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THESIS

**THE AFGHAN NATIONAL POLICE: TURNING A
COUNTERINSURGENCY PROBLEM INTO A SOLUTION**

by

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December 2009

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**THE AFGHAN NATIONAL POLICE:
TURNING A COUNTERINSURGENCY PROBLEM INTO A SOLUTION**

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ABSTRACT

The Taliban have managed to expand their political and military influence every year for the last five years, and if this trend is not stopped and ultimately reversed, the government of Afghanistan will likely collapse. While there is not one solution for victory in Afghanistan, some counterinsurgency precepts are more critical than others. This thesis examines and explains why legitimate police are vital to defeating the Taliban insurgency. Additionally, this thesis identifies and seeks to validate two key recommendations for improving the legitimacy and effectiveness of the Afghan National Police. First, the International Security Assistance Force (ISAF) and the Government of the Islamic Republic of Afghanistan (GIROA) need to make the Afghan National Police their number one priority for resources and manpower. Second, the Afghan National Police must be fundamentally restructured in accordance with traditional and cultural precepts to meet the needs of rural Afghan communities. Tailoring police reform to meet the needs of rural Afghans can reverse the Taliban's influence and legitimacy in Afghanistan's critical periphery.

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LIST OF ACRONYMS AND ABBREVIATIONS

ANA	Afghan National Army
CJSOTF-A	Combined Joint Special Operations Task Force – Afghanistan
COIN	Counterinsurgency
CSTC-A	Combined Security Transition Command-Afghanistan)
DDR	disarmament, demilitarization, and reintegration
FDD	Focused District Development)
GAO	U.S. Government Accountability Office
GIRoA	Government of the Islamic Republic of Afghanistan (GIRoA)
ISAF	International Security Assistance Force
KHAD	Khedamat-i Ittala’at-i Daulati
NCO	noncommissioned officers
ODA	Operational Detachment Alpha
PDPA	People’s Democratic Party of Afghanistan
PDPA	Peoples Democratic Party of Afghanistan
SSR	Security Sector Reform

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I. INTRODUCTION

Success in counterinsurgency (COIN) operations requires establishing a legitimate government supported by the people and able to address the fundamental causes that insurgents use to gain support.¹

A. FOR MOST AFGHANS, THE POLICE ARE THE GOVERNMENT

Top U.S. and NATO officials acknowledge that the coalition is not winning the war in Afghanistan.² While not winning does not mean losing, many coalition partners have grown weary after eight years of conflict. Even with over 100,000 NATO soldiers assisting the Afghan government, the security situation is worse today than it was seven years ago.³ The coalition has steadily increased the number of counterinsurgent forces and resources over the years, yet the Taliban have managed to continually gain ground and expand their political and military influence every year for the past five years.⁴

If the Taliban's ability to gain popular support is not stopped and ultimately reversed, the government of Afghanistan will reach a tipping point and likely collapse. David Kilcullen, a renowned counterinsurgency author and analyst makes a similar assessment in his book *The Accidental Guerilla*, "All this field work has led me to the view that the Afghan campaign is at a strategic crossroads, and may indeed be

¹ United States Dept. of the Army and United States Marine Corps Combat Development Command, *Counterinsurgency* 3-24 (Washington, DC: Headquarters, Dept. of the Army: Headquarters, Marine Corps Combat Development Command, Dept. of the Navy, Headquarters, U.S. Marine Corps, 2006, 6-1.

² Ben Arnoldy, "Does US Commander's Frank Assessment of Afghanistan Help – Or Hurt – War Effort?" *The Christian Science Monitor*, August 10, 2009; George F. Will, "Time to Get Out of Afghanistan," *The Washington Post*, September 1, 2009; "Asia: McChrystal in the Bull Ring; War and Politics in Afghanistan," *The Economist*, September 5, 2009, 45; Liam Stack, "Gates: US has One Year to make Progress in Afghanistan: American Public Won't Tolerate Rising Death Tally for Long, Says US Secretary of Defense Robert Gates. A Helicopter Crashed Sunday, Killing 16 Civilians." *The Christian Science Monitor*, July 19, 2009; Roxana Tiron, "Joint Chiefs Chairman: Afghanistan Getting Worse," *Leading the News: TheHill.Com* (October 9, 2008).

³ Jochen Vock, "Fact Sheet: Foreign Troops in Afghanistan.;" United States. Dept. of Defense, "Progress Toward Security and Stability in Afghanistan Report to Congress in Accordance with the 2008 National Defense Authorization Act (Section 1230, Public Law 110-181)," Dept. of Defense.

⁴ Jason H. Campbell and Jeremy Shapiro, "Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan," Brookings (2009).

approaching a tipping point.”⁵ Once Afghanistan reaches this point it will require an exorbitant amount of money, men, and political will to salvage the government. And after almost a decade of pouring lives and resources into a collapsing Afghanistan, it is very unlikely that the international community will have the fortitude to make the necessary commitments to save it. Even now, several members of the coalition supporting the Kabul regime are beginning to question their commitment of precious blood and treasure to what appears to be a losing war.⁶

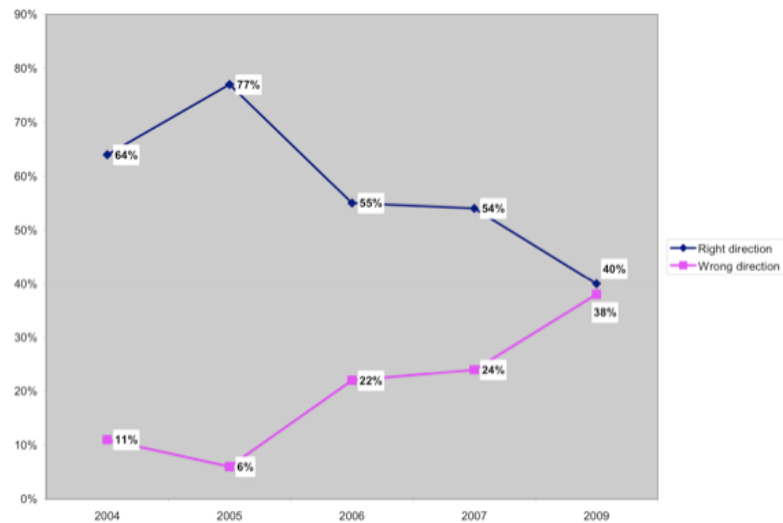
Despite the Taliban’s own surge, the war is far from lost. As with any other insurgency, the insurgency in Afghanistan is a zero sum competition between the insurgent (the Taliban) and the state (the Afghan government) for legitimacy, political power, and the support of the people.⁷ (See Figure 1.) When the Taliban gain support, the Afghan government loses support and vice versa. However, in order to reverse the trend in the state’s favor, the state must first identify and understand the needs of the Afghan people, and then do a better job of meeting those needs than the Taliban.

⁵ David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (Oxford; New York: Oxford University Press, 2009), 46.

⁶ Paul Weinberg, “Canada: Afghanistan Exit could Bring Escalated Air War,” Global Information Network (July 21, 2009); James Blitz and Daniel Dombey, “UK Agony Over Afghanistan Raises Washington Concerns,” *Financial Times*, July 16, 2009.

⁷ Gordon H. McCormick, Steven B. Horton and Lauren A. Harrison, “Things Fall Apart: The Endgame Dynamics of Internal Wars,” *Third World Quarterly* 28, no. 2 (2007), 322.

Question: Generally Speaking, Do You Think Things in Afghanistan Today Are Going In the Right Direction, or Do You Think Things Are Going In The Wrong Direction? (2004, 2005, 2006, 2007 & 2009)



Surveys Released: March 2004, September 2005, September 2006, November 2007 and February 2009, Respectively

Figure 1. Afghan's Perception of Government Performance⁸

Understanding that the situation in Afghanistan appears bleak, the Afghan government and its coalition partners nonetheless possess greater strategic advantages than the Taliban, and if these are leveraged properly the state could cripple the Taliban movement. The government's first advantage in its struggle for legitimacy is the population's negative perception of the Taliban.⁹ It is extremely difficult to defeat a popular movement; fortunately, for the Afghan government, the majority of Afghans have not forgotten the Taliban's oppressive and dictatorial reign.¹⁰ This is especially evident in the Taliban's recent efforts to recreate its image. In July of 2009, Mullah Omar released a 13-chapter book outlining the proper conduct for Afghan Taliban. Their new code of conduct emphasizes the necessity that every Taliban fighter must work to

⁸ Campbell and Shapiro, *Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan*.

⁹ Ibid.

¹⁰ Sarah Chayes, *The Punishment of Virtue: Inside Afghanistan After the Taliban* (New York: Penguin Press, 2006); V. Liebl, "Pushtuns, Tribalism, Leadership, Islam and Taliban: A Short View: REPORT FROM THE FIELD," *Small Wars & Insurgencies* 18, no. 3 (September 2007), 492.

win over the local population.¹¹ Additionally, Mullah Omar and the senior Taliban leaders are making efforts to change the Taliban name because of the negative connotations associated with it. A recent senior Taliban official released the following statement to the press: “In our declarations or in statements by our leader Mullah Muhammad Omar, you would have noted the absence of the word Taliban. Our leadership and *shuras* refer to our organization as Islamic Emirate of Afghanistan and to our fighters as *mujahideen*.”¹²

Second, approximately 76% of Afghans live in rural communities, and their level of expectation from the central government is minuscule.¹³ Very few rural Afghans have or have ever had electricity, cars, or the kind of infrastructure found in Western countries. As a result, most rural Afghans have little need for government services. And, because the expectations of the state are so few, what the state needs to do to meet those needs is minimal. This is of course dependent on the government recognizing the most critical needs of local Afghans, and addressing those needs in a meaningful way.

Third, almost all politics in rural Afghanistan are local.¹⁴ While rural Afghans may have opinions about national politics and the Taliban insurgency, most rural Afghans are mainly concerned with the politics and internal conflicts within their own village.¹⁵ To many rural Afghans in villages like Shinkay, Maruf, Atghar, or Bolan, Kabul is as distant to them as is the capital of the United States. This is an advantage for the state because national politics rarely affects local livelihood or even the legitimacy of the central government in the eyes of rural Afghans.

Fourth, the Taliban are almost exclusively Pashtun, but Pashtuns are not exclusively Taliban. Even though Pashtuns are the largest ethnic group in Afghanistan,

¹¹ Al Jazeera News, “Taliban Issue Code of Conduct,” *Al Jazeera English Central/S. Asia* (2009).

¹² Rahimullah Yusufzai, “Taliban Prefer Not to be Known as Taliban,” *The News: International Top Stories* (2009).

¹³ Central Intelligence Agency, “CIA – World Factbook – Afghanistan.”

¹⁴ T. Johnson and M. Mason, “All Counterinsurgency is Local,” *The Atlantic Monthly* 302, no. 3 (October 2008), 36.

¹⁵ U.S. Army, *My Cousin’s Enemy is My Friend: A Study of Pashtun “Tribes” in Afghanistan* (Fort Leavenworth, KS: Afghanistan Research Reachback Center White Paper: TRADOC G2 Human Terrain System (2009), 16.

they make up only 42% of the total population.¹⁶ While exact numbers or percentages are difficult to determine, the majority of Afghan Pashtuns oppose Taliban rule.¹⁷

Finally, the Afghan government has the support and resources of the international community.¹⁸ This, and all of the above, should lead one to wonder: With so many advantages in the state's favor, how is it that an unpopular insurgency has managed to bring the Afghan government and its coalition partners to the brink of collapse? Identifying what makes the Taliban successful may provide some answers and solutions for reversing their momentum.

The Taliban have been most successful at gaining the support of rural Pashtuns.¹⁹ Yet the Taliban's success has not come from employing counterinsurgency techniques better than the Afghan government or coalition; Taliban success has come from understanding the local environment and tailoring strategy to the critical needs of each Pashtun community. Compared to the coalition, the Taliban have very little to offer rural Afghans in term of services or resources. They are not building roads or schools, drilling wells, providing medical services, or creating jobs. The Taliban are instead gaining support because they are preserving the conservative Pashtun way of life and administering justice where government officials and police are corrupt. The Taliban have wisely capitalized on the greatest failure of the Afghan government and its coalition partners. This failure is the inability to field legitimate police that serve the interests of both local communities *and* the central government.²⁰

While the Taliban deserve some credit for their success, the Afghan government and the supporting international community have landed them this opportunity. The

¹⁶ S. Harrison, "The Ethnic Split," *The Nation* 289, no. 15 (Nov 9, 2009), 14, Central Intelligence Agency, CIA – World Factbook – Afghanistan.

¹⁷ Bilal Baloch, "Getting Local to Defeat the Taliban," *Guardian.Co.Uk* (2009); *The nation: The Dreyfuss report*, May 12, 2009; Ruth Rennie, Sudhindra Sharma and Pawan Sen, *Afghanistan in 2008: A Survey of the Afghan People* (Kabul Afghanistan: The Asia Foundation, 2008).

¹⁸ Andrew J. Bacevich, "Is Obama 'all in' on Afghanistan?" *Los Angeles Times*, September 7, 2009.

¹⁹ Mark Moyar, *A Question of Command: Counterinsurgency from the Civil War to Iraq* (New Haven & London: Yale University Press, 2009), 197.

²⁰ Anthony H. Cordesman et al., "Winning in Afghanistan Creating Effective Afghan Security Forces," Center for Strategic & International Studies.

Afghan government and the International Security Assistance Force (ISAF) have failed to establish legitimate government services that support the people and thereby address the root causes that the Taliban use to gain support.²¹ The Taliban are gaining support today in the same way they came to power in 1994, by dispensing justice and eliminating corruption in rural areas. At the opposite end of the spectrum, the Afghan government appears to embrace corruption, while the police, who are responsible for enforcing justice and arresting corrupt officials, are some of the most corrupt individuals around.²² (See Figure 2.)

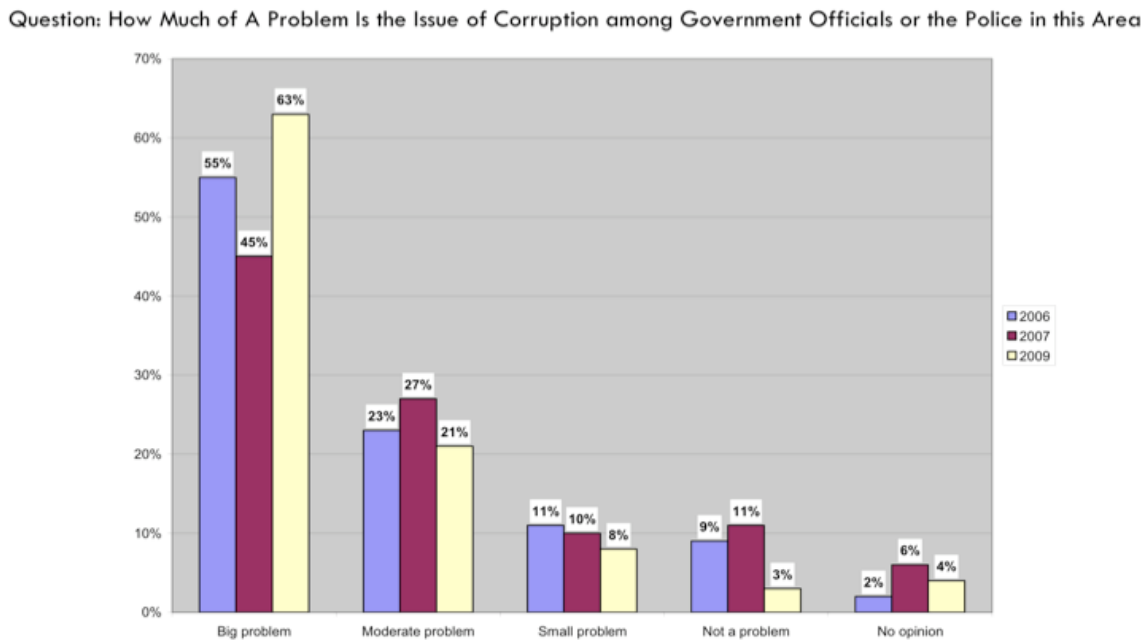


Figure 2. Afghan’s Perception of Corruption among Government Officials and Police²³

²¹ A. Jalali, “Winning in Afghanistan,” *Parameters* 39, no. 1 (Spring 2009), 5.

²² Graf J. Lambsdorf., “Transparency International, Corruption Perceptions Index 2008,” Andrew Legon, “Ineffective, Unprofessional, and Corrupt: The Afghan National Police Challenge,” Foreign Policy Research Institute (June 2009).

²³ Campbell and Shapiro, *Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan*.

Although there is no single solution for victory in Afghanistan, some counterinsurgency precepts are more critical than others, particularly those regarding the police. The police in Afghanistan should be capable of representing legitimate governance, providing security, and addressing many of the fundamental issues that the Taliban use to garner support. It should not be the Taliban that provide justice and security in many parts of rural Afghanistan.²⁴ According to a recent report by the United States Institute of Peace, “In 2008, public opinion polls showed that Afghans considered the absence of public security... as the primary problem facing the country.”²⁵

Acknowledging that the police are not a panacea, this thesis explains why a competent and legitimate police force is key to reversing Taliban influence. This thesis will argue that:

- 1) The International Security Assistance Force (ISAF) and the Government of the Islamic Republic of Afghanistan (GIROA) need to make the Afghan National Police their number one priority for resources and manpower.

- 2) The Afghan National Police must be fundamentally restructured in accordance with traditional and cultural precepts to meet the needs of rural Afghan communities.

Unless the coalition makes the Afghan National Police a top priority and fundamentally restructures the organization to meet the needs of rural communities, the Taliban will continue to gain influence and legitimacy in Afghanistan’s critical periphery. Legitimate police are vital because they are the only government security force that maintains a permanent presence in rural Afghanistan, where the majority of Afghanistan’s people reside and the Taliban are strongest.

The Afghan National Police is a resource-intensive, top-down organization that serves to support the government and not the people. The case this thesis will make is that the Afghan National Police needs to be fundamentally restructured into a bottom-up

²⁴ Peter Graff, “Afghans Turn to Taliban in Fear of Own Police,” *Reuters*, July 12, 2009; Richard A. Oppel Jr., “Corruption Undercuts U.S. Hopes for Improving Afghan Police,” *New York Times*, April 9, 2009.

²⁵ Robert K. Perito, “Afghanistan’s Police: The Weak Link in Security Sector Reform,” *United States Institute of Peace*, Special Report 227 (2009), 8.

organization wherein police have direct ties to the community and are selected and vetted by local elders. Including the community in the police selection process would foster legitimacy, accountability, and a mutual support network that would reduce resource requirements. Perhaps even more importantly, a bottom-up approach would help ensure police meet the needs of both the people *and* government.

The subsequent chapters explain the approach I am taking, describe the vital role police play in counterinsurgency, and make the point that if the government mismanages them, police can do more harm than good. The chapters to follow examine the historic responsibilities of police in Afghanistan and consider why the Afghan people and the international community regard the current Afghan National Police to be a failure. The thesis then explores how to transition the Afghan National Police into a viable and trusted branch of the government.

II. METHODOLOGY AND PERSONAL BACKGROUND

*We have had the greatest success in Afghanistan ironically, on the front line. U.S. and Coalition brigades and battalions who live in the heart of Afghan communities have, for the most part, developed an intimate understanding of the communities they support.*²⁶

A. CULTURAL UNDERSTANDING EQUALS FRONT LINE SUCCESS

I selected the Afghan National Police as the topic for my thesis prior to arriving at the Naval Postgraduate School. The inspiration for my decision came from a combination of personal experiences and interactions with local police, national police, the Afghan National Army (ANA), government officials, and rural Afghans. This experience was spread out over a four-year period, between 2003 and 2007, over the course of which I spent almost two years living in Afghanistan. Given my experiences, observations, and lessons learned, I left Afghanistan convinced that Afghan police were the linchpin to a successful counterinsurgency campaign. A significant portion of my Afghan experience came from my service as a Special Forces Operational Detachment Alpha (ODA) Commander in 2004.²⁷

It was during this deployment that I developed a true appreciation for rural Pashtun culture and the need to tailor civil and military operations to the local environment. Additionally, that particular deployment led me to want to learn more about the Afghan people, their wonderfully unique culture, and their tragic struggle to live in peace.

