

## ***“Caveats Emptor: Multilateralism at War in Afghanistan”***

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**Abstract:** The North Atlantic Treaty Organization has been as the most robust alliance in the world, with deeply institutionalized processes, yet it has faced significant problems in running the International Security Assistance Force in Afghanistan. Specifically, the coalition effort has been plagued by the problem of caveats. Caveats place restrictions on what coalition militaries can and cannot do, and thereby create resentment within the coalition from countries that must bear a greater share of the burden as a result. In this article, we review key limitations facing military contingents operating in Afghanistan. We consider the sources of these restrictions and evaluate several explanations of the varying level of discretion experienced by deployed military commanders. We focus particular attention on the evolution of Canadian caveats to illustrate the dynamics in play and to generate hypotheses for future research. Finally, we address several strategies that commanders have used to diminish the effects of caveats. We conclude with implications for both research and policy.

**Acknowledgements:** The Social Sciences and Humanities Research Council has funded much of this project as has the Canada Research Chair program, including the very helpful research assistance of Ora Szekely, Sarah-Myriam Martin-Brûlé, Mark Mattner, Lauren Van Den Berg, and Bronwen De Sena. Anne Therrien and Jamie Gibson of the Security Defence Forum, a unit of the Directorate of Public Policy within Canada’s Department of National Defence, have been instrumental in setting up interviews with Canadian officers. We are very grateful for feedback we received when we presented earlier versions of this paper have been presented at Queen’s University, Canada’s Department of National Defence’s Security and Defence Forum, the University of Ottawa, at the Canadian Political Science Association meeting in Vancouver, the International Studies Association meeting in San Francisco, and the American Political Science Association meeting in Chicago. Michael Tierney provided useful comments along the way.

The views expressed here are those of the authors and not the National War College, the National Defense University, the U.S. Department of Defense, any other agency of the U.S. government, nor the Canadian Department of National Defence.

This paper has been prepared for presentation at the Annual Meeting of the International Studies Association in New York, NY, February 15<sup>th</sup>-18<sup>th</sup>, 2009.

There are very few things over which Donald Rumsfeld and Canadians concur, but the problem of caveats in Afghanistan is one of them.<sup>1</sup> There are somewhere between fifty and eighty known restrictions that constrain North Atlantic Treaty Organization [NATO] commanders in Afghanistan.<sup>2</sup> Policy-makers in the US and Canada have spent much time and effort cajoling their allies to reduce the restrictions, a.k.a. caveats, limiting the coalition's contingents in Afghanistan.<sup>3</sup> Because the number of NATO troops on the ground is quite small relative to the challenges they face, any limitations on what the soldiers can do significantly hampers operational flexibility. Moreover, and much more politically salient, varying levels of restrictions mean that some troop contributing nations are bearing a greater burden. This has led to the term "rations-consumers." This suggests that some contingents are occupying space and using resources, but are not making much of a difference. The burden-sharing debate within NATO has shifted from budgets in the 1980's (Hoffmann 1981; Kolodziej 1981) to body bags in the 21<sup>st</sup> century. The past several NATO summits, including those in Riga and Bucharest, have focused much attention on this issue.

Despite the very high profile of caveats the past few years, and the fear that these restrictions might even put NATO as an institution at risk, caveats, their sources, and efforts to mitigate them are poorly understood. Even though alliance coordination is not a new problem (Atkinson 2002), scholars have focused on other challenges raised by coalition warfare

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<sup>1</sup> For instance, see "Canada Handling More Than Its Share in Afghanistan: O'Conner." *CBC News*, September 7, 2006, <http://www.cbc.ca/world/story/2006/09/07/nato-reinforcements.html>, accessed January 26, 2007.

<sup>2</sup> These figures come from General James Jones, when he was Supreme Allied Commander, Europe at an event hosted by the Council on Foreign Relations in Washington, DC on October 4, 2006; and from a World Security Network interview with General Karl-Heinz Lather, Chief of Staff, Supreme Headquarters Allied Powers, in Mons, Belgium on June 30, 2008.

<sup>3</sup> Caveats have also bedeviled commanders in Iraq, as even the members of the more narrow coalition of the willing have differing restrictions on what can and cannot be done. Interview with LT General Walter J. Natynczyk on June 4<sup>th</sup>, 2007. He was seconded to the US III Corps during and after the invasion of Iraq, and was in a position to assess the challenges of multinational collaboration in an essentially unilateral effort. Bremer (2006) mentions the limitations of the Spanish contingent several times in his memoir.

(Bensahel 2003; Weitsman 2004).<sup>4</sup> Perhaps as a result, the variation in national caveats both over time and across contingents presents something of a mystery. Moreover, the obvious explanations have proven to be wrong in our initial examination of caveats. Neither mounting casualties nor declining popularity of home governments seem to correlate with increased restraints on the troops on the ground. Understanding these restrictions is important if we want to comprehend the limits and effects of international cooperation at the pointy end of the spear, to use the military's phrase. In sum, we seek to understand how multilateralism works in wartime.

What accounts for changes in national restrictions on the contingents in Afghanistan? In theory, caveats should vary as national institutions governing civil-military relations empower individuals in particular bureaucratic positions to determine what their troops can and cannot do on the ground. We consider the conflicting imperatives these individuals face. Specifically, we examine how individual expertise, attitudes toward risk, and organizational culture affects the likelihood of decisions makers to impose caveats. With this as background, we delve into the Canadian experience with caveats in Afghanistan. We conclude by considering how the senior commanders in Afghanistan have tried to manage the challenges of caveats.

We focus most of our attention on the case of Canada for several reasons. First, it presents an interesting puzzle because restrictions have declined precisely as public opposition to the mission has increased. Second, there has been variation in both caveats and their possible causes over time. Third, Canada has been engaged in Afghanistan, on and off, since 2001, under both the unilateral US-commanded Operation Enduring Freedom [OEF] and the multilateral NATO International Security Assistance Force [ISAF] allowing us to consider whether the

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<sup>4</sup> There has been some work on multilateral military interventions (Bellamy and Williams 2005), but it, too, largely overlooks caveats.

design of the operation itself matters. Fourth, we have had access to Canadian decision-makers in Ottawa, Afghanistan and in between (CENTCOM headquarters), providing insights into the dynamics shaping Canada's declining caveats and its efforts to mitigate those of other troop contributing nations.<sup>5</sup> This case, therefore, is useful for developing hypotheses that we can then apply in the next stage of this project to the rest of the major troop contributing countries in ISAF (US, Great Britain, Germany, France, Italy, Netherlands and others).

## Caring about Caveats

This issue of national restrictions upon troops deployed in Afghanistan is important both for operational concerns today and broader debates about coalition warfare and multilateralism. Over the past year, via series of newspaper reports, government reviews, and events on the ground, it has become clear that the ISAF mission is trouble. Not only has NATO dedicated too few troops to the effort, but that many of these troops face strict limitations on what they can do. This has given the various opponents in Afghanistan breathing room with which they are now taking advantage. While no counter-insurgency can win strictly via military force, the failure to provide security, caused by both troop shortages and inflexibility of key contingents, is a critical problem for the counter-insurgency.

The problem of differential burden-sharing not only puts the mission at risk, but threatens NATO itself. The ISAF caveat problem has revealed a deep and widening division between those who fight and bleed and those who do not. There is much bitterness in Canada towards the Europeans since Canadians have faced disproportionate risks while the larger armed forces from

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<sup>5</sup> We have been able to interview one former Prime Minister, Paul Martin, two previous Ministers of Defence, the current and previous Chiefs of the Defence Staff [CDS], two former Deputy Chiefs of the Defence Staff [DCDS], the current Commander of Canadian Expeditionary Forces Command [CEFCOM], and many of Canadian Colonels and Generals who have commanded in Afghanistan. We have also talked with lower-ranking officers (as well as political advisors to senior officers in Kandahar) in Afghanistan during a short familiarization tour in late 2007.

European countries refuse to answer the call. There has been much discussion of a two-tiered NATO, making it increasingly unlikely for the alliance to be deployed anywhere else after the sour Afghanistan experience.

