% of the respondents consider the ANP to be honest and fair, and 83% agree that the police help improve security. However, 56% consider them to be unprofessional and poorly trained, and 65% state that the ANP needs the support of foreign troops and are unable to operate unilaterally. The public are even more positive in their perceptions of ANA. 93% consider ANA to be honest and fair, and 85% consider them to improve the security situation in the country. But there are reservations with the ANA as well, 44% think they are unprofessional and poorly trained and 60% consider ANA dependent on the support of foreign troops. (Tariq, Ayoubi and Haqbeen, 2011: 39-42).

While the survey might suggest that the population has an increased confidence in the ANA and ANP, the public's level of fear when encountering ANA and ANP officers are at 44% and 48% respectively. More fear from international forces. (Tariq et al., 2011: 38).

With this in mind, the survey also suggests an increase in insecurity. Whereas only 9% of the respondents often feared for their security in 2006, 18% reported the same in 2011; the proportion who never fear for their safety has decreased from 36% (2008) to 24% (2011) (Tariq et al., 2011: 27). While this correlates in time with the increase in armed private security contractors (figure 2), the relationship is spurious. The generally deteriorating security situation is a likely cause of both. The survey also shows an increase in the

proportion of respondents reporting cases of violence against themselves or their families as seen in figure 3. Reports of insurgents being responsible have decreased however, while incidents caused by foreign forces have increased.



**Figure 3: Victims of violence or crime.** First column shows percentage of respondents reporting that either they and / or family members have been victimized; the latter columns indicates type of violence / crime (Tariq et al., 2011: 29-31).

While foreign forces have never been too popular in Afghanistan, the prevalent sentiment is that ISAF and Coalition Forces troops are quite capable at fighting insurgents and mentoring the security forces. All of the informants interviewed for the thesis were skeptical as to what would happen if international forces were to execute a full withdrawal in 2014. Many Afghans also consider NATO to be morally obligated to stay put in Afghanistan until the insurgency is decimated to a level manageable by Afghan security forces.

**Public Opinion on Private Security Companies**

If ISAF soldiers enjoy little popularity in Afghanistan, foreign security contractors, with the exception of the Nepalese Gurkhas, enjoy none. While Afghans see a need for ISAF, they see little need for foreign security contractors. Afghans expect the police to handle all security related tasks except for military operations. Hence, Afghans see no room for private security companies (Orange, 2011). This is enforced by the fact that most of the informants refused to regard security as a commodity. Not only because commoditization enables differential treatment, but because security must be established throughout the community. As exemplified in one interview:

“Is security a commodity? Do the Afghan poor have nothing to fear? While money can buy you better security in the forms of guards, weapons, fortifications and armored cars, your sense of security will be false. In Afghanistan, if someone wants to get at you, they will devise a way to do it” (Grey, 2011).

Findings from my interviews seem to suggest that people have negative views on local companies due to their close links to warlords, as described in the previous chapter. One informant even suggested that the employment of local companies was little more than a sophisticated way of giving warlords incentives not to engage in crime (Brown, 2011). In regards to foreign companies, most complain that expatriate security contractors have little knowledge of Afghan culture, and that they treat Afghans with disrespect. While one informant claimed that expatriate security contractors enjoyed legal immunity (Brown, 2011), another pointed to the case of Robert W. Langdon, an Australian security contractor who narrowly escaped the death penalty for killing an Afghan civilian. Langdon is currently serving 20 years in an Afghan prison (Orange, 2011).

Several informants compared private security companies to the police; one informant claimed that private security companies are perceived as unauthorized actors in law enforcement, effectively leading to a loss of confidence in the police (Brown, 2011). Another complained that security contractors had better equipment and training than the police, and that this reflected badly upon the police (Cyan, 2011). This observation is interesting. Concerns have been raised over private security contractors working on US contracts in Afghanistan due to inadequate training (SASC, 2010: x). In view of this, the statement indicates the value Afghans place on appearance. This supports the idea that the presence of private security enforces securitization.

The view is not exclusively negative. People are aware that these companies offer employment for many Afghans and contribute to the economy (White, 2011). One informant estimated that about 100,000 Afghans are employed in the private security industry. If these were to lose their jobs, they would constitute a serious problem for the government as they might turn to criminal activities instead (Orange, 2011).

Despite the mentioned reservations, the majority of informants agreed that there was a need for private security companies, and several stated that the companies delivered services outside of police purview.

## **Effects of Government Officials Employing Private Security Companies**

Except for two of my informants, all seemed to agree that government officials should avoid hiring the service of private security companies. The main reason given is that their security should be provided by official security forces, primarily the police. Some claimed that this also decreased public perception of the police; why should the population have confidence in the police when their representatives did not? One informant went even further. He suggested that the notion was ridiculous. As representatives of the people, government officials were morally obliged to decline better services than their fellow Afghans (White, 2011).

While the informant does have a point, it should not be forgotten that elected officials and top bureaucrats are high-payoff targets for the insurgents. Hence, they do suffer a higher probability of being attacked. To mitigate risk, many government officials are given personal security details. While there are units among state security forces capable of such operations, resources remain limited in view of the demand. In addition, if government officials are given official security details, they will demand to choose the men themselves. This contributes to favoritism and nepotism in state security forces; hence it is contrary to the aims of the security sector reform (Pink, 2011). Due to this, elected members of parliament are given the resources to employ two security guards by the government. They are free to choose whomever they want; normally they will pick family or *qawm* members due to loyalty issues (White, 2011; Grey, 2011). However, it is not unusual that they hire co-ethnics or expatriates from private companies as these are perceived to be professional (Pink, 2011).

## **Private Security Companies Directly Involved in Security Sector**

### **Reform**

Three US companies, DynCorp, L3 MPRI and Academi, have been involved directly in the security sector reform.<sup>4</sup> These companies have all received contracts from the US Departments of State and Defense respectively. While DynCorp has received some criticism in the performance of their duties, they have managed to retain their contract (DODIG and OIG, 2011: 15); both L3 MPRI and Academi are actively recruiting for a number of positions on Department of Defense contracts, so the client must be happy with them as well. In this regard, it can be argued that private security companies have contributed towards the reform process; if nothing else, by freeing up military personnel for front line assignments. During

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<sup>4</sup> Since 2001, Blackwater has changed its name twice, first to Xe and then to Academi. In Afghanistan, the company has operated several subsidiaries, such as US Training Center (USTC), Greystone and XPG Cobra.

the course of my interviews, none of the informants criticized training programs run for the security forces by private security companies. On the contrary, two of the informants exhibited a positive attitude towards such contracts, as they benefited the Afghan security forces (Orange, 2011; Green, 2012). Meanwhile, there is general agreement that the Afghan National Army has received better training than their police counterparts. This may be attributed to the fact that ANA receive mentoring and training from donor nation's military personnel. However, private companies offering such services recruit their personnel from the very same forces, and many nations also send police contingents to train and mentor the ANP. Hence, the difference should lie elsewhere, most likely in the mandate or resources applied. The fact that police training is just as focused on COIN as basic policing suggests the former (Orange, 2011).

