



INSTITUTE FOR NATIONAL STRATEGIC STUDIES
National Defense University
Fort Lesley J. McNair
Washington, DC 20319

NOT FOR PUBLICATION
UNTIL RELEASED BY
HOUSE COMMITTEE ON
OVERSIGHT AND GOVERNMENT REFORM

WRITTEN STATEMENT OF
DR. T. X. HAMMES
SENIOR RESEARCH FELLOW
PROVIDED TO THE
HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
SUBCOMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS
HEARING ON
XXXX
JUNE 22, 2010

Private Contractors in Warzones: The Good, the Bad and the Question

In Iraq and Afghanistan, the use of contractors has reached a level unprecedented in U.S. military operations. In September 2009, contractors represented 47% of DOD's workforce in Iraq and 62% in Afghanistan.¹ The presence of contractors on the battlefield is obviously not a new phenomenon but decisions made over the last few decades have dramatically increased DoD's reliance on them to execute its basic missions. First, force structure reductions ranging from the post-Vietnam decisions to move the majority of Army logistics support elements to the Army Reserve and Guard² to the post-Cold War reduction in force decisions that reduced the Army from 18 to 10 divisions greatly reduced the services' ability to support long-term operations. Next came a series of decisions that led to the wider employment of contractors in the Balkans during the 1990s. Finally, the decision to invade Iraq with a minimum of force left the U.S. with too few troops to deal with the disorder that resulted from the removal of the regime. Thus it is understandable that given the immediate, unanticipated need for large numbers of logistics and security personnel, the shortage of such troops on active duty and the precedent for using contractors in the Balkans, the Pentagon turned to contractors to fill the immediate needs. However, the subsequent failure to conduct a careful analysis of the wisdom of using contractors is less understandable. For the purposes of this report, the services

¹ Moshe Schwartz, "Department of Defense Contractors in Iraq and Afghanistan: Background and Analysis," Congressional Research Service, 14 Dec 2009.

² Peter W. Singer, "The Dark Truth About Blackwater," *Salon*, October 2, 2007, <http://www.salon.com/news/feature/2007/10/02/blackwater/print.html>, accessed 22 Dec 2009.

provided by private contractors will include both armed and unarmed services. While the U.S. government has conducted and continues to conduct numerous investigations into fraud, waste and corruption in the contracting process, it has not yet systematically explored the essential question -- "Is it strategically a good idea to use contractors in counterinsurgency operations or even military operations in general?"

This article will make an effort to explore that question. It will examine the positive aspects of wartime contracting, the negative aspects and finally the strategic question of whether contractors should or should not be employed. In short, it will explore the good, the bad and the real question.

The Good

One of the primary advantages of private contractors is their ability to quickly mobilize and deploy large numbers of personnel. This is particularly important when the base plan fails to anticipate problems. Since the Pentagon had not planned to keep large numbers of troops in Afghanistan or Iraq for any period of time, it had not planned for the required logistics support. The Pentagon also failed to anticipate the requirement for large numbers of security personnel to protect all U.S. activities, even political and reconstruction activities, once the Afghan and Iraqi governments were toppled.

By tapping into data bases, running job fairs in the United States and contracting for labor from third world companies, contractors were able to quickly recruit, process and ship personnel to run base camps, man convoys, and perform the hundreds of housekeeping chores required to maintain both combat

forces and civil administrators spread across Iraq and Afghanistan. More challenging was finding qualified personnel to provide security for the rapidly growing U.S. presence in both nations. The private companies managed to find people, hire them and move them into country – all without the political problems inherent in mobilizing additional U.S. military forces to execute the same tasks. The combination of speed and a low political profile made contractors an attractive choice to provide the resources the administration had failed to plan for. Both inside and outside Iraq and Afghanistan, contractors replaced the thousands of soldiers normally required to move, stage, marshal and transport personnel and supplies into the combat zone.³

Continuity is a second major advantage of contractors. While the U.S. military has a policy that insures the vast majority of personnel rotate every 6-12 months, contractors are often willing to stay for longer periods. For key billets, companies can offer significant bonuses to personnel who stay. The companies know they will reap commensurate savings due to the personnel continuity and the personnel see an opportunity for significantly increased pay.