For scholars, caveats are not simply a procedural problem facing one organization, but part of a larger need to explore how multilateral organizations operate, including their dysfunctions.<sup>6</sup> For security organizations, the surrender of sovereignty by members is particularly difficult. As we see below, countries almost never contribute forces to an alliance effort without a final say on how they are used. Even NATO, the most powerful, institutionalized and successful security organization in recent history, is bound by this limitation. How multilateral security institutions handle this problem is pivotal for understanding their endurance, their effectiveness, and, ultimately, their relevance.

## Caveats

Countries participating in multilateral military operations always have been able to refrain from individual operations, even when operating under a NATO umbrella. In practice, each deployed national contingent has an officer who holds that nation's so-called "red card," allowing that officer to inform the multilateral chain of command that his/her country cannot participate in an operation. These officers base their decisions on instructions from home about the kinds of missions considered acceptable by their government. Such instructions are commonly known as caveats. Often instructions are clear cut. At other times, a contingent's participation may be at the discretion of the country's senior officer on the ground (the holder of

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<sup>6</sup> Scholars of IOs have increasingly focused of late on the pathologies of multilateral institutions (Finnemore 2003; Barnett and Finnemore 2004).

the red card). And quite frequently, the officer might have to call home for permission, which can take time and create controversy both in theater and at home.

Caveats can be official and written or unofficial and unwritten. It is standard procedure for countries to give notice of their official caveats to the multilateral organization they are operating under and other contingents on the scene. This practice has allowed NATO commanders since at least Bosnia to create caveat spreadsheets specifying each contingent's stated restrictions, and design specific plans based on that information. Contributing countries are often less open about their unofficial restrictions. Unofficial caveats may only be discovered over the course of time as dictated by circumstances. Indeed, Kosovo's declaration of independence in early 2008, and subsequent violence in Mitrovica, may have revealed previously unstated caveats among some members of the NATO Kosovo Force [KFOR].<sup>7</sup> One senior commander referred to these unstated caveats as "insidious."<sup>8</sup>

NATO anticipated national caveats during Afghanistan operations, leading to a plan that "was written broadly enough to allow nations to opt in or out of rules of engagement or missions in which the nations did not want or could not legally allow their troops to participate (Beckman 2005)." Still, this has been quite a sore point in alliance relations in Afghanistan. Former Secretary of Defense Donald Rumsfeld was quoted as noting, "Different restrictions on national forces make it enormously difficult for commanders to have the flexibility to function (Rupp 2006)." Given the limited NATO footprint in Afghanistan, limitations on any of the contingents significantly constrains what can be done by the alliance as a whole.

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<sup>7</sup> This event was referenced in off-the-record conversations with a couple of different NATO officers.

<sup>8</sup> Senior Canadian military official. In general, we do not list specific caveats as many countries regard their rules of engagement as classified information. In addition, military officers were reluctant to identify in our interviews specific countries as they know that they will be working with them in the future.

The most obvious national restriction involves where a country's contingent may operate.<sup>9</sup> During his time as Canadian Chief of the Defence Staff, General Rick Hillier repeatedly said that the most significant caveat in Afghanistan is whether troops can operate south of the Hindu-Kush.<sup>10</sup> Press accounts noted that "It would take an act of parliament before German troops could join in the fight in the south."<sup>11</sup> Because the tempo and risks are greater in southern Afghanistan, this limitation is quite significant. Indeed, this particular caveat has been the most important source of intra-NATO squabbling. At the Riga Summit in late November 2006, otherwise caveated countries agreed that their forces can be used anywhere in Afghanistan *in extremis*, but that still limits the ability of ISAF commanders to plan, as it is not clear what *in extremis* means. NATO commanders simply cannot plan for the use of such contingents, making them far less helpful than they might appear.

Other, less obvious, restrictions are also playing a significant role in constraining contingents and commanders. Apparently, German units are not allowed to engage in or support offensive operations, complicating the deployment of reconnaissance aircraft. Specifically, the mandate for German participation in ISAF prohibits involvement in OEF. As a result, the pictures taken by German planes cannot be distributed if there is a risk that they might be used as part of counter-terrorism efforts. In practice, this may mean that intelligence is only shared with part of ISAF or not at all, since there are a few countries that participate in both OEF and ISAF—namely, the United States (Meiers 2006; Noetzel and Scheipers 2006). More importantly, this restriction means that even if the Germans were allowed to move south, they

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<sup>9</sup> Geographic restrictions have plagued NATO operations in the Balkans.

<sup>10</sup> Interview with General Hillier, Chief of the Defence Staff, 11 March 2008. Hillier has previously commanded NATO forces in a sector of Bosnia in the 1990s as well as the entire ISAF in 2004.

<sup>11</sup> "Canadians In Intense Battle As Anti-Taliban Operation Heats Up." *CBC World*, September 8, 2006. <http://www.cbc.ca/world/story/2006/09/08/afghan-medusa.html>, Accessed January 26, 2007.

would not significantly add to the flexibility of the NATO commanders.<sup>12</sup> Even within their sector, German forces are not allowed to move “more than two hours distant from hospitals with emergency surgery facilities.”<sup>13</sup>

There are many other examples of restrictions. At least one nation may not deploy its troops at night.<sup>14</sup> At least one country’s force was not allowed to participate in missions alongside the troops from an historical rival.<sup>15</sup> At least one ally apparently will not allow Afghans aboard their helicopters, whether or not they are members of the Afghan National Army or not, even if they are injured.<sup>16</sup> While it can happen that a commander might be surprised by a country’s unofficial restrictions, senior NATO commanders have usually worked with their counter-parts in previous missions so that they know the limitations of most units. Even if well known however, working around caveats is “extraordinarily frustrating.”<sup>17</sup>

## Sources of Caveats

The question of discretion in military operations is central to the civil-military relations literature.<sup>18</sup> How much room do officers have to operate? We seek to understand why the home office gives senior commanders in theater a relatively wide or narrow band of discretion (so-

<sup>12</sup> In the interview with General Hillier, when discussing a hypothetical heavily restricted contingent potentially moving into southern Afghanistan (again, like other Canadian officers, he did not name particular allies), he said there would be zero effect on the ground and a potential disaster for the contingent. Other officers were not quite as negative when considering this hypothetical scenario—such a force could help out with base security.

<sup>13</sup> *Deutsche Welle*, November 19<sup>th</sup>, 2007, [www.dw-world.de](http://www.dw-world.de), retrieved December 5<sup>th</sup>, 2008.

<sup>14</sup> Apparently, the German units in Afghanistan must return to their base before nighttime. While the example of a country not fighting at night was cited by more than one officer, the identity of that country only became clear after talking to a Canadian member of parliament, Claude Bachand of the Bloc Quebecois, who had visited Afghanistan, staying at a German base. Interview with Bachand, March 27<sup>th</sup>, 2007. Other troops may face similar constraints.

<sup>15</sup> Interview with Lieutenant General Andrew Leslie, Ottawa, ON, March 8<sup>th</sup>, 2007. Leslie, as a Brigadier General, served as Deputy Commander of ISAF in 2003-2004, and now serves as Chief of Canada’s Land Staff and Commander of the Canadian Army.

<sup>16</sup> Shared in an off-the-record conversation with an American officer with experience in Afghanistan.

<sup>17</sup> Interview with LTG Leslie.

<sup>18</sup> The literature starts with Huntington (1957) and Janowitz (1960). One can find an excellent review of the work on civil-military relations in Feaver (1999).



called “arcs of fire”). Understanding the problems of discretion requires a brief detour into principal-agency theory.