## **Securitization**

The main objective for private security companies is to make money. In order to be successful they should satisfy client demands while maximizing their profits. The main objective is to have their clients feel secure, not necessarily the mitigation of risk. While professional security guards, armored vehicles and fortified compounds will reduce risk, in an environment such as Kabul one can never be completely secure. Professional security guards suffer bullet wounds just like other people; armored vehicles can only withstand a certain amount of punishment; and if you want to get work done, you need to leave your compound every once in a while. The point being made is that even though private security companies benefit from insecurity, live incidents have an inherent risk for the companies. Lives may be lost; equipment might be destroyed; their reputation might take a hit – even when they successfully protect their clients. This is one of the reasons why private security companies, just like military forces, employ analysts. They want to achieve a level of situational awareness that enable them to avoid unnecessary risks. Private security companies employed by embassies will often advise their clients on the threat situation and / or movement restrictions. And in my experience, most private security companies will advise their clients to stay at home in periods of increased threat. This is also the area where private security companies may contribute to fuel the insecurity. Through briefings on the security situation and the development of security related routines and procedures, they imbue their clients with a sense of insecurity in regards to the “outside”. This is speech type securitization and can change how people perceive the security situation (Leander, 2010b: 212-213). While most people in

Kabul commute to work every day without the conveniences of a personal security detail, armored vehicles or even a weapon, most of them manage to get back safely. Of course, most Afghans are less obvious targets than politicians, businessmen or Western diplomats, but there should be little doubt that the streets of Kabul are safer than advertised by most private security companies. The fact that most official buildings, restaurants, guest houses, hotels and just about any place a Westerner might set his foot, employs armed security guards, does little to change this picture. In order to enter such facilities, searches are part of the procedure. According to practice type securitization such routines will alter people's perception of the security situation (Leander, 2010b: 212-213).

### **Private Security Companies Profit From Insecurity - They Are Not the Cause**

The Afghan population seems confident in their state security forces, provided they are supported by international forces. Conversely, they fear for their safety when encountering soldiers and police. My findings also suggest that Afghans, at least those among the higher strata of society, agree that the Afghan National Police are in dire need of more training and better equipment if they are to become a professional force. Three of the informants point out that the provision of commercialized security services, e.g. security for private businesses or non-governmental organizations, is outside police purview. However, the others consider this to be a police task, either by creating a safe and secure environment or by direct provision of security services. At the same time, all agree that the current security situation generates a need for private security companies, and that the police are currently incapable of satisfying this demand.

Most of the informants point to the fact that both speech and practice type securitization occur in Afghanistan. Private security companies need to create an impression of an insecure environment to ensure a demand in the market. To ensure the safety of their clients, security guards from private companies will observe a range of procedures, e.g. searches and tactical driving. In addition, private security companies may have access to better equipment and training than state security forces; a few informants suggested that this may decrease the public's confidence in the police. Most informants agree that public confidence in the police is negatively affected when government officials employ private security guards rather than police.

The fact that the population considers the police as incapable of confronting illegal private security companies and their principals is perhaps the most critical observation from my interviews. In effect, this means that individuals may, provided they have sufficient funds, may hire a private security company and become virtually untouchable. Hence, they challenge the authority of the police, and in turn the Afghan government, effectively weakening their legitimacy in the process.

# Regulation of the Industry

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As there was no scene for commercial security in Afghanistan prior to 2001, there were no laws nor regulations when the phenomenon appeared. The first efforts were led by General Zahir Akhbar, the Director of the Afghan Uniformed Police in the Ministry of Interior, in 2003. Allegedly, Akhbar issued licenses to companies, although he did not have the authority to do so. Either way, the fees never made it into the accounts of the Ministry of Interior (Blue, 2011). In 2006, the issue also received attention from the Office of the National Security Advisor (ONSA), due to a rumor of a contract to provide security for the proposed TAPI gas pipeline<sup>5</sup> being awarded to a former general with the Afghan National Police, known to be hostile to the president. Following this, the Office of the National Security Advisor called upon a representative from a foreign private security company to help the Ministry of Interior in regulating the industry (Orange, 2011). Little progress was made before 2007, when a string of bank robberies in Kabul were alleged to be inside jobs performed by security firms hired to protect money transports for the banks. Karzai issued a decree, which was followed by a resolution by the Council of Ministers, in early February 2007. These measures enabled the Ministry of Interior to gather and register information on private security companies in Afghanistan (Schmeidl, 2007: 22-23). The combined efforts led to a draft regulation for review by the Ministry of Justice and finally to a set of procedures, finalized by the Disarmament and Reintegration Commission (Ministry of Justice, 2007). These regulations and procedures were signed into effect by the Second Vice-President in February 2008 (Ministry of Interior, 2008).

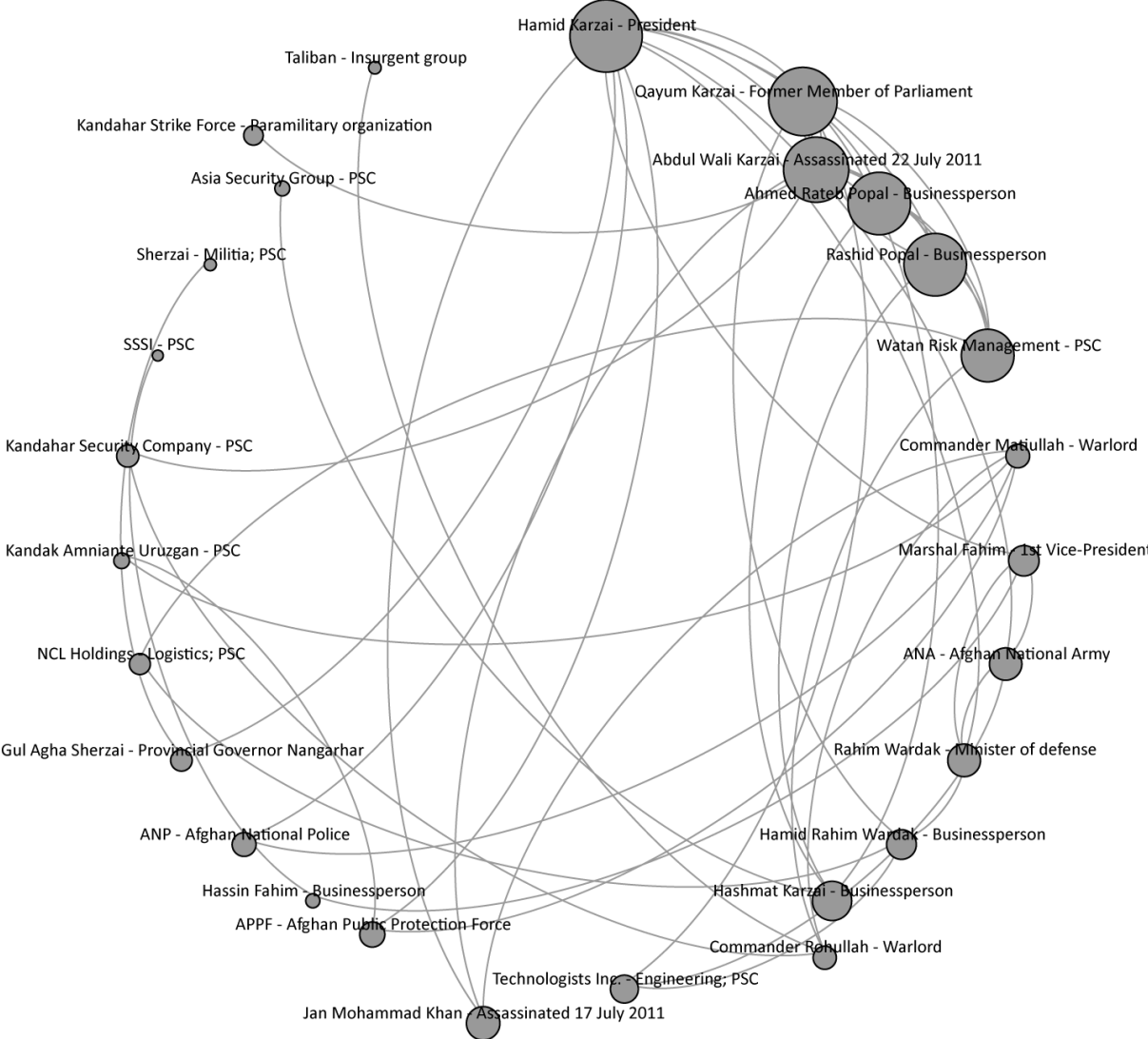
The final act in regulating commercial security was Karzai's Presidential decree 62, issued in August 2010. Following the decree, Karzai went into negotiations with US representatives in October 2010. This resulted in the previously mentioned bridging strategy presented on 15 March 2011 (van Bijlert, 2011). While Karzai may have been perceived as taking an ethical stand against corporate mercenaries, it has been argued that this decree was a tactical move to enable the Karzai's own clan to take a lead in the commercialized security market, and as a lever in negotiations with the US. According to two of the informants, and a secondary source, Karzai has strong connections to the private security industry, illustrated in figure 4.