²⁶ Andrew Garfield, "What Afghans Want," *Foreign Policy Research Institute* (2009), 2.

²⁷ "Special Forces groups are organized in small teams of 12 men — a.k.a. Operational Detachment Alpha (ODA). A typical Green Beret's Team structure usually consists of two each of the following: Weapons Sergeants, Communications Sergeants, Medical Sergeants and Engineering Sergeants. A Commander, Assistant Commander (Warrant Officer), Operations/Intelligence Sergeant and Non-Commissioned Officer In Charge (NCOIC) complete the team. These teams can change according to the type of mission." U.S. Army, "GoArmy.Com Special Forces Team Members."

My passion for the Afghan plight developed while living among rural Pashtuns and with our ANA counterparts.²⁸ It was in the village and district of Shinkay, located in the southeast region of Zabul Province, where I began to learn about the distinct roles the police and army play. In Shinkay, we also slept, ate, laughed, fought, and gradually developed lasting relationships with many of the local Afghans, who were almost exclusively Ghilzai Pashtuns from the Hotak tribe. Additionally, we learned a tremendous amount from the eclectic assortment of rural and urban Afghans in the ANA companies we partnered with. ANA personnel maintained excellent relationships with the local villagers; they attended the weekly *shuras* (community council), shopped at the local bazaar, attended the local mosque, assisted the police with security, and helped resolve local disputes. I never once received a single complaint about an ANA soldier abusing or threatening local villagers. One reason ANA soldiers behaved so benevolently was the fear of reprisal from their Pashtun commander.

Although the ANA soldiers had good relations with the district chief, local police, and members of the community, they were never fully accepted as part of the community. Despite the soldiers' Afghan ties to the rural Pashtuns of Shinkay, they were almost as foreign as were we Americans. The community held the ANA soldiers in high regard and benefited from their presence, but the local Afghans always considered them to be temporary outsiders. There were two main reasons why the Afghans in Shinkay never fully accepted or trusted the ANA. First, the Afghan National Army never maintained a permanent local presence. The ANA companies would rotate about every two to three months, which meant new soldiers had to rebuild what little trust or friendships their predecessors previously fostered. Second, and even more critical was the soldiers' lack of local family ties. Without family ties, ANA soldiers lacked the intimate relations required to truly understand the local politics, local history, and clan dynamics.

²⁸ During the 2004 deployment, we partnered with three different Afghan National Army (ANA) companies. ANA companies are organized similarly to U.S. Infantry companies with a captain and three to four lieutenants, and approximately 120 enlisted men. Of the three companies we were partnered with, two had Pashtun commanders and one had a Tajik commander. The majority of soldiers in all three companies were Tajik with a minority of Hazara and Pashtun soldiers.

Local policemen, on the other hand, were born, raised, and had family ties in the community, and although the police in Shinkay were poorly trained, poorly equipped, and illiterate, they were not corrupt. Customary laws, or their code of honor (known as *Pashtunwali*), prevented the local police from abusing or extorting members of their community.²⁹ It was this tribal code of honor that kept the Shinkay police accountable to their families and community.

Additionally, the police knew where every person in the community lived and worked, and what their social standing was in the community. Whenever we needed to question an individual from the area, the police could tell us where he lived, and where his immediate family lived. The police would take us to the person's house and facilitate a meeting with him or one of his male relatives. Having the local police arrive first at the house, helped put the family and community at ease and helped us to get the information we needed—without driving a wedge between the community and the central government's counterinsurgency force.

Although it was clear to us that loyalties were to their tribe, this did not make the local police less effective law enforcement agents, or enemies of the state. On the contrary, their loyalty to the tribe made them legitimate and trusted as government officials. Additionally, their local ties facilitated the development of symbiotic relationships between the community and the national government, which would not have been possible had the police been brought in from outside the community. In our case, it was in the best interests of the tribe for the local police to work with the ANA and the central government to either convince the Taliban to reconcile with the tribe, or drive them out of the area.

²⁹ *Pashtunwali* is an unwritten, yet strictly adhered to moral code that governs social behavior and is used to preserve order among Pashtun communities. It also maintains that every Pashtun is equal and that disputes are resolved through a *shura* or *jirga*; *Shuras* or *Jirgas* are assemblies of tribal elders brought together for various purposes – waging war, composing peace, and to adjudicate tribal or inter-tribal affairs or disputes; “*Pashtunwali* that is the source of abstract principles. Rules that generate behavior embody the notion of “doing Pashto” that is, enacting cultural values in the real world where they take on specific forms. It is the last area that is most concrete because actions taken by individuals become subject to public judgment.” Thomas Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*, Vol. 60 (Portland, ME: University of Maine, School of Law, 2008), 356.

Unfortunately, on this rotation I did not yet fully appreciate the importance of the police in COIN, and concentrated most of my ODA's efforts and resources on improving the ANA. It was not until midway through my third deployment that I was convinced that the police deserved to be the major focus of our efforts and were key to defeating the Taliban in Afghanistan's critical rural periphery.

During my third deployment, in 2005–06, I had two experiences with the Afghan National Police that led me to question the logic behind creating a large national police force in lieu of supporting local police. The first experience occurred when I was tasked with assisting the Combined Joint Special Operations Task Force—Afghanistan's (CJSOTF-A) Commander—with demobilizing the Afghan Security Guards (ASG), which were the U.S. Special Forces private militia forces.³⁰ The CJSOTF-A Commander, COL Patrick Higgins, arranged to present the ASG with awards for their valorous service to their country and to recognize their dedication to U.S. Special Forces. COL Higgins also arranged to have an ANA and an Afghan National Police recruiter present at the demobilization ceremony. That way, if a member of the ASG agreed to join either organization, the U.S. government would award him a \$500 signing bonus. The average monthly salary of an ASG was \$700 a month, while the starting salary of a soldier in the ANA or soldier in the Afghan National Police was about \$150 a month.

When the ASG were told that they would be earning one-fifth of their normal salary, they began discussing among themselves the merits of joining the police or army. It turned out that the majority of the soldiers who signed up for service joined the Afghan National Police. When I asked my interpreter Kahlil, who was a former ASG, why none of the ASG wanted to join the army, which I thought would be better suited for them, he

³⁰ “Combined Joint Special Operations Task Force (CJSOTF) is a task force composed of special operations units from one or more foreign countries and more than one US Military Department formed to carry out a specific special operation or prosecute special operations in support of a theater campaign or other operations. The combined joint special operations task force may have conventional nonspecial operations units assigned or attached to support the conduct of specific missions.” Joint Chiefs of Staff Washington DC, “Department of Defense Dictionary of Military and Associated Terms,” Ft. Belvoir Defense Technical Information Center; The Afghan Security Guards (ASG) were Afghan militia forces employed and trained by U.S. Army Special Forces to provide local security and assist in counterinsurgency operations. The ASG were originally referred to as Afghan Security Forces (ASF), and in 2004, their name was changed to ASG to better characterize their shift from an offensive role in counterinsurgency/counter terrorism, to a defensive role of providing security.

replied that they were joining the Afghan National Police because they knew they could make up the difference in pay through bribes and extortion. I recognized at that moment that even though we were enlisting thousands of well-trained Afghans into a national police force, we were at the same time weakening the government and actually creating a less stable and less secure environment for the Afghan people. This was a prime example of how simply increasing the quantity of police can actually make the security situation worse.

While I did not agree with what the ASG were doing, I understood their reasoning. Almost every single ASG had left his own community with his father's blessing, and was expected to earn money and glory for the family at the expense of other tribes or communities. The security guards viewed the Afghan National Police as another venue for elevating their family's economic and social status while simultaneously weakening rival clans.

My second illuminating experience with the Afghan National Police occurred when we were sent into the Tagab Valley to secure the polling sites for the 2005 parliamentary elections. There had been some recent Taliban attacks around Tagab and the Governor of Kapisa was concerned about security for the elections. A small group of U.S. Special Operations Forces and a company of ANA entered the valley. As we entered the valley, we came across a police checkpoint manned by two Afghan National Police soldiers. I immediately got out of my vehicle and asked the Afghan National Police soldiers who the village elder or headman was and where we could find him. The Afghan National Police soldiers responded with blank stares and a simple, "We don't know." I was totally taken aback. How could an Afghan cop perform his duties without even knowing who the community leaders were? After a few more questions and even fewer answers, one of them took me to meet his commanding officer, who was inside an abandoned girls' school about 100 meters off the main road.

Inside the school, there were about a half dozen Afghan National Police soldiers sitting together in a small room, drinking tea. I addressed the commander and asked him the same questions: Who were the village elders and where could we find them? I asked him what he knew about the recent Taliban attacks in the area, and about the attitude of

the people concerning the upcoming elections. Shockingly, the commander could not answer a single question. Slightly disturbed by his lack of concern for the community, I told him we were in Tagab at the request of the governor who was concerned about security. I rhetorically asked him if he was in charge of security. To that question, the Afghan National Police commander did respond: “I provide security by manning this checkpoint.”

It was obvious to me then that the Afghan National Police in Tagab had no interest in establishing any ties with the community or in leaving their secure post to provide security, administer justice, or resolve any disputes. They were, therefore, a useless police force. That night, a heavily armed force of Taliban attacked our element. The next morning the Afghan National Police commander came to me and boasted, “The Taliban were not afraid to attack you, and you have machineguns and the Afghan Army with you. What do you think they would do to us, just nine men with Kalashnikovs?” After this conversation, I still had little respect for the Afghan National Police commander, but I did sympathize with his situation, and had a better understanding of the difficulties faced by a small isolated Afghan National Police unit that did not have the community’s support.

We returned to the Tagab Valley several times during that deployment, and each time the Afghan National Police soldiers we dealt with previously had been replaced with a different crew. With this rapid turnover, the Afghan National Police had no incentive to develop any relationships with the community. And, because the Afghan National Police did not have a stake in Tagab’s community, they simply barricaded themselves inside their compound and waited for their replacements.

Although these experiences are only anecdotal, they convinced me that an illegitimate and corrupt police force is Afghanistan’s greatest security threat. That then became the impetus for this thesis.

III. POLICE AND AFGHANISTAN'S COUNTERINSURGENCY (COIN)

Intelligence operations that help detect terrorist insurgents for arrest and prosecution are the single most important practice to protect a population from threats to its security. Honest, trained, robust police forces responsible for security can gather intelligence at the community level.³¹

Most counterinsurgency experts agree that a legitimate and effective police force is better suited than the military for defeating insurgencies.³² Even the U.S. Army's Counterinsurgency (COIN) manual states clearly that the police, not the military, are the front line soldiers in a counterinsurgency.³³ As David Galula points out, the police are the government's most effective and efficient organization for eradicating insurgent political agents from the population.³⁴ But, despite such acknowledgement of the importance of police, it has been the ANA that has received the lion's share of resources and attention. This disproportionate allocation of resources and training has negatively impacted both the competency of the Afghan National Police, and the legitimacy of the central government.³⁵ Because the police are so visible and spread out, their actions have the greatest potential to either support or thwart government legitimacy.

³¹ Kalev I. Sepp, "Best Practices in Counterinsurgency," *Military Review* (October 2006), 9.

³² Seth G. Jones, *Counterinsurgency in Afghanistan* (Santa Monica: RAND National Defense Research Institute, 2008), 157; United States. Dept. of the Army and United States. Marine Corps Combat Development Command, *Counterinsurgency*; Interagency Counterinsurgency Initiative (U.S.), "U.S. Government Counterinsurgency Guide," United States Government Interagency Counterinsurgency Initiative; Jason Campbell and others, *Assessing Counterinsurgency and Stabilization Missions* (Washington, DC: Foreign Policy at Brookings, 2009), 27.

³³ United States. Dept. of the Army and United States. Marine Corps Combat Development Command, *Counterinsurgency*, 282.

³⁴ David Galula and John A. Nagl, *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 2006), 86.

³⁵ North Atlantic Treaty Organization and Public Diplomacy Division, "Afghanistan Report 2009," NATO Public Diplomacy Division; United States Government Accountability Office, Washington DC and others, "Afghanistan Security: U.S. Efforts to Develop Capable Afghan Police Forces Face Challenges and Need a Coordinated, Detailed Plan to Help Ensure Accountability," Defense Technical Information Center, 15.

While projecting government legitimacy is essential in a counterinsurgency, the police also have the equally important job of protecting the population from lawlessness and insurgent violence. According to the U.S. Counterinsurgency Guide, a COIN effort is successful when:

The affected government is seen as legitimate, controlling social, political, economic, and security institutions that meet the population's needs, including adequate mechanisms to address the grievances that may have fueled support of the insurgency.³⁶

Applying this as a prescription for success, we can see that the police are responsible for much more than just law enforcement in COIN. This becomes especially true in rural Afghanistan where the police are often the only government representatives present. In these cases, the police are not only responsible for security, they are expected to address community grievances and facilitate dispute resolution.

In order for the police to effectively meet the needs of the people, there must be reciprocal trust.³⁷ Legitimate and trusted police are able to develop grassroots security by working with the community. These mutually beneficial local security nets are then in place to support the police when a more powerful insurgent force threatens the community.³⁸ According to the International Crisis Group, "If police reform in Afghanistan is to succeed, the goal should be the creation of a trusted, civilian service, which enforces—and is accountable to—the rule of law."³⁹ One hallmark of a trusted police force is that the police interact with the population on a daily basis, forging ongoing relations with key members of the community. Through these daily interactions and relationships police develop intimate knowledge of the physical and human terrain.

³⁶ Interagency Counterinsurgency Initiative (U.S.), *U.S. Government Counterinsurgency Guide*, 60, 16.

³⁷ Karen S. Cook, *Trust in Society* (New York: Russell Sage Foundation, 2001), 403.

³⁸ Jones, *Counterinsurgency in Afghanistan*, 116.

³⁹ International Crisis Group, "Reforming Afghanistan's Police," no. 138, Asia Report, August 30, 2007, ii.

This in turn makes them far better than the military at developing the intelligence networks needed to identify and locate insurgents before they have a chance to burrow in and establish footholds.⁴⁰

As previously noted, despite the many benefits to be garnered by developing a robust, professional police force, the police in Afghanistan have received significantly less money, training, equipment, and emphasis than the ANA. The coalition nations supporting Afghanistan's Security Sector Reform (SSR) have focused the majority of their efforts on building a strong national army and little on building a capable and legitimate police force. According to the International Crisis Group, "...60 percent of SSR spending in 2003/2004–2004/2005 went to the ANA, just 28 percent to the Afghan National Police and law enforcement."⁴¹ (See Figure 3)

While these figures represent funds spent on the organizations, even more telling is the disproportionate number of personnel dedicated to developing the ANA and Afghan National Police. Germany, which was the "lead" nation for training, equipping, and developing the Afghan National Police provided just over 40 police trainers, while the U.S., the "lead" nation for the ANA, stood up an entire task force to train the Afghan Army.⁴² Early in 2003, the U.S. put a Major General in charge of the 300-man Task Force Phoenix, the organization tasked with training and equipping the ANA.⁴³ Afghanistan and the international community are still feeling the negative effects of neglecting Afghanistan's police. According to Anthony Cordesman, "...the Afghan National Police development effort has been a major failure and one that has gravely undercut the chances for victory."⁴⁴

⁴⁰ Sepp, *Best Practices in Counterinsurgency*, 8.

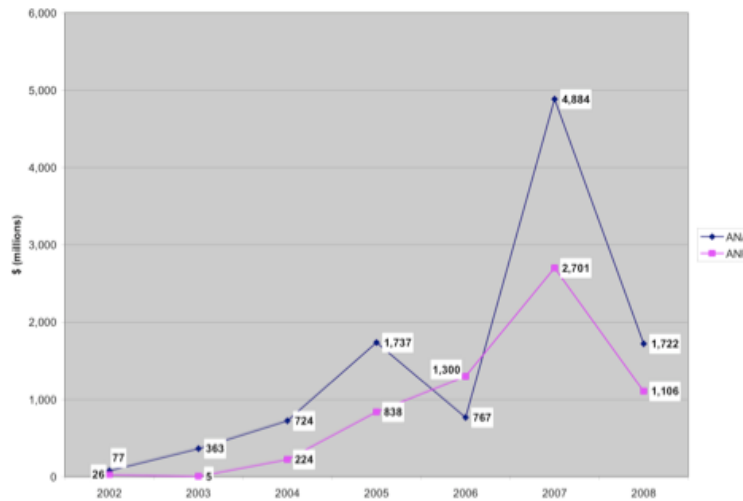
⁴¹ International Crisis Group, *Reforming Afghanistan's Police*, i, 6.

⁴² Andrew Wilder, "Cops Or Robbers? The Struggle to Reform the Afghan Police," *Afghanistan Research and Evaluation Unit* (July 2007), I; International Crisis Group, *Reforming Afghanistan's Police*, i.

⁴³ Combined Joint Task Force Phoenix, "Combined Joint Task Force Phoenix Web Page"; John Pike, "Camp Phoenix," *Global Security.org* (2009).

⁴⁴ Cordesman et al., *Winning in Afghanistan Creating Effective Afghan Security Forces*, 96.

U.S. Departments of Defense and State Support to Train and Equip the Afghan Army and Police, Fiscal Years 2002-2008 (Dollars In Millions)²⁷



NOTE: FY 2008 figures reflect requested funds. Annual totals rounded to the nearest million.

TOTAL AID (FY 2002-2008 request): ANA \$10,273,000,000; ANP: \$6,199,000,000

*Fiscal year 2008 includes approximately \$1,450 million that has been appropriated (approximately \$1,108 million for the ANA and \$342 million for the ANP) and approximately \$1,378 million that has been requested (approximately \$614 million for the ANA and approximately \$764 million for the ANP).

Figure 3. U.S. Dollars Spent in Millions on the ANA and ANP⁴⁵

One can only speculate about what Afghanistan would look like today had the international community put as much emphasis on building a quality police force as the U.S. put into building the national army. Arguably, this has been a major contributor to the fact that the insurgency in Afghanistan is gaining momentum while the people’s confidence in the GIRoA is declining.⁴⁶ Another major factor affecting both the insurgency and the government’s legitimacy is clearly corruption.⁴⁷ (See Figure 4.)

⁴⁵ Campbell and Shapiro, *Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan*.

⁴⁶ Ibid.

⁴⁷ Ali Wardak, Daus Saba and Halima Kazem, “Afghanistan Human Development Report 2007: Bridging Modernity and Tradition: Rule of Law and the Search for Justice,” Center for Policy and Human Development (2007), 60; Lambsdorf, *Transparency International, Corruption Perceptions Index 2008*.

Afghanistan's Rank in Transparency International's Annual Corruption Perceptions Index (CPI)⁴⁷

YEAR	RANK	NUMBER OF COUNTRIES SURVEYED
2008	176	180
2007	172 (T)	180
2006	NO DATA	163
2005	117 (T)	159

(T): Indicates years Afghanistan's score tied with one or more other country.

NOTE: The CPI is a composite index that draws on 14 expert opinion surveys. It scores countries on a scale from zero to ten, with zero indicating high levels of perceived corruption and ten indicating low levels of perceived corruption. Due to a lack of reliable data, Afghanistan was not included in the CPI survey for the years 2006.

Afghanistan's Rank in the Brookings Institution's Index of State Weakness in the Developing World, 2008⁴⁸

RANK	COUNTRY	OVERALL SCORE
1	Somalia	0.52
2	Afghanistan	1.65
3	Democratic Republic of Congo	1.67
4	Iraq	3.11
5	Burundi	3.21

NOTE: 141 nations were surveyed. Each nation was allocated a score of 0-10 points for each of 4 broad categories (Economic, Political, Security, and Social Welfare). Overall scores were calculated by taking the average of the 4 scores. The median score (Benin, #71) received a score of 6.36 while the highest score (Slovak Republic, #141) received a score of 9.41.