### ***Principal-Agent Models***

We use principal-agency theory to focus directly on the problems of caveats, because caveats are a form of restricted or contingent delegation contract, and principal-agent theory focuses on the dynamics of such contracts. Principal-agent models explore the conditions under which actors with the authority to make decisions – dubbed the “principal” – delegate authority to a subordinate actor – dubbed the “agent” – to take action on the principal’s behalf. The basic concern explored by the principal-agent literature is that a principal who delegates to an agent no longer has complete control over that agent’s behavior. This is true because the agent may not have identical preferences to its principal, the agent may have informational advantages over its principal, and the agent can take actions that are unobserved by the principal. In the realm of military operations, these gaps can be quite significant because of differences in civilian and military ideology, the expertise military officers possess compared to civilians, and the necessity for action by the military agent in far-flung locales. And lest we forget, there are potentially dire consequences whenever military force is used.<sup>19</sup>

Principals attempt to control their agents through a variety of means, most of which center around choosing agents whose preference closely align with those of the principal, monitoring the agent’s behavior, sanctioning or rewarding the agent for its behavior, or altering the amount of authority delegated to the agent via a delegation contract. Most of the literature in

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<sup>19</sup> Principal-agent models have been frequently applied to civil-military relations. For examples, see Avant 1994; Feaver 1998, 2003, Zegart 1999 and Stulberg 2005. For an application of principal-agent theory to other organizations involved in international intervention, see Cooley and Ron 2002. For principal-agency theory applied to international organizations, see Lyne, Nielson, and Tierney (2006); Nielson and Tierney (2006); and Thompson (2006).

civil-military relations and in principal-agency theory focuses on the problem of monitoring or oversight. That is, once an agent is granted a certain level of discretion, the principal will then develop a system of some sort to make sure the agent complies with the intent of the principal. While the question of oversight is important, we focus here on discretion as that is most related to the problem of national restrictions. The question of whether these restrictions are obeyed is an important one, but we address it elsewhere.

The delegation contract specifies the level of discretion enjoyed by the agent. It contains the agent's portfolio of responsibilities and the terms under which the agent must request and receive permission from the principal before taking actions. Specific terms of delegation contracts include a list of permitted and prohibited actions, the goals of the effort, monitoring/reporting mechanisms, incentives for good behavior, disincentives for bad behavior, and the duration of the contract. Each is important, but our focus here is on the degree of discretion delegated to the agent.

### **Delegation Contracts: Behavior or Outcomes**

Ranking each ISAF member in terms of caveats imposed on their forces via delegation contracts would produce a spectrum, ranging from very restrictive to very minor caveats. We can divide this spectrum into two broad categories based on findings from the PA literature: outcome contingent or behavior contingent contracts (Fassina 2004). The more a state wants to achieve national goals, the fewer caveats they impose. In an extreme case, the ends truly justify the means from this perspective. Conversely, the more a state is concerned with the behavior of their troops relative to the mission's goals, the more caveats they impose. Here, the ends do not justify the means. Under outcome contingent contracts, the principal directs the agent to achieve

the desired aims by making pay and promotion dependent on reaching the principal's goals. For behavior contingent contracts, incentives focus on guiding the behavior of the agent, making sure that the agent engages in appropriate actions and avoids activities that might be risky or embarrassing to the principal.

To repeat, the outcome type of contract focuses on the principal's desired ends. The behavior contingent contract focuses on means used to achieve those ends, regardless of whether those underlying ends get achieved. National restrictions, or caveats, largely, although not entirely, emerge where principals are more concerned with the behavior of their contingents and less focused on achieving the desired endstate. Restrictions on where to deploy (not to the south), when to operate (not at night), with whom to operate, and with what weapons all are efforts to limit how military units can behave. These caveats are not aimed at achieving more success on the ground, but rather are focused at avoiding certain kinds of failures that could have domestic or international consequences. They constrain the behavior of the agent.

### **Who are the Principals?**

What shapes this delegation of authority? To answer this, two questions must be addressed: who are the key principals that are delegating authority in each country and what is their focus? At first, it might seem obvious who the relevant principals might be—the leader of the government and the decision-making body of the relevant international organization. It is more complicated than that. In any democracy, voters are the ultimate principals. They delegate decision-making authority via elections and constitutions to their representatives—executives and legislators. These leaders in turn, sometimes delegate their authority over military operations to lower ranking civilian or military officials. These officials may decide to delegate authority further down the chain of command or to retain authority to make decisions about

permissible operations on the ground in a military effort. In short, there is delegation from voters all the way down to the private engaged in infantry operations in Helmand, Kandahar or around Kabul. Yet because we are concerned about the discretion possessed by the senior commanders on the ground, we will call those that senior military commanders on the ground report to and take direction from the “proximate principal” in the delegation chain. The proximate principals are those who define the authority the senior commanders have to make decisions, the conditions under which they can call home to seek greater authority, and the conditions under which they must decline to participate in a military operation.

Countries will vary in who serves as the proximate principal. Every democracy has developed rules that govern how their civilians control their militaries, and these rules determine the proximate principal(s) who construct and enforce the delegation contract with their agent. Consider three examples.

In the United States, the President is the Commander-in-Chief of the U.S. armed forces, but he delegates most of the responsibilities for national defense to the Secretary of Defense.<sup>20</sup> The combatant commanders are the four star officers who command all US forces in particular parts of the world [CENTCOM, EUCOM, SOUTHCOM, PACOM, NORDCOM], or serving particular functions [Joint Forces, Special Operations, Strategic, Transportation]. These commanders report to the Secretary of Defense and the President.<sup>21</sup> Consequently, the key links in the principal-agent chain in the US case are the Secretary of Defense to Combatant Commander to the senior commander on the ground. The Secretary of Defense is the key

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<sup>20</sup> The Chairman of the Joint Chiefs of Staff has no executive authority, serving as an advisor to the President. For a discussion of the Goldwater-Nichols Act of 1986, see Locher 2004.

<sup>21</sup> For a comparison of the Cheney-Powell-Schwarzkopf dynamic versus the Rumsfeld-Myers-Franks relationship, see Saideman 2008.

proximate principal in determining how much authority the commander on the ground may have and what kind of restrictions they may face.

In Canada, the formal commander-in-chief of the Canadian Forces is the Governor-General, who used to be an agent of the King or Queen of the United Kingdom. In practice, the Chief of the Defense Staff (CDS), a four-leaf officer, is the official who decides how the Canadian Forces operate. Technically, the Governor General selects the Chief of the Defense Staff upon the advice of the Prime Minister, but in reality the Prime Minister selects the CDS, who serves as long as the Prime Minister wishes unless he chooses to retire. In recent years at least, Canada seems to meet the ideal type of Huntington's (1957) objective form of civil-military relations: the Prime Minister decides where the Canadian Forces deploy and the CDS determines how they will operate once they get there. The CDS along with other top officers (the Deputy Chief of the Defense Staff prior to 2006 and the commander of Canadian Expeditionary Command [CEFCOM] since) provide the instructions, including caveats, determining the flexibility of the forces on the ground.<sup>22</sup>

Germany is quite a different case as the key principal in deciding the rules governing deployments is a collective: the Bundestag. The lower house of the German legislature has been empowered by Supreme Court decisions and by subsequent legislation to oversee military operations (Altmann 2006), and legislators have taken this quite seriously, particularly as the ISAF mission has moved from the peace-building/nation-building effort that was initially supported to the more dangerous and aggressive counter-insurgency effort it has become in the south. Because the German Basic Law prohibits aggression but allows for support of collective

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<sup>22</sup> The contrast with other sectors of the Canadian government is quite striking. For instance, Ambassadors are unable to speak in public on important issues without clearance from the Prime Minister's Office (Stein and Lang 2008).

security operations, and due to the composition of the Bundestag, even if a mission were widely popular, German troops would face restrictive rules of engagement and commanders would have narrow discretion. And, of course, the mission is not popular at all.

This brief discussion of these three countries suggests two important implications. First, which office serves as the proximate principal varies by country. We are concerned most with proximate principals as they tend to write the specific delegation contract with the deployed agent. Second, as a result, different processes will shape the interests and actions of the varying proximate principals. That is, if the principal is an individual, we need to consider their personality, background, perceived corporate or bureaucratic interests, and the identity and interests of those with the power to select, demote, or remove them. If the proximate principal is a collective, then we need to consider the decision-making rules and the sizes and interests of the various coalitions involved. Understanding German, American, or Canadian caveats will require different sets of theoretical lenses.

## **Explaining Discretionary Choices**

Why do some principals focus more on outcomes and others on behavior? First, expertise of the proximate principal can play a role in the caveats included in a civil-military delegation contract. The principal-agency theory literature on expertise suggests that the principal will delegate more discretion when the agent has relatively more expertise and when the principal has relatively less (Bawn 1995; Epstein and O'Halloran 1999). Experienced principals can either micromanage well or can develop nuanced caveats so that they can achieve the desired outcomes.