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<sup>5</sup> The Trans-Afghanistan Pipeline (TAPI) is a proposed natural gas pipeline that will transport natural gas from Turkmenistan through Afghanistan into Pakistan.



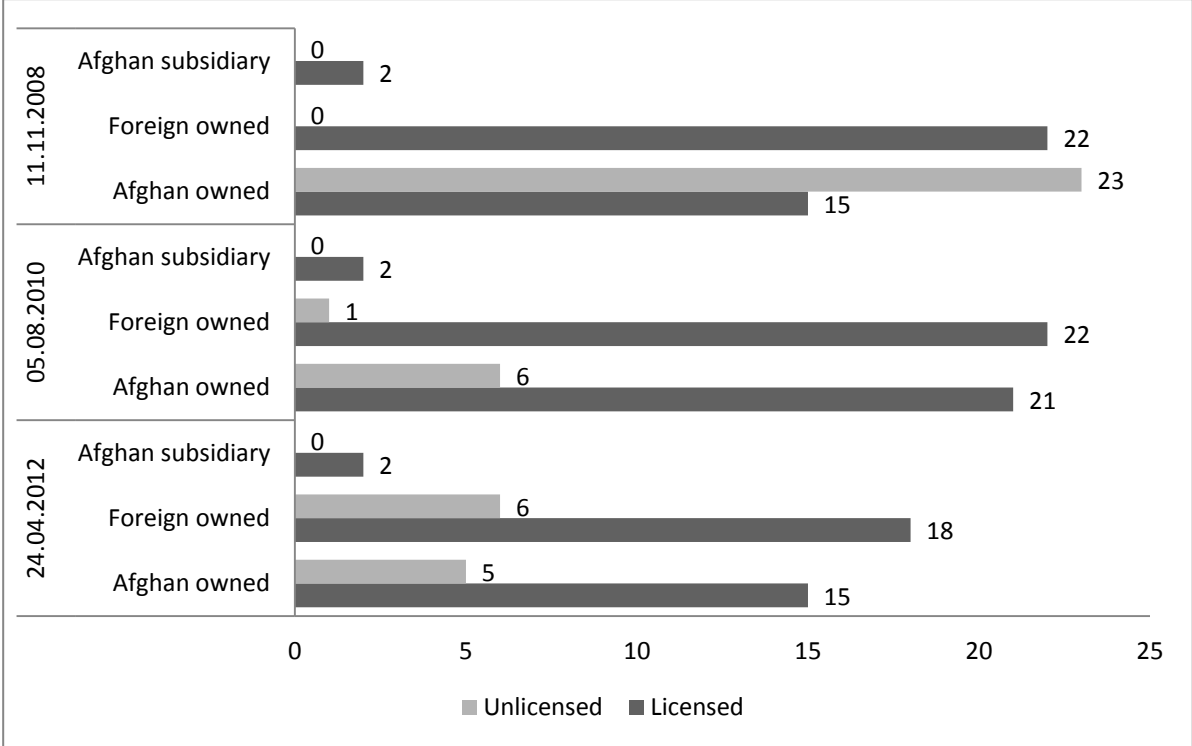
The social graph indicates that Karzai has high centrality and a strong level of influence in the network.



**Figure 4: Social graph depicting Karzai's relation to PSCs. Circle sizes indicate influence; circles are arranged clockwise according to decreasing degree centrality (Orange, 2011; Green, 2012; Bricet des Vallons, 2011)**

Several illegal companies have been disbanded following the decree, but the lack of data makes it impossible to discern whether this has benefited Karzai’s clan, or anyone in his circles (Blue, 2011; Orange, 2011; Bricet des Vallons, 2011). Figure 5 compares the number of licensed and unlicensed companies when regulation was first introduced (2008), shortly after decree 62 (2010) and today. The figure does not indicate a preference for local companies. In fact it suggests that only local companies have been dissolved. There were 27 registered Afghan companies in 2010, while only 20 in 2012, while the number of foreign companies has increased from 23 to 24. Meanwhile, foreign companies seem targeted for loss of license following decree 62. While six foreign companies currently operate without

licenses, only one did so in 2010. And that company, SSSI, was owned by Haji Hassin Fahim, brother to First Vice-President Marshal Mohammad Fahim.



**Figure 5: PSCs registered by the Ministry of Interior in 2008, 2010 and 2012, by license status and ownership. (Ministry of Interior, 2010; Afghan Public Protection Force, 2012a; Orange, 2011; Blue, 2011)**

Both foreign and Afghan companies are currently operating without licenses. Among the Afghan companies operating without a license in 2012, are three that have been banned. Two of these, Watan and Asia Security Group, are linked to President Karzai<sup>6</sup>, while the last, Elite Security Services, is owned by the son of Sibghatullah Mojaddedi, former president and current member of the upper house of parliament. Despite the bans, these companies do not suffer interference from the government due to these connections (Orange, 2011). Conversely, the foreign owned companies are likely allowed to operate due to their international clients.