However, the most highly prized attribute of private contractors is that they replace troops. As late as April 2008, the Department of Defense stated it had 163,900 contractors supporting 160,000 troops in Iraq.⁴ Without the presence of contractors, the United States would have had to provide literally twice as many troops at the height of operations. The U.S. Armed Forces struggled to maintain 160,000 troops in Iraq, it is very doubtful they could have supported the 320,000

³ Dan Baum, "Nation Builders for Hire," *New York Times*, <http://www.informationclearinghouse.info/article3905.htm>, accessed 29 Dec 2009.

⁴ "Wising up, moving out," *Jane's Defense Weekly*, 1 July 2009, p. 29.

needed if contractors were not employed. While the vast majority of the contractor personnel were involved in non-combatant logistics tasks, the Department of Defense estimated there were over 20,000 armed contractors in Iraq during 2007. Other organizations' estimates are much higher.⁵ Even using the Pentagon's lower estimate, contractors provided three times more armed troops than the British and replaced more than a division of U.S. troops. It should also be noted that in Iraq and Afghanistan many of the unarmed, logistic support personnel functioned in an essentially combat role. The drivers were subject to both IED and direct fire attacks despite the fact they were not trained or equipped for those situations. The contractors not only provided relief in terms of personnel tempo but also absorbed over 25% of the killed in action in Iraq. Contractors reported almost 1800 dead and 40,000 wounded by the end of 2009.⁶ For all practical purposes, these casualties were "off the books" in that they had no real impact on the political discussions about the war. As Peter Singer noted,

"there was no outcry whenever contractors were called up and deployed, or even killed. If the gradual death toll among American troops threatened to slowly wear down public support, contractor casualties were not counted in official death tolls and had no impact on these ratings. ... These figures mean that the private military industry has suffered more losses in Iraq than the rest of the coalition of allied nations combined. The losses are also far more than any single U.S. Army division has experienced."⁷

⁵ Fainaru, Steve, "Private War: Convoy to Darkness," *Washington Post*, Jul 29, 2007, p. 1.

⁶ <http://icasualties.org> and <http://www.propublica.org/series/disposable-army>, accessed 29 Dec 2009.

⁷ Peter W. Singer, "The Dark Truth About Blackwater," *Salon*, October 2, 2007, <http://www.salon.com/news/feature/2007/10/02/blackwater/print.html>.

Of course, it is difficult if not impossible to determine how many additional casualties were suffered by Third World Nation contractors in either Iraq or Afghanistan.

Replacing these contractors, both armed and unarmed, would have required additional major mobilizations of reserves or a dramatic increase in end strength for the Army and Marine Corps. In effect, the rapid mobilization of civilian contractors allowed the United States to engage in a protracted conflict in Iraq without the necessity of convincing the U.S. public of the need for mobilization or major increases in the active Armed Forces to do so. Opponents of contractors point out that this makes it easier for U.S. political leaders to commit forces to protracted conflicts precisely because it reduces uniformed casualties.⁸ Whether or not the tendency of contractors to reduce the political cost of operations is a good thing or not depends upon your view of the particular conflict.

Another advantage frequently cited by proponents of the use of contractors is that of cost. According to their calculations, contractors are much cheaper to use than government employees. In fact, the actual costs remain a point of contention. The Congressional Research Service stated it was “The relative cost advantage of the contractors can vary, and may diminish or disappear altogether, depending on the circumstances and contract.”⁹

Determining actual costs is extremely difficult due to the large number of

⁸ David Isenberg, “Private Military Contractors and U.S. Grand Strategy,” International Peace Research Institute, Oslo, Norway, January 2009, p. 5.