However, contrary to the existing literature, we argue here that principals with less expertise (i.e. newly minted Ministers of Defense with no priory military experience or military commanders with no counter-insurgency, stability operations, or peacekeeping experience) may feel they need to keep a tight rein on their deployed forces. Inexperienced principals may not be able to anticipate, much less know with any certainty, what their forces in the field are likely to do. To compensate, the principal may impose strict, blunter caveats, so as to ensure they are informed of any potential actions before they occur. More experienced principals, on the other hand, may feel more comfortable delegating authority to their agents in the field, as those principals have lived through similar situations and believe they know what to expect. If they impose any restrictions at all, their expertise would help them develop more nuanced limitations.

Second, sensitivity to risk has implications for delegation. If one is more sensitive to risk, then delegation contracts should have far more constraining caveats. This should lead us to expect that politicians and officers in fragile political positions domestically to be far less willing to delegate much authority to deployed commanders. To be sure, there is a countervailing logic—one of buck-passing. Politicians may choose to delegate in particular situations when they do not want to be blamed for potential problems. Rather than taking responsibility, they can assert that they gave the experts all that they needed, so that the blame for any failure is not in the politicians' hands but in those of the agents. While this latter scenario is a possibility, we believe it the exception to the rule. Risk aversion on the part of the proximate principal should produce *more* restrictions on deployed commanders. Of course, a key challenge here is identifying risk propensity independently of the case at hand or else tautology is likely.

Third, the focus of principals and patterns of delegation may be driven by organizational cultures and historical patterns. Inertia is a powerful force, as change often finds many

opponents and few supporters. Consequently, present day principals may craft delegation contracts consistent with past military doctrines or based on their most recent successful military operations. Militaries, in particular, develop *modus operandi* for a variety of situations, with corresponding norms of delegation. From this perspective, a nation will impose the same types of caveats used in its last military success. We would only expect to see significant changes in these norms due to crises that de-legitimate norms

Fourth, we would expect there to be a built-in tendency toward behavior-contingent contracts in certain kinds of military interventions, with the extensive caveats behavioral contracts require. Behavioral contracts are often used when outcomes are very hard to measure (Fassina 2004). Nowhere are outcomes harder to measure than in ever-changing counter-insurgency [COIN] operations. In conventional military operations, progress may sometimes be uncertain, but there are indicators upon which non-experts can use—the gain or loss of territory held, the attrition of the personnel and equipment of one's forces and the adversary, and the like. In peace-keeping operations, the outcome is also relatively easy to measure—how much violence is there? While there may be complex processes that these indicators ignore and reverses can occur, principals can look the outcomes on the ground to get a sense of whether their agents are successful in either conventional war or in peacekeeping. For COIN, no such equivalents exist given the inherently political nature of such efforts.

Within NATO, for example, there has been significant effort to develop measurements (metrics) of success in Afghanistan, but NATO has yet to reach consensus on what constitutes a valid measure.<sup>23</sup> It is proving very difficult to quantify progress toward the goal of a self-sustaining Afghanistan government. Instead, principals and others (the media, publics) often focus on what can be measured: body counts, casualties, number of patrols and hostile

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<sup>23</sup> Senior NATO military official and numerous Canadian officers.



encounters, number of schools built and children in attendance, dollars spent on development and reconstruction, etc. Many of these are measures of behavior—what are the troops doing—not of whether Afghanistan is more self-sustaining.

One final point is worth noting. Delegation is inherently dynamic. Principals can revise delegation contracts, subject to constraints like those just discussed, as they learn more about the situation and the compatibility of the agent's interests and actions with those of the principal. If principals learn that the agents are acting in ways that were unanticipated, principals may establish new restrictions as trust declines. On the other hand, if principals develop greater confidence in their agents, as the result of successful efforts, then they may trust the agents more and choose to delegate more authority.

In sum, the underlying bias during counter-insurgency operations should be for behavioral contracts containing many caveats. Variations from that baseline should depend on the following factors: the implications of expertise, attitudes toward risk, and organizational constraints. Yet we cannot understand the role of these three factors without considering the civil-military institutions in particular countries. Institutions will tell us whose expertise matters, how risk is operationalized (domestic politics, promotion within a bureaucracy, etc.), and which organizational cultures may come into play. Next, we pull all this together by reviewing the missions in Afghanistan and specifically how these various forces shaped the evolution of Canada's effort in Afghanistan.

## Unilateral and Multilateral Efforts in Afghanistan

Before we address caveats in the Canadian case directly, we briefly review the missions in Afghanistan. In the past few years, there have been multiple missions under differing patterns of authority. In late 2001, the U.S. led a small coalition of countries under the banner of Operation Enduring Freedom to overthrow the Taliban government and hunt down Al-Qaeda operatives. After the fall of the Taliban, OEF remained an on-going operation. Through 2008, OEF has largely focused on counter-terrorism, and maintained a U.S. dominant command structure, with countries providing troops under the operational command of the American military, specifically under the Combatant Commander of Central Command.

A parallel and often complementary approach was taken by the international community. At the end of 2001 in Bonn, Germany, an agreement was negotiated to develop a force, called the International Security Assistance Force [ISAF], under the auspices of the United Nations. ISAF began with a limited mandate. It would provide security in and around Kabul, and help the new Afghan government increase its governing capacity. ISAF eventually became a NATO mission with military contributions from a number of NATO members (Maloney 2003: 10). The original UN mandate allowed for the possibility of ISAF spreading its coverage beyond Kabul, and this occurred after UN Security Council Resolution 1510 was passed in October 2003. The mission expanded in a series of steps between 2005 and 2006 (Figure 1).

**Insert Figure 1 here**

ISAF and OEF continued to co-exist, with the former focused on counter-insurgency and the latter on counter-terrorism, yet that distinction often became very blurred, very quickly.

Countries might operate under different chains of command (ISAF or OEF) but largely engage in the same enterprise. Regardless of the command, Afghanistan requires operating in a difficult environment against serious opposition. It is much more fraught with peril than is peacekeeping in Bosnia or Kosovo. Indeed, countries that had signed up for ISAF have found themselves in an increasingly hostile environment. Their reactions to that environment have varied tremendously.

## **Delegation and Discretion Oversight of Canadian Forces**

In this section we examine temporal variation within a single national example to illuminate how dynamic principal-agent interactions can be during interventions. The Canadian case is interesting as Canadian commanders have had varying degrees of freedom since the advent of hostilities in Afghanistan. Ironically, given Canada's hectoring of its allies at the 2008 NATO summit in Bucharest to do more in the south, Canadian commanders initially faced very tight restrictions on what they could do. These restrictions would be relaxed over time. Below, we chart the evolution of Canadian military discretion, discuss particular restrictions, and then consider who revised the delegation contracts and why they did so.

### ***Loosening the Leash***

In 2002, when Canadian forces served as part of American-led Operation Enduring Freedom, the Canadian commanders had very limited discretion. Canadian ground commanders faced the same rules in 2002 as bomber pilots and special-forces units— any mission that might risk collateral damage needed to be approved ahead of time. Colonel Pat Stogran, commander of Canadian forces in Afghanistan in the first half of 2002, feared that these conditions would dangerously restrict the ability to act when necessary, that micromanagement from home might

create a disaster akin to events in Bosnia and Rwanda where officers had to stand by and watch war crimes take place.<sup>24</sup> Stogran considered these restrictions to be not only unnecessary but perhaps even dangerous. Indeed, Stogran had prepared himself and his officers for the possibility that he might have to act beyond his authority if it meant stopping mass killings. Luckily, he never had to face that situation.

Major General Andrew Leslie went into Kabul as Deputy Commander of ISAF and as the Canadian contingent commander in 2003.<sup>25</sup> Leslie had to ask Ottawa for permission for operations where there was a significant chance of collateral damage, or the potential for lethal force, significant casualties, or strategic failure.<sup>26</sup> He also called home whenever Canadian special operations forces engaged in any significant activities, even when operating outside of ISAF as part of OEF. Leslie found that approval was almost always granted, often immediately. Yet permission sometimes took longer if the Deputy Chief of the Defence Staff [DCDS] had to consult with the Chief of the Defence Staff [CDS] and perhaps the Defence Minister.<sup>27</sup>

In the next rotation, Canadian Brigadier General Lacroix led the NATO effort in Kabul from January to June 2004. Despite his senior position, he operated under a relatively tight leash. In the “Letter of Intent” Lacroix received as his official national guidance, he was told: “NDHQ [National Defence Headquarters] authority is required, prior to committing CF [Canadian Forces] personnel to any operations, wherein there is a reasonable belief that CF units

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<sup>24</sup> Interview with Colonel (ret.) Pat Stogran, interviewed when he was Vice-President of the Pearson Peacekeeping Centre, April 25<sup>th</sup>, 2007.