The claim that the decree has given Karzai a bargaining chip in negotiations with the US is more viable. US operations in Afghanistan are highly dependent on private security contractors. It would be impossible, under the current conditions, to replace these contractors with US troops. The US are not alone, the European Union’s External Action Service unveiled a tender for private security on 10 May 2012. The contract, which will run for four years, is valued at between 30 and 50 million euros (Rettman, 2012). This may be more

<sup>6</sup> Asia Security Group was controlled by Hashmat Karzai, the president’s cousin, whereas Karzai’s older brother Qayum was a major shareholder in Watan. Both firms have applied for RMC licenses.

important than it seems; Afghanistan’s pasts suggest that successful rulers have to convince the population that he is not beholden to foreigners while convincing those same foreigners to fund his state and its military (Barfield, 2009: 107). The decree led to the establishment of the Afghan Public Protection Force. As foreigners, and US forces in particular, are the prime customers of pay-for-security in Afghanistan, the decree has the makings of such a two pronged political move.

**The Situation Today**

Before the first phase of the bridging period expired on 20 March 2012, 52 private security companies were licensed to work in Afghanistan, under the regulations of February 2008 (Orange, 2011). As indicated in table 3, as of 24 April 2012, 35 still hold valid licenses as private security companies. These operate under the regulations of February 2008, regulations that should be sufficient. As these regulations have not been passed into formal law, no criminal charges may be brought to bear upon companies in breach of the regulation. This has led to allegations that private security companies operate in a legislative vacuum (Giannini and de Graf, 2011: 3). However, other laws may be applicable, such as the Police Law or the Gun Law, and few businesses in Afghanistan enjoy the level of scrutiny and oversight as the commercial security sector (Orange, 2011; Pink, 2011).

**Table 3: List of registered PSCs and RMCs operating in Afghanistan, current as of 24 April 2012 (Afghan Public Protection Force, 2012a)**

Status	Corporate entities (RMCs in parentheses)	Totals (licensed / unlicensed)	
		PSC	RMC
Licensed PSCs*	<b>RMC is licensed:</b> DynCorp (SIL Services); Edinburgh (Edinburgh International); Garda World (Garda World RMC); Global (Global Risk Management); Good Knight Security Services (New Good Knight Risk Management); KBSS (KBRMC); TOR (TOR Risk Management)	7 / 0	7 / 0
	<b>RMC has applied for license:</b> Aegis (Minerva Risk Management); Afghan Maiwand Security Services (ANSCO RMC); Pride (Brite); RONCO (RONCO); Sediqi Security (Sediqi); Tundra (Tundra Strategy); Blue Hackle (Blue Hackle); Academi (Academi)	8 / 0	0 / 8
	<b>RMC will not apply for license:</b> EODT; Hart; IDG; Sabre; Saladin; SOC-A; Triple Canopy;	7 / 0	0 / 0
	<b>Has not established RMC / applied for RMC license:</b> ANSO; A-Team; Burhan Security Services; Four Horsemen; G4S; Guard Force Int; Kaboora Security; Page; Salarzai; Shield; TAC-Force; White	13 / 0	0 / 0

	Eagle; Yuksel		
Unlicensed PSCs	<b>RMC is licensed:</b> Compass (Separ)	0 / 1	1 / 0
	<b>RMC has applied for license:</b> Watan (Watan Risk Management) ***	0 / 1	0 / 1
	<b>Will not establish RMC / apply for RMC license:</b> Olive Group **	0 / 1	0 / 0
	<b>Has not established RMC / applied for RMC license:</b> ARGS; Arya; Control Risks; ESS; ISS; Khorasan; Reed Inc.; Servcor; UNITY-OSG;	0 / 9	0 / 0
RMCs with no PSC affiliation	<b>RMC is licensed:</b> Diamond RMC; Mondial RMC; Pilgrims Group Consulting; Nakheel Risk Management; Silk Route RMC; T4RMC; ZMS Risk Management; SCIMITAR	0 / 0	8 / 0
	<b>RMC has applied for license:</b> Asia Risk Management ***	0 / 0	0 / 1
<b>Totals:</b> Licensed PSCs: 35; Unlicensed PSCs: 12 Licensed RMCs: 16; Unlicensed RMCs: 10 <b>Notes:</b> * All PSCs included in this category had their licenses renewed on 17 April 2012. A PSC operating in Afghanistan needs two licenses; an investment / commercial license from Afghanistan Investment Support Agency (AISA) and an operating license from the Ministry of Interior. ** Olive Group has only applied for a PSC license *** Watan and Asia Security Group (predecessor to Asia Risk Management) were banned in August 2010 due to their close links to Afghan officials (Blue, 2011).			

In addition there are 16 licensed risk management companies (RMC). According to the terms of reference, a risk management company is an:

“organization that advises on the security of sites, buildings, persons, logistics, transportation of goods and equipment, and contract management of security service operations on the basis of professional norms derived from industry best practices. RMCs do not provide security services but provide training and security advisory services to, and/or contract for such services with, the APPF on behalf of, organizations and persons requiring security services” (Afghan Public Protection Force, 2012b).

It has been argued that this is little more than “sleight-of-hand does little more than subcontract the work of the APPF to private-security [sic] companies” (Glass, 2012). At the end of the first phase of the bridging period, the Afghan Public Protection Force lacked the capacity to take over. As previously indicated, the Ministry of Interior has granted extensions

to many private security companies. Hence, some clients did not go with the Afghan Public Protection Force. Those that did, have been complaining as the prices are a lot higher than initially advertised (SIGAR, 2012a: 5-8; Pink, 2012). While some private companies have established new corporate entities and applied for and received RMC licenses<sup>7</sup>, several still employ their own security guards. Due to this, the Afghan Public Protection Force has not received business as expected, and rumors circulate that they are maneuvering to close the functions of the risk management companies due to this (Pink, 2012).

## **The Afghan Public Protection Force**

The Afghan Public Protection Force is a state owned enterprise, established in March 2010, belonging to the Afghan government's Department of Public Protection. The force was established to provide security services for people, infrastructure, facilities, construction projects and convoys. They have no mandate or authority to investigate crimes or arresting suspects (NATO Training Mission Afghanistan, 2012). In September 2011, the APPF Advisory Group (AAG) was established as part of ISAF. They are tasked with helping the Ministry of Interior in increasing the capability of the force (Afghan War News, 2012). Even though the organization a contradiction in terms, a private security company owned by the government, the idea offers an indirect approach in handling the security companies. According to the US Department of Defense, the Afghan Public Protection Force has made "substantial positive progress on critical tasks necessary to begin transition of security responsibilities" since January 2012, when the six- and nine-month assessments<sup>8</sup> of the Afghan Public Protection Force concluded that the force was underdeveloped and "lacked sufficient leadership, training capacity, resources, and planning necessary for increased roles and responsibilities" (US DOD, 2012: 66). Between February and March 2012, NATO Training Mission Afghanistan published 13 press statements describing the apparent success of the Afghan Public Protection Force. However, after the deadline passed on 20 March 2012, only two press releases have been issued. Business has dwindled, and many of the people I interviewed share the skepticism of the US Special Inspector General for Afghanistan Reconstruction in his quarterly report to the US Congress:

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<sup>7</sup> A single corporate entity may not hold both a PSC license and a RMC license. The Afghan government charges a fee of USD 124,000 for a RMC license; companies must also post a bond of about USD 300,000 (USAID, 2012: 7).

