



FROM RUNNING REBEL
TO CONTRACTING
COUNTERINSURGENT:
**A NEVADA LAWYER'S
EXPERIENCE PUTTING
ECONOMIC POWER ON
TARGET IN AFGHANISTAN**

BY CAPTAIN CHRISTOPHER T. STEIN, USAF



As I descended the ramp of the C-130, I labored to soak it all in. It had been a hectic, exhausting and oftentimes frustrating 11 days of travel, but I was finally here. I breathed in the dry desert air, let my eyes adjust to the piercing sun and marveled at the beautiful, barren mountains surrounding me. I could have been arriving home at McCarran Airport in Las Vegas. It was only 9:30 a.m. but the heat radiating off the tarmac assaulted me as I tried to hurry along under the weight of my tightly bound, 33-pound ballistic vest and filled-to-capacity 72-hour bag. Despite the familiar surroundings, I was far from home. I was at Kabul International Airport, ready to begin my six-month deployment in support of Operation Enduring Freedom.

Hurrying off the runway, I noticed two jets painted with distinctive light blue trim, reading "United States of America" on the side. As I entered the passenger terminal, I discovered that both the Secretary of Defense and the Chairman of the Joint Chiefs of Staff were here today. This enhanced the excitement that I felt at being here and the gravity of the task I knew was before me. Afghanistan is at the forefront of America's war on terrorism and I had arrived at its capital.

Leaving the terminal, I encountered an unfamiliar mix of U.S. military members, coalition forces and civilians. Peeking at the patches on their uniforms, I saw Germans, French, Dutch, Australians, Bulgarians and Mongolians, all in distinct multi-colored camouflage uniforms and armed with everything from 9mm handguns to M-4 assault rifles and international favorites: AK-47s. The civilians, whose roles were a mystery to me, wore Afghan scarves wrapped around their necks, belying their Western jeans and baseball caps.

Soon, two armored sport utility vehicles pulled up to take me to what would be my home away from home for the next six months: New Kabul Compound – a small military installation hidden behind the thick concrete walls surrounding Massoud Circle in downtown Kabul. The drive was exhilarating. Packed tightly into the back seat, wearing my vest, helmet, fire retardant tactical gloves and ballistic glasses, I marveled at the scenery. We darted in and out of the swell of traffic past huge Mine Resistant Ambush Protected (MRAP) vehicles that looked like tanks with gunners swerving back and forth in the turrets, broken down Corollas that I worried were not as harmless as they let on, the occasional brave bicyclist and drifters wandering along the center divider. We passed dilapidated buildings, abandoned vehicles and fields of trash before pulling up to the steel gate guarded by newly trained and equipped Afghan guards.

I am told jokingly – at least I think it is a joke – that the terrorists pretty much leave our compound alone because they assume it is a prison, not a U.S. military installation. While accommodations may be spartan, I have a beautiful view from my office. Peering over the concrete walls and concertina wire, I see Afghanistan's history on display. In

the foreground is the National Military Hospital of Afghanistan, built by the Soviet Union in the mid-60s. The hospital later served as the base of operations for Ahmed Shah Massoud, a mujahideen military commander who ousted the Soviet Union, founded the Northern Alliance and was assassinated by Al Qaeda two days before the 9/11 terrorist attacks. To the side is a rustic hillside village with traditional flat roof mud houses: a view from centuries past. In the distance is Bibi Mahro, known as Swimming Pool Hill. The Soviets built an Olympic-size pool on top of the hill but were never able to transport the water to fill it. Instead, the Taliban used it as their court of law, pushing alleged offenders off the diving board into the concrete basin below. Supposedly, if they were innocent, they would live; not many did.

In the shadow of the brutal Taliban legal system, I am here as a legal advisor to the CENTCOM Contracting Command. We are a new kind of combatant in the full-spectrum conflict that defines counterinsurgency. Insurgents, united by a common ideology, use subversion and armed conflict to weaken the control and legitimacy of the established government. Counterinsurgency, or COIN, employs all elements of national power – military, political, economic, and psychological – to foster effective governance by a legitimate government. Not only do we use military force to remove insurgents and protect the population, we also invest in the economy, develop the rule of law and inspire hope among the people. We cannot just leave

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Afghanistan without the Taliban; we must leave them with – as I have seen here – companies that can pave a passable road to the local prison, build a Women’s Health Center, teach reading and writing to government employees, protect administrative buildings, transport fresh food to isolated villages and

make the boots to be worn by the Afghan National Security Forces.