<sup>25</sup> Interview with LTG Leslie, 8 March 2007.

<sup>26</sup> Strategic failure refers to the possibility of a tactical effort going sour enough that it might undermine the NATO mission and/or the Afghan government. It is important to note that the level of opposition at this time was far less intense than faced by subsequent deployments. The primary foci of the NATO mission at this time were the warlords inside the Afghan government and disarming the various militias. Interview with LTG Leslie.

<sup>27</sup> The Minister of National Defence at the time, Bill Graham, did not recall having to give permission for any operations during Leslie’s time. Interview conducted in Ottawa on April 19<sup>th</sup>, 2007.

or personnel may be exposed to a higher degree of risk.”<sup>28</sup> Lacroix commanded the overall NATO mission in Kabul, yet any mission that included Canadian forces could be vetoed by a Canadian colonel who commanded the Canadian contingent and cleared his missions through the DCDS.<sup>29</sup> This was a particularly sensitive time for Canadian forces in Afghanistan: the opposition Taliban were ramping up activities; and tightly contested elections were about to be held in Canada.<sup>30</sup> The intensified efforts by the Taliban meant that the NATO forces had to increase their tempo, engaging in more direct combat operations. This boost in activity was unexpected, and “not what people had signed on to do.”<sup>31</sup> This meant that most, if not all, contributing countries had to go back to their home headquarters to figure out what they could and could not do in their new environment. Canada was among the slowest to respond, sometimes taking up to 24 hours or more.<sup>32</sup> On a few occasions, Lacroix had to face the galling situation of needing to find an alternative to the Canadian contingent while waiting for deliberations in Ottawa to conclude.

Even Lacroix’s own travels were subject to caveats. He sought to move around Afghanistan beyond the immediate Kabul vicinity, but the Canadian chain of command was uncomfortable with this activity.<sup>33</sup> The best example was when BG Lacroix sought to leave the area to go to a meeting. The point of tension was over how he should get to the meeting—in an armored vehicle or a sports utility vehicle. His Canadian superiors preferred that he take the

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<sup>28</sup> DCDS Intent Task Force Kabul, 19 December 2003, A0241084, p. 6, acquired via Access to Information request.

<sup>29</sup> Interview with BG Lacroix, February 6th, 2007.

<sup>30</sup> In an interview with former Prime Minister Paul Martin, March 29<sup>th</sup>, 2007, he denied that any effort was made to reduce operations or increase oversight during the Canadian election season. Interviews with former defense Ministers (John McCallum and Bill Graham) seem to buttress Martin on this point, as civilian politicians in Ottawa had little involvement with operational planning as a rule. However, it may be the case that the senior military officials anticipated the civilians’ concerns and restricted discretion on the ground accordingly.

<sup>31</sup> Interview with Lacroix.

<sup>32</sup> Interview with Lacroix.

<sup>33</sup> BG Lacroix suggested that the set of folks at NDHQ at this time had different operational experiences and whose formative years were during the lean 1990s when the Forces faced extreme budgetary pressure—that there was “a culture of risk aversion.”

former even though he recommended the latter since it conveyed a different message to those he was about to meet.<sup>34</sup>

When Lt. General Rick Hillier became commander of ISAF, he faced a very frustrating situation: the leaders of Canada's armed forces gave him the authority to act as a NATO commander but he had little influence over the Canadian forces in Afghanistan. Instead, a Canadian colonel was the commander of the nation's contingent, so Hillier was forced to call Ottawa should he want to override decisions made by this Colonel. This was problematic since the Colonel was operating under relatively strict caveats. Hillier later referred to the Canadian contingents in Bosnia and Afghanistan as CAN'T BATs (instead of the usually NATO term CANBAT for a Canadian Battalion) because he frequently had to rely on other contingents that were far more flexible.<sup>35</sup>

When Colonel Steve Noonan became the senior Canadian on the ground in 2005-2006, he found himself having far more latitude than previous commanders; "wide arcs of fire" as he called it. Instead of having to ask permission to engage in a variety of operations, Noonan found himself facing a new command philosophy, enunciated by the new Chief of the Defense Staff General Rick Hillier. Noonan was allowed to act first if necessary and then explain his actions.<sup>36</sup> Similarly, his successor, BG David Fraser, found that "Everything I did over there was notification, not approval.... If I had to go outside the boundaries of the CDS intent, then I would have to get approval. I never got to a boundary."<sup>37</sup> In his Letter of Intent, Fraser was told:

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<sup>34</sup> Former Deputy Chief of Defense Staff Maddison does not remember this event, and finds it unlikely that he would have micromanaged Lacroix in this way, interview on June 19<sup>th</sup>, and subsequent correspondence. .

<sup>35</sup> General Rick Hillier, Speech to the Conference of Defense Associations Institute, February 22, 2008.

<sup>36</sup> Interview with Colonel Noonan.

<sup>37</sup> Interview with BG David Fraser, Edmonton, Alberta, 29 January 2007.

Within the bounds of the Strategic Targeting Directive, you have *full freedom to authorize and conduct operations as you see fit*. In the interest of national situational awareness, *whenever possible* you are to inform me [CEFCOM] in advance of the concept of operations for any planned operations, particularly those likely to involve significant contact with the enemy.<sup>38</sup>

This is most notable as Fraser led Canadian Forces during its most intense combat since the Korean War—Operation Medusa in the summer of 2006. This battle was a huge surprise to Canadians as the Forces suffered serious casualties (for 21<sup>st</sup> century peace operations) while killing hundreds of Taliban. When he asked Ottawa for reinforcements, including tanks, he received what he requested.<sup>39</sup> On the other hand, Medusa revealed quite clearly not only the evolution in Canadian delegation, but also the limits of other countries: “Some forces did not show up because of caveats.”<sup>40</sup>

This pattern of increased discretion and delegation has continued. Major General Tim Grant (Brigadier General during his deployment) replaced Fraser, and found that he “was empowered to make 99% of the ops-related decisions in theatre.”<sup>41</sup> And that other one percent never came up. This contrasted sharply with his previous experiences in Bosnia where Canadians could not move out of their sector, and there were limits placed on whether and how allies could use Canadian assets in theatre.<sup>42</sup> In Afghanistan, Grant could and did send Canadian troops out of Kandahar province to the other parts of Regional Command South to assist the

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<sup>38</sup> Commander’s Directive to Commander, Task Force Afghanistan, Rotation 2, (3350-165/A37) A0232107, acquired via Access to Information, p. 14. Italics added.

<sup>39</sup> This was somewhat controversial since Hillier had tried to do away with heavy tanks when he was Commander of the Land Staff (Army Chief of Staff).

<sup>40</sup> Interview with BG Fraser.

<sup>41</sup> Interview with MG Tim Grant, 7 February 2008.

<sup>42</sup> Indeed, when he was in Bosnia, Grant commanded the Canadian contingent while Hillier commanded the NATO sector, and Grant frequently had to call home to ask permission from the DCDS if Hillier wanted to use the Canadian contingent.

British in Helmand. At no point did Grant have to reject a NATO request,<sup>43</sup> although he did engage in some discussions with his NATO commanders to “achieve the desired effect.”<sup>44</sup>

In informal conversations with more recent commanders, it is clear that the pattern of wide “arcs of fire” is continuing. However, a new Chief of the Defence Staff, General Walter Nantynczyk, can change what Hillier set up. We can speculate about the future patterns of delegation under the new CDS once we understand both the consistencies in the caveats and the likely explanations of the changes in Canadian behavior.<sup>45</sup>

## Explaining the Evolution of Canadian Restrictions

As explained above, institutional context helps determine how to view our three variables of interest. A striking feature of Canadian efforts in Afghanistan is that nearly all of the decisions and dynamics were intra-military. When asked, Canada civilians and officers largely concurred that the civilians delegated to the senior military leadership nearly all decisions, except for the decisions to deploy to particular places at particular times. So civilians pushed the Canadian military into Afghanistan in 2003 (as part of an effort both to help the war against terrorism and to deflect US pressure to help out in Iraq) and helped to make it a NATO mission (Stein and Lang 2008). How the mission was to be conducted and overseen was up to Canada’s Chief of the Defence Staff and his Deputy.