<sup>8</sup> The bridging strategy for the implementation of Presidential Decree 62, which went into effect in March 2012, stated that a team of officials from ISAF, the Afghan Ministry of Interior, and the US Embassy should conduct joint assessments of the APPF after six months and every three months thereafter (SIGAR, 2012b: 7).

“Hamid Karzai’s decision to disband PSCs and transfer their responsibilities to an Afghan state-owned enterprise—the APPF—will ultimately have an impact on all U.S. and international reconstruction programs” (SIGAR, 2012a: 17).

The Inspector General noted that the nine-month assessment of the Afghan Public Protection Force had not been made public, and that the twelve-month deadline passed without an assessment. The report went on to suggest that USAID, the single largest contributor to reconstruction in Afghanistan, should “carefully and objectively consider whether the expected benefits of a reconstruction project outweigh the rising costs of security” (SIGAR, 2012a: 18). According to the report, the transition to the Afghan Public Protection Force may raise labor costs for Afghan personnel by as much as 46 percent. This includes a 20 percent profit added to most charges associated with each guard (SIGAR, 2012b: 10). In addition, labor costs for expatriate personnel may increase as much as 200 percent for expatriate personnel (SIGAR, 2012a: 16). The latter is due to the fact that clients will have to hire risk management companies due to uncertainty in regards to the quality of service from the Afghan Public Protection Force (SIGAR, 2012b: 10).

Most of the informants I have interviewed remain skeptical of the Afghan Public Protection Force. Hanif Atmar may have referred to the force as “one of six pillars of reform and growth of the police” when he approved the new police strategy in 2010 (Lefèvre, 2010: 13), but the population does not necessarily share his sentiment. The project is seen as a waste of money (White, 2011), and they are regarded as ineffective, corrupt and involved in crime (Orange, 2011; Yellow, 2012; Green, 2012). They are more likely to regard this in the same way as they do local defense initiatives, such as the Afghan Public Protection Program (AP3). This program, which was a precursor to the Afghan Local Police, was led by a former *jihadi* commander, with numerous enemies and a rather colorful past. Such issues may be difficult to avoid with the Afghan Public Protection Force, as an estimated 80 % of the manpower in private security companies, the recruiting pool for the force, have militia backgrounds (Schemidl, 2007: 19). As such, establishing paramilitary organization operating parallel to state institutions is dangerous, as it paves the way for warlordism (Grey, 2011; White, 2011; Brown, 2011). In Afghanistan, there is the added complication of the Taliban who “celebrate their foundation story as the scourge of warlords” (Cavendish, 2011b). The establishment of any armed group may play into their propaganda. However, private security companies owned by warlords and licensed by the government offer the same media value. None of the informants I interviewed expressed any kind of confidence in the Afghan Public Protection

Force. The common denominator was that the Afghan Public Protection Force was out of control and performed badly. Although several of the informants hinted at criminal activities, just one substantiated this. He stated that there was evidence that guards employed by the Afghan Public Protection Force were involved in fraud, theft and opium trafficking (Orange, 2011).

There is also the chance that the Afghan Public Protection Force may become a rival institution to the police. While their sources of revenue are different, both institutions derive their *raison d'être* from the security situation. But while the police may be commended for an improved security situation due to better policing, it might involve a pecuniary loss for the Afghan Public Protection Force. In addition there is the question as to whether there is sufficient domestic demand for the Afghan Public Protection Force as an institution. Evidence seems to suggest that lacking domestic demand is “the single most important obstacle to institutional development in poor countries” (Fukuyama, 2005: 47). None of the informants I interviewed for this thesis saw a need for the Afghan Public Protection Force. In fact, most informants stated a preference for statutory forces. These institutions should receive the necessary resources required to change the security situation in general, thus mitigating the need for commercialized security services. If private security companies were to be abolished, they should be replaced by the police, not a new security structure.

As commented in the literature review, in post conflict areas, non-governmental organizations and aid workers may rely on private security companies for security services. They accept and demand that state forces, be they international or local, should be responsible for the overall security and stability in an area. However, the need for impartiality makes them loath to rely on these forces for physical security, e.g. static security, security escorts, convoy escorts or personal security details (Rasmusson, 2011). This sentiment might render the Afghan Public Protection Force as unsuitable to their needs. Ideally, non-governmental organizations and aid workers should employ foreigners for security, as local nationals, both from private security companies and the Afghan Public Protection Force, are unlikely to be perceived as impartial due to *qawm* and / or militia backgrounds.

Finally, there is the question of corruption. While the program was well underway in the summer of 2011, there had been no official revenue flowing into the Ministry of Interior. At the time, UNAMA suspected that commanders kept the revenue themselves, and / or that they

wound up in the pockets of officials within the Ministry of Interior (Blue, 2011; Cavendish, 2011a).

## **Securing the Government a Piece of the Pie: Taxation**

There is little doubt that part of the rationale for establishing the Afghan Public Protection Force is financial in nature. Billions of dollars have been made by the private security industry in Afghanistan. The Afghan government naturally feels entitled to a share of the revenue. However, while they have had some financial gains through taxation, they have not received their rightful share according to Afghan laws and regulations. Most private security companies do not pay taxes (Orange, 2011; Green, 2011; Yellow, 2012). There are three main reasons for this. First of all, there is a lack of oversight in the business. When the Department of Defense struggle to account for their expenses in view to private security, how would the Afghan government achieve it? The second reason is related to the first: a lot of the business is conducted by illegal companies. They are not likely to provide tax returns to the government. The final reason is that many of the contracts involving foreign customers and foreign companies are made abroad. In those cases where taxes apply, they are not paid to the Afghan government. To address these issues, foreign entities that employ private security services in Afghanistan should report the cost to the Afghan government. This should include subcontracting costs, since this constitutes a large portion of the revenue stream (Green, 2011; Orange, 2011). In addition, they should ensure that contracts adhere to Afghan regulations in regards to taxation.

## **Faraway, So Close: Regulation, Not Dissolution**

The Afghan Public Protection Force may be an efficient way of keeping funds used for commercialized security services within the borders of Afghanistan, but that does not necessitate that these funds will end in government coffers. While the Afghan Public Protection Force offers the potential of detracting manpower from warlords and their security companies, the results seem lacking this far. While it remains difficult to determine ownership interests in local and illegal private security companies due to skullduggery, most Afghan owned companies had their licenses extended following the March 2012 deadline, and at least five companies reputedly linked to warlords / power brokers operate either as private security companies or risk management consultancies (Green, 2011). In any event, it remains doubtful that the Afghan Public Protection Force will be able to assume the tasks of all private security



companies operating in Afghanistan in the near future. If the Afghan Public Protection Force is perceived as another government security program gone awry it may affect the government's legitimacy. Afghans bestow legitimacy and authority upon those who provide, with security being a prime factor. Just like the local defense initiatives, the Afghan Public Protection Force program has the inherent danger of empowering warlords, enabling them to use state resources for their own interests. If this is done while providing security for their constituencies, they will gain legitimacy (Schetter and Glassner, 2009: 119).