Figure 4. Afghanistan's Corruption and State Weakness⁴⁸

Systemic corruption in the Afghan National Police has seriously undermined the GIRoA's struggle to gain legitimacy in the eyes of the Afghan people.⁴⁹ According to anthropologist Thomas Barfield, corruption is rendering the central government ineffective:

Because residents of rural Afghanistan generally considered the government officials of all types corrupt and oppressive, there is a strong desire to avoid both government officials and the formal legal system.⁵⁰

Not only does corruption weaken the central government, it creates opportunities for insurgents to generate support from a disenfranchised population.

⁴⁸ Campbell and Shapiro, *Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan*.

⁴⁹ Programs for Culture & Conflict Studies, "Summary of the Afghan National Police (ANP)," Programs for Culture & Conflict Studies, Naval Postgraduate School.

⁵⁰ Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*, 361.

Major General Richard L. Clutterbuck, a senior member of the Malayan government from 1956–58, noted that police corruption had severe effects on the government’s efforts to influence the population during the Malayan insurgency:

Where [the police were corrupt], and made a live-and-let-live deal, that village became a Communist village, without any option, and every man, woman, and child in the village knew it. That was how the Communists usually started an oil spot, not by a spectacular capture of the village by armed guerrillas.⁵¹

Police corruption not only undermines the government’s legitimacy, but it has actually motivated numerous formerly pro-government Afghans to denounce the government and join the Taliban.⁵²

Evidence suggests that a large percentage of Afghan National Police extort, rob, and abuse the very people they are charged with protecting.⁵³ Research Fellow Antonio Giustozzi argues that Afghan police have done more to support the insurgency than to counter it:

In terms of the direct impact of the police on the counter-insurgency effort, there is plenty of evidence to suggest that the indiscipline and corruption of Afghan security services, including the police, was a contributing factor to the insurgency.⁵⁴

⁵¹ Richard L. Clutterbuck, *The Long, Long War; Counterinsurgency in Malaya and Vietnam* (New York: Praeger, 1966), 49.

⁵² Tiron, “Joint Chiefs Chairman: Afghanistan Getting Worse.” Anthony Loyd, “Corruption, Bribes and Trafficking: A Cancer that Es Engulfing Afghanistan,” *TIMESONLINE* (2007); Campbell and Shapiro, *Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan*; Lambsdorf, *Transparency International, Corruption Perceptions Index 2008*; Ahmed Rashid, *Descent into Chaos: The US and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia* (New York: Viking, 2008).

⁵³ Programs for Culture & Conflict Studies, *Summary of the Afghan National Police (ANP)*, 5; Legon, *Ineffective, Unprofessional, and Corrupt: The Afghan National Police Challenge*; Sayed Ibrahim Y., “Afghan Police Part of the Problem: Corruption in the Law-Enforcement Service has Become so Endemic that a Provincial Governor has Decided to Speak Out.” *Institute for War & Peace Reporting* (2006); Oppel, *Corruption Undercuts U.S. Hopes for Improving Afghan Police*, A.1.

⁵⁴ Antonio Giustozzi, *Koran, Kalashnikov, and Laptop: The Neo-Taliban Insurgency in Afghanistan, 2002–7* (New York: Columbia University Press, 2007), 174.

When the police fail to uphold their social contract, and abuse their authority, Afghans, especially rural Afghans, seek alternative means by which to protect their families and livelihood. The Afghan National Police's illegal activities contribute directly to an environment unfavorable for the GIRoA and conducive to the Taliban.⁵⁵

⁵⁵ Graff, Afghans Turn to Taliban in Fear of Own Police, 1-2.

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IV. OVERVIEW OF AFGHANISTAN'S NATIONAL POLICE

*Police in Afghanistan have always been seen as a coercive instrument of the state rather than public servants upholding - and bound by - the rule of law, a view exacerbated by the years of conflict. Control of the security organs, including the police, has been considered one of the spoils of war.*⁵⁶

A. ORIGINS OF THE AFGHAN NATIONAL POLICE

Afghanistan was founded over 2600 years ago. For the first 2000 years, *shariat* (Islamic law) and customary law (tribal or community social codes) dominated the Afghan landscape, and local religious and tribal militias principally enforced laws.⁵⁷ The concept of a national secular police force is relatively new. Zahir Shah, the last king of Afghanistan, created a national police force in the 1960s to enforce the state legal codes and provide security for citizens and visiting foreigners.⁵⁸ Even after receiving support from Germany, and later from the Soviet Union, Afghanistan never developed a very powerful or effective national police force.⁵⁹

While the initial responsibility of Afghanistan's national police was civic, its role changed after the 1979 Soviet invasion. The national police under Afghanistan's communist party, the People's Democratic Party of Afghanistan (PDPA), morphed into a secretive paramilitary arm of the government, more focused on protecting the regime than the people.⁶⁰ With the Soviet Union's assistance, the KGB transformed the national

⁵⁶ International Crisis Group, *Reforming Afghanistan's Police*, i, 1.

⁵⁷ Gilles Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present* [Révolution afghane.] (New York: Columbia University Press in association with the Centre d'études et de recherches internationales, Paris, 2005); Ahmed Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia* (New Haven: Yale University Press, 2000), 83. Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*.

⁵⁸ Wardak, Saba and Kazem, *Afghanistan Human Development Report 2007: Bridging Modernity and Tradition: Rule of Law and the Search for Justice*.

⁵⁹ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i.

⁶⁰ International Crisis Group, *Reforming Afghanistan's Police*, i, 2.

police into a feared secret police known as Khedamat-i Ittala'at-i Daulati (KHAD).⁶¹ As a brutal and coercive arm of the PDPA, the KHAD concentrated more on seeking out and eliminating political opposition than providing police services or enforcing the rule of law.⁶² The national police remained a secretive paramilitary force distrusted by many Afghans until the fall off Kabul in 1992. Unfortunately, this was the last image many Afghans had of a uniform-wearing national police force.

B. THE RISE OF THE TALIBAN: THE PROMOTION OF VIRTUE AND PREVENTION OF VICE

The collapse of Mohammed Najibullah's communist regime in 1992 left Afghanistan without a functioning central government or a police force capable of establishing a monopoly on the legitimate use of force. The mujahidin alliance that governed in the communists' wake initially exercised limited de facto control over the Afghan people until their infighting over leadership and ethnicity tore the alliance apart.⁶³ According to journalist Ahmed Rashid, the mujahidin-era police were more or less thugs bent on extorting from the people and enforcing the will of whoever was their local commander:

During the civil war in the 1990s police stations were nothing more than an extension of the power of local commanders and warlords...Justice was rarely meted out, and the police – lacking salaries or facilities –lived off the land by exploiting the public rather than serving it.⁶⁴

In the absence of unified power, a myriad of strongmen surfaced to seize local power. Between the years 1992 and 1996, anarchy reigned and large portions of

⁶¹ Dorransoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 177.

⁶² Fida Mohammad and Paul Conway, "Justice and Law Enforcement in Afghanistan Under the Taliban: How Much is Likely to Change?" *Policing* 26, no. 1 (2003), 162; Connie M. Koski, "Afghanistan at a Crossroads: The Quest for Democratic Policing in a Post-9/11 Era," *Police Practice & Research* (August 2009), 317.

⁶³ Wardak, Saba and Kazem, *Afghanistan Human Development Report 2007: Bridging Modernity and Tradition: Rule of Law and the Search for Justice*.

⁶⁴ Rashid, *Descent into Chaos: The US and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*, 204.

Afghanistan descended into chaos.⁶⁵ The heightened violence and lack of government-provided security forced many Afghans to rely exclusively on family or solidarity groups known as *aqwam* (a solidarity group based on descent or locality) for protection and justice.⁶⁶

By 1994, corruption, lawlessness, and instability in Southern Afghanistan reached a tipping point. According to myth, a predatory warlord kidnapped, raped, and held two teenage girls as slaves. Family members of the two young girls went to Mullah Mohammed Omar's *madrassa* (Islamic school) to seek his aid. In response, Mullah Omar mustered a few weapons and 30 of his loyal *talibs* (religious students) who then attacked the warlord's compound, killing him, and freeing the girls.⁶⁷ Mullah Omar's impulsive act of justice bolstered his legitimacy in the eyes of the community and catalyzed the Taliban movement. The Afghan people initially welcomed the Taliban as liberators and peacekeepers:

This is the one deed for which the black-turbaned militiamen are to this day remembered with gratitude in Kandahar. They rid the countryside of the vultures that were picking the very marrow from its shattered bones.⁶⁸

Support for the Taliban grew, as they did not immediately demand power or positions in government. The Taliban's altruistic intentions, however, turned out to be short-lived. As the Taliban's influence spread, so did its control over the population. The Taliban became uncompromising, hierarchal, and dictatorial, forcing all Afghans to adhere to their strict Salafist interpretation of Islamic law.⁶⁹ By 1996, the Taliban conquered Kabul along with most of Afghanistan. In the course of their conquest, the Taliban imposed and brutally enforced a radical interpretation of *sharia* through the Department of the Promotion of Virtue and Prevention of Vice. Enforcers working

⁶⁵ Mohammad and Conway, *Justice and Law Enforcement in Afghanistan Under the Taliban: How Much is Likely to Change?* 162.

⁶⁶ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 10.

⁶⁷ Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia*, 25.

⁶⁸ Sarah Chayes, *The Punishment of Virtue: Inside Afghanistan After the Taliban* (New York: Penguin Press, 2006), 73.

⁶⁹ Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia*.

directly for the Department of the Promotion of Virtue and Prevention of Vice, dispensing Taliban justice, were known as the religious police. The Taliban's police force consisted of thousands of young Pashtun men, many of whom had grown up in Pakistani refugee camps, educated only about Islam. The young zealots patrolled the streets and countryside with whips and Kalashnikovs, doling out punishment without any threat of reprisal.⁷⁰ From 1996 to 2001, the Taliban's religious police meted out most of Afghanistan's law and order.

The history of Afghanistan's policing prior to 9/11 can best be described as having been rife with inequity. Political, ethnic, and religious discord coupled with over two decades of internal strife created an environment that was not conducive to the development of transparent and accountable police.⁷¹

C. THE REBIRTH OF SECULAR NATIONAL POLICE

With U.S. and coalition assistance, the Northern Alliance toppled the Taliban in late 2001. Immediately following the fall of the Taliban, the United Nations hosted a summit in December 2001 in Bonn, Germany to establish who would govern Afghanistan.⁷² With the United Nations arbitrating, the victorious Afghan political factions founded the provisional arrangements by which Afghanistan would establish permanent governmental institutions.⁷³ The purpose of the Bonn process was to establish a foundation for Afghanistan's future political process and institutions of governance.⁷⁴ In addition to setting transitional benchmarks, the Bonn Agreement established an Interim government responsible for ruling Afghanistan for the first six months until a

⁷⁰ Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia*.

⁷¹ Connie M. Koski, "Afghanistan at a Crossroads: The Quest for Democratic Policing in a Post-9/11 Era," *Police Practice & Research*, August 2009, 317.

⁷² United Nations "Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions," December 5, 2001.

⁷³ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 3.

⁷⁴ Thomas H. Johnson and Naval Postgraduate School Monterey CA Dept of National Security Affairs, "Afghanistan's Post-Taliban Transition: The State of State-Building After War," Defense Technical Information Center.

Loya Jirga could be convened to nominate a Transitional Authority.⁷⁵ The delegates of the Bonn Agreement selected Hamid Karzai, a prominent Southern Pashtun, as the Chairman of the Interim Authority, along with 30 interim cabinet members to support him. The cabinet members who were primarily responsible for running the state were comprised mainly of members of the Northern Alliance.⁷⁶

Although charged with leading and rebuilding Afghanistan's war torn society, Karzai's government did not have legitimate security forces to protect the people or thwart lawlessness and violence. Afghanistan was once again a country incapable of establishing a monopoly on the lawful use of violence. In an attempt to prevent the anarchy and chaos that persisted in the early 1990s, several countries set out to help Afghanistan develop its own justice and security system.

D. GERMANY TAKES THE LEAD IN REBUILDING AFGHANISTAN'S NATIONAL POLICE

Germany, whose relationship with the Afghan police predates the Soviet invasion, volunteered to take the lead in rebuilding Afghanistan's police force.⁷⁷ In February 2002, Germany hosted a conference in Berlin to generate international support for instituting a national Afghan police force. Donor nations agreed that the composition and role of the Afghan National Police should be, "a multiethnic, sustainable, and countrywide 62,000-member professional police service that is fully committed to the rule of law."⁷⁸ The partner nations settled on 62,000 as a suitable number for the Afghan National Police, based on formulas involving population figures and fiscal sustainability.⁷⁹

⁷⁵ Johnson and Naval Postgraduate School Monterey CA Dept of National Security Affairs, "Afghanistan's Post-Taliban Transition: The State of State-Building After War," 3.

⁷⁶ *Ibid.*, 4.

⁷⁷ International Crisis Group, *Reforming Afghanistan's Police*, i, 6.

⁷⁸ United States. Government Accountability Office et al., "Afghanistan Security Efforts to Establish Army and Police have made Progress, but Future Plans Need to be Better Defined: Report to the Committee on International Relations, House of Representatives," U.S. Government Accountability Office, 8.

⁷⁹ United States and others, "Interagency Assessment of Afghanistan Police Training and Readiness," U.S. Dept. of State, 5.

Germany wasted no time in instituting a plan for developing the Afghan National Police. In less than a month, Germany signed a Seat and Status Agreement with the Afghan Interim Government's Ministry of Interior, appointed a special Ambassador, and deployed approximately 40 police advisors to Kabul. The Seat and Status Agreement outlined the following duties of the German Police Project Office in Kabul:

1. Advising the Afghan security authorities in an effort to rebuild an Afghan police force that is bound by rule-of-law principles and has a respect for human rights.
2. Assisting in the training of police recruits.
3. Assisting in the setting up of a police academy.
4. Implementing bilateral police funding assistance.
5. Coordinating the international support for the establishment of the Afghan police force.⁸⁰

Germany's role as lead nation for the development of Afghanistan's police was formalized in April 2002, when the Interim Afghan government met with the United States, Germany, Italy, Japan, and the United Kingdom in Geneva, Switzerland to designate Security Sector Reform (SSR) responsibilities for Afghanistan.⁸¹ The five supporting nations each agreed to take the "lead" on one single security sector. The United States was designated lead nation for rebuilding Afghanistan's Army; the United Kingdom was to manage counter-narcotics; Japan would be responsible for disarmament, demilitarization, and reintegration (DDR); Italy would work on Afghanistan's justice system; and Germany maintained primacy for rebuilding Afghanistan's National Police.⁸² With this division of labor built, Germany moved forward to reestablish Afghanistan's national police force.

Germany focused its initial efforts on training senior police officers and restoring the National Police Academy in Kabul. Germany viewed police leadership as the

⁸⁰ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 19.

⁸¹ United States. Government Accountability Office et al, *Afghanistan Security Efforts to Establish Army and Police have made Progress, but Future Plans Need to be Better Defined: Report to the Committee on International Relations, House of Representatives*, 5.

⁸² International Crisis Group, *Reforming Afghanistan's Police*, i, 6.

backbone of the Afghan National Police, and therefore dedicated the majority of its resources to training commissioned and noncommissioned officers (NCO) in a program similar to that used to train German police.⁸³ Commissioned officers were required to complete twelfth-grade prior to entering the academy's three-year program of instruction, while NCOs were required to complete ninth-grade prior to entering the academy's nine-month program of instruction.⁸⁴ By January 2005, three years after its inception, only 41 commissioned officers and 2,583 NCOs had completed Germany's full program of instruction.⁸⁵ The inadequate number of trained police was partially due to Germany's limited resource inputs. Between 2002 and 2007, Germany contributed a paltry \$80 million to support Afghan National Police development. In contrast, in the first two years of training the ANA, the U.S. contributed over five times that amount, and from 2002 to 2007, the U.S. contributed over \$13.6 billion to developing Afghanistan's security forces.⁸⁶

Furthermore, Germany had to deal with the complicated task of trying to build a nonpartisan professional police force accountable to all Afghans and the central government. This proved extremely difficult in a country that had just been through a bitter ethnic war. With the Northern Alliance emerging victorious, many Northern Alliance militia leaders filled senior positions in the new Afghan Interim Government, to include the majority of senior police posts.⁸⁷ Unfortunately, many unqualified Panjshiri Tajiks took senior police posts simply for the prospects of patronage.⁸⁸ Even though the

⁸³ United States and others, *Interagency Assessment of Afghanistan Police Training and Readiness*, 97, [1]; Mark Moyar, *A Question of Command: Counterinsurgency from the Civil War to Iraq* (New Haven & London: Yale University Press, 2009), 195.

⁸⁴ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 4.

⁸⁵ United States. Government Accountability Office and others, *Afghanistan Security Efforts to Establish Army and Police have made Progress, but Future Plans Need to be Better Defined: Report to the Committee on International Relations, House of Representatives*, 21.

⁸⁶ United States. Government Accountability Office, "Afghanistan Security further Congressional Action may be Needed to Ensure Completion of a Detailed Plan to Develop and Sustain Capable Afghan National Security Forces: Report to Congressional Committees," U.S. Govt. Accountability Office, 11.

⁸⁷ International Crisis Group, *Afghanistan: The Problem of Pashtun Alienation* (Kabul; Brussels: International Crisis Group, 2003), 8; Mark Moyar, *A Question of Command: Counterinsurgency from the Civil War to Iraq* (New Haven & London: Yale University Press, 2009), 194.

⁸⁸ Cordesman et al., *Winning in Afghanistan Creating Effective Afghan Security Forces*, 97; Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 3.

international community recognized that having too many ethnic Tajiks rewarded with positions would generate animosity among the majority Pashtuns, Afghanistan's donors viewed this as a necessary compromise until Pashtuns could be gradually assimilated into the new Afghan government.⁸⁹

While Germany took proactive measures to build a highly trained, professional police force, Germany could not meet the massive resource requirements needed to satisfy Afghanistan's internal security requirements. With a virtually nonexistent police force, and a countryside riddled with insurgents and warlord militias, Afghanistan desperately needed to field as many legitimate police as possible. Germany's initial contributions to Afghan police development and training were invaluable. However, according to the International Crisis Group, "...by 2003 it became apparent that urgently needed rank-and-file policing was being neglected."⁹⁰

Germany's slow pace and measly budget prompted the United States to initiate its own police-training program in 2003.⁹¹ According to a 2005 U.S. Government Accountability Office (GAO) report, Germany never committed to fully resourcing the Afghan National Police:

Germany has viewed its role as one of advising and consulting with other donors and the Afghan government rather than as the major implementer or funding source for the police sector.⁹²

Although Germany remained the "lead" nation for the ANP until 2007, the United States became the de facto main effort for Afghan National Police training and resourcing.

⁸⁹ International Crisis Group, *Afghanistan: The Problem of Pashtun Alienation*, 19–20.

⁹⁰ International Crisis Group, *Reforming Afghanistan's Police*, i, 7.

⁹¹ United States. Government Accountability Office et al., *Afghanistan Security Efforts to Establish Army and Police have made Progress, but Future Plans Need to be Better Defined: Report to the Committee on International Relations, House of Representatives*, 19.

⁹² *Ibid.*, 26.

E. THE UNITED STATES MAKES THE AFGHAN NATIONAL POLICE A PRIORITY

Recognizing that there was a security deficit and a desperate need for rank and file policemen, the U.S. Department of State, through the Bureau of International Narcotics and Law Enforcement Affairs, was tasked in 2003 with establishing a basic training course for police soldiers.⁹³ The U.S. contributed \$26 million the first year to complete an Afghan National Police Central Training Center in Kabul and establish a large-scale police-training program.⁹⁴ In order to accomplish this resource intensive task, the U.S. State Department contracted the private security company DynCorp International to construct the Central Training Center and establish a police basic training program for the largely uneducated police soldiers. In 2004, the U.S. provided the funding for DynCorp to construct seven more Regional Training Centers in Gardez, Jalalabad, Kunduz, Mazar-i Sharif, Kandahar, Bamiyan, and Herat to expedite police training.⁹⁵

Although the resources and facilities made large-scale training of the Afghan National Police possible, DynCorp's five-weeks of basic training for illiterate recruits did little to prevent police from embracing extortion and criminal activity.⁹⁶ Additionally, DynCorp failed to establish the sustainment procedures needed to institutionalize the training or to monitor police activity after graduation.⁹⁷ The U.S. rush to mass-produce Afghan National Police soldiers wound up costing over \$860 million to train and equip approximately 40,000 national police between 2003 and 2005. Unfortunately, the overall return on this investment was minimal and, in many cases, the new Afghan National Police directly undermined COIN efforts.⁹⁸ Richard Holbrooke, the former U.S.