Clearly the most important differences were between Chiefs of Defense Staff Ray Henault and Rick Hillier. Hillier imposed fewer caveats on theatre commanders than did Henault. Hillier was more focused on outcomes, while Henault set up restrictions to avoid

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<sup>43</sup> Grant did point out in the interview an additional complication—allies not only had caveats but their own agendas of which one had to be conscious.

<sup>44</sup> Interview with MG Grant.

<sup>45</sup> Given Nantynczyk’s comments when we interviewed him when was the Vice-Chief of the Defence Staff, we do not expect significantly decreased discretion.



potentially risky behavior. Under CDS Henault and DCDS Maddison (2001-2005), officers on the ground in Afghanistan were given less discretion, although their “left and right arcs of fire” became gradually broader as time went on. When General Hillier replaced Henault in 2005, the officers on the ground quickly gained significantly more discretion, allowing them to beg forgiveness after controversial operations rather than having to ask permission beforehand. To explain such behavior, this section explores the relative importance of expertise, risk sensitivity, and organizational culture.

The most obvious distinction between CDS Henault and DCDS Maddison, on one hand, and CDS Hillier, on the other, relates to expertise. Henault was an Air Force pilot; Maddison a Naval officer. Hillier was an Army officer with extensive experience in peace-keeping efforts and in Afghanistan. As a CDS, Hillier not only had greater expertise in ground operations than his Air Force and Naval predecessors, but had greater knowledge about operations in Afghanistan given his year commanding ISAF. Hillier was far more comfortable delegating to those on the ground since he considered his agents on the ground to have the greatest expertise of all.<sup>46</sup> Moreover, Hillier argued that it was not only his experience but those of his entire command group who had operational experience in Bosnia, Croatia, Kosovo, Somalia, Ethiopia, and Afghanistan. They all found the tight constraints of previous caveats frustrating.<sup>47</sup>

Sensitivity to risk is likely to be a key determinant of a delegation contract’s contents—more risk averse principals will use caveats while less risk averse principals will allow deployed units more freedom of action. Again, we need to be clear about whose risk sensitivity we are studying. Again, Canadian institutions of civil-military relations give the Chief of the Defence

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<sup>46</sup> Interview with Hillier,

<sup>47</sup> Still, the acid test will be how the military operates after Hillier’s retirement in the summer of 2008. Given the responses we received during our interview with his successor, Gen. Walter Nantynczyk, when he was Vice-Chief of the Defence Staff on June 4<sup>th</sup>, 2007, we do not expect the delegation contracts to change.

Staff the authority to decide how their forces operate. As a result, we need to consider the risk propensities of Henault versus Hillier.

While we have not had the chance to interview Henault, our conversation with his deputy, Vice Admiral (ret.) Maddison, was most instructive as the salient experience shaping his views was Somalia. In that intervention, Canadian soldiers beat an arrested Somali to death, leading to a crisis within the military, the disbanding of the unit involved (the Canadian Airborne Regiment), the resignations of consecutive Chiefs of Defence Staff, and the Minister of National Defence (Bercuson 1996; Desbarats 1997). He mentioned Somalia several times in the course of the interview, comparing it to My Lai, so the focus of the Henault/Maddison team was on avoiding risks by managing the behavior of the Canadian Forces. Conversations with senior civilians who served in DND at the time support the view that Henault and Maddison were quite risk averse.

When Hillier replaced Henault, he established a “mission command-centric” philosophy, where the focus would be on managing risk rather than avoiding it. This philosophy focuses on facilitating the success of the commander on the ground by giving him the authority to make the decisions and giving him the support (logistical, diplomatic, whatever) to have him achieve success. This is very much an outcome-focused approach, or, as the new generation puts it, effects-based operations. The same language was repeated in nearly every interview of commanders who had served in Afghanistan and/or Ottawa since 2005. When asked about this, Hillier tended to see this approach as one of common sense, not needing much explanation for choosing this course rather than another.

The expected relationship between risk and caveats holds true when we examine the personal beliefs of senior military officials. The risk-caveat relationship does not seem to be

based on political risk for Canadian politicians, or on actual military dangers faced on the battlefield. Political risk increased throughout the period for Canada's elective officials, yet caveats decreased over the same period. In late 2001, the Canadian contribution in Afghanistan was a relatively popular effort instigated by a majority party government. Over the course of the next seven years, Canada experienced a series of minority governments, led by both Liberal and then Conservative leaders, and the issue of Afghanistan has occasionally threatened to cause the government to collapse.

**Insert Figure 2 here**

Individual military leader's attitudes toward risk did not seem to depend on actual casualties on the ground. The Canadians deployed to Afghanistan faced relatively low levels of military threats while operating in Kabul. At the same time, the Canadians were operating under a series of caveats. That has all changed since. As figure 2 illustrates, Canada, the UK, the Dutch and the US have been largely operating in southern and eastern Afghanistan since 2006, while the French, Italians, and Germans were responsible for the northern sectors.<sup>48</sup> The Canadians area of responsibility has become very dangerous. As one Canadian colonel put it, operating in the north is like doing peace-keeping in Bosnia, while the south is full of insurgents, improvised explosive devices, and suicide bombers, all making for a very high risk environment, as figure 3 illustrates.<sup>49</sup> Yet despite that increase in actual risk, Canada relaxed a number of their caveats. It is not our intent here to consider why Canada deployed to one of the more dangerous

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<sup>48</sup> This is in the process of changing as France has moved some troops to Eastern Afghanistan so that the U.S. could move some of its forces to Southern Afghanistan to help out the Canadians, Dutch and British forces.

<sup>49</sup> Interview with Colonel Steve Noonan, January 11<sup>th</sup>, 2007.

sectors in Afghanistan,<sup>50</sup> but rather to point out that the CDS attitude toward risk did not seem to increase dramatically, perhaps because of his confidence in his forces.

Insert Figure 3 here

The third potential explanation of patterns of delegation focuses on organizational culture. The basic idea is that organizations advance certain values and norms through their recruitment, indoctrination, training and promotion. These norms shape military doctrine which ultimately influences how policies are implemented.<sup>51</sup> The problem of applying organizational culture to this case is that it would predict less variation than we actually see. After all, Hillier and his close subordinates were raised in basically the same organizational culture that shaped their immediate predecessors.<sup>52</sup> If we assume that Hillier is an exceptional maverick, bucking the norms of his organization, we would expect resistance from within the rest of the military. That did not occur. Instead, his decision to delegate to the officers in Afghanistan were widely supported and quickly put into place.

If organizational culture cannot explain the changes Hillier implemented, it may still explain some of the consistencies that remained across military leaders in how the Canadian Forces operate. Specifically, the Forces have been loathe to do two things: detain suspects and control crowds. While Canada never developed much of a capability to detain prisoners due to its small size and limited budgets, the experience in Somalia made it abundantly clear that

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<sup>50</sup> For one controversial account, see Stein and Lang 2007.

<sup>51</sup> For some of the key works on organizational culture, see Pettigrew 1983; Keir 1994-1995, 1997; and Legro 1994, 1995.

<sup>52</sup> The organization here is the Canadian Forces, as the services were unified in the late 1960s, and Army officers serving as CDS before Hillier seemed to have more in common with Naval and Air Force officers than with the current generation of general officers.

detention was problematic. After the beating death of a Somali detainee, the unit, the Airborne Regiment, was disbanded and the careers of senior officers ended in disgrace. Despite Hillier's contentions in our interview,<sup>53</sup> it was clear during a familiarization tour of Canadian operations in Kandahar that notification of superiors back in Ottawa of temporary detention of Afghans was a priority. For the culture of the Canadian Forces, detainee abuse means not just strategic failure of the mission but catastrophe for the military. Thus, we see an enduring set of norms within the military governing detention—limited capabilities and careful oversight.