In any event, the Afghan Public Protection Force is currently incapable of meeting the demands of the market. Hence, private security companies are required for some time to come, but is this really bad for the government? While most of the informants considered the government as responsible for establishing a secure environment, two pointed out that the provision of physical security for non-governmental entities was outside of government purview (Pink, 2011; Orange, 2011). Private security companies adhering to international standards and operating in accordance with Afghan law and regulations should pose no problem for the government. This is especially true in regards to international companies. Their interests in Afghanistan are purely financial. While they profit from a less than desirable security situation, a slide towards war is bad for business. The current regulations on private security are sufficient, but unenforceable. As there are no viable alternatives at the moment, the Afghan government would probably gain more from implementing and enforcing the current regulations, than abolishing private security companies. In turn ISAF should focus on the further development and strengthening of the Afghan National Police in order to create an institution that will endure after the West pulls out. Whether this still remains an actual option, given Karzai's apparently adamant stance on the subject, is uncertain. Unless the Afghan Public Protection Force are able to conjure up 35,000 or so security guards within the next year, Karzai will have to renege on the bridging strategy anyway. While Karzai hardly is known for his tenacity, extending the deadline to something realistic beforehand might better serve his interests.

The current regulation of the private security market in Afghanistan is more than satisfactory. Furthermore, the private security sector is one of the sectors that actually receive government attention and oversight in Afghanistan (Pink, 2011). What remains, is to pass those regulations as law, making them enforceable. The activities of private security companies should be taxed, so that a share of the profits is kept in Afghanistan. The Afghan Public Protection Force should be disbanded before it fails entirely; as of now, it only acts as a vessel

for corruption for officials in the Ministry of Interior, and a way to increase the amount of weapons in Afghanistan. If the force fails, the government will take a hit in regards to legitimacy, especially if they fail because of illegal activities.

# Suggestions on Future Research

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Through the course of my research, my biggest frustration has been the availability of information. Whether it is due to the protection of trade secrets, client confidentiality or to cover corruption, the dealings of private security companies in Afghanistan remains shrouded in secrecy. Naturally, this is especially true of the illegal companies operating in Afghanistan. While some of my informants have volunteered information, specific details are few and far between. Concomitant, my research supports the claim that the use of private security companies has led to funding of adversarial groups, including insurgents such as the Taliban. Afghanistan's history, from the Great Game to the Soviet War, shows that funding and equipping insurgent groups will cause problems for the occupier. As such, it would be interesting to determine the scope and effect of the monetary flow from private security companies to insurgent groups has had on the War in Afghanistan.

During the analysis, I looked at some of the social networks within the private security industry in Afghanistan. While I decided that the expected outcome of this analysis was not a satisfactory return on the time it would have taken to complete the process, I am certain that such an analysis could provide interesting results. If nothing else, it would be a valuable contribution to research on power structures in Afghanistan.

# Private Security and the Impact on Security Sector Reform

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Earlier in this thesis, I presented three different hypotheses for analyzing the interplay between private security companies, legitimacy and security sector reform. In this chapter I will review the hypotheses based on my findings.

## **Local private security personnel are linked or synonymous with armed groups that may challenge the Afghan government.**

The state monopoly on the legitimate use of coercive force may be seen as the starting point for security sector reform. While one might discuss whether this monopoly necessitates that the application of violence should be the sole prerogative of statutory forces or not, the government should be the sole legitimate source. Failure to uphold this monopoly is detrimental to security sector reform. In Afghanistan the pre-modern test of legitimacy prevails: those that provide security while fending off contenders are deemed legitimate. As such, any parallel security structures controlled by warlords, already empowered through their patronage networks and / or *tanzim*, may act as a destabilizing factor. Afghan history has shown that such tools will be utilized in vying for power. In the case of a new period of intra-Afghan violence, such forces may take the field on short notice.

The question remains whether private security companies constitute cause or effect. Warlords utilized their militia to challenge the legitimacy of the Afghan government long before venturing into the private security market. Local defense initiatives provide warlords with another venue of keeping their militias that is not only legal, but government funded. The difference lies in the rate of return. Private security is highly profitable in itself; controlling an *arbakai* is not. Both may be employed in the criminal activities.

As suggested in the hypothesis, illegal armed groups constitute the core problem. To address the problem, it is necessary to disband, disarm and reintegrate these groups. Dissolving all private security companies will hurt lawful companies, whereas illegal companies will be unaffected.

**The use of private security companies may cause people to view public security as inadequate, in turn affecting their view of the government as a security provider.**

The analysis shows that the Afghan population has confidence in state security forces, while private security actors are held in low regard. As for the security situation, the findings suggest that both private and state security actors contribute to insecurity. While the population actually fears encountering state security actors, private security companies contribute through speech and practice type securitization. Local companies also contribute to insecurity due to their links to organized crime and warlords. All private security companies profit from insecurity, but for lawful companies a slide towards civil war is bad for business. For warlords, the situation is a bit different. A civil war may give access to resources from external donors, and promote a new round of *padshahgardi*.

Nevertheless, private security companies and state forces are not the sole contributors to insecurity. Insurgent attacks have become increasingly common, and the degenerating security situation has created an increasing demand for security provision. While the majority of informants consider the police responsible for sustaining security, they all agree that there is a current need for pay-for security providers in Afghanistan.

In regards to security sector reform, private security companies mainly affect the process through public perception. When private security guards assume duties people expect the police to perform, it has negative effects on confidence. Similarly, when the police are incapable of confronting illegal companies and their principals, people regard them as impotent. This means that any individuals may, provided they have sufficient funds, hire a private security company and become virtually untouchable. The authority of the police and the Afghan government is challenged, effectively weakening their legitimacy in the process.

**Private security companies are de facto security providers in Afghanistan. Success, or failure, in regulating the private security companies will affect the legitimacy of the Afghan government and the private security companies themselves.**

The private security market in Afghanistan is regulated; as such the government is the *de jure* source of coercive force. The problem is that the regulations have not been implemented as law. This makes them difficult to enforce. Local companies might resist attempts by violent action. Foreign private security companies often enjoy support from their international clients. Dissolving all private companies and replacing them with a state owned enterprise, the

Afghan Public Protection Force, may be seen as an elegant solution. However it is not without problems.

While the Afghan Public Protection Force might become an alternative at some point in the future, they currently lack both the required capacity and capability to satisfy client demands. Even if they reach their goal at some point, it seems paradoxical that the provision of security services for non-statutory entities should be deemed government purview. The resources required to develop the unit into a professional force would be better used for improving the Afghan National Police. If this institution manages to provide basic policing services as expected, it will improve the general security situation in the country. Counterinsurgency should be left to the Afghan National Army or special police units. By doing so, the Afghan government would strengthen current institutions instead of broadening the spectrum with parallel structures. The fact that the Afghan Public Protection Force has received a bad reception by the public only serves to substantiate a need to review priorities. If the force fails, it constitutes a failure both for security sector reform and the Afghan government. The public are likely to view this as another venue where the government is unable to provide security. This will weaken public perception of government legitimacy,

The loss of potential revenue from the Afghan Public Protection force could be replaced by taxation on private security services. For this to work, clients will have to contribute by reporting costs and making contracts in accordance with Afghan law.