⁹ Jennifer K. Elsea, Moshe Schwartz and Kennon H. Nakamura, “Private Security Contractors in Iraq: Background, Legal Status, and Other Issues, *Congressional Research Service*, Updated Aug 25, 2008, p. 49.

variables involved – some of them currently unknowable. For instance, with over 40,000 contractors wounded to date, we are unable to estimate potential long-term care costs to the USG. While contractors may claim their insurance covers those costs, in fact, the government paid for that insurance through the contract and, if the coverage proves insufficient, the government may well end up paying for the continued care through various government medical programs. In short, costs associated with employing contractors in a combat environment are essentially unknowable.

Another useful aspect of contracting is hiring locals to provide services. Creating jobs and stimulating the economy are key aspects of population-centric counterinsurgency. In the Balkans and Afghanistan, NATO and ISAF have hired large numbers of local personnel to conduct both armed and unarmed tasks. However, even increased employment has potential downsides that will be discussed in the next section.

A final, critical advantage is that contractors may be able to do jobs U.S. forces simply can't. In Afghanistan, we lack the forces to provide security for our primary supply lines to Pakistan because they run through areas either controlled or heavily contested by the Taliban or other organizations that charge for use of the road. However, if history is any guide, even a heavy presence of U.S. troops would not guarantee the delivery of supplies. Fortunately, Afghan contractors display the mix of force, personal connections and negotiation skills to maintain our supply lines.

The Bad

When serving within the combat zone, particularly during a counterinsurgency, contractors create a number of significant problems from the tactical to the strategic level. Three primary characteristics of contractors, particularly armed contractors, create problems for the government. First, the government does not control the quality of the personnel the contractor hires. Second, unless it provides a government officer or NCO for each convoy, personal security detail or facilities protection unit, it does not control their daily interactions with the local population. Finally, the population holds the government responsible for everything the contractors do or fail to do. Since insurgency is essentially a competition for legitimacy between the government and insurgents, this factor elevates the issue of quality and tactical control to the strategic level.

Quality control is a well publicized issue. The repeated reports of substandard construction, fraud and theft highlight the problems associated with unarmed contractors. As noted above, these incidents are being investigated. In addition, the USG is working hard to refine contracting and oversight procedures to reduce these types of problems. Unfortunately, the problem is just as prevalent with armed contractors. While high-end personal security details generally are well trained, less visible armed contractors display less quality. When suicide bombers began striking Iraqi Armed Forces recruiting stations, the contractor responsible for recruiting the Iraqi forces subcontracted for a security force. The contractor was promised former Gurkhas. What showed up in Iraq a

couple of weeks later were untrained, under-equipped Nepalese villagers.¹⁰ Not only did these contractors provide inadequate security, the U.S. government passed the authority to use deadly force in the name of the United States to these untrained foreign nationals.

Since the government neither recruits nor trains individual armed contractors, it essentially has to trust the contractor to provide quality personnel. In this case, the subcontractor took shortcuts despite the obvious risk to the personnel manning the recruiting stations. Even if we hire enough contracting officers to effectively supervise the contracts, how exactly does a contracting officer determine the military qualifications of an individual much less a group such as a Personal or Site Security Detail? The U.S. military dedicates large facilities, major exercises, expensive simulations and combat experienced staffs to determine if U.S. units are properly trained. Contractors don't. We need to acknowledge that contracting officers have no truly effective control over the quality of the personnel the contractors hire. In fact, we have to accept that we will be unable to determine their actual effectiveness until they begin to operate in theater. And then, only if a member of the U.S. government is in position to observe the contractors as they operate.

Compounding the problems created by lack of quality control, the government does not control the contractor's daily contact with the population. Despite continued efforts to increase government oversight of contractor

¹⁰ Author's personal experience will serving on Coalition Military Assistance Training Team in Iraq during early 2004.

operations, nothing short of having qualified U.S. government personnel accompanying and in command of the contractors will provide control. With support contractors this means we may get poorly wired buildings or malfunctioning computer systems. However, with armed contractors we have the bullying, intimidation and even killing of local civilians such as the September 2007 Blackwater shootings in Nisour Square.