⁹³ United States and others, *Interagency Assessment of Afghanistan Police Training and Readiness* [1] 6.

⁹⁴ International Crisis Group, *Reforming Afghanistan's Police*, i, 7.

⁹⁵ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 29.

⁹⁶ Rashid, *Descent into Chaos: The US and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*, 205.

⁹⁷ Perito, *Afghanistan's Police: The Weak Link in Security Sector Reform*, 4.

⁹⁸ International Crisis Group, *Reforming Afghanistan's Police*, I; Rashid, *Descent into Chaos: The US and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*, 205.

ambassador to the UN, put it, “The U.S. training program under DynCorp is an appalling joke...a complete shambles.”⁹⁹ Ambassador Holbrooke’s assessment was not unique; a November 2006 Joint Coordination and Monitoring Board report described the Afghan National Police as under-funded, under-equipped, and essentially corrupt.¹⁰⁰ Additionally, the International Crisis Group claimed that the new U.S. policy of rapidly fielding large numbers of poorly trained Afghan National Police was actually making the security situation in Afghanistan worse.¹⁰¹

Upholding the rule of law is a challenge in highly developed countries with well-educated professional police. Yet, somehow, the predominantly uneducated and minimally trained Afghan National Police have been expected to uphold the rule of law in a country embroiled in insurgency, ethnic infighting, poverty, and competing systems of law.¹⁰² DynCorp’s five-week Basic II training program exemplifies the U.S. State Department’s unrealistic expectations for the Afghan National Police. The short training course attempted to teach the democratic principles of policing to illiterate Afghans from all parts of the country.¹⁰³ Some of the techniques and principles taught included: values, ethics, interrogation, firearms, vehicle and building searches, self-defense, arrest procedures, and drill and ceremony training.¹⁰⁴ This was a tremendous amount material to cover in such a short period of time. And, according to the United States Institute of Peace, “Few of the American instructors were professional police trainers and there was

⁹⁹ Slobodan Lekik, “US Ex-Diplomat: Afghan’s Karzai Faltering,” *Associated Press*, April 28, 2007, April 28, 2007.

¹⁰⁰ The Joint Coordination and Monitoring Board (JCMB) is an independent commission that monitors the implementation and coordination of established benchmarks of the Afghanistan National Development Strategy (ANDS). The ANDS is part of the January 2006 Afghan Compact. The Afghan Compact is a five-year agreement between the international community and the Afghan government to improve the lives of the Afghan people, and to contribute to national, regional, and global peace and security by promoting security, governance, rule of law, and human rights. For more information, see the Afghanistan National Development Strategy. Cameron Scott, *Assessing ISAF: A Baseline Study of NATO’s Role in Afghanistan*, British American Security Information Council (2007).

¹⁰¹ International Crisis Group, *Countering Afghanistan’s Insurgency: No Quick Fixes*, International Crisis Group, 2006).

¹⁰² Over 70% of all ANP recruits are illiterate United States et al, *Interagency Assessment of Afghanistan Police Training and Readiness*, [1] 19.

¹⁰³ *Ibid.*, 64.

¹⁰⁴ *Ibid.*, 19.

little or no use of adult-learning techniques.”¹⁰⁵ The U.S. Department of Defense and Department of State Inspector General’s report subsequently noted:

The five-week Basic II Course is inadequate to prepare an ANP recruit for assignment to anything resembling traditional Western police duties. Illiterate ANP recruits can only be expected to perform supplementary or ancillary police duties, such as security functions, guard duty, and checkpoint security.¹⁰⁶

Considering Afghanistan’s requirement for rank and file national police, and the country’s high illiteracy rates, it would have been totally unrealistic to make literacy a standard for recruitment.¹⁰⁷ The U.S. understood this, yet failed to tailor police training and development to contend with Afghanistan’s unique demographics, culture, and history.¹⁰⁸ The U.S. instead adopted a Western model based on the curriculum DynCorp used to train the police in Kosovo.¹⁰⁹ Applying a Western model to Afghanistan is a result of U.S. mirror imaging and, according to historian Kalev Sepp, training indigenous forces in a supporting country’s own image is a historically flawed practice in counterinsurgency.¹¹⁰

Increasing corruption, insurgent violence, and DynCorp’s lackluster results of training the Afghan National Police, eventually prompted an interagency decision to shift responsibility for police training from the Department of State to the Department of Defense. On July 12, 2005, the Combined Security Transition Command-Afghanistan (CSTC-A) officially assumed the lead role on behalf of the U.S. Government for training, equipping, and mentoring the Afghan National Police.¹¹¹ The State Department

¹⁰⁵ Perito, *Afghanistan’s Police: The Weak Link in Security Sector Reform*, 4.

¹⁰⁶ United States and others, *Interagency Assessment of Afghanistan Police Training and Readiness*, [1], 64.

¹⁰⁷ Central Intelligence Agency, *CIA - World Factbook — Afghanistan*.

¹⁰⁸ “Afghanistan’s history and current situation may not respond well to Western theories of crime, which often pay little attention to the historical, cultural, and social structural uniqueness of less studied societies.” Connie M. Koski, “Afghanistan at a Crossroads: The Quest for Democratic Policing in a Post-9/11 Era,” *Police Practice & Research* (August 2009), 317.

¹⁰⁹ Perito, *Afghanistan’s Police: The Weak Link in Security Sector Reform*, 4.

¹¹⁰ Sepp, *Best Practices in Counterinsurgency*, 11.

¹¹¹ Combined Security Transition Command-Afghanistan, “Combined Security Transition Command-Afghanistan.”

continued to provide support through policy guidance and oversight of civilian contractors responsible for police training courses.¹¹² CSTC-A increased U.S. efforts to train and reform the Afghan National Police, and in just one year's time, dedicated over 500 contractors and 100 DoD personnel to police training and mentoring.¹¹³

¹¹² United States. Government Accountability Office, *Afghanistan Security further Congressional Action may be Needed to Ensure Completion of a Detailed Plan to Develop and Sustain Capable Afghan National Security Forces: Report to Congressional Committees*, 9.

¹¹³ International Crisis Group, *Reforming Afghanistan's Police*, i, 7.

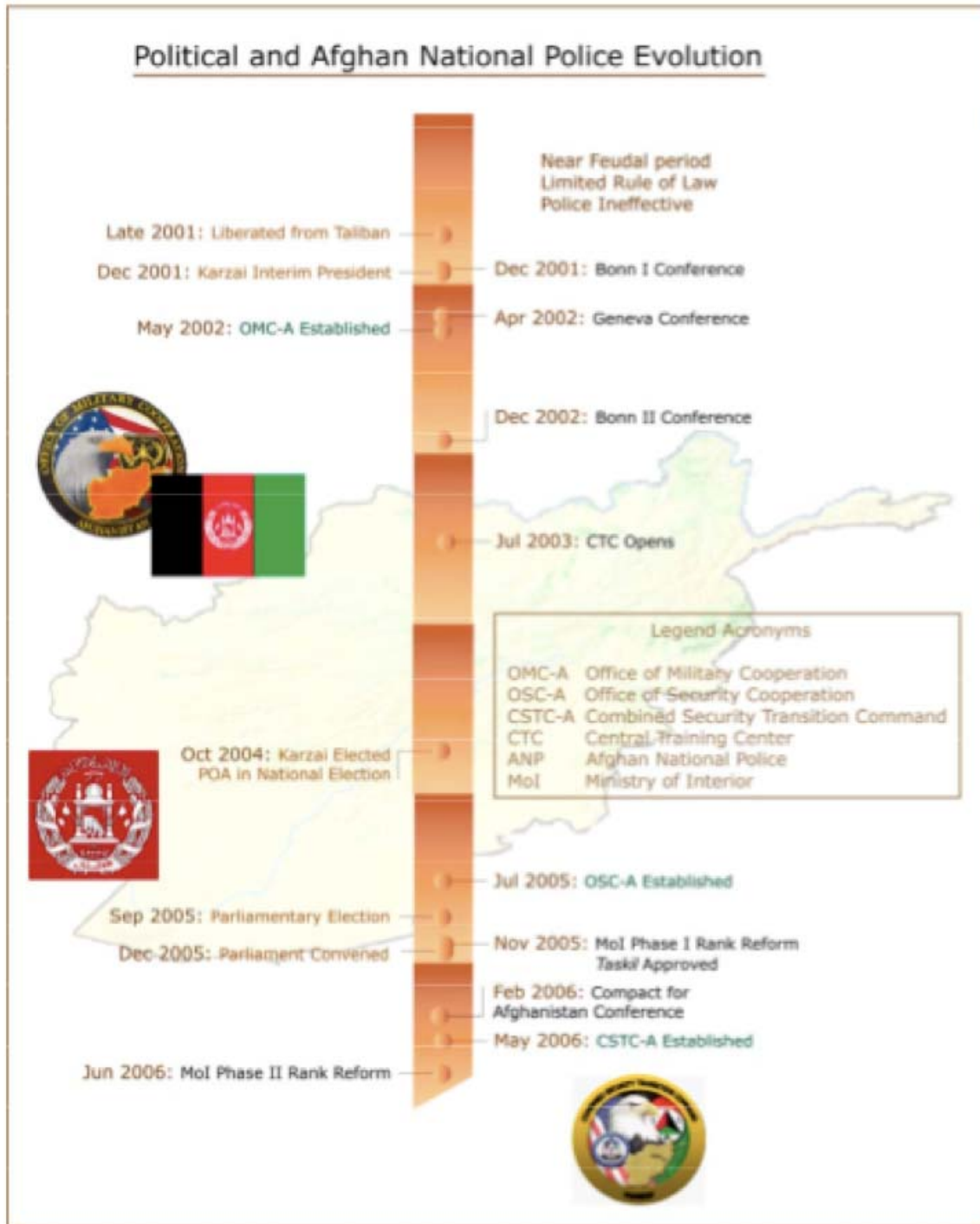


Figure 5. Chronology of ANP Evolution¹¹⁴

¹¹⁴ United States et al., *Interagency Assessment of Afghanistan Police Training and Readiness* [1], 9.

F. THE INTERNATIONAL SUPPORT FOR THE AFGHAN NATIONAL POLICE

The international community understood the vital role the police played in facilitating Afghanistan's development and security. However, few efforts or resources were initially allocated to rebuild Afghanistan's police force. It was not until 2005 that the international community took the Afghan National Police seriously and initiated genuine reform efforts.¹¹⁵ To meet the demands of increasing international support and resources for the Afghan National Police, the International Police Coordination Board was established in 2006. The purpose of the International Police Coordination Board is to facilitate and coordinate the efforts of all countries contributing to the reformation of the Ministry of Interior and the Afghan National Police.¹¹⁶

In June 2007, the European Union established the European Union Police Mission in Afghanistan, and replaced Germany as the "lead" for the Afghan National Police.¹¹⁷ The European Union Police Mission contributes over 160 police experts from over 23 nations to work in conjunction with CSTC-A and the Afghan National Police on police training and reform.¹¹⁸ The goal of the International Police Coordination Board is to "develop an effective, well organized, multi-ethnic and professional police force that provides the people of Afghanistan a stable rule of law".¹¹⁹ While international efforts to resource and reform the Afghan National Police have significantly improved since 2005, the European Union nonetheless relies mainly on Western democratic policing methods, much like CSTC-A.¹²⁰

Unless the international community tailors police recruitment and training to Afghanistan's unique culture and demographics, the Afghan National Police will never

¹¹⁵ International Crisis Group, "Policing in Afghanistan Still Searching for a Strategy," International Crisis Group.

¹¹⁶ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 27.

¹¹⁷ International Crisis Group, *Reforming Afghanistan's Police*, i.

¹¹⁸ Combined Security Transition Command-Afghanistan, *Combined Security Transition Command-Afghanistan*.

¹¹⁹ Ibid.

¹²⁰ International Crisis Group, *Reforming Afghanistan's Police*, i, 8.

gain the confidence of the Afghan people. The qualifications that legitimize police in European countries are very different from the qualifications that legitimize police in Afghanistan.

G. THE COMBINED SECURITY TRANSITION COMMAND: AFGHANISTAN INITIATES A DISTRICT APPROACH TO POLICE REFORM

Given rising insecurity, the Joint Coordination and Monitoring Board met in the spring of 2007 and agreed to increase the numbers of Afghan National Police from 62,000 to 82,000.¹²¹ In order to meet the increased demand CSTC-A dedicated even more resources and personnel to building and reforming the Afghan National Police. By the end of 2008, CSTC-A had over 2,500 defense personnel and approximately 550 DynCorp civilians working to train, mentor and reform the Afghan National Police.

In addition to increasing resources and money, CSTC-A, in conjunction with the Ministry of the Interior, initiated the Focused District Development (FDD) program, a radically new method of police reform.¹²² The FDD program was initiated in late 2007 and dramatically differs from previous methods of reform, which consisted primarily of providing additional training and equipping. The new program assesses, trains, reconstitutes, and mentors a district's entire police force at one time.¹²³ An entire district's police force is withdrawn to one of the Afghan National Police Regional Training Centers, and is temporarily replaced by an Afghan National Civil Order Police unit.¹²⁴ At the Regional Training Centers, the district police force undergoes an eight-week long training program that simultaneously addresses local governance, public

¹²¹ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 19.

¹²² Combined Security Transition Command-Afghanistan, *Combined Security Transition Command-Afghanistan*.

¹²³ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 12.

¹²⁴ The Afghan National Civil Order Police is a specialized police force responsible for responding to civil disturbances in large urban areas and patrolling in high threat areas. United States Government Accountability Office, Washington DC and others, *Afghanistan Security: U.S. Efforts to Develop Capable Afghan Police Forces Face Challenges and Need a Coordinated, Detailed Plan to Help Ensure Accountability*, 13.

works, and elements of the rule of law.¹²⁵ The newly retrained Afghan National Police unit then returns to its district accompanied by a coalition police mentor team. The police mentor team remains at the district with the police unit until it receives a Capability Milestone rating of 1 (CM1), which signifies that the unit is fully capable of accomplishing its mission without external support.¹²⁶ The estimated time for a full FDD training cycle is 10 to 13 months. (See Figure 6.)

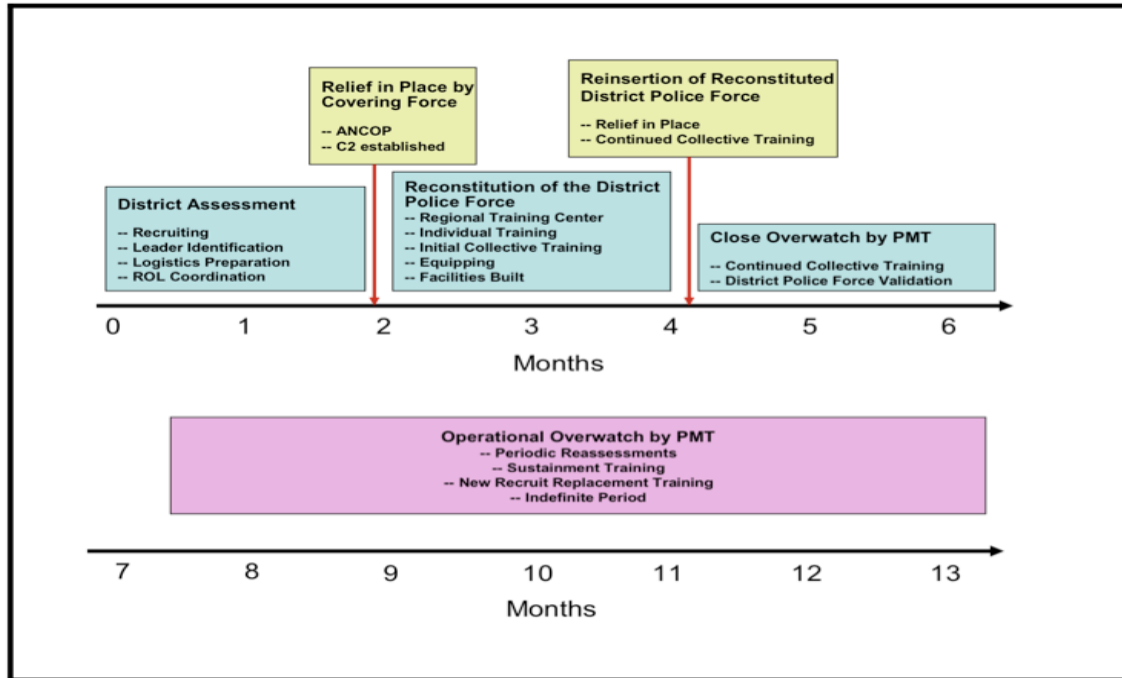


Figure 6. Typical FDD Timeline¹²⁷

¹²⁵ Combined Security Transition Command-Afghanistan, *Afghanistan Police Training Mission Basic Police Course Overview*, 2009).

¹²⁶“Capability Milestone 1 is defined in CSTC-A OPORD 07-455 Annex A, Appendix 3, but is summarized as: 85 percent capable of basic law and order operations and leadership tasks appropriate to local circumstances without external assistance (except specific operations such as counterinsurgency or narcotics interdiction). As the insurgency threat decreases and Justice Sector Reform takes place, IC assistance may be required to increase the professionalism of the police to a higher standard mandated by the GoA, in accordance with the aspirations of the people of the IRoA.” Inspector General United States Department of Defense: Special Plans and Operations, *Report on the Assessment of U.S. and Coalition Plans to Train, Equip, and Field the Afghan National Security Forces* (400 Army Navy Drive Arlington, VA 22202-4704: Office of the Assistant Inspector General for Special Plans & Operations Department of Defense Office of Inspector General [2009]), 127.

¹²⁷ *Ibid.*, 126.

According to the International Crisis Group, “The Focused District Development program has the potential to contribute to a better trained and equipped police service, and is focused at the level that has the most impact on daily life.”¹²⁸ Evidence of FDD success can be seen in some noteworthy accomplishments over the last two years. Since May of 2009, 12 district units participating in the FDD program have achieved a CM1 rating. (See Figure 7.)

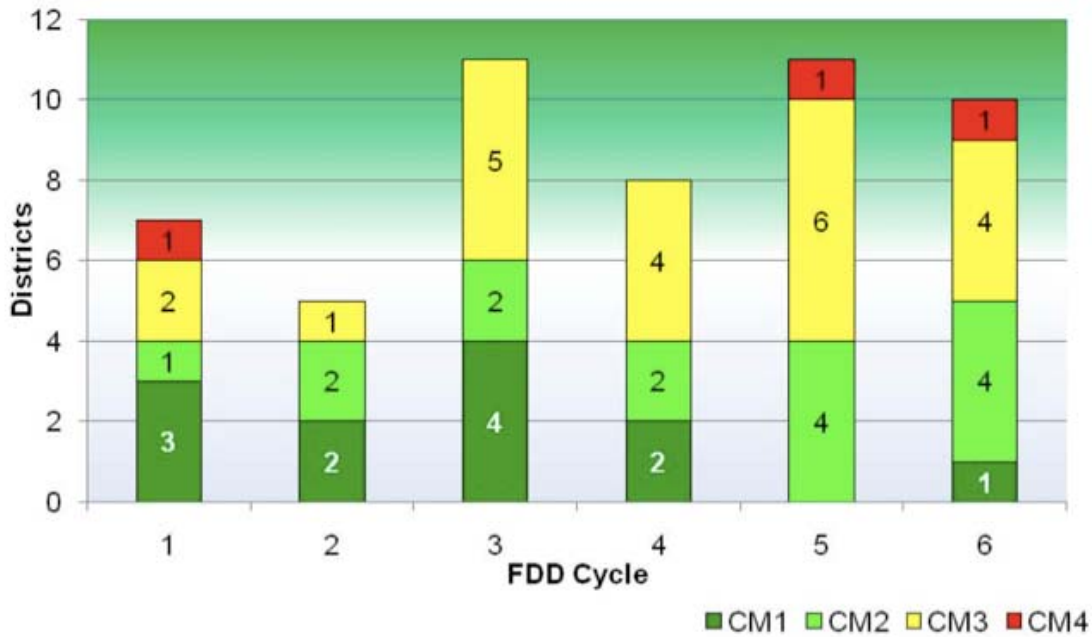


Figure 7. The CM Ratings of the 52 ANP District Units Engaged in FDD (As of May 2009)¹²⁹

Although the FDD is moving the Afghan National Police in the right direction, it has taken almost two years of intense training and mentoring to get just 12 of the 52 Afghan National Police units participating in the program to a level where they can

¹²⁸ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 19.