## **Conclusion**

The use of private security forces and whether they might affect security sector reform in Afghanistan is closely related to how such forces challenge the government's legitimacy and the state monopoly on coercive force. This, in turn, depends on the characteristics of the private security companies.

In essence, all private security companies using armed personnel challenge the monopoly on coercive force. The extent is dependent upon regulation. In Afghanistan, current regulation retains the government as the source on the legitimate use of coercive force. However, regulations are not effectively enforced. This allows illegal companies to operate on the market, challenging both the authority and legitimacy of the government. Companies that adhere to the regulations have little effect.

Findings suggest that the use of illegal private security companies indirectly funds insurgent groups such as the Taliban. Funding is vital to insurgent groups, and the failure to end the insurgency affects the legitimacy of the government.

Government legitimacy is more directly challenged by warlords. Many warlords and commanders have refashioned their militias into private security companies. They use these companies to carve out fiefdoms where they are bestowed with power and legitimacy at the expense of the government. Conversely, these warlords would likely have militias in the absence of a private security market. Foreign private security companies have no obvious ties to local or parallel structures in Afghanistan; hence there is little evidence to suggest that their employment might have an effect.

The Afghan Public Protection Force might offer a solution to the problem, but the force will not be capable of meeting the demand for security in the foreseeable future. If this state owned enterprise fails, it will affect government legitimacy in the eyes of the people; after all, the provision of security is one of the things Afghans traditionally expect from those they empower.

As long as lawful companies are employed, there should be no detrimental effects to security sector reform. Instead of dissolving all companies, the Afghan government, with the help of ISAF, should focus on illegal companies and militias, while strengthening the police. This will increase stability and security, facilitate security sector reform and strengthen government legitimacy, including the monopoly on coercive force.

# Interviews and Personal Communication

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## Informants

Most informants wished to remain anonymous Table 4 provides a key enabling the reader to link statements to the different informants.

**Table 4: Key to Informant Identifiers**

Identifier	Description
Amber	Afghan parliamentarian.
Blue	Expatriate UNAMA official working with security in Afghanistan.
Brown	Afghan who up until recently worked for the UN and the Afghan government. Worked with the DDR-process. Loya Jirga delegate in 2012.
Cyan	Afghan parliamentarian.
Green	Afghan academic studying peace and conflict studies. Has previously worked in the Afghan Ministry of Foreign Affairs and served in the Afghan National Army.
Grey	Afghan national living in Norway. Close family ties to Dr. Abdullah Abdullah and the Tajik elite of the Northern Alliance. Involved in Afghan politics.
Orange	Afghan government official with the Afghan Ministry of Interior. The informant has been heavily involved in the work of regulating private security companies.
Pink	Expatriate manager for a private security firm employed by an implementing partner for USAID in Afghanistan.
Purple	Afghan working with the Afghan High Peace Council. Extensive experience from NGO work in Afghanistan.
Tan	Afghan parliamentarian.
White	Afghan national with a prominent position within the opposition. Close relations to several influential persons in the higher echelons of the Afghan government.
Yellow	Afghan working on behalf of the UN within an Afghan ministry. Previous experience from working with other INGOs in Afghanistan, and work with police reform in the Afghan government. Engaged in Afghan civil society groups.

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# Appendix A - Interview Guide: PSCs and SSR in Afghanistan

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**RESEARCH PURPOSE:** This research is being conducted to study if the use of PSCs affect the SSR in Afghanistan, focusing on the government's legitimacy on the use of coercive force.

**RESEARCH PROCEDURES:** If you agree to participate, just answer the following questions. These are the same questions that the researcher would pose through an interview. Completing the form should take no more than 40 minutes of your time.

**RISKS:** There are no foreseeable risks for participating in this research.

**BENEFITS:** There are no benefits to you as a participant other than to further research on the use of PSCs in Afghanistan.

**CONFIDENTIALITY:** The data in this study will be confidential. Names and other identifiers will not be placed on interview notes or other research data. Your name will not be included in the interview and any other data. If you are an expert or a public figure, quoted statements may be attributed to your person, provided you give your consent and agreement. If not, statements will be attributed to a prototype based on your characteristics.

**PARTICIPATION:** Your participation is voluntary, and you may withdraw from the study at any time and for any reason. If you decide not to participate or if you withdraw from the study, there is no penalty or loss of benefits to which you are otherwise entitled. There are no costs to you or any other party.

**CONTACT:** This research is being conducted by John Rønnevik, Master's student at the Department for Comparative Politics at The University of Bergen. He may be reached at [john.ronnevik@student.uib.no](mailto:john.ronnevik@student.uib.no) for questions or to report a research-related problem.

## **Security sector reform**

Definition: SSR is a process that "aims to remake the security sectors of transitional or failing states according to western democratic norms and values".

## **Private security companies (PSCs)**

Definition: profit-driven organizations that trade in security and/or military services.

## Contact information

The following information will not be used in the thesis itself. Your name will be used as an identifier in the research database, whereas your contact information will be used in case there are follow up questions. You, and your answers, will remain anonymous in the thesis.

If you are willing to have quoted statements from the interview in the final thesis, you will have to give your written consent.

<b>Given name</b>	
<b>Family name</b>	
<b>E-mail</b>	

## Background

Please provide as accurate and detailed information as possible. Your background information is necessary to facilitate a good analysis.

<b>Which province do you live / work in?</b>	
<b>What is your professional background (short list of previous experience leading up to, and including, current job)?</b>	
<b>Which of the following describes your line of work best (circle the applicable)?</b> Government   NGO / INGO   Security forces (military / police)   Private security   Private business   Media   Research   Religious   Other	
<b>Is the organization you work for Afghan or international?</b>	
<b>Do you have experience from working in Afghanistan (only relevant for foreign nationals)?</b>	
<b>If yes, for how long have you worked in Afghanistan?</b>	
<b>Can you describe yourself and your role (in your organization)? What do you do (tasks)? Who do you work with? Who is your superior? Do you have leadership responsibilities?</b>	

## Security Sector Reform (SSR) in Afghanistan

**What do you know about security sector reform in Afghanistan?**

*Definition: SSR is a process that "aims to remake the security sectors of transitional or failing states according to western democratic norms and values".*

**Are you, or have you previously been, involved with SSR or related projects? If so, describe the manner of your involvement.**

**Who do you think are the primary stakeholders in Afghanistan's security sector reform? Why?**

*A stakeholder is a person, company etc that has shares or an interest in a business, an industry etc, in this case the national process of security sector reform.*

**What do you consider as the main challenges for a successful security sector reform in Afghanistan? Why?**

*Examples: Alternate power structures as providers of security (e.g. Kandahar Security Group; warlord led militias); Lack of confidence in official security forces (ANSF); Quality of official security forces (ANSF); Adequate number of official security forces (ANSF)*