The lack of quality and tactical control greatly increase the impact of the third major problem – the United States is held responsible for everything the contractors do or fail to do. Despite the fact the United States has no effective quality or operational control over the contractors, the local population rightly holds it responsible for all contractor failures. Numerous personal conversations with Iraqis revealed a deep disgust with the actions of armed contractors. They noted we gave them authority to use deadly weapons in our name. While Iraqis were not confident American forces would be punished for killing Iraqis, they believed it was at least a possibility. However, the Iraqis were convinced that contractors were simply above any law.

These perceptions seriously undercut the legitimacy of the government. A key measure of the legitimacy of a government is a monopoly on the use of force within its boundaries. The very act of hiring armed contractors dilutes that monopoly. Legitimate governments are also responsible for the actions of their agents – particularly those actions taken against their own populations. Yet, despite efforts to increase the accountability of contractors, the widespread perception is that armed contractors who commit crimes against host nation

people are outside the law of both the host country and the United States. While we have laws criminalizing certain activities, the cost and difficulty of trying a contractor for crimes that occurred overseas in a conflict zone has so far deterred U.S. prosecutors. In over seven years of activity in Iraq, no contractor has been convicted of a crime against Iraqi citizens. Either contractors are a remarkably law abiding group or the system does not work. The fact that an insurgency is essentially a competition for legitimacy in the eyes of the people elevates the presence of armed contractors to a strategic issue.

Exacerbating the legitimacy issue, contractors of all kinds are a serious irritant to the host nation population. Armed contractors irritate because they are an unaccountable group that can and does impose its will upon the population in many daily encounters – driving too fast, forcing locals off the road, using the wrong side of the road. Even unarmed contractors irritate the population when they take relatively well paying jobs that local people desperately need.

In addition to undercutting its legitimacy, the use of contractors may actually undercut local government power. In Afghanistan, security and reconstruction contracts have resulted in significant shifts in relative power between competing Afghan qawms as well as allegations of corruption. Dexter Filkins, writing in the *NY Times* notes the power structure in Orugzan Province, Afghanistan has changed completely due to the U.S. government selecting Mr. Matiullah Khan to provide security for convoys from Kandahar to Tirin Kot.

“With his NATO millions, and the American backing, Mr. Matiullah has grown into the strongest political and economic force in the region. He estimates that his salaries support 15,000 people in this impoverished province. ... This has irritated some local leaders,

who say that the line between Mr. Matiullah's business interest and the government has disappeared. Both General Carter and Hanif Atmar, the Afghan interior minister, said they hoped to disband Mr. Matiullah's militia soon — or at least to bring it under formal government control. ... General Carter said that while he had no direct proof in Mr. Matiullah's case, he harbored more general worries that the legions of unregulated Afghan security companies had a financial interest in prolonging chaos."¹¹

Thus, an unacknowledged but very serious strategic impact of using contractors is to directly undercut both the legitimacy and the authority of the host nation government.

Contracting also has a direct and measureable impact on the local economy. When the U.S. government passes its authority to a prime contractor, that contractor then controls a major source of new wealth and power in the community. However, the contractor is motivated by two factors – maximizing profit and making his operation run smoothly. This means that even if he devotes resources to understanding the impact of his operations on society, his decisions on how to allocate those resources will be different than those of someone trying to govern the area. For instance, various contractors' policies of hiring South Asians rather than Iraqis caused anger among Iraqis during the critical early phases of the insurgency. Desperate for jobs, the Iraqis saw Third Country Nationals getting jobs Iraqis were both qualified for and eager to do.¹² While there were clear business reasons and some security reasons for doing

¹¹ Dexter Filkins, "With US Aid, Warlord Builds Afghan Empire," *NY Times*, 6 Jun 2010, <http://www.nytimes.com/2010/06/06/world/asia/06warlords.html>, accessed 7 June 2010.