¹²⁹ United States. Dept. of Defense, *Progress Toward Security and Stability in Afghanistan Report to Congress in Accordance with the 2008 National Defense Authorization Act (Section 1230, Public Law 110-181)*, 37.

operate independently. The real test for the success of the FDD program will come when the mentor teams depart the CM1-rated districts and the Afghan National Police are left to their own devices.

Another challenge CSTC-A faces is the sheer number of Afghan National Police district units. Although 52 units have participated thus far, there are a total of 365 Afghan National Police district units operating in Afghanistan, which means that the remaining 313 Afghan National Police units are not participating in the FDD program.¹³⁰ It must also be noted that there are 397 districts in Afghanistan; therefore, some district police units are responsible for policing more than one district.¹³¹ If fully trained and rated Afghan National Police district units revert to their previous activities of extortion and bribery after the mentor teams depart, the program will never achieve success. It will be like stamping out a fire, but leaving behind smoldering coals.

All told, the U.S. has invested over \$6.7 billion and seven years of training in the Afghan National Police, yet the Afghan National Police are still ill equipped, largely ineffective and, for the most part, corrupt.¹³² The FDD program is conceptually sound, because it addresses Afghan National Police issues at the local level. However, the FDD program is manpower-intensive and fails to fully incorporate the communities. According to a 2008 report to Congress, the FDD program is challenged by shortages of coalition Police Mentor Teams, Afghan National Civil Order Police, available space at the Regional Training Centers, and lack of support from provincial governors.¹³³

¹³⁰ Inspector General United States Department of Defense: Special Plans and Operations, *Report on the Assessment of U.S. and Coalition Plans to Train, Equip, and Field the Afghan National Security Forces*, i.

¹³¹ Afghanistan Information Management Service, “Anatomy of the Geocode.”

¹³² United States Government Accountability Office, DC, *Afghanistan Security: U.S. Efforts to Develop Capable Afghan Police Forces Face Challenges and Need a Coordinated, Detailed Plan to Help Ensure Accountability*, 2. Perito, *Afghanistan’s Police: The Weak Link in Security Sector Reform*. Gordon Lubold, “Linchpin in Afghan Security: A Better Police Force,” *The Christian Science Monitor*, May 2, 2008. Opiel, *Corruption Undercuts U.S. Hopes for Improving Afghan Police*, A.1.

¹³³ United States. Dept. of Defense, “United States Plan for Sustaining the Afghanistan National Security Forces Report to Congress in Accordance with the 2008 National Defense Authorization Act (Section 1231, Public Law 110–181),” Dept. of Defense.

Even though an increase in resources and training facilities will improve the FDD program, this does not address or resolve the core issue of legitimacy. With all its merits, the FDD program is treating the symptoms (training, equipment, pay, ethics) and not the root causes of Afghan National Police illegitimacy, (trust, kinship, customary law, Islam). The heart of the FDD program is to professionalize the district Afghan National Police unit, but the program is mistakenly based on a Western precept that quality training and education stymies corruption and patronage. Of course, if this precept were true, we would not see such high levels of corruption and patronage among Afghanistan's most educated elites currently governing the country.¹³⁴

Instead, in order to prevent Afghan National Police district units from returning to their old ways of bribery, extortion, and patronage, a system of checks and balances needs to be introduced that holds the Afghan National Police accountable to both the community and the central government. Even though the district's police are removed, retrained, and monitored by mentors, if they are not legitimate in the eyes of the district's community before the retraining, they will remain illegitimate afterwards. The only difference is they will now be better trained.

¹³⁴ Loyd, *Corruption, Bribes and Trafficking: A Cancer that is Engulfing Afghanistan* Campbell and Shapiro, *Afghanistan Index: Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan*.

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V. AFGHAN NATIONAL POLICE COMPOSITION

The true and patriotic police officer is the friend of the people. People always approach them to get rid of oppression. If police officers do not have these qualities people would rather prefer to live under oppression and injustice rather than going to the police since they know that applying to the police will bring additional problems.

—President Karzai, speaking on Radio Afghanistan, 21 November 2002¹³⁵

Six separate services make up the Afghan National Police. Each service has a different and distinct mission that spans an extensive array of law enforcement and security functions. While all six services will be described, this thesis focuses on the Afghan Uniformed Police. The Afghan Uniformed Police are by far the largest service, with a reported strength of 44,319.¹³⁶ The Afghan Uniformed Police, also known as the Afghan National Police, serve at every level of government and are responsible for Afghanistan's day-to-day police activities. The Afghan Uniformed Police are responsible for maintaining security and public order, preventing crime, regulating traffic, and protecting public and private property.¹³⁷ Below is an excerpt from the CSTC-A's Web page that describes the size and function of Afghanistan's various police organizations:

The Uniformed Police are the single largest police element with more than 40,000 positions. They are responsible for general law enforcement, public safety and internal security throughout the provinces and districts of Afghanistan.

The Afghan Border Police, with an authorized strength of 17,000, are responsible for patrolling Afghanistan's borders, conducting counter-smuggling operations, and managing immigration.

The Civil Order Police are responsible for responding to civil disturbances in large urban areas and patrolling in high threat areas. The Civil Order Police has nearly 5,000 police positions.

¹³⁵ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 1.

¹³⁶ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 19, 2.

¹³⁷ Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, 12.

The Counter Narcotics Police are responsible for the elimination of production and the trafficking of illicit drugs.

The Criminal Investigation Division Police investigate a wide range of criminal offenses.

The Counter Terrorism Police are responsible for conducting counter-insurgency operations.¹³⁸

¹³⁸ Combined Security Transition Command-Afghanistan, *Combined Security Transition Command-Afghanistan*. “The distribution of ANP personnel resources in the 1388 Tashkil was: AUP (47,384), Traffic (2,646), Fire (882), ABP (17,621), ANCOP (5,365), Medical (393), Customs (600), Special Police (1,108), Training (1960), Counternarcotics Police (2,519), MoI HQ (2,615), Public Protection (524), Anti-Crime HQ (303), Major Crimes TF (100).” Inspector General United States Department of Defense: Special Plans and Operations, *Report on the Assessment of U.S. and Coalition Plans to Train, Equip, and Field the Afghan National Security Forces*, i (111).

VI. CURRENT STATUS OF REFORM AND THE AFGHAN NATIONAL POLICE

...villagers say the government's police force was so brutal and corrupt that they welcomed the Taliban as liberators. The police would stop people driving on motorcycles, beat them and take their money. Mohammad Gul pointed to two compounds of neighbors where pre-teen children had been abducted by police to be used for the local practice of "bachabazi," or sex with pre-pubescent boys. "If the boys were out in the fields, the police would come and rape them," he said. "You can go to any police base and you will see these boys. They hold them until they are finished with them and then let the child go.

—An interview with Mohammad Gul, an elder in the village of Pankela, Helmand Province, July 2009¹³⁹

Combining the blood, treasure, and time spent, with the overwhelmingly bleak assessments about the Afghan National Police, one could conclude that police reform has failed. And, because the current methods of reform are not effectively preventing corruption and patronage, or fostering support from the local community, new systems need to be established. Police reform must go beyond broad-brush training and should be tailored to meet the specific requirements of Afghanistan's distinct local communities.

There are countless explanations for why the Afghan National Police continue to fail: history, warlords, militias, organized crime, narcotics, ethnic rivalries, corruption, a lack of funding, training, and mentoring just to list a few.¹⁴⁰ Yet, while many experts recognize the Afghan National Police's deficiencies, relatively few provide recommendations for reform based on Afghanistan's unique culture and history. Instead, most Western counterinsurgency experts and analysts, to include Anthony Cordesman, Seth Jones, John Nagl, Michael O'Hanlon, and David Kilcullen, propose improving or

¹³⁹ Graff, *Afghans Turn to Taliban in Fear of Own Police*, 1–2.

¹⁴⁰ Legon, *Ineffective, Unprofessional, and Corrupt: The Afghan National Police Challenge*.

slightly altering the existing mechanisms for reform.¹⁴¹ These mechanisms predominantly consist of: new and/or better training, more mentoring and education, and a significant increase in resources. They support their arguments by looking to the past and present success of the ANA and Western police forces. The problem with this, however, is they do not take into account the multitude of complicating factors that stem from Afghanistan's unique and very *non-Western* society.

There is no doubt that the ANA has been more successful than the Afghan National Police at both gaining the support of the people and battling the Taliban. However, using the Afghan Army as a model for the Afghan National Police is as misguided as modeling the U.S. Federal Bureau of Investigations or the U.S. Drug Enforcement Administration after the U.S. Army. Additionally, analysts and policy makers use the ANA's success to make the case that increased resources equal increased success. While it is true that the Afghan Army has received almost double the training and resources of the Afghan National Police, however, increasing training and resources will not have the same effects on the Afghan National Police as they have had on the ANA. This is so for a variety of reasons, which require us to examine the very different roles, history, and composition of the two organizations.¹⁴²

First, the ANA was built from scratch in 2002, limiting the effect preexisting rivalries and bad habits, might have had on soldiers. In contrast, the Afghan National Police was filled with entire cohorts drawn from warlord militias.¹⁴³ Second, the Army's role as a national military force prevents constant interaction with the population, as opposed to the Afghan National Police who are embedded and always present. Third, the Army is comprised of large multi-ethnic units that rarely operate in elements smaller than

¹⁴¹ Anthony H. Cordesman, "Center for Strategic and International Studies (CSIS) Press Briefing with Anthony Cordesman to Discuss Afghanistan Following His Trip Advising General McChrystal as a Member of His Strategic Assessment Group" (1800 K Street, Washington DC, Federal News Service, Washington DC, July 29, 2009). Seth G. Jones, *Counterinsurgency in Afghanistan* (Santa Monica: RAND National Defense Research Institute, 2008), 157. Small wars journal, August 16, 2008; Michael O'Hanlon, "How to Win in Afghanistan," *Wall Street Journal*, November 14, 2008; David Kilcullen, "If we Lose Hearts and Minds, we Will Lose the War," *The Spectator*, May 23, 2009.

¹⁴² Cordesman et al., *Winning in Afghanistan Creating Effective Afghan Security Forces*, 99; Jones, *Counterinsurgency in Afghanistan*, 157.

¹⁴³ Combined Security Transition Command-Afghanistan, *Combined Security Transition Command-Afghanistan*; Wilder, *Cops Or Robbers? The Struggle to Reform the Afghan Police*, i, vii.

120-man companies. The Army's ethnic diversity and large size lend themselves to a system of checks and balances, and the sheer size of a company helps prevent the ANA from being effectively coerced by the Taliban or a local warlord. Additionally, the companies' multi-ethnic makeup restrains ANA soldiers from extorting members of rival tribes or ethnic groups. In contrast, the Afghan National Police operate in units with usually fewer than 12 men, and can easily be coerced by resident warlords or the Taliban.¹⁴⁴ Also, without the support of the local community, no amount or quality of training will prevent the Afghan National Police from capitulating when the only likely option is death.

Meanwhile, the rationale for training the ANA in Western-style policing, based on the premise that Western police forces are successful, is equally flawed. Afghanistan is not like a Western country, not when 72% of Afghans are illiterate, the country is stricken with poverty, plagued with corruption, rife with ethnic infighting and mistrust, and battling a growing insurgency that threatens the very existence of the government.¹⁴⁵ Creating a Western-style police force in Afghanistan is unrealistic under the current cultural and socioeconomic conditions.¹⁴⁶ Yet, the U.S. and the international community remain fixated on applying Western techniques and procedures.¹⁴⁷ As this thesis contends, this is a mistake. (See Appendix A: Afghanistan Police Training Mission Basic Police Course Overview)

¹⁴⁴ Programs for Culture & Conflict Studies, *Summary of the Afghan National Police (ANP)*, 5.

¹⁴⁵ Central Intelligence Agency, *CIA – World Factbook – Afghanistan*; Lambsdorf, *Transparency International, Corruption Perceptions Index 2008*.

¹⁴⁶ Connie M. Koski, "Afghanistan at a Crossroads: The Quest for Democratic Policing in a Post-9/11 Era," *Police Practice & Research* (August 2009), 317.

¹⁴⁷ Combined Security Transition Command-Afghanistan, *Afghanistan Police Training Mission Basic Police Course Overview*, 2009).

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VII. THE IMPORTANCE OF HISTORY AND CULTURE IN THE AFGHAN POLICE

*Kinship is the most significant social organizational principle at the local level throughout the country. Kin-based groupings at the local level have helped maintain the most durable and resilient communities of trust in rural villages, nomadic camps, and urban neighborhoods. These communities of trust operate in the form of informal local shuras, resolving disputes and mobilizing to defend and protect themselves in times of crisis. They are the most precious resource Afghanistan possesses for building a stable and sustainable state.*¹⁴⁸

Although years of conflict have left Afghanistan a shattered mosaic devoid of absolutes, certain cultural norms, especially among rural Afghan communities, have flourished. These unwritten social attributes can be found throughout rural Afghanistan, and have proved vital to the survival of *aqawam* or solidarity groups in times of hardship and conflict. Over the past decades, they have actually bound groups even more tightly together.¹⁴⁹

Culture is defined many different ways, but for the purposes of this thesis I will use Richard Shweder's definition: "community-specific ideas about what is true, good, beautiful, and efficient. To be 'cultural,' those ideas...must be socially inherited and customary."¹⁵⁰ Because Afghan cultural norms are relevant to good governance and COIN, efforts should be taken to better understand preexisting cultural nuances. Only by developing an appreciation for culture at the local level is it possible to tailor political, military, and civil commitments to a local environment.¹⁵¹

¹⁴⁸ M. Nazif Shahrani, "Afghanistan's Alternatives for Peace, Governance and Development: Transforming Subjects to Citizens & Rulers to Civil Servants," *The Afghanistan Papers 2* (August 2009) 5.

¹⁴⁹ Thomas J. Barfield, "Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace," *Agrarian Studies Colloquium Series "Hinterlands, Frontiers, Cities and States: Transactions and Identities"* (February 23, 2007).

¹⁵⁰ Samuel P. Huntington and Lawrence E. Harrison, *Culture Matters: How Values Shape Human Progress* (New York: Basic Books, 2000), 348.

¹⁵¹ Johnson and Mason, *All Counterinsurgency is Local*.

If we apply this concept to the Afghan National Police, their recruitment, vetting, and employment should be tailored to meet local cultural needs. This is especially important in such a relationship-based setting as Afghanistan, where the needs of the family or clan take priority over the needs of individuals. In collective societies, the positive actions of an individual benefit the entire solidarity group, while any shame tarnishes the stature of the entire group.¹⁵² The collective bonds of Afghan solidarity groups are so strong at the family and clan level that any attack or slight against an individual is invariably met with a collective response.¹⁵³ Cultural codes that mandate collective action are common throughout rural Afghanistan and should be exploited to facilitate police accountability. These customary laws are based on unwritten ethical and cultural norms, and the rules they establish are far more binding than the Afghan government's state legal codes.¹⁵⁴

Customary law has historically been an integral part of rural Afghan society where communities use it to resolve disputes and muster community militias to protect the community or enforce the law. Consequently, Afghan National Police that are drawn from rural communities would be bound by customary law to serve the community. If an Afghan National Police soldier extorted a family or clan member from his community this would bring shame not only upon him, but his entire family. The family would not tolerate the policeman's behavior, and would likely punish him through shame or ostracism. Additionally, the community would be obligated to support and protect Afghan National Police who are members of the community, because again an attack on an individual who is a member of the clan requires a collective retaliatory response.¹⁵⁵

¹⁵² Barfield, *Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace*, 6.

¹⁵³ Ibid.

¹⁵⁴ Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*. "Customary law is the means by which local communities resolve disputes in the absence of (or opposition to) state or religious authority. It is based on a common cultural and ethical code that generates binding rules on its members. Communities use this unwritten code to resolve disputes, evaluate actions for praise or blame, and to impose sanctions against violators of local norms," 351.

¹⁵⁵ Barfield, *Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace*, 6.

The argument here is: when the community sanctions Afghan National Police, they are beholden to the community they serve. And because Afghan National Police corruption and ineffectiveness are rooted in a lack of accountability, empowering communities to select their own police would improve Afghan National Police effectiveness and reduce corruption.

The current government system typically deploys national police who have no ties to the community.¹⁵⁶ Lacking direct ties to the community, the police are then often viewed with suspicion and treated as outsiders. Additionally, the central government attempts to use the Afghan National Police to enforce law and exert control from Kabul, a policy that has routinely failed. The central government of Afghanistan attempted to exercise its authority beyond the urban centers twice in the last century, resulting in rural revolts that overthrew the central government both times.¹⁵⁷ Rural Afghans have had a long history of preferring self-governance and autonomy to state rule, which is a direct consequence of rural Afghans favoring their particular customary laws.¹⁵⁸

Customary laws and relationships are based on trust and support. Trust and support are automatic among rural Afghan family members. But for anyone who is not family (direct or extended), trust and support can only be earned or lost over time.¹⁵⁹ Thus, trust and support have to be considered essential to establishing legitimate Afghan police forces in rural Afghanistan.

Over the past 30 years, the Afghan people have been engulfed in internal and external conflict. Families have been forced to choose sides as local and foreign power brokers vie for control of territory and people. Their trust and confidence in government and external forces are shallow at best. To compensate for the lack of trust, Afghans

¹⁵⁶ International Crisis Group, *Reforming Afghanistan's Police*, i.

¹⁵⁷ Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*.

¹⁵⁸ Ibid.

¹⁵⁹ Bernt Glatzer, "War and Boundaries in Afghanistan: Significance and Relativity of Local and Social Boundaries," *Weld Des Islams* (March 2001), 379–399.

have had little choice but to rely on their ethnic groups for security and accountability.¹⁶⁰ Locally recruited police represent the most reasonable means for restoring faith in an external centrally based authority.

Francis Fukuyama defines social capital as, “an instantiated set of informal values or norms shared among members of a group that permits them to cooperate with one another.”¹⁶¹ The foundation for social capital in Afghanistan is the clan. Understanding the importance of this social capital is critical to determining how to efficiently employ Afghan police forces. Louis Dupree spent years living among Afghan tribesmen, documenting some of the tribal codes that govern social relationships and ways of life for rural Afghans. According to Dupree:

The formalized segmentary lineages in rural Afghanistan and Pakistan (strongest along the Durand Line of 1893) have developed a sensitive network of interlocking, reciprocal rights and obligations, not only between the kin-units, but between patrons and clients.¹⁶²

Knowledge about local history, inter-personal relationships, and reputations inform rural Afghans’ views about reciprocal rights. Afghan police who have no ties to the people they support do not know this history. Although they may be able to develop relations over time, without accountability the police often yield to the temptation of easy money through extortion.¹⁶³

If locals do not trust, or are not willing to cooperate with, the Afghan police because of corruption, conflict, or ethnic rivalries, just throwing more non-local national police at the problem will likely make the situation worse. The International Crisis Group (2007) acknowledged this dilemma in a recent study:

¹⁶⁰ Cook, *Trust in Society*.