As a lawyer, I fight not with a rifle or sidearm (though I carry one) but with money, the law and training that compels me to ask questions, challenge assumptions and innovate new ways to accomplish commanders’ objectives. In his guidance on the conduct of counterinsurgency operations in Afghanistan, General Petraeus – Operation

Iraqi Freedom’s hero and, now, commander of coalition forces in Afghanistan – insists “money is ammunition.” So we must pay close attention to the impact of our spending and who benefits from it. We spent \$14 billion in Afghanistan last fiscal year, so we have a lot of untapped ammunition to put into the fight. Whereas once we were primarily concerned with getting the bases built, the jets fueled and the soldiers fed, now we realize that we can double our benefit by accomplishing those tasks in a way that transforms the Afghan economy, sparks local business development and funds friends rather than foes.

Using COIN (Counterinsurgency) contracting, we hire Afghans, buy Afghan products and build Afghan capacity to create a sustainable economy that will outlast our presence here. We divert money from the corrupt officials, power brokers and other bad-actors that delegitimize national institutions. In so doing, however, we operate within the framework of Afghan law, U.S. law and international law. I constantly encounter novel legal challenges. What do we do

when we are trying to win the hearts and minds of working class Afghans but the contractor we hired to build a school stops paying his workers? Can we terminate a contract with a security firm we suspect of having loose ties to extremists? Can we buy locally manufactured tents that cost more in order to foster organic economic growth? What if we want to accept offers exclusively from women-owned Afghan companies in order to narrow the gender gap? Can we force a construction company to hire its employees from the surrounding villages to raise employment rates? What if we want to build a road, but multiple families claim ownership of the land – and none of them have supporting documentation? In a crowded, complicated and constantly evolving battle space, I use legal reasoning to organize the information, frame the issues and empower commanders to lawfully accomplish the objective at hand.

One of my favorite quotes is: “There are three types of leaders: Those who make things happen; those who watch things happen; and those who wonder what happened!” I was a senior in high school on September 11, 2001. I, along with other Americans, felt an overwhelming sense of powerlessness watching what happened. Now, nine years and a Boyd School of Law degree later, I am helping make things happen by reviewing multimillion dollar

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contracts to rebuild Afghanistan, supply our troops and secure our national defense. Serving in the U.S. Air Force Judge Advocate General's (JAG) Corps has allowed me to apply my unique skill set to the preeminent challenge of my generation.

I have the opportunity, not just to practice international law, but also to practice law internationally, with international implications. Once I complete this important mission in Afghanistan, I will return to the installation legal office at Misawa Air Base in northern Japan. There, we support the famed F-16 "Wild Weasels" in their air superiority mission. In my two years in Misawa, I have been able to practice in a broad array of fields. I have formed lasting memories: being woken in the middle of the night to respond to an alleged drunk driving accident involving a U.S. contractor on the other side of the island and sharing coffee with a surprised police chief who rarely saw an American in uniform; negotiating a claim settlement when

a fisherman's net – his sole source of income – was cut by a jet-fuel assisted take off canister floating in a local lake; and getting my first conviction as a prosecutor and, during my sentencing argument, promising the Japanese in attendance that the Air Force would not tolerate an airman who violated their trust by vandalizing their property.

We have a diverse mission in the JAG Corps and the deployments from my office in Misawa illustrate that your home station is not always your home. Right now, we have two attorneys and three paralegals leading the expeditionary mission elsewhere. While I review government contracts in Kabul, another attorney advises on the law of armed conflict and targeting decisions at the Combined Air Operations Center in Qatar. One of our paralegals administers military justice and coordinates legal assistance at Bagram Air Field in Afghanistan, another oversees third country national contractors at Balad Air Base in Iraq and a third splits

time between Washington, D.C. and Guantanamo Bay, Cuba in support of detention review boards.

The challenges we face are many, as are the opportunities for growth. I am proud to be both a lawyer and an airman. Tonight I will sleep soundly in my tent to the hum of overworked power generators and wake up ready for another day of facing the task before me: the challenge and the promise of putting our economic power on target to transform Afghanistan through effective COIN contracting. ■



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