¹² Nicholas Pelham, "Contractors in Iraq Accused of Importing Labor and Exporting Profit," *Financial Times*, 14 Oct 2003. <http://www.commondreams.org/headlines03/1014-01.htm>, accessed 7 Jun 2010

so, the decision was a slap in the face of Iraqis at a time of record unemployment within the country.

In contrast, the U.S. government in the form of a Provincial Reconstruction Team or a U.S. commander writes contracts specifically to influence the political and security situation in the area.

A related problem is the perception of the local population concerning how these contracts are managed. In Afghanistan, many Afghans are convinced that some contracts expend up to 80% of the funds on management. Agency Coordinating Body for Afghan Relief states 40% of the aid goes straight to corporate profit and salaries. Profit margins run as high as 50% and full time expatriot consultants cost between \$250,000 and \$350,000 per year.¹³ Many of the contracts run through multiple subcontracting companies before the aid reaches the Afghan people and each subcontractor naturally takes a percentage for administrative overhead.¹⁴ These confirmed cases of misuse of development funds further reduce the weak legitimacy of the Afghan government as well as ISAF's efforts.

There are also a number of indirect consequences of employing armed contractors. First, it opens the door for local organizations to build militias under the cover of being a security company. It is difficult to object to other elements of a society hiring security when the government is doing so. This is particularly true when the government is hiring both locals and foreign nationals to provide

¹³ Matt Waldman, "Falling Short: Aid Effectiveness in Afghanistan," ACBAR, [http://www.acbar.org/ACBAR%20Publications/ACBAR%20Aid%20Effectiveness%20\(25%20Mar%202008\).pdf](http://www.acbar.org/ACBAR%20Publications/ACBAR%20Aid%20Effectiveness%20(25%20Mar%202008).pdf), accessed 4 Jan 2010.

¹⁴ Roya Wolverson, "Not So Helpful," *Newsweek*, 24 Nov 2007, <http://www.newsweek.com/id/72068>, accessed 4 Jan 2010.

security. If the government needs private contractors to feel safe, the citizens, local businesses or even local political organizations can certainly argue that they do too. This fact has created significant problems for ISAF in Afghanistan.

“Because PSCs are under the control of powerful individuals, rather than the Afghan National Security Forces, they compete with state security forces and interfere with a government monopoly on the use of force. There is growing pressure from ISAF and within the Afghan government to reform and regulate these companies. Major General Nick Carter, the commander of Regional Command-South (RC-S), recently briefed that ISAF was developing a strategy to regulate PSCs as part of the Kandahar Operations unfolding in summer 2010.”¹⁵

In addition, Private Security Companies can compete directly with host nation attempts to recruit and retain military and police personnel. In January 2010, Major General Michael Ward stated that Afghanistan’s government was considering capping the pay of private security firms because Afghan police were deserting in large numbers for the better pay and working conditions associated with private companies.¹⁶ This has created significant problems for ISAF. Major General Nick Carter, UK Army and Commander, ISAF Regional Command-South told reporters

“(P)ivate security companies and militias are a serious problem ... this is, of course, something that is of our own creation to a degree ... where we contracted out everything to the civilian market, has created these private security companies. And of course they are paid a great deal more than our Afghan security forces, which in itself is counterproductive because, of course, the temptation for a soldier in the ANP is to go across to a private security company because he might earn double in pay.”¹⁷

¹⁵ Carl Forsberg and Kimberly Kagan, “Consolidating Private Security Companies in South Afghanistan,” *Institute for the Study of War*, 28 May 2010, <http://www.understandingwar.org/files/BackgrounderPSC.pdf>, accessed 4 Jun 2010.

¹⁶ “Afghan-Cda Security Firms,” The Canadian Press-Broadcase wire, 25 January 2010, 06:42. Document BNW0000020100126e61p00011.