¹⁶¹ Huntington and Harrison, *Culture Matters: How Values Shape Human Progress*, 98.

¹⁶² Akbar S. Ahmed and David M. Hart, *Islam in Tribal Societies: From the Atlas to the Indus* (London; Boston: Routledge & Kegan Paul, 1984), 267.

¹⁶³ *Ibid.*, 282.

...the main motivation behind this enhanced attention [increasing the numbers of ANP] is a pressing need to quash the insurgency, the approach taken is largely shortsighted, with much of the emphasis on quantity over quality. This is the wrong way to build a legitimate, accountable institution. Ineffective and corrupt policing not only fails to prevent conflict but can actually exacerbate it...¹⁶⁴

In addition to using culture and customary laws to make Afghan police more legitimate, a basic appreciation for the different Afghan ethnic groups and religions can only improve police effectiveness.

¹⁶⁴ International Crisis Group, *Reforming Afghanistan's Police*, i, 1.

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VIII. ISLAM, ETHNICITY, AND AFGHAN SOLIDARITY GROUPS

In Afghanistan the identity of each individual is defined by a series of affiliations, from the most general – to the umma (the Muslim community as a whole) – to the narrowest, the close family. A sense of identity may be based on a shared geographical origin, or on a common affiliation – professional, religious, family, ethnic etc.¹⁶⁵

While ethnic and religious diversity is a noble goal for the Afghan National Police, diversity can have a diminishing effect on security in some situations. An analogy between the U.S. and Afghanistan is perhaps the best method for demonstrating the critical roles religion and ethnicity play in security and policing. There are currently Dari-speaking Shia Hazara Afghan National Police soldiers attempting to enforce justice and provide security in the rural Pashtun districts of Kandahar Province.¹⁶⁶ To many westerners or even progressive urban Afghans, this may seem like a good way to prevent patronage or limit tribal power. However, to a rural Pashtun, a Shia Hazara has about as much of a chance of being accepted and trusted by the community as a Catholic African-American FBI Agent sent in to police a rural all white Mississippi town in the 1950s. The major difference between these two scenarios is that the African-American would at least be able to speak the language.

Afghanistan's eclectic mix of ethnic groups, languages, and lifestyles makes it in many ways more of a melting pot than the United States of America. Afghanistan has five major ethnic groups and dozens of minor ethnic groups, almost each of which speaks its own language.¹⁶⁷ While the official languages of Afghanistan are Dari and Pashto, there are an additional 35 spoken languages.¹⁶⁸ The most unifying characteristics available to Afghan nationalists are, arguably, Islam and nationalism.¹⁶⁹ Ironically, over

¹⁶⁵ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 10.

¹⁶⁶ Observation made by Professor Thomas H. Johnson during his studies in Afghanistan, summer 2009.

¹⁶⁷ Louis Dupree, *Afghanistan* (Oxford, UK; New York: Oxford University Press, 1997).

¹⁶⁸ Central Intelligence Agency, *CIA – World Factbook – Afghanistan*.

¹⁶⁹ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 33.

the past 20 years religion and nationalism have kept the Afghan people in conflict regarding who should rule, and the role that Islam should be accorded in government.

Islam permeates Afghanistan historically, culturally, and politically—99% of Afghans subscribe to Islam. Consequently, being a Muslim is taken for granted; however, being perceived to be a *pious* Muslim is the fountainhead of legitimacy for all Afghan leaders, government officials, and holders of authority.¹⁷⁰ Although most Afghans are Muslim, Islam in Afghanistan is not homogeneous. There are two fundamentally different sects of Islam in Afghanistan, the largest and most prominent one being Sunni Islam. Approximately 80% of Afghans are Sunnis, and Sunni Islam has dominated Afghan politics for the last three centuries. The remaining 19% of the population practice Shia Islam.¹⁷¹ Historically, Shia Afghans have been violently persecuted and politically and economically discriminated against by their Sunni countrymen.

While there is no single ethnic group that represents more than 50% of the population, the Pashtuns come closest with an estimated 42%. The Tajiks are the second largest ethnic group and make up about 26% population, followed by the Hazaras at 18%, the Uzbeks at 6.3%, the Turkmen at 2.5%, the Qizilbash at 1%, and a sum total of the remaining minority ethnic groups add up to the remaining 4.2% of the population.¹⁷² (See Figure 8.)

¹⁷⁰ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 33; Liebl, *Pashtuns, Tribalism, Leadership, Islam and Taliban: A Short View: REPORT FROM THE FIELD*, 495; Central Intelligence Agency, *CIA – World Factbook – Afghanistan*.

¹⁷¹ Ibid.

¹⁷² Peter R. Blood, “Afghanistan: Ethnic Groups,” U.S. Library of Congress.

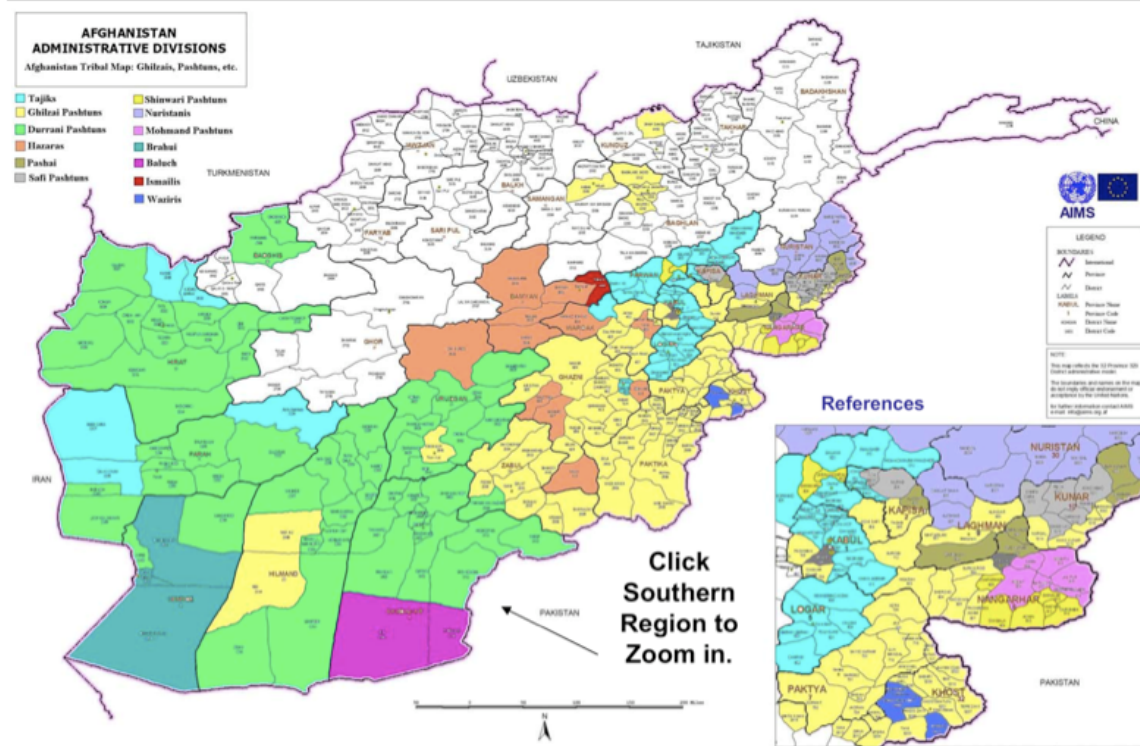


Figure 8. Graphic Depiction of Afghanistan’s Major Ethnic Groups¹⁷³

The Pashtuns are the largest and most powerful ethnic group in Afghanistan, controlling national politics for over 250 years. In Afghanistan, the Pashtuns are divided into two major tribal confederations: the Ghilzais who are concentrated in the mountainous region that separates Afghanistan and Pakistan, and the Durranis who inhabit the southern and western portions of Afghanistan.¹⁷⁴ (See Figure 8.) The other major Pashtun tribes include the Wardak, Jaji, Tani, Jadran, Mangal, Khugiani, Safi, Mohmand and Shinwari.¹⁷⁵ (See Figure 9.)

¹⁷³ Programs for Culture & Conflict Studies, “Programs for Culture & Conflict Studies,” Naval Postgraduate School.

¹⁷⁴ Barfield, *Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace*, 1.

¹⁷⁵ Thomas H. Johnson, *Geography, and Ethnography of Afghanistan*, 2009).

While it is convenient to identify and stereotype Afghan Pashtuns as either members of the Ghilzai Tribe, or members of the Durrani Tribe, the fractionalization and competition among the Pashtun clans goes far beyond the two confederations. Historic rivalries are not limited to the Ghilzai and Durrani, but also occur between numerous sub-tribes and clans within the Ghilzai and Durrani confederations.¹⁷⁶ Another important facet concerning the Pashtun tribes is that the majority of them are neither communal nor political, but do use kinship to form alliances against a common enemy or threat.¹⁷⁷ This is important for differentiating between tribes and communities. Communities from different villages but from the same tribe frequently have long-standing rivalries and would be unlikely to coalesce unless there was a significant external threat. Thomas Barfield cites the famous line, “Me against my brother; my brothers and me against my cousins; my brothers, cousins, and me against the world,” as an example of how Pashtuns use their tribal order to compete or coalesce.¹⁷⁸

Additionally, Pashtuns are predominantly egalitarian and acephalous, and believe that they are all born equal.¹⁷⁹ No Pashtun (other than a father telling his son) can tell another Pashtun what to do. This is because most Pashtuns are traditionally beholden to the moral code of *Pashtunwali* (the way of the Pashtun), which is based on *seyal* (equality).¹⁸⁰ While local khans or big men have significant influence, they cannot order members of the tribe or clan to do anything. Decisions that affect the tribe or clan are not made by individuals, but are made collectively through a shura or jirga, and once a decision is agreed upon all members must adhere to it or risk ostracism or banishment from the community.¹⁸¹

¹⁷⁶ Liebl, *Pushtuns, Tribalism, Leadership, Islam and Taliban: A Short View: REPORT FROM THE FIELD*, 498.

¹⁷⁷ Glatzer, *War and Boundaries in Afghanistan: Significance and Relativity of Local and Social Boundaries*, 379–399.

¹⁷⁸ Barfield, *Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace*, 11.

¹⁷⁹ Liebl, *Pushtuns, Tribalism, Leadership, Islam and Taliban: A Short View: REPORT FROM THE FIELD*, 496.

¹⁸⁰ Shahm Mahmood Miakhel, *The Importance of Tribal Structures and Pakhtunwali in Afghanistan; their Role in Security and Governance*, (2007).

¹⁸¹ U.S. Army, *My Cousin’s Enemy is My Friend: A Study of Pashtun “Tribes” in Afghanistan*, 1, 18.

Pashtunwali governs social behavior for most Pashtuns and even many non-Pashtuns living in rural communities throughout Afghanistan. Pashtunwali also establishes strict rules that are enforced by the community. This unwritten moral code is an inherited way of life that is sacred and based on honor, personal autonomy, competition, and the protection of women, wealth, and land.¹⁸² The intricacies of Pashtun culture, history, and clan dynamics are just a few reasons why it is so important to have an intimate knowledge of local Pashtun politics before attempting to establish mechanisms for enforcing local security, let alone introducing police.

¹⁸² U.S. Army, *My Cousin's Enemy is My Friend*; Miakhel, *The Importance of Tribal Structures and Pakhtunwali in Afghanistan, their Role in Security and Governance*.

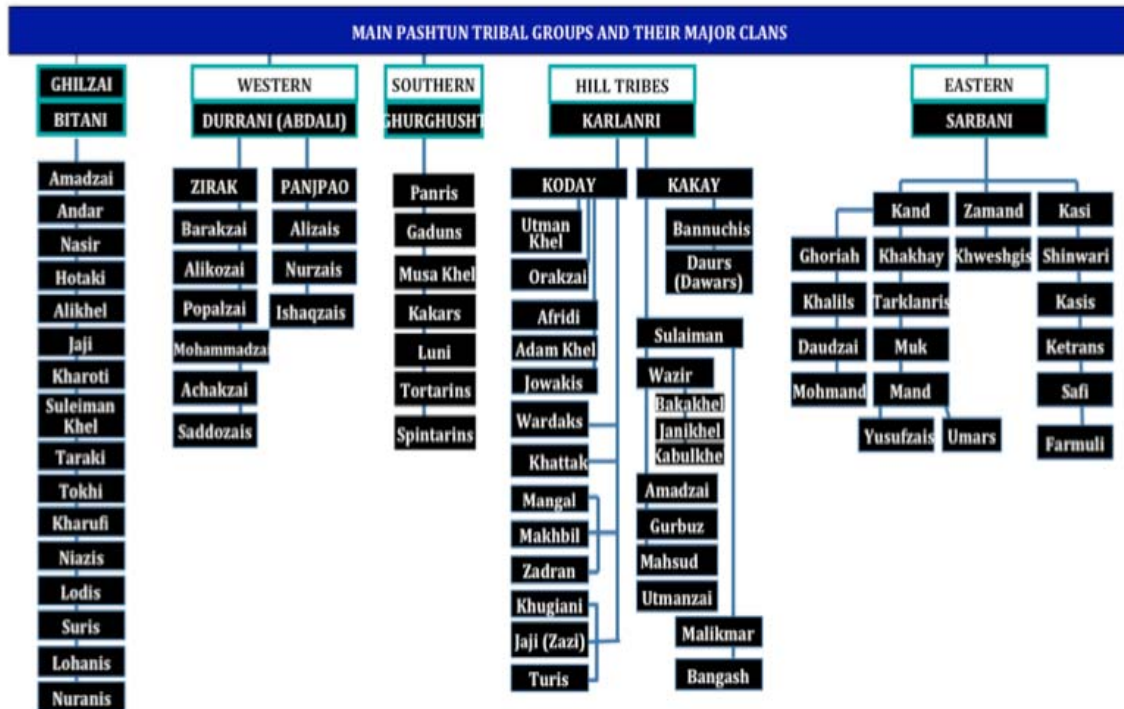


Figure 9. The Pashtun Tribes and Their Major Clans.¹⁸³

¹⁸³ Johnson, *Geography, and Ethnography of Afghanistan; Blood, Afghanistan: Ethnic Groups*. Notes on the Major Pashtun Tribes: 1. The Ghilzais are the largest Pashtun tribe in Afghanistan. According to the U.S. Library of Congress, there are approximately 4.5 million Ghilzais residing in Afghanistan, comprising approximately 13.8% of the Afghan population. The Ghilzai also form the backbone of the Taliban movement. The sub-tribe Hotaki gave rise to Mullah Omar and much of the Taliban leadership. The Ghilzai themselves have been traditional adversaries of the Duranni, President Karzai's tribe. "There is a traditional Afghan saying: "Badshahi da Duranni; tura da Ghalji," which translates as "Kingship for the Duranni, but sword for the Ghilzai." Many Ghilzais remain nomadic (and are referred to as "Kuchi" in Pashto). 2. The Durrans are the second largest Pashtun tribe in Afghanistan. According to the U.S. Library of Congress, there are approximately 3.8 million Durrans living in Afghanistan, comprising approximately 11.4% of Afghanistan's population. The Durrans dominate Kandahar and have historically been the politically dominant group in Afghanistan. President Karzai, is of the Durrani sub-group Pooalzai. 3. The majority of Ghurghusht Pashtuns live south of the Durand Line. 4. The Hill Tribes live on both sides of the Durand Line and populate Khowst, Paktia, and Paktika Provinces. They remain among the most independent tribal groups. 5. The Sarbani, or Eastern Pashtun, live in, around, and east of Jalalabad and south of Nuristan and the Konar River. The tiny Pashai minorities live between the Sarbani and the Nuristani.

The Tajiks, who make up about 26% of the total population, are non-tribal and form their solidarity groups based on family origins.¹⁸⁴ Tajiks often refer to themselves by the name of the valley or region they inhabit, such as Panjsheri, Kabuli, Andarabi, Samangani, Herati, Badakhshi, etc. Afghan Tajiks are predominantly Dari-speaking Sunni Muslims, and mainly live in the northern provinces of Afghanistan.¹⁸⁵

The Hazaras, 18% of the population overall, comprise the largest Shia ethnic group. They mainly live in Afghanistan's central mountainous core, referred to as Hazarajat (Land of the Hazara).¹⁸⁶ (See Figure 8.) The Hazaras have Asian features and are believed to be the descendants of the Turkic and Mongol hordes.¹⁸⁷ While most Hazara can speak Dari, their native language is Hazaragi, a Persian-based language with a mixture of Mongol words.¹⁸⁸ Because of the Hazaras' unique physical appearance and Shia religious preference, both the Pashtuns and Tajiks have traditionally mistreated them, marginalizing them both politically and economically.¹⁸⁹

At just over 6% of the population, Uzbeks live across the northern plains of Afghanistan, and are often collocated within Tajik villages.¹⁹⁰ The Uzbeks speak their own language known as Uzbeki, and are almost exclusively Sunni. Uzbeks, unlike Pashtuns, are patriarchal, affording their leaders (*begs*, *arbabs* or *khans*) considerable authoritarian power.¹⁹¹

When it comes to security, ethnic and religious diversity can be a double-edged sword. In large cities where clan and ethnic rivalries have atrophied, an ethnically diverse police force can reduce patronage and prevent an imbalance of power between

¹⁸⁴ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 12.

¹⁸⁵ Blood, *Afghanistan: Ethnic Groups*.

¹⁸⁶ Ibid.

¹⁸⁷ Peter Marsden 1945 September 22, and Minority Rights Group, *Afghanistan: Minorities, Conflict and the Search for Peace* (London: Minority Rights Group International, 2001), 9.

¹⁸⁸ Blood, *Afghanistan: Ethnic Groups*.

¹⁸⁹ Marsden and Minority Rights Group, *Afghanistan: Minorities, Conflict and the Search for Peace*, 9.

¹⁹⁰ Blood, *Afghanistan: Ethnic Groups*.

¹⁹¹ Ibid.

ethnic groups. However, in rural Afghanistan, where customary law and kinship take precedence, and local rivalries are inescapable, a diverse police force can actually generate conflict between the community and the Afghan government.

IX. UNDERSTANDING THE DIFFERENCES BETWEEN RURAL AND URBAN AFGHANS

To city people those in the hinterlands are more barbarian than civilized. Who (except perhaps an anthropologist like myself) would live with such people voluntarily? As a foreigner, I was often more comfortable dealing with nomads and villagers than some of my urban Afghan acquaintances. I at least respected their culture, which most city people (particularly educated ones) either held in contempt or feared. Of course people in the hinterland viewed city dwellers as weak willed and corrupt. And people in the countryside had little good to say of the political elites in the capital, regardless of their ethnic origin.”

—Thomas J. Barfield¹⁹²

It is imperative for U.S. and coalition officials supporting the Afghan government at any level to understand the deep and historic fissures between urban and rural Afghans. Unfortunately, many Afghan analysts and almost all pundits point to ethnic and tribal rivalries, but ignore the very real enmity between rural and urban Afghans. While ethnic and tribal differences may remain too visible to be ignored, rural and cosmopolitan Afghans have bitterly opposed philosophies about education, governance, religion, social behavior, and law. These have pitted members of both classes against each other over the years. And because it is almost exclusively the urban class that makes up the small minority of elites who govern the rural masses and collaborate with U.S. and coalition officials, understanding this culture divide may help prevent decisions or policies being made based solely on class agendas or biases.

Historically, Afghanistan has been ruled by urban elites who would go to great efforts to coerce, subjugate, and even homogenize the diverse populations of Afghanistan.¹⁹³ However, rural Afghans have just as adamantly rejected and resisted the

¹⁹² Barfield, *Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace*, 10.