Similarly, the Canadian Forces generally preferred to avoid doing crowd control. The concern was that if they developed the capability, it would tempt politicians to use the military within Canada itself.<sup>54</sup> Within the Canadian Forces, there is a strong desire against being used in Canada's domestic struggles. As a result, this caveat was applied to the Canadian Forces until quite recently. Once Hillier saw its practical impact in Afghanistan was relatively slight, given the nature of activities on the ground, and as he was pushing other countries to reduce their caveats, he decided to allow the Canadian Forces to do crowd control.

Finally, our last explanation refers not to the agents involved, but to the mission itself. The effort moved from chasing Al Qaeda and the Taliban out of Afghanistan into a counter-insurgency effort. Operation Enduring Freedom was seen as a success by toppling the Taliban quite quickly and producing rather quickly an Afghan government. Over the course of time, particularly the past couple of years, ISAF has had to focus more on counter-insurgency, particularly in the South, than in nation- and state-building, which continues in the North. We could have expected Canada and other forces in the South to shift to more behavior-oriented

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<sup>53</sup> Interview with Hillier.

<sup>54</sup> Interview with Maddison.

contracts, as the outcomes are much harder to measure in a counter-insurgency campaign.<sup>55</sup>

However, this is precisely the opposite of what has happened—the delegation from the CDS has become less restrictive and more focused on outcomes as a result of the “effects-based” orientation of Hillier and his cohort.

### **Insert Table 1: Predictions and Outcomes here**

As Table 1 indicates, two of our explanations held up to scrutiny. Expertise and sensitivity to risk are correlated with the patterns of Canadian delegation and discretion. That is, those with the most expertise and the least sensitivity to risks designed delegation contracts that gave significant discretion to the officers in the field, while those with less expertise and more risk aversion gave their subordinates much less room to maneuver. This is probably not accidental—it may be the case that expertise and risk sensitivity are related. It is clear that Hillier, Nantynczyk and the other senior officers have been able to overcome organizational routines and norms rather quickly and easily.

### **Bringing Civilians Back In: Why Was Hillier Chosen?**

One last question remains: why did Prime Minister Paul Martin choose Hillier to be his CDS? Given that Hillier would then be the proximate principal, this decision was going to be very important. Despite being in cabinet for quite a while, Martin had little experience in defense policy, other than on budget matters as Minister of Finance. He did rely on an experienced Defense Minister, Bill Graham, but Graham’s experience was in Foreign Affairs and

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<sup>55</sup> Of course, U.S. Army/Marine Corps (2007) that was developed under General Petraeus advocates mission command and delegation to the guys on the ground. However, what is effective and what is likely to happen are often two different things.

not directly in defense issues. Thus, we have a principal without expertise. Hillier was not the only available choice, even amongst senior Army officers with experience in Afghanistan.<sup>56</sup> In our interview, Paul Martin indicated that he wanted a more robust foreign policy and that Hillier's views of a transformed Canadian Forces fit that vision. Martin indicated that their views "coincided to a faretheewell,"<sup>57</sup> suggesting that he choose his key agent based on how closely their preferences converged.

When asked about command structures, restrictions, rules of engagement or oversight, Martin indicated that he did not track those issues. Martin's rare conversations (3-4 times a year) with Hillier once he was CDS focused on priorities—Afghanistan, Darfur and other places Canada might deploy, not on how they would operate once they were deployed. In sum, when Martin chose Hillier, he felt quite comfortable with Hillier making the calls on how to organize the Canadian Forces.

We find some interesting contradictions here, as the amateur civilian was quite willing to delegate a great deal of authority to the expert military officer, and the expert military officer was quite willing to grant significant discretion to the officers on the ground. Thus, expertise, at least in this case, does not have a consistent impact on delegation. Something we need to consider in the rest of the project is that expertise may have a different impact for civilians than for military officials, as greater perceived expertise may lead civilians to micromanage (Rumsfeld) while less expertise may cause officers (Henault/Maddison) to micromanage.

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<sup>56</sup> See Stein and Lang 2007 for more on this.

<sup>57</sup> Interview with Paul Martin, March 29<sup>th</sup>, 2007 in Montreal.

## Handling Restrictions

Before developing the implications from these findings, we briefly address how commanders have managed the caveats of their multinational contingents. Differences in national commitments greatly complicate life for ISAF commanders. Yet as should be expected, innovative commanders have to some extent found strategies to mitigate some of these challenges. As mentioned earlier, NATO commanders often anticipate what each country can do and develop matrices (spreadsheets) to identify potential tactical and operational scenarios and what each troop contributing nation can and cannot do. For example, in 2004, Canadian Brigadier General Jocelyn Lacroix commanded the Kabul Multinational Brigade, with 28 countries providing contingents. To deal with the problem of caveats, he designed three sets of scenarios and asked the commander of each contingent what he or she could bring to bear in each one. In most cases, Lacroix's subordinate commanders called their home countries to work out the permitted responses. Once the responses came back, Lacroix had each commander brief the rest on what their country could and could not do.<sup>58</sup>

Second, countries with similar restrictions or rules of engagement often partner with each other. Canada, Britain, the Dutch and the Czechs worked in Multinational Division/Brigade Southwest in Bosnia, and now they work in Afghanistan's Regional Command South.<sup>59</sup> Having worked out conflicting rules of engagement in the past, these countries can operate together more effectively than with units from other countries.

Finally, we should note that imposing caveats is not without political consequences. Countries that are too restricted lose credibility. Australians apparently have a very strong

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<sup>58</sup> Interview with Canadian Brigadier General Jocelyn Lacroix, Commandant of the Royal Military College, February 6, 2007.

<sup>59</sup> The compatibility of these partners was mentioned in interviews with several Canadian officers as well as the former Minister of Defence Bill Graham, April 19<sup>th</sup>, 2007.



reputation. When they show up, they do whatever it takes to succeed.<sup>60</sup> The Germans, on the other hand, have had their reputation undercut by events in Afghanistan. During the Cold War, the German military was seen as an elite, aggressive force. The same is not true today, as Germany is viewed as passive and unreliable as a troop contributor—a “rations consumer.” As the German example makes clear, countries have to be careful about how restrictive are their rules of engagement, as those rules can affect their future credibility. Indeed, Lacroix tried to use the success of the more forward-leaning national contingents to encourage the more restricted units to revise their rules, playing upon their national pride.<sup>61</sup>

Countries that are willing to do more, or are less restricted, appear to have more influence with their fellow alliance members on the ground.<sup>62</sup> Influence in a NATO operation has traditionally varied according to how many troops a country contributes. In the Balkans, most policies were usually hammered out first among the QUINT countries—the five largest troop contributing countries—the US, Britain, France, Germany and Italy. Then, these decisions would be passed onto the rest of the NATO allies and then on to other contributors outside of NATO.<sup>63</sup> In Afghanistan, the size of troops is one factor, but it seems to be multiplied by the contingent’s flexibility. Thus, in recent rotations, Canada seems to have more influence in Afghanistan than Germany or France because its troops are in harm’s way and are very forward-leaning, willing to do what is asked of them.

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<sup>60</sup> This opinion was widely shared in interviews with Canadian and NATO senior military officers.

<sup>61</sup> Interview with Lacroix.

<sup>62</sup> Confirmed in several interviews.

<sup>63</sup> Saideman witnessed this process play out during his year on the Joint Staff in 2001-2002.

## Conclusions

Coalition efforts in Afghanistan clearly demonstrate that even in the most multilateral of organizations, what officers can do is greatly shaped by their home country. Nationally established levels of military discretion remain, even when troops come under fire. Understanding why some officers have more leeway than others is not just as an academic exercise but very important for managing current and future wars. Given the relatively small number of NATO forces on the ground in Afghanistan, it is very significant that some contingents are doing far more than others. It may ultimately determine whether NATO succeeds or fails.<sup>64</sup>

Our analysis has implications beyond Canada. This case tells us that the form in which civil-military relations become institutionalized matters. Discretion increased for Canadian forces rather than decreased despite the decreased popularity of the mission, minority governments in Ottawa, and the increased risks faced by Canadians on the ground. Decisions to reduce caveats and delegate more authority have been in the hands of the CDS. Had the Parliament had authority to decide on caveats directly, it is doubtful that we would have seen the same pattern of delegation. Our next step is to study the rest of the major contributors to ISAF to determine the caveats they have and their sources. This will provide us with more variation on the institutions governing civil-military relations. In a single case study, individuals and their personalities come to the fore, but with a serious look at the rest of the major players in ISAF, we can determine more systematically the factors that shape discretion.