**Who do you consider as the current provider of (effective) security in Kabul?**

*ANA, ALP, KCP, NDS, Private security companies, former warlords etc.*

**Why?**

**What about the rest of Afghanistan?**

*Differences between major cities and rural areas? What about the border areas?*

**Private Security Companies (PSCs) in Afghanistan**

**What do you know about private security companies operating in Afghanistan?**  
*Definition of PSC: profit-driven organizations that trade in security and/or military services. What laws and regulations apply? Do they follow regulations? Is there a difference between foreigners and local nationals working for PSCs?*

**Do you have personal knowledge of, or a relation to, a PSC?**  
*Have you ever worked for a private security company? Have you, or your organization, hired a PSC? What about friends and relatives?*

**In your experience, who are the primary stakeholders in local PSCs?**  
*Who are the typical owners (prototypes)? Who benefits from the PSCs (apart from the owners)? A stakeholder is a person, company etc that has shares or an interest in a business, an industry etc, in this case the private security industry.*

**In what ways do you think the use of PSCs may affect the process of security sector reform?**

**Perspectives on how PSCs may affect SSR**

*The purpose of this study is to judge in what way the use of PSCs may affect SSR. The following questions are related to instances where this might occur.*

**Do you think that local private security companies may challenge the government of Afghanistan? Why / why not?**

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**Do you think they threaten the legitimacy to the monopoly on coercive force? Why / why not?**

*The monopoly on coercive force may be seen as one of the defining aspects of a state. However, it may also be perceived as a variable influenced by other factors and actors. If public security is lacking, people may turn to other providers for security, thus influencing the government’s monopoly.*

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**Do you consider local PSCs as a potential threat to the stability of Afghanistan? Why / why not?**

*Some people are of the opinion that local PSCs are conflicting with DDR processes (Disbandment, Demobilization and Reintegration) such as those performed by the National Independent Peace and Reconciliation Commission (NPRC) and the Afghan Peace and Reintegration Program (APRP); The continued operation of PSCs escalate the potential for violence within the country.*

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**In case of a new period of intra-Afghan violence (e.g. civil war), in what role do you see Afghan owned PSCs?**

*It has been suggested that the withdrawal of international troops in accordance with the coming transition may lead to a renewed power struggle between power brokers in Afghanistan. This may in turn lead to violent conflict between the respective actors. PSCs may represent potential forces in such a conflict.*

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**What are your thoughts on government officials and representatives that hire private security**

**companies instead of relying on official security forces?**

**How does the use of PSCs affect the public opinion's perception of public security?**

*Public security is the services offered by official security forces.*

**How does this reflect on their perception on the government as a security provider?**



**Presidential decree 62: Regulation and restructuring of PSCs**

*Presidential decree 62 was issued by President Hamid Karzai on 17 August 2010. The decree states that all private security companies should be disbanded. The Ministry of Interior issued a bridging strategy for the implementation of the decree on 15 March 2011. The aim of this strategy is the transition to an "Afghan First" security service (The Afghan Public Protection Force), by adopting PSCs that provide security for development entities and ISAF. PSCs that provide security for embassies are exempt.*

**In your opinion, is there a need for private security companies in Afghanistan? If so, why?**  
*Should security be a public responsibility, or should private actors be allowed to operate if there is sufficient demand?*

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**What do you think will be the consequences for the government if attempts to regulate PSCs are unsuccessful?**

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**What are your opinions on the Afghan Public Protection Force (APPF)?**  
*Will it be successful? Will the government be able to exert the necessary degree of control? What about corruption? Is there a need for such a force? Is it a good idea? What about the increase in the total number of armed individuals in Afghanistan?*

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**Do you think that there are other alternatives, other than PSCs, that have not been considered to meet the demand for security?**

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# Appendix B - Matrix Displays

**Table 1: Matrix display 1<sup>st</sup> hypothesis - Local private security personnel are linked or synonymous with armed groups that may challenge the Afghan government.**

Informant	Criteria for legitimacy: Local PSCs and the SMLF	Activities of PSCs: Criminal activity	Activities of PSCs: Links to insurgents	Perception of power / patronage: Warlords and PSCs	Criteria for legitimacy: Local PSCs threat to stability	Perception of power / patronage: Benefits of PSCs / private armies	Key points
<b>Identifier (color code)</b>	<p><i>Example text: By providing security for the population, local PSCs are empowered with legitimacy in their area of operations.</i></p> <p><i>When local PSCs owned by warlords receive business from international forces, they are imbued with a shroud of legitimacy.</i></p>	<p><b>Example text:</b>  <i>Many local PSCs benefit from the poppy economy. They facilitate the safe passage of opium through their areas.</i></p>	<p><b>Example text:</b>  <i>Many PSCs will bribe insurgents to avoid being attacked. In some cases, the PSCs in rural areas are synonymous to the adversarial groups / insurgents in the area.</i></p>	<p><b>Example text:</b>  <i>In return for protection, the population in rural areas will often bestow power upon warlords. Warlords using PSCs as private armies are able to provide protection in a more direct way than government forces in rural Afghanistan. As such, the populations accept these warlords as their patrons.</i></p>	<p><b>Example text:</b>  <i>Since the warlords may utilize PSCs to consolidate their positions in their regions, some PSCs may very well be perceived as threats to legitimacy.</i></p>	<p><b>Example text:</b>  <i>If the international community withdraw their forces from Afghanistan, civil war is inevitable. Warlords that own PSCs will utilize these, just like they would utilize any militia, in the war. As such, PSCs may act as readily available forces for belligerent warlords.</i></p>	<p><b>Summary of findings from the interview with this informant.</b></p>

**Table 2: Matrix display 2nd hypothesis - The use of PSCs may cause people to view public security as inadequate, in turn affecting their view of the government as a security provider.**

<b>Informant</b>	<b>Characteristics of PSCs: Perception / Quality of service (PSCs)</b>	<b>Government effectiveness / criteria for legitimacy: Perception / Quality of service (ANSF)</b>	<b>Government effectiveness and characteristics of PSCs: ANSF vs PSCs</b>	<b>PSCs and perception of security (human insecurity)</b>	<b>Key points</b>
<b>Identifier (color code)</b>	Text	Text	Text	Text	<b>Summary of findings from the interview with this informant.</b>

**Table 3: Matrix displays 3rd hypothesis - PSCs are de facto security providers in Afghanistan. Success, or failure, in regulating the PSCs will affect the legitimacy of the Afghan government and the PSCs themselves**

<b>Informant</b>	<b>Government effectiveness / Activities of PSCs: Need for PSCs? Alternatives?</b>	<b>Government effectiveness / Activities of PSCs: Need for regulation?</b>	<b>Characteristics and activities of PSCs: PSC performance / adherence to regulations</b>	<b>Government effectiveness: Is regulation achievable? Consequences of failure?</b>	<b>The APPF</b>	<b>Key points</b>
<b>Identifier (color code)</b>	Text	Text	Text	Text	<b>Summary of findings from the interview with this informant.</b>	<b>Identifier (color code)</b>