¹⁹³ Shahrani, *Afghanistan's Alternatives for Peace, Governance and Development: Transforming Subjects to Citizens & Rulers to Civil Servants*.

central government's attempts to control or reform Afghanistan's periphery.¹⁹⁴ Successful rulers who achieved a modicum of peace and prosperity during their reign did so by striking a balance between central government rule and tribal or *qowm* sovereignty. In contrast, the rulers who attempted to reform the highly conservative rural societies of Afghanistan were met with violent resistance and were ultimately overthrown.¹⁹⁵

Both King Amanullah in 1929 and Nur Muhammad Taraki in 1979 attempted to expand the role of the central government by introducing and enforcing liberal progressive reforms, which were vehemently rejected and ultimately led to violent uprisings. Conservative rural Afghans inspired by the *ulema* (Islamic scholars or teachers) rose up and overthrew King Amanullah for his Western attitudes towards things like constitutionalism, the role of religion in the state, and the rights of women.¹⁹⁶ Like King Amanullah, Taraki and the Peoples Democratic Party of Afghanistan (PDPA) also set out to reform Afghanistan. In June of 1979, the PDPA announced its initial thirty-point program of economic and social reform. This ignited popular uprisings all over Afghanistan.¹⁹⁷ The uprisings were so bad that the Soviet Union invaded Afghanistan to protect its own interests, resulting in over a decade of war between the communists and the mujahidin parties.¹⁹⁸

The central government has typically controlled the urban areas and wealthy agrarian plains of Afghanistan, though these areas are few and far between.¹⁹⁹ In Afghanistan, fewer than ten cities exceed a population of 100,000, and most are located along the main highway. The largest urban areas include Kabul, Kandahar, Herat, Mazar-i-Sharif, and Kunduz. The central government has been able to control the cities largely because urban Afghans have grown accustomed and even dependent on

¹⁹⁴ Tribal Analysis Center, *Simultaneously Clearing, Holding, and Building: A Rural Development Team Program*, Williamsburg, VA: (2009).

¹⁹⁵ Marsden and Minority Rights Group, *Afghanistan: Minorities, Conflict and the Search for Peace*, 15.

¹⁹⁶ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 35.

¹⁹⁷ *Ibid.*, 87.

¹⁹⁸ Marsden and Minority Rights Group, *Afghanistan: Minorities, Conflict and the Search for Peace*, 6.

¹⁹⁹ Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*, 354.

government administration for services and law. Additionally, urban Afghans tend to lose their kinship ties and adherence to customary law, which tends to fuel rural Afghan resistance to government or outsiders.²⁰⁰

Consequently, policing in rural Afghanistan, where the Taliban flourish, is far more challenging than in urban areas. First, rural communities view the central government with suspicion, and only trust family or known members of the community.²⁰¹ Second, the terrain is vast and rugged, and the people are diverse and fractionalized.²⁰² A simple analysis of the human and physical terrain demonstrates the complexity and magnitude of what is required to police rural Afghanistan.

It must be noted that Afghanistan is about the size of Texas, and is divided into 34 provinces and 397 districts.²⁰³ While 397 districts may seem like a manageable number, there are over 38,000 villages spread across these districts.²⁰⁴ That is an average of 96 villages per district and, to complicate things further, in many cases, villages are not always ethnically or tribally homogeneous. Finally, mountain ranges and other natural barriers isolate numerous villages within the same district, making communication and transportation slow and tedious.

A diverse national police force may be effective in urban areas where Afghans are accustomed to government administration and no longer adhere to customary laws. However, in rural Afghanistan where kinship and traditional moral codes like *Pashtunwali* are viewed as sacred, it is unlikely that a national police force will be accepted or effective. Even in the U.S., where communities elect sheriffs and local officials manage city police, the idea of using a national police force to enforce local law or uphold justice is a foreign concept. In the U.S., the vast majority of law enforcement

²⁰⁰ Barfield, *Weapons of the Not so Weak in Afghanistan: Pashtun Agrarian Structure and Tribal Organization for Times of War & Peace*; Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*, 354.

²⁰¹ *Ibid.*, 360.

²⁰² Bernt Glatzer, "The Pashtun Tribal System," *Concept of Tribal Society (Contemporary Society: Tribal Studies)* 5 (2002), 265–282.

²⁰³ Afghanistan Information Management Service, "Anatomy of the Geocode."

²⁰⁴ Katja Mielke and Conrad Schetter, "Where is the Village?" Local Perceptions and Development Approaches in Kunduz Province," *Asian 104* (July 1, 2007), 71.

officials have always been local police. According to the Department of Justice, there are over 731,903 local and state law enforcement officials in the U.S. and only 104,884 federal law enforcement officials.²⁰⁵ In other words, as well developed and urbanized as the U.S. is, with a strong federal government, it still maintains a seven-to-one ratio of local to national police. Afghanistan, on the other hand, is underdeveloped, rural, and has a weak central government, yet refuses to cede any control through local law enforcement.

This is not an argument against the national police. Urban Afghans, like many urban Americans, are indifferent to who the police officer is, as long as mechanisms for settling grievances are in place. However, many rural Americans, like rural Afghans, are only accepting of local police who have longstanding ties with the community. Finally, because most rural Afghans distrust both government officials and outsiders, it is sagacious for the Afghan government to recruit and employ the majority of rural police from within their own communities.

²⁰⁵ United States Dept. of Justice, "Bureau of Justice Statistics."

X. THE DIFFERENCE BETWEEN TRIBAL POLICE, WARLORD MILITIAS, AND LOCAL MILITIAS

*The concept of a community police force is not the same as arbaki, or a local militia force created by the government. Members of both community police and defense forces should be selected by their elders on the basis of consensus. They should be trained and equipped by the government, registered, and subjected to the rules and regulations drawn up collaboratively by the government and the local communities.*²⁰⁶

All too often the terms ‘local militia’, *arbaki*, and *lashkar*, are used synonymously. Yet the organizations they describe are very different both in structure and function.²⁰⁷ This misuse of the vernacular has created confusion among policy makers and military officials, and hinders progress in security reform.

The most confused term is militia, which is often associated with the pre Taliban warlords.²⁰⁸ While warlord militias evoke thoughts of brutal repression, human rights violations, and feudalism, they are not always tribal, and have never been governed by a collective *shura* or *jirga*.²⁰⁹ A single strong man or *muhahideen* commander attracted a set of followers, usually by being a charismatic or heroic individual who rose to power during the war with the Soviets. Many of these commanders were not tribal notables or *mullahs*, but gained notoriety through success in battle and access to money and weapons.²¹⁰ When the war with the Soviets ended and the money dried up, they then used their private armies to create warlord fiefdoms that taxed the people and seized land and possessions at will.²¹¹

²⁰⁶ Shahrani, *Afghanistan's Alternatives for Peace, Governance and Development: Transforming Subjects to Citizens & Rulers to Civil Servants*, 12.

²⁰⁷ Tribal Analysis Center, “Afghanistan: A History of Utilization of Tribal Auxiliaries,” *Cultural & Geographic Research Tribal Analysis Center* (August 2008).

²⁰⁸ Chayes, *The Punishment of Virtue: Inside Afghanistan After the Taliban*, 65–74.

²⁰⁹ Rashid, *Descent into Chaos: The US and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*, 12–14.

²¹⁰ Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*, 364; A mullah is a Muslim with religious education and training in Islamic law and doctrine. His position in Islamic communities generally fosters respect and an elevated status.

²¹¹ Rashid, *Descent into Chaos: The US and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia*, 12.

If warlords gave militias a bad name, so did the ill-conceived Afghan National Auxiliary Police program.²¹² The Afghan National Auxiliary Police lasted only two years, and was widely considered a failure.²¹³ Although the program was touted as a form of local policing, it involved no community consensus. Governors and police chiefs were able to indiscriminately hire Afghan National Auxiliary Police, which only strengthened their position over rival solidarity groups.²¹⁴ In essence, the Afghan National Auxiliary Police sanctioned a type of militia run by corrupt government officials.

The most significant difference between *arbakis* or *lashkars* and the se two varieties of militia, warlord and Afghan National Auxiliary Police, is that *arbakis* and *lashkars* are the product of consensus and are not the personal armies of individual commanders.

The Tribal Analysis Center defines *arbakis* and *lashkars* as the following:

Arbakai are generally identified as the tribal police force. The institution is seen more commonly in Afghanistan's Paktia Province and these appointed men supervise the implementation of the tribal jirga's decisions. The normal punishment for serious disobedience involves burning the house of the guilty party.

A *lashkar* is a body of tribesmen of a particular *qawm* that normally gathers in response to a particular... problem. The use of the term is flexible when size is concerned and can be applied to a dozen men going to attack a nearby village as a result of a family feud and it is also used for the fifty thousand-man force that supported the Pakistani military in the war in Kashmir in 1947–48.²¹⁵

²¹² Cordesman and others, *Winning in Afghanistan Creating Effective Afghan Security Forces*, 135; The Afghan National Auxiliary Police was composed of 11,000 Afghans, predominantly Pashtuns from the southern provinces. The militiamen were given ten days of training and issued a Kalashnikov and an Afghan National Police Uniform.

²¹³ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 4.

²¹⁴ Jalali, *Winning in Afghanistan*, 15.

²¹⁵ Tribal Analysis Center, "Afghanistan: A History of Utilization of Tribal Auxiliaries," *Cultural & Geographic Research Tribal Analysis Center* (August 2008).

Additionally, *arbakis* and *lashkars* are local and are formed for a specific purpose based on a *jirga* or *shura* decision. They are not paid, and once their specific task is accomplished, the men return to their previous profession. Anthropologist David Edwards provides a good description of a traditional *lashkar* in *Heroes of the Age*:

In the tribal army, of *lashkar*, each lineage and group fought under its own flag and maintained its autonomy of action. Tribal warriors were loath to accept the authority of any leader, whether it was from within or outside their own group, and this meant that decisions had to be made by consensus.²¹⁶

Historically, community militias or tribal police have been most effective when mustered to support the police or army within their own community. Past Afghan monarchs relied on *arbakis* and *lashkars* to fight alongside the army in defense of the country.²¹⁷ This was evident in all three Anglo-Afghan wars, where various *arbakis* and *lashkars* threw their support behind the Afghan government and successfully repelled Britain's forces.

Now, imagine if the majority of Afghan National Police were sanctioned by a local *shura* or *jirga*. The militias would be obligated by customary law to protect and support them. Local and/or tribal militias have great potential in Afghanistan. However, for the militias to be effective, the Afghan government and its coalition partners must be judicious and understand how to anchor them responsibly in the local community. Finally, which local militias deserve support should depend on their relations both with the local community and with the Afghan government.²¹⁸

²¹⁶ David B. Edwards, *Heroes of the Age: Moral Fault Lines on the Afghan Frontier*, Vol. 21 (Berkeley: University of California Press, 1996), 196.

²¹⁷ Ibid.

²¹⁸ Jalali, *Winning in Afghanistan*, 16.

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XI. RECOMMENDATIONS

*The Obama administration has acknowledged the importance of the police and announced its intentions to expand and improve the ANP as a key part of its plan for stabilizing Afghanistan.*²¹⁹

The recommendations presented in this thesis draw from my experiences in Afghanistan and academic research at the Naval Postgraduate School. These recommendations are meant to improve the legitimacy and effectiveness of the Afghan National Police, one of President Obama's top priorities in *The Way Forward in Afghanistan*.²²⁰

First, as suggested in the introduction, ISAF and the GIRoA need to make the police their number one priority for resources and manpower because a legitimate and effective police force is better suited than the military to defeat insurgencies.²²¹ Currently the ANA receives more attention and resources than the Afghan National Police. While the army has an important role to play in Afghanistan's clear, hold, and build strategy, it is only organized to clear areas and is not designed to permanently hold ground. Police forces, on the other hand, are organized and designed to permanently hold ground, protect the population, and provide the security required to improve governance and services.²²² The first step toward improving their effectiveness is to reallocate some of the assets currently dedicated to the ANA to increase training, improve support, and restructure portions of the Afghan National Police. While more assets will improve the capability and capacity of the police, how those assets are utilized is even more

²¹⁹ Perito, *Afghanistan's Police: The Weak Link in Security Sector Reform*, 1.

²²⁰ The White House, "Fact Sheet: The Way Forward in Afghanistan," Office of the Press Secretary.

²²¹ Jones, *Counterinsurgency in Afghanistan*, 157. United States. Dept. of the Army and United States. Marine Corps Combat Development Command, *Counterinsurgency*. Interagency Counterinsurgency Initiative (U.S.), *U.S. Government Counterinsurgency Guide*, 60. Campbell and others, *Assessing Counterinsurgency and Stabilization Missions*, 27.

²²² Stanley A. McChrystal and International Security Assistance Force (Afghanistan), *Commander's Initial Assessment* (Kabul, Afghanistan: Headquarters, International Security Assistance Force, 2009), G-3.

important. Efforts need to be made to reorganize the Afghan National Police to best meet the needs of rural Afghans while simultaneously improving the security situation in Afghanistan.

The second recommendation is to fundamentally restructure the Afghan National Police in accordance with traditional and cultural precepts. Most rural Afghans do not trust the Afghan National Police or consider them legitimate. In rural areas where kinship and customary law are more important than the government, all the training in the world will not make the police legitimate in the eyes of the local communities.

A. THE MAJORITY OF RURAL AFGHAN POLICE MUST BE LOCAL

Communities need to select and sanction police through local *shuras* or *jirgas*. A collective decision made by the community is binding, confers instant legitimacy, and guarantees mutual support of the community for the police and vice versa.²²³ Additionally, both parties will hold each other accountable according to customary law and kinship. Patronage and extortion would be out of the question because the individual would not risk shaming his entire family who are members of the community.

Many will argue that if local communities select their own police, the police will be more loyal to the community than to the central government. This is a valid argument, but even in the U.S. a local sheriff adheres to federal laws, yet is loyal to the community he or she serves. The two are not antithetical. Besides, in many cases, there is no tension with the central government; instead, friction arises over control and patronage by the provincial and district governors. This is one reason why many districts and provincial governors have resisted the FDD program.²²⁴ ISAF and the GIRoA need to closely

²²³ The need for community policing to be done by individuals from the community is not an Afghan anomaly, in a thesis by Brent Lindeman, U.S. forces in Iraq determined early on that militias and police were more effective and legitimate when they came from the community, and the community had a say in selecting their own security forces. For more on the effectiveness of empowering Iraqi community security services, see Brent W. Lindeman, "Better Lucky than Good: A Theory of Unconventional Minds and the Power of "Who" (Masters Thesis, Naval Postgraduate School, December 2009). In a *jirga* or *shura* the final decisions are collective and therefore respected by the community.

²²⁴ United States. Dept. of Defense, *United States Plan for Sustaining the Afghanistan National Security Forces Report to Congress in Accordance with the 2008 National Defense Authorization Act (Section 1231, Public Law 110-181)*, 39.

examine what is more important, a police force that executes the will of the central government at the expense of the community, or a community-based police force that may not be totally loyal to distant politicians, but is capable of administering justice and denying the Taliban sanctuary.

Establishing a local police force in rural Afghanistan would not require disbanding the Afghan National Police, or even creating a new police organization. What it would instead require is reorganizing the existing force. Afghanistan's Ministry of Interior and CSTC-A maintain personnel records on all Afghan National Police. This database can be used to put Afghan National Police soldiers back into their own communities after a *shura* or *jirga* decision to accept the soldier. If the community is not willing to sanction the individual, he or she should probably not be an Afghan National Police soldier in the first place. In the rare instances when the community does not want the Afghan National Police soldier, that soldier should either be transferred to the army, or released from service. In the event that there are not enough local Afghan National Police to provide security in a particular area, more police should be recruited through the local *shura* or *jirga*, and then put through the Afghan National Police training program.

B. ESTABLISHING A SYSTEM OF CHECKS AND BALANCES

A system of checks and balances can limit patronage and reduce corruption. While every situation will vary according to the local environment, there should be at least three local police soldiers to every one that is brought in from outside the community. Additionally, the district police chief should be nominated by the district *shura* or *jirga* and then approved by the Ministry of Interior, and the Ministry of Interior should have the authority to fire the district police chief in the event that he or she performs unsatisfactorily. The provincial and regional police chiefs should remain government appointees to provide oversight for the local districts. Finally, police salaries, along with equipment, and government projects could be used to incentivize good performance or penalize poor performance.

C. REFORM THE RECRUITING PROCESS

Currently, district police chiefs and district governors can recruit their own Afghan National Police soldiers, as long as the individuals are not drug users, or have a criminal record. The initial vetting process requires two tribal elders to verify the character of the individual.²²⁵ (See Appendix B: Afghan National Police Vetting and Recruiting Presentation) Because any two elders can vouch for an Afghan National Police recruit, district police chiefs and governors have the freedom to build their own Afghan National Police units. Unfortunately, these units often execute the bidding of the governor or police chief and frequently do not have the interest of the community in mind. At a minimum, police recruits should be sanctioned by a district *shura* or *jirga* to prevent patronage or clan rivalries.

D. THE IMPORTANCE OF ISLAM

Islam is the ultimate source of legitimacy for all Afghan leaders, government officials, and holders of authority.²²⁶ Because good Muslims and religious scholars are afforded special privileges, respect, and authorities, it should be a goal of the Afghan government to religiously educate select members of the Afghan National Police. Government run religious schools for the Afghan National Police could have two positive effects. First, receiving religious schooling should elevate the legitimacy of the police soldiers. Second, it can reduce the effects and legitimacy of the Taliban. Mullah Omar recognizes the importance of Islam and *Pashtunwali* and used them both to discredit Afghan police in a press release:

If the police of a state consist of people who are immoral and irreligious, who are drug addicts and whom their families turn away, how can they protect the property, dignity and honor of the people?²²⁷

²²⁵ Combined Security Transition Command-Afghanistan, *Afghan National Police (ANP) Vetting and Recruiting Presentation*, 2009).

²²⁶ Dorronsoro, *Revolution Unending: Afghanistan, 1979 to the Present*, 370; Liebl, *Pushtuns, Tribalism, Leadership, Islam and Taliban: A Short View: REPORT FROM THE FIELD*, 492.

²²⁷ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 6.

The Taliban use Islam as a weapon to drive a wedge between the people and the government. However, police who are educated and well versed in Islam can thwart the Taliban and actually bring the people closer to the government. I had the privilege of working with an ANA Battalion Commander who was also a *mullah*. This battalion commander would recite from the Koran and lead prayers at the local mosque, which gained him instant respect and credibility in the community.

E. FOCUS ON QUALITY NOT QUANTITY

In his initial assessment, General McChrystal (the ISAF commander) concluded, “The ANP must increase in size in order to provide sufficient police needed to hold areas that have been cleared of insurgents, and to increase the capacity to secure the population.”²²⁸ The current authorized strength of the Afghan National Police is 96,800, and General McChrystal is recommending further growth of the Afghan National Police to a total of 160,000 as soon as practical.²²⁹ While increasing the number of Afghan National Police may be necessary, three factors must be carefully considered. First, the Afghan government depends on the international community to sustain the current costs of its Afghan National Police. Significantly increasing the numbers of Afghan National Police when the Afghan government cannot afford to pay them is potentially disastrous, especially if the international community decides to cut funding. Second, there are literally thousands of Afghan National Police who are on the payroll, but do not exist. This is because numerous police officials provide false reports to receive payments for *ghost soldiers* (ANP soldiers who only exist on paper).²³⁰ While CSTC-A and the Ministry of Interior have made significant improvements in this area, there is still major reform that needs to take place vis-à-vis police accountability. Fixing the accountability problem will put more police on the ground, save money, and prevent it from recurring in the future. Third, the vast majority of the existing force is incompetent and corrupt and needs to be reformed prior to expanding the police force. If efforts and resources are

²²⁸ McChrystal and International Security Assistance Force (Afghanistan), *Commander's Initial Assessment*, G-3.

²²⁹ *Ibid.*

²³⁰ International Crisis Group, *Policing in Afghanistan Still Searching for a Strategy*, 4.

dedicated to growing the force, fewer will be available to reform the existing police. Even worse, putting more police into a corrupt system will only make more corrupt police. The system has to be fixed first, or growth will do more harm than good.