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<sup>64</sup> Other factors, of course, will have a large impact on events on the ground. They include Pakistani activities across the border, the challenge posed by the drug trade, and the problem of corruption in the Afghan government.

Second, we need to take seriously the focus of the principal—are they prioritizing achieving a certain outcome or avoiding failure? Are they worried about how much the agents can get the principle in trouble? The principal-agency literature has some suggestions about the role of expertise, but we find conflicting dynamics here. Experience, rather than expertise, seems to be suggestive, leading to some principals seeking to avoid trouble while others are focused on maximizing success. This may or may not be limited to military officers, whereas politicians' risk propensities may be more centered on how fragile their positions are. Again, we need to look at other cases to understand the determinants of principals' positions on the spectrum from behaviors to outcomes.

Third, we need to take seriously the limitations of alliances. Rarely is there little friction among the members of an alliance. Even where they agree on the aims, they may disagree quite strenuously on the who's, the how's, and the where's of the operations. The civil-military relations within each alliance member will significantly influence the ability of the troops on the ground to work with each other.

Fourth, given what we know now about the sources of caveats, we should not waste time and political capital trying to get Germany (and some NATO allies) to do more in Afghanistan. Even if Germany was not restrained by its constitution, getting new mandates through a body like the Bundestag is simply harder than changing an individual's mind or replacing an individual policy-maker.<sup>65</sup> Thus, we should not expect to see Germany dramatically alter its caveats and give its forces a great deal of discretion, no matter which party or coalition governs.

While Afghanistan presents NATO with some unique challenges, the problems of caveats are not new, but actually are inherent in this multilateral security institution and likely bedevil other such organizations now and in the future.

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<sup>65</sup> For the basic text on veto points, see Tsebelis 2002.

## FIGURES

**Figure 1: NATO-Led Expansion of ISAF**

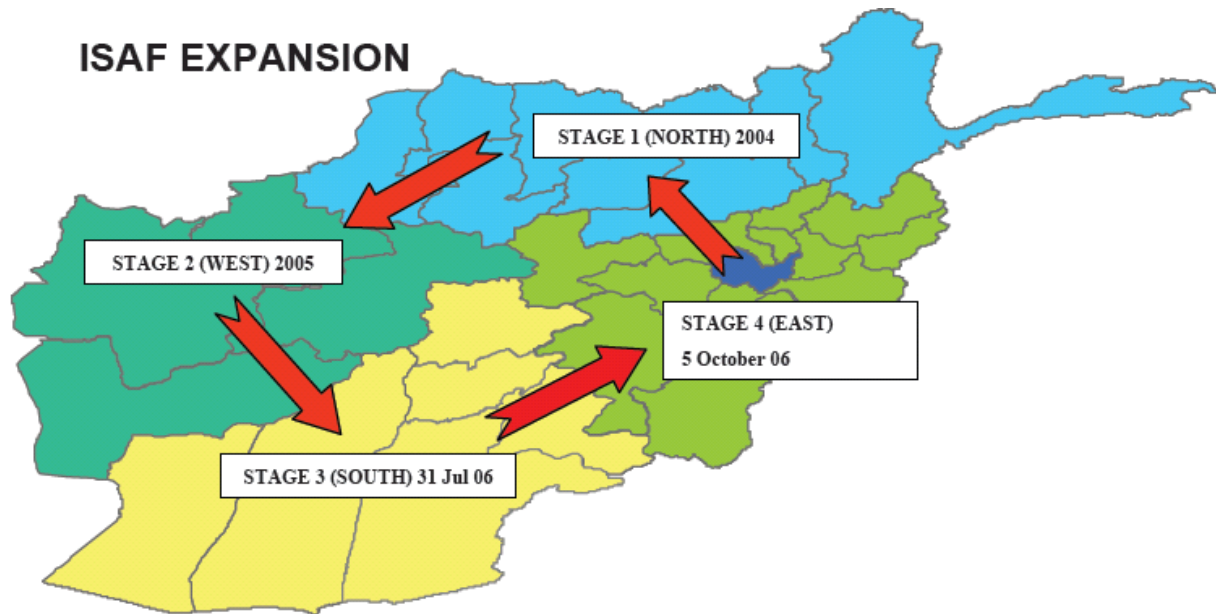
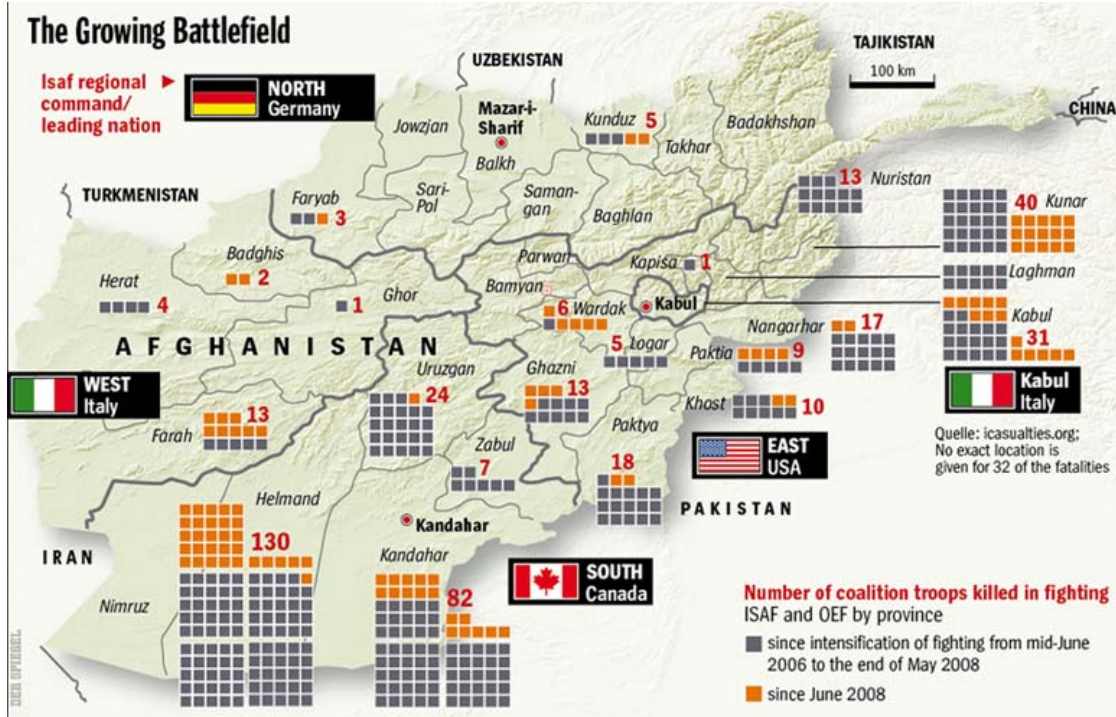


Figure 2: Division of Responsibilities in Afghanistan<sup>66</sup>



<sup>66</sup> For the latest ISAF “placemat” with numbers of troops from each country, see [http://www.nato.int/ISAF/docu/epub/pdf/isaf\\_placemat.pdf](http://www.nato.int/ISAF/docu/epub/pdf/isaf_placemat.pdf) (accessed April 15th, 2008).

Figure 3: Risks Across Afghanistan<sup>67</sup>



<sup>67</sup> Spiegel Online International, October 17<sup>th</sup>, 2008: [http://www.spiegel.de/international/world/0,1518,grossbild-1294579\\_-584616.00.html](http://www.spiegel.de/international/world/0,1518,grossbild-1294579_-584616.00.html), accessed November 18<sup>th</sup>, 2008.

**Table 1: Predictions and Outcomes**

Explanation	Expectations for 2001-2005	Expectations for 2006-2008	Correct
Expertise	Restrictive Caveats	Loose Caveats	Yes
Sensitivity to Risk	Restrictive Caveats	Loose Caveats	Yes
Organizational Culture	Restrictive Caveats	Restrictive Caveats	No
Mission	Loose Caveats	Restrictive Caveats	No

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