¹⁷ Major General Nick Carter’s Defense Department Briefing via teleconference from Afghanistan, 26 May 2010.

Contract hiring also competes directly with the host nation civil government. In both Iraq and Afghanistan, educated professionals took jobs as drivers or clerks with contractors and NGOs simply because the jobs paid more than they could earn working for their own governments. In effect, ISAF and NGO hiring has created an internal “brain drain.” This is of particular concern in Afghanistan where human capital is a major limitation on the ability of the government to function.

Contractors, both armed and unarmed, also represent a serious military vulnerability. In the uprising in the spring of 2004 when both Sunni and Shia factions conducted major operations against Coalition forces, the insurgents effectively cut Allied supply lines from Kuwait. U.S. forces faced significant logistics challenges as a result. Despite the crisis, U.S. officials could not morally order contract logistics providers to “fight through.” The contractors lacked the training, equipment and legal status to do so. Had the supply line been run by military forces, it would have been both moral and possible to order them to fight through. Despite this demonstrated operational vulnerability, the fact that unarmed contractors are specifically not obligated to fight through has not been emphasized as a significant risk in employing contractors rather than military logistics organizations.

The substitution of contractors for soldiers and Marines creates yet another vulnerability – lack of an emergency reserve. In the past, support troops have been repeatedly employed in critical situations to provide reinforcements for overwhelmed combat troops. Contractors are simply unable to fulfill this

emergency role. This limitation, as well as the contractor's inability to fight through, are even more significant in conventional conflicts than in irregular war.

Contracting also takes key element of the counterinsurgency effort out of the hands of the commander. In the spring of 2010, ISAF determined that DynCorp had failed in its contract to train and mentor the Afghan police. ISAF then put the contract out for competition. Commander ISAF stated that the police are one the most critical elements of his campaign plan so the contracting process was accelerated. Not surprisingly, DynCorp did not win the new contract. Since time is critical in Afghanistan, plans were made to rapidly transition the contract to a new provider to insure the Afghan police could play their part in the COIN campaign. However, DynCorp protested the contract award and won in court. Thus they retain the training contract and will retain it while all legal processes are exhausted. In short, the commander lost control of one of the critical elements of his counterinsurgency campaign at a critical time -- and there is nothing he can do about it. Despite DynCorp's documented failure, it remains in charge of police training and mentoring with the full knowledge that as soon as possible ISAF will get rid of them.

Contracts also fragment the chain of command. While all military units in a theater are under the command of the senior military officer in the theater, contractors are not. While both contractors and the government have worked hard to resolve coordination issues, the fact remains the contractors are not under military command.

A final negative impact of contracting is the requirement to provide security for unarmed contractors. Military logistics units can provide their own security in low threat environments but unarmed contractors cannot. The government must either assign military forces or hire additional armed contractors to provide that security.

The Question

Clearly contractors have an important and continuing role in U.S. operations – both domestic and overseas. In fact, there are currently numerous functions the United States Government is incapable of performing without contractor support. This is not a new phenomenon. DoD – particularly the Air Force and Navy – have long relied on contractors to fill niche requirements such as maintaining and, sometimes, even operating the newest high technology equipment. However, in Iraq and Afghanistan, the USG is using contractors to execute functions in the field that bring them in daily contact with local populations in combat zones.

Despite conducting almost nine years of combat operations supported by contractors, the United States still has not conducted an in-depth study of the strategic impact the use of contractors has in counterinsurgency. I don't mean contracts and contractors are not being studied. Congress formed The Commission on Wartime Contracting specifically "to assess a number of factors related to wartime contracting, including the extent of waste, fraud, abuse, and mismanagement of wartime contracts."¹⁸ While looking to improve the efficiency of wartime contracting, the Commission is not looking into the strategic impact

¹⁸ www.wartimecontracting.gov accessed 24 Jul 2009.

the use of contractors has in COIN operations. In the executive summary of its June 2009 Interim Report, the Commission does not consider the strategic logic behind using contractors but instead, as tasked, focuses on improving efficiency.¹⁹

For their parts, the Departments of Defense and State are conducting studies to determine how to reduce fraud and increase the efficiency of contractors. The Joint Staff is running a major study to determine the level of dependency on contractor support in contingency operations. Various Justice Department investigations are going over past contracts for everything from fraud to abuse of prisoners to inappropriate use of deadly force. Yet none of these studies are looking at the fundamental questions concerning the strategic impact of contractors in combat.