When it comes to growing the police, quality is more important than quantity. This means taking the time to draw the right recruits and then place them in the right areas. If we look back to the demobilization and enlistment of the thousands of well-trained Afghan Security Guards, or the creation of the Afghan National Auxiliary Police, we see that a rapid increase in police numbers without strict oversight can actually weaken the state and create a less stable and less secure environment for the Afghan people. The priorities should be to clean up the existing force, hold police officials accountable for extortion and corruption, identify the personnel actually on the ground, and put the right individuals in the right positions and communities. Finally, the government of Afghanistan and its coalition partners must make every effort to enhance the image and status of the Afghan National Police. Accomplishing this will require improving literacy, providing Islamic education, investing in persistent training, and paying heed to community consensus.

F. RECRUIT, VET, AND DEVELOP LOCAL POLICE DURING THE HOLD AND BUILD PHASES

The ANA is best suited for clearing an area, and when present in a local community, can deny the Taliban sanctuary. During this time of denial, the Army can provide the temporary security and assistance needed to engage the community in a police recruitment drive. Once an adequate number of local recruits are sanctioned and trained, the ANA can gradually withdraw to a less secure area, where it can begin the process again. This would be similar to what the FDD program is trying to achieve, except that instead of retraining existing police, large numbers of the recruits would be drawn directly from the community. The ANA should then augment the Afghan National Civil Order Police in order to reduce resource requirements and expedite the growth of the Afghan National Police. This bottom-up approach would facilitate long-term security, reduce resource requirements, and help ensure the police meet the needs of both the people and government.

XII. CONCLUSION

*Afghanistan is currently at a tipping point where its government's legitimacy (and that of its international backers) is being openly challenged by an array of antigovernment forces.*²³¹

The Taliban have come full circle and are regaining their primacy among rural Afghans. Their growing influence and legitimacy directly challenge the government of Afghanistan, and, if drastic measures are not taken, the state will fail. The U.S. and international community can only do so much to support the host nation government. The people ultimately decide who wins or loses an insurgency, and for the last five years, more and more Afghans have decided to choose the Taliban over the government of Afghanistan.

The reason more Afghans are siding with the Taliban is because the Afghan government has failed to establish legitimate government services that support the people and address their fundamental needs. The two biggest needs that the Afghan government has failed to meet are security and corruption and, because of the government's failure, the Taliban are gaining support in the same way they came to power in 1994.²³² The Taliban are gaining legitimacy by filling the security and injustice voids created by the Afghan government itself.

The Taliban have been most successful at capitalizing on the failures of the Afghan National Police. While it is the responsibility of the Afghan National Police to provide security, justice, dispute resolution, and community service, many Afghan National Police abuse their authority and exploit the very people they are charged with serving. The effects of corrupt police are twofold, and are exceptionally damaging in an insurgency. First, corrupt police delegitimize the government. Second, they create a permissive environment for insurgent support. This is why it is absolutely critical that police should be a number one priority for reform and for resources.

²³¹ Jalali, *Winning in Afghanistan*, 9.

²³² Rennie, Sharma and Sen, *Afghanistan in 2008: A Survey of the Afghan People*.

Making the Afghan National Police a top priority will help stem corruption and facilitate security, but resources and training alone will not produce competent or legitimate police capable of reversing the Taliban's influence. The Afghan National Police must meet the traditional and cultural precepts of rural Afghan communities.

Afghan National Police candidates must be nominated by local community elders and then, upon successful completion of training, returned to serve in their local community. Community and tribal ties will help ensure that policemen are accountable for their actions. This will also provide a measure of protection from insurgents, particularly now when the people are looking to the Taliban for justice and security in areas that are bankrupt of social capital and where locals have no faith and confidence in the Afghan police.

In sum, the most foolproof way to ensure Afghan National Police legitimacy in the eyes of rural Afghans is to make the police answerable to the people they serve. This can be accomplished by applying customary law. Although the specific rules of customary law may vary between solidarity groups, customary law is common throughout rural Afghanistan.²³³ Most notably, Afghan National Police who are members of the community and have been endorsed by the community elders share a common social code of behavior and therefore are accountable to the people they serve; who are, after all, *their* people. If local police understand the complex social rules, reciprocal rights and, most importantly, have the precious social capital needed to bridge the gap between the government and their community, then they not only have legitimacy, but embody it. Ultimately, nothing may be more important to the long-term stability of the Afghan state than for the police to be of, by, and for the people.

²³³ Barfield, *Culture and Custom in Nation-Building: Law in Afghanistan*, 352.

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APPENDIX A. AFGHANISTAN POLICE TRAINING MISSION

Basic Police Course Overview

Current Operational Police Skills, Constitution, Law, First Responder Responsibilities, Firearms and Tactical Training

Duration: 8 weeks – 265 hours
(12 hours during registration and 253 hours during 8 weeks)

Prerequisite: Physical and mental attributes pre-assessed

Target Audience: Police Recruits

First Course Run: Proposed Initial Course: March 2009

Course Goal:

To provide a single, all inclusive basic training for Afghan National Police recruits.

Course Description:

This is a course designed to give an entry level police recruit the necessary skills to stay alive and respond to the police needs of the society. It replaces the idea that different units of the ANP need different entry level training. All policemen will share the same training and after successful completion of it they will be eligible to take unit specific and additional advanced courses.

Revised 01/2009

<u>Eight Week Basic Training Course</u>		
Ref. #	Course Content	Hours
BSC01	Introduction	1
BSC02	Hygiene Performance Objectives 1. Explain the importance of personal cleanliness. 2. List 3 examples of how germs are spread.	1
BSC03	Values and Ethics Performance Objectives 1. Understand what ethical behavior is in general, and then how it pertains to law enforcement. 2. Identify the two challenges police face regarding law enforcement. 3. Identify the articles of the UN Code of Conduct for law enforcement officials which are directly related to police officer ethics. 4. Identify the three (3) types of criminal conduct that result from accepting gifts (gratuities). 5. State the key reasons why an officer's personal value system and the law are not the same.	4
BSC04	Afghan Constitution Performance Objectives 1. Understand the role that the Islamic religion plays in the Afghanistan Constitution. 2. Understand that national sovereignty belongs to the citizens of Afghanistan. 3. Know the duties the Afghan state has in creating a prosperous and progressive society. 4. Learn the interior and exterior policies of Afghanistan. 5. Know the obligation of the state to design effective programs for the development of Afghanistan.	6
BSC05	Basic Trauma First Aid Performance Objectives 1. Identify the key elements of officer safety during emergency situations. 2. Identify four (4) responsibilities of the police in relation to first aid.	6

	<ol style="list-style-type: none"> 3. Demonstrate the Three (3) – Step Process conducted at first survey of an emergency scene. 4. Demonstrate the proper procedure for rescue breathing. 5. Demonstrate the proper procedure for cardiopulmonary resuscitation (CPR). 6. Demonstrate the proper procedure for the choking victims (abdominal thrust). 7. Outline the secondary survey of victim’s condition. 8. Outline the procedure to stop bleeding. 9. Outline the procedure for the treatment of shock. 10. Demonstrate the procedure for applying pressure dressings. 11. Demonstrate the procedure for treating bone, joint and muscle injuries. 12. List the signs and symptoms for the least three (3) medical emergencies and their correct treatments. 13. Demonstrate at least three (3) methods for moving victims. 	
BSC06	<p>Penal Code</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Explain and define the differences between a crime, a criminal, and punishment. 2. Explain the different types of crimes, and explain how each crime has a different level of punishment. 3. Explain the Penal Rights of the individual according to the laws of Afghanistan. 4. Explain the difference between religious laws and laws of crime and punishment. 	6
BSC07	<p>Criminal Procedure Code</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Explain the structure and authorities of the Primary Court. 2. Explain the structure and authorities of the Appeals Court. 3. Explain the structure and authorities of the Supreme Court. 4. Explain the method for bringing punishment claim (criminal case) to the court. 5. Explain the process for investigating crimes. 6. Explain the investigation of a crime, preparing the case for court according to the law, and preparing the case to go to court. <p>Explain the procedure that the prosecutor would follow to present the criminal case to the court.</p>	6

BSC08	<p>Use of Force</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. State four (4) circumstances in which an officer is authorized to use force. 2. Define the meaning of “Human Rights”. 3. Explain how human rights relate to police work. 	4
BSC09	<p>Empty Hand Techniques (Soft and Hard)</p> <p>Performance Objectives – Officer Survival Skills</p> <ol style="list-style-type: none"> 1. Articulate the definition of Hard Empty Hand Control and explain the level of the subject’s resistance used to control. 2. State and demonstrate an understanding of the fluid shock wave principle. 3. List and demonstrate the human anatomy as related to the primary, secondary, and last resort target areas for striking techniques. 4. List and demonstrate the four (4) basic defensive blocks. 5. Name and demonstrate Escape techniques through practical exercise. <p>Performance Objectives – Control Techniques</p> <ol style="list-style-type: none"> 1. Cite the definition of “soft empty hand control techniques” and the level of the subject resistance to which these techniques apply. 2. Be able to demonstrate the Transport Wrist Lock and the Straight Arm Take Down. 3. Demonstrate basic concepts of Balance and Positioning. 4. Demonstrate the two (2) primary defensive hand counter strikes. 5. Demonstrate the three (3) primary leg counter strikes. <p>Performance Objectives – Weapon Retention</p> <ol style="list-style-type: none"> 1. Students will identify the three (3) concepts of firearm retention: stance, alertness, distance. 2. Students will identify what level of resistance and control is associated with firearm retention. 3. Students will demonstrate the physical components of maintaining control of a drawn weapon 	6
BSC10	<p>Handcuffing/Person Searches</p> <p>Performance Objectives – Handcuffing</p> <ol style="list-style-type: none"> 1. Cite the policy and procedure for handcuffing as outlined. 2. Identify the four (4) primary parts of the handcuff, and demonstrate how each of these parts operates. 	6

	<ol style="list-style-type: none"> 3. Demonstrate proper handcuff placement. 4. Demonstrate the three (3) methods of proper speed cuffing in the standing, kneeling, and prone positions. 5. Demonstrate the proper procedures associated with executing a High Risk Arrest. 6. Demonstrate the technique of an Iron Wrist Take Down. <p>Performance Objectives – Searching Persons</p> <ol style="list-style-type: none"> 1. Explain the legal basis for searching a person per Afghanistan law. 2. Explain the three (3) major searching considerations. 3. Demonstrate the proper procedure for search techniques. 4. Explain the considerations of the ANP officer when escorting or transporting arrested persons. 5. Demonstrate searching techniques of combatant vs. non-combatant suspect. 	
BSC11	<p>Human Rights/Prohibition Against Torture</p> <p>Performance Objectives – Human Rights</p> <ol style="list-style-type: none"> 1. Name three (3) articles of the “Universal Declaration of Human Rights”. 2. Identify at least three (3) elements of Police Authority. 3. Identify at least two (2) responsibilities of police regarding Human Rights. 4. List five (5) considerations of the police officer regarding Use of Force. 5. Identify four (4) articles of the code of conduct which closely relate to the UN declaration of Human Rights. <p>Performance Objectives – Right to Life</p> <ol style="list-style-type: none"> 1. List at least three (3) documents that protect the right to life based on instructional handouts. 2. Establish a link between police work and international human rights standards. 3. List the three (3) criteria of the Use of force. 4. Explain how a violation of the right to life is best avoided. <p>Performance Objectives – Prohibition of Torture</p> <ol style="list-style-type: none"> 1. List at least three (3) international human rights documents that give protection against being tortured (based on instructional handouts). 2. Define the main elements of torture as stated during the lesson. 3. State the difference between the human rights violation of torture and the crime of bodily harm. 	6

BSC12	<p>Handling Prisoner Procedures and Practices</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Identify the legal basis for searching a person per the Afghanistan law. 2. Identify the three (3) major searching considerations. 3. Demonstrate the proper procedure for search techniques. 4. Cite the considerations of the ANP officer when escorting or transporting arrested persons. (If time allows) 	2
BSC13	<p>First Responder Responsibilities</p> <p>Performance Objectives – Patrol Procedures</p> <ol style="list-style-type: none"> 1. Identify the philosophies of patrol. 2. Identify responsibilities of the patrol officer within each of the following areas: general responsibilities, courteous responsibilities, and personal responsibilities. 3. Identify sources of information within a given patrol area for effective patrol work. 4. List the means by which patrol officers can prevent crime while on patrol. 5. State the reason radios are an essential tool of modern policing. 6. Identify the main features of the two-way radio. 7. Explain the correct procedure for transmitting a radio message. 8. State the factors which may affect the operational range of the radio. <p>Performance Objectives – Crime Scene Management</p> <ol style="list-style-type: none"> 1. Identify the steps the first officer should take when attending a crime scene. 2. Outline the procedure for ensuring the safety of officers and others present at a crime scene. 3. Identify the importance of medical attention to injured persons while preventing contamination of the scene. 4. Outline the procedure required for protecting the crime scene. 5. Outline the procedure involved in protecting and securing crime scene(s). 6. Explain how to inform a senior investigator what has happened. 7. Identify the types of information that should be documented at the crime scene. 	6

BSC14	<p>Traffic Laws/Commercial Vehicles/Traffic Control</p> <p>Performance Objectives – Traffic Laws</p> <ol style="list-style-type: none"> 1. Provide students with a basic knowledge of Afghan traffic laws. 2. Provide students with knowledge of the techniques for manually directing and controlling traffic. 3. Provide basic knowledge of commercial vehicle inspection. <p>Performance Objectives – Commercial Vehicles</p> <ol style="list-style-type: none"> 1. Students demonstrate the use of extreme caution when stopping commercial vehicles. 2. Students demonstrate awareness of vehicle occupants and properly identify the occupants. 3. Students demonstrate proper procedure for a walk around inspection using the proper inspection criteria. 4. Students will apply commercial vehicle safety information during inspection. 5. Students will identify the type of cargo and whether it is safe in nature. <p>Performance Objectives – Traffic Control</p> <ol style="list-style-type: none"> 1. Identify the objectives of traffic control. 2. Specify traffic control responsibilities. 3. List the steps that officers should take in order to direct traffic safely and effectively. 4. Identify the rules for performing point control duty. 5. Demonstrate the manual control signals and procedures for stopping traffic, starting traffic, and permitting left and right turns. 6. List the steps involved when directing traffic at intersections with signals. 7. Identify the other equipment/props used when directing traffic and the means by which each are used. 	6
BSC15	<p>Official Documents, Passports and IDs</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Identify and explain what a Passport and Visa are and how they are used as official travel documents. 2. Gain a general understanding of how official travel documents are produced. 3. Understand and identify who commits passport fraud. 4. Understand what forgery is and in what ways it is illegal to use forged documents under Afghan law. 5. Understand what characteristics the officer should look for in a document to identify it as a forgery. 	3

	6. Gain a basic understanding of how passport fraud is committed and how to identify altered documents.	
BSC16	<p>Defensive Baton</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Identify the component parts of the extendable baton and the principles of its maintenance. 2. Identify the target zones on the body and the strike areas of the baton. 3. State the 40/10 theories and the 90% rule. 4. Demonstrate the interview and combat stance. 	3
	<ol style="list-style-type: none"> 5. Demonstrate the ability to open the baton correctly. 6. Identify the four (4) components, which must be in place when a baton strike is delivered. 7. Demonstrate the three (3) closed mode strikes. 8. Demonstrate the five (5) open mode strikes. 9. Demonstrate baton retention techniques. 10. Demonstrate the procedure to close the baton correctly. 	
BSC17	<p>Drug Awareness/Investigation</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Physically identify drugs used or produced in Afghanistan. 2. State most commonly controlled drugs that are abused. 3. State the most important ill effects of the misuse of controlled drugs. 4. State the strategy to deal with the misuse of controlled drugs. 5. List the actions a police should follow when searching persons, premises or vehicles. 	3
BSC18	<p>Checkpoints</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Explain the importance of having a plan to conduct fixed and mobile checkpoints. 2. List five (5) officer precautions when conducting checkpoints. 3. List the six (6) pieces of information to be obtained and recorded about drivers, occupants, and vehicles contacted at a checkpoint. 	4

	<ol style="list-style-type: none"> Identify fifteen (15) items of equipment that an officer can use at a checkpoint. 	
BSC19	<p>Police Station Security</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> Discuss why the police station is important. Discuss ways of defending a police station against attack. Discuss how to defend a police station. Discuss the general role of the guard force. Identify the location of Security Zone 1 and the activity that occurs within the zone. Identify the location of Security Zone 2 and the operational activity that occurs within the zone. Identify the location of Security Zone 3 and the activity that occurs within the zone. Explain what activities that should occur outside of Security Zone 1 that can enhance the security of the police station. Discuss the threats that can be directed against the police station and police personnel. 	6
BSC20	<p>Civil Disturbance</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> Define the terms “demonstration”, “mob” and “riot.” List the twelve (12) procedures for handling a crowd or riot. List the procedure for dealing with civil disturbances. Demonstrate how to properly wear the helmet, and hold the baton and shield. Demonstrate knowledge of crowd control formations as taught in class. 	6
BSC21	<p>Officer Safety and Survival</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> Define the term, “officer survival”. Explain the reason why security is important in relation to police work. List the three (3) primary causes for fatal errors that Police Officers make and ten (10) fatal errors that kill police officers. Identify and briefly describe the four (4) different levels of awareness along the States of Awareness Continuum. Identify and describe “<i>Survival</i>” <i>State of Mind</i>. 	6

	<ol style="list-style-type: none"> 6. List the four (4) ways officers can increase their survivability during ambushes. 7. To enhance officer safety through an understanding of the variety of devices/tactics used by terrorist groups. 8. Appreciate the preventative measures that can be employed to reduce the threat from terrorists. 	
BSC22	<p>Terrorist Tactics Overview</p> <ol style="list-style-type: none"> a. Terrorist Tactics used in Afghanistan – 2 Hours b. Terrorist Tactics and the Police Response – 2 Hours c. Police Response to Suspect Devices – 3 Hours d. Terrorist Tactics Hostage Survival – 3 Hours e. Terrorist Environment Community Policing – 2 Hours 	12
BSC23	<p>Explosive Devices/Bomb Scenes</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. State the definition of IED. 2. List the four components of IED. 3. State any six ways where IED can be deployed. 4. List any five types of chemical that can be used in the fabrication of an IED. 5. List any five places within a car where explosives can be concealed. 6. State the precautionary measures when dealing with explosives devices/IEDs. 	12
BSC24	<p>Mines and Booby Traps</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> 1. Recognize and identify key IED components; 2. Describe methods used by terrorists to activate an IED; and 3. Have a basic understanding of grenades, mines and mortars. 	6
BSC25	<p>Surveillance Detection and Intelligence Gathering</p> <p>Performance Objectives</p> <ol style="list-style-type: none"> a. Police Survival and Surveillance – 3 Hours b. Intelligence Gathering – 3 Hours 	6
BSC26	<p>Introduction to Small Unit Tactics</p> <p>Basic Foot Patrol - 6 Hours</p> <p>Individual Movements – 2 Hours</p>	12

	Buddy Team Movements – 2 Hours Unit Movements – 2 Hours	
BSC27	Group Field Training Exercises (FDD Practical Exercises) a. IED, Bomb Explosions & Cordons - 6 Hours b. Patrol, Fire & Maneuver & React to Ambush – 6 Hours c. Conduct & Arrest utilizing Contact & Cover – 4 Hours d. Checkpoint- Vehicles and Suspicious Persons – 6 Hours e. Vehicle Ops & React to Contact – 2 Hours	24
BSC28	Drill	24
BSC29	Physical Fitness	24
BSC30	Firearms-Rifle Qualification and Pistol Familiarization Performance Objectives 1. Knowledge of the 4 Basic Safety Rules 2. muzzle discipline 3. field stripping and cleaning their rifle 4. trigger pull 5. the three basic firing positions, (standing, kneeling, prone) 6. Reloading	40
BSC31	ADVANCED Shooting and Tactics/Movement A. Advanced Shooting Skills • Pivots • Shooting on the Move	6
	Final Exam	2
TOTAL		265

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**APPENDIX B. AFGHAN NATIONAL POLICE VETTING AND
RECRUITING PRESENTATION**

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