Despite our failure to evaluate them, contractors clearly have a number of direct, strategic-level impacts on counterinsurgency operations. The most important are the reduction of political capital necessary to commit U.S. forces to war; the impacts on the legitimacy of a counterinsurgency effort; and the perceived morality of that effort.

Rather than automatically defaulting to hiring contractors as a relatively quick, easy and politically benign solution to an immediate problem, the United States needs to examine these strategic level questions.

¹⁹ Commission on Wartime Contracting in Iraq and Afghanistan, "At What Cost? Contingency Contracting in Iraq and Afghanistan, June 2009, http://www.wartimecontracting.gov/docs/CWC_Interim_Report_At_What_Cost_06-10-09.pdf, accessed 13 June 2010.

First, what is the impact of contractors on the initial decision to go to war as well as the will to sustain the conflict? Both proponents and opponents admit the U.S. would have required much greater mobilization to support a force of 320,000 in Iraq (the combined troop and contractor count) or a force of over 210,000 in Afghanistan. The use of contractors allowed us to conduct both wars with much less domestic political discourse. But is this a good idea? Should we seek methods that make it easier to take the nation to war? That does not seem to be the intent of the Constitution nor does it seem like a good idea when entering protracted conflicts. Insurgents understand that political will is the critical vulnerability of the United States in irregular warfare. They have discussed this factor openly in their online strategic forums for almost a decade.²⁰ Insuring the American public understands the difficulty of the impending conflict and is firmly behind the effort should be an essential element in committing forces to such a conflict. Thus while the use of contractors lessens the extent of mobilization needed, it may well hurt the effort in the long term.

Second, as discussed earlier in this paper contractors undermine the legitimacy of both U.S. and host nation efforts in a counterinsurgency in a variety of ways. *FM 3-24 Counterinsurgency* states that the conflict is a competition for legitimacy between the counterinsurgent and the insurgent.²¹ By choosing to use contractors, we directly undercut a central theme of our own

²⁰MEMRI, "Bin Laden Lieutenant Admits to September 11 and Explains Al-Qa'ida's Combat Doctrine," 20 Feb 2002, <http://www.memri.org/report/en/0/0/0/0/0/607.htm>, accessed 13 Jun 2010

²¹ *FM 3-24/MCWP3.33-5 Counterinsurgency*, Headquarters, Department of the Army, Dec 2006, p. 1-1.

counterinsurgency doctrine. Under certain conditions, we may choose to use contractors in spite of the impact on legitimacy but we should not do so in ignorance of that impact. Any decision to use contractors in a combat zone should be carefully considered for its impact on the strategy we have chosen and the campaign plan we are using to execute that strategy.

A third area which needs consideration at the strategic level is the morality of using contractors. What are the moral implications of authorizing contractors, qualified or not, to use deadly force in the name of the United States? What about hiring poor third world citizens to sustain casualties in support of U.S. policy? What is the U.S. responsibility for wounded and killed contractors – particularly third world contractors? While these sound like theoretical questions, they are in fact practical ones. Maintaining domestic popular support for conflict requires that U.S. actions be both legitimate and moral.

These questions are essentially derived from the real question “Is it strategically a good idea to use contractors in combat zones?” While it is too late to debate this question for our current conflicts, it is essential we make this a central part of our post-Afghanistan force structure discussions. The size and type of force we build for the future depends on the answer.

The views expressed in this statement are those of the author and do not reflect the official policy or position of the National Defense University, the Defense Department or the U.S. government.